

Lise Kristin Nymo

**“We shall not ‘bash’ the unions. Neither shall we bow to them.”**

The decline of British trade union memberships under Thatcher 1979-1990.

Bachelor's project in English

Supervisor: Gary Love

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Faculty of Humanities  
Department of Language and Literature



**NTNU**

Kunnskap for en bedre verden



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# 1 Introduction

## 1.1 Topic and background

Trade unions have played an important role in the development and securing of workers' rights and wage increases, and they are still an important collective bargaining tool. The role of the unions has been re-negotiated and challenged from the start.

In Britain, the Trade Union Act was put in place in 1871, securing the legal right of workers to organise and act collectively. In 1894 collective bargaining between unions and employers was presumed to be a public good by the Royal commission on Labour.<sup>1</sup> The Taff Vale case of 1901 is one of the most important cases in trade union legal history. It concerned trade unions ability to take legal action and be sued in their own name. The House of Lords found trade unions to be quasi corporations, and that they could be sued in their own name. This meant that trade unions were now prevented from doing many of the things they previously could.<sup>2</sup> This ruling meant that any property and funds the trade unions had was vulnerable, and that the trade unions could be sued for illegal picketing, as in the Taff Vale case.<sup>3</sup> The Taff Vale case in turn led to the 1906 Trade Disputes Act, which removed liability and gave immunity to the trade unions for damage done by strike action. It made peaceful picketing lawful, and trade unions could no longer be sued. This effectively reversed the Taff Vale judgement.<sup>4</sup> In 1926 there was a general strike, which in 1927 led to a new Trades Disputes Act. This Act was designed to prevent future general strikes. In fact, the Act made general strikes illegal, and strikes were to be confined within groups with the same employer or of similar body.<sup>5</sup> After the Second World War, the social and political status of the trade unions was enhanced, due to their contributions during the war.<sup>6</sup> Many trade union leaders felt that the Attlee government was 'their' government, as it was the first Labour government to rely on a majority in the House of Commons. This also led to the post war years having little conflict between the trade unions and the government.<sup>7</sup>

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<sup>1</sup> Howell, Chris. *Trade Unions and the State: The Construction of Industrial Relations Institutions in Britain, 1890-2000*. Princeton, N.J.: Princeton University Press, 2005: 46.

<sup>2</sup> Brodie, D. "Taff Vale Railway Co v Amalgamated Society of Railway Servants (1901)." *The New Oxford Companion to Law, 2008, The New Oxford Companion to Law*.

<sup>3</sup> Barlow, Montague. "The Taff Vale Railway Case." *The Economic Journal* 11, no. 43 (1901): 448.

<sup>4</sup> Posner, J. J. "English Trade Disputes Act of 1906." *California Law Review* 10, no. 5 (1922): 399.

<sup>5</sup> Witte, Edwin E. "British Trade Union Law Since the Trade Disputes and Trade Union Act of 1927." *The American Political Science Review* 26, no. 2 (1932): 345-346.

<sup>6</sup> Wrigley, Chris. *British Trade Unions since 1933*. Vol. 46. New Studies in Economic and Social History. Cambridge, UK: Cambridge University Press, 2002: 7.

<sup>7</sup> Wrigley, Chris. *British Trade Unions 1945-1995*. Documents in Contemporary History. Manchester: Manchester University Press, 1997: 2.

During the Second World War strikes had been prohibited, and the prohibition was lifted in August 1951. This prohibition had been supported by the trade unions. From 1957-1962 there was a wave of small, unofficial strikes, linked to inflation, redundancies, and the economic climate.<sup>8</sup> In 1968 the Donovan Report was published, responding to the decentralisation of collective bargaining, and calling for change in the British systems, like making factory-wide agreements the rule, and having industry-wide agreements only where it could be effectively regulated. Harold Wilson's government implemented much of the Donovan Report, but they also took it further, bringing forward a White Paper, *In Place of Strife: A Policy for Industrial Relations* in 1969. Many of the proposals in the White Paper were supported by the trade unions, but three of the proposals led to much controversy. These proposals would order a compulsory ballot before major strikes, order 'cooling off' periods in unofficial strikes, and the Commission on Industrial Relations was to resolve inter-union disputes. The White Paper did not get legislated.<sup>9</sup> The Heath government passed an Industrial Relations Act in 1971, which legally restricted trade union powers, and contained measures against the closed shop and secondary strikes. This Act repealed the Trade Union Act of 1871, the Trade Union Amendment Act 1876, the Trade Disputes Act 1906, and many other Acts, in whole or in part.<sup>10</sup> Additionally, the Conservatives introduced a Social Security Act in 1971, intended to force trade unions and workers to bear a larger part of the cost of strikes themselves.<sup>11</sup> The 1971 Act did not succeed in reducing the number of strikes, and when the Labour party returned to power in 1974 almost all of the 1971 Act was repealed in The Trade Union Relations Act from 1974 and 1976. This Act dealt with trade union recognition and the spread of collective bargaining.<sup>12</sup> In both 1972 and 1974 there were coal miners' strikes, and the Conservative government suffered from their losses following these strikes.<sup>13</sup>

