TRADE UNIONS AND REDUNDANCY:

OPPOSITION AND ACQUIESCENCE

A thesis prepared for the degree
of Doctor of Philosophy,
at the London School
of Economics and Political Science,
in the Economics Faculty
of the University of London.

Christopher James Ball

London 1990

UMI Number: U048730

UMI

Dissertation Publishing

ProQuest

For Marya, Jonathan,

Hannah and Alex

ABSTRACT OF THESIS

Trade Unions and Redundancy: Opposition and Acquiescence

This thesis focuses on the collective responses of
union members and unions to redundancy. It adopts a
theory of trade union action based on the idea that
workers react to violations of what they perceive to be
"rights" in the employment context. "Rights" are to a
degree inculcated into the minds of workers by "union
cultures", which condition moral and ethical judgements
of behaviour. Connections are drawn between "cultures",
"ideologies" and "world views". Workers' responses to
redundancy it is suggested should show evidence of the
influence of union cultures in a sequence of events over
long periods of time. This is borne out in the empiri-
cal chapters; Chapter 4 (which describes the historical
background to the 1965 Redundancy Payments Act) quotes
developments in union responses to redundancy since the
1930s. In a further section, Chapter 5, a case study of
a series of redundancy events in the computer company,
ICL, is provided, covering union responses to redundancy
in the period 1969 to 1979.

The evidence also calls into question the view ex-
pressed in some academic and policy work on redundancy,
that the 1965 Redundancy Payments Act has defused union
opposition to redundancy. The period before 1965, the
evidence suggests, could not be characterised as a

period of strong union opposition, and the years since
the passing of the Act have not seen a predominance of
union acquiescence. On this basis, too, Hardy's argu-
ment that managements have managed redundancy and
closure by a process of legitimisation, is called in to
question. Also, the work of neo-classical labour econo-
mists, who see workers and union attitudes towards re-
dundancy in terms of the decisions of "economic man", is
refuted by the evidence and the argument in the thesis,
which emphasises the moral influence of unions and the
practice of unionism.

CONTENTS

ACKNOWLEDGEMENTS

All writers of doctoral theses it seems, accumulate
multifarious debts to those who have sustained and
supported them during the fulfilment of their tasks.
This has been particularly so in my own case, notably
for two reasons. First, it has taken me a long time to
realise my objectives and bring this study to a state of
completion. Hence, those who have had cause to suffer
my distractions and bouts of irascibility, or have been
called upon for other indulgences, have been obliged to
bear with me for longer than might be considered normal
(in what is anyway a most abnormal state of being).
Second, the fact that I have been in full-time employ-
ment during the entire research and writing up periods
that this work has entailed, has meant that I have
tended to call on help from unorthodox and utterly
unwarranted quarters. Numerous colleagues, and no doubt
some members of the union for which I have worked, must
at times have been puzzled by my somewhat inquisitorial
line of questioning in respect of some marginal point
occurring in the course of conversation, doubtless
blissfully unaware of my secret neurosis and abiding
concern, to accumulate factual information or test the
veracity of my theoretical concepts of trade union
responses to redundancy. I take this opportunity to
thank all who have assisted me or simply been obliged to
suffer my foibles during this era of my life. They
include friends, family, colleagues, and acquaintances
from many quarters, and I trust they will not be further

offended if I do not mention them all by name. I take refuge in the simple fact that they are too numerous for me to succeed in doing so.

Inevitably, however, there are some debts which cannot be acknowledged by such generalised thanks. John Kelly who acted as my supervisor during the greater part of the time that I was working on this thesis, is foremost in this category. To him I owe a very great debt of gratitude. This is not least for the many useful comments he made upon the various drafts and plans I presented, and his helpful guidance on technical details of various kinds. But to this must be added his special contribution of friendship and infectious interest which persuaded me to "soldier on" when I might easily have abandoned the project completely. For all this and much more, I offer him my sincere thanks.

Other members of the academic staff in the Industrial Relations Department at the London School of Economics have helped me by giving direct advice, or by contributions in research seminars, or reading and commenting on draft chapters. In particular I should mention Stephen Wood, Ray Richardson, Keith Thirley, and Ben Roberts. All have made helpful comments at different times. Any blemishes which remain despite these many sources of informed and considerate advice must be attributed entirely to myself.

Thanks are due, too, to many who assisted in obtaining resource materials, books and journals to which I needed to refer in completing this study. In

particular, I include the staff of the British Library
of Political and Economic Science, and Christine Coates
who, as a friend and TUC Librarian, went far beyond what
I could reasonably have expected of her in either capa-
city. I should mention, too, the staff in both the
Public Records Office, and the Archive of Modern Records
at Warwick University. They were called upon to a
lesser extent, but were nonetheless helpful and oblig-
ing. My mother, Ethel Ball, also helped by cycling from
Birmingham to Coventry in nearly her seventieth year,
and taking hand written notes from one of the Modern
Record Archive's files, when I was immobilised in London
by responsibilities of recent parenthood. Tim Webb and
Anne Schuman, colleagues at ASTMS, helped by providing
me with armfuls of files on the computer company, ICL.
Nick Savage of the ICL Personnel Department and Derek
Pring, John Begg and Jim Savage of the ASTMS/ICL
Customer Service Engineers' Representatives Committee
provided helpful supplementary information. Peter
Carter helped by letting me borrow numerous publications
for extended periods from ASTMS Research Department
Library. Ian Mikardo and Lord Diamond, both former
members of ASSET as well as notable parliamentarians,
gave me their recollections of the background to the
Redundancy Payments Act 1965. To all of these and many
more, I offer my thanks and express my sincere
gratitude.

The physical task of producing a study such as this
involves many hours of skilled and careful work by

people other than the writer. I am for example con-
scious of the fact that when my manuscripts are even-
tually taken away to the binders, further care will be
bestowed upon them by people I neither know nor am able
to acknowledge by name. Sandy Rabie and Maria
Mehlstheubl both shared the task of working with me as
Secretarial Assistants at ASTMS and MSF at different
periods. As well as performing their normal work duties
with diligence they did me the very great favour of
typing up drafts of various chapters, and for this I am
undyingly grateful. Beryl Stockman also typed earlier
drafts of a number of sections, and Doris Wood saved the
day by typing the entire final draft on her computer.
My thanks to each of them will doubtless be matched by
their relief that the job is at last completed.

Finally (and only in this order because I know that
this will always be the case) I must thank Marya, my
wife and mentor, for the moral and emotional sustenance
she has provided during the years it has taken to accom-
plish this task. She, and our three children, Jonathan,
Hannah and Alex, afforded the love and equilibrium of
mind without which its fulfilment would have been impos-
sible, as well as bearing my neglect of all manner of
responsibilities with a humour that I was unentitled to
expect. I trust that I will be able to repay this
immeasurable indulgence by being more able to meet, and
appreciate the infinitely greater challenges that our
future lives together will continue to afford. My one
regret about completing this thesis is that its

unfinished pages will no longer be the source of well-
aimed wit and affectionate ribbing, which they have
provided over the past years. I take comfort in the
fact that my many other failings will continue to fuel
the laughter in our lives, and that by finishing the
"stupid old thesis" I may be in a better position to add
a few ripostes of my own! Our children's births have
punctuated this work as well as this era of our exis-
tence. I hope that my preoccupation with this study has
not too much distorted their early experiences of life,
and that in future they will grow to realise that the
bed into which they creep for comfort in the small
hours, belongs to me as well as "Mummy". As an earnest
of these hopes and good intentions, as well as a token
of my love and thanks, I offer this work to them in
dedication.

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INTRODUCTION

When I began to write this thesis, redundancy was a
subject of such obvious relevance to the problems of
social existence in the 1980s that the customary jus-
tifications for the choice of subject seemed barely
necessary. Completing it now, at the end of the decade,
the overwhelming regularity of large scale redundancies
is less evident. Nonetheless, it seems that the idea of
"job security" is a tenuous concept, and while many of
the older industries have had their work forces
"slimmed-down" to the bone, we continue to witness job
losses in coal, shipping, motor vehicles manufacture,
food processing, and print, to name but a few industrial
sectors. Nor could it be said that the newer industries
are immune. The latter half of 1989 has seen job losses
in computer manufacture, petroleum exploration, finance
and electronics, and the State sector seems to be moving
closer to the brink of insecurity, with the developing
concepts of compulsory competitive tendering for ser-
vices, and privatisation rendering redundancies more
likely in areas previously considered relatively secure.
Even if sophisticated approaches to manpower planning
make redundancies less commonplace than they once were,
the unforeseen event, the rapid change in the economic
climate, fluctuations in exchange levels or interest
rates, will ensure that they remain as a continuing
feature in experience of working life in Britain in the
1990s and beyond.

I start with two basic propositions, upon which much that follows will ultimately depend. The first is, that in the "real world" and in academic literature, and the perspectives of public policy makers alike, redundancy is often a confusing phenomenon. In particular, in this, I single out the role of trade unions. Where trade unions may be able to point to marked improvements in working conditions as a result of collective bargaining, their success is less clear-cut in the field of redundancy. One of the problems here, is that there is no clear or accepted yardstick for measuring success. There are those who subscribe to the view that redundancy, if not desirable, is a necessary and inevitable event, that trade unions need to recognise this and simply ease the path of their members, so far as is possible, when faced with it. There is a quite different view, that trade unions "ought" to oppose redundancy and to fight for the "right to work". This view, if not generally supported by any academic analysis, is nevertheless certainly encountered among trade unionists. So, while there is disagreement about trade union objectives, confusion and ignorance about their success or failure is perhaps inevitable. This confusion, however, is mirrored in the academic and public policy debates involving trade union action in situations of redundancy. In the main, both academic analysts and public policy makers alike have assumed one position or another, without seeking to establish factually or theoretically, any basis for their

assumptions. This study is intended to go some way towards remedying that deficiency.

My second proposition is that trade unions are impelled into certain courses of action, not simply by a need to exact the best wage-work bargain on behalf of their members (though they are certainly imbued with that need). Nor is their significance to be found purely and simply in their ability to negotiate and come to terms with structures of power and control of the labour process (though undoubtedly, they are significant for this, too). More than this, there is a way in which unions express and generate moral ideas and values among their members that often differ with, sometimes strongly contradict, the ideas and values of management, or owners of capital. In other words, trade unions have a potential ethical significance. It may perhaps be argued that if trade unions express ethical beliefs, and give rise to moral influences, then these emerge as the relatively unexceptional values and beliefs of labourism. This may well be so. However, I suggest that in redundancy there is an area where unions can, and sometimes do, express goals of a more radical nature, and trade unionism is associated with moral beliefs that are not at all easy to accommodate within the framework of a capitalist market economy. Such moral beliefs may for example be found in the battles that sometimes occur in relation to the so-called "right to work", and do not seem to fall within the mainstream of labourism's philosophy or methods. I start from the

point that the existence and expression of beliefs in values of this kind, is simply one of a number of possible facets of trade unionism. I argue that if (as it would seem) there are different systems of values which operate in the practice of trade unionism, the task of academic enquiry must be to explore and explain these variations, rather than (as some observers seem more inclined to do) to declaim disapprovingly against the predominance of one or other tendency at particular moments in time. It is in part the variation between these different systems of values which trade unions might express, that I intend to examine in this thesis. In so doing, I hope that we may obtain a better understanding of trade union responses to redundancy - and rather more. Hopefully, we may gain some insights, too, into more generally applicable aspects of union character, which may perhaps serve to broaden knowledge in this area.

The structure of this thesis is as follows. In the **first chapter** we will review briefly some of the general literature on redundancy. Since much of this is of only peripheral interest to the central theme of the thesis, it will be of necessity truncated, giving somewhat greater scope for more detailed consideration of those relatively few studies that have chosen to make unions and unionism central to a study of redundancy. In the **second chapter** we commence the search for a theory in which we might begin to understand trade union responses to redundancy. In so doing we will look at a number of studies, including studies of plant closures. To this

extent the chapter may be seen as a continuation of the general literature survey in chapter one, but as will be seen, we then proceed to touch on the work of a number of contributors to industrial relations theory, to extend our search for an appropriate framework in which to set the empirical analysis which follows in later stages of the thesis.

In **chapter three** we will refer to a range of sources, before developing a theoretical framework of "trade union cultures" as expressions of the moral and ethical influence of unions and the practice of unionism. It will be suggested that such a framework may help in the analysis of union responses to redundancy, and that we might expect to find evidence of cultural influences if we consider union activity around redundancy in longitudinal studies. We will contrast this point of view with two writers who have adopted different perspectives, the first on employee responses to plant closures, the second on union members' attitudes to redundancy as evinced in bargaining strategies in pay issues.

In **chapter four** we will consider the applicability or otherwise of the theoretical framework, by conducting a survey of the historical background to the main current legislation on redundancy, The Redundancy Payments Act 1965. **Chapter five** will represent a case study of a series of redundancy events in the computer manufacturing and servicing company, International Computers (ICL). These two chapters taken together represent the

substantive empirical work of the thesis. **Chapter six** will serve to provide some conclusions and make an assessment of the validity or otherwise of our initial theoretical propositions.

My first objective (in chapter one) then, is to review the general scope of the academic study of redundancy. Much that follows suggests a variety of openings for research. At this stage therefore, it is important to make it clear that, although this particular study must be located within an academic approach to the subject of redundancy, it does not purport to set out a major research programme to repair all the shortcomings or unanswered questions in previous studies. Rather, it seeks to illustrate the problematic nature of the study of redundancy and point to one specific area of research that has been largely neglected. Very simply, that area relates to the field of trade union activity in redundancy. In particular, the questions that have not been investigated relate to the moral values expressed by trade unions in the actions they pursue over redundancy. This is the area that will become the focus of attention of this thesis.

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CHAPTER 1

LITERATURE ON REDUNDANCY

1.1 RESEARCH ON THE WIDER ASPECTS OF REDUNDANCY

The study of redundancy has occupied a small and
somewhat esoteric niche in academic research for the
past thirty years. During this time, some remarkably
familiar themes have been pursued by different resear-
chers, whilst seemingly fertile areas of study appear to
have been ignored. Thus there is, in reality, little
previous work to draw on that relates directly to the
specific area with which I am concerned. Very little of
the work which has been done genuinely falls into a
perspective that could be described as an "industrial
relations perspective". Furthermore, very little
research is from the specific point of view of an inte-
rest in trade unions and trade union action. By and
large, the political content of redundancy research has
been confined to conclusions that argue for sympathetic
treatment of the redundant, rather than being in favour
of some wider analytical point of view. Such studies
have avoided the wider issues that frequently concern
sociological or political researchers, such as the
distribution of power, the expression of conflict or the
role of major institutions or groups of interest in our
society. In short, whilst there has been some conside-
rable interest in redundancy, it has figured somewhat
marginally in the study of either industrial relations,
trade unions or workplace politics. Conversely, in-
dustrial relations issues, trade unionism and collective
bargaining have played a peripheral role in most studies
of redundancy.

The scope of academic study of redundancy in its broadest sense has been described in a number of books and articles by Wood. In particular, two 1977 articles set out the different academic perspectives that have been adopted, and outline a number of possible angles that could be fruitfully chosen by future researchers. The first emphasises the particular need for a sociological approach to the subject (1), and stresses the predominance of labour economists' contributions to the subject to date. Though applauding attempts to introduce sociological and psychological perspectives into the study of redundancy, Wood's conclusion is that those that had been undertaken to the time of writing did not represent any significant break with the economic approach. The second article written with Cohen (2), covers similar ground, and concludes by outlining some six areas that future researchers could take up in dealing with this subject. Both of these articles stress the need for the redundancy process to be studied, and to move away from an exclusive concentration on the labour market. Both of them stress the need to examine the social production of redundancy, and reactions to it. As summaries of the main academic research in this area they represent useful bibliographies, which it is not necessary to replicate.

As recently as the late 1950s, redundancy emerged as an issue of significance, both in State policy and in written research. At this stage, however, the focus was less upon the need to protect the redundant; more upon

the need to manage redundancy and the "objective" needs of the economy that it should be brought about. The Acton society researchers in 1958 (3), Goodman, a labour journalist writing in 1960 (4), and various Ministry of Labour studies from 1958 onwards (5), were all concerned with this general theme, as was the economist Shanks (6), also writing in this period. In most of this work, there was an implied assumption that workers opposed redundancy, though this was not in any sense put to the test. Moreover, there was no attempt to analyse the extent and underlying purposes (if any) of such assumed resistance.

The first published work of any real academic standing that addressed itself to questions of redundancy, appeared in the mid 1960s. Kahn, commencing her research in the late 1950s, but not publishing it until 1964 (7), was among the first to commence investigations in this field. Focusing on the redundancies in the Midlands motor industry in 1956, she attempted to record the experiences of redundant workers, and catalogue the effects of redundancy upon them, in terms of their social position and their subsequent employment. In so doing, she initiated a theme that was taken up (with varying levels of sophistication) by other writers. Wedderburn (8), in 1964, 1965 and 1968, is the prime example, emphasising the social hardship that the redundant face, and underlining the need for State policy that provides for their needs in material terms.

Subsequently, the concerns of researchers shifted away from the social problems of redundant workers to seek to understand more closely their behaviour in the labour market. Writers such as Daniel, in 1970 and 1972 (9), and Mukerjee, in 1972 and 1973 (10), stressed the need for state intervention in the labour market, to assist the redundant in finding work, or to rationalise the management of redundancy and develop better and more reasonable circumstances in which redundancy decisions could be reached.

A parallel, but distinct theme was followed by researchers at Glasgow University. Mackay and Reid (11), and Heron (12), studied the job search characteristics of individual redundant workers, and their subsequent employment experience. Essentially, however, this work was from the point of view of those studying the labour market as economists, rather than as prospective policy reformers, which is the position adopted by Daniel and Mukerjee.

Other writers have attempted to develop a sociological approach to the study of redundancy. Martin and Fryer (13), in 1973 and Seglow (14), in 1971, are cases in point. These writers attempt to direct research and policy away from economic analysis, towards other disciplines of the social sciences, and take as their starting point a critique of the economic perspective adopted by previous researchers in the field. In particular, they stress an attachment to occupations, firms and communities, and affirm the need to treat these as

legitimate, not simply as barriers to mobility. In
attempting to explain the behaviour of individuals, they
emphasise, not simply their marketability but also their
preferences and the attachments and ideas formed in the
firms which they have left.

Writers such as Wood in 1981 (15), Callender (16),
and Coyle (17), in 1984, have examined the differential
impact of redundancy on women, as part of a far wider
growth of feminist literature relating to industrial
relations and employment issues emerging during the
1970s and 80s. Whilst aspects of these writers' work
echo the concerns of earlier writers with the economic
effects of redundancy, and the labour market experiences
of the redundant, their emphasis on gender as a distin-
guishing factor stresses the social nature of the ex-
perience of redundancy and its after effects, and links
them firmly with the sociological approaches described
above.

Despite differences of emphasis and approach, most
of these studies have a basic similarity in that they
have focused upon the labour market experiences of the
redundant worker, and have dwelt little on the actual
processes of redundancy, or the underlying industrial
relations issues. Despite their differences in emphasis
and perspective, they have in common, an approach to the
study of redundancy that does not deal with the event of
redundancy itself. They take redundancy as a "given",
looking at the problems of fragmented individuals, and
interesting and illuminating though such perspectives

have been, this has not substantially furthered knowledge of the way redundancy has been handled as a *process* or event in an industrial relations setting.

Furthermore, whilst each of these main contributors has, in one way or another, acknowledged the importance of trade union attitudes to redundancy, and hinted at the implications for industrial relations flowing therefrom, it has been left to a relatively small number of writers to take up these issues in detail.

1.2 REFERENCES TO TRADE UNION ACTION IN REDUNDANCY

In general terms then, the studies referred to above have little to offer on questions of union reaction to the event of redundancy or involvement in the redundancy process. This gap is, in part, a product of the chosen perspective of the writers concerned, in part, a product of their methodology. The social welfare and labour economics perspectives which have predominated, do not accept the event of redundancy as something of interest until after it has occurred. The chosen methodology of social survey techniques, with interviews of individual redundant workers predominating, does little to enable the role of trade unions in opposition to or complicity with redundancy to be understood, still less the ideological and moral influences which they carry with workers involved in the process. The following examples illustrate what little can be gleaned about active industrial relations from the studies concerned.

Kahn's study (which focused on a redundancy in which
one might have expected that questions of union opposi-
tion would have been vividly highlighted) does not deal
with issues of collective interest. Instead it adopts
an approach of enquiring into the experiences of indi-
vidual employees. Of interest, however, is Kahn's
finding that workers generally support a "pecking order"
of dismissal. Views about the position of different
groups in the dismissal league, point to the singularly
divisive nature of redundancy, with substantial propor-
tions of respondents favouring the dismissal of married
women, "coloured" or foreign workers and men over
65 years of age, prior to other groups. Sixty-two per
cent of workers favoured an unqualified use of "last in,
first out" as a redundancy selection criterion, the
remainder preferring more discriminatory, less objective
criteria.

Wedderburn on the other hand, refers to the general
dissatisfaction (among her white collar worker sample),
with a seemingly complex system of selection, and argues
that "morale" would have been greatly assisted by the
use of a single, simple principle in selecting workers
for redundancy - by implication, the adoption of the
"last in, first out". Her findings in relation to the
attitudes of employees towards the role played by their
trade unions are similarly blurred. The general point
seems to be that some were "dissatisfied", whilst others
were "satisfied" or "well satisfied". In the situation
which she studied (redundancies in the Stevenage

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aircraft industry), specific comments were offered that were critical of the lack of determined opposition by the trade unions, though little attempt is made to probe or explain such criticisms, other than the fact that trade union members were a minority of the total work-force. Both these studies raise a number of questions relating to the attitudes of workers, but do not pose the issues of trade union membership or action in any coherent or searching sense.

A more searching reflection upon the role of trade unions in redundancy is given in Mukerjee's 1973 work (18). He notes that in 1957, a delegate conference of the AEU instructed the executive committee of that union "to conduct a national campaign against redundancy and unemployment, and for the right to work". Mukerjee comments that:-

> "Whilst other British trade unions did not put
> their position with such vigour, the general view
> among organised workpeople, particularly at shop
> floor level, was that collective bargaining pres-
> sure should be exerted to prevent the disappearance
> of jobs" (19).

However, apart from the single example of the AEU resol-ution, no evidence is offered in support of this asser-tion, nor is there any attempt to describe the variety of formal policies on redundancy of different unions, or the possible variations between formal, official poli-cies and informal workshop and plant practices in these matters. Nevertheless, in a later section of the book, Mukerjee appears to recognise the greater complexity of the problem himself. In a passage on opposition to

redundancies and the Redundancy Payments Act, he casts
doubt both on the conclusions that have sometimes been
drawn, that the Act reduced opposition, and on the
suggestion that workpeople resisted the modernisation of
industry by opposing redundancy prior to the legislation
being introduced.

An issue that is brought out clearly in Mukerjee's
study is the difficulty of drawing conclusions about the
degree of redundancy resistance from official strike
statistics. The conclusion that analysts sometimes draw
is that opposition to redundancy has declined since the
1965 Redundancy Payments Act, and it is often claimed
that the Act is responsible for this reduction.
Mukerjee presents some convincing arguments which sug-
gest that such conclusions are, to say the least, sim-
plistic. For example, he notes that the main review of
the effects of the 1965 Act - the OPCS Study of 1969
(20), compared strike statistics for five-year periods
either side of 1965. As Mukerjee notes, the problem
with such comparisons is that they can easily become
inadequate if one year contains freak figures. In this
case, the number of redundancy related stoppages in 1962
was abnormally large. Discounting them statistically
raises doubt as to whether the Act had the dampening
effect upon strikes so often claimed for it. As
Mukerjee puts it, "The verdict on the efficacy of the
Act as a defuser of redundancy generated conflict, has
to be non-proven". (21). His conclusion is a useful
pointer to the problems of policy oriented research on

redundancy. The macro analysis perspective, combined
with the scarcity of detailed statistical information
over a long period of time, present almost insurmoun-
table barriers to any really reliable assessment.
Linking this with a perspective that (in the case of the
OPCS Study) appears to identify closely with the objec-
tives of the legislators and attempts no detailed
examination of individual redundancy cases, means that
much that has been said about trade union behaviour is
somewhat unreliable. Whilst broad statments about trade
union objectives are easy to make, careful judgements
based on established facts are not so easy to to find.

Unfortunately, the usefulness of Mukerjee's study is
somewhat restricted in the present context, being essen-
tially a manpower planning study of the effects of the
Redundancy Payments Act, and a cross national comparison
with other systems. On the whole, he does not attempt
to explain the role which trade unions have played in
redundancy. Although he points out, for example, that
the British system of giving redundancy payments is
unique, he does not explain how it came about, or why it
should be so. He points to the relative inactivity of
British trade unions in securing redundancy agreements,
in contrast with trade unions in America and Germany,
the implication being that this explains the principal
role of legislation in this country. As will be
gathered from the overall perspective of his study, he
offers no explanation for these same variations in terms
of trade union character or methods, other than in the

way described, and whilst his points are of interest to the academic study of redundancy from an industrial relations perspective, they unfortunately do not penetrate the problems in sufficient depth to add much to understanding in this particular area. Moreover, some of the points he makes which bear on industrial relations issues, appear to suffer a degree of mutual contradiction. For example, he draws attention to the coolness of British unions to legislation to lay down rights to specified periods of notice before dismissal (including for redundancy). He also notes that unions in the United Kingdom have been apathetic to the idea of security of employment agreements along the lines at that time pursued by their American counterparts, and concludes by suggesting that union officials were content to "collude with employers to keep the whole thing low key" (22). However, this scenario, if not totally at odds with his earlier assertion that unions were prepared to exert "collective bargaining pressure to prevent the disappearance of jobs", certainly requires a fuller explanation.

In the main then, much of the research that has been conducted on aspects of redundancy, has not dealt with trade union responses in any searching or analytical sense. Either the response of trade unions has been taken as a popularly understood "given" or, if questions have been raised, they do not seem to have been probed in any degree of detail. There are, however, a number of writers to whom this generalisation does not apply,

and there is now a need to consider what light they are able to shed upon the issues I have outlined for examination.

1.3 RESEARCH ON THE EFFECTS OF THE REDUNDANCY PAYMENTS ACT

If one considers those studies which have attempted to assess trade union responses to redundancy, an interesting common denominator emerges. A thread which runs through the majority of such studies is the question of what (if any) effect might the legislation on redundancy have had on the behaviour of trade unions. This can be made more specific, for whilst there is not just one, but several pieces of legislation relating directly to matters of redundancy, the questions that tend to be posed relate to the 1965 Redundancy Payments Act. Moreover, such studies tend to have in common an assumption that the Act undermined the effectiveness of trade unions to fight redundancy. If there is a theory of the study of redundancy then, to a large degree, it stems from the debates and contradictions between various writers in this area.

The most complete statistical review of the Redundancy Payments Acts was the OPCS Study by Parker *et al*, conducted in 1969 for the Department of Employment (23). (The main interpretative chapters were written by McCarthy and Ellis.) Reviewing and reaffirming the policy link between the need for economic growth, the modernisation of industry and the need for

what was described as "effective" use of manpower,
McCarthy and Ellis argue that fears of economic
insecurity had "generated workplace attitudes and stra-
tegies" designed to minimise such insecurity, and that
this in turn had led to an "under utilisation of man-
power". For them then, the Act was partly an attempt to
alleviate "the problem of uncertainty" and the conse-
quential attitudes and strategies, which were barriers
to productivity and growth. More directly, it was
introduced to reduce trade union opposition to redundan-
cies "at the point of their occurrence". The writers
put the point as follows, in a much quoted passage:-

> "It was never expected that the provision of statu-
> tory compensation would in itself eliminate the
> union and workplace opposition which is typical and
> natural in the redundancy situation: rather, the
> most that was hoped for was to achieve some reduc-
> tion in its intensity."

Even if the reduction in union opposition to redun-
dancy was only expected to be partial, the provision of
a statutory scheme of redundancy payments was expected
to have the further consequence that it would engender
greater management *control* of the redundancy process
itself. "Criteria of efficiency" were to become more
important in decisions about who to retain and who to
dismiss, and this was not wholly compatible with the
"last in, first out" principle which trade unions fre-
quently insisted upon in the selection of redundant
workers.

Again, according to Ellis and McCarthy's reading of
the underlying purposes of the Act, the aim was...

> "... not to give employers an unlicensed freedom
> to apply their own criteria in redundancy situa-
> tions irrespective of the rights and views of
> those affected; rather, it was intended to create
> a situation where those affected are more likely
> to accept the implications of these economic con-
> siderations (i.e. the need for efficiency and mobi-
> lity of labour). The statutory payment provides
> workers with an incentive to break with the prin-
> ciple of 'first in, last out'". (25).

According to McCarthy and Ellis, the Act largely
succeeded in achieving its intended purposes. Its
industrial relations effects were, among others, to
influence the criteria adopted by employers in selecting
workers for redundancy - encouraging them to place more
emphasis on age and sickness records (besides the cri-
teria of "last in, first out", efficiency in the job,
and skill level).

Moreover, they found evidence that the statutory
provisions had made employees more prepared to accept
redundancy, and detected "a decline in overt conflict".
The Act had had an impact on the attitudes of employers,
too. By formalising certain aspects of the redundancy
process, specifically, the rights of employees to a
statutory payment, some employers had "been led to treat
the whole affair of redundancy more precisely and care-
fully" (26). The net result of this was that there had
been a decline in strike activity over redundancy issues
since the introduction of the Act. The conclusion of
McCarthy and Ellis was that, although it was not speci-
fically intended to contribute to improved industrial
relations, the Act had had a generally beneficial effect
in this sphere.

1.4 WOOD'S CRITICISM OF THE OPCS SURVEY

Attacks on the conclusions of the study by Parker
et al have come from two distinct directions. The first
is a critique of its theoretical framework and the
validity of its findings. It questions whether the
conclusions of McCarthy and Ellis, that the Act had been
broadly successful in achieving its objectives, are
accurate. This critique is adopted by Wood. The second
line of attack - from Fryer - is essentially, that both
the Act and the Parker study represent a managerialist
approach that is inadequate or unacceptable as a frame-
work for public policy.

The main thrust of Wood's criticism is, not merely
that McCarthy and Ellis failed to draw valid conclusions
from the survey data (though he does devote a substan-
tial amount of attention to this point). Rather, he
chooses to emphasise what he considers to be a flaw in
their theoretical perspective which caused them to adopt
a false conception of "the redundancy problem" (27). By
adopting a pluralist approach to the problem, they had
assumed that, despite a conflict of interest between
employers and the employed, a compromise was possible.
Wood does not so much argue that this is not so (as he
may well have done were he, for example, commited to a
Marxist perspective), rather, he suggests that the *terms
of the compromise,* if they are to be considered accep-
table, must involve giving a redundant worker a new job.
Wood's criticism comes down to the fact that McCarthy
and Ellis *assume* that an active labour market policy

is possible and is working. Acting on this assumption, it is possible for them to focus on the R.P.A. in abstract of other policies. Wood's prescription is not so much for a given theoretical perspective. Rather, it is that there is a need to study redundancy in a way that does not merely *accept* given views and reactions to redundancy, but incorporates an examination of them into the research. The implication is that the absence of any valid, coherent, theoretical framework precluded this in the case of McCarthy and Ellis.

In particular, Wood argues, there were assumptions by both policy makers and academic researchers, that trade unions opposed and frustrated managements' attempts to effect redundancies prior to the 1965 Redundancy Payments Act. It is one thing, argues Wood, for public policy to be directed by untested beliefs of politicians, but quite another for academic researchers to subsequently adopt the same beliefs without subjecting them to enquiry. Emphasising the lack of knowledge available to support McCarthy and Ellis, Wood observes:-

> "It is a dangerous strategy which starts with what
> amounts to almost a complacency about its knowledge
> of the real world, particularly in a highly vola-
> tile area such as industrial relations. It is
> especially dangerous in an applied area, since we
> may end up imposing our normative view on the
> world, not simply to change it, but in order to
> describe it." (28).

Wood's point is that this is exactly what McCarthy and Ellis have done. He, in short, charges them first with starting from an assumption that trade unions systematically frustrated managements in their attempts

to create redundancies, and then with proceeding to a conclusion that the legislation had weakened this opposition.

The problem which we now have in any assessment of trade union action, before and after the Redundancy Payments Act, is that there is no readily available data to draw upon, describing the extent of union opposition to redundancies prior to 1965. Possibly, impressions were formed about trade union opposition, which were in fact generalisations based upon a limited number of examples. (It is true, for example, that there were a number of disputes in the motor industry, which attracted considerable attention.) The researchers, in following the assumed position of a generality of opposition, then found by empirical evidence that there was an absence of such in the post 1965 period under consideration. Quite unjustifiably, they put this latter situation down to the effects of the legislation. Manifestly, for those responsible for introducing the R.P.A., this was a comforting conclusion, and Wood is right to question whether or not it was in any sense justified by reality.

1.5 **FRYER'S CRITIQUE OF PUBLIC POLICY AND "MANAGERIALISM"**

Fryer (29), besides attacking the OPCS Study from a different direction, has been responsible for a more radical analysis of the Act. In a very real sense, it is possible to lump these two targets of criticism together, because Fryer's attack on the Act is, in large

measure, an attack based on the findings of the OPCS
survey, whilst his attack on Parker *et al* is that they
assume a similar standpoint to that of the legislators
in explaining the need for legal intervention.

The thrust of Fryer's criticism is that the legisla-
tion - as an expression of public policy - is based upon
an understanding of the redundancy "problem" as essen-
tially a "management problem". The threat of economic
and technological stagnation is caused by the restric-
tion of managerial initiative and the unwillingness of
workers to change. An alternative standpoint that *could*
have been adopted, argues Fryer, is that redundancy, as
such, is undesirable, and that legislation could play a
part in eliminating it. The emphasis adopted by the
makers of public policy, however, has not merely been to
seek the easier resolution of the "management problem",
but in so doing, to underline the *legitimacy* of redun-
dancy and to encourage workers to accept the *inevita-
bility* - indeed, the *desirability* - of it. Fryer quotes
at length from the speeches of politicians during the
passage of the Bill through parliament, and from various
sources which purport to analyse the "redundancy
problem", both before and after its enactment. The
overall tenor of analysis of the "problem" has been, he
argues, to see the "management problem" as serious and
rational, whilst that of the workers - i.e. how to avoid
redundancy - is treated as "unrealistic" and "imprac-
ticable". Moreover, argues Fryer, this bias towards
management's perception of the "redundancy problem"

extends to the area of control in selecting individuals for redundancy - so that employers could keep "the best man for the job" rather than be tied to the "non-rational" "last in, first out" principle. Where redundancy is concerned, he argues, the law cannot be seen to have served as some kind of impartial social institution satisfying social wants. On the contrary, the supposed needs of the economy are revealed as...

> "... in truth the actual needs of one particular group in industry".

In considering questions of effectiveness, therefore, he suggests we begin by asking the questions: "Effective for whom?"; "Successful for whom?"; Urgent for whom?"; "A problem for whom?". (30).

The standpoint of McCarthy and Parker *et al* is closely identified by Fryer with this evident management-biased perspective on redundancy. The weakness of public policy has been that it has "neglected the conflicting rationality of managements and workers, indeed has ascribed rationality to managements' viewpoints, and irrationality to that of the workers". Similarly, the authors of *Effects of the Redundancy Payments Act,* define the problem of redundancy as...

> "... how best to underpin the economic rationality of management by modifying the emotive non-rationality of workers".

In this sense, his critique bears a close similarity to that of Wood. However, there are major differences in the approaches adopted by these two writers, which are spelt out in detail in the following section.

1.6 DIFFERENCES BETWEEN WOOD AND FRYER IN APPROACHES TO THE STUDY OF REDUNDANCY

The principal difference between these two writers is that Fryer is firmly of the radical school in industrial relations. The "problem" of redundancy for him is a problem that must be understood from the workers' point of view, i.e. that it is a thing to be avoided at all costs. This contrasts with the "managerialist" view which Fryer criticises, and which perceives the redundancy "problem" as that of worker opposition and how best to overcome it. Starting from a position where workers are expected to adopt a quite different attitude towards redundancy from that of management, Fryer emphasises the existence of opposition in the form of occupations, sit-ins and the like.

Wood's perspective is less easily characterised. Although he himself emphasises the differences between the "radical school" and his own approach, he fails to state explicitly what that approach is, except to adopt a carefully correct research methodology, and to query the validity of *assumed* positions. So, for example, where Fryer argues that the workers' definition of the redundancy problem should influence the shape of public policy (31), Wood criticises this on the basis that Fryer has, in fact, offered little *evidence* to support his assertion of radically different workers' values. On balance, asks Wood, despite Fryer's examples of worker opposition in the form of sit-ins, occupations and so on, is there really sufficient evidence to

justify Fryer's contention of a radically different workers' perspective? Wood concedes that Fryer has made an important contribution to the study of redundancy by pointing to the weaknesses in the assumption that workers who accept the "inevitability of redundancy" accept the rationality of management's definition, by concurring with its desirability. However, says Wood, Fryer fails to develop this adequately. The need is clear, he says, for a sociological investigation of the reality of workers' perspectives on redundancy and despite discerning such a need, Fryer has failed to fill it in his own research. (32).

Consequently, for Wood, Fryer has much in common with other writers on redundancy, such as McCarthy and Ellis. The common denominator between them is that of assumed positions and inadequate research. Assumptions are made that the Redundancy Payments Act has facilitated "shake out", "reduced resistance to redundancy", "changed the criterion on which selection of redundancies is made", "increased the incidence of collective bargaining over redundancy", and legitimised the process of redundancy. All of these assumptions are made, Wood points out, without a real basis of investigative enquiry. In all of this, both Fryer and McCarthy and Ellis make the mistake of "assuming public policy to be as anticipated, with little or no systematic investigation". (33). The point that Wood himself reaches, therefore, is that there is a pressing need to study the *processes* of redundancy and so enable assumptions to be abandoned in favour of empirical facts.

1.7 WOOD AND DEYS' CASE STUDIES OF REDUNDANCY PROCESSES

In the present context, the principal value of Wood's
work (the substantive body of which is published in a
single collaborative work with Dey) (34), is that it
takes as its starting point, the seeming inaction of
trade unions and workers in opposing redundancies. Wood
and Dey adopt a case study approach, from which the main
issue that arises is the fact that even where workers do
not engage in outright opposition to redundancy, a
measure of resistance frequently occurs over some aspect
of the way the issue is being handled. They express
this opposition as a desire by workers to exercise
choice, as they put it:-

> "Opposition to or acquiescence in redundancies to
> various degrees involved a concern with choice and
> an acceptance or rejection of the restraints where-
> by that choice was limited... The range of reac-
> tions to redundancy can more easily be understood
> in this context than through the common assumption
> that resistance to redundancy is animated primarily
> by concern with job security moderated only by the
> prerequisites of economic efficiency." (35).

The case studies which lead them to this position
consist of two non-unionised companies, one unionised
firm and the Bristol District Committee of the AUEW. In
the two non-unionised firms, the analysis put forward by
Wood and Dey seems to be largely justified. In the
first, the company was seen as being unfair to indivi-
duals who wanted to take advantage of the voluntary
redundancy scheme, but were prevented from doing so.
Choice, then, was an issue, in that there were indivi-
duals who wished to choose redundancy. In the

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second case study, the company offered the workers (in theory) the opportunity of moving to Wales upon the relocation of the factory. However, this choice was seen by some workers as illusory, and they were confirmed in this view by the fact that they received no practical encouragement to move. For these people, the lack of choice in any real sense was the issue. For others, the lack of opportunity to participate in the decision to relocate was the greater deprivation of choice.

When it comes to the case studies which introduce trade union activity and bargaining into redundancy, however, the characterisation of worker reaction to redundancy merely in terms of choice and control is generally less convincing. This emerges, to a degree, in the third case study - the closure of the "Champion Brewery" (an East London brewery) where the shop stewards sought to oppose the rationale for closure *per sé*. (They argued strongly against the inevitability of redundancies, though without success.) Of course, it is possible to argue that this was, in effect, merely a concern to preserve the "choice" of work at the brewery. However, this seems to be a peculiarly inadequate way of expressing the problems of the people concerned, and appears only to have the dubious merit of providing an artificial common denominator with the first two case studies.

In the final case study, the writers explore redundancy as an issue within the context of militant

trade unionism. The Bristol militants of the AUEW
rejected both compulsory and voluntary redundancy as a
matter of policy, and advocated work sharing as an
alternative to unemployment. Wood and Dey suggest that
the actions of these militant shop stewards are not
adequately explained by "the radical approach" to the
study of redundancy, such as that adopted by Fryer.
Their main reason is that, as they put it, the radical
appoach assumes that the interest of workers lies in job
security. On the contrary, the writers suggest, the
opposition of the District Committee militants was...

> "... animated less by a blanket assertion that
> the basic interests of workers were contradicted
> by redundancy, than by their concern with issues
> of choice and control". (36).

The evidence for this view is found by the writers in
the facts that the shop stewards were able to perceive
merits in a voluntary approach to redundancy, but never-
theless rejected it on principle, and that they advo-
cated work sharing as an alternative to redundancy. The
merit of this analysis, according to the writers, is
that:-

> "Accepting a concern with issues of choice and
> control one can acknowledge that in some circum-
> stances redundancy may be of material benefit to
> those it affects. In this respect, therefore,
> the perceptions of redundancy of the Bristol
> activists were more flexible and less dogmatic
> than the radical approach allows. This may help
> explain why opposition to redundancies has been
> more ambiguous and less widespread than the
> radical approach implies." (37).

For the writers, the main lesson for the purpose of
theoretical studies of redundancy is that the radical
perspective is seriously flawed:-

> "It underestimates the problem of change, choice
> and control which so exercised the militants of the
> Bristol D.C." (38).

For Wood and Dey, the radical approach defines workers' concerns as being exclusively to do with the issue of "job security" as a "sectional interest". Much of this comes excessively close to straining at a gnat. Wood and Dey fail to test the range of meanings in the term "job security", which they reject as an inadequate explanation of worker resistance. On the other hand, they state that the D.C. militants in Bristol were concerned to challenge the employers' prerogative to hire and fire union members, and they *were* opposed to change where it was enforced through the imposition of redundancy and unemployment. Perhaps the single major reason for this confusing line of argument is that the term "job security" is open to a variety of interpretations, and clearly, Wood and Dey do not accept that it encompasses the sorts of concern expressed by the militant stewards in their Bristol study. Plainly, there is a need for greater precision in terminology, not to say some clarification of the views ascribed by radical theorists to workers opposing redundancy.

Although much of the work of Wood and Dey represents a positive step in the study of redundancy, there would appear to be a number of weaknesses in it. To be fair, in the major part of their work, they exercise great care to avoid the pitfalls of the orthodox school of industrial relations research. In particular, they are careful to avoid assuming that the formal "givens" and accepted orthodoxy of industrial relations reflect the reality. For these reasons, they do represent a

valuable starting point for further study. However, the principal weaknesses in their analysis need to be noted.

The writers go to some lengths to draw a sharp distinction between their own work and that which they call the "radical critique". In so doing, they seem to define the concerns of workers and shop stewards in terms which are too narrow. (The example has already been quoted of their narrow use of the term "job security".) This creates a false polarity between their own work and that of adherents to the radical critique. At the same time, their findings could quite easily have been incorporated within a variant of the same radical line of argument.

The writers argue that the view of the radical critique, that collective bargaining over redundancies incorporates and constrains trade unions, is not proven by their own research findings. (In this, they quote examples of "gains" that were supposedly achieved in the case studies that, say the writers, cannot be described as "fractional".) This is not an entirely convincing argument, however, for three reasons. Firstly, the significance of the "gains" achieved by bargaining in the case studies is a matter of judgement. Suffice it to say that in the Bristol Engineering case study, the AUEW militants did not regard the "gains" as satisfactory. Secondly, Wood and Dey assume that a beneficial result will flow from formal redundancy procedures introduced after particular battles. They do not, for example, make any assessment of whether these

procedures, in practice, serve to avoid redundancies, or whether they possibly undermine and inhibit more effective worker opposition. Thirdly, just as it would be possible to find examples of redundancies where strong worker opposition is evident, so the possibility must be accepted that other cases would reveal far weaker, more constrained opposition to redundancy. The case studies hardly serve to dismiss the arguments of workers being incorporated and controlled by the institutions of collective bargaining. However, they do show that any attempt to simplify worker reaction to redundancy, as either passive acquiescence or outright opposition, is full of danger, whilst they do not disprove the possibility of either of these extremes.

In general terms then, the distinction, which the writers draw between their own work and the radical critique, obscures the fact that a *range* of worker reactions to redundancy are perfectly possible, from outright opposition to acquiescence, though they themselves highlight a variety of responses in their own particular studies. Useful though these examples are, one cannot be entirely satisfied with the explanations they offer for the variation in workers' reactions to redundancy. This connects with a further point which may be made in relation to the approach adopted by these writers. They suggest that perceptions of redundancy and ideological influences may be significant, and recognise that conflicts over redundancy may well be determined less by bargaining *per sé,* than the different

ways redundancy is seen by the participants in bargaining, and their ability to impose those perceptions on others. (39).

However, they do not address the problem of what sorts of issues and factors may influence the perceptions of others. They suggest that the ability to impose such perceptions may depend on...

> "... economic and ideological factors which are to some extent independent of the bargaining process, such as the degree of dependency, or the degree of resistance to redundancy". (40).

However, as a generalisation, this falls short of any satisfactory explanation of how or why such variations in perceptions might occur. Whilst in a study of this kind it may not be appropriate to demand a full analysis or detailed review of the wider societal forces shaping perceptions of redundancy, one is entitled to expect an acknowledgement of the importance of the directly relevant factors in industrial relations. Within this limited scope, it is noticeable that Wood and Dey do not, for example, devote much attention to the range of political beliefs of individual trade union activists. Nor do they describe the circumstances leading to the opposition or non-opposition to redundancy, or show how an initial disposition to oppose redundancy may be frustrated or modified in practice. Moreover, because they offer their own analysis (based on "choice" as a *common* factor in workers' responses to redundancy) in preference to that of the radical critique, they fail to ask how and why trade union reactions to redundancy vary.

Finally, it would seem that the above problem may to

some extent be linked to the writers' approach towards

the role played by unions in the redundancy process.

The writers seem, in the main, to adopt an approach to

trade unions that identifies them as organs of bargain-

ing, but does not recognise their political or ideologi-

cal significance. (This is something of a paradox,

since one of the case studies focuses on a group of

militants in the AUEW.) Overall, however, there is

little recognition of the political connotations of

trade union activity, and the political constraints

under which trade unions may labour in contending with

the problems of redundancy. One would not wish to

suggest that the wider party political issues in society

should necessarily have been drawn into a study of

redundancy processes, but rather that in any considera-

tion of the ability of unions to oppose redundancy,

attention needs to be given to the forces within them

that stand in the way of this, and also to the struc-

tures of power and authority which unions have to con-

front in exacting concessions over redundancies. The

problem with Wood and Deys' analysis is that it is

largely depoliticised, and political processes are given

too little emphasis in accounts of the actions of trade

union members. The result of this is, of course, that

struggles against redundancy are not seen in any sense

as political struggles. It should be said, however,

that this absence of concern with political processes

contrasts oddly with Dey's original thesis, in which he

sets out to "rehabilitate unemployment as a political
issue". (41).

1.8 SALMON'S HISTORICAL SURVEY OF REDUNDANCY AND TRADE UNION ACTION

A further valuable contribution to the study of
redundancy, which approaches the specific issue of trade
union responses to job loss, comes from Salmon. (42).
In a detailed historical study of the British motor
industry from 1940 onwards, Salmon takes the issue of
redundancy as an aspect of what he terms "power con-
flict", and attempts to place this within a broader
commentary on industrial relations issues.

Salmon takes as a starting point the lack of research
into redundancy as it affects workplace relations. (He
observes that studies have been largely about the impli-
cations of redundancy for the workings of the labour
market, and that even though public policy has defined
worker resistance as a prime reason for intervention,
the implications of redundancy on collective employee-
employer relations have been neglected.) He takes as
his "object of study", therefore, the impact which
redundancy has on the exercise of power in the work-
place. He concludes that redundancy is a key issue in
the determination of power in workplace organisation.

The main theoretical arguments and conclusions of
Salmon's study are as follows. He takes issue with the

large body of research on redundancy which focuses on
the individual redundant worker, and specifies the
failure of most researchers to recognise the power
inherent in the employer's right to hire and fire. The
result of this emphasis on the problems of the indivi-
dual redundant worker, argues Salmon, is that it fails
to recognise that workers may have an interest in retai-
ning employment, and atomises wage labour in market and
work situations. Hence the need, he says (taking up
points made by Wood), to stress and understand the
redundancy process.

There is something of a paradox, however, in the fact
that, whilst Salmon sets out to establish the importance
of "job defence", much of the evidence he quotes sug-
gests that job defence *per sé* has, in general, been
subordinate to other issues of control, compensation and
the defence of union rights against arbitrary attacks in
situations of redundancy. At times, he seems to confuse
workplace struggles against this wider range of redun-
dancy related issues with a generalised proposition that
the struggles were actually against redundancy *per sé* -
i.e. for "the right to work". Generally, his case
studies do not altogether support this analysis.
Rather, they seem in the main, to be illustrating
struggles for control of the redundancy process. For
example, in some cases, victimisation of shop stewards
emerges as the most signigicant issue. Thus, at one
point, the following statement is made:-

> "The policies advocated by the workplace leadership
> to resist redundancy had increasingly encouraged
> workplace organisation to seek a greater influence
> in the way redundancy decisions were taken by
> management." (43).

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There is no evidence in this to suggest that Salmon
is aware of any material or qualitative difference
between the two distinct sets of policies and practices
to which he alludes - i.e. resistance to redundancy on
one hand, and greater influence on the way the decisions
were taken on the other.

One could ask why, in such an otherwise careful
piece of research, should such confusion emerge? The
single most convincing answer has to be that, whilst
Salmon is able to catalogue the minutiae of events that
constituted a sequence of workplace struggles, broadly
in relation to redundancy issues, he makes no effort to
distinguish between the (sometimes fine, sometimes
marked) differences in substance and purpose of one
demand against another. In failing to draw such dis-
tinctions, he therefore lumps together demands for the
non-victimisation of individuals, with questions of
procedure and selection of the redundant and other
issues of outright, politically directed opposition to
redundancy. He does this, in part, because he is con-
cerned, through the conduit of a historical study, not
to discover something of the nature of trade unionism,
trade union values, or whatever, but (in his own words)
with "considering redundancy in terms of workplace
relations and as a question of power". Valid though
this objective may be, it seems to lead him into the now
familiar trap of assuming a trade union position of
opposition, and generalising that such opposition is a
manifestation of a demand for "the right to work". That

the reality is possibly more complex seems to have been overlooked. At later stages in the study, however, Salmon seems to become acutely aware that trade union leadership policies can be far from passive, and yet a great distance from any real demand for "the right to work".

1.9 MORE RECENT WORK ON REDUNDANCY

The above studies represent the major examples of academic work on the theme of redundancy. They have been supplemented by a considerable body of work which deals with the issue of factory closures. These latter studies, in effect, simply examine a particular form of redundancy - i.e. the closure context, and a number of them do take trade union responses as being of central importance. For reasons which will become clear, we will consider these in the next chapter, as part of a search for a theoretical perspective on union responses to redundancy.

Over the years, there have been a number of studies of redundancy in the mining industry. Bulmer in 1971 looked at the effects of the Redundancy Payments Act in the Durham coalfield (44), and concluded that the Act was not always achieving the objectives of the legislators. More recently, with the 1984-85 miners' strike over pit closures, there has been a plethora of literature describing aspects of this remarkable dispute.

Within the framework of this study, the book written by Jonathan and Ruth Winterton is of interest. Of particular note is the explanation they offer for the failure of the Nottinghamshire miners to identify with the campaign against pit closures. For various reasons, they argue, the Nottinghamshire miners never developed a sense of mining community in the same way as other groups in different coal areas. The Nottinghamshire coalfield provided "easy coal", which led to less rank and file pressure for militant activity, and fewer opportunities for militants who succeeded in getting elected to Branch positions to demonstrate their skills. The membership of Nottinghamshire, they argue, remained unpoliticised, with no more than an instrumental attachment to the NUM. The relative lack of concern of Nottinghamshire miners is described then, in terms of the absence of a militant tradition. To this the writers add that there was a lack of leadership in Nottinghamshire to counter the ideas that the jobs of Notts miners were not under threat, and the national leadership made the mistake of allowing these ideas to remain unchallenged by emphasising the peripheral nature of the jobs threats in Nottinghamshire.

In contrast, the successful maintenance of the strike came down to the wider comunity and rank and file support which was developed with women's action groups and local support networks with the wider labour movement. This account needs to be contrasted with less sympathetic analyses, such as that provided by Adeney and

Lloyd (46), who describe the strike within a framework of implicit support for the "new unionism" of the EEPTU and the AEU. MacGregor (with Tyler) (47), as might be expected, provides an entirely personalised account of his central role in the dispute.

Useful though these books are in charting a remarkable episode in British industrial relations in the 1980s, they do not add very much to the study of redundancy, in an academic sense. Their principal drawback is that they are only what they are - discrete studies of one particular event, the miners' strike. They do not, therefore, serve to illuminate our understanding greatly, of the more general everyday responses of unions to redundancy, nor for that matter do they seek to generalise the factors that led to such prolonged and bitter protest in the 1984-85 dispute, so that they can be understood as elements or parameters in a wider field of struggles.

Leaving aside the numerous accounts of the miners' strike, and the considerable number of studies of factory and plant closures (which we will consider in the next chapter), we have then, a relative paucity of studies focusing on trade unions and redundancy. Those that have been provided, have concentrated on economic, or public policy aspects, including the ramifications of the Redundancy Payments Act. This remains the case even with more recent articles. Booth (48), for example, looks at the question of "Extra Statutory Redundancy Payments" from an economist's point of view. Though she

offers an explanation of extra-statutory payments in these terms, her analysis is of little help in understanding the processes by which they are achieved, including the role of unions and collective action in securing them. Sutherland (49), examines public policies towards redundancy from several perspectives, touching on the Redundancy Payments Act 1965, and the Employment Protection Act 1975 which incorporated provisions on consultation with unions. Daniel (50), examines the effects of the 1975 Employment Protection Act's consultations provisions, and finds that very little has changed as a consequence of their introduction. Where trade unions were well organised, he suggests, policies and practices were already established before 1975, which made the Act's provisions largely irrelevant. Where such policies were not well established, the trade unions tended not to be so strongly represented, and the Act was consequently less effective, anyway. Turnbull, (51), considers the productivity implications of redundancy touching on the initial objectives of the 1965 Act, the changes that have occurred in such practices as "last in, first out" in selecting the redundant, the prevalence of compulsory versus non-compulsory redundancy, and the effects of unfair dismissal law on the policies employers adopt to deal with redundancy.

Overwhelmingly then, the focus of research on redundancy has not been directed towards unions and unionism. It is hoped that in some measure this study will con-

tribute towards a broadening of knowledge in a relative-
ly neglected area. As will be seen, there are wider
areas of academic research that need to be drawn upon in
order to further this process, and some of these will be
touched upon in the next two chapters. In the next
chapter we will advance towards the formulation of a
theoretical framework that might facilitate understand-
ing in this area, and in so doing continue to review
aspects of the relevant literature.

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CHAPTER 2

TOWARDS A THEORY OF UNIONS
AND REDUNDANCY

2.1 INTRODUCTION

In this chapter, I will consider some of the theories
(or partial theories) which have a bearing on trade
union responses to redundancy. This will then pave the
way in chapter three for a theoretical framework within
which to consider trade union reactions to redundancy,
and the remainder of the thesis will apply and evaluate
this in an empirical context, utilising a case study
approach.

A key objective of the Redundancy Payments Act 1965
was the modification of trade union behaviour in res-
ponse to redundancy. (1). It therefore comes as some-
thing of a surprise to discover that the academic study
of industrial relations has found little need for any
theoretical basis for the assessment of trade unions'
responses to redundancy. If there is an explanation for
this, it may well be in the nature of those studies
which have been conducted. Most have not concentrated
on the event of redundancy at all, but (as was seen in
the last chapter) on the fate of workers after redundan-
cy. Those which have concentrated on the process of
redundancy are relatively few, and as we have also seen,
have tended to be confined to a limited number of case
studies. Whether or not these are sufficient reasons to
explain the shortage of theory, is as a matter of judge-
ment. Nevertheless, it does seem that there is a pos-
sibility of connection between these points.

In particular, it would seem that it is in the nature of studies of discrete episodes, that broadly applicable conclusions are unlikely to emerge. Indeed, most researchers would consider it excessively rash to generalise on the basis of a limited number of studied events. This being the case, broad theoretical propositions are not easily tested, and thus are somewhat unlikely to be developed in the course of studies of this nature; a fact which should be borne in mind when deciding upon the type of empirical evidence that needs to be obtained to test one's assessments.

So, whilst studies of discrete episodes and of the post redundancy experiences of workers are often of considerable interest, it is felt that a different type of study (and more especially, a theoretical context for assessment) are now very much needed. In the first instance, we will look at studies which have focused on factory closures, to see whether they have any theoretical content that will assist in a general understanding of redundancy. We will then consider a particular variant of such studies in which questions of legitimacy and ideology are advanced to explain the reactions of workers. We will then turn to theories of trade unionism to search for clues that might explain union behaviour in response to redundancy, and finally, we will consider what modern labour economists have to offer to this discussion.

2.2 PLANT CLOSURE STUDIES

One aspect of the process of redundancy which has
interested academic observers, has been the matter of
plant closures. Whilst these have not resulted in
general theories or explanations of trade union respon-
ses to redundancy, a number of the studies have con-
tributed helpful insights on the problems that closure
decisions have created for workers, unions and manage-
ments. Very broadly, the studies tend to be either
written from a point of view of sympathy with workers,
or of regarding closures as problems which managements
need to resolve. A number of studies adopt more of an
investigative approach, looking into some aspect or
consequence of closure decisions, and several attempt to
make some kind of political analysis. A particular
variety of struggle against plant closures has attracted
considerable attention, i.e. factory occupations in
their various forms.

Of the worker oriented category, Foster and
Woolfsons' study of the Upper Clyde ship builders (2),
is the most impressive, both for its thoroughness and
its attempt to explain the success of the work-in. They
do so in terms of the political leadership of the rank
and file leaders, the alliances they were able to create
in the workplace and the wider trade union movement, and
the tactics they adopted to overcome workforce sectiona-
lism. They identify as important, factors such as the
stewards' use of language to define issues in ways that
met with popular support, the political context of

Scotland at a time that the Conservative Party was
experiencing a dramatic decline in electoral prospects,
and a backcloth of hositility from the official union
movement and active rank and file network, to the 1972
Industrial Relations Act and the government responsible
for it.

Their book on the Caterpillar Tractors occupation
(3), is in many ways similar, and is particularly inter-
esting in the divisions it shows between different
groups of workers, as well as the political differences
between the shop stewards and the national union leader-
ship. It also explains the reactions of wider Scottish
society, particularly the owners of Scottish business
and the Conservative Party, elements of each expressing
a measure of support for the occupation. As with the
UCS work-in, the Caterpillar Tractor occupation raised
issues of "the right to work". The authors identify
what they believe to be an important political effect of
the dispute, linking it to the overwhelming defeat of
the Conservative Party in Scotland in the 1987 General
Election. Another factor of interest that the book
explores is the response of the right wing AEU leader-
ship to what was perceived to be a left wing initiative.
The tension between the strikers and the union official
leadership (which the account describes) has to be
largely understood by acknowledging the nervousness of
the executive, to possibilities which the left wing
might utilise to capitalise on the occupation, at the
expense of the right.

While both of these books are illuminating of the specific incidents they describe, and are useful studies of the political leadership of shop stewards, it seems a pity that they are, on the whole, treated as separate cases. (The Caterpillar Tractor study makes relatively brief reference to the earlier UCS dispute, but little or no attempt is made to link the studies together.) Nevertheless, the books are useful, and set out a theory of trade union action, that is essentially dependent on political leadership for its initial impetus and depends on the balance of class forces, and worker unity for its success. In terms of facts and analysis they are immeasurably more helpful than most other studies of workers' occupations - e.g. another book on the UCS work-in by Thompson and Hart. This latter book by contrast is largely a paean of praise to those involved in the work-in, and analysis of the issues in any serious theoretical sense is not attempted.

Another writer, looking at occupations from the point of view of sympathy with the workers involved, is Coates (5). In his book, "Work-ins, Sit-ins and Industrial Democracy", he concentrates not on plant closures, nor on redundancy *per sé* but on the mechanism of opposition to these problems which workers adopted with increasing frequency in the early 1970s, in the aftermath of the UCS work-in. Making occupations the focus of the study means that a variety of disputes unrelated to closures and redundancies come within its ambit. However, as Coates makes clear, the overwhelming stimulus to this

form of industrial action gaining such popularity in the 1970s, was redundancy and factory closures. Besides providing interesting insights into a number of factory occupations, Coates provides useful evidence of the scale of support which was achieved for such methods as a response to redundancy, and as a sanction in disputes over other matters. There is no attempt however, to put this into context, by comparing the figures of occupations, and workers involved with the number of plant closures or large redundancies, where workers *did not* adopt such tactics. Nor does the book attempt any theoretical explanation of occupations, but rather places the account of events firmly within a political perspective of support for such methods as a step towards practical implementation of the ideas of workers' control. (The author is closely identified with the Institute for Workers Control, and much of the book emerged from seminars organised by that body - a fact which he freely acknowledges in his introduction.)

If the 1970s gave rise to optimism on behalf of those commenting on factory closures, the period since 1979 has evoked a more pessimistic response. Like all generalisations, there are exceptions to this, and there have still been examples of writers taking case studies of occupations, describing events in some detail, and drawing encouragement from them. Lorentzen (6), contributing to a volume of essays entitled "Fighting Closures" (7), describes the Lee Jeans occupation. Levie (8), describes a fight to keep a chemicals plant

in Essex open in 1981. Bryer *et al* (9), describe efforts to oppose the closure of the Corby Steel Works in 1979, and a number of other studies appear in similar vein. Useful though these are as descriptions of the events in question, there is little attempt to analyse the behaviour of unions and workers in any theoretical sense. Rather, they are offered in much the same spirit as Coates' work (referred to above), as a contribution to discussion among those trade union activists who would like to see trade unions fighting closures more effectively, and with more determination.

The main preoccupation of these authors then, appears to have been to answer the question, "Why have not unions been more active in fighting closures, and how can they become so in the future?" They have not embarked on any serious study of what unions have been doing in the absence of work-ins, occupations, or other forms of industrial action. In essence, these writers operate within a model of political trade unionism, in which opposition to closures and redundancy is seen to be the preferred or expected response of unions, and in which this is effected in a variety of ways including the said occupations, work-ins etc. They then observe that reality falls short of their model and they conclude by bewailing the fact that unions are not more successful (i.e. do not fit the model). In the main, however, they offer no *explanation* as to why reality differs from the scenario they have created, nor do they offer convincing *strategies* for overcoming the differences they have identified.

