

How to kill an act of parliament: solidarity, agency and the dockers in the 1960s and 1970s.

The capacity of organised labour to obstruct the plans of governments and businesses has often seen them appear as the scapegoat in narratives of decline¹ and later as the vanquished enemy in the Thatcherite tale of redemption. Although it was the miners' victorious pursuit of pay rises in 1972 and 1974 that was to haunt the Conservative Party's collective memory, it was arguably a much smaller group of workers that inflicted the most damage on Edward Heath's attempt at trade union reform.

The 1971 Industrial Relations Act was the second attempt by a British government to tame the supposedly over-mighty trade unions, following Barbara Castle's failure with the White Paper *In Place of Strife* in 1969. When Labour lost the 1970 general election, the trade unions were anticipating that the Conservatives would imitate Castle with legislation they would find even less appealing. Robert Carr's eventual bill did not disappoint, containing a variety of measures designed to curtail the activities of militants.

A trade union register was set up and a new National Industrial Relations Court established to judge “unfair practices” undertaken by trade union members, including the pre-entry closed shop, sympathy strikes and the practice of “blacking” - where workers would boycott parts of their work in solidarity or protest. The new legislation introduced fines for trade unions who couldn't keep their members in line and gave Ministers the right to suspend any strike, imposing a 60-day pause and a compulsory postal ballot.

The act received royal assent in August 1971. Less than a year later, five dockworkers, the only men ever to be imprisoned as a result of the act, were released on the rather contrived orders of the Attorney General. Their release was a humiliating climbdown for the government and the Industrial Relations Act subsequently fell into disuse and was repealed, un lamented, two years later.

How it was that the dockers, at this point numbering less than 50,000 workers² came to wreck the Conservative government's reform programme is an interesting case study in the power, autonomy and agency of subordinate groups. Although well-covered in much of the industrial relations literature on the period, *historians* have generally neglected the independent rank-and-file

1 Jim Tomlinson, “Economic Growth, Economic Decline” pp. 63-89 in Kathleen Burk (ed.), *The British Isles Since 1945* (Oxford: Oxford University Press, 2003), p. 83.

2 J.W.Durcan, W.E.J.McCarthy and G.P.Redman, *Strikes in Post-War Britain: A study of stoppages of work due to industrial disputes, 1946-73* (London: George Allen & Unwin, 1983), p. 294.

organising that produced this, and other spectacular strikes during this period.³ Neglecting a whole range of militant cultures that flourished from the 1960s onwards, historians of trade unionism have often seemed to regard workers as a stage army to be marched out at will by left-wing leaders or an uncontrollable mass surging forward and backward with the economic tide.

This paper aims to assert that rank-and-file dockworkers were able to develop their own networks, capable of quite remarkable feats of organisation, and ultimately wielding the ability to inflict defeats on the government, in spite of their own officials. In doing so they did not merely fall-back on age-old trade union structures or corporate collective bargaining, but actually renewed and invented their own autonomous networks. My work looks to open the debate on militancy and class formation during the “age of affluence” and crisis in the 1960s and 70s, drawing on the cultures, values and practices of the workers themselves.

Ostensibly, the dockers should not have expected to win a political fight with the government through direct action. Firstly, as far as the media and the political class were concerned, action on the trade unions was long overdue. The politicisation of industrial relations had been steadily growing throughout the 1960s, with the Donovan Commission and *In Place of Strife* already acknowledging the case for change.

A majority government confronted a trade union movement that appeared to have little appetite for a straight political fight with the government. The TUC General Council organised a half-hearted boycott of the register and the National Industrial Relations Court, as well a large protest march and a petition, but had disavowed the general strike called by the Communist Party-influenced Liaison Committee for the Defence of Trade Unions.⁴ Despite the initial vigour of the campaign against the act, and the backing of the Labour Party, now in opposition, by spring 1972 much of the impetus had been lost.

The dockers, in fact, did not set out to challenge the act. Dock work was already consumed by its own particular crisis – the advance of containerization. Standardised containers, the large metal boxes that are piled high in every modern dock, revolutionized dock work from the 1960s onwards. Containers massively reduced the quantity of manual handling required in dock work and consequently allowed ships to be unloaded sixteen times as fast and promised to reduce the labour

3 Dave Lyddon, “‘Glorious Summer’, 1972: The High Tide of Rank and File Militancy’ in McIlroy (et al), *British Trade Unions and Industrial Politics*, pp. 326- 352 (p. 350-352).