When Margaret Thatcher's Conservative government was elected in 1979, British trade union membership was at an all-time high, with more than half of British employees belonging to a trade union.<sup>14</sup> However, throughout the 1980s and 1990s, the number of trade union members declined drastically, and in 1995 only 20.6 per cent of part time workers, and 36.0 per cent of full time workers belonged to a trade union. In practice this meant a membership drop

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<sup>8</sup> Wrigley 2002: 41.

<sup>9</sup> Wrigley 2002: 68-69.

<sup>10</sup> Wrigley 2002: 70.

<sup>11</sup> Ewing, K. D. *The Right to Strike*. Oxford: Oxford University Press, 1991: 101.

<sup>12</sup> Wrigley 2002: 72.

<sup>13</sup> Howell 2005: 154.

<sup>14</sup> Howell 2005: 1.



of over 5 million people.<sup>15</sup> There are many possible reasons for this decline, and Brian Towers divides these into three categories: economy, employment, and government intervention. Growing unemployment rates and a higher percentage of part time workers were some of the factors that might have affected the memberships numbers in the trade unions. The unemployment rate had not gone above 2 per cent for about 20 years, when it in 1967 began to climb. In 1979 it reached 5 per cent, and in 1985 the unemployment rate reached 12 per cent. In addition to this, about one third of all employment in 1986 was in the 'flexible work force', consisting of part time workers, temporary workers, and self-employed workers. Many of these workers were employed in firms that distinguished between the core, full time workers and everyone else. These core workers were usually the ones who were unionised and recognized.<sup>16</sup>

After the Thatcher government was elected, many anti-trade union policies were put in place. The trade unions were seen as hindering individualism and the free market, and the government sought to subordinate labour law and the trade unions.<sup>17</sup> Thatcher was not against trade unions as a whole. She felt that trade unions had a place in acting on the behalf of its members, in work-place interests and in wage negotiations on a factory level. What she disagreed with was how the trade unions had been acting for political, and not economic ends, and that they had placed themselves above the law. With the legislation the Conservatives implemented under Thatcher the trade unions could be put in their place, and fulfil their proper function, removed from the political stage, and out of the Government's economic policy. This effectively put an end to trade union leaders coming to Downing Street to argue their case.<sup>18</sup>

This policy would result in four Acts of Parliament, the Employment Acts of 1980 and 1982, the Trade Union Act of 1984, and another Employment Act in 1988. These Acts of Parliament weakened the power of the trade unions.<sup>19</sup> It is worth asking to what extent the Thatcher governments merely succeeded in implementing ideas that the preceding Labour and Conservative government under Wilson and Heath had tried, but failed, to implement. Was there more political consensus on the need to reform than we tend to think? There are many discussions among historians about what the trade unions could have done differently, and how they could have combated the declining numbers.

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<sup>15</sup> Wrigley 1997: 32, 30.

<sup>16</sup> Towers, Brian. "Running the Gauntlet: British Trade Unions under Thatcher, 1979-1988." *Industrial and Labor Relations Review* 42, no. 2 (1989): 164, 166. It should be noted that since this article is from 1989 it must be considered in the light of its own time.

<sup>17</sup> Towers 1989: 167-168.

<sup>18</sup> Green, E.H.H. Thatcher. Hodder Education, London, 2006: 125-126.

<sup>19</sup> Towers 1989: 167-168.

## 1.2 Research question and delimitation

There are a lot of different things one can look at when researching British trade unions during the Thatcher era. This bachelor's thesis overall research question will be: *Why did trade union membership drastically decline after 1979?* There were a lot of reasons why this happened. As we saw earlier, unemployment and economic hardships was one important factor. As the unemployment rate rose to 12 per cent in 1985, trade union memberships also swiftly declined. The 1980s saw the rise of the 'flexible work force' where part time work, self-employment and temporary work was becoming more and more normal. Many of these workers did not unionise and will have contributed to the falling number of trade union memberships. In addition to this, the Thatcher governments implemented several Parliamentary Acts weakening the status and power of the trade unions.<sup>20</sup> In this thesis I will be exploring the four Acts of Parliament under the Thatcher government mentioned above, explaining the legislation and the political forces behind them. I will be working with the period 1979-1990, from the Thatcher government's rise to power, until Thatcher fell in 1990.