With regard to the question of trade union strate-
gies, Foster and Woolfson overcome this problem, by
advocating an approach of developing political leader-
ship, and building unity and alliances within trade
unions. With regard to the lack of explanation of why
the perceived shortcomings of unions exist, Moore (10),
in a short chapter in the above mentioned book by Levie
et al, offers a view based on the nature of union goals,
and the nature of union organisation. The fragmented
structure of unions, he argues, and the narrowness of
their concerns with pay and conditions of work, together
with a limited sense of solidarity they embody with
people *outside* work, leads to...

> "... narrow concepts of common interest, lack of
> concern over the employment of others, and short-
> sighted endorsement of the transmission of unem-
> ployment from one generation to the next as jobs
> are sold for the proceeds of early retirement and
> redundancy payments". (11).

Moore's strategy for overcoming these weaknesses is
essentially that unions should evolve company based
structures of organisation, supported by adequate ser-
vicing from trade union head offices, and a move towards
analysis and argument over companies' business plans.
However, one notes that Moore himself provides no evi-
dence of the inaction of unions, and that the case
studies assembled in the same volume tend to support a
view of unions engaged in a great deal of oppositional
activity, but which in general has limited degrees of
success. On this basis it must be questioned whether
Moore has any sound basis of justification for the

charges he makes relating to the "lack of concern" of
unionists over employment, and their "shortsighted
endorsement of the transmission of unemployment from one
generation to the next as jobs are sold... ". Indeed,
it would appear that the studies in the volume in which
he makes his contribution, point rather more to the
problems of unions overcoming imbalances of power at the
workplace, rather than simply pointing to a "lack of
concern" and "shortsighted" approaches. This being so,
one is inclined to raise serious doubts as to whether
the strategy Moore outlines would have the desired
effect; appearing to be more to do with increasing union
representatives' level of sophistication in their criti-
ques of company plans, than with enhancing their power
to alter or frustrate them when they lead to job losses
and plant closures.

Love (12), describes the study of the Lawrence Scott
factory occupation in Manchester in 1982. Although the
study is of interest in that (unlike most others) he was
able to gain access to both management and workers, the
final result is little more than a variant of the pes-
simistic (and largely atheoretical) type already men-
tioned. He comes close to Levie *et al* in urging that
unions should more closely monitor financial and produc-
tion performances and intentions of employers, in the
interests of saving jobs, though it is not altogether
clear how such monitoring will produce the latter ef-
fect. Yet, despite these problems, he identifies some
interesting issues. For example, he observes that

whilst opposition to the closure could be interpreted
as...

> "... a challenge to the power of corporate capital,
> and more specifically the eventual factory occupa-
> tion could be seen as demonstrating that the work-
> force were prepared to adopt tactics beyond the
> boundaries of normal collective bargaining and the
> legal framework, it has to be concluded that the
> industrial action had no politically radical
> impetus or direction". (13).

He makes the point that the occupation only materia-
lised as a form of strike action after the unions had
proceeded through the negotiating procedure. However,
he observes the occupation was purely about retaining
jobs subordinate to the control of capitalist enter-
prise. Thirdly, he argues that it was not a principled
opposition to the essence of redundancy that fuelled the
action against the company, rather it was "the exclusion
of the unions from an opportunity to devise with manage-
ment an acceptable programme of voluntary redundancies".
(14). However, whilst these are interesting points,
without any kind of theoretical framework (other than an
implied political perspective of censure from the
author) it is difficult to know what to make of them.
Moreover, the fact that this is merely an isolated study
makes it difficult to judge whether the findings relate
to a generality of occupations or otherwise. Certainly,
there is a large measure of contradiction with the work
of Foster and Woolfson, where the political character of
leadership of the unions was identified as a crucial
point in the course of progress of the two events
considered.

A study by Dickson and Judge (15), possibly sheds light on the differences between Love's and Foster and Woolfsons' findings. They argue that the decimation of manufacturing since 1979 and the contribution of Conservative ideology to closure, is an aspect of class relationships, and that...

> "... the real significance of the Thatcher Government rests in its attempts to depoliticise the issue of closure, and to acclimatise labour, specifically, and the public more generally in the 'inevitability' of closure. Indeed, the inculcation of a sense of futility in the face of closure has been one of Thatcherism's more notable achievements". (16).

However, while these observations appear on the face of it to carry some force, they seem to stem largely from the subjective instincts of the writers, rather than from any empirical analysis. When one turns to the main textual material, it is clear that the above quotation does not represent any particularly unifying theme. Rather, the book is a compendium of studies, each dealing with different aspects of closures and decline, and although there is some support for Dickson and Judges' argument, this does not appear to be without contradiction in the same volume.

For example, Patricia Findlay (17), looks at the role of women workers in closures, focusing on the occupation of the Plessey factory at Bathgate in 1982. Noting the consciousness raising effect of the occupation, she provides the kind of narrative account that is fairly typical of such studies. On this evidence alone it does not seem to be clear that closures have become "depoliticised", nor that a "sense of futility" has been

inculcated, nor that either of such alleged effects (if
so they be) could be attributed wholly or mainly to
Thatcherism. Moreover, it is not easy to square Dickson
and Judges' depoliticisation argument with the
Caterpillar Tractor occupation in 1987, and Woolfson and
Fosters' book of these events. Whilst there *may* be an
element of truth in Dickson and Judges' argument, it
should be emphasised that this is only as a broad gene-
ralisation, and that feelings of futility in response to
closure are by no means new, nor have they been
universally inculcated under Thatcherism.

In contrast to writers like Foster and Woolfson, and
Coates, a number of researchers have played down the
political significance of factory occupations, denying
that they differ materially from other forms of
industrial action, and rejecting suggestions of any
revolutionary effect. Greenwood (18), writing in 1977,
observed that sit-ins were not new in European labour
history, although at the time of writing they were
experiencing a vogue unknown since the 1920s. What was
different about them currently, he suggests, was their
concern with job protection - a theme expressed in the
earliest of the new wave of occupations, the UCS work-
in, and the occupation of the Lip watch factory in
France. In effect, he argues, sit-ins are without
political connotation and arise only as...

> "... a tactical response to the problem in hand,
> in this case that of saving jobs". (19).

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Bradley and Gelb (20), go further than this, looking at worker takeovers not so much as radical responses, as a conservative policy option that is available to governments to encourage in certain circumstances. Much of their material is drawn from American sources, but with regard to the worker co-operatives of the 1974 Labour Government they argue that the initiatives were overwhelmingly pragmatic as opposed to radical in origin, emphasising the point that workers' demands for employment were "the central motivating force" (21), as opposed to any philosophical commitment to concepts of workers' control. It follows, they argue, that worker takeovers represent an approach to industrial policy which could be followed, allowing governments to use them as a means of promoting industrial efficiency, whilst placing the responsibility for future failure or success firmly on the shoulders of the workers themselves.

Many of these studies, whilst having aspects of general interest, are without theoretical dimension of real significance, and are thus of marginal interest in the present context. This appears also to be true of the American literature on this theme (of which there is a substantial body). It will be sufficient to refer to only a few examples. Wendling (22), refers to decisions of the National Labour Relations Act which have held that employers must negotiate over the *effects* of a closure decision, whilst also ruling out obligations to bargain over the decision *per sé.* Essentially it is a

contribution to American policy debate aimed at making plant closure a generally accepted issue for bargaining.

Rothstein (23), asks why the effects of plant closures have not spurred American workers to greater political and trade union militancy. Essentially, his is a comparative approach focusing on steel plant closures in France and the USA, and goes some way to demonstrate the value of treating studies of redundancy other than by examination of discrete episodes. In the USA, he notes, workers have not been active in pressing politically for legislation to regulate plant closings *(sic)* and lay-offs. He contrasts this state of affairs with what he observes the situation to be in Europe, and concludes that American union and workers' apathy is attributable to the "hidden face of power" of American business. This he describes as the power of business interests to set the political agenda and suppress or impede the full public exposure of certain issues or grievances. This deceit (which Rothstein attributes to companies and government) restricts debate, clouds responsibilities, and, argues Rothstein, renders militant opposition difficult.

Rothstein also argues that the public and trade union members have accepted a myth that organised labour had too much power, of political and economic form. The unions themselves, he says, have in certain cases acted upon a myth and have not supported workers who were prepared to fight closures. This argument has a certain

similarity with that put forward by Lockyer and Baddon (24), which we shall consider in the next section of this chapter.

There seems to be much to be said in favour of comparative approaches, because although there is no explicit *theoretical* framework of analysis here, one gains the impression that the comparative dimension itself has leads to some useful questions being asked. Interestingly, in the few other examples of comparative studies, the steel industry figures prominently. Kourchid (25), for example, looks at redundancy in steel plants in the USA and France, and notes the same contrast in levels of militancy that absorbed the attention of Rothstein. He attributes the quasi-insurrectionist attitude of the workers in France to their earlier revolutionary traditions.

There are a number of examples of other work in this area, which are often very interesting, but on the whole they do not advance our search for theoretical explanations of union responses to redundancy. Whilst continuing to focus on the work of researchers into plant closures, therefore, we will at this point consider the work of Cynthia Hardy, who has essentially offered an explanation of worker acceptance or opposition of closure in terms of managements' exercise of mechanisms of control.

2.3 POWER, LEGITIMACY AND THE MANAGEMENT OF CLOSURES

Hardy's (26) interest in the subject of closures adopts a focus on management strategies. In her book and a further published article (27), covering similar ground, she sets out to create an analytical framework in the general approach of organisational theory. Within this framework, she sees the explanation of action (or non-action) by workers to oppose closures as residing in the impact of "intra and extra organisational variables", which impinge on the organisation. (The "organisation" it should be stressed, being the company and its workforce.)

Of particular importance is her view of power, which she identifies as being capable of taking more than one form. She posits the existence of *unobtrusive* forms of power which may incorporate a conscious use of symbolic means of *legitimising* desired outcomes so that conflict is prevented. Thus opposition to closure may be controlled by management.

An important aspect of the process of achieving legitimacy, Hardy suggests, is the creation of an acceptable *culture* for managing the closure. She draws on one of her case studies, in which there had been a history of open conflict between management and unions, but where a more participative style of management had been adopted in the years prior to the closure. One member of management is quoted as saying:-

> "I can't see how we would have tackled the closure successfully in the old culture." (28).

As a resuilt of achieving this measure of legitimacy,
Hardy argues, union officers perceived that there was
nothing they could do to prevent the closure, the
decision having been accepted by employees and stewards
alike. (29). As for the process by which this legi-
timacy is claimed to have been achieved, Hardy empha-
sises the *justifications* that management give of their
decisions, which must be set out so as to convince
workers that the closure is in all the circumstances
both reasonable and inevitable. A further aspect of
this, is the allocation of the undesirable closure
decision, with more legitimate symbols such as consul-
tation, union involvement, and redundancy consultation.
This association of legitimate actions with unwanted
closures, has the effect, argues Hardy, of assisting in
the legitimation of the latter. Hardy's case is that
these sorts of approaches are now typically adopted as
personnel departments *manage* the acceptance and
execution of closures.

It should perhaps be acknowledged at this stage that
the study is a helpful pointer to a theoretical frame-
work, particularly in its presentation of the ideologi-
cal and cultural influences on workers' outlooks.
However, despite this, it appears to have a number of
weaknesses. For example, it presents an excessively
simplified picture of opposition and non-opposition.
This to some extent seems to stem from the focus which
Hardy chooses to adopt, identifying *closures* as her
subject, without recognising that they are simply one

category of redundancy. The fact that closures may have particular implications on workers' power of resistance (i.e. in that strikes may simply accelerate closures) is not considered. Opposition to *closure* as such is taken as the only significant issue, and this by definition minimises the relevance of other kinds of redundancy, which may be just as important to workers, and form the basis for conflicts with managements. And while opposition to closure is defined as the measure of workers' resistance and, according to Hardy, can only be achieved by undermining managements' legitimacy on the issue, there is no searching enquiry of how or by what process this can be achieved.

Nevertheless, in her book and the separate article on the same theme (30), Hardy succeeds in raising some interesting questions, and the possibility of her explanations proving broadly correct needs to be examined, notwithstanding certain omissions and flaws in her approach. For example, she points out that the recession (in the 1970s)...

> "... led to increasing numbers of closures in the industrial sector throughout the decade. The response to this, however, has been sharply demarcated. The early part of the decade (1970-5) saw a concerted effort to resist the closures by union and employee groups which used a new form of attack: the factory occupation... From 1975 onwards, however, the use of this weapon seems to have died down and academic interest is almost non-existent." (31).

This is an interesting point, but Hardy's approach to it is problematic. Firstly, she refers to the founding of a number of worker co-operatives (wrongly including

UCS Shipbuilders among them). She states that in the period in question there were some 200 factory occupations, and that there was a large measure of support for them from the general public. What she fails to stress, however, is that even at its peak the factory occupation was very much the exception rather than the rule in workers' collective responses to redundancies. Whilst occupations involved some 150,000 workers from 1970-75 over a million workers became eligible for redundancy payments in *each* of the years 1971 and 1975 alone, and a total of over four million did so over the whole period. (32). Allowing for the fact that this figure could be increased by a further one-third to get a truer picture of the total number of redundants (33), less than three per cent of the redundant workforce in this period became involved in factory occupations to oppose redundancy. The figures therefore beg the question: "What then did the remaining workers do?" As has already been made clear, Hardy's research does not address itself to this point.

Emphasising the fact that occupations were a minority response to closures and redundancy does not belittle their significance. However, it does emphasise that any explanation of worker responses to closures also needs to examine forms of opposition to redundancy, *other* than occupations, if the reasons and sources of such opposition are to be properly understood. Moreover, such an emphasis encourages one to search for reasons why occupations occurred rather than focusing on their decline.

Hardy, for example, ignores the campaigns of opposition to the closure of steel works in the 1970s, noting that they took the form of "... demonstrations, lobbies of parliament, and appeals to the public and the media" (34), rather than worker sit-ins.

However, in doing this, she escapes the obligation to account for the fact that moderate leadership of the ISTC (after being supplied with ample consultation and legitimating argument) became involved in the 1979-80 strike which was remarkable for the militancy and solidarity of its support by steel workers and others in the trade union movement. (35). Instead of taking these issues into account (in a book published some five years after the strike), she glosses over them with the observation that...

> "... as closures and redundancies [among steel workers] became more prevalent, they became more acceptable. This may be an inevitable result of attitudes adjusting to behaviour." (36).

What she fails then to note, is that the 1979-80 strike, whilst ostensibly about pay, was very much bound up with the anger and frustration of steel workers at the successive plant closures that they had been compelled to witness. Indeed, it is hard to square Hardy's suggestion that closures became "acceptable", and that attitudes "adjusted to behaviour", with accounts of the strike which catalogue the rising levels of frustration of steel workers at their loss of bargaining power, the increasing threats to their jobs, and the deteriorating relationships with BSC management. (37). Moreover, the

link which BSC made between pay and local productivity

deals explicitly linked the dispute to feared job losses

in the future, and it is significant that, during the

course of a dispute which was characterised by unprece-

dented displays of militancy, mass picketing and sym-

pathy action from other groups of workers, the Wales TUC

called a general strike to protest at plant closures and

redundancies in the iron and steel industry. (38). All

of this, Hardy fails to mention, which, if it were only

an omission would be bad enough, but in the light of the

above misleading quotation, must be viewed as a major

failing.

Moreover, Hardy compounds this problem by her use of

language, using such phrases: "In order to understand

the decline in resistance to plant closure... " (39),

when what she has in fact demonstrated is a decline in

the frequency of factory *occupations* which, as we have

seen, were (at their peak) a minority response to redun-

dancy in any event. Had she taken all forms of opposi-

tion into account, she may have found that over the

period there was not a decline in the responses of

workers to redundancy, but rather the reverse, with the

climax in 1979-80 of the national steel strike already

mentioned.

A further difficulty with Hardy's work is in her

suggestion that the economic situation may well in-

fluence the propensity of workers to occupy factories

threatened with closure. She suggests that the exis-

tence of above average unemployment locally is a key

factor in determining whether or not workers will occupy
a factory, and quotes local and national unemployment
rates at the times of the commencement of the UCS work-
in, and the occupations to form worker co-operatives at
Fakenham, Kirkby, Meriden, and the Scottish Daily News
in Glasgow. However, there seems to be no obvious
reason why these five examples were chosen to test
Hardy's arguments, since by her own figures there were
some 200 cases of occupations between 1970-75. More-
over, in two of the five examples which Hardy quotes,
local unemployment rates were *below* the national rates
at the times when the occupations commenced. So, while
there appears to be logic in the suggestion that factory
occupations are linked to unemployment, it is not by any
means safe to assume that there is a simple relationship
between relative levels of local and national statistics
on one hand, and the tendency of workers to occupy on
the other.

Before finally completing our consideration of
Hardy's work, it is appropriate to mention the contri-
bution of Lockyer and Baddon. (40). These writers in
many ways adopt a similar position to that of Hardy,
though they reach it via a somewhat different route.
They take the view that there *has* been a diminution of
union opposition to closures, but that this has been
brought about by a combination of factors. Among other
things, they cite the introduction of legislation on
strike ballots, lawful picketing and the restriction of
trade union immunities. They argue that whilst the rise

in unemployment may have been accompanied by a weakening in workers' subjective commitment to resistance of closures, there is no need to accept Hardy's case that this is due to managements' success in defining redundancy as "legitimate" to groups other than themselves. Rather, they suggest, the existence of a dominant ideology presents a one sided "common sense approach" to economic events. Such interpretations define employees themselves as largely contributing to their own job losses, by pursuing inflated wage claims, remaining inflexible, or engaging in restrictive practices. Within such an ideology, they argue, management are seen to respond rationally to market forces when they take "unavoidable decisions" to close plants or declare redundancies.

Despite the differences identified here between Hardy and Lockyer and Baddon, there is a similarity in the overall arguments they present. Lockyer and Baddon are effectively saying that the dominant ideology of the wider society makes it unnecessary for management to secure the perceptions of workers, that closure is legitimate, but questions do, nonetheless, arise in relation to the execution of the decision. If managements fail to provide counselling, opportunities for training, extensive consultation etc, the management of the closure may be perceived as illegitimate. Hardy's view, as we have seen, is that these are secondary issues, which if associated with the closure in a positive way can serve to cast a halo of legitimacy

over the closure decision itself. Nonetheless, all are agreed that the management of closure is all important in determining workforce response. And while Lockyer and Baddon rely on wider external social and political factors such as legislation, to explain workers' lack of opposition, Hardy, too, incorporates these sorts of influences within her framework as "extra organisational variables". (Although, unlike Lockyer and Baddon, she does not explicitly refer to the effects of legislation.)

There are, however, a number of weaknesses in both these studies, and they need to be considered. With regard to Lockyer and Baddon's "dominant ideology" argument, it is well known that this concept needs to be treated with caution. The work of Abercrombie, Hill and Turner (41), though not denying the possibilities of ideological incorporation, strongly suggests that versions of "the dominant ideology thesis" have adopted an...

> "... over-socialised conception of society which leads them to exaggerate the extent to which subordinate classes are ideologically incorporated."
> (42).

In short, dominant ideology arguments give too little scope for the existence of rival ideologies. With regard to the acquiescence of workers to closure decisions, the role of power would seem to be a crucial factor. If workers believe that ultimately they lack the power to overcome managements' intentions of forcing a plant closure, they may begrudgingly acquiesce to the decision. This, however, says little to suggest there

has been any idological acceptance of the closure deci-
sion. Lockyer and Baddon´s case (and to a certain
extent, Hardy´s) would appear to suffer somewhat from
overlooking these points.

Interestingly, Hardy, too, identifies culture and
ideology as factors which bear on managements´ ability
to legitimise closure decisions. However, while she
acknowledges the importance of sub-cultures, she does
not explore their significance as rival sources of
power, nor their potential to undermine the legitimacy
of managements´ decisions. While she focuses on manage-
ments´ attempts to gain acceptance of closure decisions,
there is no consideration of whether, and to what ex-
tent, unions may seek to gain acceptance by workers, of
rival meanings contrary to managements´ desired
accounts. In looking at the broad scope of Hardy´s
work, it should be said that these omissions are not by
any means inevitable conclusions from her case studies.
Whilst one of her examples does appear to lend support
to her view of a compliant workforce and union officials
accepting closures as "legitimate" (perhaps as a result
of managements´ efforts to convey this perception), the
second case study paints a different picture (as, in-
deed, Hardy herself acknowledges). In this study,
management arranged no advance consultation with the
union, and it would seem that the closure was handled
ineptly. The proposed closure met with opposition,
which Hardy attributes to these managerial failings,

thus seemingly providing support to her case. However, she also throws away the apparently casual remark that...

> "... furthermore, the new steward was less middle of the road than his predecessor, and presented management with problems because he had inherited a powerful position." (43).

From this quote, it would seem that Hardy is more concerned to explain away the awkward attitude of a shop steward who is "not middle of the road", than to investigate the possibility that such attitudes may be regularly encountered as rival sources of power. In a study of closure (which she herself defines as a political process) it is surely important to give greater weight to the possibility of political stances of union officials challenging the legitimacy of management's decision, albeit ineptly executed.

Despite all the reservations expressed, it will be obvious that Hardy's work represents a genuine attempt to provide a general theory to explain union opposition or non-opposition, albeit within the limits of factory closures and worker occupations. We will return to it at a later stage for the purpose of reassessment in the light of the theoretical framework and empirical evidence which appear in later pages of this thesis. Hardy's account of non-opposition and management strategies of legitimation will be borne in mind, too, when describing the characteristics of the case study which forms chapter five of this study.

At this stage then, we can summarise the general usefulness of plant closure studies in providing

theories of union responses to redundancy, as somewhat
limited. Those accounts which appear to be most con-
vincing (like the two studies of Foster and Woolfson)
are specifically tied to the events they related, and
broader generalisations are not really attempted,
whilst Hardy, attempting a broader-brush treatment, is
unconvincing for the reasons indicated above. Nonethe-
less, both point to factors which may well be important
in any developed theory. Foster and Woolfson refer to
the consciousness, and political leadership of the rank
and file leaders, the political climate at the time, the
use of language by the leaders to touch the sympathies
of members and shape their conceptions of the disputes
around popular issues, and the tactics employed by
leaders in overcoming sectionalism among the workforce.
Hardy, on the other hand, in her emphasis of power in
organisational terms, highlights the question of legi-
timacy, and although she concentrates on managements'
efforts to legitimise closures, it is apparent on review
of her work that this is a process that should be seen
to cut both ways, and that opposition to legitimacy may
stem from rival cultures or sub-cultures, which Hardy
identifies but fails to take into account. Moreover,
Hardy refers to the influence of other external (or
"extra organisational") constraints such as the economy,
the political system, and Lockyer and Baddon highlight
the role of the law, and dominant ideology in constrain-
ing workers. Although, individually, each of the above
studies is clearly an insufficient basis for the

construction of a theory to explain trade union respon-
ses to redundancy, taken together they do seem to
provide a substantial beginning.

One feature of the above studies which is decidedly
lacking is any basic questioning of the nature of trade
unions and trade unionism. No doubt, a number of the
contributions referred to embody implicit assumptions of
this kind, but it would seem that there may be value in
considering theories of trade unions, with a view to
extracting explanations of their behaviour that may be
directly applicable to the task in hand; that is, of
course, how do we understand the responses of trade
unions to redundancy? At this point, therefore, we will
consider whether theoretical frameworks for the study of
trade unions, have anything to offer in our attempt to
explain and understand union responses to redundancy.

2.4 THEORETICAL WRITINGS ON TRADE UNIONS

It should be made clear at the outset that I do not,
in this section, intend to examine in any detailed way,
approaches to theories of trade unionism. (This has
been done by others in any event, but such a study is
not within the immediate scope of the present thesis.)
Rather, my intention is to identify aspects of trade
union and industrial relations theories which may assist
in creating a conceptual framework to apply to a study
of trade union responses to redundancy. I intend to

approach this task by looking at the work of the main
theoretical schools, namely the "Oxford School", of
which Allan Flanders was the chief exponent, and the
modern Marxist approach to industrial relations, ex-
pressed in particular through the writings of Richard
Hyman. Finally, I shall draw upon the work of Michael
Poole who, relying heavily on the work of Max Weber, has
developed a theory of trade unionism, based on the
action approach in sociology. In all of this it is
necessary not to lose sight of our central problem of
how to understand and explain trade union responses to
redundancy.

Accounts of the state of theoretical study in British
Industrial Relations invariably commence by acknowledg-
ing the primacy of Allan Flanders' contribution as the
chief exponent of the Oxford School, in the period from
the mid-nineteen-fifties onwards. Much of what was
written at the time, however, appears now as strikingly
lacking in theory, seeming to embody a combination of
shrewd common sense analysis, elegant prose, and a fair
measure of liberal ideology. Nonetheless, the approach
has served as a major current of academic influence in
the field of industrial relations, and its analysis
underpinned much of the Donovan Report's prescription of
British industrial relations problems in the late nine-
teen-sixties. In providing a focus for critiques from
different political and theoretical positions, it also
advanced the process of theorising at least in the sense
of a catalyst for other studies. Moreover, in

developing concepts of pluralism, voluntarism, and in the focus it places on job regulation, and in emphasising the role of institutions of industrial relations, collective bargaining, and the importance of the State, the approach has formed the bedrock of academic study of industrial relations for the past thirty years. None of this in itself establishes a claim to theory in the strict sense, but the proliferation of studies of various aspects of industrial relations (from sector analyses to investigations of the role of law) can hardly be discounted.

With regard to the main theoretical contributions of Flanders, his description of the industrial relations system as a system of rules, and his focus on the institutions of industrial relations, as supporting a system of job regulation, figure among his most often quoted achievements, together with his appeals for reform of the system according to various prescribed remedies. (44). Within his writing is a recurrent interest in values and moral influences. Thus in his often quoted essay "Industrial Relations What is Wrong with the System?" (45), the British system of voluntary collective bargaining with a minimum of legal intervention, is seen as being possible because normative principles shared between unions and management served to underpin and uphold the voluntary approach. But when it came to the system changing in response to an increasingly interventionist State, incomes policies, new attempts to introduce concepts of national planning, an increasing measure of local bargaining, and growing shop

stewards' structures in most companies, the system was
unable to adapt itself to the changes needed. Flanders'
explanation was couched in terms of values. The effect
of his prognosis was that the values which had under-
pinned the established system had not been substituted
by new, shared values, more appropriate and generally
acceptable to management and unions, in keeping with
their altered expectations and the role of the State in
industrial relations.

Elsewhere, his analysis is couched in terms of the
"normative order" in industrial relations (46), and
disorder is attributed to situations where a group
against the resistance of another seeks to change the
procedural or substantive norms, or where "there is an
absence of regulation about certain issues on which one
group at least has normative expectations". (47). It is
clear moreover that Flanders' use of "norms" derives
directly from Durkheim (see for example, his essay
"Collective Bargaining from Donovan to Durkheim" (48),
and its definition as "a rule, a standard, or pattern
for action" (49), does not exclude a moral or ethical
component. Norms become "standards", "rules" or
"patterns for action" in large measure because they are
infused by ethical standards. Norms and moral consi-
derations are therefore closely intertwined, and in
Durkheim's formulation became fundamental in establi-
shing a general collective conscience that formed the
social bonds that caused societies to cohere. (50).

This emphasis upon moral values reflects on Flanders'
understanding of trade unions, which he saw as having
the capacity to uphold the principles of social
justice:-

> "The trade union movement deepened its grip on
> public life in its aspect of a sword of justice.
> When it is no longer seen as this, when it can
> no longer count on anything but its own power
> to withstand assault, it becomes extremely vul-
> nerable. The more so since it is as a sword of
> justice rather than a vested interest that it
> generates loyalties and induces sacrifices among
> its own members, and these are important founda-
> tions of its strength and vitality." (51).

Moreover, he recognised the importance that socialism
has traditionally represented as the "conscience of the
labour movement", though he suggested this was...

> "... socialism as a set of ideals, as a moral
> dynamic, not as a particular blueprint for an
> economic or political system." (52).

And he acknowledged the importance of "traditions" in
controlling union members' behaviour. Traditions ex-
pressed in generalised form...

> "... the enduring lessons of the workers' expe-
> rience in industry; the modes of behaviour which
> have been tried and tested, and judged to be good
> by the group concerned. In short they express the
> group's collective wisdom, orally transmitted from
> generation to generation. By the same token,
> however, this endows the traditions with an in-
> fluence on behaviour which in normal times
> transcends any other." (53).

Tradition, he argued, quoting Turner, could be
likened to personalities in people. The "character
traits" would not be readily apparent unless one studied
the union's history or had other ways of understanding
its mores...

> "... but they mean a great deal to the union's
> active members. They are the basis of their pride
> in belonging to this union rather than another, and
> lend point and significance to their activity on
> the union's behalf." (54).

It is premature to form conclusions upon the useful-
ness of these few points extracted from a considerable
volume of writing by Flanders in the field of industrial
relations. It is at this stage enough to comment that
whilst Flanders' approach to industrial relations analy-
sis may be faulted for its prescriptive tone, which
appears largely unsupported by theoretical or empirical
analysis, there is nonetheless much of interest in what
he offers. Whilst one would question the evidence, for
example, of the shared values and normative expectations
postulated by Flanders, it would nevertheless seem
important to consider this suggestion further as an
underlying factor of action or inaction in response to
redundancy. To what extent, one may ask, are workers'
responses to redundancy dependent upon some underlying
values which the redundancy itself is challenging?
Moreover, Flanders characterisation of unions as acting
as a "sword of justice", and the influence of tradition
as a collective organisational personality, are inte-
resting themes which may well have a bearing on subse-
quent attempts to explain action and inaction with
respect to redundancy.

It is of course well known that Flanders' presump-
tions and essential approach has been criticised on a
number of fronts (55), and whilst this is not the con-
text in which to review these commentaries, we will turn
now to look briefly at the work of Hyman, who has
contributed significantly to them.

The central issue for Marxist writers considering
trade unions is their capacity or otherwise to mobilise
the working class for revolutionary change. On this
point there is a substantial area of disagreement, and
on the face of it a measure of surprising ambivalence
in the writings of Marx and Engels and Lenin. (56).
Hyman (57), has analysed this area of disagreement,
dubbing the respective tendencies "optimistic" and
"pessimistic", according to whether or not they offer
a positive prognosis for revolutionary struggle in which
unions share a role. According to the "optimistic"
view, unions are capable of leading workers into
struggles far wider than their initial concerns, and in
this way may eventually pave the route to revolutionary
action by the working class. In short, the experience
of organisation, the limited gains achievable through
industrial struggle, and the consciousness raising
effects of becoming involved in such struggles, impell
workers to more overtly political forms of action. (58).
According to the more "pessimistic" line of analysis,
however, unions have no place in revolutionary politics.
This view holds that the influence of unions upon wor-
kers is essentially economistic, and that far from
posing a threat to the dominant order, unions tend to
obscure and inhibit class issues and action.

The main thrust of Hyman's argument is that
industrial relations, on the evidence available, appears
to call into question substantial parts of both the
"pessimistic" and "optimistic" prognoses. On one hand,

he argues, unions have not followed the predictions of
Lenin, and become totally integrated into the capitalist
system of power and values, nor have they been strangled
by Trotsky's predicted incorporating embrace, nor total-
ly perverted by corrupt and self interested leaders, as
Michels thought likely. On the other hand, observes
Hyman, the optimistic scenarios have not justified the
expectations of their creators. Neither interpretation
seems valid.

Hyman's tentative scenario is that unions may achieve
a form of progressing, "encroaching control" (59), and
that whilst workers' consciousness would not normally
rise to incorporate visions of revolutionary
possibilities...

> "... under specific objective conditions the
> educational potential of collective industrial
> action may be immense... And involvement in a
> specific victory or defeat, in itself of little
> obvious world historical significance, may have
> critical consequences in terms of workers'
> subjective confidence and aspirations." (60).

However, the argument is ultimately inconclusive.
Though Hyman suggests that unions may play a revolu-
tionary role, qualifications and references to unspeci-
fied "objective conditions" needing to be right, make
this a very foggy prospect indeed. Moreover, whilst
Hyman lays great stress upon such favourable "objective
conditions" also being needed to develop workers' con-
sciousness and ideology, he gives little clue as to how
the said consciousness and ideology might be influenced,
and in what way such influence may be expected to be
reflected in industrial activity.

These deficiencies, together with a seeming reluc-
tance by Hyman to produce empirical data to test his
major propositions, confirm the tentative nature of much
of what he has to offer. Moreover, Hyman is ultimately
content to observe that...

> "No general theory is available to relate the
> struggle for material reforms to the development of
> consciousness..." (61),

and simply fails to address the problem he has thus
identified, by offering some indications of his own
views on this issue.

Looking back at this point to the discussion (earlier
in this chapter) on occupations, it will be recalled
that one question raised by a number of case studies,
was whether or not work-ins and sit-ins should be seen
as incipiently revolutionary acts. In view of the fact
that Hyman's specific focus is on Marxist theories of
trade unions, one might perhaps have expected to find
some clues which could help towards an answer on this
point. Disappointingly, however, little or no light is
thrown upon the matter by Hyman's discussion of Marxist
theories of trade unions, nor by his own tentative and
guarded conclusions. One is merely left to wonder
whether factory occupations and other struggles against
redundancy might be examples of the "kind of struggle
for material reforms" that would have a consciousness
raising effect, and whether, in certain ill-defined
"objective conditions" they might end up as part of a
struggle for "encroaching control" which could have
society-wide political consequences. Interesting though
these questions are, they are of litle immediate help to

the task of producing a theoretical framework in which
to understand trade union responses to redundancy as
they are unaccompanied by satisfactory answers.

A further question which arises in the context of
Marxist writing on industrial relations, is how radical
ideas might emerge in the minds of workers in an essen-
tially hostile environment. Hyman and Brough (62), have
taken up the question of the influence and formation of
ideology in industrial relations. Directing their
comments to the question of pay differentials, they
argue that generalised ideological assumptions, formed
in a variety of ways and at different levels in society,
underline the prevailing notions of fair pay. As they
put it:-

> "The dominant cultural perspective, persistently
> inculcated by the various agencies of social in-
> doctrination, is that high material advantages are
> the rewards for personal ability, effort or
> initiative." (63).

In short, a consensus is created on issues of pay
relativity, by prevailing ideological assumptions.
Unions, however, have a minimal role in moulding the
said ideologies. Whilst they may be capable of under-
mining such values as the prevailing respect for
authority, unions (according to Hyman and Brough) may
question the values of the dominant culture, but rarely
do they seriously weaken it.

Hence, Hyman and Brough appear to have demonstrated
that trade unions do not make serious efforts to
undermine the dominant values with regard to pay relati-
vities. It may perhaps be inferred from the general

tenor of their work, that they would expect the counter-

vailing influence of trade unions to be equally marginal

in respect of other areas where social values reflect in

industrial relations. However valid their arguments may

be with respect to pay differentials however, it would

be a sweeping gesture to extend this argument to other

areas without substantial empirical evidence being

offered in support. Nonetheless, it should be noted

that the view advocated by Hyman and Brough has some

similarities with those of Hardy (64), and Lockyer and

Baddon (65), who (as we have already seen) suggest that

dominant values and processes of rational argument with

regard to factory closures, rarely confront serious

challenges from trade unions. Such arguments require

examination in a theoretical as well as an empirical

sense. The possibility should at least be considered,

that contrary to Hyman and Broughs' view of unions

having a marginal impact on the dominant value system,

there may be aspects of industrial relations where the

dominant values of managements find opposition in the

form of different fundamental principles in the minds of

workers. If this is so, questions would no doubt arise

as to the sources and influences of such countervailing

principles and what particular issues they related to.

In the present context it is sufficient for the time

being to note that these questions would be of interest

in formulating a theoretical model of trade union

reactions to redundancy.

On the whole, one may conclude, the above examples
from Hyman's work are not particularly helpful in con-
structing a theoretical framework to deal with the
question of union responses to redundancy. However, it
would be wrong to ignore the usefulness of the general
perspective he adopts on the study of industrial rela-
tions. Rejecting definitions of the subject as being
concerned with the process of "job regulation" he opts
for a wider definition of the field of interest as "the
study of processes of control over work relations".
(66). Thus industrial relations in Hyman's perspective,
embodies the need to study "contradictory forces and
processes" to those provided by managements, instabi-
lity as well as stability and the concerns of workers
and the processes which stem from collective worker
organisation. In particular, he rejects conceptions of
the subject in terms of "relationships between agencies
and organisations, rather than between people" (67), and
emphasises the fact that casual informal relationships
are often significant factors in this wider definition
of the subject. Moreover, an examination of the subject
from the wider perspective advocated by Hyman, emphasi-
ses the significance of power as a factor of key impor-
tance in controlling outcomes of disputed issues, and
leads to an examination of power differences, and
sources of such differences in industrial relations.
This approach, whilst not necessarily stemming from
Hyman to the exclusion of other writers, is one which

he explicitly lays down as constituting an essential
element in a Marxist approach to the subject.

In his overview of theories of trade unionism,
Michael Poole (68), suggests an adoption of the "action"
approach in sociology. He observes that in this, cultu-
ral and other subjective factors are crucial elements of
explanation of unions and unionism. This is a theme
which he develops out of a broad consideration of the
work of other writers, and in which he underlines the
roots of theories advanced by Dunlop, and Flanders, in
the earlier sociological writings of Talcott Parsons and
Emile Durkheim. The general picture we identify is that
consciousness of workers is a recurring theme among
theories of trade unions, and is important in "all but
the most one-sided structuralist accounts within the
Marxist Tradition". (69). Dunlop, he reminds us, refers
to "actors" in the industrial relations system (though
it is also the case that he implied a common *system*
ideology). Moreover, the Webbs, Flanders, Clegg and
others (urges Poole) all stress the impact of ethical
and moral factors in trade unions. Poole attempts to
build on this and provide a model of trade union action,
incorporating cultural and value premises, including the
perceptions and orientations of trade union members,
representatives and full time officials which are all
identified as crucial variables. In this, Poole adopts
a Webarian social action perspective.

Poole's argument may be briefly summarised as follows. Firstly, he considers the methodological implications of an action approach, and reminds us that Weber saw sociology as a...

> "... science concerning itself with the interpretative understanding of social action, and thereby with a causal explanation of its course and consequences." (70).

In the social action approach, sociologists are concerned with "action"; so far as the individual attaches a subjective meaning to his or her behaviour...

> "... be it covert, omission or acquiescence. Action is 'social' insofar as its subjective meaning takes account of the behaviour of others and is thereby oriented in its course." (71).

Action categories are laid down in which the defining quality of "social reality" becomes values. Webarian theory ascribes to values a meaning and significance which goes beyond Durkheim, for example, in his exposition of "social facts". Ethical considerations become part of...

> "... a conscious process of action rather than a correlate of behaviour. Indeed on these assumptions action consists of motive and behaviour."
> (72).

In classical Webarian scholarship therefore, causal analysis and meaning were part of the theory of social action. Culture, civilisation and values become paramount in explaining union purpose and action, though it should be stressed, the "action" approach is not seen as one sidedly "culturist", but acknowledges the importance of structural aspects of social behaviour.

Secondly, Poole cites a number of studies which he
considers illustrate the value of "culturist" explana-
tions of union behaviour, referring in particular to the
work of Gallie on the petrochemical industries of France
and Britain. Gallie observes that the principal unions
in French and British refineries...

> "... had fundamentally different conceptions of
> the role of trade unions in the workplace; and
> this difference had important implications for
> their method of operation on the shop floor. The
> nature of the relationship between the workplace
> and central union organisation, the type of de-
> mand that was made on management, and the quality
> of the relationship between the unions and the
> workers themselves." (73).

Gallie emphasises differences and divergences between
the British and French situations with French unions
emphasising *mobilisation* and British unions placing the
emphasis on *regulation.* In consequence, though both
nations shared in a common, capitalist mode of produc-
tion, generating similar conflicts of interest between
employers and employed, the consequences and impacts of
these commonalities could be quite different. Gallie
suggests that the crucial mediating variables...

> "... are factors like the managerial ideology, the
> typical structure of power in social institutions,
> and the ideology and mode of action of the trade
> union movement characteristic of the specific
> society." (74).

Poole's response to these observations is to confirm
his view that cultural and value considerations are
paramount in any explanation of trade union behaviour,
but that these need to be interpreted through an under-
standing of action theory as applied to trade unions.
According to such theory he notes trade unions

should be regarded as embodying both political and economic purposes, but these have to be viewed within at least three explanatory parameters. *Firstly,* at the structural level, there is the question of the impact of economic, organisational, political and technological change upon union growth and character. *Secondly,* at the level of values, there is the question of the subjective perceptions of members, and their impact on union goals, objectives and purposes; and *thirdly,* there is the question of the power of "actors" in industrial relations, including employers, unions, the legislature, political parties and the State.

Poole notes the importance of power in Weber's approach to industrial relations, as well as the "ethical nature of his orientation, even in the economic sphere". (75). This could be seen in Weber's well known definition of social action categories *viz,* instrumental, value based, affectual, and traditional forms of action. (76). Analysing union behaviour according to which of the above categories seems to be the predominant influence on union members appears to Poole to offer advantages. These include the possibility of using "ideal types" to realise "the principle of sociological rationality" (77), and, encompassing the effects of structural and other variables, there is the flexibility to "evaluate a variety of expectations of unions". (78). Poole's case is that *each* of these orientations should be considered as possible aspects of trade union action, though in his final comments he inclines to the

view that ethical and cultural values will ultimately be
seen to have the most profound effects on shaping the
contours of the labour movement, and that such values
will come to play an increasingly important part in the
theoretical analysis of unions and unionism.

2.5 **IMPLICATIONS FOR A THEORY OF REDUNDANCY AND TRADE UNIONS**

In considering the above examples of theories of
trade unions and industrial relations, it becomes evi-
dent that the issue of subjective influences on workers'
action is a recurring theme. Casting the net somewhat
wider to take in further examples confirms this overall
impression. Dunlop (79), adopting the familiar conser-
vative posture of Parsonian sociology, conceives ideol-
ogy to be a characteristic of the industrial relations
system. For Flanders (80), Clegg (81) and others in the
orthodox mainstream of academic thinking in industrial
relations, tensions and crises in the system are attri-
butable to an underlying lack of accord in moral values.
Unions and unionism are explained by these writers in
terms of the normative order, and while there are clear
differences in their position and the systems approach
of Dunlop, similarities can also be observed between
them. In Dunlop's account, for example, it is interes-
ting to note that the role of the expert (i.e. personnel
manager, union officer etc) is to preserve the values of
the industrial relations system against subverting

cultural and motivational pressures. (82). Moral values
and ethical standards remain as important issues, albeit
interpretations of their significance differ.

These concerns go back to the intellectual roots of
modern theories of industrial relations, in the writings
of Parsons and Durkheim, whose interests were to esta-
blish answers to the great social questions of order and
liberty (Parsons emphasising the former, Durkheim the
latter). Following similar influences, writers like
Goldthorpe (83), and Fox (84), in the pluralist tradi-
tion have emphasised the importance of "just and prin-
cipled distribution of economic and social rewards as an
essential condition for eradicating the consequences of
the anomic division of labour". (85). Moreover, the
significance of values was accepted by the Webbs (86),
who distinguished between different sources of values
including those stemming from religious "emotion", from
humanistic ideals, and deliberate planning for effi-
ciency in carrying out social purposes. (87). And while
Marxism has been criticised for an apparent absence of
ethical thought (88), it is nonetheless interesting to
note that questions of workers' subjective confidence,
consciousness and aspirations figure prominently in
Marxist explanations of industrial behaviour. (89).
Nonetheless, Bottomore's (90), comment that the lack of
ethical theory has been a source of weakness in Marxist
writing is well taken when applied to writers such as
Hyman, who represent the modern Marxist current in
industrial relations theory. In the next chapter we

will consider the possibility of developing an under-
standing of workers' moral claims in terms of perceived
"rights", building on the work of Rudé (91), and Sabel
(92). It may be that developments of this kind could go
some way towards meeting the criticism of Bottomore,
referred to above.

Bearing in mind the above discussion, and relating it
too, to the earlier consideration we have given to
studies of plant closures, what conclusions may we draw
for the general characteristics of a theoretical frame-
work in which to assess union responses to redundancy?
As already seen, accounts of plant closures, which
appear to offer the most convincing theoretical expla-
nations of union action, introduce consideration of the
subjective perceptions of workers. On one hand, Foster
and Woolfson refer to consciousness, rank and file
politics, the political climate of the day, conceptions
of the disputed issues in relation to popular images and
so on. They do not offer a general theory, but it may
be inferred that if any such theory were to be advanced,
it would at least embody these aspects. Hardy, on the
other hand, concentrates on the processes of legitima-
tion. She accepts that opposition to legitimacy may
stem from cultural sources, but omits to develop this
theme. Moreover, her overall description appears to
minimise the scope for such opposition. An examination
of a number of contributions to industrial relations
theory, and in particular, views of trade union action
within such theories, confirms the view that values and
culture are called upon in general explications, and

one is drawn to the conclusion that an explanatory theory of redundancy and union action should commence at this point, and utilise similar propositions.

2.6 ECONOMIC THEORIES OF UNION BEHAVIOUR

At this point, it is necessary to point to a strongly dissident line of argument to the general view which has been outlined above, that ethical and moral considerations are important factors in explaining union behaviour. The opposing line of argument emanates from the work of Labour economists of whom Blanchflower and Oswald (93), have been principal contributors. In effect, this argument attributes much of the increase in unemployment in Western capitalist countries to union behaviour in wage bargaining. Some of this work appears to show scant understanding of industrial relations from an academic or even practical viewpoint. However, it does appear to form a significant influence in the thinking of present members of the British government, and it is important that we consider the implications of these ideas for the creation of a theory of trade unions and redundancy. The main variations of such theories of economic behaviour of trade unions have been summarised by Oswald, and I propose to concentrate on his overview of the research together with his personal contribution in this area.

The attention of labour economists to trade union behaviour, centres around the effect of unions in pay determination. With the increase in unemployment levels in the 1980s, economists and members of Her Majesty's Government appear to have placed the blame for these increases on the "rigidity" of wage rates. Oswald (94) starts from this position, observing that levels of unionisation in Western Europe have been held to be the ultimate culprit. The effective coverage of collective bargaining, he notes, is often significantly higher than unionisation rates, three quarters of British workers being encompassed within such bargaining for the purpose of determination of pay rates.

Bearing in mind the extent of union coverage, Oswald argues that the *unemployment elasticity of real wages* is a factor of great importance. It is, he says, "small and negative", and appears to be between zero and - 0.15, perhaps closer to - 0.10. What this implies, he points out, is that...

> "... we can expect a doubling of unemployment to lower real wages by (other things being constant) a little under ten per cent." (95).

Oswald examines four main economic models of trade union behaviour. Firstly, he considers the *union mono-poly model.* This assumes that the union cares prin-cipally about its members' real pay and about the level of unemployment of those members. In short, the union wishes for high wages and employment levels. However, it is constrained by the demand curve for labour which shows an inverse relationship between the wage rate

and unemployment level. The weakness of this model, he notes, is that it does not appear to reflect the realities of collective bargaining.

The *effective bargain model* sets out to overcome this and other difficulties by assuming that the union bargains over wage rates and the total level of employment. This assumes that the employer will not be allowed to set employment levels unilaterally and that "... because of this there will be some degree of over-manning". However, Oswald notes, a problem with this model is that it is not clear that unions do indeed generally bargain about the level of unemployment.

The *right-to-manage model* is a further analytical framework adopted by economists. (Oswald quotes a number of contemporaries whom he claims have worked within it.) This depends on the assumptions that first-ly, it is the firms which decide upon the level of unemployment, secondly, it is wage bargaining between firms and workers which determines how much people are paid, and that thirdly, "the union's aim is to push up the demand for labour power".

Lastly, Oswald refers to the *seniority model,* which appears to complement the *right-to-manage model,* provi-ding what Oswald describes as a "logical justification" for the latter's assumptions. This leans heavily on the (strikingly questionable) assertion that:-

> "All over the world, but most obviously in the
> USA and Britain, there is a convention known as
> 'last in, first out' or 'lay-offs by [inverse]
> seniority'".

.

The model argues that:-

> "Because even large slumps therefore do not threa-
> ten the jobs of the bulk of employees [they know
> that it will be the young workers whose jobs will
> be cut]. In any trade union with majority voting
> it is unlikely... that much emphasis will be given
> to the goal of high employment. The majority of
> employees are seniors with safe jobs who realise
> that redundancies are not decided by random draw.
> In general they, and therefore the union itself
> will simply want to push the wage rate up as high
> as possible and will be content to let the firm
> decide on the exact level of employment." (96).

It is unclear to what extent the adherents to this
model (whom appear to include Oswald himself) have
investigated the validity of their assumptions about the
generality of "last in, first out" arrangements. The
only justification which Oswald himself offers for the
assumption that LIFO provisions generally apply, is that
they are "a particular stylised fact", though exactly
how such "fact" was established is not described. The
sole example quoted is in a single footnote which refers
to an occurrence in 1966 when Cowley car workers
(against the advice of union leaders) voted to reject
lower bonuses for all, after being offered a choice of
such cuts or redundancies among the lower graded
workers. As Oswald himself puts it, "anecdotes along
these lines exist". (97). One can only comment that it
seems a frail basis for such a theory of economic be-
haviour, that fundamental tenets should be simply ad-
vanced as "stylised fact" or based on very limited
"anecdotal" evidence. Indeed, we do not need to go far
to discover evidence which strongly suggests that LIFO
as a criterion for redundancy selection has been very

largely replaced by a much broader range of factors, and
Turnbull, (98), has pointed very clearly to the fallacy
of Oswald's assumption.

As Oswald describes, a considerable amount of work
has been done by labour economists in specific sectors
of industry, utilising variants of the above four
models. Examples quoted include Layard and Nickell, who
have attempted to produce empirical determinants of real
pay in Britain and elsewhere. Others have attempted to
isolate variables which influence various aspects of one
or other of the models - eg the influence of unemploy-
ment or wage rates elsewhere on the "preferences and
bargaining power" of trade unions, and therefore in-
directly on levels of unemployment. Macurdy and
Percival are quoted as having applied the *efficient wage
bargaining model* to the printing industry, where they
find it a better fit than the *monopoly union model.*
Their conclusions include the observation that...

> "... union indifference curves are rather flat,
> that is, that at the margin the union appears to
> place a high value on wages relative to employment."
> (99).

Carruth and Oswald in a 1986 study of the British
Coal and Steel industries, on the empirical evidence,
are compelled to reject the seniority model's prediction
that unions "typically place all their weight on the
goal of high pay for members". However, it would appear
that this leads to only relatively minor reservations or
modifications to the model, which is still regarded as
essentially valid. Moreover, in terms of general

adherence to the *seniority model,* Oswald has indicated in other published papers (101), that he believes the essential principles hold good.

There are a number of obvious problems with this analysis, looked at from the point of view of an industrial relations approach to the issue of trade union behaviour. The first is (as has already been indicated), Oswald does not appear to have located his economic assumptions in any real understanding of industrial relations research or practice. Secondly, even when he demonstrates himself that the seniority model is an unsatisfactory explanation of union behaviour in chosen sectors (coal and steel), he fails to acknowledge the need to explain the behaviour of workers and the influence of unions with regard to other than economic factors. There is no attempt to introduce questions of political values, moral and ethical influences, or other subjective factors, other than the simplistic model of economic man, self-interested, and concerned with the narrowest conceptions of economic gain. Moreover, unions and their members are treated as relatively predictable entities, unaffected by the moods and political movements of the time, and the possibilities of long or short term changes in behaviour in response to changes of moral opinion, mass movements, or the influence of individual leaders is not considered. It would seem that these sorts of assumptions are also embodied in the other economic models which Oswald considers. They share in a tendency to ignore trade

unions as part of a labour "movement" in which there is scope for wide variation in policy positions, and in which elements of socialist values emerge in one form or another, however variable or unpredictable this may be.

The *right-to-manage model,* moreover, embodies a singularly pessimistic (not to say, depraved) view of human nature, which were it based on any empirical evidence, would be a disturbing prospect. And whilst the underlying lack of empiricism might be assumed to lower the credibility of the model, it is nonetheless interesting to note that it appears to have been largely adopted by ministers in the present Conservative Government, as an argument to support certain of their proposed policies in the field of employment. The White Paper, "Employment for the 1990s" (102), quoted research by Blanchflower and Oswald to back up its contentions that unions have pushed up costs. "Recent research shows that trade unions have used their power in ways which adversely affected labour costs, productivity and jobs" (103), the White Paper said.

In contrast, Turnbull has argued that:-

> "By denying any of the central theoretical concerns of industrial relations, economists have failed to recognise, let alone model many of the defining characteristics of trade unionism in capitalist countries. The interests which employees seek to advance or protect through trade union (or other) activities extends beyond their interests as market bargainers, to include such factors as security and status, equity, resisting the intensification of work participation in decision making, autonomy in their working lives, involvement in a collective identity and even on-the-job leisure." (104).

Turnbull's argument is an interesting riposte to the

models of labour economists. Among other factors, he

points out the mistake of economists in ignoring the

political and social roles of unionism, and in assuming

that employment contracts stipulate the totality of the

employment relationship. In fact, he argues, it is only

a vague "more or less" bargain because no one can exact-

ly define what is done in return for a week's wages.

Labour *time* is sold and employers must apply incentives

(or force) to harness the co-operation, motivation,

initiative, effort etc of the workers. The result is

uncertainty, and a relationship of conflict and accom-

modation at the point of production. (105). Several

points have already been made with regard to the econo-

mists' misconceived notion of trade unionism, which

Turnbull strongly supports. He makes the argument

that...

> "... negotiations over 'market relations' cannot...
> be analysed in isolation from negotiation over
> 'managerial relations' because negotiations over
> the former inevitably lead to negotiations over the
> latter, in particular the control of work." (106).

In particular, argues Turnbull, the collective infor-

mal processes required for unions to survive and grow,

lead to the pursuit of institutional goals. Though the

idea of institutional needs is a reification (only the

members can give meaning to such needs) trade unionism

involves some submission of the individual will to the

collectivity. And, as Turnbull suggests, there is

always a possibility of policies to achieve organisa-

tional strength being pursued for their own sake rather

than in the long term interests of the rank and file. In summary, argues Turnbull, "the key to understanding trade union behaviour lies in the analysis of production rather than exchange". (107).

On the other hand it may be argued by supporters of the labour economists' case, that collective needs of unions, considerations of "managerial relations", the control of work, and the many other social concerns and political influences that have been suggested here, are mere incidentals to the overwhelming, dominant influence of economic relations. Such a case would no doubt argue that images of economically motivated humans do not have to exclude other influences, but that firstly, these cannot be taken into account by economists, and second-ly, they are incidental to the main consideration of people, who after all come to work to earn money. Such an argument would no doubt need to suggest that evidence of "movement" in trade unions, as some underlying corpus of ethical and moral influence, is hard to identify, and that if it ever existed must surely be in decline over the present decade. It will be appreciated that the case constructed here is a hypothetical defence against the attacks on labour economists' analysis, though it finds echo in a number of the popular journalistic analyses of trade unionism, and is not so very far removed from the critique of economism which Hobsbawm has offered in his essay, "The Forward March of Labour Halted?" (108).

Arguments of this kind can only be resolved by deeper research, to which it is hoped that this thesis may offer some contribution. At this point, therefore, it is appropriate that we should pause to review the sign-posts towards a theory which this chapter has provided, and then to note the main requirements that these suggest should be acknowledged in the subsequent chapters of empirical research.

2.7 **CONCLUSIONS**

On the basis of literature surveyed in this chapter, a view has been formed concerning the essential requirements of any satisfactory theoretical explanation of trade union responses to redundancy. This is that trade unions and the practice of trade unionism somehow exert normative influences. In some way, unions contribute to the subjective perceptions of workers and it would appear that moral and ethical standards are bound up in this. The review of studies of plant closures touched upon the work of Foster and Woolfson who, writing from a broadly Marxist perspective analyse factory occupations with regard to the consciousness of workers, the political awareness and leadership of shop stewards, conceptions of the rights of workers (and the effects on them of managements' decisions), and the wider political context in society at large. On the other hand, an examination of some of the work of Hyman suggested that whilst Marxist theories have regard to questions of

workers' subjective confidence, consciousness and aspirations, a lack of ethical theory has been an underlying weakness. Michael Poole has suggested that a Webarian theory of social action underlines the potential of *value rational action* as a means of conceiving and explaining the significance of trade unionism in industrial relations. This, as we have seen, emphasises the importance of ethical factors in a general sense, and points to an orientation towards trade unionism which acknowledges and accepts concepts of workers' rights. The conclusion towards which we are drawn is that trade unions exert an influence (how, how much, and in what form is not yet clear) on the ethical and moral perceptions of workers, and that conceptions of rights may well prove to be an important aspect of this. With regard to workers' responses to redundancy it is thought that such explanation as is offered, needs to embody these observations as integral to any theoretical framework.

In contrast, we have two opposing lines of argument. The first is from Hardy who, in proposing an explanation of managements' behaviour in handling factory closures, has propounded a theory of legitimation. Managements manage redundancy by legitimising it in the eyes of workers. Her approach, however, appears to completely overlook the prospects of workers and their organisations projecting rival meanings and interpretations of closures. Though she touches on the possibility of opposition stemming from cultural sources, she fails to

develop this argument in terms of the subjective values, and expectations of workers. Essentially, her explanation of opposition or non-opposition is reduced to questions of management techniques and competence. Unions by and large are seen as malleable, and with sufficient management expertise, opposition to redundancy and closure can be controlled by exercise of unobtrusive forms of power. Management legitimises its own actions, and in part achieves its ends by the creation of an appropriate culture of acceptance.

A second line of opposition comes implicitly from labour economists, including Oswald. As we have seen in the preceding section of this chapter, unions are conceived as little more than collections of "economic men" and the collective effect of unions and unionism on workers' values and moral perceptions is minimised.

So, to summarise the position more succinctly, we are led to the view that a theoretical explanation of unions and redundancy must reside in questions of moral values, and perceptions of workers' rights. This needs to be explored more fully in the next chapter. At the same time we have two principal contradictory theories with which to contend, as expressed by Hardy and Oswald, already summarised above.

From the foregoing it will be seen that there are different levels at which it might be possible to consider the influence of trade unions in redundancy situations. The work of Hardy and the case studies closures, in the main adopt a company/workplace/union

focus in which union opposition or non-opposition is looked at. As has already been argued, this approach appears to have been weakened by a tendency to deal with redundancy events or closures as discrete separate entities. There is no scope to observe long term trends, or continuities and discontinuities. A longer view of such studies is argued for. Secondly, whilst the work of Oswald and the neo-classical labour economists focuses on the firm, there is a generality about their approach which introduces a national focus. To one extent or another, this becomes apparent in the work of other writers; Lockyer and Baddon look at the impact of national legislation; Hardy (again) looks at the fall-off nationally in factory occupations in the late nineteen-seventies; Foster and Woolfson have regard for the national political context. In any event, there is arguably merit in adopting different viewpoints of attention in any empirical work that is conducted. This has a bearing on the selection of areas for in-depth studies which appear later in this thesis. For the present it is sufficient to note that chapter four will comprise a detailed study of the background to the Redundancy Payments Act, with particular regard to the role and influence of trade unions in bringing this legislation to the statute book. This introduces questions of the relationship of unions to the political processes, and the role of the State in industrial relations, as well as being of historical interest. It will also, I hope, help us to investigate further the

question of the moral and ethical influences on unions as expressed by the goals they pursued for legislation, and the rationale advanced by union representatives to support such objectives. In the fifth chapter we will consider the actions of unions acting at the level of a company - the computer company, ICL. The fact that the company concerned has a large, well managed personnel function enables Hardy's legitimacy approach to be tested. More specifically, a long term approach is adopted which will hopefully enable us to trace any significant continuities in actions. It is hoped that this case study will enable us to assess the question of the influence of unions and unionism through the values and moral goals of workers. Chapter six will draw together our conclusions.

In the meantime, however, there is a need to further develop the initial examination of theoretical background attempted in this chapter, and in chapter three, which follows, we shall consider further points which will contribute to a theoretical framework to analyse trade union reactions to redundancy.

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CHAPTER 3

A THEORY OF UNION

CULTURES

3.1 INTRODUCTION

How then are we to develop our theoretical framework
to help in understanding trade union responses to redun-
dancy? In the last chapter we have considered partial
theories based on case studies of factory closures.
We have also looked at theories of trade unions. The
emerging synthesis is a theory that relies on the moral
perceptions of workers and acknowledges the role of
unions in influencing those perceptions. In this
chapter we will develop this argument further.

The arrangement of this chapter is as follows.
Firstly, we will examine the use which various writers
have made of what I take to be key concepts which relate
to the collective formation or possession of moral
perceptions and points of view - the concepts of "cul-
ture", "ideology", and "world view". We will examine
the similarities in these concepts, so far as they have
been interpreted by other writers, and in particular we
will consider their usefulness or otherwise in explana-
tions of the occurrence of popular protest, in a broad
sense - i.e. not specifically related to protests
against redundancy or even necessarily to the industrial
context. We will then move to consider the question of
workers' perceptions of "rights". Examples of a number
of broad categories of perceived "rights" will be consi-
dered, and the influences that conveyed them, or led to
their formation in the minds of workers, will be sought.

From this point we will come to the nub of my argument, which is that perceived "rights" are associated with and conveyed by the existence of cultural forces, and in particular cultures which are linked to trade unions and trade unionism of different forms - what I describe as "trade union cultures". This will then lead to the general proposition that workers' responses to redundancy might be expected to exemplify their perceptions of "rights" of various kinds, and that in examining the responses of workers and unions to a long term sequence of events we may expect to see the re-emergence of similar moral claims in keeping with the influence of union cultures. The suggestion here is that "rights" and union cultures are not simply helpful in explaining union responses to redundancy, but are important factors that have to be acknowledged in any theoretical or empirical study in this area. Before completing this chapter, we will briefly consider two examples of studies, one dealing with an individual case of industrial conflict, another taking a much broader national perspective, and a longitudinal line of analysis. In both cases I will suggest there are advantages in introducing the concept of union cultures. This will lead to some points in relation to the empirical work in the chapters which follow this, in particular the type of case study material that would be most likely to illuminate different aspects of union cultures, if indeed this concept is seen to be, in practice, useful in explaining the events and circumstances that we described.

3.2 CULTURES, IDEOLOGIES AND WORLD VIEWS

Before addressing the question of how the subjective

ideas in the minds of individual workers might influence

their behaviour as a collective mass, let us for one

moment dwell upon the issue of concepts. Accounts of

the social processes underlying popular protest, inevi-

tably perhaps, rely upon concepts that ascribe shared

ideas and values. The mechanisms through which those

ideas and values come to be implanted, and the manner in

which they cause workers to respond to events and cir-

cumstances in the world, are in essence the factors for

which concepts are created to describe and explain.

Arguably, there is a similarity between concepts such as

"culture", "ideology", and "world view", therefore,

which if recognised, affords a certain freedom to draw

on the work of writers, that might otherwise be lost in

an avalanche of semantic distinctions. However, on

closer scrutiny this similarity is much more than a

superficial likeness, which simply arises because of a

common function of the concepts in explaining the occur-

rence of collective protest. Rather, there is a sense

in which the *essence* of the ideas they embody is also

very similar.

For example, Sabel (1), uses the concept of "world

views" which relies upon the idea of humans being...