4 Fred Lindop, ‘The Dockers and the 1971 Industrial Realties Act, Part 2: The Arrest and Release of the Pentonville Five’ pp. 65-100 in *Historical Studies in Industrial Relations*, 6 (Autumn 1998), pp. 74, 92.

requirements of British ports by as much as 90 per cent.⁵

The winter of 1971 saw a jobs crisis in the industry, as the number of “temporarily unattached” (unemployed) dockers began to rise. In December stewards from most major ports convened an unofficial National Port Shop Stewards Committee and agreed a plan to campaign for a pro-docker containerization, with the remaining work post-modernisation to be shared as fully as possible among registered dockworkers.

What unfolded next was a “blacking” campaign against various inland warehouses which were being used to “strip and stuff” the containers that came off the docks. Since much of this work was being done near the waterfront, often by the same companies that had previously run dock operations, the unofficial Committee thought the work should be done by registered dockers.

The dockers set about picketing these warehouses until they were hired to “strip and stuff” the containers. Since this was illegal under the Industrial Relations Act, their union, the TGWU was sued, and when they refused to defend themselves in court, fined.

Events continued in much the same vein for the following couple of months. With docker activists paying little attention to the Transport and General as the union attempted to avoid sequestration of their assets and persuade them to stop. Finally, on May 1st, of all days, the TGWU agreed to pay their fines, with Jones again appealing to his members to stop.⁶

Meanwhile in London, against the advice of their more experienced colleagues, a group of younger stewards were organising massive pickets of another cold storage warehouse in Stratford. The situation was escalated the following week when, to the government's dismay, the NIRC decided that it was individual trade unionists who were legally liable and not the trade unions themselves, thus opening the door to fines and imprisonment for individual dockers.

The picketing and legal action continued over the following month, with all the dockers called refusing to appear before the NIRC. Finally on the 21st July the so-called Pentonville Five were arrested, whereupon the campaign shifted to the prison and a national wildcat dock strike broke out. Soon militant dockers were knocking on doors, persuading other groups to come out on strike. Printers, builders, engineering workers, hauliers, baggage handlers, miners, shipbuilders and council

5 Peter Turnbull (et al.) *Dock Strike: Conflict and Restructuring in Britain's Ports* (Avebury: Aldershot, 1992), p. 47 and Michael P.Jackson, *Labour Relations on the Docks* (Saxon House: Farnborough, 1973), p. 115.

6 Ralph Darlington and Dave Lyddon, *Glorious Summer: Class Struggle in Britain, 1972* (Bookmarks: London, 2007), pp. 151-153.

workers; within the next few days dockers would convince up to 250,000 workers to take some kind of industrial action in support of the five. Eventually, under huge pressure from the dockers' spreading wildcat strike, the TUC voted for a 1-day general strike for the 31st July.⁷

They needn't have bothered. The government was already in the process of engineering the dockers' release. A week early, the Law Lords reversed the original NIRC decision, throwing responsibility back on to the TGWU. The Attorney General then sanctioned the release of the dockers. A questionable legal decision, given that they were imprisoned for contempt and not for "blacking" *per se*. In any case the government were glad to bring the whole embarrassing episode to a close.

The case of the Pentonville Five and the defeat of the Industrial Relations Act should be particularly interesting for scholars of post-war Britain. Very rare have been the occasions on which mass direct action has forced the government into full-scale retreat. Arguably the only comparable popular victory of the era was the Poll Tax rebellion, which required a longer, more widespread campaign and affected much wider sections of society.

The achievement is still more remarkable when you consider that the large institutions that might support such a campaign were of limited assistance to the dockers. The Labour Party had supported the petition and march against the act, but offered no assistance to the dockers, either in their opposition to containerization or to the Pentonville Five. The TGWU, including its left-wing general secretary Jack Jones, had attempted to dissuade activists from the blacking campaign and initially offered no public support to their imprisoned members (though their rivals the National Amalgamated Stevedores and Dockers did). Only when the government was already caving in did they convince the TUC to call a national protest strike against the imprisonment.