While exploring this question, I will also be looking at: *How and why was trade union power and influence weakened by the Thatcher governments between 1979 and 1990?* Trade unions were weakened by major changes in policy, mainly the Employment Acts from 1980 and 1982, The Trade Union Act from 1984, and the Employment Act from 1988. These Acts would reduce trade unions powers and rights. The Thatcher governments felt that the trade unions had too much power in the making of economic policy and were too political. They wished to put the unions back where they belonged, in the individual workplace.<sup>21</sup> This will be the main focus of Chapter 2. To understand why membership numbers in the trade unions declined so much during the 1980 one must look at the legislation that undoubtedly contributed to weakening them.

Next, I will be looking at: *How did the trade unions react to the government policies trying to weaken them?* In the 1980s there were two massive strikes in the steel and coal industries, as well as the print union strike at Wapping. All these strikes attempted to resist governments policies that would reduce employment substantially. I will be looking at these three strikes as responses to the legislation, as well as trade union leaders' immediate reactions to the policies enacted by the Conservative governments in the 1980s.<sup>22</sup> This question will be the focus of Chapter 3. Looking at how the trade unions responded to this legislation will give

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<sup>20</sup> Towers 1989: 164, 166-168.

<sup>21</sup> Green 2006: 125-126.

<sup>22</sup> Wrigley 2002: 42.

us an insight into how the unions could mobilise in these changing times, and if less power to act meant less members and vice versa.

### **1.3 Method**

When doing research for this bachelor's thesis, have looked at a few different types of sources. I have used Chris Wrigley's 1997 book to find many of my primary sources. This book contains a variety of sources, from speeches and reports, to debates and committee meetings. I have gone through these systematically and found the ones that are relevant for my thesis. I have also gone through the relevant Acts of Parliament to find out more about them, and to find relevant information about trade unions. I have read newspaper articles to find out how the trade union leaders and the Labour Party reacted to the relevant Acts of Parliament. I will try to contextualize these different sources and see them in relation to each other. I have also used secondary literature, to understand and contextualize the primary sources. Some of the literature I have used is from the period I am researching, and this can be an interesting gateway into the contemporary views on the topic.

### **1.4 Historiography**

A wealth of research has been done on British trade unions during the Thatcher era. One important contribution is Chris Wrigley's *British Trade Unions 1945-1995* from 1997, and his book *British Trade Unions since 1933* from 2002. Both books cover the history of British trade unions, and discuss various policies put in place by the British government, strikes and trade union development. Wrigley devotes most of his 1997 book to transcriptions of primary sources such as excerpts from speeches, debates, parts of reports and legislative proposals. Wrigley also takes his raw material and makes tables and statistics in both his books, which facilitate the observation of changes over time. He also argues in his 1997 book that the changes in international competition that occurred during this period had a bigger impact on British trade union memberships than the legislations the British government passed.<sup>23</sup>

Chris Howells *Trade Unions and the State: The Construction of Industrial Relations Institutions in Britain, 1890-2000* from 2005 spans over a long period of British industrial history and starts with Howell trying to explain how industrial relations institutions are made, and why some of these break down. Howell argues that the British labour movement was more vulnerable and more dependent on state resources and state practices, than other conventional

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<sup>23</sup> Wrigley 1997: 1.

accounts recognizes. He also argues that the trade unions at the height of their power were still very fragile and struggled under a false sense of security. Because the institutional configuration of industrial relations was constructed by the state, removal of state support for collective regulation weakened the trade unions.<sup>24</sup> This is interesting, as many other historians tend to focus on a loss of power. It certainly makes understanding the history and structure of the British trade unions very important.

In Brian Towers' "Running the Gauntlet: British Trade Unions under Thatcher, 1979-1988." from 1989, Towers discusses the difficulty faced by British trade unions from 1979 to 1988. He argues that though the governments' unfavourable treatment of trade unions was a big factor in the decline in memberships, the economic and structural changes that happened in the period, like more part time workers and unemployment, declining exports and loss of manufacturing ability were more likely to have long lasting adverse effects.<sup>25</sup> Interestingly, Towers also argues that the British trade unions fared remarkably well in the aftermath of Thatcherism, as the trade unions themselves were still largely intact.<sup>26</sup> Since this article was published in 1989 there have been further developments, and some of Towers' predictions did not turn out to be right. It is however a very interesting look into the view of the contemporaries on this case.

K. D. Ewing writes in his 1991 book *The Right to Strike* about workers' legal rights, and the development and history of workers' rights in Britain. He gives an overview of important legislation from 1831 through the Thatcher government. Ewing is a law professor and has also written other books on labour law. He argues that British labour law policy has been far more concerned with giving and taking away power from the trade unions and trade union officials, than the individual worker, and the sacrifices these workers make. He argues that the individual worker must be protected from coercion, from both their employers and public authorities.<sup>27</sup>

Another labour law professor that has contributed to the field is Alan Bogg, who in his article "The Death of Statutory Union Recognition in the United Kingdom" discusses the decline of the Statutory recognition procedure in Britain, and legislation until the late 1990s. Much of this is newer legislation than the period I will be focusing on in this thesis, but it is useful to understand the aftermath of Thatcher's conservative government. Bogg suggests that

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<sup>24</sup> Howell 2005: 133.