> "... socialised during various stages of
> development, with visions of success or
> failure, feelings about the possibilities
> in life that define at once our ambitions
> and our sense of social honour. (2).

Conflicts arise when world views are disappointed. On investigation of the use of this concept of "world view" however, it becomes clear that Sabel sees it as embodying an explicitly moral component. He gives the example of craftsmen who...

> "... learn as apprentices that management tries to profit from eliminating their prerogatives. When such challenges do come they are resisted as an affront to the craftsmen's ethos, an insult to their dignity, an attack on their well being and the freedom they need to work. But they do not come as a surprise, for management was always suspected of neither respecting the dignity of skilled workers nor appreciating the *moral basis* of their work." (3). (Emphasis added.)

Militancy, therefore, is regarded as arising not from a hidden aspect of the worker's personality, more or less rational than the accommodating everyday personality more commonly seen. Rather, it is a result of the worker's determination to defend that everyday conception - which, as the above example illustrates, comprises ideas of status, images of self-importance, and also, crucially, a picture of "rights" and "wrongs" - which is essentially rooted in a set of moral or ethical assumptions.

E.P. Thompson explains how a "plebeian culture" emerged in the eighteenth century in England, and uses this concept to explain mass movements which occurred, and prevented the all pervasive domination of society by the gentry. Underlying the culture, there is, as Thompson puts it, the notion of legitimation, by which he means that...

> "the men and women in the crowd were informed by beliefs that they were defending traditional rights or customs and in general that they were supported by the wider consensus of the community."

In writing of the circumstances in which the popular masses came to protest, Thompson emphasises the influence of traditional views of social norms and obligations, and of the proper economic functions of groups within the community - views which taken together can be said to constitute the "moral economy of the poor". As he puts it:-

> "An outrage to these moral assumptions quite as much as the actual deprivation, was the usual occasion for direct action." (5).

In such events as food riots, for example, there was a great particularity of action, underlying which were "general notions of rights", which were in turn under-pinned by "tradition" and "the popular memory", and feelings that certain standards of behaviour "ought" to be expected in relation to questions of shortages of food and economic exchange.

These then are the elements of the "plebeian cul-ture", but it is noticeable that in many of the examples quoted by Thompson, the responses of groups to their own fluctuating fortunes could equally well be described in the terms of "world views" of, for example, the weavers, or the city artisans who were minded to protest at their fate. Other historians have written in terms of the "mentalities" of the masses, and Hutton, for example, has pointed to the conceptual identity of "mentalities" and "culture", and has observed that, "the problems of culture were essentially problems of world views". (6). Writers, like Parkin (7), writing of "values" and "meaning systems", share similar concerns and

perspectives. (Parkin explains the existence of order
and conflict in society in terms of competing "meaning
systems", and it seems clear that "meaning systems" have
a moral basis, and are conceptually close to "world
views" and "culture".)

The concept of "ideology" allows for somewhat dif-
ferent conceptual uses. Marx, it will be recalled,
referred to "ideology" as "false consciousness", a
clearly more restrictive meaning than that which is in
current use. Religion, for example, was "ideology", but
it was also false "consciousness". Marx and Engels
referred to their own work as a "theory", though others
have referred to it as "ideology". Plamenatz (8), draws
these connections and also sees "world views" as a form
of ideology of the most comprehensive kind. Gramsci (9)
(who did much to liberate the concept of ideology from
the narrow use described above) distinguished between
"organic" ideologies, "necessary to a given superstruc-
ture", and ideologies which are "arbitrary, rationalis-
tic, willed". (9). "Organic ideologies" are, in the
present context, of most interest. They were seen by
Gramsci as having a "psychological" impact, and could
"organise" human masses. They...

> "... form the terrain on which men move, acquire
> consciousness of their position, struggle etc."
> (10).

Arbitrary (i.e. more explicitly structured) ideo-
logies on the other hand could only "create movements,
polemics and so on... ". Moreover, Gramsci did not see

"ideology" as the exclusive preserve of the fundamental

classes in society. There was room, too, for the...

> "... less structured forms of thought that circu-
> late among common people, often contractory, and
> confused, and compounded of folklore myth and
> popular day to day experience." (11).

Used in this way, it would seem there is little to

distinguish between "ideology" and "culture" though, as

has already been made clear, the concepts could scarcely

be described as proximate if one uses ideology in its

classic Marxist sense. Rudé (12), clearly influenced by

the Gramscian interpretation of "ideology", also adopts

an interpretation that appears conceptually close to

"culture". His approach refines the notion of "ideo-

logy" to allow for structured ideas, and much less

formal, basic outlooks to be differentiated within it,

giving rise to different aspects of ideology which will

be further explored in due course.

Examining these concepts of "culture", "ideology",

and "world view", therefore, and the uses to which they

have been put, a thread of continuity can be traced,

which enables us to see the interconnections more

clearly. Each of the concepts is used in some way to

describe the collectively held subjective views of

people. Each goes somewhat further, and embodies an

element of ethical and moral values which frequently

find expression in beliefs concerning "rights". Within

this moral conception of "rightness" it would seem,

workers (and others) interpret events in the world, and

to the extent that such events offend the said moral

positions, protest of some form is the result. The
notions would appear, therefore, to have a similarity in
both their explanatory function, and basic conceptual
roots, which entitles us to expect to be able to use the
studies that employ them to complement and support each
other.

Nor, in this, should we forget the work of sociolo-
gists like Weber and Durkheim, whose work offers an even
sounder basis for the conceptual similarities suggested
here. Durkheim, for example, referred to the
"conscience collective" (13), which may be translated
as, "the common consciousness", or "common conscience"
(or even "the generalised social conscience" according
to one writer (14)) which underlies the basis of mora-
lity, and which explains much that we come to understand
as social behaviour, including the obligations of indi-
viduals towards each other, their duties and responsibi-
lities, their expectations and perceptions of "rights"
in their dealings with authority, the State, their work
colleagues, families and so on.

It is not, at this point, necessary to adopt any
dogmatic position with regard to the terminology consi-
dered here, but rather, for the time being, to note the
variety of usages in force. As will shortly emerge,
this thesis will rely rather heavily on the concept of
"culture", but its use will encompass aspects of Rudé's
use of the word, "ideology", and will not be dissimilar
to Sabel's use of the phrase, "world view". Though the
latter term would appear to imply a breadth that might

not be expected in the case of, "culture", the moral

element in both emphasises similarity rather than

distinction:-

> "World views are normative as well as explicative.
> They are not just models of the world, they are
> models for the world as well. They are evaluative
> and simultaneously they create meaning. If we
> regard the world from the vantage point of a world
> view, the distinction between facts and values
> dissolves." (15).

"Ideology" on the other hand must be redeemed from

its narrow Marxist usage, which in any event is not

favoured by modern Marxist writers. Unless the context

makes it clear that we are adopting a specific interpre-

tation favoured by some other author, I will use this

term in the more commonly understood sense favoured by

Plamenatz, i.e. that it refers to...

> "... a set of closely related beliefs, or ideas,
> or even attitudes characteristic of a group or
> community." (16).

Having said this, the concept of ideology as adopted

by George Rudé seems particularly interesting, and goes a

considerable way to illuminate the sources of popular

protest, as will be seen in the next section. Further

than this I find it unnecessary to go on defining termi-

nology - at least at this stage. Hopefully, where there

is room for more than one meaning the sense will be

clear from the context. At this point, therefore, it

will be helpful to consider in rather more detail, the

uses which two writers have made of the concepts of

"world view" and "ideology" in explaining the occurrence

of popular protest, in the hope that this will lead us

to a framework in which to better understand the

responses of unions and their members to redundancy.

3.3 SOURCES OF POPULAR PROTEST

As we have seen, writers like Sabel and Rudé assist
considerably in clarifying the appearance of confusion
in the use of the terminology considered above. More
important, however, in this context, is the way they
link the concepts they employ to explanations of popular
protest. Rudé draws on writers like Foster (17), and
Tholfson (18), to show that the capitalist class in the
early and mid-nineteenth century in Britain, set out to
re-stabilise industry and implant "a cohesive culture -
a highly knit structure of values: institutions, roles
and rituals". (19). According to Foster, these re-
stabilisation strategies were "quite deliberately
devised" by the capitalist class, and he describes how
in Oldham in the 1840s this approach took various forms.
These included the introduction of wages differentials
to divide workers, and the making of half concessions to
their demands with similar objectives in mind. (20).
Tholfson's work suggests that over a period of twenty
years in the mid-nineteenth century, the capitalist
class was largely successful in facilitating the re-
placement of a culture pervaded by social tension, by
one of "shared values, internalised and institutiona-
lised". (21). The means used were, "working men's
clubs, newspapers, Sunday Schools, mechanics' insti-
tutes, mutual improvement societies, reading rooms,
libraries, savings banks, churches and chapels... "
(22), and an examination of the founding principles of
these organisations appears to confirm Tholfson's

argument that they were building blocks in the construction of a cohesive culture.

There was no complete surrender to capitalist ideology, however, as Rudé demonstrates, referring to a number of historical examples as cases in point. Much of his book utilises earlier historical episodes to demonstrate the impact of ideology on forms of popular protest. As we have already seen, he uses the concept of ideology in a broad sense, drawing on Gramsci, and noting that the latter includes in his definition, "loose, less structured forms of thought that circulate among common people". (23). Rudé's main contribution to an understanding of the concept he employs, is to identify the existence of two elements of ideology. The first element he describes as the *"inherent"* traditional element...

> "... a sort of mother's milk ideology, based on
> direct experience, oral tradition or folk-memory
> and not learned by listening to sermons or reading
> books." (24).

This first element (unlike the second), Rudé sees as being the "peculiar property of the popular classes". The second element, according to Rudé, is the stock of ideas and beliefs *"derived"* or borrowed from others. This "derived" aspect of ideology often takes a more structured form as...

> "... systems of ideas, political or religious,
> such as the Rights of Man, Popular Sovereignty,
> *laissez faire,* and the Sacred Right of Property,
> Nationalism, Socialism, or the various versions
> of justification by Faith." (25).

Rudé shows how these two elements fuse together to form the ideologies of popular masses, and then in turn contribute to the expression of popular protest.

The connection he makes between his own ideas and those of Gramsci is interesting, and he focuses on the concept of hegemony, in which the ruling class is able to exert power by imposing a consensus in the realm of ideas, using largely peaceful means. This happens through its control of the media of indoctrination, in that part of the State termed "civil society" - through the press, the church, the education system and so on. Under the influences of these forces, the people "become willing partners in their own subjection" (26), and the question arises: how can the proletariat shake off this "ideological servitude"? (27). Gramsci's answer, as will be familiar, is that this can only be achieved by the proletariat building up its own counter-ideology to weaken the defences of its opponents, before defeating them in the struggle for power. (28).

The interesting aspect of Rudé's work in relation to the foregoing is that he suggests the development of ideologies takes place as an *iterative* process, blending together the "inherent" and "derived" elements, passing on new, modified "inherent" elements to the next generation and so forth. Ideology is not seen as static, it evolves. There is no such thing as an...

> "... empty tablet in the place of a mind on which
> new ideas may be grafted where there were no ideas
> before... ";

and...

> "... no such thing as an automatic progression from
> 'simple' to more sophisticated ideas."

Neither is there any "wall of Babylon" dividing the two types of ideology from each other. They fuse together, and what is today's "derived" ideology, may in modified form become an element of tomorrow's "inherent" ideology. Whether the resultant mixture takes on militant or revolutionary qualities, or is counter revolutionary and conservative, depends according to Rudé...

> "... less on the nature of the recipients or of the 'inherent' beliefs from which they started, than on the nature of the 'derived' beliefs compounded by the circumstances then prevailing... ". (30).

So, in short, there are *three* elements which have a bearing on the final ideological perspective of workers; the "inherent" element which forms the base on which the rest is built, the "derived" element which "can only be absorbed if the ground was already prepared" (31), and the "circumstances and experience" which, in the final analysis, determines the nature of the mixture.

Rudé himself draws a parallel between his "inherent ideology" and E.P. Thompson's similar concept of a *"plebeian culture"*. (32). He clearly follows Thompson in his argument, that notwithstanding the "popular achievements" brought about under the influence of the "plebeian culture" or "inherent ideology", only limited advances could be expected without the supplemental influence of a "derived element", the political, philosophical or religious ideas, which in Thomson's terminology, "became absorbed in the more specifically *popular* culture". (33). Rudé gives examples of this

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merger of "inherent" and "derived ideas, which takes
place at different levels of sophistication. At the
most basic stage it takes the form of slogans, and he
instances the Americans' "Death to revenue officers",
and "No taxation without representation", or "No Popery"
shouted by eighteenth century Londoners, and the *Vive
le Parlement*" shouted by the Parisian crowds on the eve
of the revolution. (34). At a more sophisticated level,
relatively structured ideas could become part of the
"derived" element. Notions of "Rights of Man", "social
contract", and "Third Estate" emanating from the wri-
tings of Paine and Rousseau, were conveyed principally
by the spoken word, but also by passages from books and
journals being read aloud in public.

As I have already suggested, Sabel's use of "world
views" (36), is not dissimilar to Rudé's use of "ideo-
logy". Though he himself takes issue with the "mora-
lists", "world views" as used by Sabel embody an
explicitly moral component:-

> "World views are like penal codes or codes
> of honour. They permit an exhaustive cate-
> gorisation of actions as licit or illicit,
> honourable or dishonourable." (37).

Sabel argues that many industrial conflicts arise
when workers' expectations of propriety and justice are
violated. Conflicts come about when two conditions are
fulfilled. Firstly, prompted by the pressure of compe-
tition (for example, management attempts to speed up
work or to rationalise working methods and structures),
the terms of management's relationship to the work

group is altered. Secondly, the work group declares

its integrity and place in the division of labour

threatened. Strikes by craftsmen in defence of wage

differentials, or freedom from shop floor supervision

would, suggests Sabel, be examples of such conflicts.

(38). Sabel quotes others, including the peasant wor-

ker's demand for "a fair day's pay for a fair day's

work". All groups, he argues, "... have the capacity to

raise and defend moral claims". (39). Moreover, "...

the pursuit, even of moral claims perceived as traditio-

nal, can alter the status quo rather than reinforce it".

(40).

World views, argues Sable, help to explain the range

and variety of conflict and acquiescence in industry.

Looking particularly at theories of "blue collar" wor-

kers, he comments, that no single theory of behaviour...

> "... accounts for this variety of opposition and
> no theory that predicts the militancy of any one
> of these groups accounts for other crucial aspects
> of its behaviour, its acquiescence in authority as
> well as its revolts against authority, its inabi-
> lity to find allies as well as its willingness to
> join broad political movements. From the point of
> view of existing theories, too much as well as too
> little is going on in factories." (41).

Moreover, Sabel's use of "world views" to explain

issues of power relations is interesting. They have the

capacity, he argues, to "legitimate or at least obscure

disparities of power by making them appear to be facts

of nature". (42). In this, the tendency of occupational

and other groupings to defend their own niches in the

division of labour can isolate each one from its most

likely allies - the other workers in the plant. Workers

may share a "common enemy", but they are not always

united. (43). But world views can influence the balance

in either direction. While on one hand they may legiti-

mate power disparities and perpetuate divisions between

workers, they can also lead to widened conceptions of

rights and the moral conviction to sustain workers in

their struggles to achieve and protect them. However, as

pointed out above, Sabel distances himself from the

"moralist" position of seeing the defence of morals as

the basis for workers' collective action, and stresses

that...

> "... there is more room for debate over the
> meaning of moral ideas, and more jockeying for
> social position than the moralists allow." (44).

A number of aspects in the work of Rudé and Sabel are

of interest in the context of the present study. One

such aspect of Sabel's approach appears to form a link

with the argument we will outline towards the end of

this chapter, but for the sake of convenience we shall

consider it briefly at this point. This is touched upon

by the reference he makes to the idea of "national

culture" (45) - a concept which he emphasises has been

fairly extensively used by other writers. The precise

purpose he has in introducing the concept, and the use

to which he puts it are not especially important, and it

is in fact only a relatively minor feature of his over-

all argument. However, his definition of "national

culture" as "a nation's political world view" (46), is

interesting. Firstly, it indicates acknowledgement that

there is some conceptual similarity between "culture" and "world view". Secondly, it indicates a more flexible use of the concept of "world view" than is implied in general in Sabel's book. Elsewhere, Sabel appears to see occupational groupings (technicians, supervisors, skilled workers etc) as the appropriate locus around which to consider the effect of world views in a collective sense. But here, in referring to "a nation's political world view", we see a different usage. Moreover, this is borne out when Sabel suggests that "world views" (qua "national cultures") can influence the "world views" of groups of workers. (47). In effect, he is implying that workers may be brought under the influence of more than one world view, operating at different levels (i.e. in this case, the national and the work group setting). This analysis seems to be borne out by Sabel's use of the adjective "political", in his definition of "national culture" as "a nation's political world view". The question of what, if any, other forms of world view it might be possible to identify is not made clear, but the point is made that, in applying a concept which relates to the collective conceptualisations of people, one can consider groups, organisations, or even nations as appropriate levels at which to employ the notion of "world view".

Paradoxically, however, in a study that seeks to explain collective worker behaviour, there is very little reference to the role played by trade unions,

and the possibility of analysing moral positions from the point of view of union influences appears to have been overlooked or rejected. Nonetheless, the wider usage of "world view" hinted at here leads one to consider how trade unions might be brought more centrally into the analysis. In particular one might ask, would union organisation at various levels represent a valid locus for considering the effect of world views? There would seem to be at least two levels at which such analysis might be applied - following directly the line of reasoning indicated above. Firstly, Sabel's main approach, which focuses on occupational groupings within the working class, would appear to require little adaptation to be applied to various forms of union organisation. The divisions Sabel discerns in occupational terms are, after all, familiar enough in British union structures, and have been reflected in a number of studies by Lockwood (48), Allen (49), Roberts *et al* (51) and Hill (52), to name but a few examples. At another level, however, one might seek to follow Sabel's more flexible use of the idea of "world view", and suggest that just as a *"national culture"* may help to explain the broader national level influences on workers (and their group level "world views"), so we might advance the concept of a *"trade union culture"* to explain the possible influences on workers at the level of trade union organisation. The point will be more fully developed in due course, but suffice it to say that a

"trade union culture" could be defined as existing not only at the level of a union nationally, but within discrete organisational units of the union in companies, industries, and at the level of a given workplace, as has already been suggested.

Furthermore, taking up the cue given by Sabel in suggesting that a multiplicity of world views may apply in any given industrial setting, it could be suggested that different cultures might be found within given unions and might, among other factors, reflect different occupational groupings, political factions, regional variations, etc. Evidence to support the notion of such variations in cultural influences might be found in the traditions and practices of trade unions, the influence of factions or "rank and file" groupings within them, inter-union rivalries, occasional breakaway movements, and so on. Instances of the above examples come readily to mind. The miners' strike of 1984-85 provided an illustration of many of these divisions, including the formation of a breakaway union, The Union of Democratic Mineworkers. (53). The existence of sectionalism and dissenting elements in large-scale public sector dis-putes, including in steel, health, and teachers, has not only emphasised the weakness of solidarity (54), but arguably the continuing existence of different union cultures in these sectors. (55). And while the tradi-tions of craft independence have apparently underpinned an element of sectional elitism among unions, these same traditions have in different circumstances been seen to contribute to the growth of a radical shop stewards'

movement in the period from the beginning of World War I. (56).

There are a number of other aspects of the work of Rudé and Sabel which appear particularly relevant to a study such as this, which seeks to account for trade unions' and workers' responses to redundancy. Both stress the *dynamic* aspects of the concepts of "world view" and "ideology", which would appear to offer some assistance in explaining the variation in workers' responses to redundancy, over time, and in different contexts. Also of direct relevance, is the application of "world views" and "ideologies" to the question of *legitimacy* of managements' actions. The observation which both writers make, that the influences on workers' minds can operate in either direction, sustaining opposition and the exercise of countervailing power, as well as at other times legitimising unpleasant managerial decisions, is of obvious importance when considering the arguments of writers such as Hardy (56), and Lockyer and Baddon (57), who were referred to in the last chapter.

In summary then, the link between "world views", "ideology" and "culture", and the importance which the work of Sabel and Rudé give to moral claims, and workers' beliefs in "the way things ought to be", would appear to have a direct bearing on the project embarked upon here, of creating a theoretical framework to account for workers' and unions' responses to redundancy. Both writers offer useful and interesting accounts which go

some way towards explaining the occurrence of popular

protest, but also to its variable, inconsistent occur-

rence. Rudé's analysis, whilst focusing on large

national movements and the outbreak of revolutionary

conflict, may be helpful in obtaining a greater under-

standing of workers' movements - e.g. the sit-ins and

occupations of factories to oppose redundancies, which

blossomed in the 1970s. But Sabel's analysis, looking

at occupational work groups, and implying too, a more

flexible approach allowing analysis at different levels,

brings us towards a possible line that affords scope to

investigate the role and influence of trade unions and

trade unionism. Both accounts have a bearing on the

question of legitimacy, and offer insights into the

processes which may be involved in achieving or under-

mining it. Using Rudé's terminology, legitimacy might be

said to depend upon management successfully implanting

an element of "derived ideology" in the minds of wor-

kers. This might include notions of the inevitability

of market forces, the logic of standards of "reasonable-

ness", the positive nature of change (even when it

disrupts the lives of workers) and the virtues of compe-

tition, efficiency and so on. Clearly, any attempt to

explain the process of legitimisation, using Rudé's

approach to "ideology", would have to offer some comment

on the means whereby these "derived" ideas are implan-

ted, bearing in mind too, the effects of possible rival

elements, including aspects of "inherent" ideology which

may strongly reject the morality of the proposed action.

Examination of these appraoches then, leads to the distinct view that workers are moved to protest about matters that cannot be defined in purely economic terms. Though neither writer suggests that workers only respond defensively to attacks on moral principles, both of them indicate that such defensive actions can be important aspects of worker protest. In selecting redundancy as an area of study we are, perhaps inevitably, emphasising the defensive nature of workers' protests, and it is as well to remember the context when looking, in due course, for any general conclusions. At this stage, however, having indicated a link between theories of popular protest and the expression of beliefs in moral obligations of various kinds, I propose that we should now turn to investigate the nature and extent of such claims as seen in trade unions.

3.4 RIGHTS AND MORAL CLAIMS

When one attempts to analyse the moral basis of workers' perceived "rights", one is confronted by a number of problems. The first of these is the diffi-culty of saying, with any certainty, how other people perceive the world to be. We can only draw inferences based on factors such as the way claims of "rights" appear to be expressed or demanded, and the language that is used to describe such claims, etc. At best, however, this is a somewhat uncertain process, and

we should recognise the rather tentative nature of any propositions which emerge. A similar problem relates to any attempt to identify the source of such perceptions. Again, one cannot be entirely categorical. There may be a number of influences forcing workers to adopt a particular point of view, that has the effect of a moral imperative, and in all possibility, workers themselves may find no practical usefulness in distinguishing between those sources, or even identifying them in any explicit sense. Nonetheless, we should attempt to loosen this knot of practicality if we are to seek to apply the ideas considered in the last section to an explanation of workers' and trade unions' reactions to redundancy.

Let us consider how workers manifest their moral beliefs through the expression of what they see as "rights". Several questions may be asked which have an immediate bearing on the nature and sources of moral perceptions that workers form in relation to their employment. If workers see the obligations of their employer in terms of "rights" what sorts of "rights" do they come to believe in? More especially, what seem to be the predominant sources of influence in forming these "rights"? The difficulties referred to above are not easily put aside, and it must be observed that though these are interesting questions there is no immediately satisfactory answer. Within the context of the present thesis, however, we can begin by examining the readily available evidence, based on what is more or less common

knowledge of the area of industrial relations. This may help us to gain some initial impressions, and lead to a theoretical framework. This we can then attempt to apply to the subject of redundancy, and in so doing, hopefully gain some further insight by way of answers to the above questions. We will proceed on this basis, first examining the question of "rights" in a general sense in this chapter. We will consider them under four categories (which are intended as examples, rather than any complete categorisation of the range of "rights" that apply to the employment context), first starting with the range of "rights" which workers perceive in relation to the terms and conditions on which they are employed.

3.5 CONTRACTUAL RIGHTS

Are the perceived "rights" of workers in employment established because they are laid down legally as rights, either contractually or in some other sense? Lawyers, writing about employment rights, tend to emphasise the primacy of contract (58), whilst others may be inclined to see the legal relationship as of lesser importance than the social context. This view has been emphasised by Fox (59), Kahn-Freund (60), and others. Durkheimian sociology, it will be recalled, analysed the law as a "social fact" and argued that legality was premised upon shared conceptions of morality existing

within society. (61). In looking at the sources of workers' perceptions of "rights", therefore, one is immediately alerted to the danger of assuming that the relationship between legality and morality is necessarily from the former to the latter. If the employment contract, as a legal expression of rights and obligations, does not in itself condition workers' perceptions of their rights, what then may be taken to do so?

It is, as the lawyers say, "trite law", that a contract of employment includes both oral and written, express and implied terms. (62). Prior to 1963 there was no statutory regulation of the extent to which employment contracts should be reduced to writing. The statutory regulation is now laid down in the Employment Protection (Consolidation) Act 1978, which provides a list of issues in respect of which details of an employment contract should be provided in written form. (63). Also, employees are entitled to be informed of the procedures they should adopt in matters of discipline, or in settlement of grievances. (64). However, one does not need to dwell unduly on the social nature of the employment relationship to recognise that in practice, written statements of contractual arrangements are likely to cover only a bare outline of a far wider range of expectations that employer and employee have of each other. As Wedderburn has noted:-

> "The problems of real life are always sufficiently
> unpredictable to bring to light gaps in what the
> parties have agreed." (65).

The lawyers' solution to this problem is to create

the artefact of the "implied contractual term". What

this amounts to is that the law pronounces by inference

upon the terms which (in the judgement of a court) both

parties recognise as aspects of their mutual obligations

and undertakings. As one might expect, the law says

little of the underlying ethical and moral basis of such

perceived obligations. When it does venture opinion, it

often does so with a bias that labour lawyers have

identified as fundamental in employment law, and its

judicial interpretation. As one judge put it, in a 1946

case on implied contractual terms...

> "... 'it goes without saying', some term not ex-
> pressed, but necessary to give to the transaction
> such business efficacy as the parties must have
> intended." (66).

And as to the nature of the said "business efficacy",

one could turn to a 1926 case, in which a colliery

closed its mines whilst repairs were done to make the

mine safe. The judge found that the mine had become

unsafe through no fault of the employers, and that there

was no implied term to pay wages to the employees. (67).

One can only guess at the feelings of the workers in

response to such decisions as this, but it would seem

that in such cases their probable perceptions of

"rights" are incapable of being recognised by the cri-

terion of "business efficiency", or such other yardstick

as the courts might apply in similar vein.

In relation to employment conditions then, it would

seem likely that workers perceive "rights" as correspon-

ding to the established *status quo*, irrespective of

the underlying legality of the situation they identify.
If this is so, one might expect to find that workers
respond more readily when conditions are being worsened,
or favourable arrangements are being withdrawn, than
they may be expected to in order to secure comparable
conditions which have never been established. How could
one test the validity of such a proposition? One factor
which might be considered helpful lies in the relative
distribution of defensive strikes versus those of an
offensive nature - i.e. strikes to defend an attack on
an existing condition, as compared with strikes to
support claimed improvements. The difficulty here,
however, is that there is no control data of the inci-
dence of threats to worsen conditions, against claims
for improvements. However, it is interesting to note
that between 1893 and 1945, published strike data clas-
sified wage related stoppages according to whether they
were linked to claims for increases (i.e. offensive
actions) or in protest at proposed reductions (i.e.
defensive actions). Leaving aside the difficulty al-
ready mentioned, of lack of information on the number of
claims and threats, it is interesting to note that the
figure for stoppages over decreases is rarely less than
twenty per cent of the quoted figure for wage increases
in any one year, and in the years when depression and
economic contraction began to bite, in the 1920s and
1930s the incidence of defensive strikes was several
times higher than offensive strikes. (68). One scarcely
needs to add that the 1926 general strike was over the

issue of proposed cuts to the pay of miners, and exten-
sions to their working week. Earlier battles by the
miners, and other groups of workers (e.g. in the cotton
industry) testify to the bitterness with which workers
opposed pay reductions imposed by the sliding scale
system at the end of the nineteenth century. (69). And,
if one looks for an example of a group of workers with
traditions of industrial peace and moderation, the
school teachers provide a case in point. They responded
to the cuts in pay threatened or imposed in the early
1920s, by establishing a strike fund in the NUT, and
engaging in a number of defensive strikes which were
without precedence in the union's history. (70).

Another way to consider the question is to look at
the matter of claims for non-wage improvements. Despite
an increasing emphasis since the 1970s on a broader
range of issues, ranging from pensions to maternity pay,
strikes in support of claimed improvements in the newer,
"fringe benefit" type issues are rarely reported. On
the other hand, there have been a number of reported
instances when managements have chosen to abolish esta-
blished conditions, for example, on account of their
"time consuming" or "wasteful" nature. For example, it
is possible to discover a number of disputes over the
abolition of tea breaks (71) (yet, unsurprisingly, no
such examples can be found of disputes to *establish* a
tea break when arrangements for them have not previously
existed). On the face of it, one may observe, there is
an odd contrast between the apparent lack of militancy

of workers to secure improvements in benefits such as
pensions, which may have a considerable financial value,
and their readiness to defend an established benefit of
lesser value, such as a tea break, by taking industrial
action. Examples such as this, however, tend to confirm
the view that workers have notions of "rights", and that
(so far as conditions of employment are concerned) their
principal aim is to secure what they already have,
either by explicit agreement, or by quoting and enfor-
cing "custom and practice". Views of "fairness",
"equity" etc appear then to be based on conserving the
established order first and foremost. And while workers
may approve suggestions that they should strive, for
example, to reduce the length of the working week,
secure sabbatical leave, maternity leave, or other less
commonly provided arrangements, they do not necessarily
internalise these ideas so that they become associated
with the same ethical or moral connotations of perceived
"rights", as seems to happen when conditions are under
attack.

The readily observable evidence therefore appears to
suggest that in relation to conditions of employment
(viewed in a wide sense of including informally estab-
lished practices), workers perceive themselves as having
"rights" at work which are not necessarily rooted in any
real appreciation of their legal rights. Workers'
perceptions of "rights" it would seem are conditioned by
other factors, including "custom and practice", and the
idea of "what we have, we hold". Insofar as the moral

force behind workers' perceptions of "rights" may be identified therefore, it would seem to be akin to the notion of property, and it is likely that while unions and unionism consolidate this ethical basis for defensive action, its existence owes much to the prevailing values of society at large in which "possession is seen to be nine-tenths of the rule".

To this extent, perhaps, unions and unionism reflect values which offer little to challenge the existing order. This need not necessarily be the case, however, with regard to other categories of "rights" and we will at this point turn to consider the question in relation to attempts to control access to, and execution of, work.

3.6 ACCESS TO AND CONTROL OF WORK

The Webbs, writing of union demarcation disputes in the nineteenth century, refer to the declared trade union principle of "the right to a trade". They give examples of a number of nineteenth century inter-union disputes to support their contention of the existence of such a principle, and quote the following from a report of the Amalgamated Shipwrights Society in 1893:-

> "No employer should in suiting his own convenience give away another man's means of earning a living, anymore than no workman would be allowed to go into an employer's office and take money from his safe and give it to another." (72).

This example, and others quoted by the Webbs, reminds us of the exclusive protectionist traditions of craft trade unionism. The perceived "right to a trade" was, or is, a sectional claim, and relates to the belief that unqualified (i.e. non-time-served apprentices) should be excluded from certain jobs, which should be reserved for those possessing the necessary craft qualifications.

The traditions of autonomous craft control and regulation have been recognised as a feature in the growth and historical evolution of the British system of industrial relations, to a greater degree than appears to have applied on the continent of Europe and elsewhere. (73). But what has perhaps been less generally acknowledged has been the prevalence of similar attitudes and practices of demarcation and restrictionism throughout the whole structure of English professional and commercial activities. As Fox points out, the antecedents of this are to be found in the seventeenth and eighteenth centuries and much earlier:-

> "Claims to prescriptive rights to a trade and to
> its status, privileges, demarcations and restric-
> tions derived their peculiar force from widespread
> phenomena of freeholds and liberties that littered
> English life at all social levels, and bred a
> degree of truculence, a willingness to fight and
> litigate that bordered on neurosis." (74)

And for liberties in the form of craft rights, acquired in an earlier age, to be asserted against the repressive forces of growing industrial capitalism, organised labour had to exploit the concept of political liberty - also developed by the gentry as a means of legitimating their own ruling order. (75). Fox

describes how, in the mid and late nineteenth century, with the quickening rate of change and the increasing pace of economic fluctuations, craft groups moved more and more into collective bargaining while managing to retain their own workplace restrictions and regulations. At the same time, non-craft groups also sought to apply workplace job regulation if they could manage it.

Such "rights" of control over access to and method of application of work are not then, entirely peculiar to traditional skilled or craft occupations. As Friedson (76), has pointed out, some occupations possess a *de-facto* autonomy by virtue of the isolated or specialist character of their work, but such autonomy is more accidental than not, and is subject to fluctuations with, for example, variations in public opinion. However:-

> "Unlike other occupations, professions are *deli-berately* granted autonomy including the exclusive right to determine who can legitimately do its work and how the work should be done. Virtually all occupations struggle to obtain both rights, and some manage to seize them, but only the profession is granted the right to exercise them legitimately." (77).

And numerous writers have focused attention exactly on these struggles which workers engage in to enforce such "rights" of control. So, while Braverman (78), describes the success which management has had in imposing control over the work process, Beynon (79), in his familiar study of workplace relations in the Ford motor company, emphasises the degree to which workers succeeded in imposing their own controls over the

production process, and Goodrich (80), describes a court case in the 1920s in which a colliery overman was asked whether he could say that a particular miner did his job properly:-

"I never saw him work," he replied.

"But isn't it your duty to visit each working place twice a day?" asked the magistrate.

"Yes," replied the overman, but: "they always stop work when they see an overman coming, and sit down 'til he's gone... they won't let anybody watch them." (81).

The evidence of these and other writers then, would appear to support the view that certain groups of workers perceive "rights" of access to, or control over, certain jobs. The idea of autonomy of action, and independent execution of a job, has not, however, been the exclusive preserve of skilled craftsmen. As we have already noted, efforts to impose such controls embrace a range of jobs from professional to unskilled and semi-skilled workers. And while managements have achieved demonstrable successes in breaking down many of the restrictions and controls historically imposed by craft workers, in the interests of efficiency and mass production (82), this has not been all in one direction. In contrast, Beynon emphasises the importance of sustained struggles at the workplace in achieving and protecting workers' "rights", and the crucial role played by workplace union leaders in this process. His entire book is replete with examples, but just one will suffice. In his chapter, "Controlling the Line", Beynon notes that:-

"Men became stewards in their battles with supervisors over injustices over the workers' rights as opposed to management's indiscriminate right to manage." (83).

He describes the dialogue between stewards and management over a proposed alteration of the line speed:-

> "We just said, 'No. We're not doing it.' It was as good as anything else at the time.'
>
> They'd say: 'You've got a complaint?'
>
> We'd say: 'No, we're all right. We've not got any complaints.'
>
> They'd say: 'But what about the line speed, the work allocation? I thought you were complaining about that.'
>
> We'd say: 'No, it's all right now. We're happy as it is. We're only complaining if you try to change it.'
>
> They'd say: 'Oh, but we are going to change it. The speed must be changed.'
>
> We'd say: 'Well, we're not doing it. Yer not on.'"
> (84).

In both the language that Beynon uses, and the approach of the shop steward quoted, it will be noted that the situation appears to confirm analysis in terms of struggles for and enforcement of "rights" of control. Not all groups of workers would seem to need to struggle for such basic and fundamental "rights" as is referred to in this context. Indeed, the objective organisational and technological demands of industry has, by Mallet's account (85), accorded white collar employment with not only technical control, but the historic role of leading the working class in future struggles for economic and political change. Whether or not such arguments are sound and prove to have practical validity to the extent suggested (and Mann (86), Poulantzas (87), and others have argued to the

contrary), the activation of potential power and leadership would seem to depend largely on the strength and affinity of workers to trade union organisation.

At this stage, we will consider the question of "rights" which workers appear to come to perceive in relation to union activity and organisation, which would seem to have an important bearing on the previous point.

3.7 TRADE UNION AND COLLECTIVE RIGHTS

Let us now turn to the question of "rights" which workers may perceive in relation to collective trade union organisation and activity. Perceived "rights" which come to mind include the "right to strike", the "right to organise" or the "right to belong to a union". Whether or not such perceptions of "rights" accord with reality, in the sense of there being a constitutional or legal equivalent, is an obvious question of interest. However, we are especially interested in the present context in whether *perceptions* of these "rights" exist in the minds of workers, though the possibility of an interaction between perceptions and legal enactment may be considered.

Students of English labour law are familiar with the peculiar path which has been followed in this country in relation to legal recognition of trade union action. Whilst continental unions were able to achieve the position of legally recognised status and legally

established positive rights (e.g. the right to strike, the right to collectively bargain), this was not the pattern in Britain. Rather the establishment of legality for the trade unions, and tolerance of union methods, was achieved by statutory measures constraining judges in their application of common law torts to trade unions, merely because of their existence (88), or because they engaged in acts of conspiracy (89), intimidation (90), and other forms of common law wrong. The result was the creation of a series of "immunities" from civil action for trade unions, provided by the statutes of 1871 (91), and 1906 (93). The effect of this has been to establish certain freedoms for unions to organise, to strike, and apply other forms of industrial action, but in legal and constitutional terms there has been no enactment of positive rights with respect to any of these activities (94).

It would seem, however, that in the perceptions of workers and trade union activists, these technical distinctions carried little weight. The effect of Parliament's action to constrain the application of judge-made common law, was in a practical sense to establish the equivalent of legal rights to organise, strike etc, and there seems no reason to doubt that workers have perceived the existence of "rights" co-terminous with these intended effects of legislation. Despite the uncertainties created when the creative powers of judges have discovered new avenues of attack on union activities (95), the trade unions (as more

than one commentator has observed) have seen little

purpose in constitutional enactment of positive rights

(96). Perceptions, it would seem, were that the

"rights" existed in any event, and it has been noted

that trade unions "spoke the language of rights (and

still do)". (97).

Experience of developments in labour law in Britain

since the end of the nineteen sixties has been in marked

contrast to the long era of "legal abstention" that

followed the Trade Disputes Act of 1906. (98). The

sequence of developments has been described elsewhere

(89), and it is not necessary here to narrate the events

that occurred from the publication of the Donovan Report

in 1968 onwards. A few examples will suffice. From the

moment of publication in 1969 of the White Paper, "In

Place of Strife" (100), the notion of the "right to

strike" was to become an issue that politicians and

governments of both parties repeatedly moved to the

centre of the political stage. The reaction of unions

was to mount opposition to these various proposals.

In 1969, in response to the anti-strike proposals put

forward by the Labour Government in "In Place of

Strife", a considerable campaign of rank-and-file oppo-

sition was orchestrated nationally via the unofficial

Liaison Committee for the Defence of Trade Unions.

(101). Central to the opposition of unions and rank and

file activists was the perceived attack on the "right to

strike". (102). At the same time, the TUC and the

official movement discussed the proposals with the

government in an attempt to secure agreement on alterna-
tive, less unacceptable legislation. (103). So far as
activists in trade unions were concerned, the opposition
to "In Place of Strife" was fundamentally connected with
"rights", and as one union pamphlet put it...

> "... the assertion of an essential freedom does,
> indeed, tend to be a nuisance; it is also the one
> thing that distinguishes a free man from a serf."
> (104).

With the election in 1970 of the Conservative
Government, new legislation on industrial relations was
introduced. The Industrial Relations Act 1971 (105),
attempted to introduce into the practical conduct of
industrial relations in Britain, an entirely new frame-
work of law. The details have been described fully
elsewhere (106), as has the opposition of the trade
union movement, and an analysis of the practical conse-
quences which the legislation actually had on union-
management relations. (107). Again, opposition took the
form of defence of trade union "rights", and it is
interesting to note that the TUC and official movement
played a major role in educating full-time officials and
lay members alike, as to the effects of a complex piece
of legislation on the collective "rights" of unions,
including its effects on what in TUC propaganda was
described as, "the right to strike".

It is also of interest that the Industrial Relations
Act itself adopted the language of rights and introduced
the specific legal right to join or to refuse to join a
registered trade union. (108). The point so far as

trade union leaders were concerned was that such decla-
rations of individual rights, represented an attack on
what they had effectively achieved within the absten-
tionist legal framework, namely freedoms (or "rights")
to establish 100 per cent membership arrangements, and
enforce the closed shop. In practice, the introduction
of a legal right to belong or not to belong to a trade
union appears to have had little practical impact on the
extent of the closed shop, though there were a handful
of incidents where workers, enforcing their rights to
leave the union, aroused considerable displeasure from
their immediate work colleagues. In one celebrated case
involving an employee of the Chrysler Car Company, the
individual concerned returned from a Birmingham Indust-
rial tribunal with a ruling that he had the right not to
belong to the AUEW, to be greeted by, "shouting, jeering
and swearing workers who had staged a lightning walk-out
in protest". (109). Whatever one's views as to the
propriety of this form of behaviour, it is hard to deny
the existence of beliefs of workers that their interests
were in some way being betrayed by the actions of the
dissident former AUEW member.

The demise of the Industrial Relations Act is a
familiar episode in the industrial relations and politi-
cal history of the 1970s. As is well known, its repeal
had to await the election of a Labour Government in
1974, and was not before several sensational events had
occurred, including the imprisonment of five dockers

for taking part in unofficial industrial action in 1972.
The evidence of the response of unions to this piece of
legislation would seem to offer confirmation for the
view that members were influenced by perceptions of
"rights", which derived their moral basis from the ideas
and influence of trade unionism. With regard to the
legal rights enacted by the statute, there is little in
the historical accounts of the Act that suggests that
these were successful in replacing existing perceptions
to any significant extent, or fundamentally altering the
moral values of people in any general sense, much less
changing their manifest behaviour in industrial
relations.

At this point then we might consider briefly, respon-
ses to the collective rights introduced into law by the
Employment Protection Act 1975. Among other things,
these included provisions to give unions a right of
consultation before collective redundancies occurred
(110), a mechanism for achieving recognition by the use
of ACAS (111), and a means of seeking unilateral arbi-
tration for the award of "fair" wages and conditions.
(112). Though these changes were widely used by unions,
it is far from clear that they made a deep impression on
the consciousness of union members and other workers as
new "rights", in the sense of their own moral and ethi-
cal perceptions. Had this been the case one might
expect a significant improvement in the appeal of union
membership as a direct consequence of the changes, and
indeed, on the face of it this appears to have been the

case. Union membership levels (expressed both in actual figures, and density) grew during the period that the collective rights were in force. (113). Moreover, the rate of growth of union density in the years 1975 to 1979 (1.025 per cent per annum) was significantly greater than in the five years prior to the legislation (0.66 per cent per annum). Furthermore, since the beginning of the 1980s decade, when the legislation was repealed, union membership has been in decline both in actual and percentage terms. (114). However, this provides little basis to argue that there has been a direct causal connection between growth of membership and the legal rights provided by the EPA. Bain and Price have argued that economic factors such as wage and price inflation are among the most important influences on growth (115), and even if union officials referred to the existence of the legal rights when addressing prospective members (116), this falls short of demonstrating that the said rights were internalised and perceived in terms of moral imperatives by the workers to whom these comments were addressed. Nonetheless, the question is not finally resolved by this discussion. It would, for example, seem possible that even if the enactment of legal rights of a collective nature did not enter the consciousness of un-unionised workers and find the support of an ethical or moral accord, this might have been the case with certain groups of union members, possibly including those who were more active and, therefore, more sensitive to the benefits of improved

collective rights. The legislation relating to recogni-
tion of unions provides a useful test of this possible
scenario. In this connection, the Grunwick dispute is
of interest.

The recognition provisions of the EPA were laid
down in sections 11-16 of the Act. The details of the
procedure are not at this point especially important,
except that ACAS had a responsibility to investigate
claims for recognition, by ascertaining the opinions of
management and workers, considering other relevant
factors, and then making an award. As such it was plain
that the procedure depended upon a reasonable level of
co-operation from managements of companies, not least to
gain access to workers for the purpose of inquiring as
to their opinions.

In a recognition claim involving the film processing
company, Grunwick, this orderly procedure was not pos-
sible. The company (a relatively small concern employ-
ing mainly immigrants) sacked 137 workers when they
walked out on strike. The workers then remained at the
gates, attempting to persuade others to join them, and
the dispute became focused around the issue of recogni-
tion of the union and the reinstatement of the sacked
workers. ACAS attempted to investigate the claim for
recognition for more than a year, during which the
strike continued with little publicity. When the com-
pany refused to act on the recommendations of ACAS that
the union APEX should be recognised, the largely token
picketing that had occurred since the start of the

dispute was scaled up to mass-picket proportions in an
attempt to seal off the factory. Considerable publicity
was attracted to the dispute, and the TUC General
Council was moved to call for a supporting demonstra-
tion, which eventually saw some 20,000 sympathisers and
attendant union banners filling the narrow streets of
the area surrounding the factories. Support was given
by postal workers, who (unable to selectively "black"
the company) withdrew their labour completely, thus
disrupting postal deliveries to a sizeable area of North
London for a period. (117).

The question arises as to how we should interpret the
actions of those involved in the dispute, both the
strikers/sacked Grunwick employees, and the considerable
number of trade union members who engaged in supportive
action of some kind. Looking at the Report of the Court
of Inquiry into the dispute, it seems fairly clear that
the strike itself began because workers were of the view
that their "rights" were being infringed. In the past,
the company had refused to recognise a union. When an
incident occurred involving the dismissal of an
employee, and the refusal of another to work what she
considered to be unreasonable overtime, efforts were
repeated to win support for the idea of a union in the
company. The initial demands of the workers for recog-
nition of a union were not then couched in terms of
legal rights; indeed, there is no reason to suspect that
they had any knowledge of their legal rights at the time
they formulated their demands. However, lacking any

significant involvement in unions previously, they
nonetheless focused their demands around membership of a
union - in essence the "right" to have a union organisa-
tion in Grunwick. (118).

But what of those who were not employees of Grunwick,
for example, those who acted to "black" the company's
work, or who attended the mass pickets, and had no
conceivable prospect of material gain as a result of
their actions? Where did the support which they ex-
pressed find its moral force and ethical roots? On one
level, it could be argued that union sympathisers were
indignant because the company was so easily ignoring the
legal procedures that had been laid down, and that the
ethical basis for their concern derived from the legal
enactment of rights into statute law. By this measure,
perceived "rights" would be seen as being based on legal
rights, and workers' moral concerns would be seen in
relation to the legal/moral duties of employers, and the
necessity that they should be upheld. However, this
seems to be an inadequate explanation. If it were the
case that perceptions of "rights" arose simply from
workers' legal rights, one would have to allow that
perceptions adjust to the unpredictable and sometimes
bizarre nature of judicial decisions. In the Grunwick
case it transpired, ACAS had no right to infer findings
as to the opinions of employees on the question of union
membership, even though there was no practicable way of
overcoming the problems caused by the employers' refusal
to allow ACAS officers to interview them, or issue

questionnaires. Moreover, those workers who had been
sacked had no legal means of being reinstated, and could
not even persuade an industrial tribunal to accept that
it had jurisdiction to consider their cases. By any
objective assessment of the legal rights of employees as
they came to be interpreted, the law was a dead letter
in this dispute. Long before this point had been
reached, however, the strikers had come to see the law
as an adversary rather than a friend, in that the com-
pany was able to use it to its advantage by seeking
injunctions to prevent "blacking" of its products, and
generally seeking the protection of a sympathetic local
police force. It was in these circumstances that
Mrs Jayaben Desai, the leading figure in the dispute,
told the press:-

> "I have no faith in the legal position. I believe
> only in the power of the trade union movement."
> (119).

Characterisations of the views of the strikers'
supporters as being conditioned by their assessments of
the morality of the company's actions within a simple
framework of legal rights and wrongs, would not then
appear to be a sufficient explanation of their sources
of concern. First and foremost, it would seem, there
was a view that workers have "rights" to join unions
without facing the sack, and that they have "rights" to
establish recognised trade union organisation at their
place of work. As a subsidiary factor, it would seem,
unionists were indignant because the company appeared to
be determined not to do "the decent thing", and

co-operate in the recognition procedures. More to the point, anti-unionism and the pursuit of "sweat shop" employment policies, exploiting the vulnerability of immigrant workers, was seen by unionists (even those on the political right, like Roy Grantham of APEX) to be so morally repugnant, that *they* were prepared to test the limits of the law by resorting to mass picketing and forms of secondary action which the courts might hold to be unlawful. The episode of the UPW local leaders' efforts to win support for unofficial action to "black" the company's mail, illustrates this point. Taylor and Dromey describe how the local leaders put the case to their members:-

> "The risks are appalling. You will be taking on the law, the Post Office and maybe even your own union... But, the question is simply this - is what we are doing right?"

And subsequently, the same leaders put it:-

> "You can't prosecute our union because we alone are blacking Grunwick mail, not the UPW nationally. If you wish to imprison us, then try it. We have had enough." (120).

On the evidence of these sorts of statements, it is hard to see how the moral concerns of trade unionists could be regarded as a simple emanation of the statutory rights provided in the Employment Protection Act. On the contrary, there seems to be strong evidence here of union beliefs that workers were willing to enforce, in the face of what they perceived to be a hostile legal context. In the case of the postal workers, the law had prevented them from taking sympathetic action with the Grunwick strikers. Now, they had "had enough", and were

determined to exert both their own "rights" to take such action, and defend those of other workers struggling for more fundamental causes.

The interplay between legal enactment and workers' perceptions of "rights" then, would appear to be complex, and one hesitates to pronounce in any general sense on the basis of limited anecdotal evidence. However, one notes that it did not appear that workers' sensibilities were unduly outraged when the legal rights which they had been granted under the EPA 1975 were watered down or finally repealed. On the other hand, there were considerable expressions of protest when in 1984 the government banned trade union membership at the Cheltenham Communications spy centre (GCHQ), offering them £1000 to relinquish employment protection rights and trade union membership. (Two hundred still refused to do so over a year later.) (121). Overall, one's conclusion then, would incline to the view that the law has played only a secondary role, in the creation of moral perceptions in workers' minds that might be described in terms of beliefs in "rights". In considering the actions of workers in the sorts of episodes that have been described here, in relation to collective rights, one is obliged to conclude that the perceptions of workers are subject somewhat more readily to the moral influence and ethical basis of unions and unionism, than any aspect of the force of law. While there may be circumstances when union perceived "rights" are widened by legislation, the ethical basis of trade unionism has

had to acquire a certain independence of the law, and this appears in the interaction that sometimes occurs between these two forces.

In the era post 1980, the legal context has been increasingly complex. Employment Acts in 1980 and 1982, a Trade Union Act in 1984, and a further Employment Act in 1988 have served to dramatically alter the basis of union immunities. They have encroached upon union "rights" in picketing and have seemingly attempted to introduce new legal rights for union members (via a commissioner for trade union rights, provided for in the 1988 Act), rights relating to unfair dismissal in a closed shop, ballots before industrial action etc. The underlying philosophy of much of the legislation has been that employers should be readier to litigate, and that by this means and a general policy of encouraging the moderate voices of unheard (but presumably "typical") rank and file union members, union militancy would be brought to heel. Throughout the 1980s, conflicting messages have been conveyed as to the effects of much of this legislation. According to some observers, unions have been faced with a profound shift in attitudes of members as a result of these changes, expressed most clearly in the support of workers for legislation on ballots, and their willingness to cross picket lines. (122). Examples such as the NUR's failure to command the support of its members in a dispute over the withdrawal of guards from London Underground trains, point to the success of the legislation in undermining the

perceived "rights" of employees. (An injunction was
granted against the union on the Friday before the
strike was due to commence. On the following Monday,
70 per cent of members refused to obey the strike call.
The union complained that each of the members had been
made to feel that it would be illegal for them perso-
nally to take strike action. (123)). On the other hand,
episodes such as the Stockport messenger dispute and the
miners' strike in 1984-85 seemed to show that unions and
members were willing to face up to high profile poli-
cing, including the danger of injury or arrest, as well
as possible fines and sequestration of union funds.
Yet, if these disputes confirmed the willingness of some
workers to go to remarkable extremes of struggle in
defence of their "rights", they also demonstrated that
there was considerable scope for division and dissent
among union members, to some extent bolstered by the new
legislation. The failure of the NUM to hold a national
ballot in the miners' strike (as the legislation pro-
vides), for example, has been seen as an important
factor leading to the union's eventual defeat and the
emergence of the breakaway Union of Democratic
Mineworkers. (124). There seems, however, little reason
to doubt that whatever impact the new legislation has
had (even taken together with the effects of economic
depression and unemployment, and the claimed changes in
managerial attitudes since 1979), the influence of trade
union and collective "rights" as moral forces in the
minds of workers continues to persist.

At this point then, we will consider the question
of "rights" further, by looking at what is sometimes
called "the right to work". However, as will be seen,
"the right to work" in fact embodies a number of quite
distinct and different notions, and the use of the
plural, "rights", will be self-explanatory.

3.8 RIGHTS TO WORK

So far, we have touched upon three different cate-
gories of "rights" which workers may perceive in rela-
tion to their employment. These I have somewhat loosely
described as categories of "contractual rights", "access
and control rights", and "collective and trade union
rights". In the main, it will be noted, these cate-
gories refer to "rights" of employees in work, and make
little reference to the unemployed worker who aspires to
become part of the employed workforce. And though in
general terms, trade unions' chief focus of activity is
in the area of employment, the fears of trade union
members, as well as their actual experiences, of unem-
ployment, are a factor which cannot be ignored. Trade
unions sometimes express demands for a "right to work",
as any examination of labour history will quickly
reveal. How far, and to what extent these demands may
be said to accurately fit the description given to them
is, however, another matter. Also, it would seem that
the phrase, "the right to work", has been used to

describe a number of perspectives, with such widely differing political and philosophical undertones, that it is confusing to see such variety of meaning encompassed within the same phrase. So, it is perhaps appropriate that in relation to employment and unemployment, we consider "rights to work" as a generic category within which there are a number of variations.

The Webbs (125), recall how the Spitalfields silk weavers, in 1765, without employment owing to the importation of foreign silk, marched in protest to Westminster and engaged in riots. The result was to prod Parliament into legislation on their behalf. They describe, too, how more generally the legal persecution of trade unionists in the first twenty years of the nineteenth century, often around issues of job protection sometimes drove members into violence and sedition. The French Socialists in 1848 put forward demands for a *droit au travail,* in the specific sense of a right with a corresponding duty on the part of the public authorities to provide work (126), a claim which the revolutionary Marx castigated as...

> "... in the bourgeois sense, nonsense, a wretched, pious wish." (127).

However, he also saw "behind the ´right to work´, the June insurrection", and recognised the revolutionary potential of the "right to work" as "power over capital" for the "abolition of wage labour, capital and their mutual relationship". (128).

During the great depression of the 1880s and 1890s, socialists and Liberal radicals in Britain focused

agitation against unemployment around the concept of a "national right to work". "Right to work committees" were established in many parts of the country, and a "Right to Work Bill" was drafted for consideration by Parliament. (129). The cause was taken up again in 1907 by Ramsay McDonald, and though the Bill appeared under another title, it became known by the same name. Clause 3 of the Bill provided that:-

> "Where a workman has registered himself as unemployed it shall be for the local unemployment authority to provide work for him in connection with one or other of the schemes herein provided, or otherwise or failing provision of work to provide maintenance should necessity exist for that person and those depending on that person for the necessities of life." (130).

The ideas of Chartism and the influence of Owen in the thinking of trade union members in Britain, was (as the Webbs noted), a significant force. Owen asserted the existence of "rights" for working men, including...

> "... the right of every workman who is unemployed, to employment and to such an amount of wages as have been indicated." (131).

Historians like Thompson have written of the "ten hours movement", at a time when trade unions were barely legal organisations, which aimed to...

> "... lighten the labour of children, give the shorter working day to adult operatives, and spread the available work more widely among hand workers and the unemployed." (132).

Hinton (133), traces the links between socialist parties and the reactions of workers to unemployment. He recalls for example how the Social Democratic Federation agitated among the unemployed in London's East End, and organised a number of protest marches,

some of which led to violent confrontations with the police. The rise of syndicalism from 1910 onwards, the growth of the shop stewards movement in the First World War years, and the subsequent emergence of the National Unemployment Workers' Movement to spearhead active resistance to unemployment in the 1920s and 1930s, are all traced by Hinton. And while the TUC and the Labour Party have been described as showing "no interest" in organising the unemployed (134), the NUWM met with considerable success in politicising the unemployed around the issues of unemployment, and demanded a "right to work or full pay". The trades councils in particular were closely involved with the NUWM in organisation of the hunger marches, and were associated with demands made on local Guardians to increase the levels of relief to the unemployed. Historical accounts of this period testify to the impact which the NUWM had on the "political and ideological" make-up of trade union activists, which is to say, including their moral and ethical beliefs expressed through their perceptions of "rights".

Accounts of more recent history continue to reflect these concerns. Salmon, writing of the Midlands motor industry, notes the role of shop stewards' combine committees in opposing redundancy and fighting for "the right to work". (136). Finch, a union convenor in the 1950s, recalls the historical background to some of these events and describes how the motor industry combine committee formulated demands to shorten the

working week to prevent redundancies, and called for measures to "retain and retrain" workers who might otherwise be dismissed. (137).

It will be evident from the above discussion that there are a number of senses in which the phrase, "the right to work", has been used to identify political or moral demands within the broad trade union and labour movement.   Hepple (138), provides an interesting categorisation of the various senses in which the "right to work" has been employed as a concept, including at the level of the State, the employer, and the trade union. Following his categorisation, the "right to work in relation to the State" relates to an expectation that the State should assume a welfare role in a general sense, including by adopting full employment policies to protect the job opportunities of workers.   (Such episodes as the silk weavers' marches, the ideas of Chartism, the hunger marches, and other demands for political intervention, might be said to come under this heading.)   Hepple notes that it is in the sense of providing employment services for workers, including vocational training, etc, that the concept of a "right to work" is incorporated in the European Social Charter, and in the constitutions and labour codes of a number of countries in both East and Western Europe. (139).

Looking at the "right to work" in relation to employers, Hepple distinguishes between:- (a) the right to be engaged; (b) the right to be given work to do when employed; and: (c) the right to remain continuously

employed, including the right to be reinstated in the
event of unjustified termination". (140). Pointing out
that in relation to engagement there has, historically
speaking, been no legal constraint on the capricious or
even reprehensible action of an employer in refusing to
offer work to a particular individual. Hepple points
out that to some extent, legislation has mitigated this
area of freedom by introducing requirements for equal
treatment of men and women, and different racial groups.
He points out that...

> "... the only two significant exceptions to the
> general absence of a right to be engaged for em-
> ployment, are the Disabled Persons (Employment) Act
> 1944, and the Dock Workers Employment Scheme 1967."
> (141).

Significantly, the first of these pieces of legisla-
tion is regarded as "practically speaking, a dead
letter" (142), and since the time when Hepple was
writing, we had in 1989 the abolition of the National
Dock Labour Scheme, which resulted in an unsuccessful
attempt to defend the scheme by calling a national docks
strike.

Simlarly, with regard to "a right to be given work",
Hepple's conclusion is that the law has done little to
insist that an employee should actually be given work to
do when in employment, and in general it is sufficient
for an employer to simply pay wages. The exceptions are
of somewhat marginal significance in the mainstream of
industrial relations, and do not support any conclusion
that a "right to be given work" exists, at least as far
as the law is concerned. Thirdly, Hepple looks at the

question of termination of employment, and makes inte-
resting comments with regard to the powers of industrial
tribunals to order reinstatement or re-engagement of
dismissed workers. Again, his observations are essen-
tially to the effect that there is an absence of legal
rights in this country (though he makes comparisons with
the American, German and Swedish systems where powerful
remedies are available to the Labour Courts to order
non-dismissal).

Finally, Hepple refers to the application of the
term, a "right to work", in relation to trade unions.
In this he is touching on a different concept. Which
is, effectively, a tendency for the law, either through
statutory means (as in certain parts of the United
States) or through the intervention of judges (as in
Lord Denning's pronouncements in a number of cases), to
question the authority of unions to enforce a closed
shop arrangement, by calling for the dismissal or non-
employment of non-union members.

The conclusion, which Hepple draws to this extensive
analysis of the concept of the "right to work" is inte-
resting from the point of view of the present discussion
of perceived "rights". It is essentially that within
Western market economics, a "right to work" enforceable
against the State, is a meaningless phrase, and that the
most that can be guaranteed is a right to social assis-
tance. (Hepple's remedy is to urge a number of inter-
mediate reforms, for example, removing the unlimited
freedom of employers to discriminate against potential

employees on grounds of age and social origin, and
giving unions the right of consultation in connection
with *any* type of dismissal, and not simply in relation
to collective redundancies). However, this raises the
question of what sense and meaning we should attach to
the concept of "the right to work", in the various forms
in which it has been used. It will be clear from the
above discussion that the phrase has essentially taken
the form of a political goal or slogan, which at various
times has had a powerful effect in mobilising groups of
workers and the unemployed to various forms of mass
protest. And, while trade unions and trade unionsts
have sometimes identified themselves with demands for a
"right to work", it seems significant that those moments
when such demands have been made, have represented also,
highly politicised episodes of union activity.

Arising from this, one might observe that Marx´s
assessment of the revolutionary potential in the "right
to work" sometimes finds echoes in the evaluations made
of the various campaigns to prevent closures in the
1970s. In such assessments it is pointed out that the
"right to work" became the means of challenging the
fundamental values of the capitalist system which failed
to provide the right. For example, as Reid expressed it
during the course of the UCS work-in:-

> "The right to work is a simple demand, yet also a
> profound one. And if this system is not able to
> provide it, let us have another." (143).

Making due allowances for the rhetorical nature of
these comments, it is nevertheless hard to avoid the

conclusion that struggles by workers for the "right not
to be made redundant" have been imbued with a political
connotation that puts them in a distinctive category,
rarely achieved in other kinds of disputes. For
example, Woolfson and Foster conclude their book on the
Caterpillar Tractors occupation with the following
observation:-

> "The Caterpillar workers seized not just a factory
> but the centre of the Scottish political debate.
> In doing so, they raised issues which pose funda-
> mental challenges to the political and economic
> system. Why, they asked, cannot working people
> seek the support of other workers in order to match
> the power of capital - and to whom the trade union
> movement is ultimately accountable? Why should
> people not have the power to control and plan the
> economic and social fabric of their own lives - to
> ensure a future in which the right to work is made
> a basic human right?" (144).

But, as we saw in the previous chapter, there is room
for considerable debate over the meaning and signifi-
cance of factory occupations to oppose closures. None-
theless, even those accounts which have played down the
suggestion of any revolutionary political overtones,
have tended to acknowledge that at their most basic
level, occupations, and sit-ins represent struggles
against unemployment, as opposed to, for example, tac-
tics merely designed to accommodate to redundancy by
securing a greater level of redundancy pay. (145).