Beyond the lack of support, as industrial relations scholars Ralph Darlington, Dave Lyddon and Fred Lindop have pointed out, what is most remarkable is that the machinery of the trade unions was almost totally absent in the mobilisation of thousands of dockers and, later on, in the promotion of solidarity actions by other workers. The mass pickets of container warehouses, cold storage facilities and eventually Pentonville prison, involving thousands of workers, happened through unofficial networks that revolved around docker activists and shop stewards. It involved an organisational capacity, and a collective power that stemmed not from the corporate role and the great resources of the organised trade union movement, but from the connections and solidarity that dockworkers had built between them over the course of decades.

⁷ *Ibid.*, pp. 165-170.

Dockers, of course, had a deserved popular reputation for militancy for much of the 20th century. From 1945 to 1951 they were arguably the only significant group of workers that consistently went on strike during the relatively peaceful Attlee governments.⁸ Dockers remained constantly either the most or one of the most strike-prone groups of British workers, and there were 56 major strikes in just the four year period 1969-73.

Such militancy was never “automatic”, and there are a number of reasons why dockers might lack the leverage and the levels of organisation necessary to sustain such action. The work itself, though not unskilled, was not subject to any craft restrictions and was, at most times during the 20th century able to call on large quantities of surplus labour at any time. Even during “the full employment” of the post-war welfare state, the dockers register was rarely insufficient for employers needs and usually far exceeded them.⁹

Dock work was casualised until 1967, with workers hired by the half-day, and arguably still retained an element of casualism after that point, with unneeded workers shunted onto the Temporary Unattached Register.

Prior to the second phase of decasualisation in 1970, the massive variety of largely irrational piece rates for different loading and unloading tasks had seen the dockworker's wages fluctuate wildly according to trade and the whims of foremen and gangmasters who between them had controlled the allocation of labour. Even after the universal adoption of daily pay, piece rates remained in London and Liverpool and a large proportion of dockers' wages were irregular.¹⁰

Forced to compete among themselves in a over-manned industry, in dangerous, unsanitary conditions, with a large labour surplus, with no recognised craft skills, the leverage of dockers seems fairly similar to that of farm labourers or construction workers, both of whose militancy has been largely restricted to brief violent outbursts rather than sustained industrial organisation. It was only the strategic importance of exports and the determination and agency of the dockworkers that enabled them to sustain industrial organisation.

Where did these behaviours and practices come from? Even the argument that dockers could draw on a “traditional proletarian solidarity” of the waterfront - isolated, close-knit, based on defined

8 Michael P. Jackson, *Labour Relations on the Docks* (Saxon House: Farnborough, 1973), pp. 41-53.

9 *Ibid.*, pp. 66-68, 103-106.

10 *Ibid.*, p. 80

communities, similar to pit villages - seems to have been redundant by the early seventies. Stephen Hill's sociological survey of London dockers showed that the majority lived miles from their workplace, dispersed across the city, socialising with their peers no more than the engineering and car workers featured in Goldthorpe and Lockwood's *Affluent Worker* study.¹¹ As a result of negotiations after decasualisation, dockers were also amongst the best paid manual workers, meaning they too had the supposed trappings of embourgeoisment: the mortgages, the washing machines, the car and the television set.

The dockers' power was not then simply the reflex of conservative proletarian traditionalists or the inevitable response to economic stimuli, it was a power to act in concert based on the activity of the dockers themselves.

By 1972, despite the potentially divisive nature of their work and their lack of job security, dockers had established a reputation for militancy and solidarity, as well as a shared occupational culture and an organisational capacity that could sustain that activity. Lord Devlin, author of a government inquiry into the industry in 1965, described dockers as having an "exaggerated" notion of solidarity, where the man who wanted to strike was always right. In one worker's estimation, a good docker on hearing of a strike "wouldn't ask what it was about till he was out of the gate".¹² In the face of casualism, dockers had developed a concept of solidarity that at times offered unquestioning support to their colleagues, particularly in defence of customary practices

The casualism of the dockers cut both ways, with employers playing favourites with their "blue-eyed boys" and dockers exercising their discretion in choosing only the best paying jobs. This contributed to their propensity to withdraw their labour. Dockers used casualism to their advantage, using their independence from their employers to refuse tasks and negotiate better rates. Once better rates or more comfortable working practices had been obtained, that same refusal could be used to defend them; be it "spelling", where only half the gang worked, general overmanning or special allowances for dirty or difficult cargos.