<sup>25</sup> Towers 1989: 163, 165.

<sup>26</sup> Towers 1989: 187.

<sup>27</sup> Ewing 1991: 142, 163.

the death of British recognition procedure is not a bad thing, as it opens the discussion of what role the trade unions should have, and what the nations' labour laws should be.<sup>28</sup>

In Jeremy Waddington's 1992 article "Trade Union Membership in Britain, 1980-1987: Unemployment and Restructuring," he discusses the development and decline of British trade union memberships in the 1980s, looking at union membership density, who was unionised, and what jobs the members worked. Waddington also tries to explain the decline in trade union memberships, and presents three main factors, namely structural changes in the composition of employment, the business cycle, and the climate of industrial relations.<sup>29</sup>

Many of the authors mentioned above point to factors outside of political legislation as factors for the decline of British trade union memberships. Some of these were economic, structural, and social factors which might have contributed to this decline. However, I think it is most important to understand how the political changes in the period affected the trade unions and contributed to membership decline. These political factors, the Thatcher governments' goals for the trade unions and for the industrial sector at large, and their role in the economy also played a part in these other factors. Shutting down factories and restructuring the industrial sector led to unemployment, changing labour laws led to more flexible work and so on. Therefore, political factors played a part in many of these other factors as well, and to understand them we must understand how the political factors changed the context in which the trade unions existed.

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<sup>28</sup> Bogg, Alan L. "The Death of Statutory Union Recognition in the United Kingdom." *Journal of Industrial Relations* 54, no. 3 (2012): 423.

<sup>29</sup> Waddington, Jeremy. "Trade Union Membership in Britain, 1980-1987: Unemployment and Restructuring." *British Journal of Industrial Relations* 30 (1992): 302.

## 2 Government policies

Under the Thatcher government laws and legislations were put in place that altered the context in which trade unions had previously flourished. Not only was legislation passed that specifically weakened the trade unions, but the Conservative government also had broader economic objectives, which while affecting the trade unions, were way more far-reaching.<sup>30</sup> In this chapter I will examine some of the most important legislation passed, and I will look at some of the largest strikes in the 1980s, as a reaction to this legislation.

### 2.1 Employment Act 1980

The Employment Act from 1980 concerned trade union ballots and codes of practice, exclusion from trade union membership, unfair dismissal, maternity leave and rights, restrictions on legal liability and other employee rights, as well as repealing and altering earlier legislation. Some of the most important parts of this Act is detailed below.<sup>31</sup>

Section one of the Act concerned payment in respect to secret ballots. It determined that the state may provide payment for expenditure incurred by trade unions while holding ballots. The ballots had to be secret, and expenditure was only covered if the ballot had certain purposes, like calling for or ending a strike, carrying out trade union elections, electing a worker to be a representative of his fellow workers in a union, and amending trade union rules.<sup>32</sup> In section two it is determined that the employer shall let their premises be used to hold a secret ballot, as long as it is practicable. This only applies if the employer recognises the union as a tool for collective bargaining, and if there are more than 20 employees.<sup>33</sup> Thatcher wanted there to be compulsory ballots of trade union members every time a decision had to be made, rather than let trade union leaders decide when to hold ballots.<sup>34</sup> These secret ballots would have made it easier to go against the grain in the trade unions, and having compulsory ballots would have made it harder for trade union leaders to act quickly.

One could not, according to this Act, be unreasonably refused membership in a trade union, neither could one be unreasonably expelled from a trade union. If one were unreasonably refused membership, or unfairly expelled one could complain to an industrial tribunal up to six

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<sup>30</sup> Gospel, Howard F., and Stephen Wood. *Representing Workers: Trade Union Recognition and Membership in Britain. Future of Trade Unions in Britain*. London: Routledge, 2003: 3.

<sup>31</sup> *Employment Act 1980*.

<sup>32</sup> *Employment Act 1980*, 1 (1)-(3).

<sup>33</sup> *Employment Act 1980*, 2 (1)-(3).

<sup>34</sup> Dorey, Peter. "Weakening the Trade Unions, One Step at a Time: The Thatcher Governments' Strategy for the Reform of Trade-Union Law, 1979–1984." *Historical Studies in Industrial Relations* 37, (2016): 177.

months after the incident.<sup>35</sup> If such complaints were found to be well founded, the person who made them was entitled to compensation from the trade union, and they were to be readmitted into the trade union.<sup>36</sup> In the case of unfair dismissal this Act stated that whether or not the dismissal of an employee was unfair was to be determined with equity and the substantial merits of the case. This meant the Act effectively removed the burden of proof from the employer.<sup>37</sup> This means that not only did the unions lose some of its power to the individual worker, but the employers also became stronger when facing conflict with employees.