It is not at this point necessary to make any final
pronouncement on this issue. Suffice it to note that
were there to be any widespread acceptance of the ethi-
cal and moral concept of the "right not to be made
redundant", one would not expect such a perceived
"right" to have become part of the mental make-up of

people, without the support of some active vehicle that could convey the ideas concerned. It is scarcely necessary to labour the point, that the only likely vehicle for the carriage of such ideas into the minds of people would be political movements and trade unions, and most likely a combination of the two. At moments when the tendency of workers to oppose redundancies and closures appears to gather strength, one might expect, therefore, to find evidence of a politicisation of trade unions that may reflect in a number of ways and not simply in battles against redundancy and closure. Consequently, it is interesting to note that the period when campaigns against closure, and when factory occupations were at a peak during the early 1970s, also marked a time when the trade union movement fought the Industrial Relations Act, including a number of major demonstrations and through a general strike called by the TUC to protest against the imprisonment of the five dockers in Pentonville Prison, and when the influence of left parties, e.g. the Communist Party, and the Socialist Workers Party/International Socialists in the trade unions, was at its height in the post war era. However one understands the notion of the "right to work", it would seem that the ethical and moral roots of its formation lie somewhere in the path of socialist movements, and trade unionism in its more radical forms.

Further than this it is at this stage not necessary for us to venture. We will now consider the question of "rights" within the context of the ideas reviewed

earlier in this chapter, namely "culture", "ideology",
and "world views". In particular we will consider the
use of "culture" as a notion that may be applied to the
ethical and moral influences exerted by unions and
unionism, in their role in conveying ideas and expres-
sions of "rights", as we have here examined.

3.9 TRADE UNION CULTURES

So far, in this chapter, we have considered the
usefulness, and relationship between the concepts of
"ideology", "culture", and "world view". We have noted
their conceptual similarities, and the way they have
been used to help understand the dispositions of people
to engage in collective activity, in including popular
protest of various forms. In sections 3.5 to 3.8 we
have looked at some examples of perceived "rights" of
workers. I have suggested that though the notion of a
"right" may be taken to have a legal connotation, per-
ceptions by workers of "rights" are not necessarily
rooted in any real legal formulation. Rather, I have
suggested, they have evolved from defensive positions
relating to what workers have become accustomed to
enjoy, or from occupational and union outlooks and
traditions, and crucially ethical and moral influences
which to some extent - perhaps a very significant extent
- stem from the influence of unions and unionism. At

this stage we will attempt to bring these elements together and, hopefully, point the way towards further investigations. We will begin by referring back to the idea of "culture" which has been touched upon in relation to the earlier discussion of "ideologies" and "world views".

"Culture", "ideology", and "world views", it will be recalled, have each in their own way been applied to the question of the moral conceptions of workers, and what they believe to be "right" or "their rights". Each goes somewhat wider than this, and contains its own nuances and emphases, but I have argued that there is (notwithstanding) a conceptual similarity. When we talk of culture in a sociological sense, we are referring to defined appropriate modes of thinking, acting and feeling. In sociological theory, culture refers to the totality of what is learned by individuals as members of a society. It embraces customs and behaviour, but these in turn flow from common standards of good and bad. To a large extent, it is clear, culture is about ideas. (146). "Ideology" as a concept has been used in several different ways earlier in this chapter, and we noted in particular the usage adopted by Rudé. He distinguishes between two aspects of ideology, it will be recalled, namely the traditional, folk law "mother's milk" element, which he describes as an "inherent ideology", and a "derived" element, borrowing from the stock of ideas conveyed by others in a more formal or structured manner, such as in sermons, speeches, or in various

pamphlets and books. (147). Rudé, however, appears to see no clear distinction between the concept of "culture" and his "inherent ideology". For example, he draws parallels with E.P. Thompson's use of the phrase, "plebeian culture" (148), and he writes of "the inherent beliefs of one generation, ... forming part of its basic culture" including, "many beliefs that were originally derived from outside by an earlier one". (149).

On the other hand, we have seen that Sabel, in his use of the term, "world view", has adopted a concept that overlaps with "culture". "World views", it will be remembered, derive from a process of socialisation, and incorporate...

"... a set of fears and hopes, visions of success and failure; an intuition of possibilities that define at once our ambitions and our sense of social honour" (150);

and it will be recalled, too, that though Sabel emphasises the variation of world views around occupational and other divisions in the labour force, he writes of "national cultures" as a form of political "world view", influencing in turn such occupational "world views". (151).

In what follows, therefore, I have decided to adopt the concept of "culture", encompassing elements of these other formulations. "Culture" implies shared, socialised, ways of thinking, feeling and responding to events in the world and, whilst in normal usage it embraces customs and behaviour, these flow from common standards of good and bad. It embodies shared values, and ideas, and it would appear to substantially

over-arch the concepts of "ideology" (particularly

"inherent ideology") as used by Rudé, and "world view" as

used by Sabel. Moreover, it has a distinctive ethical

component. In identifying the existence of perceived

"rights", shared by groups of workers, we are, in

effect, noting the existence of shared moral influences,

and these may in turn be conceived as aspects of "cul-

ture".

In looking at the "ideological" make-up of workers,

or examining their "world views" and underlying moral

beliefs, writers note the variations from one group to

another. We should expect then to use the term culture

to denote not only shared attitudes, values, ideas etc,

but also to indicate their differences from one group to

another. And, since cultures in sociological terms

reflect a shared, socialised set of influences within a

given *society,* we can adapt this usage to describe and

explain the variations we find within different groups

of workers and their *union* organisations. Unions have

no separate existence outside the workers who belong to

them, and to this extent one should avoid reification of

unions. However, when workers join unions, they are

joining existing collectivities of workers, which it may

be observed have both a dynamic and continuity of in-

fluence (which we might describe as "tradition") that

creates a culture into which newcomers are induced.

This culture then provides a socialising effect on

others. They come to share in the culture, and to one

extent or another, find themselves influenced by its

values and outlooks. We might see the cultural in-
fluences thus described as a "trade union culture".

We should acknowledge, however, that there is no
sharp line which separates unions and their members from
other cultural influences in society. The culture of
craft unionism, for example, may be seen as linked to
the occupational characteristics of a trade or appren-
ticeship system, as well as the wider values in society,
which to some extent encourage groups to defend and
protect their own interests at the expense of others, or
to value status or aspects of elitism. Whilst not
necessarily adopting these values in entirety, craft
union cultures would seem to reflect some of their
aspects, and may in turn contribute to their perpetua-
tion as elements of the culture of the wider society. A
similar case might be seen in the instance of unions in
education and health care which represent workers in
what might be loosely described as "the lower profes-
sions". The policies of such unions, e.g. arguing for
maintenance of professional standards, and excellence of
service provision, would seem to be reflected in a
general concern of other sections of society over such
issues, which may to some extent be influenced by the
unions concerned. If such policy issues are supported
by values that are seen as part of union cultures, then
it would seem that union cultures in some cases overlap
and penetrate the cultures of the wider society. Unions
then, are not self contained, water tight compartments
within which cultures and their associated moral

values develop separately. Rather, they represent ideas, doctrines, notions, centred around an area of human activity, i.e. membership of unions, and the practice of trade unionism, which have a bearing on the culture of society and the behaviour of members in it in a general sense. (152). If one were to describe the elements of a union culture then, one would have to allow for the influence of tradition and other factors central to unions and unionism but also the influences of the occupational environment, and factors in the wider society.

Union cultures, one might venture, may reflect distinctive characterisatics of different unions. There could be certain features of a union's national approach to, for example, the relative importance of the role of shop stewards as against full-time officers, which became part of the assumed and expected context within which events were seen, and decisions taken. Besides this, however, one would expect to find variations within unions, in given industries, or even in individual plants. Union cultures need not necessarily be compatible, or cohesive - witness the conflict which appears within unions when different expectations and values appear to clash, or between unions when values and objectives differ. Conflict and rivalry between unions does not *have* to be explained in terms of culture, but the long term persistence of it over many years is arguably a strong indication of cultural influences that underly the said conflict. (153).

The concept of a trade union culture *may*, for example, be useful in explaining the contrasting character of different unions. Why is the EEPTU, on the face of it, more "right wing", and imbued with a spirit of business unionism, than other unions, e.g. the T&GWU or MSF? Is it because a far larger proportion of EEPTU members just happen to be politically more to the right than is the case with members of other unions? Or is it that the union conveys values and educates its activists to some extent to adopt perceptions, values and political points of view that are characteristic of a distinctive culture? Or what of the National Union of Mineworkers - in particular before the dispute of 1984-85 that led to the formation of the breakaway Union of Democratic Mineworkers? Why should certain Areas of the NUM be regarded as traditionally more militant than others, and have perpetuated such traditional differences over a considerable number of years? (154). It may be that the concept of distinctive trade union cultures would be helpful in explaining these questions.

On the other hand, we should be cautious before accepting that differences in national policies of unions necessarily reflect underlying cultural differences in those same unions. It may be that policy positions reflect the political views, values and attitudes of only a relatively small layer of union leaders and activists, who by skillful use of union decision-making machinery, gain official approval for their views. Underneath, the vast mass of union members may not be

touched by the same attitudes, values and political views. Investigation might demonstrate that the influence of union cultures is weak at the level of the ordinary member, or that the cultural pressures of the wider society, untouched by unions and unionism, are enough to explain the variations in the behaviour of groups of people, including their behaviour in trade unions. Such an argument gives rise to the possibility - indeed the need - to examine the influence of cultures at the level of national union leaderships, and at the level of rank and file members and workplace union organisation.

If union cultures are substantially identifiable by the beliefs and values they embody, what then is the significance of perceived "rights"? It has been argued that "rights" represent an expression of ethical and moral points of view, which may be strongly influenced by unions or unionism. To the extent that shared perceptions of "rights" are seen to exist, therefore, they may be regarded as central features of culture. But it should also be noted that the discussion of "rights" which we have conducted in this chapter, suggests the possible influence of a number of factors in workers' commitment to them. Such factors may include action by the State by legislation or other means, the attitudes and values of management (which may be reflected in certain decisions they take which affect the lives of workers, and which may be perceived as legitimate or otherwise) and other influences on viewpoints and

moral positions that stem from the wider society,
through religion, the education system, political
parties, the press and so on.

However, it also follows from this discussion that
one would expect that perceptions of "rights" would be
influenced by basic elements of trade unionism - "trade
union principles" - as well as other more explicit
policy aspects of unons. Such basic elements might
include aspects of some or all of the "rights" which we
have already considered; beliefs in "rights" of access
to or control of work, collective "rights" such as the
"right" of recognition or the "right" to strike, for
example. They might also include moral obligations such
as not crossing a picket line when there is a strike.
Elements of culture which appear in the expression by
workers, of demands for what they perceive as "rights",
may therefore arise from values that have been deeply
ingrained in the traditions of trade unionism, and are
part of the moral force that it has historically ac-
quired. Such elements may be likened to the "inherent"
element in Rudé's concept of ideology, passed on from one
generation of trade unionists to another. On the other
hand, there is the possibility of a more variable ele-
ment in the perceptions of workers, which may stem more
from the influence of trade union leaders. At moments
of crisis (but not exclusively so) leaders, including
those at rank and file level, may succeed in moulding
the views of members to incorporate aspects of a more
coherent political understanding.

In looking at union cultures through workers' percep-
tions of "rights", therefore, we may come to a better

understanding of how unions respond to events, and

motivate their members to action. We may also be able

to understand better the differences in workers' beha-

viour in similar contexts, marked out by differences in

unions and forms of union organisation. In this it

would be surprising if union cultures failed to impact

upon the behaviour of workers and the responses of

unions in redundancy situations. It would be surprising,

too, if we were unable to observe such cultural influen-

ces through the expression by workers of perceived

"rights" in relation to redundancy. At this point,

therefore, it would seem appropriate that we pause to

summarise the elements of our theoretical synthesis, and

begin to relate them to the task of understanding union

responses to redundancy, which forms the principle focus

of this study.

3.10 **SUMMARY OF THEORY**

Let us summarise what has emerged as a theory to

explain union responses to redundancy. Workers may be

expected to react to redundancy (as to other events of

moment) in some measure according to how their moral and

ethical expectations are confronted. Such normative

influences, and ethical outlooks are not only comprised

of the individual beliefs that workers bring to the

workplace, as socialised members of society they are
influenced within the employment context by the expe-
rience of employment itself. And while moral expecta-
tions as elements of "world views" or "ideologies"
derive from a process of socialisation, aspects of that
socialisation include workers' experience of management
style, technology employed, and the wider forces of the
law, economy and the role of the State. Crucially,
however, they are, I suggest, likely to be influenced by
the experience of unions and unionism. This influence
may be exerted by the existence of a "trade union cul-
ture", which embodies collective perceptions of
"rights", which do not necessarily find support as legal
rights but nevertheless occupy a position in workers'
views of what is legitimate, or illegitimate. When
perceived "rights" are violated workers are likely to
want to find ways of defending them, and union cultures,
and the possession of perceptions on "rights" may there-
fore explain variations in, and patterns of, responses
to redundancy. Union cultures may embody a lower key,
"basic principles" element, as a more or less constant
influence in any specific culture, given a number of
different contexts. They may also take on additional
(perhaps explicitly political) elements from time to
time, and possibly undergo changes as a result. And
cultures may be expected to reflect the policies of
trade unions nationally, as well as to respond to some
degree to the changing contexts and pressures of outside

forces - the economy, the State, organisational and
other factors in the world of business, the uses of
technology and so on. It would be surprising, however,
if unions were to be completely dominated by managerial
or other ideologies, though there may well be influences
which inhibit and confuse the development of ideologies
to counter the influence of the dominant class. (155).

For the sake of clarity, it should be stressed that a
particular trade union culture need not be conceived as
correspsonding to a national trade union organisation.
Rather, company or workplace organisations to some
extent may have their own relatively distinct cultures,
which may or may not embody elements of influence from
the union, nationally. Alternatively, it would be
possible to consider cultures operating simultaneously
at a global union level (reflected in union leaders, and
others on the national scene) and locally, in the work-
place or company, where members and lay officials may
have a degree of autonomy of action that facilitates
separate development of traditions, moral values, and
expectations. If this is so, it might become important
to examine the degree to which regional or national
organisations of unions succeed in projecting a cultural
influence that penetrates individual company and work-
place organisations.

It is necessary to bear in mind the foregoing when
considering the application of the theoretical outline
that has been described here, to the task of explaining

union responses to redundancy. It would appear that analysis at two distinct levels would be important, namely at the level of a company or workplace trade union organisation and at national level, in respect of the global culture of a union or unions. In the case studies which follow in chapters four and five, these two levels have been adopted in turn, and it will be necessary to alter our focus accordingly. At this point we may illustrate the application of the theory in the approaches of two other writers which focus on the national macro analysis, and the local company based case study.

3.11 THE THEORY APPLIED TO OTHER STUDIES

The first of the two examples which I propose that we should briefly consider, is taken from the work of Gouldner. (156). This is a single company, single dispute case study, based on a gypsum mine in the U.S.A. Looking at the accounts which workers and management have to offer, Gouldner sets out to analyse events from a sociological point of view. Essentially he concerns himself with such questions as: how did the strike come about?; did the parties expect it?; etc. He looks for causes of the strike through analysis and examination of the belief systems of workers, and management, and asks how they entered into the events that occurred. He considers, for example, group tensions, and refers to

"symptoms" of such tensions. A symptomatic complaint,
he notes "constitutes a statement of frustrated expecta-
tion". (157). He refers to the question of "speed up",
and notes that a "symptom" of tension is identifiable in
the expressed frustration of workers that the speeds
should not be continually varying. He mentions the
complaints made by a number of workers about the habit
of certain managers to abuse them verbally - to engage
in "cursing". These complaints, he observes, reflected
violated expectations that supervisors would not overtly
express aggression and disrespect for the workers they
supervised. He refers also to complaints about manage-
ment's broken promises, which he says, demononstrate
that workers *expected* to be able to trust, and be trus-
ted by management. There was, he notes, "A general
complaint that management was not even conforming with
the expectations which it had deliberately given workers
reason to believe they would respect". (158).

Symptoms are only symptoms by Gouldner's definition
then, when workers do not regard the breach of expecta-
tion as legitimate. For example, a miner, whose foreman
was said to have been doing work which he was not expec-
ted by workers to perform, did not really object to this
breach of expectation by the foreman. It was only
regarded as illegitimate when the foreman did the work
in such a manner as to increase his control over the
worker. A second line of enquiry by Gouldner in his
case study, is on the conditions which frustrate

the expectations of complainants. For example, in the above instance, Gouldner observes, it was the actual increase in close supervision that mattered.

Gouldner's theory to account for the occurrence of the strike, therefore, is advanced in terms of expectations of workers which were in various ways frustrated. He explains it in the light of the changing expectations of workers, and management, leading to a state of uncertainty, and he refers to the inconsistency of expectations as a further factor. (Tension increases, he argues, if there is a lack of awareness of others' expectations.) The strike was in essence then, according to Gouldner, about the legitimacy of expectations. Where either side had expections that were pereceived by the other as non-legitimate, tensions increased and the result was industrial action.

Interestingly, workers usually defined the strike in Gouldner's case study, in ethical terms, holding it to be morally justified. As many of them put it, "We're out to get our rights". The strike was not interpreted by them (as management was inclined to define it) in the amoral exercise of power. On the contrary, Gouldner notes, the hositility of workers "towards the swearing supervisor, and against supervisors who overstepped their bounds, expressed *moral* indignation". (Emphasis in original.) (159).

The parallel between Gouldner's approach and that which we have developed in this chapter so far, is reasonably clear. His description of "expectations"

(and in particular in his insistence on the moral basis
of what workers perceive to be legitimate expectations)
is akin to the description of perceived "rights" which
has been considered. As such, it provides a useful
example, which might be taken further, but for the chief
limitation of all such case studies being based on
isolated events. We have no way of knowing whether the
said "expectations" (or perceived "rights") of workers
operate in any continuous or durable sense. Are they
long term, ingrained expectations, that remain as conti-
nuing influences in the minds of workers, or are they
merely ephemeral flashes of momentary consequence? The
answer is important to our understanding of the nature
of industrial conflict. However, it also has a bearing
on the application of the concept of culture. If the
"expectations" of workers appear to vary widely over a
period of time, it would be hard to argue that "expecta-
tions" derive from moral and ethical forces that are
elements of culture. Nonetheless, the workplace focus
of the study is a good example of the type of approach
in which the local aspect of union cultures might be
considered, even though this is not developed in this
particular study, by the lack of a longer term analysis.

In looking at this example of a local company based
case study then, one finds a number of aspects to it
which are of interest, bearing in mind the theoretical
line that has been advanced relating to the importance
of union cultures. The first point is that in referring

to "expectations" and their moral element, Gouldner is echoing the argument that has been developed with regard to "rights". Secondly, however, he does not consider the source of the said moral expectations, neither does he question their durability or otherwise over a period of time. Applying a case study such as this to the theory which has been developed would, therefore, only be of limited value, and clearly, in any attempt to investigate the influence of union cultures at a local level, we shall need to adopt a longer term view. At this point we might consider the question of the approach needed in any analysis at a macro, or national level.

Looking at the fluctuations in strike statistics from data collected since 1888, Cronin (16), considers theories advanced to explain the occurrence of industrial conflict. The detailed arguments he puts forward in relation to other studies, though interesting, are not especially important in the present context. It is sufficient to observe that Cronin regards the assumption behind most studies that workers' desires and attitudes are translated without difficulty into strike action, as being at root, a cause of considerable deficiency. He examines various theories, including economic models, in some detail, and concludes that in the main they fail to explain the peculiar wave-like pattern of statistics on industrial conflict. Even seemingly helpful studies, argues Cronin, suffer from this defect, and he instances the work of Shorter and Tilley (161), who advance the

argument that technology, and its social impacts, has
a crucial effect on workers' ability to organise in
unions, which in turn has direct consequences on levels
of militancy.

Cronin insists that one must deal with the problem by
two means. The first is by associating the uneven
character of economic growth with the comparable uneven-
ness of industrial conflict. The second is by ensuring
that consciousness of workers is seen to intervene
between structural aspects of society on one hand, and
trade union organisation on the other. As he puts it,
by leaving out the subjective dimension, other writers
have tended to...

> "... telescope and oversimplify the complicated
> process by which the structural features of society
> come to inform collective action." (162).

The dynamism of industrial society, observes Cronin,
throws up new industries and new processes with each
successive phase of growth. He argues that:-

> "The effect upon workers of this uneven pattern is
> to confront them with a different complex of prob-
> lems and grievances at each major shift and to
> stimulate a 're-making' of their consciousness and
> forms of collective organisation every two or three
> decades. Strike waves thus appear as periodic and
> concrete manifestations of the new attitudes and
> novel strategies, produced by the impact of 'long
> waves' of economic growth upon the working class."
> (163).

The important essential of Cronin's argument then, is
that the main strike waves - or "explosions of strike
activity" - are correlated with significant phases in
the cycle of economic growth. Each strike wave is also
associated with breakthroughs in union structure

and strategy, and substantial (at times dramatic) in-
creases in membership. So...

> "... both strikes and unionisation are reflections
> of a broader learning process on the part
> of workers, stimulated by the effects of different
> phases of economic development."

Moreover, consciousness evolves and develops in
various stages of growth, and according to a range of
historical experiences, as Cronin describes. He touches
on the attitudes of workers towards unemployment, which
were...

> "... burned deeply into the collective conscious-
> ness of almost every working class family... later
> translated into political terms no later than the
> election of 1945." (164).

He comments that the memories of the 1930s had a pro-
found effect on workers' attitudes and beliefs.
Workers' consciousness during the 1950s was crucially
affected by their experience of the 1930s, but also of
the 1940s, and early 1950s, which taught them by 1955
that unemployment was not only to be feared and hated,
but that it was also unnecessary. Consequently by
1956...

> "... the number of strikes over the employment
> of particular persons, working arrangements
> and similar matters grew noticeably, betokening
> an increased concern for job rights and
> security." (165).

Moreover, workers' fears about insecurity of employ-
ment had taught them that their best plan was to, "Go
all out for what they can get while the company's pro-
fits are high". (166).

Consciousness of workers, and the lessons and expe-
riences they draw from successive periods of history

then, are seen as the crucial moderating factors between economic and technological change on one hand, and industrial militancy on the other. *Generations* of workers are used as an essential way of explaining the emergence of different groups with different opponents and different "inventories of problems". And, as one generation of labour movement activists succeeds another, with different "ensembles of issues" to resolve, they enter different stages of economic growth, which alters consciousness, and this in turn stimulates organisation and strikes.

Again, interesting though this account is, it seems somewhat incomplete in its vague and generalised references to workers' consciousness. Cronin is at pains to distance himself from the Marxist use of the term consciousness, but he provides little indication of what he believes the relevant components of consciousness to be, with regard to its impact upon militancy and strike action. Moreover, while he invokes the concept of "generations" to explain the emergence of new "attitudes and orientations", there is little to be found as to the process whereby those said "attitudes and orientations" are generated, or conveyed into the minds of workers in general. Furthermore, one is obliged to wonder about the concept of "generation", which seems to imply that every so often unions make a fresh start with new groups of activists, who have had little or no opportunity of being influenced by earlier "generations" of activists. As we know, however, reality is not like this, and while

society and the values of groups within it are, in most circumstances, liable to change over time, individuals are born into societies which already exist, together with all their accompanying ideologies, "attitudes and orientations". Moreover, there is rarely anything complete in the process of changing personalities... Newcomers move into situations where they are compelled to co-exist with workers who have already defined objectives and orientations. To talk of new generations changing society (or simply the "orientations and attitudes" of groups within it), simply because they replace old generations, therefore, makes no more sense than to suggest that the snake changes its personality when it sheds its skin, and emerges in a new one bearing the same pattern.

Hence we see in Cronin's study, an example of a study at the global national level of society, in which the subjective orientations of workers are seen as crucial in explaining the phenomenon under consideration – namely the fluctuating pattern of strike statistics. Interesting, and impressive though it is, it fails to deal adequately with the question of changes in workers' consciousness, because the elements of consciousness, and the processes of changing them, are not explored. The importance of unions and unionism as vehicles of consciousness (via culture) from one generation to another, is of course not touched on, but in absence of this there is a neglect of the processes of changing consciousness, which results in the inadequacies described above.

Nonetheless, there is much to be said for the longi-
tudinal type of study which Cronin has performed.
Reverting to our discussion of the responses of workers
and unions to redundancy, one might apply something of
Cronin's methodology to available statistical informa-
tion. Figure 3.1 (p.212) shows a graph of the number of
reported redundancy payments (167), against a time axis,
superimposed on a graph of strikes over redundancy
questions, on the same time scale. (168). On first
examination, it appears that there is a close relation-
ship between the number of redundancy payments, and
redundancy related stoppages, the peaks and troughs of
both graphs appearing to coincide at roughly the same
points in time. On second consideration, however, it
would be perverse to expect less than this. Redundancy
related stoppages would be unlikely to rise dramati-
cally, for example, in response to a short term fall in
the number of redundancy payments. Of much greater
importance than the question of whether or not there is
any kind of relationship between strikes and redundan-
cies (expressed by the number of payments) (169), there-
fore, is the question of, "What kind of relationship?"
At this point it becomes necessary to observe that there
are important discontinuities in the relationship bet-
ween stoppages and payments. Payments peaked at 1.1
million in 1971 for example, at which time there were
153 stoppages on redundancy questions. At the next
payments peak of 1.02 million in 1975, there were

115 stoppages. In 1980, payments at 982 thousand were 88 per cent of the 1971 peak, whilst the 76 stoppages represented only 49 per cent of the corresponding number for 1971. Moreover, in 1981, payments reached in excess of 1.6 million, but the strikes level at 141 was still lower than the 1971 peak. In 1984, however (the year of the miners' strike against pit closures), there were 153 stoppages on redundancy questions (the same as the 1971 peak) but with 850 thousand payments, the number of redundancies was some 77 per cent of the number which had triggered the earlier wave of militancy.

Workers' responses to the event of redundancy do not (it would seem from the above evidence) follow any simple or predictable path, and no doubt one approach to the study of redundancy could be to set out explanations for these statistical variations, much as Cronin has done with his wider analysis of stoppages. Such an approach would at least have the merit of somewhat greater statistical completeness than in White's (170), study which considers reported conflicts over redundancy, as measured by the number of cases referred to ACAS for collective conciliation. Any satisfactory explanation for the variations in workers' responses to redundancy would no doubt need to call upon a variety of factors, but ultimately it would have to address questions of attitudes of workers, and their subjective responses to redundancy, much as Cronin's study eventually leans heavily on the question of workers' consciousness. In absence of a theory to explain how

FIGURE 3. 1
GRAPH OF REDUNDANCY STOPPAGES AND REDUNDANCY PAYMENTS

STOPPAGES ■

PAYMENTS ●

STOPPAGES ON REDUNDANCY QUESTIONS

REDUNDANCY PAYMENTS (MILLIONS)
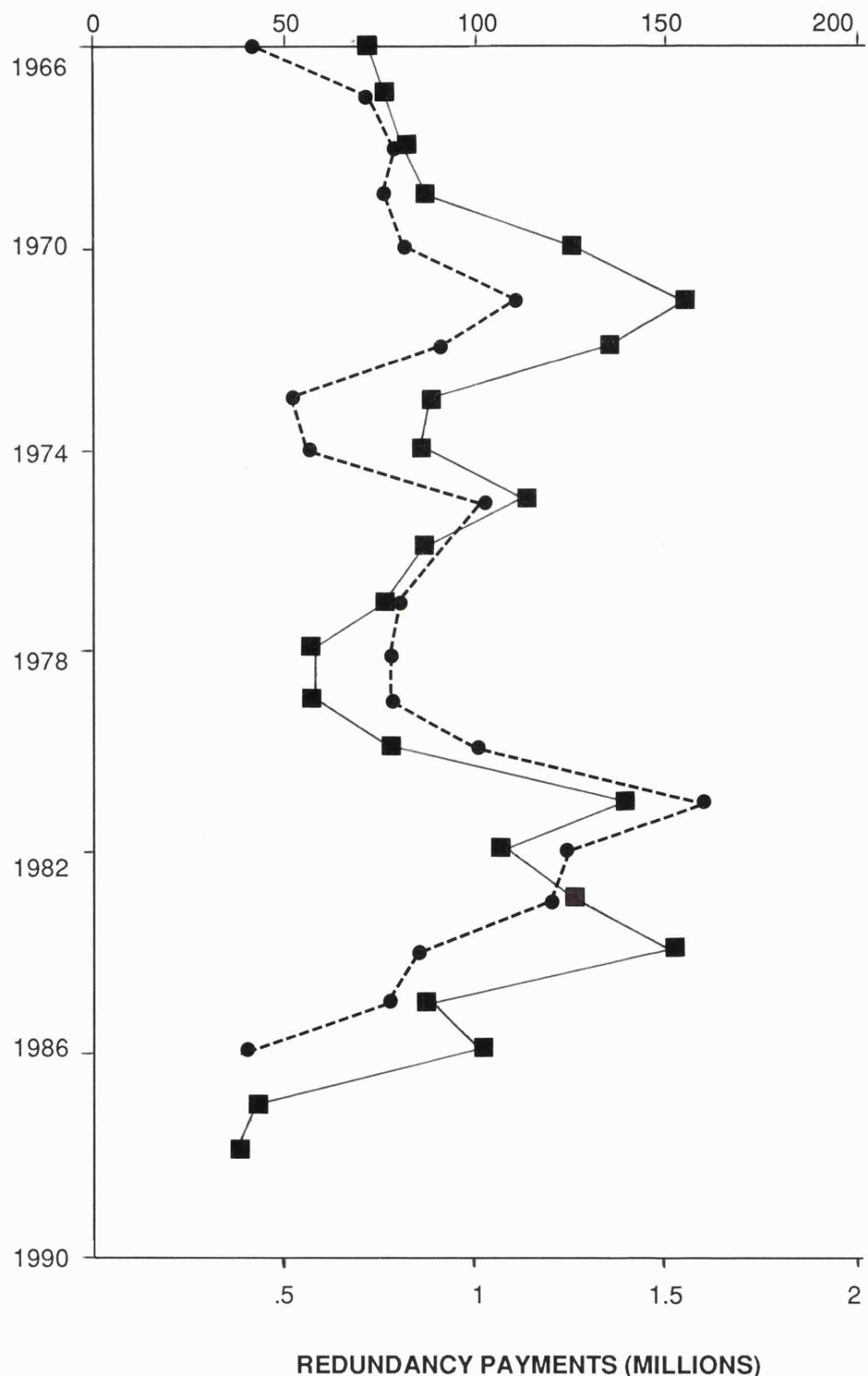
workers' attitudes and consciousness may be influenced within the industrial context, explanations are unlikely to prove satisfactory. One approach, as we have seen in chapter two (171), is to place the emphasis on management's actions to create an acceptance of redundancy, by a process of legitimisation. The focus advocated here, however, is that workers' consciousness cannot be satisfactorily explained without considering the ideas of unions and unionism. While the global, national or macro type of analysis has much to commend it from the point of view of sociological completeness, it is therefore important that any theory of union influence upon workers' attitudes and behaviour should be seen to be relevant at an appropriate level of analysis. At this point, therefore, we should turn to conclude the essential arguments of this chapter, before attempting to apply the theory to the study of redundancy at the two levels indicated - i.e. the local company case study, and in the wider national picture.

3.12 CONCLUSIONS

This then, is the general outline of a theory. It will be clear that, if it has any validity, the concept of a trade union culture would have wider application than in a study of union responses to redundancy. Nonetheless, this is a suitable and manageable area in which to put the theory to the test. If it should be

well founded, it would appear to provide strong grounds to challenge the view of unions put forward by the labour economists such as Oswald, whose ideas we considered in chapter two. Moreover, it would seem that if the theory of trade union cultures is good, Hardy's concept of management strategies based on legitimisation of their actions, is severely circumscribed. If union cultures are a significant influence on the outlooks of workers and their perceptions, how could managements exercise such control of the redundancy process, and workers' responses to it, as Hardy claims? Or if we adopt for one moment, Hardy's notion of legitimacy, it would seem that workers may well be influenced in their views of what is, or is not legitimate, by the moral and ethical forces embodied in unions and unionism. To suggest, therefore, that managements may manage redundancy by the expedient of manipulating workers' views of legitimacy, would seem to be a flawed position. The corollary of this is that managements probably have less scope for control of the redundancy process than Hardy suggests, and one might expect that even in companies with strong and sophisticated personnel departments, the control of management over redundancy events (including closures, on which Hardy concentrates) could be made tenuous, where there is strong trade union organisation, and a strong influence of trade union culture.

In the next chapter we will attempt to put the theoretical framework to the test by considering the role of unions and the values they expressed in the historical

evolution of the Redundancy Payments Act 1965. In this

we shall be looking for evidence of perceived "rights"

in the sustained and long term sense that may justify us

in attributing them to the influence of a union culture.

There is, however, one point to be made before this.

The debates around the introduction of the Redundancy

Payments Act 1965 make it clear that a generally held

perspective on the problem of redundancy (from the point

of view of managements, government ministers and others)

was how to alter the attitudes of workers, so that

redundancy was more acceptable. The Act, as the writers

of the OPCS study carried out in 1969 put it, was...

> "... influenced as a background measure to facili-
> tate modernisation and change in industry; part of
> an overall manpower policy, aimed at securing a
> greater acceptance by employees of the need for
> economic, organisational and technological change."
> (172).

This has led some writers (notably Fryer) (173), to

conclude that the very legitimacy of redundancy has

been underlined by the legislation of 1965. If the

Redundancy Payments Act has been successful in substan-

tially overcoming union opposition to redundancy, one

might expect to find evidence for this in changes to

union cultures over the period of the Act's operation.

It might be difficult to demonstrate such changes defi-

nitively, but at least one might expect to find evidence

of a trend, possibly towards a more cash oriented cul-

ture in trade unions. This would suggest that union

cultures are less influenced by perceived "rights" which

are in conflict or contradiction to redundancy, and more

influenced by questions of compensation. If unions and

their members were to show little or no interest in opposing redundancy, but instead were simply content to maximise payment levels, this would possibly be compatible with the view that the Redundancy Payments Act had changed attitudes. If it could be shown that over a period there was a trend away from demands for "rights" in opposition to redundancy, and towards acquiescence in and compensation for redundancy, this would be strong evidence to support the view that the RPA had achieved its objectives. It will be interesting to bear this point in mind and in due course form a view as to whether union responses to redundancy are substantially conditioned by what could be described as a "redundancy culture", or whether there are other elements and perceived "rights" that lead to an underlying source of opposition to redundancy (or aspects of it) as a general feature of unions and unionism.

Finally, a brief comment is needed by way of introduction to the next two chapters. It follows from the foregoing that it would be of some interest to examine union cultures from a "before and after" point of view. "Before" being before the RPA, and "after" being after its enactment. It follows too, from our earlier discussion of union cultures, that we are interested in unions at the local or company organisation level, and we are interested in their activities on the national stage and in the national policies they pursue. Moreover, one feels obliged, in order to give Hardy's perspective a fair trial, to select a company for attention, that has

a strong professionally managed personnel department.
And, at various points in this chapter and the two
preceding ones, we have noted the weakness inherent in
approaches that focus on a single event rather than
follow a long term line of study.

This brings us to describe the material covered in
the next chapter and chapter five. Chapter four is a
study of the evolution of the Redundancy Payments Act
1965, and the role of unions in this process. It
focuses on the national position of unions, though it
includes reference to the local context, too. It covers
a period of a number of years prior to 1965, and as such
helps us with the "before" element of the "before and
after" combination. Chapter five is a long term case
study of the computer manufacture and servicing company,
ICL. It covers a period from 1969 to 1979, and as such
embodies the "after" component of the "before and after"
concept. More importantly, perhaps, it takes us through
a period of political change on the national stage, and
it also covers a period of time when, the evidence of
the graph in table 3.1 suggests, there were marked
changes in the propensity of union members to strike in
response to redundancy. It focuses to some extent on
the local role of union organisation, and to some extent
on the national role, though it is primarily a study of
a company wide focus where the company has both national
and local bargaining arrangements. Also, it satisfies
the requirement of a study that includes a strongly
managed personnel function, in that the personnel

department at ICL was well endowed with professionally qualified personnel managers and support staff. As an additional point, it will be seen that the two chapters concentrate heavily on the role of white collar unions, in particular ASTMS and its predecessors. This is to some extent coincidental, but it is a fact which may be of significance when drawing overall conclusions.

It will be seen then, that the next two chapters attempt to cover the main areas of comparison and interest that have been raised so far. It now leaves us to conclude this chapter and turn to our study of the background of the RPA, outlined in chapter four.

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118. "Report of a Court of Inquiry Under the Rt. Hon. Lord Scarman, OBE, Into a dispute between Grunwick Processing Laboratories Limited and members of the Association of Professional Executive Clerical and Computer Staff August 1977", Cmnd. 6922; (see especially paragraphs 13-15).

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156. **Alvin W. Gouldner**: "Wildcat Strike", 1954.

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162. **Cronin** *op cit,* p.37.

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166. **Turner, Clack and Roberts**: "Labour Relations in the Motor Industry", pp.82-3; quoted in Cronin, p.63.

167. Source: **Department of Employment Gazette** (various issues). The figure for the number of redundancy payments, understates the number of redundancies, by an estimated 32% (IMS "Manpower Commentary, No.13, 1981). The basis of financial support for payments from the Redundancy Fund changed in 1986, and figures for the number of payments ceased after this date.

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169. For the relationship between actual redundancies and the number of payments, see note 167 above.

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CHAPTER 4

A HISTORY OF REDUNDANCY
PAYMENTS LEGISLATION

4.1 INTRODUCTION

In the last chapter we considered the question of the
ethical and moral influences that bore upon the collec-
tive behaviour of workers and we examined what I have
decribed as perceived "rights". The "rights" studied in
the examples quoted, suggested that to varying degrees
unions have represented important instruments for the
conveyance of moral ideas into the minds of workers,
which have in turn had an important impact on the way
they respond to events and issues that confront them in
the world; sometimes leading to demonstrations of mass
protest, in various forms. These moral influences, I
argued, could be seen as aspects of "ideology" (as the
term has been used by George Rudé) or "world view", but
we also noted the relevance of the concept of "culture"
and concluded that this latter term was a more appro-
priate description of the mechanism of influence.
"Trade union cultures", I suggested, might provide a
context within which individuals came to be socialised
into certain ways of thinking and behaving as a result
of membership of and involvement in unions and union
activity. Such cultures would embody collective percep-
tions of "rights", which do not necessarily find support
as legal rights, but which would, nonetheless, fundamen-
tally bear upon workers´ views of what is legitimate or
otherwise. Union cultures, I argued, might help to

explain variations in and patterns of responses to redundancy. They may be taken to embody basic principles and an additional political element which could in time become absorbed as part of the fundamental, basic aspect of culture. Moreover, they might reflect the policies of unions nationally, and locally at the workplace, and I ventured tentatively that one might expect them to reflect the changing contexts of outside forces such as the economy, the policies of the State, the effects of technology, the prevalent attitudes of business and so on.

In this chapter, therefore, I propose that we should assess the usefulness or otherwise of this theoretical outline. The approach I propose to adopt is to survey the historical background to the Redundancy Payments Act 1965, but also touching on the collective bargaining approaches of unions on the question of redundancy. It is expected that in completing this task we may encounter examples of perceived "rights", and should those perceptions appear to exercise a durable influence over a period of time, we may feel entitled to ascribe them to a continuing influence of culture. Hopefully, it will in this way become clear whether the term, "trade union culture", is applicable, but more importantly, whether it assists in our understanding of trade union responses to the issue of redundancy. Moreover, it is hoped that we may also discover something of the way "rights" become established in the first instance, and possibly, whether and to what extent, cultures appear in conflict and clash with one another.

So much can be said of our need to follow the theoretical ideas pursued in the last two chapters. There is a further purpose, however, which is simply to clarify some of the factual background to the redundancy payments legislation, that with very few changes is still with us a quarter of a century after its enactment. In an era when so much of labour law is in an area of political controversy, it would seem appropriate that we should examine the background of one piece of legislation that appears to have been something of an island of consensus since its initial introduction. Whether this has always been the underlying position on the question of payments to redundant workers will emerge in due course, and it is a matter of speculation as to whether or not the consensus can reasonably be expected to survive intact for a similar period into the future.

4.2 **EARLIEST COMPENSATION PROVISIONS :**
IN THE NINETEENTH CENTURY TO THE NINETEEN THIRTIES

The principle of compensation being made, to certain categories of workers who became unemployed when their jobs disappeared under a reorganisation, was captured in legislative form surprisingly long ago. In a barely intelligible statute of 1834 (1), dealing with "pensions compensations and allowances to persons in respect of their having held civil office in His Majesty's service", it was made lawful to grant compensation in

specially approved cases where individuals would other-
wise have suffered as a result of the abolition of their
office. In an Act of 1859 (2), it was provided that a
grant could be made to any Crown servant "retiring or
removed from the Public Service in consequence of the
abolition of his office, or for the purpose of facilita-
ting improvements in the Organisation of the Department
to which he belongs, by which greater Efficiency and
Economy can be effected... " (3).

The Local Government Act 1888, reorganising the map
of local government, provided that council officers who
suffered a financial loss by "abolition of office, or
diminution of fees or salary" (4), should also be en-
titled to compensation. The provisions which were
already in force for such compensation to be paid to
civil servants, were taken as a yardstick, and the 1888
Act provided that local government officers could
receive compensation not exceeding this level. The
Local Government Act 1933 once more amended the organi-
sation of local government, and again, provisions were
made to allow compensation to be paid to those local
government officers whose jobs ceased to exist, or who
suffered financial loss because of the reorganisation.
(5). Details of the scheme for assessing compensation,
provided for it to be made as either an annual amount or
a *lump sum.* (6). Other aspects of the scheme included
the method of calculating loss, and an appeals procedure
for disputed issues. Similar principles were followed

inter alia when the public utility boards and cor-
porations, e.g. the Port of London Authority, the
Metropolitan Water Board, the Central Electricity
Board, were established.

In the private sector of industry, the Railways Act
1921 (which rationalised the various privately owned
railway companies), provided that officers and servants
who suffered loss (either of office, salary or pension),
as a result of the reorganisation, would be entitled to
compensation in accordance with the provisions of the
Local Government Act 1888. (7). The idea of severance
payments or loss of employment compensation was applied
then in the private sector by statute, some 44 years
before the Redundancy Payments Act made such payments
into a general right for all redundant employees.
Underpinning each of these legislative provisions was
the principle that reorganisation brought about by the
State, and which resulted in a loss of employment, or
worsening of conditions of employment, should allow for
compensation for those concerned. Whilst this category
of provision contained no hint of the State accepting a
generalised responsibility for all employees, or for
that matter conferring such a responsibility on other
employers, there is some evidence that such provisions
began to be looked for by workers involved in similar
exercises of bureaucratic reorganisation, and the ini-
tiative of the State may very well have provided the
impetus for these expectations. Before continuing to

unravel the thread of developments in the line of legal

enactment, it may be informative to consider some early

examples of the collective bargaining approach.

As early as 1930, a redundancy agreement was negotia-

ted by the National Joint Industrial Council for the gas

industry, and incorporated into an agreement dealing

with the amalgamation of gas undertakings. A summary of

the agreement mentions that...

> "... compensation was paid after three years
> service up to the age of 45 years of age at one
> week's pay for each year of service: at 50 years
> of age or over, compensation rises to two weeks'
> pay for each year of service." (8).

There are two points of interest to note in relation

to this agreement. Firstly, at the time when it was

concluded, private undertakings as well as municipa-

lities were included in the employers' side of the

National Joint Industrial Council. Secondly, the condi-

tions under which the agreement arose (namely a reorga-

nisation of the industry) was similar to the conditions

under which legislative arrangements were made in 1888

and 1933.

Similar criteria seem to be at the root of develop-

ments in collective bargaining around the same time in

the United States of America. In the railway industry,

there was recognition of the fact that employees often

suffered hardship in reorganisation, which they should

not be asked to bear alone. As early as 1929, an

Emergency Arbitration Board adjudicated in a dispute in

which employees transferring to a new location were
demanding compensation for the losses involved. The
Board concluded that...

> "... a loss due to a change made in the interests
> of economy should not fall on the employee alone...
> in the circumstances here presented the loss should
> be borne equally by the carrier and the employees."
> (9).

The principle, that savings which resulted from
increased efficiency should somehow be shared by the
employees involved, and the argument that where change
occurred it should not result in the employees alone
being compelled to bear the cost, came together in a
historic agreement negotiated in 1936: The Washington
Job Protection Agreement. This agreement, negotiated
between the major carriers and the labour organisations
at the time of great national unemployment in America,
provides a detailed programme of compensation and pro-
tection, "for employees adversely affected by rail co-
ordinations". (10). It is an interesting fact then,
that in the mid-nineteen thirties, collective bargai-
ning, both in this country and in the United States, had
provided for compensation agreements for redundant
workers. Whilst it is far from clear what the exact
stimuli were that gave rise to these developments, it
would seem that in the British case, the State's recog-
nition of a certain responsibility which it, "in all
fairness", owed to workers disturbed by reorganisation,
was at the least a contributory factor. However, it is
also interesting to note that whereas the first American

agreements provided for a rational basis of computing

losses according to the costs of disturbance, the

British agreements had already fallen into an age and

service based calculation that did not attempt to

incorporate any element of "actual loss".

Trade unions facing redundancy among their members in

the nineteen thirties do not seem to have devised, nor

even considered strategies of opposing those redundan-

cies, and making a stand for the jobs of their members

to be saved. Increasingly however, it would seem, trade

unions projected the view that where reorganisation and

rationalisation brought about the redundancy of workers,

monetary compensation was in order. It is not easy to

accurately assess the factors which influenced trade

unions to adopt this strategy towards redundancy.

However, it would seem to be reasonably clear that the

State itself set a precedent which unions were happy to

argue should be applied to a number of other

circumstances.

If one compares the attitude of the State and the

trade unions at this stage, to redundancy, there would

appear to be similarity at a number of points. First,

the State appeared to have conceded the point that

unemployment created by reorganisation, justified com-

pensation. Trade unions seem to have followed this line

in the negotiating strategies they pursued. Second, the

State did not appear to have contemplated the extension

of the principle of compensation for redundancy to

employees outside its own direct sphere of influence -
at least there was no question of legislation to this
end. Trade unions at this stage were not in the main
looking for any legislative protection. In general
terms, therefore, it would appear that the attitudes of
the State and trade union leaders were in a state of
passive agreement over several issues. These included:
the principle of paying workers displaced by reorganisa-
tion; a belief that there was no need for any general
legislative intervention to extend workers' rights
beyond this narrow remit; and the belief that the real
responsibility for making such compensation in general
rested, not upon the State, but on the shoulders of the
direct employers of the workers concerned. If compensa-
tion for redundant workers had been provided by statu-
tory enactment in a limited field, it had not as yet
given rise to any concerted effort to extend the area of
protection, either by collective bargaining or legisla-
tion. It would not appear in the nineteen thirties,
that there was in any *general* sense, a belief that
redundancy compensation was a social benefit that ought
to be given to all workers as of right. There were,
however, a few notable exceptions where individual
unions were beginning to look beyond the existing narrow
area where statutory rights existed, and where collec-
tive agreements had been concluded to provide redundant
workers with compensation.

4.3 <u>THE LOSS OF EMPLOYMENT (COMPENSATION) BILLS FROM</u>

   <u>1830 ONWARDS</u>

   In 1930, a group of Labour MPs sponsored a Bill (11)

in parliament, to attempt to extend the principle of

compensation for reorganisation dismissal, into a law of

much wider ambit. It was, however, directed quite

specifically at "white collar" or non-manual workers,

rather than towards all categories. (12). Indeed,

manual workers were specifically excluded from the

proposed legislation. The rationale for this distinc-

tion being drawn was - as the mover of the 1930 Bill put

it - "the great bulk of these people are not covered by

the Unemployment Insurance Acts". (13). Perhaps, not

unnaturally, it was a distinction which drew an observa-

tion from the only other MP to contribute to the debate

on the Bill's first reading, that in order to be logical

the Bill ought...

> "... to compensate not merely the fairly well-
> off, but every worker who is turned out of work
> through circumstances over which he has no
> control." (14).

The 1930 Bill then, was directed towards the specific

problems of white collar workers. It was supported by

several trade unions representing non-manual workers.

The main sponsor of the Bill was the Chief Assistant

Secretary of the Railway Clerks Association, and

President of the National Federation of Clerical

Professional and Technical Workers. Both the President

and General Secretary of the Railway Clerks Association,

as serving MPs, also acted as sponsors, as did officials

of the London Society of Compositors, The Amalgamated

Union of Shop Assistants and The Association of

Scientific Workers.

The Bill itself did not define the circumstances in

which it was envisaged that dismissed employees would

receive compensation, in explicit or positive terms -

for example, by attempting to devise a definition of

redundancy. It simply sought to provide compensation

for any "unemployed person" who was dismissed...

> "... other than for serious and wilful misconduct
> of the employed person, or on an employed person
> attaining the normal retirement age." (15).

Nevertheless, the Bill's sponsors were clearly con-

cerned about the specific form of dismissal that we

today describe as redundancy. Latham, the Bill's chief

sponsor, argued that:-

> "This is the day of the large scheme reorganisa-
> tion of industry and commerce, of trustification,
> of rationalisation... we say there must be protec-
> tion for those who, but for such protection, would
> be seriously victimised and affected by such
> arrangements." (16).

If then, one is looking for a precursor to the Bill

which was eventually passed in 1965 as the Redundancy

Payments Act, it is possible to go back to 1930, and an

attempt by MPs representing non-manual workers, to

introduce legislation on a narrow basis, to afford

protection in the absence of the minimal cover that

other workers enjoyed.

Three obvious points can be stressed. The movement

for protective legislation was on behalf of a compara-

tively small minority of trade unions. The Bill was

not pressed by the TUC, but by the National Federation
of Clerical Professional and Technical Workers.
Secondly, the Bill seemed to be an attempt to extend the
principle of compensating people made unemployed by re-
organisation, beyond the sphere where action had already
been taken to protect those made redundant by State
reorganisation.   (The level of compensation proposed was
quite substantial - a twelfth of the total received by
the employee during the entire employment.) (17).
Thirdly, nothing about the Bill suggested that it was in
any sense part of a wider concept of the problem of
unemployment, which required intervention in a major way
by the State to assume responsibility. The State was
not expected to cover the costs of compensation (that
was to be the responsibility of individual employers).
Moreover, there was no attempt to argue that the State
had any need to adopt positive or interventionist poli-
cies either, to create jobs for the unemployed, nor to
equip the unemployed to do work where they could be
accommodated.   The philosophy seemed to be that the
inevitability of redundancy had to be recognised, and
compensation paid to those adversely affected.

The 1930 Bill failed to receive a second reading.
After a gap of seven years, Latham introduced a second
Bill substantially the same as the first in 1930. Among
the minor differences between the two was a provision in
the 1937 Bill to exclude from entitlement to compensa-
tion, anyone who had been ill for more than a year. The

Bill also sought to provide that employers should take out insurance indemnity policies, in order to meet potential liabilities which the Bill would have created. Again, the 1937 Bill failed to receive a second reading. As before, the only support forthcoming was from a minority of MPs representing white collar or professional workers' trade unions.

The principle of making provisions for redundancy compensation arising out of government reorganisation was again followed in the various post-war Acts of nationalisation. For example, the 1947 Transport Act required the Minister to make *regulations* for the payment of compensation to employees of an undertaking transferred to the British Transport Commission, providing they had suffered "loss of employment or loss or diminution of emoluments or pension rights as a result of the transfer of business". (18). (The "regulations" referred to in the Act were produced by a Treasury Working Party under the Chairmanship of Sir James Crombie. Since being used for post-war reorganisations, the "Crombie Code" has been used in a number of subsequent statutory reorganisations.)

A further Private Member's Bill was introduced into parliament in 1949, in yet one more attempt to create a general right to loss of employment compensation. The distinction between manual and non-manual workers was no longer included - i.e. all would have been entitled to protection under the Bill's proposals. The peovisions

in other respects were similar to the 1937 proposals,
although one new feature was the provision that regula-
tions should be laid down to devise a means of dealing
with disputed claims. (19). Although support for the
1949 Bill came from two MPs sponsored by manual workers'
unions (Auberey and Mellish), the driving force, as in
the past, was predominantly the white collar trade
unions. The National Federation of Professional Workers
was the major force behind both this and the earlier
Bills of 1930 and 1937. Also, this same organisation
featured in the "behind the scenes" lobbying to intro-
duce Private Member's Bills in 1951 and 1952. Let us
therefore at this stage, consider the arguments in
relation to the 1949 Bill, and then turn in more detail
to the role of the NFPW in sponsoring these various
attempts at legislation.

The first point that needs to be made in relation to
the 1949 Bill, is that its introduction was clearly
influenced by the contemporaneous developments in the
State sector. The provision of compensation for those
whose lives were disrupted by nationalisation schemes,
was a factor very much in the minds of those who sought
to extend the (now established) principle to the private
sector. The following extract from an article in the
Journal of the National Federation of Professional
Workers illustrates this point:-

> "In recent years, such compensation 'for loss of
> employment or loss or diminution of emoluments'
> has become an established feature of such

> legislation as that which nationalised coal mines,
> transport, gas, electricity, and the Federation's
> Bill seeks to provide similar protection to those
> employed in private enterprise - for whom there
> is at present no such redress - provided they have
> five years' service with the employer concerned,
> and are at least 30 years of age. It applies to
> both manual and non-manual workers." (20).

Opinion in favour of legislation to provide unemploy-
ment compensation was obviously influenced by the fact
that it was already in existence to a limited extent in
those areas where the State had a direct responsibility.
This stimulant upon those who were pressing for legisla-
tion seems to have been a recurrent theme. The 1930
Bill was preceded by the Railways Act of 1921, as well
as a collective agreement for the gas industry in 1930.
Prior to Latham's second attempt to win support in 1937,
there had been the Local Government Act of 1933. A gap
of some twelve years followed before the next attempt to
introduce legislation. There is clear evidence that it
not only coincided with, but was to a degree motivated
by the recent developments to provide compensation to
employees displaced by the programmes of nationalisa-
tion. (This point is dealt with in detail in the next
section of this chapter.)

If the 1949 Bill (and further Bills in 1951 and 1952)
suffered the fate of so many well intentioned private
members' reforming proposals, it is germane at this
point to ask, why? The point can be made with respect
to the 1949 Bill, a particularly suitable illustration
since a Labour Government was, after all, in office, and
the Bill was introduced as a Private Member's measure by
the Labour MP, George Guy. It was strongly opposed by

the Civil Service, on two principle grounds. Firstly, the provision in the Bill to entitle employees to unemployment compensation if the conditions associated with their jobs altered adversely, was seen as constituting an unacceptable interference with market forces. This point was expressed by a Ministry of National Insurance memorandum at the time, which commented:-

> "The Bill if it became law would upset the existing wage and industrial relations structure. The proposals aim at giving effective security of employment and protection against any future worsening of conditions (even by agreement) to all workers, while at present only a minority enjoy the first and none (except perhaps a few statutory officers like judges) enjoy the second." (21).

Ironically, in view of the fact that a major reason for the eventual introduction of redundancy payments legislation in 1965, was to deal with the problem of "labour hoarding", and *lack* of mobility (22), the view was also advanced in 1949 that the Guy Bill would "obviously destroy all mobility of labour". (23). The Bill was seen then, not as a means of facilitating mobility and promoting organisational change, but as an obstacle to these objectives.

Secondly, there seems to have been an attitude among the Civil Servant advisers, that there was a need to stem the flood towards providing workers with compensation when displaced by reorganisation, whatever the causes or factors leading up to their dismissal. The argument was as follows:-

> "The scheme seems to be actuated by much the same ideas as provisons contained in various nationalisation Acts for compensation of displaced workers... the case for special

compensation where people were displaced by
nationalisation was always a little difficult
to mark off from the case for special compen-
sation for loss or diminution of prospects
arising from other government activities, and
more and more changes affecting employment can
be linked with government action of some sort
or another. So long as these schemes were
strictly confined to the compensation of people
not taken on when an industry was nationalised
and we were dealing only with industries which
had always been marked off as enjoying special
conditions of employment such as gas and electri-
city or railways, these provisions were not very
dangerous, but we have recently seen attempts to
extend this principle of special compensation to
cases where people are not displaced by nationa-
lisation but maybe displaced by reorganisation
following nationalisation (which might just as
well have happened if the government had never
intervened at all), and we also see these prin-
ciples being applied in industries where there
has previously been no special security of emp-
loyment and where there is no question of the
workers concerned having their general prospects
of employment adversely affected or even their
opportunities of going on working in much the
same sort of job as they had before... I feel
that Mr Guy's Bill is symptomatic of the dangers
which the extensions of these arrangements may
lead us into." (24).

It is perhaps inappropriate at this stage for us to

investigate the faint smell of hypocrisy that surrounds

the above quotation - written as it was by a Civil

Servant in the comfortable position of being covered by

the statutory protection which Guy's Bill sought to

extend to other workers. The principle point which

emerges, however, is that it appeared to be by defini-

tion, "dangerous", to contemplate extending the prin-

ciple of employment compensation so that it covered

reorganisation generally. As far as State enterprises

were concerned, clearly there would have been cost

implications in such a change. Outside the State sector

however, there would have been no direct cost to the

exchequer, although no doubt government had a responsi-
bility to consider what the effect would have been of
compelling all companies to take out insurance to indem-
nify them for claims that might arise from displaced
employees.

What fails to appear directly in the arguments ad-
vanced in opposition to the Guy Bill, but which must be
taken as a factor nevertheless, is that at this stage
there was no real conception of a "redundancy problem"
in the same sense that it was perceived as such, some
fifteen years later. There had been little trade union
agitation over redundancy as an issue, although collec-
tive bargaining had developed the concept of severance
pay agreements. There was no real perception of a lack
of management willingness to face redundancies in order
to implement technological or organisational change.
Nor had arguments been developed concerning skill shor-
tages and labour hoarding such that there was seen to be
a need to promote greater labour mobility. A third
factor, therefore, in the antipathy of the State to
redundancy payments being introduced at this stage, was
quite simply that the issue of worker opposition had not
surfaced in any serious or disturbing sense. Trade
union policies and problems appear to have had little
connection with the government's decision to oppose
the Bill.

However, an observation can be made which has some
bearing on the dilemmas that unions seem to have con-
stantly faced over their strategies on redundancy. A

section of the trade union movement was pursuing here,

through their sponsored Members of Parliament, the

possibility of a legal right to compensation for redun-

dancy. Why did they need to do so? Firstly, they

clearly saw the issue of redundancy not as a "right to

work" or even a "right to a job" issue, rather they saw

it in terms of compensation for loss. Secondly, one can

only assume that they lacked the ability to secure such

compensation through the means of collective bargaining.

This may have been inevitable given both the strength of

union organisation and the limits of what managements

were both prepared and commercially able to concede.

Had trade unions on any significant scale, however,

attempted to pursue militant strategies, either to

secure redundancy payments, or to defend the "right to

work", this may have altered fundamentally the attitude

of both employers and the State, to unemployment compen-

sation at this time. A militant strategy in some quar-

ters, in pursuit of the "right to work" consequently,

might easily have been the very stimulus to success with

the more accommodative aim of seeking a basic right to

unemployment compensation by legal enactment. Admit-

tedly these are speculative propositions, but they

perhaps help to explain why the legislative road was not

more successful at this stage, in contrast with the

position that emerged in the different economic condi-

tions and industrial relations' context of the mid

1960s. At this point, however, there is a need to

examine more closely the role of the white collar unions

that were principally involved in the various attempts
(to this point in time) to introduce legislation.

4.4 PROFESSIONAL WORKERS' CAMPAIGNS FOR REDUNDANCY LEGISLATION

The National Federation of Professional Workers
(originally called the National Federation of
Professional, Technical Administrative and Supervisory
Workers) was formed after the First World War. From the
first it advocated *political* action as a means of secu-
ring change, largely on the basis that strike action for
non-manual workers was "a weapon of desperation". (25).
The Labour Party, as a potential vehicle of change, was
(argued the Federation) only worthy of support by "pro-
fessional" workers, if it included in its ranks an...

> "...'adequate number' of representatives who were
> 'familiar with the position and conditions of the
> non-manual worker, and conscious of the value of
> his contribution to industry and social needs'."
> (26).

This self-defined role as a political federation of
non-manual workers' unions remained until the Federation
was eventually wound up in 1983, although it avoided
close identification with any single political party.
Partly because of this, no doubt, the Federation was
able to achieve its second objective of forming not only
a link between the federated organisations, but also
between the trade unions outside the TUC and those
within it. (27). The Federation was the prime mover

behind early attempts to introduce redundancy legisla-
tion. The then President Latham was (as we have seen)
the main sponsor of the 1930 Bill. (Besides being
President of the Federation, Latham was a Member of
Parliament, and Chief Assistant Secretary of the Railway
Clerks Association.) Officials of other unions affi-
liated to the Federation acted as co-sponsors to the
1930 Bill. These included officers of the London
Society of Compositors, the Amalgamated Union of Shop
Assistants and the Association of Scientific Workers.
The immediate circumstances which gave rise to this
initiative were a series of company amalgamations resul-
ting in large-scale dismissals. Latham, in introducing
the Bill, referred to "large-scale amalgamations of
insurance companies in London", and pointed out that
hundreds of members of the clerical staff, "with service
ranging up to twenty years were dismissed with one
month's notice". He also commented upon a recent merger
of two London morning papers, resulting in a loss of six
hundred jobs. (28).

The problem was made more serious by the fact that
many of the people concerned were not covered by the
Unemployment Insurance Acts, and in consequence not
entitled to unemployment benefit. (The first Act of
1911 provided benefit only to "workmen" - i.e. manual
workers - in certain manufacturing industries. Subse-
quent amendments introduced an upper salary limit,
beyond which entitlement to benefit ceased.) (29).
Hence a major factor in the first attempt to introduce

legislation was the perceived "unfairness" of long

serving employees becoming unemployed, "through no fault

of their own", and having less protection than other

employees in the general field of unemployment.

By 1936, the Federation had gone further towards

developing its legislative programme. Thompson, the

Vice President of the Federation speaking in Glasgow,

emphasised the need for an organisation, to act on

behalf of workers, "in all matters of common interest,

and in connection with legislation and industrial

reform". The programme covered such questions as

offices regulation, the extension of workmen's compen-

sation to cover salaried workers, and the raising of

the then £250 per annum income limit on entitlement to

unemployment and health benefit. (30). The Federation

was looking for a...

> "... proper and orderly development of our
> national system of social insurance." (31).

A major campaign was mounted on the failure of the

government to include a proposal to alter the salary

limit for insurance benefit in the King's Speech. (32).

It was in this context that 1936 also saw the issue of

unemployment compensation legislation raised once again.

A conference resolution expressed the view that the time

had arrived when "immediate steps should be taken to

ensure that adequate compensation is paid to all

workers, who lose their employment as a result of ratio-

nalisation". (33). Specific mention was made in

Federation briefing papers of the compensation schemes

for other workers, in the nationalised electricity and water industries, in the Port of London, and in the London Passenger Transport Authority. (34). The result was the second attempt to introduce legislation - the 1937 Bill. The details of this and its eventual defeat have already been described.