On-the-spot negotiation was a constant feature of dock work, and such arguments made good training for dock militants. This in turn contributed to the levels of autonomy that were so important in the fight to free the Pentonville Five. Dockland militants had long cut their teeth arguing over allowances with foremen, and the capacity of dockers to engage in independent action, autonomous of their unions had a long history. Wildcat strikes in the late '40s had seen the emergence of an

11 Stephen Hill, *The Dockers: Class and Tradition in London* (Heinemann: London, 1976), pp. 65-73.

12 Lindop, "Unofficial militancy", p. 27.

“unofficial” movement, run by elected committees and mass meetings, which had organised large strikes over dirty cargos, against the disciplinary procedures of the National Dock Labour Scheme and even in solidarity with striking Canadian sailors.

Remarkably, none of these actions were organised by the main trade union in the industry, the Transport and General Workers Union, whose officials were often regarded by many as too close to management. The union had long committed itself to a programme of modernisation and decasualisation in the docks, with the former policy in particular seeing it side with management productivism. In addition, the TGWU shared responsibility with employers for discipline in the industry through the Dock Labour Boards, further damaging their credibility with the dockers.

The dockworkers’ autonomous power was used in everyday dock life to secure a better deal on particular cargos, but also on occasion for political aims. To give a few examples, Hull dockers blacked Soviet ships in 1956 in solidarity with the Hungarian Revolution¹³, while some London port workers struck to support the nurses’ pay claim in 1962, and notoriously, for Enoch Powell’s Rivers of Blood speech in 1968 (interestingly, many of the stewards recall that even they did not work that day, despite left-wing politics, anti-racism and hatred of Powell, simply because they refused to cross any picket line).¹⁴

An occupational culture with a value system that preached solidarity, and defended customary practices both in the work itself and in industrial relations, enabled dockers to have the kind of mutual expectations and obligations (or we should say solidarity) that necessarily form the basis of strong industrial action. Casualism meant that full-time union officials were largely excluded from the bargaining process, and usually when they did appear, they did so as one more external, oppositional force.¹⁵ In the absence of the union infrastructure, *and* prior to 1967, any official mode of representation in the docks themselves, unofficial stewards developed their own means of communication and decision-making, forming national stewards networks and organising strikes through mass meetings at the dock gates and elsewhere.

The development and maintenance of this culture and these practices was significant for the dockers because, as a result, despite the seemingly rather “backward” conditions of their employment, they were able to establish themselves as a vanguard of the labour movement, capable of confronting

13 Sam Davies, “The history of Hull Dockers”, pp. 180-212 in Sam Davies et al (eds.), *Dock Workers: International Explorations in Comparative Labour History 1790-1970, Vol 1* (Ashgate: Aldershot, 2000), p.204.

14 *Ibid.*, p.

15 Lindop, “Unofficial Militancy”, p. 29, Jack Dash, *Good Morning, Brothers!* (London Borough of Tower Hamlets: London, 1987).

governments and remoulding their employment relations and determining their own work practices. They did so not through their corporate integration into a dominant state and capitalism, but through autonomous organisation that transformed their power relations and their personal agency. The years that followed their victory in 1972 would show the limitations of that power, as the march of new technology and new work practices would virtually destroy dock work as a significant occupation around the world.

The self-organisation and militancy of dockers in this period demonstrate that the conventional narrative of trade union power in the 1970s, actually masks an array of relations and practices that showed the capacity of groups, collectively and autonomously to challenge domination. The dockers, and indeed other strike-prone categories of worker, took industrial action in the face of hostility from both mainstream public discourse, as well as their own official organisations. They continuously selected and listened to leaders who were regarded as subversives and troublemakers outside of their workplaces. The behaviour that sustained all this represents a lost world of cultures, values and practices, which far from being a hangover from some traditional pre-war working-class culture actually gained vibrancy and were renewed after the supposed age of affluence.

It is the distinctiveness of this militant culture, and others like it (an alternative paper might be “How to bring down a government”: the miners in the 1970s) that should encourage us to look further into those popular narratives of militancy and trade union power in this period, as contrary to much of the commentary it was not generally the “union barons” who flourished in this period, but the collective agency of a culture that by that point was largely assumed to be long dead.

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