Before the 1980 Act, one could choose not to be a part of the trade union if it went against one's religious beliefs, without this being grounds for dismissal. This Act changed this, and one could choose not to be a member of a trade union because of your own conscience.<sup>38</sup> This might have made it easier for employees with conservative leanings to not be a part of the trade unions, and it would have weakened the trade unions. This Act also determined that picketing was lawful, but only if the person attending was at or near his own place of work, or if they were a trade union official peacefully obtaining or communicating information.<sup>39</sup> This shifted the legal balance against trade unions.<sup>40</sup>

## **2.2 Employment Act 1982**

The Employment Act from 1982 addressed employee involvement, unfair dismissal, action short of dismissal, union membership or recognition requirements in contracts, trade disputes, periods of continual employment and amendments and repeals of earlier legislation. The most important points will be detailed below.<sup>41</sup>

The Act determined that relevant companies, meaning companies employing 250 workers or more, had to issue statements about how they had involved employees throughout the financial year. This could be consulting employee representatives on issues and providing relevant information to them as employees, or about the state of the company.<sup>42</sup> It was determined that the Secretary of State had the power to give compensation to people who in certain past cases had been dismissed due to not being a member of a trade union.<sup>43</sup> The 1982

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<sup>35</sup> *Employment Act 1980*, 4 (1)-(6).

<sup>36</sup> *Employment Act 1980*, 5 (1)-(4).

<sup>37</sup> *Employment Act 1980*, 6. Wrigley 1997: 164.

<sup>38</sup> *Employment Act 1980*, 7, (1)-(2).

<sup>39</sup> *Employment Act 1980*, 16, (1).

<sup>40</sup> Freeman, Richard, and Jeffrey Pelletier. "The Impact of Industrial Relations Legislation on British Union Density." *British Journal of Industrial Relations* 28, no. 2 (1990): 149.

<sup>41</sup> *Employment Act 1982*

<sup>42</sup> *Employment Act 1982*, 1 (1)-(3).

<sup>43</sup> *Employment Act 1982*, 2.

Act also revised and substituted earlier Acts. This Act made the dismissal of an employee for being in a trade union, and for not joining a trade union unlawful. Employees could not take part in trade union activities during working hours unless this was agreed upon by the employer.<sup>44</sup> It also determined that for a ballot to pass in trade union elections no less than 80 per cent of those entitled to vote, or 85 per cent of votes cast had to be in favour of the ballot.<sup>45</sup>

We can see that much of the legislation so far has been putting non-union members on equal footing to union members. This is also evident when looking further at this Act, where it discussed union recognition in contracts. If any terms or conditions for a contract for the supply of goods and services required either some part of, or all of the work to be done only by persons who were members of a trade union, or particular trade unions, the contract was to be void. The same applied to contracts that required some or all the work to be done by a person who was not a member of a union.<sup>46</sup> Similarly, any contract for goods and services that asked to recognise one or more trade unions for the purpose of negotiating on behalf of the workers, or to negotiate or consult with trade unions were void.<sup>47</sup>

One of the substantial losses to trade union power was the removal of trade unions immunity in certain cases of tort, for example regarding strike action, removing legislation from 1974.<sup>48</sup> This made the trade unions liable for actions taken during strikes, which had economic consequences. In any proceedings of tort brought against trade unions they would have to pay damages if they lost. The sum varied from the size of the trade union, the smaller ones having to pay less.<sup>49</sup> This severely hurt trade unions powers as they could now be sued by employers and third parties. Norman Tebbit, Thatcher's Secretary of State for Employment, believed the immunity the trade unions had enjoyed was a license to commit unlawful acts, giving an example of the Thatcher government's feelings towards trade unions.<sup>50</sup> While the trade unions lost their immunity, the employers gained more power, and were eventually able to hire back employees who were let go as a result of strikes, without losing their immunity.<sup>51</sup>

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<sup>44</sup> *Employment Act 1982*, 3 (1)-(2).

<sup>45</sup> *Employment Act 1982*, 58A.

<sup>46</sup> *Employment Act 1982*, 12 (1).

<sup>47</sup> *Employment Act 1982*, 13 (1).

<sup>48</sup> *Employment Act 1982*, 15 (1).

<sup>49</sup> *Employment Act 1982*, 16 (1).

<sup>50</sup> Dorey 2016: 184-185.

<sup>51</sup> Ewing 1991: 44-45.