In February 1940, the Federation's conference commented on the problems of war-time unemployment. A resolution from the National Union of Clerks expressed concern at the continued high level of unemployment among clerical and professional workers. Another, from the Transport and General Workers Union referred in particular to clerks thrown out of employment as a result of war-time emergency measures, and demanded that...

> "... they should be guaranteed the payment of a reasonable retaining fee during their enforced idleness." (35).

There was, however, no attempt at this stage to reintroduce a proposal for legislation. Nonetheless, the aspirations of unions affiliated to the Federation remained unextinguished with the war-time conditions. In its report for the year ending March 1947, the executive of the NFPW mentioned that one of its "cardinal principles" in relation to non-manual employment...

> "... was embodied in our pre-war parliamentary Bill, brought before the House in 1930 and again in 1937, which sought to establish in employment generally the principle of compensation already so widely established in regard to statutory undertakings and government employees." (36).

Consideration was being given to the reintroduction of "the Federation's Bill", when the parliamentary

timetable became less congested. In 1948, "the
Federation's Bill" was again being carefully scrutinised
in the light of what was believed to be considerable
"official endorsement", to the principle that losses
brought about by reorganisation should be compensated.
The Federation argued that its case had been streng-
thened by the "parliamentary endorsement" the principle
had received. (37). The result was the 1949 Bill intro-
duced by George Guy MP. It was, as we have already
seen, defeated by a lack of parliamentary time.

In 1952, the Federation again sought support for a
similar Private Member's Bill. Until this time, the TUC
had not been involved directly in any of the attempts at
legislation. (Seemingly, this was on the basis that the
Federation was only attempting to secure the interests
of a section of employed people - i.e. "Professional
Workers" - although this hardly explains the TUC's lack
of involvement in the 1949 Bill, which would have intro-
duced a *general* right to employment compensation.)

In any event, the TUC did not choose to express any
view on the 1951 Bill either, until invited to do so by
the Parliamentary Labour Party. At this stage, much to
the concern of the NFPW, the TUC came out in opposition.
The TUC's arguments were firstly, that the NFPW had not
raised the matter through the Non-Manual Workers
Advisory Council of the TUC. Secondly, the scope of the
Bill was now much wider, and manual workers would be
included within it. More particularly, the TUC did not
wish to countenance the introduction of law into an area

of industrial relations that affected workers in such a general way. There were also a number of minor points of objection to the detailed wording of the Bill. (38). Undaunted, the NFPW sponsored a fifth Bill in 1952. This, however, did not even get a second reading as the time was taken up with other business.

Learning the lesson of the sudden and unexpected opposition by the TUC to the 1951 Bill, the Federation tried to win the support of the TUC by drafting amendments to the "Federation's Bill" of 1951, and submitting them for consideration to the Non-Manual Workers Advisory Committee of the TUC. Eventually, in April 1953, the NMWAC considered the Federation's proposals, and sought the views of the Economic Committee of the TUC. And eventually, the views of the NMWAC (doubtless influenced by the Economic Committee) (1), were communicated to the Federation. The text of the letter is as follows:-

> "As you will know the N.M.W.A.C. Executive have given consideration to the document submitted by the N.F.P.W. on the advisability of seeking legislation to provide compensation for non-manual workers who lose their employment...
> The views of the Economic Committee were sought on the principle. That Committee was of the opinion that it would be undesirable to take any action which would extend Government intervention in the fixing of wages and conditions. The trade union movement has always been reluctant to accept any interference in their recognised functions except where there is hardship which cannot be relieved by trade union action.
>
> There would not, of course, be anything to prevent individual unions negotiating such a scheme within their industries but to make them obligatory by law would not be acceptable.
>
> The General Council accepted this view, which was also reported to the last meeting of the Non-Manual Workers Advisory Council." (39).

This response was nothing less than a "bombshell" to the Federation's ambitions. A summary of all the previous efforts to achieve legislation was prepared and circulated to affiliated organisations, with a request that the nature of further action should be considered. The reluctant consensus was that against the opposition of the TUC no further action was possible and executive policy was "modified accordingly". (40).

The question that arises here can be succinctly put; why was the TUC so opposed to legislation in this sphere, when a substantial number of unions affiliated to both the Federation and the TUC seemed to support it? (The CAWU, the Shopworkers Union USDAW, NATSOPA, and the clerical section of the Transport and General Workers Union, are specific examples.) Within the TUC itself there had been very little debate on the issue. On the whole, it seemed to be more a question of traditional reluctance to tread the "legislative road", than any other rational or philosophical argument, that prompted the TUC's opposition. In June 1954, the Federation asked for amplification of the TUC's grounds of opposition. The reply received stated that:-

> "The point is that while there are some matters,
> e.g. standards of health and safety in industry,
> where the movement must look to legislation, the
> normal union approach is negotiations. On wage
> questions legislation is no substitute for Trade
> Union organisation." (41).

Following objections being raised at the 1954 Trades Union Congress an informal meeting was held at the TUC, when the Federation's officers met with Victor Feather (then an Assistant Secretary of the TUC). Feather

explained that the Economic Committee's view was that the proposals were, "impracticable of general application, and would involve an unreasonable financial burden on industry. The TUC was completely in agreement with the principle of compensation for loss of office... but the General Council were not in agreement with the suggested common method of application of the principle". (42).

At this point, we might pause to consider whether and to what extent the TUC and the Federation respectively could be seen to be expressing demands for "rights" that might in some sense indicate fundamentally different ethical orientations. On the face of it, this interpretation might easily be made of the situation thus far described... Here was the NFPW seeking the establishment of a legal right, which the TUC opposed. However, it should be borne in mind that the TUC was to a far greater extent than the NFPW, committed to the philosophy of legal abstention. For professional workers, weakly organised in trade unions since the 1920s and 1930s, legislation seemed the only available means of securing gains. In contrast, the TUC unions had, in the main, learned to avoid legal routes, and preferred to achieve their objectives through collective bargaining. The TUC leaders claimed to be supportive of the general principle of "compensation for loss of office", but whilst the NFPW leaders were pursuing the possibilities of achieving this as a legal right, there is little to suggest that the manual workers' unions not affiliated

to the NFPW, were pursuing the same objective through the collective bargaining route. If there was an emerging moral principle then, that a worker who lost his or her job in company reorganisation should be entitled to "compensation for loss of office", it was essentially from the white collar workers' unions that this concept was being advanced. Indeed, the very wording, "loss of office", suggests that the concept was of a staff person, with the presumed security of a staff position, finding that such security was no more because of the reorganisation of a company. And if one is looking for the genesis of this notion, it may be that one needs to go back to the earliest examples of legislation in 1834, 1859 and 1888, which were directed at civil servants, and "council officers" in local government. The idea of a "right" to job security, or at least "compensation for loss of office", would seem then to be, at this stage, bound up with the idea of staff status. While there were already examples of collective agreements and legislation that covered manual workers, too, there would seem to have been beliefs among manual workers' unions in relation to their moral obligations to defend jobs, as opposed to seeking "compensation for loss of office", which as we will see shortly, were contributory to the TUC's reserve over the ideas being advanced by the NFPW at this stage. At this point, however, it will be helpful to consider the policies of the TUC and NFPW more closely contrasted, in the period 1930-36.

4.5 POLICIES OF THE TUC AND NFPW CONTRASTED

BETWEEN 1930 AND 1936

In contrast to the white collar, "professional wor-
kers", minority, how did the mainstream of the movement,
through the TUC, react to problems of large-scale unem-
ployment through rationalisation and the like, in the
period in question? In 1930, the TUC was particularly
concerned at the unemployment brought about by disarma-
ment. Late in 1929, the Transport and General Workers
Union initiated a joint TUC, Labour Party Committee to
examine "the economic consequences of disarmament".
(43). A memorandum was submitted to the minority Labour
Government advocating a series of measures as a result
of the run-down in the weapons manufacturing industry.
These were measures to provide:-

> "(a) alternative work of a suitable character not
> at present available to industry;
>
> (b) specific government action to increase employ-
> ment in the industries chiefly affected;
>
> and in the event of neither (a) nor (b) having the
> desired effect:-
>
> (c) adequate monetary compensation to the work
> people displaced." (44).

A series of meetings occurred, with a Cabinet
Committee established to deal with the issue. Various
schemes for providing alternative work were considered,
including by means of stimulating development programmes
in the colonies, and the reintroduction of trade facili-
ties with Russia. It was...

> "... emphasised that compensation should be the
> last resource", and that every effort should be
> made "... to secure alternative work." (45).

However, the TUC maintained the view that compensation should nevertheless be available as a final alternative. Eventually, the Cabinet Committee rejected the idea of paying compensation to individual workers on somewhat curious grounds. These were the administrative difficulties of assessing the amount of compensation, the "friction likely to be caused through differentiating between workpeople in the same factory... ", and the "injustice which might arise" in consequence of different treatment of different *causes* of unemployment. (46). A proposal was made by the TUC that local authorities should be given grants to enable them to...

> "... make provision for the re-employment of the workers affected", (47);

in other words, to engage in local economic initiatives. This, too, was rejected.

It is, therefore, possible to say that as early as 1930 the General Council of the TUC was advocating State intervention to provide work (rather than compensation) for redundant workers, but was prepared to advocate compensation as a last resort, with a vision, too, of local authorities assuming some sort of role as job creation agencies. The limits and reservations made about the State's role in providing compensation are in marked contrast to the policy of the NFPW at that time. Nevertheless, the TUC itself was also, briefly, adopting a position similar to that of the NFPW although this was a relatively short-lived aberration.

At the 1930 Congress a delegate from the Shop

Assistants Union moved a resolution expressing "grave

concern" at the...

> "... displacement of old and faithful employees
> of firms through the operation of rationalisation
> and amalgamation." (48).

The resolution went on to argue in favour of the

principle of "compensation for loss of office" being

made available to all employees, and urged the introduc-

tion of a parliamentary Bill to deal with the matter.

It was carried with very little debate. However, at the

same Congress, a motion from the Transport and General

Workers Union, urged unions faced with redundancies

through rationalisation and reorganisation to adopt a

policy of reducing hours to minimise the numbers of

workers displaced, to "institute generally in connection

with the reorganisation of industry adequate compensa-

tion arrangements" (49), and to "provide avenues of

employment for younger workers". Although Ernest Bevin

(the mover) said little to elaborate upon the part of

this motion dealing with "compensation for those dis-

placed", it would appear that the policy being advocated

to secure severance pay was of collective bargaining

rather than by seeking legislation. Other contributors

similarly laid little emphasis on the compensation

aspect of the motion, although it was picked up by a

delegate from the Draughtsmen's Union, the AESD. In

doing so he referred, somewhat vaguely, to the 1930 Loss

of Employment (Compensation) Bill...

> "... in this connection I think the question
> of compensation dealt with in the last reso-
> lution ought to be borne in mind. There was a
> Bill introduced. I think by the Railway Clerks
> Association, a few weeks ago upon this very
> question." (50).

One wonders whether many of the delegates were aware

of the NFPW's efforts to introduce legislation, and if

not, how seriously they were committed to the earlier

motion they themselves had carried, calling on the TUC

to support the introduction of a Bill. If the TUC had

stumbled into a policy of seeking legislation to provide

unemployment compensation, it could hardly be said to

have arisen as a priority objective or a major concern

of affiliated unions. As to whether the TUC actually

did draft a Bill on the subject - there is no record of

this having been done. Doubtless, the reaction of the

minority Labour Government to the proposal for compensa-

tion in the declining armaments industry would have been

sufficient to imply a poor chance of success. In any

event, the political crisis of 1931 intervened and with

the downfall of the Labour Government, support would

have had to be sought in a new parliament of quite

different character.

In 1936, a further call was made at the TUC for

legislative action. A motion from the General and

Municipal Workers Union demanded legislation to "secure

adequate compensation for all workers now being dis-

placed". Again, the focus of concern was "company

amalgamations, industrial mergers, the growth of State

action in closing works deemed to be redundant, and...

forms of rationalisation". (51). The delegate empha-

sised developments which had occurred in the gas and

electricity industries, where rationalisations had been

brought about and employees compensated where they were

made unemployed. Congress adopted the resolution. A

circular was sent to all affiliated unions calling their

attention to the need to secure agreements where ratio-

nalisations occurred. Copies of agreements were re-

quested, and on receipt of this information, work began

to draft a Bill for parliament. (52). However, in 1938,

it was reported that the Economic Committee had consi-

dered the problems involved in framing legislation of

this kind, and had decided that it was "not practicable"

to proceed. (53). The problem, according to the

Economic Committee, was that arrangements need to be

specific to different industries. The Committee argued

that...

> "... strong trade union organisation within each
> industry would enable the difficulties to be met
> by the adoption of the shorter working week and
> other measures." (54).

The resolutions of 1930 and 1936, both of which had

advocated legislation, were defeated then, not on the

floor of Congress, but in the committees of the General

Council. This is not of course to suggest that had the

General Council adopted a different attitude, the TUC

would have succeeded where the NFPW failed. Rather, it

may well be that the TUC was less reliant upon the

"legislative road", in some measure because it (the TUC)

had a better appreciation of the practical difficulties of such an approach meeting with success. However, it does also seem that the General Council's reticence was derived from something other than an appreciation that legislation would be hard to achieve. It took the view, too, that there were practical difficulties in *administering* such a law; though by whom these difficulties would be faced, the TUC did not specify. It would seem, however, that the TUC was aware of inter-industry differences; perhaps arising from casual or seasonal working patterns, perhaps due to the existence of out-working, possibly because of intrinsically high labour mobility rates in certain industries - exactly what, is not clear. Legislation would need to take into account, "the special circumstances in each industry", and this according to the TUC was "not practicable". In any event, the General Council argued, there was a need for "adequate unemployment benefit for all workers thrown out of employment, by whatever cause... ". (55).

There is something altogether unconvincing in the General Council's argument that with regard to mass redundancies...

> "... strong trade union organisation within each industry would enable the difficulties to be met by the adoption of the shorter working week, and other measures." (56).

Quite what this was meant to imply is also not clear, but it seems that the General Council was veering towards a policy of redundancy avoidance, as opposed to redundancy compensation. Whether reducing overtime,

introducing the shorter working week, or worksharing
really would have been capable of preventing redundan-
cies owing to business amalgamations and mergers, is
highly doubtful. One assumes, however, that such poli-
cies were being advocated by particular craft unions
such as the Engineering Union. In such areas there may
well have been some limited scope for the autonomous
imposition of measures to ration work. (57). Overall,
however, the strategy could not reasonably have been
expected to succeed.

Clearly, the policies pursued by the NFPW and the TUC
respectively, differ markedly in this area. To what
might these distinctions be ascribed? It is not enough
to argue that the NFPW was a federation that existed
largely to employ the method of legislative action, as
opposed to the TUC which did not. After all, there were
innumerable examples where the TUC had itself sought
limited forms of legislation in different matters. The
particular problems of white collar workers, including
their ineligibility to receive unemployment insurance
benefit in many cases, the notion that "loyalty" would
be rewarded, and their expectations of pensions on
retirement, might arguably have contributed to a greater
feeling that legal protection was required. Neverthe-
less, even these factors seem inadequate to explain the
differences which existed. Perhaps a more satisfactory
explanation lies in the relative bargaining power of
white and blue collar workers at the time. The NFPW,
and unions associated with it, were weak, and less able

to achieve gains through collective bargaining than their manual union counterparts. In part this may have been due to their lower rates of membership organisation, in part to the more "moderate" attitudes of their members, and in part to their comparative lack of experience of militant action. At any rate, parliamentary action, for the NFPW, was explicitly seen as a preferable option to strike action, as has already been shown. For the craft and other manual workers´ unions attached to the TUC, parliamentary action was less necessary - so long as they could secure a reasonable degree of support for direct industrial action. Given, too, that there had been some success in negotiating industry-wide redundancy agreements (The General and Municipal Workers Union, for example, concluded one in the gas industry in 1930). (58). There was at least some basis for the TUC´s belief that the issues could be tackled on an industry by industry basis. Taken together with the greater prevalence of industry bargaining, this might have been seen as not too unrealistic an approach at the time (though we know now that it was, in the event, so manifestly incapable of bringing the majority of employees within the scope of agreements, that some thirty years later legislation was indeed required to achieve this end).

However, it has to be said that the TUC´s position was nothing if not ambivalent. Government could be approached for compensation arrangements in the armaments industry. Demands could be made for State

intervention for compensation in other industrial sectors (for example, the Cotton Industry in 1935). Yet generalised involvement was deemed not to be needed because the "shorter working week, and other measures", were going to deal with the problem. Such ambivalence was at once a reflection of the differing approaches of affiliated unions, and the different traditions of trade unionism within the movement generally. However, dwarfed as it was by issues such as unemployment, union policy over redundancy failed to be projected to a position where it became the subject of any deep or sustained debate in trade unions or between them.

Let us, at this point, consider for one moment what the contrasting positions of the NFPW and the TUC seem to indicate so far as their underlying ethics and morals are concerned. Firstly, the NFPW and its affiliated unions were strongly committed to "compensation for loss of office". So far as the policy positions of these bodies were concerned, there seems to have been a belief in a "right" to compensation. Moreover, there was substantial support from this, too, from the TUC affiliated unions (a number were in any event affiliates of the NFPW). Evidence of this, though not of the same singleness of purpose as had been shown by the NFPW, was seen in the Congress resolutions of 1930 and 1936 calling for legislation. On the other hand, the TUC seemed to waver between an incipient corporatism (identifying rather closely with the objective problems of industry), the idea of individuals having a "right to a

job" of some kind (even if they were made unemployed from their existing jobs), and the idea of a "right to compensation " for the loss of a job. Within the TUC then, there were differences, particularly on the issue of compensation. One suspects that the reason why the resolutions of 1931 and 1936 were defeated in the committees of the General Council (having been carried by Congress), was because of the opposition of the craft unions, particularly the AEU. Unions were, it seems, capable of being influenced by different traditions, perhaps different cultures. If opposition to redundancy could take the form of restricting overtime working, securing a shorter working week and so on, there could, so far as some unions were concerned, be an accommodation to the occurrence of job loss, by making arrangements to compensate those involved. And, while it will be noted that neither the policies of the NFPW nor the TUC could in any sense be seen as motivated by any concept such as a "right not to be made redundant", it must be remembered that contemporaneous events in this period included the "right to work" marches organised by the National Unemployed Workers Movement. This all seems to suggest that a wide range of union responses to redundancy was evidenced in this period, and that these responses were characterised by statements of "rights" by unions and national federations. And, in the sense that these responses appear to have represented stable positions that unions adopted, reflecting policies, and methods employed to achieve objectives, it would seem

reasonable to associate them with variations in union cultures. The NFPW it seems, had a more compensation oriented culture than some of the unions affiliated to the TUC, which appeared to stress job saving activities. The TUC itself, it would seem, was subject to pressures in different directions and performed something of a balancing act in the (at times) hesitant line it adopted.

4.6 THE COTTON INDUSTRY ACT 1959

When government action was next taken to apply the principle that reorganisational job losses should be associated with severance payments, it was in the privately owned cotton industry. The Cotton Industry Act 1959 represented government intervention to support an industry badly hit by recession and problems of foreign competition. In world terms the British industry was uncompetitive, and there was, moreover, an acute problem of over capacity. Although Conservative support for a major exercise in industrial restructuring might in itself be thought worthy of examination, that particular point is not of present concern. It is sufficient to note that the Act was (as its long title puts it)...

> "... to enable schemes to be made with a view
> to eliminating excess capacity in the cotton
> industry, to provide for compensation for any
> such elimination, and for raising the sums
> required by levies on the industry; to enable
> the Board of Trade to make contributions to-
> wards any such compensation and to make grants
> towards the re-equipment of the industry." (59).

The Act provided that the Cotton Board could...

"... with a view to promoting efficiency in
the industry and by the elimination of excess
capacity" (60),

after consultation with employees and employers' bodies,
"prepare schemes for the elimination of excess
capacity", and the payment of compensation to those
firms which were affected. A condition for acceptance
of the schemes as being eligible for support in this
way, was that there had also to be an agreement on
severance payments for the workers who would become
redundant in consequence of the reduction in manufactu-
ring capacity. The scheme, therefore, did not involve
the State specifically in finding the money to pay
redundant workers, simply introducing (albeit somewhat
indirectly) an obligation on employers to make such
payments.

The cotton industry was an industrial sector which
had experienced a long history of crisis and decline.
In 1882-84, 85 per cent of the U.K.'s production of
cotton goods went to export. In the 1952 cotton depres-
sion, exports slumped to barely 25 per cent. Problems
of markets, overseas competition, large fluctuations in
raw materials and above all, efficiency and costs of
production had bedevilled the industry since before the
turn of the nineteenth century. (61). As long ago as
1935, government support was given to assist cotton
spinners in reorganisation and re-equipment by direct
funding of a Spindles Board charged with this responsi-
bility. No provision was made by either the State or

employers for employees made redundant as a result of
these changes, despite approaches to this end being made
by the unions in the industry. (62).

It was against this background that the government
introduced measures in 1959 to attempt to prop up the
ailing industry. No claims were made as to the boldness
or imaginative nature of the proposed legislation.
Rather, the government minister introducing the Bill
made it clear that conditions associated with obtaining
grants would be "formidable" and that the difficulty of
meeting them should not be minimised. (63). The
Opposition described it as a "belated and unimaginative
Bill", and suggested that the government, far from
solving the problems of the industry, had added to its
difficulties by failing to act, "when world forces were
acting against it". (64). On the question of redun-
dancy, considerable criticism was made of the draft
scheme agreed between employers, and the unions.
Nothing, it was said, could really compensate a worker
who had been deprived of a skill he had acquired.
Redundancy payments were not enough. The answer was to
give redundant workers other work, and there was urgent
need for training. The cotton industry areas needed to
be re-equipped with new industries, in order to provide
work for the redundant and unemployed. None of these
measures were embodied in the government's approach to
the restructuring of the industry in which, inevitably,
employees would be left without work. (65).

The Bill then, instituted a system of support for the industry's reorganisation and reduction in manufacturing capacity, and for assisting in re-equipping it. The support was conditional upon the employers and unions agreeing a scheme of compensation for displaced employees. Although the Board of Trade (through the Cotton Board) was prepared to support the cost of re-equipping the industry, and compensating the employers who opted to close their mills in order to reduce capacity, the full cost of compensating the redundant workers was to be borne by the industry itself - i.e. there was no State assistance for the redundancy payments. These payments were in fact met by levies on all firms in the industry. (66).

Three reorganisation schemes were approved, dealing with different sections of the cotton industry. On the question of severance payments for redundant workers, each of the schemes laid down the same agreed scale. The rates were dependent upon the age of the employee, and his or her earnings before redundancy. Half the compensation was to be paid in weekly amounts, and half in the form of a lump sum. These details are of more than passing interest because in certain self-evident respects they bear similarity with what eventually became the National Redundancy Repayments Scheme, introduced by the Redundancy Payments Act 1965. As will be seen, there are other respects in which the Cotton Industry Act was a genuine precursor of the 1965 legislation.

A year prior to the introduction of the Cotton
Industry Act, the TUC had considered the problems of the
industry. A far more interventionist stance had been
adopted, by endorsing a document presented by the United
Textile Factory Workers Association (UTFWA) but written
and prepared by Harold Wilson MP. (67). The document
was the result of a detailed analysis of the problems of
the industry and came to be written arising out of a
decision by the Legislative Council of the UTFWA in
December 1952. In the event, the policy paper was not
completed until 1957, but then became adopted by both
the TUC and the Labour Party. The plan proposed a
series of interventions by the State:- by dealing with
supplies problems through the establishment of an insti-
tution for this purpose (The Raw Cotton Commission); by
providing tax and other incentives to manufacturers to
encourage them to re-equip; by providing certain new
aspects of infrastructure including buildings and fac-
tories to produce the required modern plant; by establi-
shing a Cotton Industry Reorganisation Commission which
would have ultimate powers to enforce company amalgama-
tions and other forms of reorganisation, including rapid
re-equipment of the industry. The Reorganisation
Commission, it was suggested, should also have powers to
"compensate workers made redundant as a result of reor-
ganisation and re-equipment". (68). Other aspects of
the plan dealt with bulk ordering of textile machinery
by the Reorganisation Commission, a more intensive use
of plant, pricing, export and market problems, and

the need for regular joint consultation, including through Mill Production Committees. (69). The ideas of the paper reflect many of the principles that were later to guide Wilson in the early days of the Labour Governments of 1964 and 1966 when, as will be recalled, an approach of strategic intervention by the State was adopted, through the establishment of an Industrial Reorganisation Commission to promote company mergers etc, and as we shall see shortly, proposals were made for a Redundancy Payments Act to ensure that displaced workers were compensated for loss of jobs.

This then, was the "Wilson Plan" for the cotton industry. It was, however, also a policy which was supported and adopted by the executive of UTFWA, and despite bearing the stamp of authorship of the future Labour Prime Minister, it represented a line of policy and argument with which the union was prepared to identify.

It would be wrong to conclude that the UTFWA or the TUC had significant influence on the shape of public policy in the form of the 1959 Cotton Industry Act. The facts suggest that the government acted *despite* (rather than *because* of) the demands of trade union members. The objective problems of the industry were difficult to ignore. Nor is there any clear link between the demands in "The Plan for Cotton" for arrangements for redundancy payments to be made, and the eventual provisions of the 1959 Act. The President of the Board of Trade claimed in introducing the legislation, that...

"... the industry and the government (had) always
agreed that money could not be made available for
compensating for machinery that was scrapped,
unless compensation were also paid to the workers
displaced." (70).

Here was a situation where the government felt
obliged to intervene and promote major industrial reor-
ganisation, and in doing so, accept the application of
the principles (already established elsewhere) that
employees displaced should receive financial compensa-
tion. This owed little to the influence of union
campaigning. Nonetheless, union policy positions in
relation to unemployment and redundancy compensation
in the industry raise some interesting points, which we
should at this stage consider more deeply.

4.7 UNION AND TUC POLICIES ON COTTON CRISIS :
A COMMENT

What then do we conclude about the involvement of the
trade unions and the TUC in this episode of legislative
support for labour shedding in the cotton industry?
Here were proposals being made, for forms of structural
support for the industry that certainly went beyond a
limited demand for workers displaced to be compensated.
The intellectual origins of the plan were, as we have
seen, attributable to Wilson, but nonetheless he was
commissioned to produce his proposals by UTFWA some five
years earlier. This was no passive acceptance of the
suggestions of a labour supporting well-wisher, at a

moment of crisis; rather it was a strategy to intervene to save the industry, which the cotton unions were aware was in a desperate situation.

It is true, that the plan itself was not couched in terms of emphasising employees' "rights" in so many words, but it is clear that the principal underlying concern of workers and their unions was with the safety of their jobs. Given the fact that the plan was presented as a complete document, it would be unwise to take isolated aspects of it out of context; and one notices that the plan's proposals were presented as unthreatening, in the industry's interests etc, so as to (hopefully) gain a degree of acceptance from the employers. It was described as a plan for the...

> "... maintenance of full employment; (and)
> adequate standards for those who have invested
> their capital in the industry... ". (71).

Nonetheless, it would have represented a substantial erosion of management control if implemented. The Reorganisation Commission, for example, would have had power to enforce amalgamations in the industry or take a controlling interest in certain firms in order to press through programmes of re-equipment. (72). It is therefore interesting to observe that in what is really a quite sweeping set of proposals for the reorganisation and restructuring of the industry, involving taking substantial control away from the employers, relatively little is called for in terms of new "rights" for employees.

To clarify this point, it should be stressed that the plan's first objective was to save the jobs of those employed in the industry. In this sense, it was motivated by the idea of employees having a "right to a job". Secondly, it was putting forward proposals for redundancy payments, which as we have noted, were available for a relatively small minority of workers at the time. Both of these proposals were significant and important demands. However, it is interesting, that in proposing the creation of a statutory body with huge powers to reorganise and restructure the industry, there were no suggestions that unions should have rights of involvement in such plans to reorganise and restructure. There was no tripartite structure, for example, proposed for the Reorganisation Commission, nor were there suggestions that unions should be consulted before mergers and amalgamations were arranged. Rather, the plan contained more limited suggestions that there should be regular consultation with employees at the level of the company, and that workers should be involved in joint production committees - essentially to maximise productivity and output etc. What this confirms therefore, is that the main focus of the plan was on the provision of a more secure employment basis for workers in the industry, and (to some extent as a secondary factor) the provision of rights to redundancy payments when jobs were lost, but workers' involvement was not seen as essential to achieve these goals.

In this connection, the role of the TUC and the unions is interesting when it came to the proposals for the Cotton Industry Act in 1959, some two years after the "Plan for Cotton" had been published. When the government announced its intentions to introduce the 1959 legislation, the TUC decided on approaching the government to make jobs available in the areas affected by redundancies. However, when the General Council learned that the cotton unions had reached agreement with the employers on the completely separate issue of severance terms for those made redundant, they decided to play down the issue of provision of jobs, raising it instead at a meeting of the National Production Advisory Council. (73). Clearly, the fact that the cotton unions had reached agreement with the employers caused the TUC to alter its plans to press the jobs issue, but why should they have done so?

The most obvious explanation of this vacillation by the TUC is that it reflected the belief of leaders that collective bargaining was, wherever possible, the preferred approach. As the TUC's evidence to the Donovan Commission (some years later than the events considered here) was to express it:-

> "Collective bargaining is the most important
> trade union method. In fact it is more than
> a method, it is the central feature of trade
> unionism." (74).

It might be assumed that the TUC leaders took the view, that once the cotton unions had secured agreement with the employers over the details of the redundancy

scheme for the industry, it was incumbent upon the General Council to distance itself from direct discussions with the government. Quite what adverse effect such discussions might have been considered likely to have, it is not clear, particularly as they would have been on the completely separate issue of job provision in the areas most affected by redundancies.

However, a more telling point owes somewhat more to pragmatism than principle. Although the cotton unions and the TUC believed the "Plan for Cotton" to offer the best way forward, they recognised that the programme it contained was "only achievable under a Labour Government". (75). Even so, they believed that the issue of jobs was worth taking up with the government directly, on the basis that the legislation itself linked the provision of support to the industry, with agreement between employers and unions on schemes of compensation for the redundant. However realistic or otherwise the scenario might be in practice, one can see that so long as the unions had not agreed a scheme of compensation therefore, there might have been a possibility of applying an element of pressure for further concessions, including measures to create jobs. However, it is fairly clear that the hard-pressed cotton employers would have been in a poor position to concede such demands, and hence the proposed approach to the government. The news that the cotton unions had reached agreement, therefore, might have seemed to close this opportunity, and hence the change in stance by the TUC.

Despite all the aspirations of the cotton unions, there-
fore, on the question of creating extra jobs in the
areas affected by closures, there really must have
seemed to be little alternative when the employers were
willing to offer arrangements for severance payments
schemes. The unions no doubt preferred the bird-in-the-
hand of an agreement on redundancy terms, to any number
of wider ranging measures that were buried in the bushes
of Labour's future electoral fortunes, or the sympathies
of Conservative Ministers. On this analysis it was
neither a lack of ideas as to alternatives that might be
available, nor single minded pursuit of the financial
bounty, that caused the cotton unions and the TUC to
acquiesce to the job shake-out and compensation package
of the 1959 Cotton Act. Rather, it was because the
likely success of demands for other job saving measures,
or restructuring of the industry, was seen as too remote
to justify any delay in concluding agreement on the
redundancy package, which was at least a real and tan-
gible benefit that the unions could secure for their
members.

Yet this is only a partially satisfactory answer.
Even given that unions need to learn the art of com-
promise, if they are to achieve agreements, there are
some issues over which compromises are less willingly
conceded, as we saw in the discussion of perceived
"rights" in chapter three. Put differently, a compro-
mise may amount to a concession of principle, and the
action of the cotton unions in agreeing on the severance

terms in the circumstances described, was ineluctably a concession on the principle of a "right to a job". Of course, the jobs of workers were in any event insecure, the industry was in a weak state, and "rights to jobs" must have been seen as fairly tenuous in any event. Nonetheless, the issue had been raised of pressure being put on the government to introduce measures to generate jobs in the areas concerned with closures. It is fairly clear therefore, that even if the government might have proved unsympathetic, there were possible avenues of discussion that were not fully explored, before the severance package was agreed. Once this agreement had been produced, there was no particular obstacle in the path of employers taking up the possibilities offered under the Cotton Act to reduce the capacity of the industry, i.e. declare redundancies on a fairly wide scale.

In order to understand the process that occurred, we might consider for one moment what the reaction of the unions might have been if they had been offered job creation measures, but no compensation arrangements. Would such an arrangement have been equally acceptable? Doubtless much would have depended upon the number of jobs being made available, and other factors would perhaps appear material, e.g. proximity of the new jobs to where workers lived, their suitability etc. However, it would seem unlikely that in 1959 unions would have dropped demands for compensation for loss of employment at all easily, even given that positive responses had

been offered on the above points. There are various practical reasons that could be advanced to justify this position. Not all the jobs would have been suitable; possibly insufficient/would have been made available to provide every redundant worker with another job, etc, and these perhaps go some way towards explaining the relative emphasis that was *in fact* placed on the two possibilities of compensation and job creation. However, it does seem likely that given the scenario that has been created, the unions would nonetheless have pressed somewhat harder for compensation, than they did *in the event* press for job creation measures.

Evidence for this analysis is to some extent dependent on parallel events in other industries. The gas industry agreement as long before as 1930 had dealt with compensation arrangements, but no measures for alternative work were dealt with. The disputes in the British Motor Corporation in 1956 (which we will touch on more fully in due course) were aimed at a number of grievances, including the lack of compensation arrangements, but the issue of job creation was not one of them. Moreover, if one considers the "Plan for Cotton" and its various recommendations, it is clear that whilst it would have provided a means of securing jobs in the industry - to a certain extent - no measures are put forward by the plan for job creation outside the industry. The expectations of unions it would seem, did not embrace the active creation of alternative work, as a measure to follow redundancy.

But if one seeks a deeper explanation for this pattern of events, it is necessary to revert to the theoretical framework considered in the previous chapter. To some extent anticipating the analysis that will be made more completely in the conclusion to the present chapter, one might express it as follows... In a number of precedent situations prior to 1959, reorganisation of industries that had resulted in job losses had been accompanied by payments of compensation to the workers concerned. It is quite clear that this was now an expectation of some, perhaps most, union leaders, but it was also an expectation that was substantially acknowledged by the State, and had been conceded in the above mentioned precedent events. To this extent it would seem that the idea of compensating workers when they lost their jobs, had been recognised as "the right thing to do", and in short had achieved the status of a perceived "right". It had achieved this position by a sequence of events, in which unions had played a part by quoting earlier precedents etc, but the State in particular had also contributed, as mentioned above.

On the other hand, there were other ideas about "rights" and "oughts" that existed in relation to the "right to work". As we have seen, the cotton unions sought to raise the question of State intervention to plan for a more secure basis for jobs in their industry, and the TUC raised questions of alternative work being provided to those declared redundant. These were always more difficult goals to achieve, and there were few

precedent events to condition perceptions. Conse-
quently, there was little practical experience to in-
grain interventions of this kind into the consciousness
of trade unionists, and while job creation and the
protection of an industry were seen as things that
"ought" to happen, they could not be said to have
achieved the status of popular perceptions of "rights"
in the same way as the compensation issue appears to
have done at this stage. And if we receall that "union
cultures" have been advanced as an important aspect of
this theoretical framework, we might at this point touch
upon their influence, so far as can be seen, in this
sequence of events.

Union cultures, I have suggested, can be seen to
operate at local or national levels in trade unions.
Plainly, we have been looking at national activity and
if cultures are at work, they must be examined at this
level. The "right to compensation" would not appear to
have been a universal demand that subsumed all others,
and as we have seen, the TUC opposed the idea of general
legislation to achieve it. Nonetheless it does appear
that it was sufficiently commonplace to have become a
basic expectation; if all efforts at redundancy avoi-
dance failed, compensation would probably be looked for.
In this sense, the "right to compensation" was a basic
element, and whilst there seemed to be differences on
the priority it should be given, and as to how it should
be achieved, there were fewer differences on the ques-
tion of whether it should be applied. Precedent, and

the attitude of the State, had consolidated this. On the other hand, the "right to a job" was less easily impressed on the mentalities of people. Whilst unions could raise this as a demand, it had not become part of the basic element of culture - the "inherent" element, to use Rudé's terminology. For the "right to a job" to assume such status, it had to be part of an actively "derived" element, and much would depend on the effort spent on conveying it as an idea, into the mental make-up of union members. Circumstances (economic, political, social), would also have an important influence on whether such ideas were implanted in the culture of unions.

So, with regard to the "Plan for Cotton", and the ideas it put forward to safeguard jobs in the cotton industry, it is necessary to note that though the plan clearly raised questions of party politics (as evidenced by the TUC's view that only a Labour Government was capable of supporting it), the textile unions did not appear anxious to adopt a high political profile in support of their proposals. "Lest it be thought otherwise", ran a sentence in the journal of the Operative Spinners and Twiners in 1953...

> "... it should be noted that from a trade union point of view there is no political axe to grind." (76).

Quite so, and without such a "political axe" it was barely likely that the ideas of the "Plan for Cotton" could be expected to be taken seriously some five years later when a Conservative Government was devising

its own proposals to deal with the ailing industry.
Neither was it realistic to expect the cotton unions to
fight (in whatever way they could) for jobs, at the cost
of agreements on compensation. The idea of a "right to
a job" was doubtless a concept that would have appealed
to many of the cotton workers facing redundancy, but on
the evidence available, it was not perceived as a
"right" in the sense of an ethical imperative, at least
by the union leaders at the time. Moreover, the econo-
mic circumstances at the time, including substantially
full employment, were not in any obvious way conducive
towards the idea of a "right to a job" becoming a highly
significant political slogan, though had circumstances
changed rapidly, this may well have been the case.

At this point, we will leave further comment to the
general conclusion of this chapter, and resume our
historical narrative of the events leading to the
Redundancy Payments Act in 1965.

4.6 ATTEMPTS TO LEGISLATE IN THE NINETEEN-SIXTIES

In the years 1962 to 1964 three further Private
Member's Bills were introduced into the House of
Commons, in attempts to produce legislation providing a
right to redundancy compensation. For the first time
the Bills specifically introduced the concept of being
"declared redundant" (77), as opposed to having one's

"employment terminated". (78). Entitlement to compensa-
tion was proposed, to be given to any employee of 12
months or more service with the employer in question,
who was "declared redundant by his employer" or "ceases
to be employed by him as a result of circumstances
beyond the employee's control... ". (79). In no case
was there any attempt in the Bill to define redundancy
as distinct from "circumstances beyond the employee's
control". It is far from clear how, in practice, the
Bills would have been expected to operate, though the
intentions of their sponsors are readily apparent.
Compensation would have been...

> "... (a) one fifty-second part of the employee's
> total earnings during the period of employment;
> or (b) the amount agreed between the employer
> and the employee." (80).

The main sponsor of the 1962 and 1963 Bills was the
then Labour MP for Gloucester, John Diamond (later to
become Lord Diamond, Chief Secretary to the Treasury).
The 1964 Bill was presented by Julius Silverman MP, who
represented a Birmingham constituency. In moving the
1962 Bill, three main arguments were advanced. These
were firstly, that in a world of technological change
redundancies were inevitable if we were to advance our
standard of living. Secondly, that labour relations
were...

> "... bedevilled by anxiety", about redundancies,
> and that this was a cause of strikes. "If we
> could get rid of this anxiety, we should be
> getting rid of something which is a bar to good
> labour relations." (81).

Thirdly, company amalgamations and rationalisations

were...

> "... in the national interest... but the worker
> cannot see - and neither can I - why the nation
> should benefit exclusively at his expense." (82).

The need for legislation to make severance payments

compulsory arose (argued Diamond), because there were...

> "... a number of bad or uninformed employers who
> treat their employees in a disgusting manner."
> (83).

In moving the 1963 Bill, the arguments advanced were

very similar. Diamond explained his purposes as

follows:-

> "We cannot escape the conclusion that for
> a prosperous and free society an element
> of mobility of labour is required, but for
> a just society we require that the worker
> involved should not suffer." (84).

On the question of the need to use a legislative ap-

proach to making these provisions available, Diamond

observed...

> "... it is necessary to deal with this matter
> by legislation because negotiation has been
> shown to be far too slow. I estimate that
> there are now only approximately 15 per cent
> of the country's employees who are provided
> with satisfactory redundancy agreements." (85).

Julius Silverman's introduction to the 1964 Bill was

very much in line with Diamond's earlier arguments. The

following comments tend to broaden somewhat, Diamond's

assertion that the worker should not bear the cost of

the process of change which society deemed necessary:-

> "We must provide for automation, not by throwing
> the worker on the scrap heap, as has frequently
> been done in the United States, but by providing
> a transitional period for adjustment, by providing
> the necessary training and above all by providing
> a new job." (86).

So, providing severance payments was seen as part of

a wider series of obligations which society had towards

workers made unemployed through technological change.

The provision of training and new jobs were tasks of

similar importance. It is interesting to note, too,

Silverman's comment that...

> "... it is not anticipated that we shall have many
> hundreds of thousands continuously unemployed. The
> main object of the Bill is to deal with the era in
> which we live. New industries are being born and
> old ones are dying. Whatever we may think of mer-
> gers which take place, they frequently indicate the
> birth of a new industry and technologies and the
> passing of the old." (87).

Clearly, here was a very different vision from that

which confronts us today, when redundancy in many cases

is very likely to be followed by long term unemployment,

and any eventual job is gained against competition from

other people sharing the same plight.

Undoubtedly these Bills gave publicity to the idea of

legislation for redundancy payments, and promoted dis-

cussion in this area. Moreover, the issue seemed to win

a measure of support from both the Conservative and

Labour Parties in parliament, and it seems fair to say

that the Private Member's Bills were in this sense

contributory to the eventual introduction of government

supported legislation. (88). Indeed, given the quite

definite rebuffs which had greeted earlier attempts to

legislate from the 1930s onwards, it is remarkable how

narrow were the issues separating the two main parties

when the 1965 legislation was actually brought forward

for parliamentary debate. Mr Godber, the Conservative
Labour Spokesman, was able to say...

> "... my main criticism of the Bill, and of the
> Minister's speech, is not against the principle
> of the Bill, and not against its detail, although
> I have some criticism of that. My criticism is
> on the government's order of priorities. We are
> discussing the wrong Bill, brought forward for
> the wrong reasons." (89).

How significant were these three Bills in the 1960s,
in influencing the subsequent Labour Government's deci-
sion to introduce the Bill which became the 1965
Redundancy Payments Act? Doubtless they played some
small part in creating the necessary climate of opinion.
However, there was a more significant factor which had
emerged to form the background to the debate, and this
now needs at this point to be considered.

4.9 THE EMERGING CONCEPT OF A "REDUNDANCY PROBLEM"

The key factor to emerge in the 1950s was the deve-
lopment of a perceived "redundancy problem". This went
together with the view that restrictive practices by
trade unions were a damaging factor of British indust-
rial relations. Trade unions, the argument ran, main-
tained inefficient lines of demarcation, partly through
an "unreasonable" desire to save the jobs of their
members. In other respects they opposed redundancies
when clearly the interests of efficiency dictated that
they should occur. Quite how generalised was the

perceived problem is not clear. For example, the

writers of one major study in 1958 put it thus:-

> "It can be argued that the workers' collective
> organisations, the trade unions, have a major
> responsibility; a responsibility on the one hand
> for accepting the inevitability of some redun-
> dancy (especially where a forward wage policy has
> enforced an economy of increasingly costly man-
> power), and on the other for co-operating in
> handling it so as to minimise hardship. Some
> trade unions maintain that redundancy ought not
> to occur, that no-one should be put out of a job
> until another has been found for him. This
> impractical view is, however, rejected by most
> of the trade union movement." (90).

Nevertheless, the Ministry of Labour was sufficiently

concerned about the perceived problem, that from 1958

onwards it published a series of surveys and pamphlets

(91), encouraging firms to adopt what were described as

"positive employment policies" - that is schemes to

assure workers of "reasonable" treatment in the event of

redundancy, so that "impractical" opposition would be

reduced. (92). The arguments of this series of pamph-

lets were much the same, namely that employers had a

responsibility to make their own provisions in this

sphere. The following extract from the first of these

pamphlets in 1958 is an observation by the then Minister

of Labour and National Service, Iain MacLeod:-

> "Industrial efficiency has always depended as
> much upon human factors as upon mechanical and
> technical resources, and high productivity and
> adaptability demand the active co-operation of
> employees at all levels...
>
> Individuals are naturally concerned about the
> security of their job and income, and change
> is feared as a step into the unknown. There is
> a conflict here, but the answer to it lies in
> encouraging a sense of mutual responsibility;
> responsibility of the employer towards the
> worker and of the worker towards the
> employer." (93).

The document then sets out to provide examples of "forward looking employment policies" - i.e. redundancy severance schemes. Overall, however, employers showed little sign of enthusiasm for these entreaties. Table 4.1 (p.292) is a summary of the main findings of the surveys, and the relatively low coverage is particularly evident. Interestingly, it was a chance comment of MacLeod's which gave rise to perhaps the first academic study of redundancy, conducted by Hilda Kahn, of the mass redundancies in the Midlands motor industry in the mid 1950s, which we will shortly consider in more detail. For the time being it is, however, sufficient to note that they were a source of considerable public comment, and criticisms were made of the company's behaviour in dismissing large numbers of workers with little notice, shortly before the holiday period, and with no redundancy compensation.

Against the background of events such as this, it is possible to understand the source of growing concern in government at what was being increasingly perceived as the "redundancy problem". A series of articles in papers like "The Economist" from 1956 onwards, urged the adoption of policies to help overcome these "problems". The argument advanced was one for greater labour mobility, and a policy designed to remove restrictions placed in the way of employers intending to dismiss

workers when output needed to be reduced. The problem

was, observed "The Economist", that...

> "... the government seems at present to be held
> back by two considerations from a policy of accep-
> ting and proclaiming that speedier dismissals in
> times of disinflation would be in the national
> interest. One is its fear that such a policy seems
> inhuman; the other is uncertainty about how such a
> policy could be advanced." (95).

For the writers of "The Economist", the preferred

solution was to recast the system of unemployment bene-

fit. This, they argued, would...

> "... remove some of the present horror of
> the sack felt by steady and regular workers;
> and more important, it would remove some of
> the sympathy for the potentially redundant
> that causes their workmates to spread out
> production among as many hands as possible."
> (96).

In short, they argued, a "cushion" was needed, so

that...

> "... when expansion goes awry, there might be
> more readiness to take the necessary action -
> which is to kick more people, more quickly,
> although also no doubt with better planning
> on to it."

It is relevant to add that similar views were ad-

vanced from time to time by other economists in the late

1950s and 1960s. There was a need, went one argument,

for a more interventionist role for the State through an

"active manpower policy". The case had two main lines

of reason. The first was that worker resistance to

redundancy hindered technological change, or prevented

managements from adjusting the size of their workforces

to cope with demand fluctuations. Because the resis-

tance of workers was generally anticipated by manage-

ments (so the argument went), there was a general

Table 4.1

SUMMARY OF MAIN FINDINGS OF REDUNDANCY PAY SURVEYS

Year of Survey	1958 (1)	1961 (2)	1963 (3)
1. Total number of "ongoing" schemes.	200	236	371
2. Number making compensation payments.	50	90	192
3. Number of persons employed by companies with redundancy policies (million).		1.1	1.75
4. Closure arrangements: special payments made (i.e. "one-off payments).		66%	90%
5. Closures: employees consulted in advance (per cent employers)		50%	50%

Sources:

(1) Acton Society Trust Survey, "Redundancy: A survey of problems and practices".

(2) Ministry of Labour Survey, "Security and Change".

(3) Ministry of Labour Survey, "Redundancy in Great Britain".

reluctance on their behalf to provoke "unrest" by declaring redundancies. Every means possible would be found to avoid redundancies, including using inefficient practices such as short-time working, and wasteful labour practices would be tolerated for the same reason.

The second prong of the argument was more of a criticism of management policies than a condemnation of workers' attitudes. In the context of a high employment economy there was (it was argued) a tendency for managements to hold on to labour even when there was a fall in demand for the firm's product. The "labour hoarding" manager reasoned that a time might come when, given a sudden increase in consumer demand, he might be faced with difficulty in finding workers with the necessary skills to fulfil his needs. Shanks (97), writing in 1961, suggested a number of remedies to what he perceived as the problem. The first was a government imposed payroll tax, "so that the more workers a factory employs the bigger tax it must pay". The second was a form of earnings related unemployment benefit. Following a theme adopted by "The Economist", Shanks proposed that unemployment benefit might be raised to a high proportion of the worker's wage soon after he loses his job, but on a descending scale, "so that in the first month or so the unemployed worker has quite a good income to cushion him while he looks for a new job. But since he knows that the longer he remains out of work the lower his compensation will get, he has every incentive to find something quickly".

Thirdly, argued Shanks, there was the problem of union opposition to redundancy, which if unaltered, would make it imperative that legislation should be introduced "to lessen the workers' fear of redundancy and the insecurity to which it gives rise". Shanks proposed that the legislation should provide for a minimum period of four weeks' notice before dismissal on grounds of a general redundancy, a requirement that management should discuss the redundancies with union officials, and the establishment of minimum levels of compensation. Shanks, it should be noted, did not envisage the State having a role in actually *meeting* the severance payments to redundant workers. Instead, its role was merely to lay down the minimum standards which companies would have to implement.

Goodman, a newspaper labour correspondent, argued in 1962 for earnings related unemployment benefit, a statutory obligation on companies to consult their workers before declaring redundancies, statutory notice rights and levels of severance pay. He raised the possibility of a redundancy fund, and envisaged the establishment of an appeals machinery against unjustified dismissals. The main thrust of Goodman's argument, however, was that measures to lessen the hardship caused when workers were declared redundant need to go far beyond devising schemes for giving severance payments. Essential aspects of the approach he advocated was the finding of other suitable work for the redundant worker, and reducing to a minimum the period when the worker's income

declined. Besides legislation to lessen the adverse
impact of redundancy when it did in fact occur, Goodman
argued for a range of measures to promote industrial
training, regulate the distribution of industry, ensure
the availability of adequate housing to facilitate job
mobility, and amend apprenticeship regulations for entry
to certain trades. According to Goodman then, it was in
the context of a much more interventionist role for the
State in steering the development of industry, and
pushing an active manpower policy, that legislation to
lay down minimum standards of treatment for redundant
workers was seen to play an integral part in the
execution of planned objectives.

It is interesting, and doubtless of significance to
both the initial introduction of redundancy payments
legislation, and the fact that it has remained in force
for twenty-five years of Conservative and Labour admini-
strations, that the arguments developing in support of
legislation came from substantially different political
directions. "The Economist" newspaper and the views of
Shanks no doubt found sympathy in the ranks of the
Conservative Party. Goodman was more identified with
the Labour Party. (His pamphlet was published by the
Fabian Society.) There was, it seems, a developing
consensus that some form of legislation was going to be
necessary to advance the interests of industry, to
permit greater efficiency, technological change, and to
minimise suspicion and hostility to such measures.
Quite what form it would eventually take was undecided,

but ideas seemed to favour the introduction of earnings related unemployment benefit, some form of minimum redundancy payments, and possibly the establishment of rights to notice periods and consultation. According to one view, this was to be a small part of a much wider role for the State in administering an "active manpower policy". This was not all, however, and further notions ranged from introducing in addition, some form of pay-roll tax to encourage employers to "shed labour", to taking a series of measures to provide, for example, retraining and relocation opportunities. The common denominator in these differing prescriptions, however, was becoming the introduction of legislation to deal with the "redundancy problem". It would be an exaggera-tion to suggest that there were no thoughts of a social welfare variety behind these proposals, but it should certainly be noted that the arguments and reasons were predominantly economic.

Perhaps the event which can most accurately be desc-ribed as the conception of the legislative process, was the publication in 1963 of a report by the National Economic Development Council, "The Conditions Favourable to Faster Economic Growth". (98). The report sought to identify the courses of action which needed to be taken in order to achieve the objectives which its title suggests. Among other factors identified, it focused on the fact that rapid industrial and technological change would "require movements of work people from declining industries to expanding industries and from less

productive firms to more productive firms". (99). The report outlined an elaborate bundle of measures which would, taken as a whole, contribute to facilitating this "movement of workpeople". Among the priorities for action were the provision of jobs for displaced workers, improved arrangements for allocating housing to promote geographical mobility, action to allow pension benefits to be transferred when moving from one job to another, the introduction of earnings related unemployment benefit, and the establishment of a National Redundancy Fund so that redundant employees would be guaranteed a legal right to a severance payment. The economic basis for the decision to introduce a Redundancy Payments Act is underlined by subsequent developments. On 24 October 1964, the government issued a white paper, "The Economic Situation". (100). Reviewing the state of the British economy, the statement concluded...

> "... the measures set out below are aimed, first, to deal with the immediate and prospective (balance of payments) deficit for 1964-65 and, second, to begin the task of dealing with the more intransigent economic problem. The plain fact is that British Industry needs to become much more competitive and aggressive." (101).

The statement goes on to list a series of measures which included plans for import controls, assistance to exporters, and measures to enhance productivity and control prices and incomes. It also stated that, "An active policy will be carried out to make it easier for workers to change their jobs in accordance with the needs of technological progress. This will include a system of severance payments, an improved system of transfer grants and other measures." (102).

Moving the second reading of the Redundancy Payments
Bill in April 1965, the Minister of Labour, Ray Gunter,
said:-

> "We see this Bill as an important step in the
> government's general programme to push forward
> the modernisation of British industry as fast
> as possible, and to enlist the co-operation of
> workers as well as management in this process.
>
> The scheme embodied in the Bill has to be looked
> at alongside the other measures that the govern-
> ment have taken and are planning to take. It
> fits in with the machinery that we are establi-
> shing to ensure the planned use of our resources,
> especially our resources of manpower, which will
> be fully stretched in the coming years. It is an
> important complement to our efforts to develop
> the science based industries and to deploy our
> manpower and other resources where they can make
> the most effective contribution to the economy."
> (103).

This then, was how the legislation eventually came to
be enacted. The story, however, seems to have become
one in which the central actors suddenly emerged as
economists and politicians. What part did the trade
unions play from 1959 onwards until the final Labour
supported measure in 1965? The conflicts and contradic-
tions within the movement on this issue now need to be
considered. We will first consider the 1956 Midlands
motor industry disputes in more detail, before turning
to the wider policy questions considered at various
levels of the movement nationally during this period.

4.10 THE MIDLANDS MOTOR INDUSTRY DISPUTES

Salmon has described the historical background to the
1956 strikes in the Midlands motor industry. (104). He
locates the developments which occurred in the context

of a role that the unions successfully developed in Coventry during the Second World War. Because of restrictions imposed on them by the Ministry of Labour, employers were compelled to submit redundancy lists to the scrutiny of shop stewards. Questions of victimisation often delayed the implementation of redundancies, and unions were able to force employers to accept their preferred criteria for selecting the redundant. (Non-trade union members, for example, were often the first to go.) The prevention of redundancy as such was, however, not seemingly an objective that the shop stewards attempted to achieve.

Salmon argues that the failure of full-time officials to challenge the exercise of arbitrary power by managements, when faced with redundancy in the changed circumstances of the post-war era, served as a catalyst to the growth of shop stewards' combine committees, and he suggests that these latter organisations posed dilemmas for trade union leaders, given that the purpose of the committees was to defend the "right to work". (105).

At any rate, we do not have to rely on Salmon to know that the stimulus to this concern came from two directions; firstly, the politically left leadership of the committees (associated with the Communist Party of Great Britain); secondly, concerns about the growing threat of automation. (106). This led to the "Big Six" Motor Industry Combine's decision to fight redundancy and demand the "right to work". (107). Finch, the union

convenor at the Norton Motors factory, has described the
leading role of the committee in this respect...

> "... a resolution was unanimously agreed that we
> would not allow automation to drive workers out
> of work, and that we would oppose all sackings,
> and that we would fight for the forty-hour week
> without loss of pay to be progressively shortened
> to prevent mass sackings due to new techniques,
> and that where automation did replace people they
> should be retained and retrained by the company
> on full wages." (108).

At the Standard Motor Company, the "no redundancy"
policy of the Big Six Combine Committee became the
formal demand of a highly politicised rank and file
leadership. (Salmon mentions the level of CPGB involve-
ment, through readership of the "Daily Worker", and
membership of the party.) Nonetheless, despite this,
the dispute was eventually settled on the intervention
of full-time officials by agreement on procedures for
dealing with future redundancies, and for compensating
the workers concerned. A similar situation occurred at
the Norton Motor Company, where again the "Big Six"
combine demands were taken up by a politically aware
rank and file.

In the British Motor Corporation, the facts were that
on Wednesday, 27 June 1956, the company announced that
as from Friday, 29 June, they would be dismissing as
redundant some twelve and a half per cent of their
employees in various factories. This was a total of
6000 employees to be dismissed at negligible notice. As
Kahn observes...

> "... so large a number to be dismissed, by one
> combine at one fell swoop and with such negli-
> gible prior warning, was unprecedented as far
> as post-war Britain was concerned, and it came
> as a rude shock to the nation." (109).

Significantly, the redundancies were not brought about by a process of automation, but by a downturn in the industry. Press and other criticism of the company focused not on the idea of a "right to work", but on the manner in which the company had dealt with the issue, but there seems little doubt that the "Big Six/Big Five" policy was a factor in the opposition by workers to the sackings.

Both sides of the House of Commons were critical of the timing of the decision (immediately before the holiday period), and the lack of notice. MacLeod described the length of notice as "profoundly disturbing" (110), and George Brown for the Opposition contended that BMC had...

> "... arrogantly decided to pay no heed to the
> Minister's request for adequate consultations
> in problems like this to enable readjustment
> to be made without undue trouble." (111).

The effect of the dispute was to demonstrate to politicians and others the inadequacy of the voluntary approach to dealing with "the redundancy problem" - i.e. not redundancy, but opposition to it by employees. At least three motions were carried in the House of Commons deploring the action of BMC in giving only one week's pay in lieu of notice, and calling on the corporation to take action to mitigate individual hardship. (112). Strike action took place at several of the plants affected, and other companies involved in handling BMC products became drawn into the dispute. (113). The Transport and General Workers Union placed an embargo on the handling of BMC goods in the docks and elsewhere,

and the NUR similarly imposed a ban on all goods going

to or from BMC factories. (114). Eventually, the

Minister of Labour intervened, and the dispute was

settled with agreement being reached on additional

compensation, which was paid to those with three or more

years' service.

Salmon's verdict on the BMC strike (and that at

Norton and Standard), is that it...

> "... completely redefined British industrial
> relations... (This involved) the acceptance of
> expendable employment in exchange for workplace
> recognition and a joint say in the process of
> job loss." (115).

His conclusion is that the settlement agreements

effectively...

> "... usurped the workplace organisation." (116).

However, to talk of a "redefinition" of the concept of

the "right to work", is to suggest that the notion was

already well established as an idea that moved unions to

activity. The events considered so far in this chapter

though, suggest that outright opposition to mass redun-

dancies was a comparative rarity, and that it was less a

matter of unions redefining the "right to work" as a

concept, and more a matter of long established ideas of

"the right thing" and "rights" exerting themselves over

and above the politically sharpened concept of a "right

not to be made redundant".

In contrast to the ideas of the "Big Five" and "Big

Six" Combine Committees of shop stewards, it is interes-

ting to consider the general approach to automation by

the national union leaderships and the TUC in this

period. From the early 1950s onwards the line advocated

by the General Council was supportive of the general

principle of automation in the interests of enhanced

productivity. Redundancy was recognised as an "inevi-

table" consequence, which had to be balanced against

this interest, and the role of unions had to be to seek

various measures to lessen the impact of industrial

changes. (118). In 1951, observing that:-

> "The introduction of new techniques and labour
> saving machinery in order to increase producti-
> vity, should not be opposed just in anticipation
> of redundancy",

the General Council took note of the fact that various

schemes had been negotiated to provide compensation to

those who lost their jobs. The TUC affected a position

of neutrality in relation to such schemes, proclaiming

that it was...

> "... the responsibility of individual unions rather
> than the TUC to deal with these problems... "
> (118),

but it is clear that the preferred approach was to deal

with automation job losses in accordance with the agree-

ments in question.

In 1955, the TUC Scientific Advisory Committee pre-

pared a report which was endorsed by the General

Council. This covered the development of automation in

the post-war years, and considered the implications for

trade unions. (119). The report, commenting on the

displacement of workers that would "inevitably follow"

the introduction of automation, took the relatively

relaxed view that there had been no serious redundancy

problems arising from the technological change in the

post-war era. The major task of unions was to ensure
that automation was introduced within a framework of
collective bargaining.

Looking at the TUC Congress debates on this report,
it is fairly clear that the fear of unemployment was
regarded as a peripheral problem. An optimistic, even
somewhat complacent attitude was adopted by some spea-
kers; the dial telephone and automatic telephone ex-
changes, for example, far from creating redundancies
had...

> "... spread the use of the telephone far and wide
> at a much quicker rate than would have been so
> with manual operation. There are more telephone
> operators in employment today than there were at
> the time of introduction of the automatic
> exchange." (120).

The idea of active opposition to job losses was
almost entirely absent from the debate. The sole excep-
tion to this generalisation was from a speaker on behalf
of the AEU, who quoted from "the secretary of the shop
stewards of the motor industry of this country", and
offered the view that...

> "... we welcome automation as long as it gives
> workers at least our fair share of the profits.
> We want a shorter working week, no reduction of
> wages, better working conditions and longer holi-
> days. However, we consider that the most impor-
> tant item is no redundancy at any price." (122).

Other than the fact that this was an obvious refe-
rence to the policy adopted by the "Big Five"/"Big Six"
combine, it does little to presage the active opposition
that was to come dramatically to the surface during
1956.

At the 1956 Congress, there was renewed interest in the issues of technical innovation. A further statement was put forward by the General Council, and a total of eight motions on the subject appeared on the agenda. The views of the TUC leadership had not altered materially. Whilst the problems of labour displacement and redundancy were recognised, their severity was not held to be so threatening as to provide grounds for workers to fear the prospect of automation. (123). The problems could be solved, and the advantages of technical change explored through the normal channels of negotiation. If redundancy occurred...

> "... the provision of suitable alternative work should not prove difficult within the framework of a full employment economy."

And for the redundant workers there were...

> "... ways and means of helping to cope with it."
> (124).

These optimistic assessments overrode any possibility that the introduction of automatic techniques might mark a return to the pre-war era of high unemployment. According to this view, the problems of automation did not warrant any particular alarm, nor did they call for any new tactics or strategies to oppose the loss of jobs. The well tried methods of consultation and negotiation were thought to be sufficient to protect the interests of members, and there was a certain pride expressed in the fact that unions were not obstructing automation, and on the contrary were...

> "... helping it on and, at the same time, meeting successfully the challenge of change in the place of work." (125).

One delegate even expressed the view that unions should...

> "... welcome redundancy through the introduction
> of automation... ",

and measure its success (i.e. of automation) by the extent to which...

> "... labour can be released and directed into less
> attractive jobs... ". (126).

The most remarkable aspect of this debate was the marked distance between the comments of delegates, and the ideas of the "Big Five/Big Six" motor shop stewards, which had been so important in the disputes against redundancies earlier that year. Haxell, of the ETU (whose union's policy identified with the policies of the "Big Six" in a formal sense), made no attempt to spell out a strategy of opposition to job loss. Stanley, from the Constructional Engineering Union, mentioned the Norton Motors dispute but suggested that it was essentially about the employers' "lack of con- cern", and failure to consult the workers, rather than with any principled stand over the issue of a "right to work". (127). A delegate from the AEU made a similar point but eventually went further, and queried whether rights to consulation and severance pay were arrange- ments that should be regarded as sufficient by the unions in the aftermath of the BMC dispute:-

> "All the employers have to do is to tell the
> workers what they are going to do, and discuss
> it; they try to reduce to the utmost the number
> affected; they give them a week's pay, and that
> is it. Is that a situation we are going to
> accept?" (128).

Whatever solutions to this state of affairs the delegate had in mind, however, he did not refer to the possibility of active resistance at the workplace. Nor was there any reference to workers being "retained and retrained", or to ideas such as a "right to work". Rather, the solution was expressed in terms of public ownership of the economy, and hoped-for benefits of expanding product markets.

It follows from this discussion, and the events described in other sections of this chapter, that it would not seem appropriate to refer to a "redefinition" of the concept of the "right to work", as Salmon does, implying some shift away from what might have become (or had even already been established) the predominant understanding of "rights" and legitimate expectations of workers. Rather, it would seem that ideas of employees "rights" in redundancy, if not uniformly or universally established, were already such that they had considerable hold on opinion. At least, among TUC leaders and delegates it would seem, the idea of a "right not to be made redundant" in situations where workers faced job displacement due to automation, had not found much favour. But then, this would seem to have a more readily achievable counterpart, in ideas of "rights" to compensation, and consultation on behalf of redundant workers. Whether, and to what extent these ideas of "rights" can be seen in the positions adopted by unions in relation to redundancy legislation, is a matter that

we can at this point examine further, with particular

reference to the period from the early 1950s onwards.

4.11 DIVISIONS IN TRADE UNION POLICIES ON REDUNDANCY

FROM THE 1950s TO 1965

Opinion within the union movement remained divided on

both the question of legislation, and the issue of

severance payments for redundancy. On the whole, unions

favoured the pursuit of severance payments in situations

of redundancy, using collective bargaining. In the

Transport and General Workers' Union, the BMC dispute in

July 1956 served to underline the negotiating objectives

of officers. In October 1956, a document, "Advice to

officers on redundancy procedure", established that

three objectives should be remembered. These were that

there should be:-

> "1. Prior discussion with trade unions on
>   redundancies.
> 2. Compensation for employees made redundant.
> 3. (Adequate) length of notice to be given to
>   those redundant." (129).

Examples of "good" redundancy agreements were circu-

lated to officers. Several of these covered such issues

as the order of selection, "bumping", length of notice

and so on. Nevertheless, the evidence of the Ministry

of Labour's Survey in 1963 pointed to a conspicuous

failing of the voluntary or collective bargaining ap-

proach to make such agreements generally applicable.

To a degree this is explained, at least in the enginee-
ring industry, by the reluctance of the AEU to conclude
redundancy agreements. This policy was clearly not
always followed, although it would seem that in general
the AEU sought agreements only when redundancies were
announced, and not as contingency provisions before the
event. (For example, an agreement was reached in 1952
between the management of Hoover Washing Machines, and
the AEU, the ETU and the GMWU). (130).

Unions then, were by no means in official agreement
over the concept of redundancy payments being sought at
all, much less on the issue of whether there was a need
for legislation. A debate at the 1962 meeting of the
Confederation of Shipbuilding and Engineering Unions
captures the divisions in the movement at that time. In
the first part of the debate two motions were moved
which characterised the two conflicting union strategies
towards redundancy. The first, moved by the Amlagamated
Engineering Union called for a ban on overtime wherever
redundancy was threatened, and in the event that this
failed to "resolve the redundancy", a shorter working
week of 34 hours should be, if necessary, "insisted"
upon.

Explaining the motion, John Boyd of the AEU referred
to the need for worksharing either by co-operation with
management or where there was no such co-operation, by
"union discipline". Emphasising the need to "inculcate
into the minds of members the lessons of unity upon

which the movement had been built up", Boyd cautioned
against the "fragmentation which resulted from severance
payments". He went on:-

> "Agreements providing for severance pay inculcated
> into the minds of our people the idea that, as
> long as the employer gave severance payments, the
> requirements of unions were met, and therefore the
> people who were given the severance payments were
> out, with the employer having no responsibility.
> Instead of building up fellow feeling and brother-
> hood, there occurred this fragmentation." (131).

The line advocated by the AEU motion was seen by
its owner as being "a guiding light, a militant stand
against the desire of the employing class to do what
they liked with the workers they no longer wanted."
(132).

In contrast to the policy advocated by the AEU, a
second motion from the Amalgamated Society of Painters
and Decorators called for an approach to employers'
associations to secure industry level agreements for
compensation to be paid to redundant workers. (133). In
support of this motion, Mr P.H. Duffy, the mover, said
that the resolution, "faced up to the problems" of
redundancy which was sometimes unavoidable. He argued
that...

> "... in this modern age trade unions had to
> have a realistic approach to life and look at
> redundancy in an understanding manner".

This meant that...

> "... if the displacement of workers were unavoi-
> dable then the cushion should be such that life
> still had an aim and purpose for them." (134).

The trade union leadership (the argument ran) should be
taking the initiative and seeking to bargain the terms
on which redundancy took place.

It is an interesting comment on the divisions within the trade union movement at the time, that neither of the foregoing motions was carried. The AEU motion was pressed to a vote, and was lost; the Painters' and Decorators' motion was remitted to the Executive Council of the CSEU, and it too would probably have been defeated had a vote been taken. It was not then a climate in which a clear national lead was likely to emerge, capable of welding trade union unity. There could be no united campaign of outright opposition to redundancy by refusing to countenance the severance payments' "buy-off" tactic or conversely, a general acceptance of the maximum pressure needed to ensure agreement on an adequate standard of "cushion" for the redundant.

Two further motions at the 1962 CSEU meeting dealt with additional dimensions of trade union policy on redundancy. A motion from the Association of Supervisory Staffs, Executives and Technicians called for acceptance of the principle that legislation should lay down minimum levels of severance payments. This motion was inspired and supported by an ASSET policy document published in 1962, "The Gold Plated Handshake", which argued in unequivocal terms, the case for legislation. (135). Reviewing the increasing likelihood of redundancies, the document proclaims, "we now see it as an ASSET duty to the whole membership to persuade the Labour Party that it should campaign for severance pay or compensation for loss of office of all workers... ". (136). Later, the document elaborates on this by

stating that the legislation should provide for seve-rance pay, "for workers dismissed through redundancy or other causes beyond their control", and that the level of payments should be "one week's salary for every year of service with the undertaking". (137). The proposal gained a stony reception from the CSEU. After a brief debate - only one delegate (other than the mover) spoke, and made two observations against the motion - it was put to the vote and lost. The brevity of the debate, and the terseness of the grounds of opposition seem to indicate that the legislative approach was not only unacceptable to the union movement generally at this time, but that (in the engineering industry at least) it was barely worthy of consideration. It was in this climate of trade union opinion that John Diamond (a member of the ASSET Parliamentary Committee) introduced the first of his "Redundant Workers (Severance Pay)" Bills. His Bill was introduced on 1 May 1962, just one month before the CSEU expressed such a lack of enthusiasm for legislation.

Nevertheless, there was one motion at this same meeting of the CSEU which was carried, and moreover, clearly received the overwhelming support of all unions. It says something of the common, albeit rather narrow area of ground that existed in the movement at this stage. This was a further motion from the AEU calling for an extension of the industry procedure agreement to deal with questions of redundancy. The crucial point

was that the *"status quo"* principle should apply so that

negotiations could take place on all aspects of redun-

dancy proposals, using the procedure for avoidance of

disputes, *before* the redundancies were actually imple-

mented. If the unions were hesitant about the strategy

that should be adopted when redundancies were declared,

and if they were not favourably disposed to the idea

of legislation to impose minimum standards, they were

clearly at one on the principle that collective

bargaining on redundancies was essential.

Attitudes towards legislation on severance payments,

however, were equivocal, if not somewhat in a state of

flux. At the Scottish TUC in 1962, a motion from the

Transport and General Workers Union was accepted, "by a

large majority". This called for a scheme to be intro-

duced by the government, "and made obligatory upon all

employers, whereby the impact of loss of employment or

threatened dismissal will be alleviated both financially

and in terms of future employment". (138). Precisely

what was envisaged by the words in the motion, "and in

terms of future employment", is not clear, except that

the mover was concerned about, "the morale-sapping

effect on adult workers thrown out of employment between

the ages of 45 and 50". (139). It would seem, however,

that the idea that severance payment provisions under-

mine the determination of workers to fight for jobs, was

either being glossed-over or consciously rejected by the

linking together of the two objectives of financial

compensation and the securing of future employment

prospects. In other words, not only did the Scottish TUC accept the principles of the ASSET motion which was rejected at the CSEU conference in the same year, but it also seemed to be accepting the principles of the Painters' and Decorators' motion (which found only uncertain favour at the same CSEU conference), in seeking an established scale of severance payments for use in the event of redundancies.

In a sense, however, both the CSEU and the Scottish TUC are but ripples which indicate the main stream of official trade union policy, promulgated through the TUC. Here, a similar balancing act was taking place, with a distinct note of caution about commitment to policies favouring legislation on severance pay (or other conditions of employment). A motion at the 1962 Congress recognised the opportunities for improvement in standards of health, safety, job security and other "fringe benefits", and called upon the General Council to "initiate an inquiry into existing regulations and provisions for the health and security of industrial and clerical workers with a view to defining by which further progress can be made". (140). Both the motion and the speeches in support of it underlined the dilemma for the trade unions, namely that by focusing on the severance payments issue there would be an implied acceptance of the inevitability of redundancy, perhaps even an acquiescence to it. Frank Cousins, moving the

motion, for example had the following observations to make concerning reactions to an earlier attempt by the T&GWU to debate the issues:-

> "We put forward the idea some short time ago that greater attention should be given to security in jobs, but that inevitably, unless we adopted an outmoded attitude that every man must stay where he was, there would be need for movement of people. This included the requirement of training but also the problem of compensation..... We were astonished... at one of the other unions with whom we were associated in the first approach, publicly saying that the T&GWU were talking of buying unemployment... The fact was, that job movement took place whether we were in cohort with our other unions or not, and as a consequence the joint approach that ought to have been made, in our opinion, for redundancy payments of substance and for security during periods of training did not come about." (141).

It was no doubt a sensitivity to the same argument which had "astonished" Cousins, which injected a note of restraint into the comments of Clive Jenkins of ASSET (still persisting in its campaign for legislation on severance payments). Referring to the inadequate levels of payments being made to redundant workers, he said, "There is a case for dealing with it by law, but I do not seek to argue that point this morning, because what my union is concerned about is to have a good, thorough look at the subject." (142). Even those who were prepared to grasp the nettle of the arguments for legislative action were conscious of a deep-seated reserve in the British trade union movement, which made it unlikely that the case would be accepted at that stage. The case for legislative action on severance payments gained a certain momentum after 1962. Besides the continuing efforts of John Diamond to persuade parliament to

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his point of view, there was the further contributory factor of the "Redundancy in Great Britain" Survey (143), which was published in January 1963. The indifferent performance which it revealed of the long favoured path of voluntarism must have been difficult to ignore.

Representatives of the TUC and the British Employers' Confederation meeting at the National Joint Advisory Council in April 1963, agreed to establish a sub-committee to consider in detail the information contained in the survey. The views of the General Council were as follows. Firstly, the State benefits for all cases of unemployment should be at an adequate level. Increases in sickness and unemployment benefits were called for, and it was proposed that there could be "a wage-related element which would reduce the sharp fall in income which most people experience during periods of unemployment and sickness". (144). Significantly, the General Council...

> "... were not in favour of a 'national redundancy fund' which might help only a proportion of unemployed workers and might result in the government making no increase in either unemployment or sickness benefits." (145).

Secondly, the TUC emphasised the importance of, "a rapid and wide extension of agreements and procedures.." (146). Such agreements should include measures to minimise redundancies, lay down criteria for selecting the redundant and providing them with notice, and should provide severance payments to those dismissed, and unemployment supplements to the temporarily "laid off".

Hence the emphasis of the TUC's programme for action was in providing adequate State benefits to all the unemployed, and establishing sound company-level or industry-level agreements to provide adequately for those affected by redundancy. The idea of a national redundancy fund was considered and quite specifically rejected.

At the April 1963 meeting between the British Employers Confederation (BEC) and the TUC, there was a measure of agreement between the employers and TUC representatives. Firstly, they agreed that it was possible to identify two quite separate objectives of redundancy provisions. These were, (a) to alleviate hardship if redundancy is followed by unemployment, and (b) compensation for long service and loss of a job whether or not it results in unemployment. (147). The first objective, it was agreed, could best be dealt with through National Insurance benefits, including the introduction of an earnings related element. On the question of compensation for long service etc - severance payments - there were signs of consensus emerging that legislation may have a supporting role to the main emphasis of collective bargaining. There was agreement that, "any statutory requirements should provide for lump sum payments according to length of service and other factors (such as age) but the qualifying conditions should be flexible to meet the different circumstances in some industries (e.g. in construction where periods of employment are shorter than average. (148).

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In other words there was a developing view that legisla-
tion may in fact have a function in (it is implied)
conferring on employees a right to severance payments,
and defining the factors which should in general be used
to establish the level of entitlement.

The thinking of the British Employers Confederation,
the TUC and the Minister of Labour, was apparently in
accord at this stage, to the extent of being several
steps away from the ideas embodied in the 1965
Redundancy Payments Act. (A central feature of the 1965
Act was to be the support given by the redundancy fund
to employers making statutory severance payments.) In
the 1963 NJAC Working Party discussions, the employers'
representatives, "thought it inequitable to impose the
whole burden of severance pay on the employers con-
cerned", but it also was accepted that, "a national fund
would be unsuitable". (149). Moreover, there were
ministerial reservations about this idea on grounds of
administrative costs. So what in the event became a
major feature of the 1965 Act was dismissed by the TUC
(because it might prevent increases in unemployment and
sickness benefit), accepted as "unsuitable" by the
employers, and damned as administratively cumbersome by
the Minister. The one concession to possible State aid
to meet severance payments, was with respect to ensuring
that "employers in special difficulties" met their
commitments. The Minister undertook to "examine" this
possibility. (150).

Hence we see that by 1963 the employers (as represented by the BEC) and the majority union opinion (expressed through the TUC) had begun to swing round in favour of some form of statutory regulations of the right to severance payments for redundant employees. Neither side seemed clear about what form this should take, however. The NJAC Working Party seemed to be facing in two directions simultaneously on certain issues, such as accepting the "inequity" of employers being asked to meet the full costs of payments, yet considering the idea of a national fund to be "unsuitable". Clearly, even though the principle of statutory regulation was gaining support, the notion was still vague and ill-defined. The TUC was, moreover, equivocal, in the sense that it continued to emphasise the greater importance which it attached to wage related unemployment benefit, and an improvement in the State Sickness Benefit scheme. The introduction of a scheme of State support for redundancy payments was seen as a potential obstacle to the achievement of these objectives. On the other hand, the TUC was beginning to be won round to the idea of legislation on a wider spread of dismissal related issues. In 1963, the British delegation (nominated by the TUC) to the ILO, supported the conference resolution, which among other things called on member states to legislate for basic rights covering:- consultation before collective dismissals; no dismissals to occur without a "valid reason"; no dismissals for union membership or other "legitimate

activities"; the right of dismissed workers to appeal to a neutral body; reasonable periods of notice; compensation in lieu of such notice, or in addition to it. (151).

Notwithstanding this growth in support for legislation on redundancy, it does not seem that the influence of trade unions was a major factor, other than in the indirect sense of creating the perceived "redundancy problem". The unions created a "problem", which management had seemingly failed to grapple with, and which was causing politicians of both parties to see the need for State intervention. On the matter of direct influence on the policy formulation process, however, the TUC was adopting a cautious, and to a degree reactive, position. Doubtless this arose from the lack of clarity in the TUC's own policy, and the conflicting and contradictory arguments of affiliated unions. On the one hand, unions like ASSET, and others affiliated to the NFPW, had argued in favour of legislation. The Transport and General Workers Union also adopted this position. The TUC line, in contrast, had been to emphasise the primacy of collective bargaining, and while this officially remained its policy position, it was a stance that seemed of diminishing credibility, given that the objective was to provide severance payments for all redundant workers. At the other extreme, there was the AEU which adopted an official stance of opposing the idea of any severance payments at all, preferring to emphasise its craft-based traditional practices of imposing

restrictions on working time, and thereby limiting the
need for redundancy *per sé*. Within this range of views,
there were differing emphases, and often contradictions.
So, the AEU line was not always officially followed by
its shop stewards. Within the Transport and General
Workers Union and others in the motor industry, there
were rank and file shop stewards who adopted a much more
militant attitude than that expressed by official
policy. (As we saw in the last section of this chapter,
they were identified for a period with overt struggles
against redundancy and in pursuit of "the right to
work".) Moreover, even within the NFPW, the view could
be expressed in 1963 that...

> "... redundancy payment is a palliative that
> is itself an admission of failure. The impor-
> tant thing is to create new opportunities for
> employment." (152).

Given the fact that such payments had been the major
policy objective of the Federation for approaching forty
years, this seems a peculiarly late change of policy
emphasis.

4.12 CONCLUSIONS

We should recall now the point at which this chapter
commenced, by referring to the ideas developed in the
earlier part of this thesis. In chapter three we deve-
loped a theory of union cultures, in which moral ideas,
described as perceived "rights", are conveyed into the
minds of workers through unions, and the practice of

trade unionism. At the beginning of the present chapter

it was suggested that we might examine the historical

background to the passing of the Redundancy Payments Act

1965, as a means of assessing the usefulness of this

theoretical outline. It was hoped that the theory might

serve to illuminate our understanding of the part played

by unions in these historical events, and we should at

this point therefore consider whether or not this is in

fact the case.

What evidence is there then of the influence of ideas

of "rights" and moral influences in the above account?

Do we see the practice of trade unionism lending itself

to the expression of "the right thing", which "ought" to

happen? If so, can we identify such ideas as continuing

and durable influences, that might be described as

aspects of trade union cultures? To a large extent, the

facts speak for themselves. One such idea or moral

belief has been the notion of a "right" to a redundancy

payment. Since the 1930s unions have used collective

bargaining to obtain payments for workers displaced from

their jobs. More especially, we have looked at a number

of attempts to secure legislation. The belief that

workers displaced from their jobs by reorganisation

should be financially compensated, appears to have

become a central tenet of the ideas of trade unionism,

and the stance it encouraged workers to adopt on the

issue of unemployment and redundancy. These ideas had

to come from somewhere. They may have stemmed from

simple, everyday feelings of moral correctness, and

common-sense conceptualisations of justice. The State's earliest formulations certainly appear to have played an important role. But the methods and approaches of trade unionism, of seeking to apply the favourable precendents established for one group of workers, to the similar circumstances of another, and using both collective bargaining and the possibility of parliamentary action, have played a major part in establishing and conveying this belief, for in excess of half a century.

Yet, if the idea of compensation as a "right" came to acquire currency, were there not alternative beliefs that could have been equally influential? And if so, why is it that the concept of a"right" to compensation eventually appears to have had such a profound influence? To pose the question is to make the direct implication that very little is absolutely inevitable. Alternative ideas of the "right thing" and what is morally correct *could* have been developed, as one may readily see by considering parallel developments in other countries. (153). For example, one review of comparative legislation concluded that...

> "... apart from the United Kingdom and Ireland,
> lump sum severance payments are generally not
> based on any narrow criteria such as
> 'redundancy'." (154).

So, whilst the State appears to have contributed substantially to the expectation of financial compensation for displaced workers, arising out of its industrial reorganising activities, other means of dealing with the problem *could* have been pursued, and other moral expectations *might* have been fostered to gain

greater currency. If, for example, in the earliest

examples of legislation, the State had set the precedent

of guaranteeing other work, and dealt with the possibi-

lity of unemployment by demonstrating greater concern

that employees should not be left without work, it would

seem likely that such ideas could have gathered momentum

in a wider field.

As we have seen, unions, notably the AEU, were in-

fluenced by equally powerful moral ideas, such as the

notion of workers having "rights" not to be dismissed,

"at the whim of the employer", and union members were

seen to have moral obligations to attempt to prevent

such arbitrary treatment, by regulating overtime, and

applying other forms of collective control. Had the

State shown by its example that such values were capable

of practical implementation, no doubt this would have

consolidated such expectations. As it was, the demand

for a legal right to compensation came mainly from the

white collar unions under the banner of the NFPW, parti-

cularly in the early 1930s and beyond, which can be seen

as reflecting the fact that it was largely white collar

workers who had benefited from the earliest examples of

legislation. On the other hand, the 1930 TUC, concerned

at the impact of disarmament on the employment situa-

tion, took up the question of job creation initiatives,

emphasising the "last resource" nature of compensation

arrangements, and the preferability of efforts "to

secure alternative work". Plainly, it would have re-

quired a very different approach to the political

management of the economy for such measures to have been actively sponsored by the State on any scale, though one notes that the 1930 minority Labour Government showed interest in such work-creating approaches in preference to compensation. However, in the absence of such measures being generally adopted, unions were forced to come to terms with a very different reality of the labour market, in which they could either attempt to spread the available work around by imposing controls such as job demarcation, and overtime restriction, or alternatively by following the precedent examples set, and seeking compensation for displaced workers.

Unions then, in some cases negotiated redundancy compensation agreements, and in the case of white collar unions (whose bargaining power was weaker) the question of legislation was pursued. The perception of a "right" to redundancy compensation it seems, gained ground among trade union members, including national leadership groups. Compensation became regarded as "the right thing", not in preference to some other alternative, but quite simply because in its absence there was nothing at all. Within the limits of a market economy, it emerged not simply as a moral "right", but as the most practical alternative to total acquiescence. Moreover, in the 1950s and 1960s, the notion of a "right" to redundancy compensation gained considerable momentum through the concerns of economists and government ministers, which were repeatedly emphasised, to the effect that it was both the "right thing" and the most sensible way of

heading off employee opposition. And whilst such opposition (feared or actual) may have been only one of several factors contributing to problems of skill shortage, labour mobility etc, the "redundancy problem" was seen to have significant implications for our national productivity, and legislation to deal with it eventually came to be acceptable to government.

Here, however, we might raise further questions. If, as it would seem, there were *alternative* beliefs in "rights", what might have been their source of inspiration? How prevalent were they, and how were they expressed? The AEU and other unions in the engineering industry were, as we have seen, influenced by the idea that they had a "right" not to be dismissed "at the whim of the employer". To the extent that the TUC resisted suggestions that it should support demands for legislation on compensation, this belief was shared by other unions. However, as we have seen, the TUC and the CSEU in the early 1960s were split on the issue, though the one concept that received relatively unqualified support, was the belief that the process of redundancy should be handled through collective bargaining. The TUC, as we have seen, was led on a number of occasions to adopt a somewhat ambivalent position, for example in advising unions to attempt to avoid redundancies by imposing overtime restrictions and other unilateral controls, whislt at the same time appearing to favour the conclusion of agreements that provided compensation as the price of union co-operation with redundancy. As

for the source of inspiration of such ideas, it is clear that they were not explicitly sponsored by precedents set by the State. The idea of a "right to work", it was suggested in the last chapter, has a long association with trade unions and socialist thought, though it finds a variety of expression in many forms. On the evidence of this chapter, it has continued to form a current of thought in the ideas and beliefs that constitute the intellectual basis of trade unionism.

If we then ask whether these moral beliefs have emerged as mere sporadic flashes, varying from one period to the next, or whether there has been a degree of regularity, and permanence, the answer would lean markedly towards the latter formulation. Beliefs in "rights" it would seem, have emerged with considerable consistency over a protracted period of time. To this extent, it would seem that we are justified in ascribing them to aspects of "culture". And if on one hand, we see that there has been a culture that has emphasised the primacy of compensation, we should recognise that there has also been a culture in which the "right to a job" or the "right to work" has persisted.

This leads us to consider in somewhat closer detail, the perspectives already adopted on two episodes described in this chapter. The first is the sequence of events in the 1950s which surrounded the contraction of the cotton industry, and the eventual passing of the Cotton Industry Act 1959. It will be recalled that despite advancing comprehensive proposals for the State

to take a strategic role in restructuring and protecting
the cotton industry in 1957, in 1959 the cotton unions
were obliged to come to terms with a more limited ap-
proach by the then Conservative Government, based on
contraction of the industry, for which State support
would be conditional upon agreement with the unions on
compensation terms. The TUC and union objectives of
securing jobs in the industry, and alternatively pres-
sing the government to directly initiate schemes to
provide alternative work, were put to one side in the
process of agreeing the said severance terms. The first
and most obvious reason for this was the difficulty
which would have been encountered in adopting any other
approach. Securing a "right to a job" in any real or
practical sense must have seemed an insuperable dif-
ficulty, when faced with a Conservative administration
that already clearly indicated its approach by impli-
citly rejecting the unions' "Plan for Cotton", and
adopting instead the provisions of the Cotton Industry
Act. Yet, as we observed, the idea of a "right to a
job" being provided through State intervention, was
advanced by both the TUC and the cotton unions at
various stages prior to the enactment of the legisla-
tion. Intrinsically, such a demand had wider political
implications, and could not easily be accommodated
within the normal operation of a market economy, a point
that was recognised by the TUC's analysis that the "Plan
for Cotton" was only likely to be achievable under a
Labour Government. In the absence of experience and

precedent events to ingrain the "right to a job" into the consciousness of people, it would appear that it was not well established as a cultural influence. Moreover, the lack of any overtly political campaigning lead by the cotton unions or the TUC, on the issue of a "right to a job", meant that it was incapable of acquiring any real moral force as an additional aspect of culture. In this connection, we might recall the framework provided by George Rudé, in which the *derived* element of ideology and the *circumstances* that pertain, are said to be crucial aspects that determine the likelihood of popular protest. Suffice it to add that with culture lacking such a "derived" political element, and without any particular aspect of immediate circumstances working towards opposition of mass redundancy, the cotton unions and members accepted the planned contraction of the industry and the job losses entailed, without pressing further for the "right to a job" to be implemented. Compensation, it has been noted, was provided under stipulations in the legislation. Had this not been the case, and had workers protested in consequence, it seems highly probable that demands would have been couched, and conflicts eventually settled on the basis of the said compensation, rather than the industrial support and job saving or job creation measures which the TUC and the unions had suggested in earlier statements.

In contrast to the above example, we have also considered the episode of the Midlands motor industry disputes in 1956. In this case, as we saw, workers were

led by the motor industry shop stewards' combine to protest at the dismissal of employees, and to demand that when automation displaced workers from their jobs, they should be "retained and retrained". The fact that the concept of a "right to work" was pressed for in this case needs to be examined. Like the "right to a job", this was a demand which was hard to reconcile with the mechanisms of a market economy. In this sense, it might be seen as intrinsically incapable of being accommodated within the normal mechanisms of collective bargaining, and if achievable at all, then only through political action. However, unlike the cotton industry example, in this case an element of political leadership had been given, through the much more overtly, politically in-spired stance of the motor industry "Big Five"/"Big Six" Combine Committee. On the evidence of the events sum-marised here, it would seem that for a period of time in 1956, the influence of these ideas in a number of motor vehicle companies in the Midlands, was effective in causing workers to press and protest for a "right to work". In this case, it would seem that the "derived" political ideas were present, and that the culture of the "Big Five"/"Big Six" was instrumental in raising awareness of the "right to work", as a moral demand and expectation of workers. Nonetheless, it was subsumed eventually beneath the more accommodative, and achie-vable goal of compensation, and procedural rights. However, one is led to doubt any suggestion (as made by Salmon) that this represented a "transformation" in

the meaning and nature of struggles in relation to
redundancy. Rather, it would seem, the existing domi-
nance of the expectation of compensation - the "right"
to a redundancy payment - was continuing to exert it-
self. And by way of illustration of this point, we
considered the prevalent attitudes towards automation,
as reflected in the debates of the TUC in 1955 and 1956.
Taking together the episodes of the cotton industry in
1954, the motor industry disputes of 1956 and the other
examples in this chapter of union efforts to deal with
redundancy by obtaining compensation, or other means,
one is forced to conclude that the "right to work"
culture, if so it may be called, has been a relatively
weak phenomenon in British trade unionism. But this
does not mean that we can dismiss it altogether. As we
have seen in this chapter, the AEU in particular, empha-
sised the notion of the "right to work" in the policies
it has pursued, over a considerable period of time.
Moreover, even the NFPW could stress (as it did in 1963)
that the creation of new employment opportunities is
more important than compensation. It would seem, there-
fore, that the idea of a "right to work" remains as a
cultural influence in unions, and unionism. Its moral
connotations and political implications far outweigh the
idea of a "right to compensation", and the practical
obstacles to implementing or obtaining the said "right"
would seem to be enormous. For these reasons, rather
than despite them, we must expect the "right to work
culture" to continue as a relatively weaker influence

on unions and unionism. But then, when it does erupt

(as it did in 1956, and did again in the early 1970s

with the UCS work-in and other factory occupations) it

might be expected to do so with correspondingly greater

impact, as though the periods of repression might add

something to the energy and determination with which it

is projected.

Where then does this leave us so far as the predomi-

nant cultural influence on trade unionism is concerned?

Our account of the historical background to the

Redundancy Payments Act, suggests that reality is consi-

derably more banal than some of the legendary versions

that have been offered. Descriptions of trade union

behaviour prior to the Redundancy Payments Act suggest

somewhat conflicting images. The first is that unions,

prior to the Act, opposed redundancy at every turn,

fought for the "right to work", and spurned the idea of

payments. Fryer, for example, asserts that...

> "... the regulatory effect of the Redundancy
> Payments Act, has been to take redundancy out
> of both conflict and an area of collective
> control by workers" (155);

and he goes on to give the instances of the UCS "work-

in", and other factory occupations as examples of acti-

vity, counter to both "the spirit and provisions" of the

Redundancy Payments Act, as though somehow the Act had

suppressed this type of activity. So whilst, of

course, legendary accounts might be expected to contain

elements of reality, it is safest to disregard this

particular version as based on fancy rather than fact.

On the whole it would seem, where opposition occurred,
it took the form of relatively low key resistance, as
already noted, in overtime bans, and other attempts to
"spread out" the available work. On the evidence of
this study, such examples as those quoted by Fryer were
even rarer before the 1965 Redudnacy Payments Act, than
they seem to have been after it. Also, he appears to
overlook the fact that prior to the Act, much union
activity was directed towards the achievement of pre-
cisely those objectives which the legislation eventually
provided as a statutory measure. This order of prio-
rities has been long established, and even in the 1930s
Hunger Marches, it is significant that the TUC and
official union leaderships maintained a distance, whilst
shop stewards and rank and file activists in Trades
Councils provided the input from the trade union
movement. (156).

A second, somewhat legendary image of union activity
prior to the 1965 Act, is that unions campaigned for the
introduction of the Act as a means of securing the
rights of employees to redundancy payments. Again, this
is a mixture of truth and fiction, though it contains
somewhat more of the former than does our earlier legen-
dary formulation. Over the years, however, it would
seem that the memories of trade unionists and academic
observers alike have tended to blur the subtleties of
the differing positions that unions adopted. For

example, Mortimer, in a review of a book by Hyman, refers to his (Hyman's) assertion that the Redundancy Payments Act...

> "... has represented an important example of government intervention, undermining the basis of collective resistance to the elimination of jobs." (157).

Mortimer deals with this contention not by pointing (as he might have done) to the excessive simplicity of the statement, and its lack of evidential support. Rather, he asks:-

> "Is he not aware that for many years before the passing of the Redundancy Payments Act the unions *(sic)* pressed for compensation for loss of jobs?" (158).

The truth is, of course, that "the unions" did , and "the unions" didn't. "The unions" pressed for compensation in collective bargaining, and secured agreements, as we have seen, from 1930 onwards, and they sought legislation from this time onwards, too. But they were equally capable of opposing the idea of legislation, as they did at the TUC and in other national *fora,* from the same period of time. Moreover, there is at least *some* truth in Hyman's implication that prior to the Act, union members collectively resisted the elimination of jobs, though we need scarcely labour the point that there is little basis for his broader conclusion about the effects of the Act. And even if Mortimer's general point has at least an element of truth behind it, it is nonetheless a startling testimony to the power of legendary accounts (or alternatively to the exaggeration born

of ideas of self-importance) that one may hear a senior

trade union leader claim that he personally...

> "... invented the concept of redundancy payments
> being made to workers dismissed through no fault
> of their own." (159).

As we have seen, unless the trade union leader in ques-

tion enjoyed a previous incarnation some time before

1834, there is no possible validity in this suggestion!

The predominant cultural influence of moral belief in

the "right to compensation" then, needs to be seen as

surrounded by other perceptions of "rights". If, before

the legislation provided compensation as a legal right,

the prevalent cultural influence in trade unions empha-

sised compensation as a "right", has it now been sub-

sumed by a "redundancy culture", in which compensation

is the only material consideration, and opposition in

any form is not contemplated? Certainly, this would

appear to be the view of some observers. (Jones, for

example, has commented that union leaders claim to have

been "sickened" at the sight of workers queuing up and

almost fighting each other for the chance of a redun-

dancy payment.) (160). Whether or not this has become

the case we may now consider, by looking at circum-

stances post the legislation, in a case study of the

company, International Computers. For this purpose, we

will turn now to the next chapter.

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3. Section 7; the Act allows, "reasonable and just compensation" after "consideration of the circumstances of the case". A regular allowance rather than a lump sum was envisaged.

4. Local Government Act 1888, S.120.

5. Local Government Act 1933, S.150.

6. Schedule 4, para. 3.

7. The Railways Act 1921, Sch. 3, para. 5.

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10. Quoted in Weinstein (ed.) (Ibid), from a National Mediation Board case.

11. Loss of Employment (Compensation) Bill 1930.

12. 1930 Bill, S.1(2), stated, "employed person" should "include all persons of either sex whether British subjects or not, who are employed in Great Britain otherwise than by manual labour, under contracts of service or apprenticeship with one or more employers". The wording in the 1937 Bill was identical.

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77. Section 1, in all three Bills.

78. For example, **1930 Loss of Employment (Compensation) Bill**, S.2(1).

79. Section 1, in all three Bills.

80. **1962 and 1963 Bills**, S.3. In the **1964 Bill**, S.3(a) becomes, "The average weekly earnings of the employee based upon the average of the last five years or lesser period of employment, multiplied by the number of years of his employment and in addition where any part of such years of his employment falls between the employee's 45th and 60th year a further amount equal to such average earnings multiplied by such years of employment as fall between these ages". (S.3(b) remains the same as for the earlier two Bills.)

81. **Hansard**, 1 May 1962, cols. 817-820.

82. Ibid

83. Ibid

84. **Hansard**, 6 February 1964, col. 701.

85. Ibid, col. 449.

86. **Hansard**, 14 February 1964, col. 701.

87. Ibid

88. The 1963 Bill was talked out by the **Conservative Minister of Labour**, on the basis that the government would introduce legislation in the following session. No such legislation was in fact introduced, though it materialised in the debates on the 1965 Act, that consultations had occurred with the TUC and the British Employers Confederation. As far as the Labour Party was concerned, **Diamond** claimed in moving the 1963 Bill,77 that Hugh Gaitskell had accepted the strength of his arguments. (Hansard, 6 February 1963, col. 450.) It is interesting to note, however, that there was no reference to a Redundancy Payments Act in the 1964 Labour election manifesto.

89. **Hansard**, 26 April 1965: Redundancy Payments Bill, second reading, col. 55.

90. **Acton Society Trust**: "Redundancy: A Survey of Problems and Practices", 1958.

91. For example, **Ministry of Labour and National Service**, and the **Central Office of Information**: "Positive Employment Policies: Examples of Management Practice Contributing to Good Relations in Industry", 1958.

92. Ibid

93. Ibid

94. **Hilda Kahn**: "Repercussions of Redundancy", 1964.

95. **"The Economist"**, 23 June 1956.

96. Ibid

97. **M. Shanks**: "The Society: A warning", 1961.

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99. Ibid, p.10.

100. **UK Prime Minister's Office**: "The Economic Situation: A statement by Her Majesty's Government", 24 October 1964.

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102. Ibid, p.4.

103. **Hansard**, 26 April 1965, Cols. 33-34.

104. John Salmon: "Organised Labour in a Market Economy:
     A study of Redundancy and Workplace Relations as an
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105. Ibid, p.40.

106. See **Coates and Topham** (eds.): "Workers Control",
     1970.

107. Ibid

108. Ibid

109. **Hilda Kahn**: "Repercussions of Redundancy", 1964.

110. **"The Times"**, 29 June 1956.

111. **"The Times"**, 19 June 1956.

112. **"The Times"**, 30 June 1956.

113. **Kahn** *op cit.*

114. **"The Times"**, 31 July 1956.

115. **Salmon** *op cit,* p.351.

116. Ibid, p.605.

117. **TUC Annual Report 1951.**

118. Ibid, p.249.

119. **TUC Annual Report 1955,** para. 272.

120. Ibid, p.382.

121. Ibid, p.384.

122. Ibid, p.381.

123. **TUC Annual Report 1956,** p.519.

124. Ibid, p.520.

125. Ibid, p.525.

126. **Edgar** (of the United Pattern Makers) Ibid, p.364.

127. Ibid, p.357.

128. Ibid, p.361.

129. **TUC** papers.

130. **TUC** papers.

131. Report of the Proceedings of the 27th Annual Meeting of the **CSEU**, pp.141-142.

132 Ibid

133. Ibid, p.144.

134. Ibid, p.144.

135. "The Gold Plated Handshake", **Association of Supervisory Staffs Executives and Technicians 1962**: A National Executive Council policy paper on severance pay.

136. Ibid, p.1.

137. Ibid, p.4.

138. **Scottish Trades Union Congress Annual Report 1962**, p.303.

139. Ibid, p.303, **Mr D. Burnside, T&GWU**, the mover of the motion.

140. **TUC Congress Report 1962**, p.332.

141. Ibid, pp.332-333.

142. Ibid, p.334.

143. **Ministry of Labour** Gazette, February 1963: "Redundancy in Great Britain" - the text of a survey discussed at a meeting of the National Joint Advisory Council on 23 January 1963.

144. **TUC Report 1963**, p.139.

145. Ibid, p.139.

146. Ibid, p.139.

147. Ibid, p.140.

148. Ibid, p.140.

149. Ibid, p.140.

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152. **NFPW Report 1963** (an executive statement).

153. For example, **F. Myers**: "The Ownership of Jobs: A comparative study", 1964.

154: **B.A. Hepple**: "Some Comparative Reflections",
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Marches in Britain 1920-1940", 1982; **Wal
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157. **Richard Hyman**: "Industrial Relations: A Marxist
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158. **J.E. Mortimer**: "Anarchy Rules OK?", Personnel
Management, April 1976.

159. **Clive Jenkins**, at a meeting of ASTMS members in the
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The Listener, 3 February 1983.

CHAPTER 5

REDUNDANCY AND TRADE UNION ACTION :

A CASE STUDY

5.1 INTRODUCTION

Let us at this point return to a matter which we
touched upon at the end of the last chapter. If union
action in opposition to redundancy, or aspects of the
redundancy process, is seen as a product of the moral
influences embodied in union cultures, how then do we
characterise inaction in response to collective job
losses? In the same way as opposition has been iden-
tified with cultures and moral influences, should we not
expect to find cultural explanations for acquiescence?

On the evidence of the last chapter it would seem
that the prevalent cultural influence prior to the
enactment of the Redundancy Payments Act, was the per-
ceived "right" to compensation for loss of employment,
though this co-existed with other minority influences
including in some cases the "right to work" culture.
Some writers, as we have already observed, have charac-
terised the period subsequent to the legislation of
1965, as witnessing a change in the attitudes of union
members, and have suggested that their desire to "fight"
redundancy, has evaporated in face of the promised
compensation. In chapter three and in the conclusion of
the last chapter, I suggested that we might characterise
such a draining away of the moral beliefs of trade
unionism, as the influence of a "redundancy culture", in
which compensation appears to be the only significant
influence on the minds and actions of workers. The
existence of such a culture would have significant

implications for our understanding of trade unionism, especially were it to be seen that it had become the dominant cultural influence. To a certain extent, this appears to be the position adopted by some writers. For example, Jones has suggested that the argument that:-

> "No worker has the right to sell a job that might provide employment for a son or grandson *(sic)* has now been swept aside in the rush for the money." (1).

And whilst the views of a BBC labour correspondent may not necessarily be taken as serious academic analysis, they have been found reflected, too, in the positions adopted by a number of academic observers, of whom Fryer, Hyman, and Levie *et al* come immediately to mind. For example, Levie *et al* claim that:-

> "One of the biggest obstacles confronting trade unionists fighting closures, is the effect of the promise of redundancy pay on the threatened work-force..." (2),

and Hyman, in similar vein has argued that the Redundancy Payments Act...

> "... has represented an important example of government intervention, undermining the basis of collective resistance to the elimination of jobs..." (3);

while Fryer, declaiming against the underlying direction of the policies behind the Redundancy Payments Act, appears to have implicitly accepted that they have weakened workers' resolve in the same way.

To what extent then, can the period post the 1965 legislation be characterised as an era of dominance by such a "redundancy culture"? If it is a traceable influence at all, as we may well find to be the case, has the "redundancy culture" subsumed all, or most, of

the other rival moral influences? Alternatively, do
unionists continue to express beliefs in "rights" other
than the "right to compensation" for being displaced
from one's job, and do these beliefs continue to exist
as cultural influences of trade unionism? As will be
recalled from chapter two, Hardy has suggested that the
management of plant closures has inculcated workers'
perceptions of legitimacy, and defused opposition to
such events. Such a scenario would be compatible with
the existence of a "redundancy culture" in which alter-
native rival viewpoints of workers are replaced by a
consensus which accords them compensation and generally
"fair" treatment, and in return for which they acquiesce
to redundancy. How close it may be asked, is this image
to reality?

This then, is the question to which we will turn in
this chapter, by way of a case study of the company,
International Computers Limited (ICL). The computer
industry, it should be said, would seem to provide an
ideal context for the growth of a culture that stresses
compensation and shows little concern for the other
aspects of job losses. The rapid growth of the industry
since the 1960s has created circumstances in which one
would expect employees' fears of unemployment to be not
as acute as in those industries which have declined over
the same period of time. The seemingly inexorable
demand of the market for skilled and qualified staff in
data processing, maintenance, and other areas of the
industry, might produce (one would assume) feelings of

relatively little concern among employees threatened
with redundancy, given the prospect of reasonably
"generous" sums of financial compensation.

In ICL, the staff employees' major union was ASTMS,
which had (as ASSET) done more than most other unions in
the nineteen-sixties, to promote legislation on redun-
dancy payments. The existence of formal recognition
agreements, and collective bargaining in ICL followed
well-developed lines. Professional personnel manage-
ment, and a high degree of formalisation in bargaining
committees, and employee representation arrangements,
all made this a suitable example for a case study. As
for the company's record in redundancy, there had been
(as will be demonstrated shortly) a history of mergers,
rationalisations and "cut-backs" which had made redun-
dancy a frequent event. It would seem then, that far
from favouring the emergence of oppositional cultures,
the case study might be an ideal seed-bed in which the
redundancy culture would be likely to grow. At this
point it is appropriate to explain briefly how the study
was conducted.

The possibility of using ICL as a case study arose at
the beginning of 1981, when in my capacity as an ASTMS
Divisional Officer, I was asked to assume responsibility
for the association's members in the Customer Services
Section of the company. At this time, there were some
33,000 employees in ICL as a whole, including those
based abroad. Nine and a half thousand of them were
represented by ASTMS, of which some 2500 were customer

service engineers. The other unions representing staff
had fewer members:- TASS, 783; APEX, 615; EESA, 197. As
part of my work involvement with the company, it became
necessary for me to attend a large number of meetings
with representatives of the engineers, and industrial
relations management of ICL. Whilst I was myself in-
volved in a number of redundancy events in ICL, I have
decided against including these in the study as my own
personal involvement tended to obscure the need for
objectivity. The material collected here has been
obtained by looking through a considerable number of
files of other ASTMS officers, and filling in missing
pieces of information by direct inquiry of individuals.
In this way I have attempted to obtain a reasonably
complete picture of redundancy events in ICL between
1969 and 1979, a period of some ten years. Some of the
events can only be described in rather sparse detail.
In other cases the picture is more complete.

One problem with this sort of approach, is that there
may be a tendency for the researcher to be selective in
the data recorded, acting in part in response to the
conclusions he or she expects eventually to be able to
reach. If this criticism were applied in this case
however, I would argue that any such tendency ought not
to have influenced the descriptive picture unduly. This
is because firstly, I was looking at historical events
that were in the main recorded in officers' reports,
minutes, and internal memoranda, none of which should
provide the same scope for subjective or selective

accounts, as directly observed meetings, for example.
The second reason to doubt such a personal influence, is
that in any case there was really no clear idea in my
mind at the time of collection of the data, of the
theoretical context in which it would be likely to be
assessed. Most of *these* ideas were developed much
later, and the rather vague expectation I had when
gathering the data was that it might help to give a
general picture of redundancy processes in action.

The events which will in due course be described in
the case study, need to be seen in the context of the
influences on ICL as a company. ICL was formed in 1968
under the influence of the then Labour Government's
Industrial Reorganisation Commission, which injected
£17 million into the company and took a 10.5 per cent
shareholding. The companies that came together in the
merger were International Computers and Tabulators, and
English Electric. Opinion varied however, as to whether
the merger was really such a good thing, criticism being
directed in particular at "loading down ICT with English
Electric's somewhat dubious product range". (5).

Such was the scope for growth in the industry how-
ever, that despite these handicaps (if indeed they were
such), the first ten or so years of the company's exis-
tence were, in the main, marked by spectacular expansion
in turnover and profit. But the recession of 1971-2 had
its impact on the computer industry at a time when ICL
was in the process of developing a new range of big
computers, and a government loan of £40 million was

required to facilitate the development programme. By 1975 however, The *Financial Times* was able to record that, "The ICL of today is almost unrecognisable from the invalid which was struggling for its life... ". (6). In the year to September 1977, sales grew by 45 per cent, profits increased by 31.3 per cent and informed opinion predicted that, "ICL looks set for further substantial growth over the next couple of years... but given the rapid rate of technological change, the real test will come in the 1980s". (7).

In the space of three years, the fortunes of the company were to change equally dramatically. In the year to September 1980, profit declined by 46 per cent compared with the previous year. Nevertheless, a dividend to shareholders was declared equal to that of the much more successful year before. (8). Within a matter of months there was an alarming cash crisis in the company. Overall confidence in the management of the company appeared to be draining away rapidly. As one broker put it, "much of the credibility which the company [had] built up over the past few years had evaporated". Share prices plummeted from 196 pence in 1980 to 70 pence at the beginning of 1981, and there was talk of the company being taken over by a "wealthy partner". (9). (British Petroleum, Shell and GEC were among the companies approached.)

In the event, ICL survived as a separate entity, though part of the price which had to be paid was the creation of a substantial number of redundancies. Since

the company's creation in 1968 then, changes of market pressures, mergers with other companies and the development of new technologies all, in their own way, contributed to decisions being taken to dismiss sections of the workforce as redundant. This in brief, is the context in which trade unions from 1968 onwards, were periodically faced with the possibility of redundancy among sections of their members. The next section describes a number of these redundancy events very briefly.

5.2 REDUNDANCIES IN ICL, 1968 TO 1979

The main purpose of this section is to build up the general outline of the "redundancy picture" in ICL. Brief details of a number of redundancy events are given below. In all, there is a total of twenty events that have been chosen to be included in this summary.

1967

Redundancies at ICT Manufacturing Plant, Croydon

Experienced electo-mechanical engineers working on punch card machines for the ICL '1901' mini-computer, were invited to "volunteer" for redundancy. There was a threatened strike from the 1200 employees at the Croydon assembly plant, but in the event more than the planned number of redundancies were achieved by volunteers.

1968

ICL was formed

A merger between ICT and English Electric was encouraged by government intervention.

1969

Southport Factory Closed

Several hundred redundancies. The reason for the closure:- electro-mechanical equipment was taken over by new technology.

1970

Dartford Factory Closed

About 2000 redundancies. Again, the reason for closure was the need to change production from the old electro-mechanical technology.

1970

Stevenage Redundancy Agreement

The unions demanded a clause in the pay and conditions agreement, to deal with the possible contingency of redundancy. Agreement was reached on the inclusion of a clause laying down compensation terms.

1971

Croydon Redundancy Agreement

Salaried staff and hourly-rated employees approached the company for a redundancy agreement because they were troubled by rumours of redundancy. They had seen the

closure of the Dartford and Southport plants and knew of
the Stevenage agreement. The agreement they obtained
was based on the Stevenage agreement. It was ratified
by the Manufacturing Division, which covered the Croydon
plant.

1971-72

Croydon Voluntary Redundancies

Small numbers of employees took voluntary redundancy
under the terms of the "Croydon Scheme".

The provisions of the Croydon agreement were applied
and resulted in all employees made redundant receiving
considerably enhanced terms - i.e. four weeks' warning
in advance, arrangements to receive pay in lieu of
notice if employees left before expiry of notice by
mutual agreement, enhanced severance pay over and above
the State scheme. The scheme also provided for pay in
lieu of untaken leave, and a special hardship supplement
for employees still unemployed at the end of a measured
period of time. It laid down selection arrangments and
allowed for volunteers to opt for redundancy, provided
efficiency was not thereby damaged.

1972

Castlereagh Plant Closure announced

The company announced a decision to close the plant
in Castlereagh, Belfast, manufacturing computer periphe-
ral equipment. The result of closure would have meant a
loss of 3000 jobs. The unions lobbied to oppose the

closure, and the government intervened through the Northern Ireland Ministry of Commerce. ICL were persuaded to climb down, but in view of the fact that the factory could not be kept open if it continued to simply make computer peripheral equipment, a new company (International Engineering Limited) was incorporated, wholly owned by the Ministry of Commerce for Northern Ireland, and ICL. Undertakings were made by ICL to supply the new company with sub-contract work. All former ICL employees were employed by IEL on the same conditons of service.

1972

Service Engineers Redundancies

Three hundred redundancies were declared among the service engineers, due to a run-down in certain forms of business. The engineers argued against redundancy, and in favour of retraining the "earmarked" engineers to cope with other forms of work. Agreement was reached to operate a voluntary scheme.

About 100 volunteered for redundancy over the next twelve months. Later, ICL embarked on a recruitment drive, "to restore the skill balance". Some of the engineers who had been earmarked for redundancy were retrained on other equipment. The engineers came to the view that they would always be able to avoid involuntary redundancy.

1974

Service Engineers Voluntary Scheme

The voluntary scheme described above, was signed as a formal agreement. The company saw an ongoing voluntary scheme as performing a useful role in manpower planning. The scheme became a permanent option available to engineers. Many approaching retirement age at 61 or 62 took voluntary redundancy. This confirmed the impression that the engineers were a special case, and that they would be able to avoid involuntary redundancy, because of their unique agreement.

February 1975

Redundancies in Systems Programming Division

Arising out of a need to cut costs, the company announced a staff-level reduction programme. Two hundred and sixty jobs were to be lost between February and September 1975. Ninety were expected to go by redundancy. Initially, one week's notice was intended between the date of the announcement (28th February) and the individual redundancy warnings to selected employees. At the instigation of ASTMS this was extended to allow other proposals to be considered. ASTMS members at Gorton and Dukinfield formed a committee to co-ordinate opposition to involuntary redundancy. Limited industrial action occurred at two other sites, Bracknell and Reading. In the event, no ASTMS members were involuntarily redundant. The terms of the "Croydon Scheme" were observed.

July 1975

Manufacturing Division Redundancies

Notice was given of a total of 205 redundancies in
the three manufacturing plants in Winsford, Letchworth
and Stevenage. Work restrictions were applied in an
attempt to coerce the company into withdrawing the
redundancies, but these had little effect.

September 1975

International Engineering Plant Castlereagh, closure
announced

The ICL plant hived off as IEL in 1972 was closed.
The main argument eventually came down to whether or not
ICL owed the workers redundancy compensation arising
from their previous employment with the company before
the IEL "hive down". No such payments were made, but
the ICL agreements were observed by IEL.

March 1976

CAD Centre Cambridge proposed closure

Proposals were made by an *ad hoc* committee reporting
to the Secretary of State for Industry, that the
Computer Aided Design Centre should disband and the work
be transferred elsewhere. The proposals involved a
potential of 120 redundancies. ICL was the technical
employer of the staff of the centre, though it was
funded by industry-commissioned design projects and
direct government aid. A vigorous campaign was fought
to save the centre, led by ASTMS members. A report was

prepared jointly by ASTMS members and middle management at the centre, on the centre's future. A delegation of members from the CADC met the Minister of State for Industry and the Chief Scientist. After a six-months' campaign of opposition, the threat of closure was withdrawn.

April 1976

Plans announced to cease or reduce production: Redundancies proposed

The company announced plans to cease or reduce production of a number of products, and that this would result in a reduction in manpower needs by 1373 over the period July 1976 to September 1977. This would be a phased reduction, but would involve involuntary redundancies, if the number could not be otherwise achieved. Action was co-ordinated at the seven different locations concerned, with a series of sanctions short of strike action being formally approved by ASTMS. In August, the company stated that they would only use involuntary redundancies as a last resort, and even then only after further negotiations. By November, the planned reductions had been achieved on a voluntary basis.

October 1976

Merger with Singer, some redundancies

This was a situation where a company (Singer Business Machines) was acquired, and with the consequential rationalisation some redundancies occurred. The

majority of the Singer staff were not unionised at the time of the acquisition. Most of the 460 U.K. based staff were offered employment in ICL. There was no negotiation about the conditions of transfer, but special arbitration arrangements were made to consider redundancy claims where employees rejected offers of alternative employment. Whilst job losses in the U.K. were not large, there was a greater impact in other European countries where Singer employees were located. Eight hundred jobs had been lost in Germany and Italy in the first eight months of 1976. A delegation of the International Metal Workers Federation met the company to express concern. This seems to have had no practical effect on company policy however.

March 1977

A National "Security of Employment Agreement" finalised

Over a period of four years the staff unions had been discussing a "Security of Employment Agreement". Different initiatives were taken, first by ASTMS and TASS, and eventually all five staff unions joined forces to reach a common agreement. The agreement provided for:-

"(i)   extended consultation irrespective of the
        number of redundancies;

(ii)   a four-week warning period to individual
        employees;

(iii)   pay in lieu of notice to be given to redundant
        employees;

(iv)   compensation payments, better than those
        previously provided in the "Croydon
        agreement";

(v)   pay in lieu of holidays untaken;

(vi)   special supplements for continued periods of
        unemployment;

(vii)   special "hardship" cases to be reconsidered;

(viii) arrangements to benefit anyone dismissed and
        subsequently re-engaged by ICL, by protecting
        "fringe benefits".

The essential point was that all of the above were to
cushion those declared redundant in whatever way (either
voluntarily or involuntarily). The Customer Engineers,
who had agreement since 1974 on a voluntary scheme,
refused to be covered by the National "Security of
Employment Agreement", in the belief that their own
scheme offered better protection against redundancy.
However, they tried to negotiate their own separate
agreement, extending to engineers the full "cushion" of
benefits of the National S.E.A., but retaining the
voluntary element.

August 1977

Redundancies at Putney Systems Centre

A decision was announced to commence a phased run-
down of the systems centre activity. The announcement
represented the commencement of the 90 days' consulta-
tion period under the provisions of the newly signed
"Security of Employment Agreement". The reasons for the

announcement included the fact that the "population" of new 2900 system computers had increased over the past two years, leading to more computer time being available for sale by other 2900 operators. This left the Putney Systems Centre "uncompetitive". Also, project teams and customers had improved their technical competence, which had led to a decline in demand for the specialist support offered by the centre. Initially, ASTMS representatives put forward proposals to keep the centre open, but by October 1977, they had agreed to co-operate with the closure. The company agreed to ensure that maximum efforts would be made to ensure that "no involuntary redundancies occur at the Putney S.C.S.". They also stated that no "undue barriers" would be placed in the way of those seeking voluntary redundancy.

April 1978

Customer Engineering Members accept the S.E.A.

Whilst negotiations had been taking place nationally for a corporate Security of Employment Agreement (S.E.A.), this was not intended to be applied to the Customer Engineering Division (C.E.D.). The Engineers regarded their 1974 agreement allowing for voluntary redundancies, as a form of protection against compulsory redundancy. C.E.D. management approached the engineers (through ASTMS) for separate talks. They initiated talks on a separate agreement for C.E.D. which would enable them to determine...

> "... how changes in manpower requirements can be
> handled within a mutual framework and maximum
> consultation."

A draft produced by ASTMS demanded a commitment to no involuntary redundancies. This was not acceptable despite the existing agreement that had been in force since 1974. (In fact there was an ambiguity in the agreement, in that it simply dealt with a voluntary continuous severance programme. The agreement did not address the situation where sudden or very large cutbacks might be needed.)

From March 1977, all other ICL employees were covered by the far more favourable severance terms of the corporate S.E.A. The C.E.D. employees were covered only by their own 1974 agreement. In April 1978, a decision was suddenly reached by the Customer Engineers, to adopt the corporate agreement. This was subsequently explained as happening because a substantial body of the engineers foresaw redundancies occurring, and wanted the protection of the better terms in the corporate S.E.A. The Customer Engineers attempted to impose conditions on their acceptance of the S.E.A., but these had no practical effect of consequence.

October 1979

Dukinfield Factory Closure announced

The closure was planned to be completed by September 1980. Nine hundred employees would become redundant. In addition to the severance terms laid down in the S.E.A., a "plant closure payment" was promised to those employees who agreed to continue so long as they were needed by the company.

The Dukinfield factory was one of two in Manchester making large machines. It was an old building (over 90 years) and these factors, combined with the company's general intention of reducing the U.K. manufacturing workforce by 1200, led to the Dukinfield closure decision.

The unions alleged that the company had broken the S.E.A. by announcing a closure decision, without first examining other possibilities jointly with the unions. A ban on overtime was imposed, sub-contract work boycotted, and working-time meetings arranged throughout the country, as a sanction in protest at the redundancies.

A working party was set up with the approval of the Manchester CSEU and the company agreed to suspend the 90 days' advance warning of redundancy by 28 days, after which the position would be reconsidered in light of the working party report. (Effectively, the unions were being told to produce a report and to convince the company of a different solution to their problems, within 28 days, after which the situation would revert to the planned closure as already announced.)

The report was produced, and alternative measures proposed. These were not accepted. On 25th January 1980, the workforce voted to accept the closure.

5.3 DISCUSSION OF THE TWENTY REDUNDANCY EVENTS

In commenting on the broad picture that has emerged
so far, a number of general points can be made.
Firstly, it is clear that for the company, redundancy
seemed to be the key instrument to cope with a variety
of changes in commercial circumstances, that had impli-
cations in staffing requirements. Significantly, whilst
there were long periods of time when no major cut-backs
in staffing levels were required, the concept of redun-
dancy (albeit on a voluntary basis) was used to regulate
skill distributions and manning levels. Four of the
incidents quoted above arose because of changes in
technology, or the need to change products and skill
balances. Six of the plans for redundancy, arose from
mergers or company reorganisation. Finally, four of the
announced redundancy programmes arose through fluctua-
tions in demand, and the influence of market forces.
(Admittedly, there are two occasions which lend them-
selves to a combination of perhaps two underlying
causes.) Redundancy for the company then, seems to have
represented a key (perhaps *the* key) instrument of man-
power control, in a variety of different circumstances,
for an extended period of time. Table 5.1 (p.365)
summarises the reasons for redundancies in ICL from its
formation in 1968, to the Dukinfield factory closure
which was announced in 1979. (Sixteen events are inc-
luded, omitting the four which refer to agreements being
concluded making general provisions unrelated to a
specific redundancy declaration.)

TABLE 5.1

CAUSES OF REDUNDANCY IN ICL, 1968-79

Technological Change, New Skills, New Products.		Market Forces, Costs.		Company Reorganisation.	
1969	Southport				
1970	Dartford				
1971-72	Croydon V R				
1972	Croydon				
1972	C S Field Eng				
1972	Castlereagh	1975	S.P.D.		
		1975	C.D.D.		
		1975	Manufacturing Division		
		1975	Castlereagh	....	
				1976	Sydenham
				1976	Computer Aided Design Centre
1976	Manufacturing Division	....		....	
				1976	S.B.M.
				1977	Putney Systems Centre
		1979	Dukinfield		

(The dotted lines show the alternative classifications available for two of the examples.)

To what extent can we see a pattern of trade union
activity over the events described above? Certainly it
could be said that there has been considerable emphasis
on the issue of compensation for loss of employment. On
the question of making jobs secure, the focus has been
on preventing individual employees from being made
redundant involuntarily. This distinction between
voluntary and involuntary redundancy was a central theme
of ASTMS policy. (Members were told in the union diary,
"ASTMS opposes involuntary redundancy, but has nego-
tiated a number of voluntary early retirement schemes".)
(10). This approach by the union might be interpreted
in a number of ways. On one hand it could be suggested,
it was no more than a pragmatic compromise by the union
with the inevitable reality that, members who found the
attraction of a voluntary redundancy scheme to their
taste, would volunteer and depart on the financial
compensation terms offered. Clearly, there was no point
in resisting such an inevitability, and the union wisely
did not attempt to oppose voluntary redundancies in this
way. By this token, the union's stance on voluntary
redundancy could be seen as a recognition that it had,
in effect, to come to terms with the "redundancy cul-
ture" and it did so by adopting a line of limited oppo-
sition to it. An alternative view however, might be
that the union saw some intrinsic *merit* in allowing

individuals the opportunity to depart at their own

behest, with the advantage of a financial package to

ease their voluntary severance from the company. By

this measure, the concept of voluntary redundancy would

be seen as a positive advantage, especially if available

over a prolonged period, without undue pressure on

individuals to accept the offer of voluntary departure.

Which of these possible analyses is the more valid we

will consider in due course.

The above discussion suggests however, that irrespec-

tive of which of the two possible explanations should

prove to be more valid, the influence of compensation on

ASTMS as an organisation in ICL, and individual members

employed in the company, rated very highly indeed. To

what extent they may have accepted the need for, or

"inevitability" of redundancy, or believed that it was

their responsibility to *co-operate* with, even *manage* the

exercise of redundancy, is another matter altogether.

Perhaps the best way of considering this point is to

see the various strategies and achievements of the staff

unions in ICL in summarised table form. Table 5.2

(p.369) sets out six possible aspects of opposition to

which the unions may have given effect. In this case,

all twenty events have been included. The following

notes explain the terms employed...