### **2.3 Trade Union Act 1984**

The Trade Union Act from 1984 concerned secret ballots for trade union elections, secret ballots before industrial action, political funds, political objects, and union dues. It also contained amendments for the 1980 Employment Act. This Act specifically dealt with trade unions and shows very clearly how the Thatcher government dealt with the unions. The most notable parts of the Act are detailed below.<sup>52</sup>

With the 1984 Act the government determined that trade unions had a duty to hold elections for certain positions. It was made clear that every person who was a member of the principal executive committee of a given union held that position by virtue of having been elected, in an election. These people could not hold a position for more than 5 years.<sup>53</sup> In the trade union elections there were some people who did not have the right to vote. These included members who were excluded from voting by the rules of the trade unions, members who were not in employment, members who had outstanding payments in respect of any subscription or contribution due to the union and members who were apprentices, trainees or students or new members of the union. There was to be a secret ballot, and it should be possible for members to vote over the post. Additionally, members should be able to vote without interference from others. The Act also said there was to be no requirements for the candidates to be a part of a political party.<sup>54</sup>

To prevent the trade unions from being actionable in tort, on the ground that it induced a person to break their contract of employment or interfere with its performance, there had to be held a ballot before a strike or other industrial action. The majority of the people voting in this ballot had to answer yes to a strike or similar actions, and the strike or action was only to be endorsed after a ballot had been held, but no later than four weeks after the ballot.<sup>55</sup> The ballot had to ask a yes or no question, and the member voting had to vote on paper, and each member voted for themselves.<sup>56</sup> This Act also made changes in the handling of trade union funds. Any resolution should, had it not previously been rescinded, cease to have effect after 10 years. This meant that there had to be a secret ballot every 10 years renewing these resolutions. The theme of this Act was to hand the trade unions back to their members from trade union leaders, and to restrict trade union power by ballots for trade union office.<sup>57</sup>

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<sup>52</sup> *Trade Union Act 1984.*

<sup>53</sup> *Trade Union Act 1984, 1.*

<sup>54</sup> *Trade Union Act 1984, 2.*

<sup>55</sup> *Trade Union Act 1984, 10(1)-(3).*

<sup>56</sup> *Trade Union Act 1984, 11(3)-(4).*

<sup>57</sup> Wrigley 1997: 169.

The strong focus this Act had on ballots and elections within the trade unions came from the Conservative governments, and Norman Tebbit's, wish to 'democratise' the trade unions. He wished to make the trade unions more democratic, and he wanted the trade union leaders to be more responsive to the views of the members. Having ballots before every strike and every election would force the members to be a bigger part of the decision-making process.<sup>58</sup>

## **2.4 Employment Act 1988**

The Employment Act from 1988 addressed trade unions and the rights of trade union members, use of trade union funds, the closed shop system, provisions as to ballots and elections, the Commissioner for the rights of trade union members, procedure before the certification officer, interlocutory and interim orders, as well as employment and training, and amendments of earlier Acts. Some of the main features of the Act are given below.<sup>59</sup>

This Act further undermined the power of the trade unions. It determined that union members had a right to a ballot before industrial action was taken, and stated that any member of a trade union who claimed that the union had authorised or endorsed any industrial action where members were likely to be induced by the trade union to take part without the support of a ballot may apply to the court for an order. This meant that the court could order the trade unions to stop any industrial action where there was no support of a ballot.<sup>60</sup> The trade union members also had the right not to be unjustifiably disciplined by the union they were, or had previously been members of. This meant that trade union members could not be disciplined for failure to participate in or support a strike, or other industrial action taken by the union, neither could they be disciplined for indicating opposition to, or lack of support of strikes and industrial action. The members were also free to do their regular job, and to fulfil their contract with their employer, despite there being a strike.<sup>61</sup> This meant that the trade unions could not forcibly take their members out on strike, further weakening the power the unions had, both as a collective bargaining tool, but also as a political force. Without the ability to take all members out on strike, employers could rely on the members who chose to work to keep their businesses going.

In this Act employers had the right to hire employees who were not members of a union or were members of a different union than other employees. If any action were taken against this, or against the discrimination of such an employee, this Act would be actionable in tort.

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<sup>58</sup> Dorey 2016: 188-189.

<sup>59</sup> *Employment Act 1988*.

<sup>60</sup> *Employment Act 1988*, 1 (1)-(3).

<sup>61</sup> *Employment Act 1988*, 3 (1)-(3).

This means that the trade unions had no right to act against employers who hired non-union members.<sup>62</sup> Following this Act employers could no longer enforce trade union memberships, further weakening the trade unions.<sup>63</sup> There was also appointed an officer to be the Commissioner for the Rights of Trade Union Members. This officer was to help trade union members to take legal action against their unions, with the help of public funds.<sup>64</sup> This meant another blow towards trade unions, as the law became stacked against them.

## 2.5 Reactions

Conflict is an inherent feature of the employment relationship. Both employers and employees seek to tilt the agreement in their favour. The disputes this results in can often be affected by factors other than the conflicts at work.<sup>65</sup> The legislation enacted by the Conservative governments under Thatcher often went hand in hand with various strikes, and the strikes and the legislation happened as a reaction to each other. This part of the chapter will look at some of the most notable strikes in the 1980s, and how these relate to the legislation detailed above.