Notes on Interpretation of Table 5.2

Heading	Explanation
(1) Better terms	Better terms were secured for redundant workers than had previously been applied
(2) Opposed plans	The unions opposed the management's plans by taking some form of industrial action
(3) Won V.R.	Management agreed to restrict redundancies to those who volunteered
(4) Saved jobs	The proposed redundancies did not take place
(5) Campaign	Part of the means employed by the unions to deal with the problem involved the running of a political campaign in which they sent delegations to MPs, government Ministers and so on
(6) Other gains	Management modified their initial plans without withdrawing the redundancies altogether

TABLE 5.2

UNION APPROACHES AND SUCCESSES IN
REDUNDANCY BARGAINING IN ICL

Event/ Date		1 Better Terms	2 Opposed Plans	3 Won V.R.	4 Saved Jobs	5 Political Campaign	6 Other Gains
Southport	1969*						
Dartford	1970*						
Stevenage	1970	X	---	---	---	---	---
Croydon	1971	X	---	---	---	---	---
Croydon V.R.	1971-72	---	---	X	---	---	---
Croydon	1972	---	---	---	---	---	---
Castlereagh	1972	---	X	---	X	---	---
Service Engineers	1972	---	X	X	---	---	---
Service Engineers	1974	X	---	---	---	---	---
SPD Feb	1975	---	X	X	---	---	X
Stevenage CDD June	1975	---	X	---	---	X	---
Manufacturing Div. July	1975	---	X	---	---	---	---
IEL	1975	---	X	---	---	---	---
Sydenham	1976	X	X	---	---	---	X
CADC Cambridge	1976	---	---	---	X	X	---
Mfg. Div.	1976	---	X	X	---	---	---
Singer	1976	---	---	---	---	---	---
Corporate	1977	X	---	---	---	---	---
Putney	1977	---	---	---	---	---	X
Dukinfield	1979	---	X	---	---	---	---

* No information available

It will be seen from table 5.2, that out of the total of twenty events, industrial action in one form or another took place in nine of them, in opposition to some aspect of management's plans. Table 5.3 (p.370) summarises this.

TABLE 5.3

SUMMARY OF OPPOSITION/NON-OPPOSITION

A:	Industrial action took place in opposition	9
	Political opposition	3
	*Total some form of opposition	**10**
B:	No known opposition of any kind took place	10
	Negligible membership strength	1
	No immediate redundancy threat (e.g. S.E.A. negotiations)	4
	No information on union tactics or actions	2
	Total no opposition	**3**
	Total events	**20**

(* Total includes two events where opposition was both political and industrial.)

Of the eighteen cases for which reasonably complete
information was available, it will be seen that there
were ten events where some form of active opposition
occurred to an aspect of management's plans. On this
basis alone, it would not be convincing to argue that
workers passively accepted redundancy without attemp-
ting in some way to enforce observation of their own
standards and values. In fact the contrast between
the number of "protest" and "no protest" events is even
more striking, as can be seen by considering Section B
of Table 5.3. Of the ten situations described where no
opposition occured, one can be accounted for by lack of

membership strength (Singer, 1976), four were non-redundancy declarations as such, but rather negotiations over redundancy terms in absence of any immediate threat. Finally, no information on union tactics was available for Southport 1969, and Dartford 1970. Of the remaining three events where no recorded opposition took place, we have the following picture:-

TABLE 5.4

BREAKDOWN OF NON-OPPOSITION EVENTS

Croydon	1971-72	A voluntary programme
Croydon	1972	Croydon severance terms agreed in 1971, applied
Putney	1977	Corporate agreement 1977 applied

It may be significant that the only two events where substantial numbers of involuntary redundancies were not countered by either political or industrial protest, occurred in both cases *immediately after* agreements had been reached, breaking new ground on the management of redundancy in ICL, and giving compensation terms for the redundant. Possibly this could be put down to mere coincidence. Perhaps there would have been a lack of protest in these cases, anyway. Equally possible however, is the scenario that these new redundancy agreements had some sort of impression on the way the union and its members saw redundancy in the immediate aftermath of their being concluded. To this one might legitimately enquire, "and why was not the influence more

permanent?" More detail is needed to illustrate the answer to this point. However, we can perhaps anticipate at this stage something of what follows, with this tentative proposition: if the agreements cast some sort of spell of industrial peace over redundancy events in ICL, then clearly something seems to have occurred to make this relatively short-lived. Perhaps it could be that actions by management implying a different attitude towards the agreements than what had been expected, contributed to this. We shall examine this question further in due course.

What apart from this last possibility does this general analysis suggest? We are looking here at the policies and strategies that the unions in ICL pursued over a period of some ten years. One would be hard pressed on the basis of the above evidence, to suggest the occurrence of any major discontinuities in the approaches the unions adopted. The questions of choice of involuntary redundancy, and acceptability of compensation, appear in the earliest events of which reasonably detailed information is available, and appear to have been pressed, if not always achieved, throughout the time period considered. Opposition to the plans put forward by the company has been a continuing theme from 1972 at least, to 1979, the end of the study period. And whilst there are only three examples of the union running a major political campaign, it is interesting that these occurred once in a period of Conservative government (Castlereagh 1972) and twice in periods when

Labour was in office (CDD 1975 and CADC Cambridge 1976).
On the basis of the evidence examined here, it would be
hard to find support for the argument (which we might
take from Hardy's analysis, for example) that unions
were led to a view of redundancy as "legitimate", and
that opposition was largely neutralised by their accep-
tance of this perspective. Nor does the evidence depict
unions in accordance with Jones's scenario, as standing
helplessly aside while their members elbow their way
forward to sell their jobs against the protestations of
union officers. Whilst compensation for the redundant
has clearly been an important factor (and certainly has
been of central importance in union approaches to redun-
dancy in ICL), it is of interest that unions have
throughout, made the running on this issue, and have
not, it would seem, been usurped in their functions as a
result of members' anxiety to "grasp the money and run".
Neither could it be said on this evidence, that unions
have been dominated by compensation as a single signi-
ficant factor, as our provisional examination of the
concept of a "redundancy culture" at the beginning of
this chapter and elsewhere, has hinted might be the
case. And whilst final judgement must be reserved on
these issues, it would appear that there is little here
to support an image of unions in outright opposition
to redundancy, but neither can they be seen on this
evidence as being in supine, helpless acquiescence.

Yet on the question of outright opposition to redun-
dancy, unions could not be said to have met with a great

deal of success. In two of the cases, the closures and redundancies that had been planned were postponed. These successes however, were both entirely due to *political*, as opposed to *industrial* campaigns. Of the eight cases where there were purely industrial campaigns in opposition to an aspect of management policy, none resulted in the redundancies being withdrawn. Three however, resulted in acceptance of voluntary redundancy as the method of selection, and in one other event, additional gains were achieved to protect the redundant in other ways. Nevertheless, at Putney 1977 and Croydon 1971-72, the company also agreed to apply the redundancies on a purely voluntary basis, although there was no protest of any kind in either case. Moreover, in five of the cases where there was industrial action, this produced no measurable gains of substance for the workers concerned.

If, as the case study suggests, opposition was the norm in situations where jobs were immediately under threat, what were the key driving motives, given such varied outcomes of industrial protest? The next section of the case study may go some way towards an answer to this question. However, at this stage it is sufficient to suggest that a major part of the impetus on trade unions to oppose aspects of ICL management's redundancy plans, was the existence of a reasonably durable, consistent collection of moral beliefs. Though these beliefs did not perhaps confront the principle of redundancy *per sé,* they sought to encircle the exercise of

redundancy with "hallmark" standards of fairness, that were in their own more limited way, a restriction and potential challenge to the authority of management. If compensation was the dominant influence, there was it would seem, scope for opposition, perhaps to the key issue of redundancy, but more likely some less fundamental aspect of it.

5.4   THE "RIGHT TO NO-INVOLUNATRY REDUNDANCY"

The issue of "compulsion" versus "voluntarism" is a theme that seems to have emerged in a number of the redundancy events described above. Effectively, this amounted to a possibility that individuals could be "selected" for redundancy by a simple process of the workforce as a whole being invited to volunteer. Clearly, for the employees, it was preferable to more arbitrary methods, and as we shall see, it assumed for a period the status of a perceived "right" in ICL. This issue will be now considered in relation to the Customer Engineering Division (C.E.D.) of the company.

In 1972, ICL management informed the Customer Service Engineers (the Field Engineers), that there were to be 300 redundancies "due to a run-down in data processing". The engineers refuted the view that "the 300 could not be trained on new equipment". Agreement was reached to operate a voluntary scheme of redundancy for data pro-cessing engineers. About 100 engineers accepted

redundancy over the next twelve months, and then ICL embarked on a recruitment drive for engineers, to "restore the skill balance". Some of the very data processing engineers who had previously been earmarked for redundancy, progressed onto working on computer equipment of a different kind. The engineers themselves seem to have been conscious of the contradictions in the approach originally adopted by the company. Some three years later, in 1975, the Chairman of the Engineers Bargaining Unit was to comment, "we have never had involuntary redundancy in Customer Services, nor will it ever be accepted". (11).

These arrangements for inviting engineers to apply for voluntary redundancy were "clarified" by an agreement concluded in 1974 which provided for certain conditions under which the voluntary option would apply to any particular individual. This included the provision that an engineer would...

> "... only be granted redundancy if either of the following conditions were satisfied:-
>
> (a) there is a reduction in workload which would mean his skills are no longer required locally;
>
> or...
>
> (b) he could not transfer his skills to other suitable alternative work." (12).

The agreement stated, moreover, that, "in line with their previous statements it is not C.E.D. management's intention to declare any engineer involuntarily redundant." (13).

To some extent, it would seem, this agreement contributed to a real belief among the engineers, that they could somehow avoid *involuntary* redundancy, by a mere refusal to accept it. So far as is known, there was no explicit strategy to defend the agreement by a stoppage of work or imposition of other sanctions. However, the engineers were the most militant of the staff bargaining groups, and exercised considerable economic power in the event of a dispute. Usually, the merest hint of unrest would cause the company management to become alarmed at potential customer losses. Perhaps the *belief* by the engineers that they could avoid involuntary redundancy, helped to make this a reality. In any event, between 1972 and 1981, none of the engineers were declared redundant involuntarily, although during this time, there were a number of exercises that affected other company employees in this way.

To understand why this was so however, we need to consider how this scheme of voluntary redundancy was seen by ICL management. It was explained to me in the following terms:-

> "It was a means of redressing skill imbalances
> in the Bargaining Unit. The Secretary of the
> Bargaining Unit would always be told of an
> application for voluntary redundancy. The local
> representative and the member concerned would go
> and discuss the matter with the manager concerned
> and usually arrive at agreement. The scheme con-
> tinued from 1974 up to the present date (1982).
> Some 30 to 40 engineers would take the voluntary
> redundancy option every year. Most of them were
> in the 60 to 64 years age range. By the time
> they reached the age of 61 to 62 years there was
> no real sense in continuing with the company be-
> cause the redundancy terms were such that they
> would not gain financially by remaining at work.

From the point of view of the company gaining
rebate from the redundancy fund, the scheme was
useful. The men who went were mainly those who
were skilled in electro-mechanical devices, which
were rapidly being overtaken by newer technology.
Other parts of the company would have liked to
introduce similar arrangements, but they only ap-
plied in Customer Services bargaining units. The
employees concerned received not only enhanced
severance pay provided under the "Croydon Scheme",
but they received a continuing unemployment sup-
plement which did not normally apply in situations
of voluntary redundancy." (14).

It would seem then, that this voluntary scheme was
mutually beneficial to the company and the engineers.
For the company it provided a means of adjusting "skill
imbalances", due to changing technology and obsolescent
skills of some engineers. For the engineers, it was
akin to a "right" to take early retirement on full pay.
The very fact that the scheme operated with a regular
number of engineers applying for voluntary redundancy
each year, and the company granting their requests,
seems to underline its mutually beneficial effects. It
is easy to see why in this instance, collaboration
between management and workers was possible. Neverthe-
less, there does not in this seem to be any suggestion
that management were observing a "right" expressed by or
on behalf of the engineers, and wrung reluctantly from
the company by the collective militancy of the workers.
It could of course be said that since management were
willing to observe the voluntary redundancy scheme,
there was scarcely a need for confrontational tactics by
the union members. Perhaps in that case, a better test
would be how the engineers behaved when there was a
threat to withdraw the so-called "guarantee" against

involuntary redundancy. This situation occurred as a result of negotiations on the company-wide "Security of Employment Agreement" in the mid-seventies, and these events now demand consideration.

In the period immediately after the formation of ICL in 1968, ICL management adopted a policy of reaching "local" agreements with the trade unions, over redundancy issues. (We have already seen that such agreements were concluded at Stevenage, Croydon and for the Customer Service Engineers. Separate agreements were also reached for the manufacturing sites in 1969 (15), and though no information is available with respect to the Southport 1969 and Dartford 1970 factory closures, it seems probable that severance terms were locally agreed.) These locally negotiated agreements subsequently became adopted as yardsticks to measure the standards that should be set in other redundancy circumstances. The approach which the unions adopted was explained to me by one trade union officer as follows:-

> "The Winsford and Holmes Chappell Agreements differed from the Croydon Agreement with respect to the severance terms. One provided better terms for long serving employees, the other was best for those with short service. We used to try to get individuals covered by those terms which were most favourable, whichever they happened to be." (16).

One such "local agreement" was that which applied to the service engineers from 1972 onwards. Although this was based on the "Croydon Scheme" it was, in certain respects, unique in that it provided for a continuous voluntary redundancy programme and included a premium normally reserved for continuing unemployment after

involuntary redundancy. It would seem then, that the "Croydon Scheme" provided the more or less accepted standard of redundancy severance terms in the Manufacturing Division of the company, of which the Croydon site had been an integral part, whilst in some cases local agreements provided different arrangements. However, the engineers scheme was unlike any other that existed, in the sense that it seemed to give an open-ended commitment to avoid involuntary redundancy.

The company-wide "Security of Employment Agreement" (S.E.A.) concluded in March 1957, was the result of a series of meetings with the various staff union national officers over a period of some three years. Initially, ASTMS and TASS approached the company separately with different claims. In due course, the two unions met the company at a "single bargaining table" with a common claim, and subsequently, APEX, ACTSS and EESA became involved in the negotiations. The agreement runs to some ten printed pages, plus six short appendices. (A separate agreement was concluded in June 1978 to deal with the question of interpretation of the paragraph in the S.E.A. dealing with consultation.) The details of the S.E.A. need not be described fully at this stage. Suffice it to say however, that it included a list of some seven measures that would be considered in order to try to avoid redundancy, from discontinuing the use of contract labour, to introducing work-sharing or part-time working. However, ultimately the agreement pro-vided no guarantee that redundancies would not occur,

and moreover, no commitment to the selection of
employees for redundancy, exclusively on a voluntary
basis. The financial compensation for those declared
redundant however, was markedly better than that provi-
ded in any of the local agreements, including the
"Croydon Scheme", and that covering the Customer
Service Engineers.

By April 1976, the negotiations over the company-wide
S.E.A. were at an advanced stage. All divisions of the
company, all staff unions, and all staff bargaining
units were now involved. Whilst representatives from
these different bargaining units attended the negotia-
tions, it was of course, the national officers who
actually conducted the exchanges with the company. The
Engineers Bargaining Committee and National
Representatives Committee (NRC) met regularly quite
separately from these negotiations. Whilst there was an
ASTMS Divisional Officer assigned to take responsibility
for the bargaining unit, the lay officers of the NRC
frequently conducted communications directly with the
company at national level, and there were often meetings
of the NRC at which no full-time officer of ASTMS needed
to be present. As a result of such a meeting in April
1976, the lay secretary of the Engineers' NRC wrote
directly to the National Officer of ASTMS, informing him
that the engineers had decided to withdraw from negotia-
tions at corporate level. The reason advanced for this
decision was that:-

> "The draft does not indicate that the only redun-
> dancy considered in future will be of a voluntary
> nature in line with an agreement we have at the
> moment with the management of Customer Engineering
> Division." (17).

This decision was clearly a source of irritation to both the ASTMS National Officer concerned (who had been trying to "discourage C.E.D. separatism") (18), and management, who were anxious to conclude an agreement covering all U.K. based employees.

The initial response of the company was to suggest a separate agreement dealing with all ASTMS bargaining units in the Customer Engineering Division; an offer that the union was able to accept, as it appeared to provide a means of overcoming the problem that the...

> "... undertaking relating to voluntarism is un-
> likely to be pressed at corporate level to the
> same extent as we would expect to press it for
> C.E.D." (19).

Remarkably however, when the union was slow to respond to the company, indicating its willingness to engage in these divisional negotiations, the management threatened to "raise a draft agreement as a company reference in each procedure agreement". (20). When the company's draft was published, the basis for this anxiety to press the Customer Engineers to an agreement, became clear. The draft was different from the company-wide document in several respects. Its main difference was that it was substantially more restrictive, and incorporated new procedures to make the dismissal of "poor performers" much easier to effect. Although the document purported to address issues of "employment security" by considering training needs, and setting standards of performance in consultation with employees, its main effect was intended to give managers

fundamentally new powers to demote or sack poor perfor-
ming employees. On the issue of voluntary redundancy,
it was silent, containing instead only a list of
measures that would be the subject of "consultation" in
order to avoid redundancies. Bearing in mind the
reasons the engineers had opted out of the discussions
on the corporate agreement, there seemed to be little to
entice them now towards an agreement with management on
the proposed terms.

It is perhaps worth recalling at this stage, that at
the time these negotiations over a C.E.D. Security of
Employment Agreement were commencing, the Manufacturing
Division of the company was facing the prospect of 1373
jobs being lost across some seven sites. For these
people, there was no (real or illusory) "voluntary
redundancy" policy, and the joint staff unions issued
the company with an ultimatum that "unless they would
give a guarantee of no involuntary redundancies arising
from their proposed reduction in manufacturing capacity,
talks on the corporate S.E.A. would be suspended". (21).
No such undertaking was forthcoming, although, in the
event, the exercise actually was completed on a volun-
tary basis and by October 1976 talks on the S.E.A. had
resumed. However, it does seem likely that the major
difference between the company and the unions on how
redundancies should be seen to take place in the
Manufacturing Division, would have contributed to a
sense of purpose among the engineers to defend their own
"voluntary agreement" at that particular time.

Precisely how the majority of engineers, or the leaders of the National Representatives Committee, looked upon the draft agreement put forward by the company, is not now easy to ascertain. The committee and the engineers themselves were not particularly noted for any conscious political affiliation or activity. (At the time of my own involvement with them some five years later there were, in a committee of some twenty-one, one Labour Party member, one Communist, and one member of the Socialist Workers Party.) As a committee however, they tended to follow a strong "trade union line", and by my own observation, the politically committed members of the committee often exercised influence in determining what this should be. There were usually a majority of committee members who were likely to follow the line advocated by Jim Savage, the Chairman of the committee, a very experienced engineer, trade unionist, and member of his Glasgow constituency Labour Party. In rejecting the draft proposed by management, it seems likely therefore, that a proportion of the committee at least would at that point in time have concurred with the following comments of one of the Southern Field Engineers Representatives:-

> "It is a legal charter for ICL to sack employees. It represents a form of terms under which sackings will be accepted by the union."

Quite possibly also, some of the engineers' representatives would have seen truth in the following remarks:-

> "In no way will *any* document provide security of employment. The only security for our members lies in their determined industrial action in defence of their right to work and the central reps committee's equal determination to lead such a fight when it is required." (22).

However, there is no suggestion that any *real* debate took place among the engineers on the question of what such a "fight" would entail. Altogether it seems unlikely that their rejection of the new draft from the company, and opting out of the corporate agreement, were part of any broader conceptual outline of what such a struggle might entail at some point in the future. Nonetheless, at this juncture there was sufficient support for the idea of "non-compulsion" in redundancy, to enable the engineers representatives to reject the better severance terms of the company-wide agreement. Rejecting the company's C.E.D. draft would in all probability have been an uncontroversial decision for the mass of engineers, since its proposals were so obviously threatening of disciplinary action, and a "get tough" policy towards individuals.

The management of ICL Customer Engineering Division remained anxious to see progress with a divisional agreement. They put forward the case that it was desirable...

> "... to have an agreement as to how changes in
> 'manpower' requirements can be handled within a
> mutual framework and maximum consultation." (23).

There is no evidence however, that the engineers representatives were particularly concerned to secure an agreement that gave them any more influence over the redundancy process, than their existing "agreement" which supposedly allowed for volunteers only. The negotiations dragged on, and the union maintained its insistence that an aspect of any formal divisional

agreement, would need to include the commitment against involuntary redundancy. Proposals were put forward by the union, for a scale of severance payments that would have surpassed those provided in the company-wide S.E.A. (24). None of this was acceptable to the company, however.

From April 1976, the engineers had stood apart from the corporate S.E.A. negotiations. In March 1977, the corporate agreement was signed, but the C.E.D. bargaining units were excluded from it. From the time they had declared their refusal to accept the corporate draft agreement in 1976 to the end of 1977, there had been six separate redundancy declarations affecting other parts of the company. Also, the engineers themselves were continuing to take the voluntary redundancy option, when small numbers of them approached the age of retirement. Comparisons between the redundancy terms provided in the corporate S.E.A. and the C.E.D. agreement were being made by the engineers. By the end of 1977, a majority of representatives of the different C.E.D. bargaining groups had decided that they wanted to become eligible for the higher payments available under the corporate S.E.A. The question of the company formally reiterating its commitment against involuntary redundancy was quietly dropped, and the C.E.D. bargaining groups came under the provisions of the corporate S.E.A. in April 1978.

It is not altogether necessary to speculate as to whether this decision to abandon the somewhat ambiguous

commitment, to "no involuntary redundancy", ultimately had any real bearing on the job security of the engineers. Doubtless a case could be put forward both ways, but with no real certainty of accuracy. The point that emerges fairly clearly from the events described here however, is that there were beliefs in "rights" that influenced the behaviour of this group of workers during the period in question. For a period of some two years, they stood out in opposition to some considerable pressure, to bring them within the ambit of the corporate document. Both the company, and the ASTMS National Officer, would have preferred to see the C.E.D. bargaining units encompassed within the corporate agreement. The appearance of a "right" to "no involuntary redundancy", was something that the engineers seemed prepared to defend. It is of course difficult to say how far the engineers would have gone in defending that "right", had there been any attempt by the company to infringe it by declaring compulsory redundancies. One can only guess that they may well have resorted to industrial action, but that possibly this would have been of limited duration. On the other hand, the damage that even limited action could have caused to the company's customers, might well have meant that this would have been sufficient to provoke a change of stance on the issue. Therefore, it does not seem too unreasonable to assume, that there was a degree of preparedness to defend the paper "agreement" of "no involuntary redundancy". Ultimately, the company may have been willing to face

this challenge, and the depth of commitment of the engineers as a whole to the "right" of "no involuntary redundancy" might have been insufficient. For all that, it *was* present among a section of the engineers, who, acting under the relatively autonomous leadership of their lay representatives, were prepared to defend what they saw as a "right" or principle, rather than accept the option of higher compensation possibilities for those who were made redundant. If the touchstone of the "redundancy culture" is a willingness of unions to relinquish control over job occupation, in favour of financial reward for the redundant, then it would seem the culture was not dominant or unchallenged among the engineers in ICL.

Eventually, it might seem, the engineers were no longer prepared to defend the principle. However, it would seem that the obvious possibility of the company at some point deciding to declare involuntary redundancies, influenced a majority of engineers to take a more pragmatic view about the need to reiterate the statement on "no involuntary redundancy". Clearly, the higher compensation terms were the deciding factor in this decision. The general context of an almost permanent concern about redundancy in the company made it necessary for the engineers to avoid being over influenced by what may have been unreal ambitions. The shadow of "reality" doubtless caused many engineers to wonder how they personally would fare, if it came to a "showdown" over the principle, and they needed support from their

colleagues. Moreover, the fact that the engineers'
voluntary scheme continued in being and that the terms
of this scheme could be enhanced, merely by adopting the
corporate agreement, must have caused those engineers
who were near to taking the voluntary redundancy option,
to favour this course of action.

If then we were to look at the Customer Engineers in
ICL, and ask, "Were they influenced in their actions by
a redundancy culture?", the answer would surely be,
"Yes!". However, it would not seem to be the case that
the redundancy culture completely dominated and preclu-
ded the expression of other oppositional values. Pos-
sibly, to some extent, those perceived "rights" and
oppositional values were eventually submerged by the
influence of the culture. This is not to say however,
that the "redundancy culture" had either won a permanent
or complete "victory". As later events were to demons-
trate, the "right" to "no involuntary redundancy" conti-
nued for some time to exert an influence in the thinking
and behaviour of the engineers in ICL. Also, as the
details of the twenty redundancy events suggest, it was
a factor that influenced the actions of several other
groups of workers. In four of the twenty events desc-
ribed, voluntary redundancy was achieved as the prin-
cipal method of selecting the redundant. In three of
these events, the company conceded the principle in
response to some sort of industrial action. Also in two
of the events (Sydenham 1976, and Putney 1977), the
company "went along" with the principle of voluntary

redundancy as far as possible. It seems reasonably clear therefore, that the "right" to "no involuntary redundancy" was both commonplace and enduring, as a factor in the moral perceptions of ICL staff employees. Moreover, before claiming any state of total dominance for the "redundancy culture" the possibility needs to be considered, that other oppositional concepts might equally form the subject of defensive struggles by workers, and make them unwilling to blindly, peacefully, or even begrudgingly accept redundancy. The exact scenario need not be created in detail at this stage, but it is possible to consider whether the case studies point to other moral claims as motivating influences in forms of opposition to redundancy, or to aspects of redundancy.

5.5 **THE "RIGHT TO TIMELY CONSULTATION"**

What other perceived "rights" might contribute to explaining the reactions of ICL workers and their unions to redundancy? One such "right" or moral influence would seem to be a belief that management should be obliged to provide employees with a "fair" measure of timely information and opportunities of consultation. Just how important this may have been in the twenty events considered, can perhaps be judged by expanding on the background details to some of these episodes.

The wave of ICL redundancies which began in early 1975, were (among other things) the subject of

considerable union dissatisfaction with the amount of
information given. Moreover, there was in these same
events, little or no opportunity for union comments to
be made in advance of the redundancies, that could have
theoretically caused a different decision to have been
taken. Criticism by the staff unions was directed
towards these issues. When, in February 1975, 260
redundancies were announced in the Systems Programming
Division (S.P.D.) of the company, the response of ASTMS
was to reject as totally inadequate, the period of one
week between the date of the announcement, and the
planned date of notifying individuals selected. The
initial "pressure point" of the campaign organised by
the union therefore, was on the nature and timescale of
the exchange of information, rather than on the funda-
mental principles of the redundancy decision as such.
In the event, the company agreed to an extended period
of consultation, before issuing redundancy notices.
Having achieved a longer time-span to consult however,
there is no record that in this case the union attempted
to put forward any structured critique of the decision.
Rather, attention switched abruptly towards opposition
to involuntary redundancy.

In June 1975, ICL management announced the closure of
the Stevenage Research and Development site, part of the
Computer Design Division (C.D.D.) of the company. The
plan put forward by the company was to rationalise its
research and development efforts into other sites of
C.D.D. at West Gorton and Kidsgrove. A hundred and

fifty staff would would be offered the opportunity of transfers, and the remaining 350 would be redundant. A key issue was not simply the proposed site closure, but the company's longer term plans for the Letchworth/North Hertfordshire area as a whole, in which several establishments employing some thousands of workers, were located. Had the company withdrawn from this area, the effect on local unemployment would have been considerable. (25). In July 1975, a delegation from ASTMS and TASS members, together with local officials, visited the Secretary of State for Industry (Eric Varley). The ostensible purpose of the visit was to protest at the closure of the Stevenage site. However, the discussion emphasised the wider issues, in particular the lack of information on the company's plans and the absence of consultation with the unions.

The case put forward by the unions included the following points:-

> "That the company had *not fully revealed* the total impact of its proposal on the computer industry as a whole and particularly in North Herts."

No statement had been made about "dependent manufacturing organisations at Letchworth... ". It was believed to be...

> "... a further step in the ICL policy to severely contract or disband its development resources *without consultation* with the government or unions."

The unions were...

> "... *unable to obtain proper consultation* with the policy-making management of the company concerning [these points], and the long term future of the industry."

Finally, the employees of the company who had given many

years of service to...

    "... creating a viable British computer company.. "

did not wish to see this...

    "... sacrificed for temporary, short term gains."

The unions asked the Secretary of State to...

> "... require ICL management to immediately stop
> the action of closure and transfer of staff for
> a period of 4 months for *proper discussions* with
> management, government and unions."

They proposed that:-

> "In this period, no pressures should be put on
> staff to transfer, all transfer work should be
> abandoned and the overall policy aspects should
> be *thoroughly examined.*" (26).

The unions also put forward the idea that the govern-

ment, ICL and the unions should enter into a *planning*

agreement. This drew the reply that:-

> "The government was currently considering appro-
> priate companies, and... would bear ICL in mind."
> (27).

It is not readily apparent how and why the unions

came to lay such a heavy emphasis on the procedural

aspects of the proposed closure of the Stevenage site,

when the delegation met Eric Varley. They might perhaps

have chosen instead to meet the issues "head-on", and

express total opposition to the whole concept of the

closure. Their arguments would not perhaps have been

any more favourably received, but then if they were

seeking the intervention of the Secretary of State, it

could perhaps have been more realistic to expect his

sympathy to a strongly argued case for intervention, as

opposed to one of disquiet at a lack of information.

Had there been a case for opposition to the closure, and had the union representatives argued it strongly, they would after all, have been able to envisage (at least theoretically) a prospect of government intervention. (The powers enabling the Secretary of State to regulate the affairs of the company, were well known to exist as a result of various tranches of support to ICL from the government since 1968.) It seems reasonable to presume therefore, that the procedural arguments were emphasised because this was the area in which the union representatives themselves, were most convinced of the moral superiority of their case. What after all could be more natural (in the absence of any genuine moral conviction supporting outright, fundamental opposition to the closure) than to emphasise the issues of how the decision was being promulgated, who was and who was not being consulted, and what the implications might be of an unknown but suspected long term strategy for wider, more far-reaching rationalisations?

The reference to a possible planning agreement is perhaps a reminder of another underlying cause for this line of reasoning. The issues of industrial democracy... tripartism and exchange of information for collective bargaining, had all been pushed more to the centre of the industrial relations stage in 1975, by the relationship between the Labour Government and the TUC, and actual or prospective legislation on these matters. It is possible that the unions may have chosen to emphasise the procedural issues in the calculated belief that

this would have been the kind of argument that was most
likely to appeal. This however, seems rather less
likely than the possibility that the political debate
and developments about these issues encouraged a view in
the minds of union representatives, that "fair"
approaches "ought" to be adopted by the company, and the
government might be a potential ally in ensuring that
this did in fact happen.

The results of the initiative to seek the support of
the Secretary of State for Industry, were of little
consequence to the planned closure. Varley reported
back to the unions that he was satisfied with the course
being followed by ICL. There was no question, he said,
that the company was embarked on a road towards becoming
"merely a marketing organisation for foreign products".
The decision of the company was a...

> "... genuine attempt to keep the company's
> products competitive at a time of rapid
> technological advance... ",

and the company had...

> "... been trying very hard to avoid consequent
> loss of employment opportunities." (28).

On the question of the provision of "fair" informa-
tion and consultation opportunities to employees, one
direct consequence of the visit to Varley, was that the
Managing Director of ICL, Geoffrey Cross, gave a rare
briefing with trade union officials. It is of course a
matter of speculation as to whether or not some such
briefing would have occurred in any event. However, in
light of the relative paucity of information that had

been volunteered by the company until this time, one must suspect otherwise. In any event, the briefing meeting was, it seems, a remarkable affair. The purpose was to allow the Managing Director to explain the thinking of the company underlying the recent spate of redundancies, and to indicate the company's future strategy. Detailed figures were produced explaining the company's strategic development plans. Most were taken from highly confidential documents, and had never been released to trade union representatives before. (Indeed, they were no doubt unseen by some relatively senior staff in the company.) Then, to the undoubted surprise of those present, the Managing Director dropped what can only have been seen (given the context) as something of a bombshell. He announced that there was also to be...

> "... some rationalisation in manufacturing which would have the effect of causing redundancies at Letchworth, Stevenage and Winsford. A total of a further 205 employees, mainly staff, would be affected... Local representatives were to be advised of the position in the next few days so that consultations could commence." (29).

Given the almost casual way in which this information seemed to have slipped out, as an "afterthought", in a meeting called precisely to rectify the inadequate consultation arrangements concerning the C.D.D. Stevenage closure, one would expect a degree of anger from the trade union representatives present. What in fact was their reaction? The unions emphasised to the Managing Director that the transfer of C.D.D. from

Stevenage could not take place without the co-operation

of TASS and ASTMS:-

> "This was not likely to be forthcoming when redun-
> dancies were announced in what appeared to be an
> endless series of separate managerial decisions."

They complained that there had been...

> "... a total lack of any involvement of the unions
> in a global account of the company's future inten-
> tions."

When enquiries had been made about rumours of closures

in the Stevenage area...

> "Industrial Relations Management had been unaware
> of the plans which were being made for the transfer
> of C.D.D. When we were discussing the C.D.D. posi-
> tion, Industrial Relations Management were unaware
> of the proposed move for Systems Programming
> Division to Bracknell. While we were expressing
> concern about the implications of the Stevenage
> closure on other staff at Stevenage, plans were
> being made for a further redundancy of 205 which
> was now being announced. In these circumstances
> it was not surprising that members had reached the
> stage where they were determined to resist the
> company's proposals, and it would be necessary
> for management to create a different atmosphere
> if productive negotiations were to take place."
> (30).

Again, the striking aspect of the unions' position,

is that they did not so much oppose the whole concept of

the redundancies (though in time they may in fact have

done so). Rather, objection focused on the issue of the

manner of providing information, and the degree to which

the unions were taken into the confidence of the

company, told the whole circumstances behind these

decisions, and informed of the company's long term

strategies in a total sense.

There was never a point at which, in the process of

confronting the three separate sets of redundancies in

1975, the unions adopted anything approaching a position of total and determined opposition as a matter of fundamental principle. It is true, limited work restrictions *were* imposed after the July 1975 announcement concerning the Manufacturing Division. Also, the official purpose of these sanctions *was* admittedly to attempt to coerce the company into withdrawing the redundancies. Perhaps there were some members who would have preferred to see more outright attempts to "halt the company in its tracks". However for all this, there is little recorded information to suggest that if this were the case, it was in any sense at all, a significant move within the ICL workforce. It is of course, difficult to judge how widely the sense of moral outrage at the lack of timely information and consultation, was shared by the union members generally. However, it seems to have been a factor (perhaps the key factor), in causing workers to take industrial action in two of the three 1975 incidents. To this extent, it would seem justifiable to see the belief in a "right" to information and consultation, as an aspect of an "oppositional culture", with which the "redundancy culture" has had to compete, in claiming influence over the thinking of ICL employees facing redundancy. Eventually, the redundancies were promulgated, and the opposition to the company's plans produced little discernable change in policy. If there had been greater, more militant, more long-lasting opposition, *perhaps* it would have been different. Was it evident that rival values had been incapable of

influencing the perceptions and actions of workers?
Clearly, if the "redundancy culture" was a dominant
ideology, it remained vulnerable to the existence of
oppositonal values and ideas, to the extent that (as
seen in the incidents described here) the "right to
timely consultation" became a rallying point around
which opposition to the company and its proposals was
mobilised.

A further example to illustrate this perceived
"right" to timely information and consultation, can be
seen in certain of the events relating to the Security
of Employment Agreement, concluded in March 1977.
The corporate S.E.A. provided that in the event of "a
run-down, transfer of work or reorganisation" becoming
necessary, causing...

> "... any possible reduction in manpower require-
> ments",

there would be...

> "... full and early consultation in accordance
> with the provisions of section 99 of the Employment
> Protection Act 1975... with all levels of represen-
> tation of the workforce." (31).

The agreement then went on to list a series of seven
initial steps that would be taken to avoid the need for
redundancy, including the discontinuation of temporary
and contract labour, withdrawing outside contracts,
suspending overtime, banning all recruitment, compul-
sorily retiring all employees over normal retirement age
and giving consideration to part-time working and work-
sharing schemes. It also made provisions for the

redeployment of personnel, transfers to other locations

of the company, and went on to say that...

> "... should redundancy become unavoidable in spite
> of the foregoing measures, then further consulta-
> tion with those union representatives will take
> place." (32) .

On 11th October 1979, ICL management called together

the National Officials of both staff and hourly-paid

employees' trade unions. There had been, it should be

said, no prior consultation of any kind nor any other

joint consideration of a potential redundancy, nor

exploration of possible ways of avoiding one. The

meeting however, was the occasion of a formal factory

closure and redundancy announcement. A prepared state-

ment was read to the trade union officers. It began as

follows:-

> "Ladies and Gentlemen, I regret to tell you that
> we have been forced to a decision to close down
> our factory at Dukinfield near Manchester by the
> end of September 1980. This decision is
> unavoidable... ". (33).

The statement went on to explain the reasons for the

decision. It had followed from a "forward review" of

the following twelve months, which had shown the company

that they needed to reduce manpower in U.K. manufac-

turing from 8400 to 7200 by September 1980, "to enable

us to make products at the right cost". Despite the

fact that ICL's growth in marketing and sales, customer

service and similar areas was leading to an increase in

the number of jobs available in these quarters, the

company had concluded that "only a few could be filled

by employees displaced in manufacturing... ". Nine

hundred or so employees would be made redundant as a result of the closure of the factory, and the management proposed to make an ex-gratia plant closure payment for each person who agreed to leave at a date acceptable to the company, in addition to the severance payments laid down in the S.E.A. (34).

However valid were the business reasons advanced by the management for this announcement, there can be little doubt that the manner of its presentation - as a *fait accompli,* an "unavoidable" decision - differed substantially from the framework of consultation envisaged in the S.E.A. It might be said, by way of explanation of the management's actions, that having come to the "unavoidable" conclusion that there was no alternative course of action available to them other than to announce the redundancy of 900 employees, they felt obliged to release their decision on the factory closure immediately rather than go through some kind of sham exercise looking for possible alternatives. Nevertheless, it was certainly remarkable that in what amounted to the first major redundancy after the conclusion of the S.E.A. (indeed, in what was subsequently said by a member of ICL management to be a test of the efficacy of the S.E.A.) (35), there should have been so little heed paid to the formal consultative procedures laid down in the agreement.

The trade unions' response to the closure announcement was perhaps predictable. The company was criticised for breaching the S.E.A., and the immediate

response was a refusal by the workforce at Dukinfield to accept the closure. (36). National delegate meetings were called by both ASTMS and TASS to discuss the proposed redundancies. The ASTMS National Advisory Committee for ICL members met on 18th October and condemned the company's "blatant disregard for the Security of Employment Agreement". It also called on the company to "withdraw" the closure announcement "as a pre-condition for any negotiations on manning levels... ", and called on ASTMS ICL groups of members nationally to:-

" (i)   Ban all overtime

(ii) Refuse to handle work normally carried out at Dukinfield

(iii) Ban sub-contract manufacturing work except sub-contract to Dukinfield

(iv) Organise meetings in work time for Dukinfield delegates to address the membership. " (37).

The response of ASTMS groups throughout the country was, in the main, to support the resolution of the N.A.C. and, in some cases, action was taken which went beyond the sanctions listed.

There seems little doubt that the feelings of the majority of employees over this issue, were of acute indignation. The Vice Chairman of the ASTMS group at Dukinfield observed...

> "... the company have torn up the useful part of the S.E.A. - the measures to be taken to avoid redundancy. They have not consulted with us to enable us to make suggestions. They have not blocked external recruitment or used any of the other measures stated in the S.E.A.... "

"Even worse", was a statement he attributed to a Director of the company, that...

> "... in this day and age, no company like ours can guarantee security of employment. It is a complete negation of the S.E.A." (38).

Whether the majority of employees would have expressed themselves in similar terms is difficult to say. However, it is interesting to note that industrial action supporting the Dukinfield members occurred throughout most of the United Kingdom, involving almost all groups of ASTMS members in ICL besides some members of TASS and EEPTU. By 7th November 1979 sanctions were in force on fourteen sites or divisions of the company, whilst only two sites or divisions had no employees taking action. (39). The majority of union members clearly objected to the way the company had handled the Dukinfield issue, and it would seem likely that they shared in a moral concern at the failure to consult, and the apparent breach of the S.E.A.

The result of the action by the trade unions was that the company eventually produced a concession. A working party was to be established by the unions representing all workers on the Dukinfield site, to examine what the company claimed to be its chief difficulties in retaining the factory as a manufacturing unit. On the basis that the working party formula was acceptable to all the unions, the management agreed to suspend the 90 day notice of redundancies, for a period of 28 days to allow a report to be prepared. During this period, the provisions of the S.E.A. with regard to the suspension of

overtime, discontinuing the use of temporary and con-
tract labour etc, would be applied. (40). In the view
of the ASTMS officers, this represented "significant
progress" in maintaining the arrangements provided in
the S.E.A.

The sanctions were withdrawn, and the working party
began work attempting to put together a case which
confronted the logic of the closure plan on its merits.
However, in the event, there were serious practical
difficulties placed in the way of the working party.
Documents that might have provided an insight into the
reasons for the closure, were described as "confiden-
tial" and "secret", and precious time was lost in trying
to persuade management to divulge the information re-
quired. By the time this problem had been overcome,
there were only six and a half days left for the unions
to prepare their critique of the closure plan. Requests
for an extension of the consultation period were turned
down.

On January 10th 1980, the working party submitted its
report to ICL management at Dukinfield. It was a docu-
ment running to some 52 pages, covering such topics as a
possible alternative strategy for the company, a break-
down of the Dukinfield plant operations, an analysis of
marketing strategies, cost comparisons, consideration of
the cost of sub-contracting, the lateness and absen-
teeism statistics of Dukinfield employees, possible
areas where alternative savings could be made, tech-
nological considerations and employee-relations matters.

Bearing in mind the difficult circumstances under which the working party was compelled to work, it was a cogent and comprehensive document. (41). However valid or otherwise were the arguments it contained, it would seem evident that a proper consideration of it and a reasonably detailed reply to its main contentions would necessitate either a substantial written reply or, at least, a lengthy verbal "presentation".

On 16th January, the management responded to the report of the joint union working party. The manager concerned seemingly accomplished this task in a total time of four minutes! (42). He concluded his presentation by saying that the management and the unions "should now sit down and discuss redundancy terms". Needless to say, the unions were upset, both at the answer to their document and the manner in which it was given. A request was made for a further meeting which should include a member of the ICL main Board. (No such representative had been present at the meeting on 16th January.) The request was met with a firm refusal by the Deputy Managing Director, and an assurance that "a full and detailed analysis of the report of the working party" had been carried out. (43). No further details were given of the reasons why the company had decided to reject the alternative plan put forward by the working party; it was simply stated that "the proposals do not constitute a viable alternative to the closure plan".

Bearing in mind the vigorous campaign which had greeted the initial closure announcement, in which staff

union members from most ICL sites around the country participated, one might perhaps have expected a strong reaction to such a cursory dismissal of the joint union working party report. However, at a mass meeting organised by the Manchester CSEU on 25th January, the workforce of the Dukinfield factory voted "by a substantial majority" to accept the closure of the site and concentrate on obtaining the best possible redundancy terms. The contents of the report had seemingly had little impact on the views of the workpeople, who had simply resolved to accept pragmatically what they now saw as the inevitable. The union's success in getting an extension of the consultation period, and winning the chance to subject the closure decision to closer criticism, eventually proved then, of little consequence. Not only were management unmoved; in the event the rank and file union members saw little point in continued struggle.

Although there was no outright opposition to the closure here, in the form of a factory occupation, it would be grossly misleading to suggest that workers saw it as "legitimate", as Hardy has encouraged us to expect. Not only was considerable opposition expressed to the company's actions in failing to consult in accordance with the terms of the S.E.A., the closure decision itself was challenged in the efforts made by the unions to subject the reasons for it to critical analysis. If one is looking for an explanation for the eventual acquiescence of the workforce then, it appears to have

little to do with perceptions of legitimacy, and on the
evidence available, not a great deal to do with the
thirst of the workers concerned for the compensation
that redundancy would bring. A more convincing explana-
tion is that workers simply believed themselves, in the
last analysis, to be powerless to prevent the company
from closing the factory if they chose to do so. And
while no doubt they felt dissatisfied with the way the
company had so cursorily dismissed their alternative
proposals, in a sense this high-handed approach con-
firmed them in their views that they were practically
incapable of preventing such a determined line from
prevailing, and the decision being ultimately imple-
mented. Our conclusion must be that if there was
acquiescence, it was begrudgingly given, was based on
perceptions of power disparities rather than legitimacy,
and was not rooted in any sense of moral accord nor
necessarily in any belief that compensation represented
a fair or desirable alternative to unemployment.

On the other hand, while opposition to the closure
per sé, was bound up with the position adopted by the
unions, that they should have the opportunity to be
consulted, and scrutinise the reasons for the decision,
opposition to the closure as such was not the focus
around which activity and resistance was organised in
the plant and among supporters nationally. If this
seems an odd paradox, there are several reasons which
might explain it. First, the issue of consultation was
a unifying theme in mustering support, it was possible

for the unions to point out to members in other plants,
that it was *their* interests which were at stake. Focu-
sing on the question of the closure decision as such,
might not have been seen as embodying such unifying
potential. Second, the fact that the S.E.A. had only
recently been concluded, and that it laid down a proce-
dure which the company now seemed willing to breach with
impunity, may have appeared particularly morally repre-
hensible to union officials and members, thus confirming
their oppositon to the *manner* rather than the *fact* of
the closure annnouncement. Thirdly however, it would
seem that the evidence of the events described here
tells us something of the perceived "rights" of union
members in ICL. On the basis of this evidence, it would
seem arguable that there were widely held beliefs that
the company "ought" to go through an acceptable form of
consultation with unions prior to declaring redundan-
cies, and "ought" to allow time and opportunity for
arguments to be presented and considered. In short, the
"right" to consultation seems to be based on the essen-
tial notions of "free speech", "democracy" etc, which
run through society at large, but it is significant that
it is linked to the practices and needs of trade unio-
nism and collective bargaining. On the evidence avail-
able, it would seem reasonable to identify perceptions
of this "right" as being bound up with a trade union
culture, which we might for the sake of convenience call
the "consultation culture". On the other hand there is
no evidence here of widely held views that employees had

an unqualified "right to work", nor a "right not to be made redundant". By preparing an alternative plan, union leaders may have hoped to organise support for such a view, if the logic of the company's case appeared weak. As we have observed, it is significant that they did not initially organise around this issue, but chose instead to emphasise the consultation argument. And even if in this case there *was* general support for the analysis put forward by the unions, that the closure was unnecessary, and that the company's actions were wrong, there is no sign on the available facts, that there was any attempt to overcome workers' pessimistic visions of the outcome of opposition, based on perceived disparities of power between themselves and the company. And while the lack of clear evidence from this particular study, of any general consensus belief in a "right to work" does not finally pronounce upon this issue, we can say with rather greater certainty that the fact that the closure was eventually accepted had little to do with a widely held perception of legitimacy, and was not in itself a sign of the pull of compensation, nor of a general absence of objection that might be attributable to a "redundancy culture".

5.6 COLLABORATIVE DEALS AND "PRODUCT PATRIOTISM"

A third influence which might be seen as opposing in some measure the total domination of the "redundancy culture", is a more tentative concept, less easily

described in a short self-explanatory phrase. However, looking at the twenty redundancy events as well as subsequent developments in ICL, one is struck by an apparent belief in a certain "code" or "standard" of "good" management that "ought" to be followed. In a sense, this seems to be located in a high level of identity and understanding which ICL workers had of their own industry, and a pride in their skills, and knowledge of the products they helped to make. It could be seen as an *idea* that, management *"ought"* to look after the long term interests of the company, to uphold the best traditions and achievements and that a failure to do these things was in some way irresponsible, perhaps even "unpatriotic", in the sense that the British computer industry would be likely to suffer. It might appear that there is a degree of competitive, perhaps capitalist logic in this expectation, but on further consideration, this is not the complete explanation. Rather it is an expectation that might sometimes fly in the face of a strict market capitalist evaluation. Pride in the product, a belief in the skills of the workers, a desire to retain control of the creative, innovative forms of work, might in some cases be utterly irrelevant to the prime objective of maximising company profits. For want of a better phrase I shall call this influence, a sense - I hesitate to call it a "right" - of "product patriotism". To the extent that it might give rise to an "expectation" of certain forms of managerial behaviour, it might constitute an influence,

that is akin to a perceived "right". Some examples at this point will be useful.

As a result of the succession of redundancy announcements in 1975, the staff trade unions - principally ASTMS - began to develop a critique of company policies on marketing and manufacturing. To understand this critique, some explanation of the technical aspects of computer manufacture needs to be established. In the mid-1970s - and probably to some extent today - the popular image of the computer was focused on the central processor unit, of a mainframe computer. Certainly this was, and is, a key area of manufacturing activity. However, for a company seeking commercial success (as opposed to prestige or scientific excellence), manufacturing central processors of mainframes was probably the least profitable of activities. (44). At the time of the 1975 redundancies, there were at least two areas of computer manufacture, which the company was beginning to regard as of equal or greater significance to mainframe manufacture. The first was the mini-computer (what we now call the "personal computer") which at that time was rapidly developing as a mass-produced product, for wide-scale use in offices, laboratories etc. The second was the range of devices that are attached to the central processor unit of a mainframe - the computer peripherals. This includes such things as tape drives, terminals and printers, and represents an important part of every computer system.

Since the late nineteen-sixties, ICL (which had been
the focus of government strategic support for the
British computer industry) had concentrated its energies
on the design and manufacture of mainframe computers.
The high revenue earning and growth side of the industry
- particularly the manufacture of peripherals - had been
largely ignored. This policy was increasingly the sub-
ject of criticism from union representatives, who be-
lieved that company should be manufacturing its own
range of computer peripheral equipment. (45). The
problem for ICL however, was that the company lacked the
resources to develop a suitable range of peripheral
products to compete in this sphere, and the answer
chosen therefore, was to share the development costs by
a collaborative venture with two American companies, NCR
and CDC. (46). The vehicle for this collaboration
however, was a United States-based corporation,
"Computer Peripherals Inc". (47). It requires little
imagination to see that this arrangement would be
regarded as, "exporting the jobs of British workers to
the U.S.A".

In light of the three redundancy announcements in
1975, there was a feeling of unease among ICL employees
at these developments. In March 1975, in the context of
threatened redundancies in S.P.D., the ASTMS/ICL
National Advisory Committee expressed its concern "for
the future of ICL as a major British company in advanced
technology... ", and for the employment prospects of the
company's staff. A more explicit motion was sent by one

ASTMS/ICL branch to its Divisional Council in July 1975.
This stated that...

> "... in view of the current policy of ICL, which
> indicates a willingness to abandon - to interests
> outside this country - the control and manufacture
> of a significant part of the computer equipment
> field, particularly peripherals, this Divisional
> Council calls upon the government to take account
> of the large community stake in ICL and to ensure
> that we retain a viable computer industry in the
> U.K.... " (48).

A meeting of representatives of ASTMS, TASS and the
EEPTU on the 11th July, at the Stevenage Computer
Development site, accepted documents outlining opposi-
tion to the redundancies, based on the theory that the
C.D.D. rationalisation plans were...

> "... part of a continued overall management
> strategy of contracting the Design Development
> and Manufacturing capabilities of ICL and hence
> computer industry." (49).

As has already been described, a joint union delega-
tion attended a meeting with Eric Varley, the Secretary
of State for Industry, to try to persuade him to inter-
vene on the proposed closure of the Stevenage Research
and Development site. The government's views on C.P.I.
were sought. As the union report of the meeting puts
it, the union expressed...

> "... deep concern that the tendency was for ICL
> to become a marketing organisation for other manu-
> facturers' products to the detriment of the British
> computer industry's long term prospects." (50).

The Secretary of State's view was unsympathetic. The
best prospect, he said, was for the C.P.I.venture to
succeed, and to help ICL to expand their sales. (51).

The day after the Secretary of State had sent his
written reply to the unions, declining to intervene,

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ASTMS members in ICL attended an ASTMS/ICL National

Advisory Committee (this was effectively an ASTMS repre-

sentatives' "combine" meeting, with representatives from

all the main interest groups with ICL attending). A

discussion took place in which the General Secretary of

ASTMS, Clive Jenkins (52), expressed views that found

ready support among the delegates. The minutes of the

meeting record that he expressed concern for the future

of ICL in the U.K. and felt that certain steps should be

taken as a matter of urgency. He referred to the C.P.I.

situation, which he described as "extraordinary" in

that...

> "... a British company was about to submerge it-
> self, and £8 million of British money, into an
> American dominated company - whereas there is a
> British company which has also received government
> money - the Data Recording Instrument Company...
> He believed that C.P.I. might be formed as a step
> towards the introduction of American interests into
> ICL leaving ICL as a British marketing organisation
> for imported material." (53).

Several of the delegates at the meeting echoed this

concern for the long term future of the company, and in

particular for the consequences of the current policies

on their future employment prospects. The meeting

concluded that...

> "... in view of the fact that C.P.I. is being
> 'sold' to our members in manufacturing areas, as
> the means of future jobs... we needed to produce an
> information sheet, as some of the members are not
> aware of the longer-term problems." (54).

The view was also, put forward that a further meeting

should take place with Eric Varley, and that he should

be provided with a paper prepared by a working party of

members, giving a detailed analysis of the problem.

Whilst the working party did, in fact, "get off the ground", and indeed went as far as preparing a draft report, nothing finally came of it. The reason for the exercise fizzling out is difficult to establish with any certainty, but in all probability, the main reason was simply that it was overtaken by events. The General Secretary of ASTMS wrote to Eric Varley immediately after the ICL National Advisory Committee meeting of 13th August, explaining the union's concern at the long term consequences of the approach adopted by the company. It seemed to envisage, "a situation in which there would effectively be no domestic computer industry concerned with British interests", and the union was concerned that the Minister should ensure that no irrevocable steps should be taken...

> "... which would reverse the past policies and lock us into a situation where we would be completely dominated by American interests." (55).

Eric Varley replied in mid-September, referring to his earlier response to the delegation from ASTMS and TASS which had met him in July. He took his brief from the company management, who had assured him that there was...

> "... no intention that ICL should develop into a marketing organisation for foreign products."

As far as the C.P.I. venture was concerned, the Minister's view was that joining would...

> "not lead to domination of ICL by American interests... " (56),

an opinion which seemed to at least one ASTMS officer to be "accepting the company's assurances at face value". (57).

ASTMS members were at this time still in the process
of assembling contributions for the paper which it was
hoped might influence the government to intervene.
However, on 23rd September 1975, the company announced
that it had now concluded the agreement with NCR and
C.D.C. for ICL to acquire a one-third share of C.P.I.
According to the company announcement, the establishment
of C.P.I. Data Peripherals Limited would...

> "... create more job opportunities in the United
> Kingdom and no adverse effect on ICL´s current
> workforce [was] expected." (58).

Union reaction however, was sceptical. The nascent
working party report had drawn the conclusion that...

> "... all evidence of the marketing plan points to
> the fact that, if ICL passes over the manufacture
> of peripherals to C.P.I., then the turnover of ICL
> will be reduced, thus necessitating a reduction in
> the number of people employed by ICL, both overall
> and to a greater extent in manufacturing." (59).

However, there was little point in continuing to argue
the case when the decision to which it related had not
only been taken, but fully promulgated. Work continued
on the preparation of the report until March 1976, but
quietly ceased after that. There were, in any event,
other more pressing issues to demand the time and energy
of union representatives after this date, including the
redundancies of July 1976.

Of course, it could be said, there was nothing so
remarkable about this episode. The unions were merely
attempting to avoid their members´ jobs being "exported"
to America. Undoubtedly, this was the case, but it
would seem that there was something more that underlay
much of the argument and motivation of the union

representatives. It was the sense that in abandoning the manufacture of equipment, and accepting instead the role of marketeer of foreign produced goods, the managers of the company were in some way selling ICL and its workforce short, perhaps even acting against the best interests of the country as a whole. The language of the critique, it should be noted, was not the language of "radicalism". There was no talk here of defending workers´ "rights", imposing militant sanctions in defence of jobs, engaging in "work-ins", or anything of that sort. On the contrary, the language used was predominantly a language of patriotism, or company chauvinism. There was talk of the company being willing to "abandon to interests outside this country", the manufacture of computer equipment. The government was enjoined to intervene, not because of the loss of jobs of the workers concerned (though that was of course the underlying problem), but...

> "... to ensure that we retain a viable computer industry in the U.K."

The company´s strategy was working to...

> "... the detriment of the British computer industry´s long term prospects... ",

and the long term problem was the Americanisation of the industry as a whole.

Arguably, the unions could have projected these sorts of reasons in defence of their members´ jobs, not because they *believed* in them, but because *some* sort of case had to be put forward, and this was the one that was most likely to appeal to government. This however,

does not seem a convincing scenario. The arguments about the harm that the management's strategy was doing to the company, did not come in the main from the full-time officers, but from members of ASTMS who worked in ICL, and who themselves had a considerable measure of understanding of the industry. Expressions of concern at the direction being pursued by the company were doubtless linked to fears of job loss, but a number of fairly senior members of staff, who were probably in no immediate personal danger of redundancy seemed keen to contribute to the ASTMS working party report. It must be assumed therefore, that the critique of the company's policy was largely based on genuine feelings of concern, rather than pragmatic arguments that had been advanced to suit the circumstances in hand.

None of this prevented the company from pushing ahead with its redundancies in the events of 1975. To a degree, this might be explained in terms *other* than the ideas and beliefs of employees involved. (After all, there are doubtless some circumstances where *any* opposition is unlikely to meet with success for the workers, purely because the objective possibilities are severely limiting). Doubtless an examination of the tactical management of its campaign of opposition, would find the union to have been wanting in some important respects also. If there was a genuine sense of "product patriotism", it was not until *after* the redundancies had all been declared, that this began to be translated into an effort to divert the company from its "misconceived"

strategy. The issue however, is in this instance less a case of "did the union win the day?" than, "did other ideas motivate resistance?". There was limited opposition to the redundancies in S.P.D., C.D.C., and Manufacturing Division in 1975. To some extent the issues of "voluntarism versus involuntarism", and the need for "timely consultation", were both involved here. However, the overall acceptability of the company's strategy also seems to have been an issue that represented a reason of opposition. While concern and a sense of importance of the issues of "product patriotism" may well have been fairly generally experienced among ICL employees, it would not seem to have represented a major oppositional influence in causing widespread militancy in this particular case. Nevertheless, there might be other circumstances where this position is altered substantially. The existence of a current of thought opposing the tide of the "redundancy culture", should be seen as a significant issue in itself.

A further example, will demonstrate that outcomes of different struggles and disputes can vary between one case and another.

5.7 CLOSURE OF CADC CAMBRIDGE :
"PRODUCT PATRIOTISM" AGAIN

The sense of "product patriotism" seems to have been an important factor in another set of circumstances where ASTMS members faced redundancy. The events concerned, were in relation to a proposal to close the

Computer Aided Design Centre at Cambridge, in 1976. The
centre was established in 1968 as a government-supported
research institution. Its brief was to encourage and
sponsor the application of computer aided design tech-
niques throughout the engineering industry. (6).
Management of the centre was performed under contract by
a wholly owned subsidiary of ICL, DataSkil Ltd. Some of
the staff (in total about 120) were employed directly by
DataSkil, a proportion were employed by ICL (the service
engineers), and another group were government employees.
Whilst the centre raised revenue from the sale of its
software designs to industry, it was dependent to a
large extent on government support for much of its work.
In character, as well as in the nature of managerial and
financial control therefore, the centre was a very dif-
ferent organisation from most of the other servicing and
manufacturing divisions of ICL.

In 1975, rumours of a plan to close the centre began
to circulate. Various plans were speculatively dis-
cussed, including possibilities that the centre might be
taken over by the National Research and Development
Corporation (NRDC). This plan seems to have been
opposed by the Department of Industry however, which was
ready to "float-off" the commercial activities of the
centre but not the research side. In the background
were various competing interests. The large engineering
companies stood to gain less from the centre than the
smaller and medium-sized firms that made more use of its
software development packages. Moreover, from the

computer software industry and others, with a stake in the commercial exploitation of the computer aided design work, there was only-to-be-expected reserve, at the presence of State sponsored research in what was (for them) a field of customer competition. It was from precisely this grouping of interests (on a Department of Industry "Requirements Board") that advice first came to be considered, to close the centre, and disseminate its work elsewhere. (61). A further factor was the influence of the then Chief Scientist (a senior civil servant) who was keen to merge certain of the CADC activities with the NRDC to form a "new and more powerful grouping of research and development interests" (62), the implication being however, that the commercial side of the centre's work should be hived off to the private sector.

It was more then, in the context of this kind of vague rumour of pending demise, than any clear closure announcement, that staff members of ASTMS reacted to a rather uncertain, unspecified, prospect of job losses.

The response of ASTMS members and officers was to mount a political campaign. Efforts were made to put the case for keeping the centre open, to the Minister of State at the Department of Industry, Gerald Kaufman. In February 1976 the National Officer of ASTMS requested the opportunity to inform him of the views of staff, before any decisions were taken. (63). Other MPs were involved, including MPs sponsored by ASTMS. As a result of this, certain facts were established.

Firstly, no decision had been made about the future of the centre; secondly, the senior industrialists on the Requirements Board had advised the Minister to reduce the work done by the centre, and "farm it out" to the industry in direct contracts to "develop and demonstrate specific C.A.D. applications" (64); thirdly, if these recommendations were accepted, the "size and role" of the centre would alter, so alternative locations were being considered. (65). Whilst it may well have been technically correct for the Minister to report that no decision had been taken on the centre's future, it certainly seemed that plans were nevertheless at a fairly advanced stage, and clearly, the fears of employees in relation to the centre's future were not without foundation.

One of the arguments that was put very strongly by the ASTMS representatives during this state of uncertainty, was that there was a need for consultation. A government Minister was to take a decision on the retention or partial closure of the CADC, so it followed that if there was to be any "timely consultation" it would need to be with the Minister concerned at an early stage. However, Kaufman was reluctant to agree to this, and replied to the approach by ASTMS to this effect. (66). This was not considered satisfactory, and it raised for the ASTMS officers the prospect that they would have to present their...

> "... reasoned arguments in a situation where the government and the employer have already reached a decision." (67).

The matter was not resolved, although Kaufman gave
the rather cool assurance, that when he received any
recommendations on the future of the centre, he would
also consider any comments from ASTMS and or DataSkil.
(68). Eventually the issue was conceded (after further
letters protesting at the lack of consultation), and a
delegation from ASTMS members at the centre, together
with officers, met the Minister on 12th April 1976.

The delegation did not record in detail, the argu-
ments that were presented to Kaufman. In the susbequent
report to ASTMS members however, the following statement
was made. The delegation...

> "... pointed out that any... dispersal [of CADC
> staff] would mean a great loss of collective exper-
> tise to the country and to medium and small com-
> panies, which would not be able to fund their own
> research in this field. It was impressed on the
> Minister that the views of industrialists should
> not be allowed to unduly influence any decision.
>
> Other countries have already shown an interest in
> imitating developments at CADC." (69).

The report to members went on to record that the
Chief Scientist was preparing a report on the future of
the CADC, and that ASTMS members were collaborating with
middle management of the centre in preparing their
arguments for keeping the case open. (70).