### 2.5.1 Steel workers' strike 1980

During the 1970s and 1980s there was a process of deindustrialisation in Britain, resulting in the number of people employed in manufacturing jobs dropping severely. One of the sectors that was hit hard by this was the steel industry. In 1980 the industry experienced its first strike since the general strike in 1926. The 1980 strike lasted for three months, from January to April, and was a national steel-worker strike, involving more than 100 000 workers, resulting in a total of over 9 million strike days put together. This strike was not only an industrial event, but a major social and political event, being, at the time the longest strike in Britain after the Second World War.<sup>66</sup>

This strike marked the first major conflict between the trade unions and Thatcher's new Conservative government. The Conservative government had taken steps to avoid a steel strike, and when the strike did get called, it split the Conservative party, both in Parliament and in the Cabinet on the acceptable pace of industrial change. Many in the party felt that there was no need for radical measures at the British Steel Corporation (BSC) and hoped that change would

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<sup>62</sup> *Employment Act 1988*, 10 (1).

<sup>63</sup> *Employment Act 1988*, 11.

<sup>64</sup> *Employment Act 1988*, 19 (1), Wrigley 1997: 174.

<sup>65</sup> Forth, John. "Conflict at Work: The Pattern of Disputes in Britain since 1980." *IDEAS Working Paper Series from RePEc*, 2008: 2, 13.

<sup>66</sup> Mcguire, Charlie. "'Going for the Jugular': The Steelworkers' Banner and the 1980 National Steelworkers' Strike in Britain." *Historical Studies in Industrial Relations* 38 (2017): 97,98.

occur at a pace that was socially acceptable. The Government hoped to achieve their goals without provoking a strike. However, when the strike was a reality, the Government refused to intervene and help settle the strike.<sup>67</sup>

The steel strike was originally called because of a pay increase offer of 2 per cent, when the inflation rate was at 17 per cent.<sup>68</sup> BSC had wished to decentralise pay bargaining, and devolve negotiations to plant level, where pay bargaining would be linked to productivity and financial performance. The main iron and steel trade unions insisted on keeping wage bargaining centralised, and thus called out their members on a strike.<sup>69</sup> Wages however was not the only issue, and the strike highlighted the deeper problems the industry was facing. Anti-trade union forces blamed the industry for being too overstaffed, unproductive, and uncompetitive. This view was contested by trade unionists from Iron and Steel Trades Confederation (ISTC), who produced a weekly newspaper called the 'Steelworkers Banner' hoping to contest some of the views that dominated the news and the political discord.<sup>70</sup>

The steel and iron trade unions had long failed to formulate a national strategy for the defence of steel and iron jobs, as well as plant closures. There were several different iron and steel trade unions, and in the late 1970s there was a fragmentation of the workforce, where different regions were pitted against one another, struggling to avoid plant closures. The 9<sup>th</sup> of January 1980, all the different trade unions came together, and they were officially on strike. When the strike began ISTC claimed 100 per cent of their members was in support of the strike. Their strategy was centred around the prevention of the movement of steel, and picketing was present in almost all steel communities, even at plants that were privately owned, organised by the communities themselves. The trade unions also used the 'Steelworkers Banner' to attack BSC, ridiculing their claim that employees would be better off when making 1.20£ more a week with the high impact of inflation, and criticising their past management of the industry.<sup>71</sup>

The strike was ended after 13 weeks by a Court of Inquiry that had compromised on the national pay offer, but that had endorsed BSC proposals to link pay bargaining to a plant level. In the 9 months after the strike manpower in BSC fell by 45 000.<sup>72</sup> The trade unions had accomplished a far higher pay increase than was originally offered, getting an 11 per cent increase, but they had to agree to changing job practices, more flexibility in the workplace and

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<sup>67</sup> Beauman, Christopher. "British Steel: A Turnaround under Public Ownership." *Business Strategy Review* 7, no. 3 (1996): 22.

<sup>68</sup> Mcguire 2017: 98.

<sup>69</sup> Beauman 1996: 21.

<sup>70</sup> Mcguire 2017: 98.

<sup>71</sup> Mcguire 2017: 105, 112, 113.