The joint ASTMS/middle management working party
completed its task in a period of some three weeks, so
that by 21st April 1976, a report outlining the case for
retention was circulated to a number of interested
parties (as well of course, as being sent to the Depart-
ment of Industry). The subsequent outcome suggests that
its findings were considered very seriously. Indeed, it

would have been hard to ignore, being based on not only

the views of the staff, but evidence taken from some

43 people knowledgeable about and able to comment on,

the centre's achievements in advancing the "state of the

art" in computer aided design. (71). The main findings

highlighted the detrimental effects which splitting up

the centre would have, on the British industries that

needed to incorporate and build upon, the most advanced

computer aided design techniques. The clear message to

emerge was that the centre had...

> "... done much valuable work in an area where
> technological progress is extremely fast... " (72),

that the team which CADC had built up had...

> "... the expertise and facilities to save British
> industry a lot of money... " (73),

and that overall, ASTMS believed that CADC had...

> "... a vital role to play in the development of
> the British Engineering Industry: we believe it
> must stay open, stay active, stay in
> Cambridge... ". (74).

The report contradicted the findings of the civil

servants, who would have preferred the dispersal plan

initially proposed. (75). A period of intense lobbying

ensued, with ASTMS utilising its contacts with MPs and

(through the General Secretary who sat on the Board) the

NRDC. A key aspect of the envisaged future of the

centre, was that it would aim to become more commer-

cially self-supporting, and would remain as a self-

contained research institution, under the NRDC. The

Board of the NRDC accepted this as a working proposal,

and in turn, put the proposition to the Department of

Industry. (76). Eventually, in August 1976, Ministerial

approval was given for the centre to remain intact, with the NRDC assuming a new overseeing role for it. (77).

What motivated ASTMS to organise this campaign of opposition to the closure of the centre? What were the ideas and values in the minds of those union members who identified with it? One thing seems reasonably clear. It was unlikely that the fear of unemployment *in the main* caused the staff of the centre to oppose its closure. Their skills and highly specialised knowledge would have meant that most - probably all - of them would have found it relatively easy to secure alternative employment. Indeed, one result of the rumours of the closure, was that a number of members received excellent job offers and possibilities of substantial salary increases to work elsewhere. (78). Possibly, some staff made redundant would have had to move from Cambridge, and that may well have been a fear. However, set against this would have been the possibility of redundancy payments, and a good prospect of finding acceptable alternative employment (probably on as good, or better conditions) within a very short period of time. The fear of redundancy then, *may* have motivated some staff to oppose the closure, but for others redundancy seems to have been a prospect that would have been easily brooked. However, it would seem that from both the union officers, and the members of ASTMS at CADC, there came a certain sense of "product patriotism" (to

the extent that this term relates equally to a service,

as to a product of manufacture). It was the ASTMS'

contention that...

> "... the present staff represents a body of CAD
> expertise unrivalled in Europe... the breaking up,
> of this team would be a decidedly retrograde
> step... ". (79).

The whole thrust of the argument put forward in favour

of keeping the centre open really came down to this sort

of view.

In this instance of course, there was a possibility

of success, because these arguments were being

addressed, not to the management of a commercially self-

financed enterprise, but the Minister of a government

department that could accommodate this point of view.

In this case, it is sufficient to note that the Minister

of State was eventually able to accept the union's view,

that the centre was "a national asset of unique charac-

ter". (80). A decision was taken to keep the centre in

existence, and maintain support to enable the design

team to be held together. The battle to oppose the

closure had resulted in an outright victory for the

employees and the union, in this instance.

Hence we see in this episode, an example of opposi-

tion to closure which followed a course, and assumed a

form markedly different from that of a workers' occupa-

tion (which writers like Hardy seem to imply is the only

significant form of opposition to closure). Moreover,

the moral basis for opposition appears to have been

quite different from the underlying morality of the main

struggles against plant closures (see the literature

review of this area in chapter two). In these latter
cases it would seem, unions and workers fought closures
in pursuit of the "right to work". In the CADC episode
the "right to work" seems to have been of somewhat less
importance to the workers concerned, as already argued
above. More importantly, workers appeared to view the
proposed closure as an act of industrial vandalism.
They had a high belief in the value of the work they
did, and saw it as being in the "national interest" that
the centre should be kept open. This view of the centre
as being something worthwhile and a source of pride,
seems also to represent a certain identity of workers in
the well-being of the company. It is as if they were
saying, "you cannot prosper if you do not make the best
use of the products and skills of the employees. We
know best, listen to us". This perspective, it should
be said, seems to have arisen not through any *concerted*
effort by union leaders (lay or full-time), but as a
point of view that was largely a feature of the emp-
loyees' relationship to the company, through the jobs
they performed. Nonetheless, it was union organisation
that provided the expression for these views. Without
union organisation the "sense of product patriotism" may
have remained as simply the personal reflections of
workers, on the wastefulness of redundancy, and the
moral culpability of management for it.

The moral influence in question, seems to have been
present on both the occasions quoted here. In both
these cases, the unions subjected the strategies of the

company to critiques based on their sense of the "right thing" and the courses of action the company "ought" to adopt. In the case of the proposed 1975 link with CPI the management of ICL were seen as the guilty party. In the proposed closure of CADC Cambridge, the finger appeared to be pointing at the government's Chief Scientist. In both cases, there seems to have been an implied criticism of industrial philistinism, leading ultimately to the neglect of the company's long term interests. Though the description of this outlook as a *moral* perspective has not been explicitly adopted by the writers of the main book on the Lucas Aerospace Alternative Plan, it would seem that they too, are dealing there with an example of an argument that expressed just such an ethical position by the workers concerned. As the writers of "The Lucas Plan" put it:-

> "The plan was an argument for action, a confidence builder, a reason for believing that jobs could be saved, and that they were worth saving." (81).

As we have seen, in the ICL examples concerns about job security were tied up with the criticisms of company strategy put forward by the unions, but such concerns were not alone a sufficient reason to explain the union positions adopted. Essentially, we should see these positions as stemming from a moral perspective in which, what we have described as the "sense of product patriotism" was an important (though perhaps not the only) motivating factor. And if we are looking for evidence of a "redundancy culture", in which all opposition to

redundancy has been subsumed by an overwhelming accep-

tance of redundancy (providing it is accompanied by

compensatory payments), it follows that the "sense of

product patriotism" is a further reason to believe that

such a search will end in disappointment.

In case it should be thought that this is a somewhat

speculative argument, with little evident connection to

the generality of experience in industrial relations,

two pieces of statistical evidence are worthy of note.

In the 1969 OPCS study, "Effects of the Redundancy

Payments Act" (82), five groups of trade union officers

were questioned about their attitudes and experiences of

redundancy. A significantly higher proportion of

officers of "white collar" trade unions reported that

their members had demanded that there should be no

redundancy at all, when faced with a redundancy threat,

than was the case for officers of manual workers. Some

support for this finding also appears in the 1980 work-

place industrial relations study by Daniel and Millward.

A much greater proportion of "recent strikes" had been

over redundancy questions among non-manual workers than

had been the case for their manual worker counterparts

(twelve per cent of strikes against four per cent in the

latter case). (83). The evidence falls short of

demonstrating that in absolute terms there is a greater

frequency of *action* by white collar workers to oppose

redundancy, than is the case for blue collar workers.

Nonetheless, it does at least suggest greater priority

among white collar workers, on redundancy opposition,

than other issues that lead to conflict at work. How-
ever, we noted in the previous chapter that a manual
workers' union, the AEU, had been virtually alone in
adopting policies to defend "the right to work" in the
1950s and 1960s, whilst non-manual workers' unions in
contrast, had been foremost in the campaigns to secure
legislation to provide compensation as a legal right
from the 1930s onwards. What possible explanation could
there be for this paradox?

Light is shed on this question by the work of a
number of writers looking at unions and unionisation
among white collar workers. Marc Maurice *et al,* for
example, have produced evidence that the priority con-
cerns of *cadres* in the French aircraft industry are for
increased participation in decision making in the enter-
prise, and in national economic affairs. (84). In
another study, by Mercer and Weir, a relatively small
proportion of members of British white collar unions
were keen to obtain a *direct* share in management for
workers, but 47 per cent of technicians placed "consul-
tation with management on all levels" as their first
priority for union action - markedly higher than the
goal of achieving higher wages and better conditions,
which was given first priority by only 19 per cent of
the same technicians' group. (85). The "Reluctant
Militants" study by Roberts, Loveridge and Gennard found
that the technicians in the study overwhelmingly iden-
tified with management. Their chief grievance was that
they were denied their proper status and recognition,

and though they possessed paper qualifications from part-time study, they were denied the opportunity to progress into more senior management posts, because these were in the main filled by people with more prestigious qualifications. (86). Blain's study of airline pilots reaches similar conclusions. The factor which caused the pilots such dissatisfaction and impelled them towards trade unionism, was what they regarded as their declining status in relation to airline managements. They regarded themselves as an elite group of professionals and expected to be treated accordingly. (87). Carter, looking at the apparent conflict in the political attitudes of ASTMS members, and the policy positions adopted by the union nationally, argues that underlying the national union's policy of demanding radical intervention to restructure British industry, is the belief that...

> "... if only the old inefficient owners and controllers of capital would step aside and let the people who really know take control, then British industry would be the best in the world. Those people are, of course, ASTMS members." (88).

And Topham, in an introduction to Mallet's famous thesis on "The New Working Class", has noted with interest that in sit-ins and occupations in Britain to prevent factory closures, the leading role in demonstrating the irrationality and folly of the proposed closures, has usually been assumed by members of the technical and white collar unions, ASTMS and TASS. (89).

What conclusions do we draw then, from this work of a number of researchers, writing from a variety of

perspectives? One is aware that the proximity of
certain workers to areas of technical know-how and
organisational control, puts them in a unique position
to criticise management decisions, and advance cohe-
rently argued alternatives. But most of the studies
referred to here have suggested that this technical
know-how, and organisational proximity is supplemented
by feelings of grievance that the said workers' expe-
rience, that they are undervalued, that they do not have
sufficient influence in the company, are not listened to
enough, and if only they were, things would be much
better. If this is a broadly accurate characterisation
of the orientations of white collar workers towards
their employment, we may not have to look much further
to explain the paradox noted above. Whilst in certain
manual workers' unions (the AEU in particular), there
has been a source of opposition to redundancy through
the existence of a "right to work culture", this has not
in the main been a feature of white collar unions, nor a
perspective adopted by non-manual workers themselves.
On the other hand, the closer identification of white
collar workers with management, and the belief that
given the chance, they could probably manage the enter-
prise quite as well as those in charge, may lead to a
"product patriotism culture", in which redundancy is
challenged in part because of its personal consequences,
but also because the workers concerned perceive an
unethical betrayal of a valued service, skill, or pro-
duct that the company, if it uses wisely, can turn to

its advantage. And even if this does not lead to opposition in the form of militant action, factory occupations and the like, it can nonetheless be *active* opposition, and as our example demonstrates, sometimes effective, though from what we have seen, successes as complete as that at CADC Cambridge, are relatively rare.

5.8 CONCLUSION

At this stage it is necessary to return to some of the initial objectives we adopted at the commencement of this chapter. We began, it will be remembered, by noting the absence of evidence to support arguments that, prior to the passing of the 1965 Redundancy Payments Act, union responses were in general conditioned by an attitude of opposition to redundancy *per sé*. Rather, we observed, union action in opposition to redundancy had focused on the absence of compensation, and the prevalent "cultural" influence on unions prior to the Act was geared to a perceived "right" to compensation for loss of employment. Other minority influences were present, but not widespread, so far as could be seen. Such influences included rare examples of a "right to work culture", which some writers appeared to have seen as the generality of union orientations to redundancy prior to 1965. The evidence of chapter four did not, we noted, support this view. We then addressed the question, of how to describe the

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moral condition of unionism that might have been based
on an attitude to redundancy, that had become drained of
all ethical orientations other than the emphasis of a
right to compensation. We adopted the term, "redundancy
culture", to describe such a condition, noting in so
doing that whilst such terminology had not been used by
other writers, it could be directly inferred into the
essence of a number of contributions. Even if the pre-
1965 scenario of a generality of union struggles for
"the right to work" in opposition to redundancy had
proved to be a chimera, was there nonetheless evidence
post 1965, of a domination of union actions by the
"redundancy culture"? Whether or not this was the case,
we noted, it would be useful to put Cynthia Hardy's
arguments to the test, by seeking to establish whether
or not there was evidence that managements successfully
"legitimised" closures and redundancy in the eyes of the
workers, and hence eliminated opposition. The ICL case
study, it was noted, ought to provide evidence of sup-
port for this proposition, if Hardy's view was correct
that legitimacy was a product of a professional, sophis-
ticated approach to the management of redundancy and
closure. Finally, the theoretical outline developed in
chapter three suggested that in seeking to understand
unions and unionism, we should look for evidence of
"union cultures" based on ethical and moral influences.
A case study based upon more than one event, over a
protracted time period, was thought to provide the best
basis to question whether or not there had been moral

influences of an enduring character such that we might ascribe them to the influence of culture.

What then do we conclude on the basis of the empirical evidence assembled in this chapter? Our analysis of twenty redundancy events in ICL confirmed the importance of compensation as a union demand. This was however, by no means the sole concern of unions when members faced redundancy. The question of voluntarism versus involuntarism was another factor that appeared to have been a major concern. It was suggested that the pursuit of voluntary redundancy might be seen in one of two ways. Either, it was suggested, it was no more than a pragmatic compromise by the union to the inevitability of members being carried along by the lure of compensation. For the union to seek to project a principled opposition to redundancy in such circumstances, could be likened to flying in the face of reality, and hence the emphasis on voluntarism. Alternatively, it was suggested, there might in some circumstances appear to be intrinsic merit in a scheme of voluntary redundancy, in that it would permit individual members the freedom to depart from the company with greater financial security than in other circumstances. The examination of voluntary redundancy among the Customer Service Engineers, offered some confirmation for this latter interpretation. Also, there was evidence that the engineers had for a time succeeded in establishing a "right" to no-involuntary redundancy.

In summary, looking at the twenty redundancy events, and making allowances for situations where there was either negligible membership of the unions, or where no factual information was available, it apeared that in the great majority there was opposition to some aspect of the proposed redundancies. The three redundancy events that were unreservedly identified as having an absence of opposition, were Croydon 1971-72, which was a totally voluntary programme, Croydon 1972, and Putney 1977. In both of these latter cases the redundancy followed close on agreements having been negotiated to deal with these issues, and there seems to have been no question concerning the company's willingness to implement the agreement in full. To this extent perhaps, the "management of redundancy" argument of Hardy finds support. However, in most of the remaining cases, there *was* opposition of some form, including strong opposition to closures at Dukinfield 1979, and CADC Cambridge 1976. In these and other examples of events which were explored in somewhat greater depth, we found evidence of strongly held perceptions of "rights". These included the "right" to timely consultation, the "right" to "no involuntary redundancy", and the "sense of product patriotism". It could perhaps be argued that, e.g. in the Dukinfield closure, the ideas and moral positions explored in this study were in fact those of union officials and activists, rather than rank and file members. If this were taken to imply a sharp distinction in outlooks of the latter group however, one would take

issue with this position. Even if there were a degree
to which union leaders were more strongly committed than
others to forms of opposition, it would not seem cre-
dible to suggest that this disguised a general affilia-
tion to the influence of the "redundancy culture".
False impressions may sometimes be quoted of the views
of rank and file members by listening to union leaders.
However, most of the events here involved lay activists
as key actors, and it would seem unlikely that such
false positions were systematically adopted, or that
struggles were acted out as some form of ritualistic
formality to be gone through before rank and file
members accepted the redundancy cheques to which they
had all along been secretly resigned.

Our conclusions then may be succinctly expressed.
First, in the examples studied over a ten year period,
whilst there was no case of a factory occupation to
promulgate redundancy opposition, there were numerous
examples of opposition to some aspect of redundancy. To
this extent, even if unions have not fought systemati-
cally for the "right to work", the picture of them as
having remained docile and quiescent in the face of
redundancy, meekly accepting their redundancy pay as "a
mess of pottage" (90), is not an accurate description.
The "redundancy culture" it seems, is the shibboleth
that we always suspected it might be. So far as we can
see, the period prior to 1965 was not characterised by
general or widespread militant opposition to redundancy,
and the period since the enactment of legislation

has not witnessed any dramatic diminution of opposition, though the issues of struggle may have altered somewhat in recognition that the cash compensation that unions formerly had to fight for, is to a degree provided by the legislation. As we have seen, this has not prevented unions from striving to gain better compensation terms; and just as in the historical analysis of the previous chapter, precedent events seem to have defined workers' perceptions of "rights", so this same emphasis on "precedent" is apparent in the modern history of redundancy in ICL.

Our second major finding is that here, in a company that should have provided an ideal opportunity for management to demonstrate their prowess at "legitimising" redundancy and closure, according to Hardy's scenario, we found no such process to occur. In only three redundancy events over a ten year period could we categorically state that there was no opposition, and while we remain uncertain about some of the facts in earlier events, more detailed recent records demonstrate the breadth of issues and extent to which struggles have continued to occur. As we have seen, there were three events where no opposition to redundancy was recorded, and this might be considered as evidence of support for some of the aspects of Hardy's case. However, one of the events in question was an example of the principle of no-involuntary redundancy being observed, whilst the other two were conducted against the background of recent agreements where the unions had consolidated and

formalised a number of earlier *ad hoc* successes, and in some cases improved upon their previous position. With the passage of time, management showed little inclination to be bound by the letter of these agreements, and the unions saw them as in no sense an obstacle to their opposition of a closure in the last example quoted. The "legitimacy" of redundancy and closure it seems, is as much a chimera as the shibboleth of the "redundancy culture".

Our third conclusion is more positive, and points to features we can find, rather than those we cannot. The responses of unions to the redundancy events considered here, covering a ten year period in ICL, provide strong support for the theoretical outline drawn out in chapter three. The actions of union members it was suggested, can be understood against the background of perceptions of "rights". Such "rights" are to a significant extent bound up with unions and the practice of trade unionism. Where "rights" can be seen to be enduring moral influences over a period of time, we argued, one would be justified in ascribing them to the existence of a "trade union culture". "Trade union cultures" then, were an expression of the ethical and moral influences of the practice of trade unionism, and it was suggested we might expect to see evidence for them in the reactions of trade unions to redundancy. Our case study supports the argument about existence of perceived "rights". "Rights" to adequate compensation were fought for in the early examples. "Rights" to no-involuntary

redundancy were prominent among the Customer Service
Engineers' perceptions, and influenced their response to
the corporate Security of Employment Agreement in 1977.
The "right to timely consultation" emerged in events in
1975, and in the Duckinfield closure in 1979, and the
"sense of product patriotism", has been described as a
further moral influence, representing expectations of
acceptable management standards of responsibility to-
wards the employees, their skills and knowledge, and the
company's products. And to the extent that these per-
ceptions prevailed, and continued to influence emp-
loyees' and union reactions to redundancy, over a
sequence of events covering a number of years, it seems
reasonable to ascribe them to the influence of culture.

Further than this, it seems barely necessary to
venture at this stage. We will abjure the temptation to
throw further facts and examples of events in ICL subse-
quent to the study period, like Parthian shots at the
closing door of this chapter. In the next and conclu-
ding chapter of this thesis we will however, allow
ourselves somewhat wider scope to consider the more
general implications of the empirical findings, and
theoretical framework that has been provided here, for
the state of unions and unionism both now and in the
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CHAPTER 6

SUMMARY AND
CONCLUSIONS

6.1 **INTRODUCTION**

At this stage it may be helpful to recapitulate on
the basic arguments which have been followed in this
thesis, before considering the final conclusions towards
which we are drawn. There have been two main objectives
that we have attempted to tackle. The first has been to
create a theoretical framework within which we could
understand unions and unionism, and which it was inten-
ded would enable us to evaluate the collective responses
of employees to redundancy. The second task has been to
collect facts which would enable us to put this theo-
retical framework to the test. In passing, it was also
hoped that these same facts would help us to eliminate
some of the confusion that our literature survey threw
up in academic and public policy approaches to unions
and redundancy. Also, we identified two positions
adopted by Celia Hardy (1), and Andrew Oswald (2), that
merited some further investigation. In this final
chapter then, we will summarise the main points of deve-
lopment of these themes, before drawing some conclusions
on their application to the industrial relations scene
in Britain at the end of the 1980s decade.

6.2 **MAIN FINDINGS**

Our literature survey referred to a number of academic and policy oriented studies that seemed to draw questionable conclusions regarding the impact of the 1965 Redundancy Payments Act on the responses of workers to redundancy. In part, we observed, these seemed to be based on assumptions of a generality of union reactions that were largely untested. Ellis and McCarthy in the major empirical investigation into the effects of the Act (3), argue that prior to the legislation, workplace opposition was "typical and natural in the redundancy situation". (4). With limited evidence of the pre-1965 responses of unions, they nonetheless claim to detect a reduction in opposition, which they attribute to the provisions of the Act. The position of Fryer was, we noted, in some respects similar. He, too, appears to have assumed that workers' opposition to redundancy was "typical and natural" prior to the Act. (He demonstrates this for example, by insisting that "resistance to redundancy is a rational response even in a full employment situation". (5). And though he criticises Ellis and McCarthys' apparent endorsement of the Act's underlying objectives, he appears to be at one with them in accepting that the legislation achieved its intended purpose. Underlying his analysis in a number of articles, is the view that prior to the Act there was a generalised opposition to redundancy which the

legislation's purpose and effect has been to reduce.

Overall then, he argues...

> "... the regulatory effects of the Redundancy
> Payments Act has been to take redundancy out of
> both conflict and an area of collective control
> by workers." (6).

Other writers would appear to have substantially shared

in these assumptions. Hyman, as we have noted, suggests

that the Act undermined...

> "... the basis of collective resistance to the
> elimination of jobs... " (7),

and writers such as Levie *et al* assert that the promise

of redundancy pay undermines the willingness of workers

to fight closures, without in any way appearing to

consider the obvious corollary that by this token,

occupations and sit-ins should have been more common-

place before the legislation of 1965 than after it. (8).

At various points in this study, I have attempted to

characterise this view of the impact of the 1965 Act,

within the parameters of the broad outline of the theory

developed here, relating moral perspectives of workers

to trade union collective action. If it were true, I

have argued, that the 1965 Redundancy Payments Act has

been the cause of a change in the attitudes of union

members, so that their previous "typical and natural"

opposition has been replaced by passivity and acquies-

cence, we might see this as the generation of a "redun-

dancy culture", in which compensation appears to be the

only significant influence on the minds and actions of

workers. The existence of such a culture would have

important implications for our understanding of trade

unionism, especially were it to be seen as the dominant

cultural influence. To some extent, it was suggested, the scenario of a "redundancy culture" appears to find support in the writings of two other writers whose work has been touched upon, representing contributions on different aspects of the study of industrial relations and redundancy. Hardy (9), beginning from a general approach of organisational theory, puts forward an argument based on the exercise of power by managements over workers, through a process of legitimisation of the events of redundancy and closure. An important aspect of the process of achieving legitimacy, she suggests, is the creation of an acceptable *culture* for managing the closure. As a result of creating such a culture, she argues, union officers and members responded passively to managements' closure decisions. By this reasoning it would be possible to see the "redundancy culture" as a product of managerial strategies, in combination no doubt, with legislation establishing a right to redundancy payments. The question would therefore arise as to whether, as Hardy suggests, personnel departments of companies have successfully generated cultures that give rise to a generality of acquiescence to redundancy, or whether there is evidence of other cultures underpinning a more oppositional response.

Andrew Oswald's work (10), was considered as an example of the contributions that have been made by a number of neo-classical labour economists to the study of industrial relations. Touching on various models of economic behaviour of union members in pay bargaining, we saw that Oswald offers a view of workers' attitudes

to redundancy, which stresses their assessments in purely personal terms, disregarding the impact of their actions on other colleagues. Essentially, union behaviour is seen as being conditioned by the preferences of the majority of older workers to take higher pay increases, whilst consciously setting aside the impact that these will have on younger workers who, according to Oswald, will lose their jobs under redundancy, and the generality of "last in, first out" arrangements. Quite apart from the absence of evidence to support Oswald's argument that LIFO provisions generally apply in redundancy selection, reservations were expressed about the model, in that it fails to acknowledge non-economic factors as influences on workers' behaviour in response to redundancy. There was, we noted, no attempt to introduce questions of moral or political values to modify the simplistic picture of "economic man", even where (as in the coal and steel industries) Oswald's own research appeared to question the validity of the model he presents. Whilst it follows that Oswald himself is not concerned with moral or cultural influences of unions and unionism on the behaviour of workers, the picture he presents of union members' behaviour is consistent with the notion of a "redundancy culture", in which responses to redundancy are entirely conditioned by economic factors.

These then were some of the themes we hoped to illuminate by a study of trade union responses to redundancy. For reasons relating to the nature of the questions raised (as well as the theoretical analysis

upon which we will recapitulate in due course), it was
decided that we needed to explore union reactions in two
different studies. Both of these give a picture of
union responses to redundancy over a long term period,
rather than in discrete episodes of short duration.
The empirical evidence gathered in chapters four and
five permitted union responses to redundancy to be
considered "before and after" the Redundancy Payments
Act, as well as providing a context in which the theo-
retical approaches of Oswald and Hardy might reasonably
be put to the test. What then did the evidence lead us
to conclude concerning this "before and after" contrast,
in the first instance?

Examining the historical background prior to 1965,
when the Redundancy Payments Act was passed, we found
that for many years unions had seen job losses arising
from reorganisation as meriting compensation. In the
main, pressure for legislation on this issue came from
white collar unions beginning as early as 1930. The
TUC, meanwhile adopted an ambivalent position. Agree-
ments on compensation were favoured, in line with the
TUC's emphasis on collective bargaining, whilst legis-
lation was opposed on the grounds that it would not
reflect the variations in needs of the different
industries. This uncertainty mirrored divisions with-
in the trade union movement, which continued until the
time that the legislation was eventually enacted in
1965. In addition to these differences in emphasis on
the importance of compensation, we were also able to
observe a relative absence of outright opposition. Our

analysis of the background to the Redundancy Payments Act could not confirm then, the view that prior to the legislation providing rights to compensation, unions had systematically fought redundancy and struggled instead for the "right to work".

In our case study of the computer company, ICL, we found little support for the view that union responses post 1965 had been passive and quiescent. Far from passively accepting redundancy on the promise of compensation, unions had pressed for observance of a range of additional "rights", and had frequently adopted positions that were forms of opposition, focused around specific issues. Examples of the "rights" and principles around which opposition to redundancy was focused included the "right to no involuntary redundancy", the "right to timely consultation", and we noted too, that there was a "sense of product patriotism" which led workers to resist what they perceived to be a negligent or "unpatriotic" attitude towards the company's products or services. This latter position was considered to emanate in particular from the orientations of white collar workers, a point to which we will refer in more detail in due course in this chapter.

Contrasting these two periods then, we found little to support (but plenty to refute) the supposition that the Redundancy Payments Act had led to a draining away of opposition. Nor had it presided over the establishment of a "redundancy culture" in which compensation had become the whole (or even the main) aspect of union and members' concerns over redundancy. On the contrary, the

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period before the passing of the Act had been characterised by a variation of union responses ranging from a few limited examples of outright opposition to redundancy, to struggles focused around the issue of adequate notice (11), non-victimisation of union members (12), and the award of compensation to those whose jobs were displaced. On the evidence available, subsequent to the Act we had an equal variety of union responses to redundancy, with opposition and resistance taking the forms outlined above. While both "before" and "after" the Act outright opposition to redundancy in the form of insistence upon a "right to work" had been rare, it was therefore an excessive and inaccurate simplification to conclude that in either period, union responses could be characterised as in general taking the form of acquiescence.

Underlying the characterisations of other researchers such as Ellis and McCarthy, and Fryer, there was not only a lack of evidential support for the assumptions made concerning the effects of the Redundancy Payments Act, but also an absence of theoretical perspectives on unions and unionism. Deriving and applying such a perspective in the present study has led to a more refined analysis of union responses to redundancy, and has ultimately afforded some more general insights into the underlying influences on unions and members' involvement in collective action. Crucially, we have been able to discern evidence of a continuity in the demands of workers and unions in response to redundancy over long

periods of time. Moral claims or "rights" have been
seen to emerge with such regularity in association with
specific unions (or groups of workers within unions)
that we have been able to confirm the analysis of union
behaviour in terms of "cultural" influences. In the
sense that this range of "cultures" within trade unions
has assisted in both describing and explaining the
variation of union responses to redundancy, we find an
essential justification of our theoretical position.

Our case study of the computer company, ICL, found
little to support Hardy's argument that employers have
been able to manage redundancy and closures by control-
ling workers' perceptions and encouraging them to view
these events as "legitimate". On the contrary, it
seemed that even where workers did acquiesce to redun-
dancy, it was likely that they did so because of actual
and perceived power differences rather than because they
had formed beliefs of the "legitimacy" of management's
actions. Neither could it be said that there was evi-
dence of management succeeding in creating *cultures* in
which redundancy and closures became "legitimate" or
acceptable, nor for that matter of union members manife-
sting an overwhelming tendency to willingly trade in
their jobs for redundancy cheques. Equally, there
seemed little support for Oswald's view of workers
responding to redundancy in terms of their narrow econo-
mic self-interests. If the "redundancy culture" was a
useful means of characterising the positions of these
and other writers within the overall theoretical

framework advanced here, it was no less a shibboleth in terms of the reality revealed by our empirical evidence.

The theoretical outline provided in the earlier chapters of this thesis was based upon the assumption that workers are not mere tools in the hands of management, but that on the contrary they bear some responsibility for their own actions. The evidence of this study would seem to confirm the veracity of this proposition. Neither are they passive balls of clay in the hands of the State, easily moulded to adopt this or that form by the passing legislation. Our theoretical argument advanced the case that action and inaction in the industrial setting are as strongly related to the moral perceptions of individuals as they are elsewhere. Workers do not simply absorb these moral perceptions from their employer or the State (though these agencies may indeed exert rival claims for loyalty and a sense of moral duty). Rather, workers themselves are involved in creating the parameters of moral judgements, by their association with trade unions and trade unionism. While "union cultures" appear to provide relatively enduring influences, creating a degree of regularity and predictability in workers' responses, there are nonetheless variations between different work groups and unions, as well as elements of change associated with different historical periods. We will now consider the extent to which our theoretical approach lends an explanation of some of these shifts and variations.

6.3 <u>CULTURAL INFLUENCES ON OPPOSITION AND ACQUIESCENCE</u>

At this point it may be helpful if we summarise the essential elements of the theoretical outline adopted in this study to explain union responses to redundancy. It was suggested that workers could be expected to react to events and changes in the employment context (including redundancy) according to how such occurrences confronted their moral and ethical expectations. The identification of normative and ethical factors with collective action by workers, requires an argument utilising their collective morality or collective conscience. Moral outlooks, it was argued, derive not simply from the beliefs brought to the workplace by atomised individuals in the wider society, On the contrary, processes of socialisation at work and elsewhere ensure that to a degree, outlooks and moral perceptions constitute part of a body of shared perspectives by individuals coming together in the work community. A variety of influences lead towards the adoption of shared perspectives; the common experiences of work, the technologies employed, wider structural aspects such as the legal system, or the economy, being a few. Crucially (it was argued), workers' experiences of unions and unionism provided a locus around which strongly influential moral perspectives could be formed. Our explanation of the process through which this could be seen to operate, was in the inculcation into workers' beliefs, of perceptions of "rights". However these perceptions of "rights" arose

initially it was argued, they were conveyed and re-affirmed by the existence of trade unions, and the practice of trade unionism. While such perceived "rights" would not necessarily find support as legal rights, they could nonetheless occupy important ground in workers' views of the legitimacy or otherwise of managerial actions, and if breached might contribute to powerful feelings of injustice which could then underpin collective action in any of its various forms.

An essential aspect of this argument then, was that unions and unionism have an effect on the moral perspectives of workers. The mechanism through which this process may be understood to occur, is through a "union culture", of shared beliefs and values. While "union cultures" may remain relatively consistent over time, there would be scope for many variations of "culture" from one union to another, and between workplaces, or factions within union organisation generally. Moreover, it was understood that like the concept of "ideology" as adopted by George Rudé (13), cultures could embody "inherent" elements (the basic assumptions and ideas that seem to be passed from one generation to the next as traditional principles), as well as more explicitly political "derived" elements taken from speeches or political tracts, and frequently containing aspects of socialist thought. While the "inherent" elements of "cultures" might be expected to remain relatively stable over time, the addition of other "derived" elements might be expected to represent a more variable entity,

and could be fundamental in stimulating struggles to pursue more radical demands such as "the right to work". "Union cultures" might be expected to reflect in the willingness of workers to adopt courses of collective action, and could be identified nationally, or locally, and there would be scope too, for rival "cultures" between or within unions, leading to differences in moral perceptions etc. And whilst "cultures" might be expected to evolve and alter somewhat over a period of time, perhaps reflecting different political ideas, new contexts in the economy, the policies of management or the State etc, such changes should not be seen as vitiating the essential continuity of influence which they provide from one period of time to the next. Moreover, though external factors would frequently be important in either repressing or encouraging the expression of protest, such factors could only provide a context in which the essential motive force had to come from workers themselves, and hence the continuing importance of moral ideas and the influence of "cultures" in understanding union action or inaction in any given situation.

Hence, it will be seen, the theoretical approach adopted here emphasises action as well as inaction, consistency as well as variation, and national policies as well as those of informal factions or local and workplace groups. In dealing with the issue of redundancy it lends itself therefore, to explaining the variations in employee behaviour alluded to in the title

of this thesis - i.e. that there is both "opposition and acquiescence". To illustrate this, let us consider the question of variations between manual and non-manual workers to redundancy. In examining the background to the 1965 Redundancy Payments Act, we saw sharp divisions in the approaches of manual and non-manual workers to the question of redundancy payments legislation. Non-manual workers' unions appeared much more concerned than their manual worker counterparts to provide compensation rights to redundant workers. On the face of it, this might seem to point to a greater tendency among white collar workers to acquiesce to redundancy and reconcile themselves pragmatically to its consequences. (Such a view would incidentally seem to be consistent with that of writers such as Ellis and McCarthy, Fryer and others who appear to believe that there is a substitution effect between opposition to redundancy on one hand, and compensation payments on the other.) A closer examination of the evidence however, suggests otherwise, and points rather, to a more generalised concern by white collar workers over redundancy, than that experienced by their blue collar colleagues.

Empirical justification of this proposition can be found for example, in the 1969 study, "Effects of the Redundancy Payments Act". Officers of CAWU, the white collar union in the survey, were much less likely than others to say that redundancies were "unavoidable either in the short term or the long term". (14). White collar workers in the survey were less willing than skilled or

semi-skilled colleagues to volunteer for redundancy
(15), and 52 per cent of white collar union workplaces
in the survey raised demands of "no redundancy", whilst
the average for the five unions sampled was 25 per cent,
and the highest response from a manual union was mar-
kedly lower at 29 per cent. On this evidence, there
would seem to be support for the writers' view that the
white collar union, CAWU, was "most militant on this
issue". (16). To some extent this is supported by the
1980 workplace industrial relations survey. In the 1980
survey, 12 per cent of non-manual workers' "most recent
strikes" were over redundancy issues, compared with
3 per cent for manual workers. In 1984 these differen-
ces had disappeared, though there are additional factors
(the lower number of actual redundancies, the emulative
effect of the miners' strike) which may account for
this. (17).

To explain the existence of such apparent differences
in militancy, we need to refer back to arguments of our
theoretical framework. Sabel, it will be recalled,
utilised the notion of "world views" to explain the
occurrence of both industrial conflict and relative
peace. "World views", he argued, represented orienta-
tions to the world of work, and like "penal codes or
codes of honour", permitted actions to be perceived as
"licit or illicit" - a view which seemed very much at
one with the eventual emphasis placed on "union cul-
tures" in this study. (18). Sabel clearly saw "world
views" as substantially deriving from workers' places in

the occupational structure, and a large part of his book

is devoted to a description of the labour market and the

development of a typology relating groups of workers

with shared expectations of work, to the clusters of

jobs roughly corresponding to their expectations.

Essentially, Sabel's focus is on "blue collar" workers,

but there is nothing in his argument which prevents us

from describing the "world views" of sectors of the

white collar workforce in the same way. In explaining

differences in responses of white collar and blue collar

workers to redundancy, we need therefore to look for

aspects of their "world views", or "cultures", that

might underpin their responses in the way described.

It will be recalled that this ground was covered

towards the end of chapter five in which we summarised

the work of a number of writers on white collar workers

and their unions. Writers like Maurice (19), Roberts *et*

al (20), Blain (21), Carter (22), and others, would seem

to provide evidence to support the view that white col-

lar workers adopt "world views", or have "inherent"

cultural tendencies, that are more sensitised to redun-

dancy than their manual worker counterparts. White

collar workers' emphases on their own status and sense

of worth in the company lead to feelings of ambivalence;

while on one hand they are aggrieved that their status

and value is not more fully recognised, they identify

closely with the fortunes of the company and the areas

where it excels in its products or services provided.

Craft workers, it would seem, adopt a more distanced

posture. Their self-image is more closely tied up with their own skills, their pride resides in the achievements of their craft, which is defended by them against the incursions of management. They have relatively few aspirations to become part of management and feel themselves to be rather, part of a community of craftsmen, judging success and failure within the terms of the craft group rather than the extent to which their efforts are acknowledged or appreciated by the senior bosses of the company. (23). In these terms, it would seem craft workers may be somewhat better prepared to cope with the idea of redundancy than white collar workers. They have few feelings of loyalty towards the company, and have few expectations that the company will be so inclined towards them. In keeping with their emphasis on maintaining craft control, they may take the view that they themselves should adopt measures to regulate and dampen fluctuations in employers' requirements for labour, that will bring redundancies about, as much of the policy debate and literature on the pre-1965 situation suggests. (24). While we have noted that in the AEU in particular, there was an element of emphasis on redundancy opposition in favour of a "right to work", we have also observed that this was a minority position, strongly associated with the organised left within the union (25), and that although the union itself adopted formal policies in keeping with the "right to work" objective, it was left to a minority of militants in District Committees to struggle to implement them locally. (26).

For white collar workers facing redundancy then, it would seem that somewhat more is at stake. Redundancy is not simply the loss of a job, it is the loss of a position, or to use the archaic terminology of the earliest legislation in this field, it is the "loss of office". By this token, the need for compensation, consultation, and wherever possible the opportunity to choose whether to leave or stay, assume rather greater importance in the minds of the workers concerned. Precisely because white collar workers have higher expectations of their employer than their manual worker counterparts, they may be expected to respond with more bitterness and aggression when these expectations are violated. This, and the fact that white collar workers may also take the view that in any event, they have a rather better understanding than their bosses of "what is best" for the company, may lead to a more rigorous ethical framework within which the company's actions can be judged. Even if redundancy itself is not the subject of outright opposition, it becomes (as we have seen) surrounded by a fence of "rights", on which struggles may centre, rather than necessarily taking issue with the closure decision or whatever, that brings the redundancy about. Studies such as those of Foster and Woolfson (27), Mills (28), and others, emphasise the importance of left-wing political leadership in bringing about activity to mobilise opposition to redundancy around claims for "the right to work". An examination of white collar responses to redundancy however,

suggests that elements of opposition may stem from less
overtly political aspects of workers' orientations,
including the perspective which I have dubbed as a
"sense of product patriotism". This does not of course
negate the possibility of political influence in redun-
dancy opposition of white collar workers. However, it
does suggest the existence of "inherent" tendencies more
resonant with the idea of redundancy opposition than may
be the case with manual workers. Whilst white collar
workers may, on the evidence available, be somewhat more
likely to respond to political leads to oppose redun-
dancy, the paradox is that it would seem that the orga-
nised left in trade unions has campaigned conspicuously
on the issue of redundancy opposition in a handful of
cases, all of which have involved blue collar workers.

The above line of reasoning then, helps to illuminate
certain of the themes to which we have found ourselves
returning in looking at the response of predominantly
white collar workers to redundancy in the empirical
chapters of this thesis. Redundancy payments were
emphasised as "rights" that white collar workers ought
to be able to expect on "loss of office". In the same
way, demands for "timely consultation" and "no involun-
tary redundancy" were arguably the products of white
collar workers' orientations towards work. Other
studies provide evidence that seems to demonstrate that
higher redundancy payments do not necessarily moderate
the feelings of concern that workers experience when
redundancy is threatened. (29). The fact that position,

status and occupation are most strongly linked factors
to reported feelings of intensified anxiety in the face
of redundancy threats, cannot for example be explained
away by these higher status groups having greater diffi-
culties in finding comparable work after redundancy.
Daniel's study of Woolwich workers found 74 per cent of
supervisory workers feeling "very concerned" about the
redundancy announcement, compared with 84 per cent of
the higher status category of middle and senior manage-
ment, technical and professional workers who felt this
way. However, it was the supervisory workers who
experienced the greatest difficulty in finding com-
parable work after they had been dismissed. (30). This
finding is consistent with the evidence of our ICL case
study. It will be recalled that when CADC Cambridge was
threatened with closure, there were many workers who
possessed such marketable skills that they could have
reasonably expected to find better-paid work if made
redundant. Yet for all that, there was strong opposi-
tion to the closure decision, and enthusiastic support
for efforts to overturn it. This apparent paradox
can be understood within the framework of "inherent"
elements in the "culture" of "white collar" unionism,
as outlined above.

If therefore, opposition and acquiescence to redun-
dancy are to be properly understood, it would seem that
we need to look beyond the economic repercussions which
are experienced by redundant workers, and seek to under-
stand the way redundancy is perceived within their wider

normative outlooks upon the world. Industrial conf-
licts, we are reminded by Sabel, arise when "managements
violate workers' expectations of propriety and justice"
(31), so that their integrity is threatened, and in
consequence they rise up in defence. And while this is
not perhaps a complete explanation in itself, it does
seem to go a long way towards accounting for both the
opposition and acquiescence of workers to redundancy
that we have taken as the focus of our study in this
thesis. But while we may associate "world views" with
the existence of "inherent" elements in union cultures
that derive from the position of groups within the
occupational structure, we should not overlook the
possibility that changes in the political and economic
context as well as the influence of more overtly politi-
cal ideas, may be as important (perhaps more so) in the
formation of perceived "rights". As we have seen, these
may eventually come together to form a palisade of moral
standards surrounding redundancy, so that whilst the
fence of "rights" comes under attack from management the
effect may be to stimulate opposition to those particu-
lar violations rather than to take issue in a more
direct sense with the prospect of redundancy itself.

6.4   INFLUENCES ON "RIGHTS" AND "CULTURES"

It has not of course, been an objective of this
thesis to explain in any comprehensive way how percep-
tions of "rights" are formed, in "trade union cultures".
Nonetheless, some consideration of this point will help

to carry our discussion forward. Examples of instances
where workers have acted in defence of "rights" suggest
that they emerge from a number of directions. These
different courses of evolution would seem to be consis-
tent with the proposition by Rudé that "ideology" em-
bodies "inherent" and "derived" elements, and that the
political and economic circumstances of the day repre-
sent a third important factor in the occurrence or
otherwise of political protest. In chapter three, we
noted the conceptual similarity between Sabel's use of
"world views" and Rudé's adoption of "inherent ideo-
logies". Both writers separately drew parallels with
the concept of "culture" moreover, and the usefulness
of this can now be seen. White collar and blue collar
workers' responses to redundancy might be seen to vary,
substantially as a result of the "inherent" orienta-
tions they adopt according to their positions in the
occupational structure.

But "cultures", like "ideologies" would seem to
embody more than "inherent" elements. Our study of the
1965 Redundancy Payments Act suggested that the State
may be one agency that sows the seeds of "derived"
ideas, by setting precedents which workers may then
seize on and translate into a general perception of
"rights". Some examples of this process could be ob-
served in chapter four where we saw that the State
legislated to provide a legal right to compensation,
"on loss of office", for certain categories of civil
servants, well over a century before the Redundancy

Payments Act 1965 appeared on the statute book. The
various efforts by unions to secure legislation to
provide members with the legal rights to compensation,
in the main followed closely on milestone extensions of
the existing provision, such as the Railways Act 1921,
the Gas Industry Agreement of 1930, the Local Government
Act 1933, and the various Acts of post-war nationali-
sation. Even if workers do not automatically adopt
perceptions of "rights" that accord with the legal
framework therefore, it would seem that the action of
the State can sometimes stimulate them to advance moral
claims of this kind. As our study of the background to
the Act showed, unions were not by any means united in
demanding legal rights to compensation, nor were they
universally successful in achieving them by negotiation.
However, one might speculate that were the legal right
to redundancy compensation to be abolished now or in the
future, union efforts to ensure its continued observance
would achieve an intensity considerably greater than
that in the pre-Act period.

State activity then, may be one source of the
"derived" ideas that eventually emerge as perceived
"rights". An alternative source may be the political
influences of the socialist or left parties to which
trade union activists sometimes associate. This source
of ideas is exemplified in the emergence and pursuit of
the "right to work" objective in trade union struggles.
The influence may be either direct in the involvement of
politically aware leaders in a particular dispute, or it

may be less so, relying rather more on the tendency of other groups to emulate the actions of those who have set the initial example. For instance, after the first strikes against redundancy at the Norton and Standard companies in Coventry, there was a large and well publicised stoppage at BMC factories. In each of these strikes the organisation of the Big Six Motor Combine Committee was an important factor, though there was also the additional ingredient of a high degree of political organisation at the Standard and Norton workplaces. The same level of political leadership was not it seems, present in the BMC dispute, partly because the Communist Party involvement among stewards and members was less evident, and also because the Transport and General Workers Union was more influential in the latter case, and had a lesser commitment to redundancy opposition than the AEU. Again, in the UCS work-in, Communist stewards gave a vital lead, but in the wave of emulative struggles which followed, it would seem that this was less in evidence. Mills (32), has noted the involvement of Communist and left oriented officials in factory occupations, through the organised left in the AEU. However, Coates (33), has argued that this was by no means the general case after the initial impact of the UCS "work-in", and that "right to work" battles were frequently led by officials who distanced themselves from the Communist Party or the left of the Labour Party. In the miners' strike of 1984-85, the political leadership of the president, Scargill, and other members

of the executive was a crucial factor, and once more the emulative effect of this struggle appears to have been reflected in the behaviour of other workers who (so far as one can tell) were not directly exposed to these ideas in the same manner. Our graph in Figure 3.1, for example, demonstrates that in 1984, before the miners' strike was generally expected to be heading for defeat, there was a marked increase in redundancy stoppages, whilst the actual number of redundancies that might have provoked these stoppages declined. In fact, the ratio of stoppages to actual redundancies peaked at this time to an all-time high, since this type of data was collected first in 1966. It would seem reasonable therefore, to infer a connection between the increase in redundancy stoppages in this year, and the miners' strike which occupied such a prominent position in the media, and involved large numbers of people in providing support in various ways. The influence of political leadership in disputes of this kind is particularly important then, because it appears to have an effect in shaping the culture of the labour movement on a far wider scale than the number of workers directly involved in the initial action.

Looking at the question of variations in political and economic circumstances, it is possible to see the importance of such factors in the early 1970s outbreak of opposition to redundancy through factory occupations. Unions were in a confident mood. Opposition to the Conservative Government's Industrial Relations Act had

exerted a powerful effect in mobilising the movement at all levels. In this context the left-led initiatives to fight for the "right to work" gained the support of an already active rank and file, as well as being able to gain approval from the official trade union establishment. When the Labour Government came to power in 1974, there was a resurgence of interest in efforts to secure the "right to work". Support given by the Department of Trade and Industry to a number of workers´ co-operatives fuelled the idea that redundancy opposition and fights against closures, could result in a successful outcome.

Examining the elements which appear to influence the adoption of perceived "rights" and the formation of "cultures", might lead us to anticipate future developments. The 1980s decade has of course been visited by a political and economic context somewhat different to that in which the main empirical evidence of this study was gathered. Should any of the major events which are on the horizon at the time of writing (the Single European Market of 1992, entry into the European Monetary System etc) produce economic recession and redundancies that lead to higher unemployment, it is by no means clear on the evidence of the 1980s decade, that this will result in any widespread outright opposition by workers. However, whilst one must accept that neither the necessary "derived" elements of political leadership nor the prevailing economic and political circumstances appear to favour any pronounced increase in outright opposition to redundancy, opinion survey

evidence nonetheless points to the continuation of social attitudes that are broadly sympathetic to "right to work" objectives. A Gallup survey in 1985, for example, showed that 79 per cent of the public agreed that the government should spend more money to create jobs, whilst 93 per cent of young people agreed that "everybody should have the right to a job". (34). A further survey showed that 28 per cent of those sampled felt that they might break the law if they were opposed to it, "in the interests of protecting existing rights and liberties (including trade union rights). (35). On this evidence, one could not discount the possibility that there is sufficient support and belief in the notion of "a right to work", as a deep-rooted (or "in-herent") element in union cultures, for workers to periodically engage in strong forms of outright opposi-tion that run counter to the main political and economic influences of the period. Examples of such episodes have erupted at regular intervals throughout the past ten years, from the Staffa Products and Lee Jeans occu-pations in the early years of the decade, to the Caterpillar Tractors occupation in 1987. Whilst these episodes have been very much the exception, it would seem that they have had a significant impact on a far wider section of the labour movement, by their publicity effect, and by involving activists in all parts of the movement in giving support in various forms to assist workers engaged in efforts to defend their jobs from abolition. Even in unfavourable economic and political

circumstances therefore, the elements of an "opposition culture" would seem to have been kept alive in the episodes referred to above.

Should the political and economic circumstances alter so that unions and their members have more reasons to expect struggles to result in positive outcomes, then outright opposition via occupations and sit-ins, could well experience a resurgence of popularity. The evidence of this study however, suggests that most opposition to redundancy is less direct than the rare episodes of sit-ins, work-ins etc, and there seems no reason to believe that this will not be the case in the future. Even if circumstances are such therefore, that there is an increase in outright opposition, one must expect the factory occupation to be a much less frequently encountered example of resistance to redundancy, than the regular, almost routine struggles that occur over elements in the "fence of rights" which workers seem to construct around the redundancy issue. Ultimately, the balance of the type and form of worker resistance to redundancy (as well as the degree of opposition or acquiescence) will substantially derive from the nature of unionism in which workers have been exposed to moral and ethical influences. The mix of "cultures" as well as the political and economic contexts in which redundancy is encountered, will therefore shape the patterns of responses that workers adopt on this issue in future years.

6.5 FUTURE PROSPECTS

What prospect then, does the longer term hold for the balance between opposition and acquiescence by trade unions to redundancy? It has been suggested that there is a basic sympathy in public opinion at large, with such objectives as a "right to work", but in the past this has not been translated into correspondingly widespread struggles to oppose redundancy. What are the chances that it will be in the future? Our argument has insisted upon "cultures" as influences upon the behaviour of workers, but within this a framework has been created that stresses the "inherent" and "derived" elements, as well as the effect of political and economic circumstances. The political circumstances in the country as a whole might be expected to provide a key influence not only on the state of organisation of the trade union movement, but also on the capacity of radical elements to seize initiatives, define the terms of debate and ultimately shape the perceptions of workers of the likely outcome of struggles. The influence of "derived" political ideas are not however, totally dependent upon the political and economic superstructure and even in circumstances where the wider context is essentially repressive of radical ideas, such ideas may emerge with a degree of confidence and crusading zeal that surprises most observers. Moreover, the basically stable "inherent" elements of union cultures would also seem to embody ideas that have a certain capacity to

supply some workers with the moral beliefs necessary to
oppose the idea of redundancy, rather than to simply
assert the observation of limited "rights" within a
general position of conditional acquiescence, so that
again the wider context is not the only, or final deter-
minant of trade union responses.

Looking forward into the 1990s decade then, it is
somewhat easier to say what we might *not* expect, rather
than what positive prognosis awaits us. The pessimistic
analysis of the 1980s offered by some writers, has been
balanced in this thesis by the argument that "right to
work" struggles have always been relatively rare aspects
of union opposition, and this has been complemented by
evidence of more widespread reactions against redundancy
that our research has uncovered. One argument that
might be advanced is that the ideas of "new unionism",
or "new realism", or simply of unmitigated "economism",
might have such an effect on the "cultures" of unions in
the 1990s, that they never again return to the levels of
opposition which were displayed during the 1970s decade.

There are several reasons to doubt the validity of
such a scenario. Firstly, even if the explicit ideas
and formal policies of the trade union movement were to
move towards a greater proximity to "right wing" or
centrist positions currently advocated, in all probabi-
lity there would remain unions (and groupings of members
within them) who were opposed to these ideas, and would
not only agitate for alternative policies on the
national scene, but press for strong measures to

counter redundancy and closure when these problems are encountered at the workplace. For the foreseeable future therefore, it seems untenable to hypothesise the complete disappearnce of the political catalyst of "right to work" struggles. Moreover, in the unlikely event that the political organisation of rank and file activists were to become totally blunted by oppressive union legislation (for example by making unions officially liable for the unlawful actions of unofficial strike leaders) it would still be a far cry from the complete elimination of ideas and values that form part of a culture of widespread beliefs in moral "rights". At its most fundamental level, the "inherent" elements in the "cultural" outlooks of workers would seem to be secure enough to ensure that opposition will continue over elements in the "fence of rights", and that from time to time this will reslt in more fundamental opposition postures being assumed. Among some categories of workers, as we have noted, there would appear to be strong influences (which may be attributed to their "world views" or "inherent" elements in "cultures") that cause them to view redundancy in severely critical terms. For the foreseeable future therefore, though there may indeed be acquiescence by workers to redundancy, it would seem that postures of opposition in various forms will continue to be adopted.

Moreover, it will not escape attention that the "inherent" aspects of white collar "cultures" may well be capable of a degree of resonance with the political

ideas of a "right to work", so that if the latter were
to exist in any general sense, one might be rather more
likely to find it developing in this quarter than else-
where. Evidence in support of this view is admittedly
uneven, but we should recall the influence of the
element which we described as the "sense of product
patriotism" in a number of episodes in the ICL case
study. This perspective, it will be recalled, led to
the most fundamental and far reaching of criticisms of
managements' decisions on closures and redundancy which
we have in this chapter (and that preceding) traced back
to the basic orientations of white collar workers to
their work situation. The "alternative plans" which in
the 1970s, and to some extent in the 1980s, were pro-
duced by workers facing redundancy, were, in great
measure, the result of critiques by white collar wor-
kers. Apart from the Lucas Aerospace example (36),
there were others at the River Don Steel Works, Imperial
Typewriters in Hull, and the formation of the "Scottish
Daily Express". In the main, it would seem that when
workers, in these examples of redundancy opposition,
drew up alternative proposals, the driving impetus for
such initiatives came from white collar workers. (37).
On this basis it is hard to see any reason why changes
in the composition of the workforce should have a nega-
tive effect on the frequency of opposition, though much
will depend on the ability of the trade union movement
to unionise the increasing numbers of white collar jobs
that are replacing manual occupations. With this

important proviso, it would seem that there is a possibility of more concern, and more opposition to redundancy, rather than either of these elements declining in the future.

On the other hand, the evidence of the present study does not give any real basis for expectations that the "right to work culture" will become a general perspective through which workers will in future view the event of redundancy. Nonetheless, seen together with the above examples of non-manual workers' opposition, we might expect the white collar area to be the focus and most interesting area of activity in the future. Consider for example, a 1989 policy paper in MSF setting out the union's desire to campaign vigorously on the issue of inward investment. The paper notes...

> "We must begin the campaign for a selective
> approach which safeguards British interests
> and protects union rights... This policy
> stance would be totally inadequate unless
> placed with the context of campaigning in
> British industry - of restoring pride in
> national development, of struggling to deve-
> lop British technology, and British companies
> which can compete in world markets." (38).

On this basis then, we might expect the "sense of product patriotism" to become a more explicit aspect of union national policies in the coming decade. Whether this will reflect in changes in workers' responses to redundancy would seem to depend largely upon the extent to which the "national interest" appears to become accentuated as a result of discussion and debate over these issues both within unions and in the wider political arena. In this connection, it is also of interest

that the Labour Party's Policy Review for the 1990s,

embodies in several sections, policy positions that

appear to harmonise with the "sense of product

patriotism". Its stand against the "open door" policies

of the Conservative administration for example, suggests

that an approach will be sought by any future Labour

administration, of attempting to regulate the company

mergers and takeovers that are currently presaging the

full effects of the unified European Market of 1992.

Whether and to what extent this sort of approach will

impinge upon workers' consciousness to the extent that

they adopt more overtly critical attitudes to "unpatrio-

tic" acts by increasingly Europeanised companies, will

be a matter for future observation.

Factors in the political arena which might influence

developments, are difficult to predict. We might

however, narrow down some of the areas of uncertainty.

Should there be a continuation of the present

Conservative administration for a further period, the

signs are that additional steps may be taken to con-

strain unions' abilities to take forms of industrial

action over the whole range of issues that cause them

concern. The intervention of the courts in industrial

disputes with employers seeking injunctions to prevent

the most orthodox forms of strike action, are an increa-

singly common feature of the present scene. Precisely

what effect this has had upon workers' willingness to

fight redundancy is not clear, though it would seem

likely that, as over other issues, workers will hold

back from adopting a militant stance if they see the balance of forces arranged against them as obstacles to a successful outcome. This however, does not necessarily imply that they see struggles to oppose redundancy as less legitimate, and even in an environment where political and legal factors are clearly hostile, strong forms of opposition may break out. Examples of such episodes have erupted at regular intervals throughout the past decade, as we have already noted. In these events the increasingly draconian nature of the law relating to industrial disputes has, it seems, had little practical effect in preventing the workers themselves from prosecuting their demands, though it would seem that they have had an effect in inhibiting other groups of workers from engaging in sympathetic action in support.

In the main however, as the ICL case study in this thesis illustrates, workers construct notions of "rights" surrounding redundancy which do not necessitate outright opposition. There seems little doubt that they will continue to do so in the future, though when specific "rights" are breached (as in the case of a denial of "rights" to consultation, or protection against involuntary redundancy in some circumstances), it is sometimes the case that struggles assume a more overtly confrontational nature. Even if the Conservative Party should continue in power for a further period beyond the next election, adopting measures to constrain unions for example by legislating against leaders of unofficial

disputes, there seems no particular reason to expect
this pattern of union activity in response to redundancy
to alter fundamentally. Apart from reducing the statu-
tory consultation period, ending rebate of a proportion
of payments to employers, and terminating the special
schemes that applied to dockworkers and miners, the
Conservative administration has left the redundancy laws
intact. At present it seems unlikely that even a
government such as that presently in office, would wish
to abolish redundancy payments legislation altogether,
though doubtless in the remote eventuality of this
occurring, workers' struggles would be even more sharply
focused on protecting the "fence of rights", rather than
outright redundancy opposition. The escalation in
conflict that would certainly ensue from even a substan-
tially weakened trade union movement, would no doubt
prove the nemesis of such an ill-advised course of
policy.

Towards the end of the 1980s decade, the prospects of
a Labour Government coming to office within the next two
years appear to have considerably improved. What effect
might this have on the pattern of workers' reactions to
redundancy? Labour's policies on employment and
industry matters have been outlined in a series of
documents issued over the course of the past years. The
present thrust of the proposals with regard to redun-
dancy is that employees should have "increasing access"
to major decisions such as plant closures, large-scale
redundancies etc. It appears that the 1989 policy

review has moved the party away somewhat from its pre-
vious commitment to constructing systems of joint plan-
ning (though this is not entirely clear). (39). Instead,
the thrust now appears to be on supporting the role of
"democratic trade unions and positive collective bar-
gaining" *(sic)*. The main emphasis is on enhancing
individual employees' rights and providing unions with
rights to be consulted and access to information. The
1986 TUC-Labour Party document, "People at Work: New
Rights, New Responsibilities", refers to strengthening
the requirements on employers to consult unions about
proposed redundancies. Employers are obliged to "jus-
tify" proposals, and "explore" ways of avoiding redun-
dancy, whilst the levels of statutory compensation would
be increased. (40). Exactly what the above would amount
to in practice is not clear. However, the evidence of
the present study does not point to any especially
significant change in the actual practice of implemen-
ting redundancy decisions as a result of the consulta-
tion provision in Section 99 of the Employment
Protection Act 1975. Further research in this area
might provide a different picture (41), but on this
evidence at least, it seems unlikely that the proposals
as they currently stand would have any marked impact on
the existing patterns of union behaviour.

One notes in these proposals, little influence of any
wider examination of either the concept of redundancy,
or the measures that have been evolved elsewhere to deal
with it. In France for example, a legal duty exists to

seek prior approval for dismissals for economic reasons;
in Belgium the public authorities can intervene in dis-
missals (though their power is limited to postponing
their date of implementation). In Germany the workers'
councils have the right to refuse consent to the
recruitment and transfer of employees in certain circum-
stances, and dismissals may be challenged by the works
council. If dismissals are attempted without the
employer having heard the works council, they can be
declared null and void, and the council, if it opposes
dismissals, can insist that they are suspended until the
issue is referred to a labour court for further consi-
deration. (42). In the Netherlands, as in France,
"consultation" with workers' representatives is closely
linked to the role of the State in authorising dismis-
sals. In France (as in West Germany) the consent of
the enterprise committee is required before dismissal
of members of the committee or works council. (This
arrangement might be of importance where employers have
been thought to use redundancy to remove trade union
representatives from the plant.) Finally, in Sweden,
the 1974 Employment Protection Act, and the 1976 Act on
the Joint Regulation of Working Life, aim to involve
unions in negotiations before steps are taken to effect
redundancies, and the employer must not give effect to
decisions regarding the reduction of the workforce until
the negotiations procedures have been exhausted. (42).

Against the background of trade union responses to
redundancy considered in this thesis, in varying degrees

of detail over the past sixty years or more, the pro-
posals of the Labour Party seem unlikely to bring about
many changes. Further than this, having regard to the
outline of some comparative provisions that have been
very briefly sketched out above, they seem somewhat
narrow and unrepresentative of the broader approach
adopted in the legislation of European States. In the
circumstances, it is surprising that the unions have not
made more of an issue of this. Whether and to what
extent union and worker responses to redundancy differ
in Europe as a result of these legislative distinctions
would of course, be a matter for further study, as would
be needed too, to establish the effects on British
unions of such legislation as is eventually introduced
by a Labour Government in this country. Some aspects of
legislation might indeed have an impact on the perceived
"rights" over which future struggles occur. Despite
such changes in detail and emphasis however, one would
not on the whole expect to see changes in the general
framework that provides our reference marks for opposi-
tion and acquiescence. Union responses will not be
easily characterised as falling into one or other cate-
gory. Perceptions of "rights" will continue to be
important and "union cultures" will continue to exert an
influence. Strong forms of "right to work" struggles
may occur, but probably rarely so. If compensation is
increased, then doubtless there will be speculation as
to whether or not this is further weakening the resolve
of workers to fight redundancy, and the "redundancy

culture" scenario will become a relevant consideration. As before, it seems an unlikely outcome. The prospect then, seems to be of a repetition of past experience, though doubtless with some variations in detail. In brief, it will be characterised by the title adopted for this study, emphasising both "opposition and acquiescence". Hopefully however, confusing assumptions, and the absence of theory which have characterised some earlier studies in this area, could be avoided in any future analysis, and the general perspective adopted in this study might perhaps contribute something towards this end.

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