<sup>72</sup> Beauman 1996: 22.

local bargaining agreements.<sup>73</sup> Some of the trade union members felt they had been sold out by their leaders, as the wage increase was lower than the one they had initially demanded.<sup>74</sup> This process of local productivity arrangements made job losses inevitable, and as we can see above this greatly affected many workers in the iron and steel industries.<sup>75</sup>

### **2.5.2 Coal miners' strike 1984-1985**

The strike that might have had the biggest impact in the 1980s was the Coal miners' strike, that lasted from March 1984 to March 1985.<sup>76</sup> In 1984 the nationalised British coal industries were facing cuts in subsidies as well as a level of hostility from the Conservative government that put both individual coal pits, but also whole coalfields in danger of closing down. In the early 1980s several unprofitable coalpits had already been closed, and the government's intention to close more made the coal workers fear for the future of their industry as well as their own livelihoods and their communities. When the National Coal Board (NCB) announced they were closing the Cortonwood Colliery in South Yorkshire after recent investments in it, the miners in Yorkshire went on strike, followed by other coalpits around the country. Following this the National Union of Mineworkers (NUM) took their members out in a national strike.<sup>77</sup>

The strike was a result of the mine workers wanting security of employment, for themselves, and for their children's generation.<sup>78</sup> The NCB thought there would be no resistance to the pit closure in Yorkshire, as trade unions had become weaker and the members less inclined to go on strike. The first few days it looked like there was not going to be any action taken, but then the outrage started.<sup>79</sup> There was not held a national ballot to vote whether there should be a strike. Instead picketers were sent to different areas to try to enforce a country wide lockdown on coal production. This meant that democracy in striking action became a major issue of the dispute, and striking miners often came into conflict with working miners while trying to get them to join the strike. This sometimes resulted in violence. The striking miners

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<sup>73</sup> Mcgiure 2017: 123.

<sup>74</sup> Macleod, Alexander. "British Steel Strike Cools but Worker Tempers Haven't." *The Christian Science Monitor*, 1980.

<sup>75</sup> Mcgiure 2017: 123.

<sup>76</sup> Buckley, S B. "The State, the Police and the Judiciary in the Miners' Strike: Observations and Discussions, Thirty Years on." *Capital & Class*. 39, no. 3 (2015): 420.

<sup>77</sup> Nettleingham, David. "Canonical Generations and the British Left: The Narrative Construction of the Miners' Strike 1984–85." *Sociology* 51, no. 4 (2017): 854.

<sup>78</sup> Arnold, Jörg. "'The Death of Sympathy.'" *Coal Mining, Workplace Hazards, and the Politics of Risk in Britain, Ca. 1970-1990.* *Historical Social Research / Historische Sozialforschung* 41, no. 1 (155) (2016): 94, 95.

<sup>79</sup> Samuel, Raphael. *The Enemy within: Pit Villages and the Miner's Strike of 1984-5*. Routledge Revivals. Abingdon, Oxon: Routledge, 2017: 13, 14.

also came into conflict with the police, as the police was trying to control the activities of the picketers, meaning violence as well as democracy became issues in the dispute.<sup>80</sup>

This strike and the disputes the coal miners had with the Thatcher government has been described as more of a civil war than an industrial dispute.<sup>81</sup> This was political, and the government knew it. It was estimated it would take a minimum of 26 weeks for the coal strike to influence the economy, so the government decided to start burning oil at the expense of coal at power plants.<sup>82</sup> The miners were portrayed as wreckers, and dangerous. They had to be stopped so that they would not leave Britain ungovernable. Thatcher herself described the coalminers as “the enemy within”, as more dangerous, and harder to fight than external enemies.<sup>83</sup> The government mainly used the Ridley Report (1977) to deal with the strike. The report had highlighted police and picketing as the main issues they would need to address. It called for a large and mobile police force and it led to the British police being centralised for the first time. Many police officers were stationed in mining villages and were there to keep an eye on the community. Because of increased policing, a lot of people were being arrested due to the strike. To manage this there had to be changes done in the law courts, and particularly hard sentences were given out to the strikers.<sup>84</sup>

It is safe to say that the relationship between the trade unions and the Government had soured during this strike. On the 3<sup>rd</sup> of March 1985, in a special conference called by NUM, the yearlong strike was called off, and the coal miners returned to work two days later.<sup>85</sup> After the coal miners returned to work the government was in control of both the coal industry and the field of industrial relations, leaving the trade unions, and the miners’ trade unions especially, defeated.<sup>86</sup>

### **2.5.3 Wapping dispute 1986**

The final strike I am going to discuss is the 1986 Wapping dispute, which was a print union dispute. The dispute lasted for over a year, and it was one of the last times the trade union

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<sup>80</sup> Reicher, Stephen, and Nicolas Hopkins. “Self-category Constructions in Political Rhetoric; an Analysis of Thatcher's and Kinnock's Speeches concerning the British Miners' Strike (1984–5.)” *European Journal of Social Psychology* 26, no. 3 (1996): 357.

<sup>81</sup> Beckett, Francis, and David Hencke. *Marching to the fault line. The miners’ strike and the battle for industrial Britain*. Constable, London, 2009: 253.

<sup>82</sup> Rawsthorne, Phil. “Implementing the Ridley Report: The Role of Thatcher's Policy Unit during the Miners’ Strike of 1984–1985.” (Missing journal) 94 (2018): 174-175.

<sup>83</sup> Arnold 2016: 103-104.

<sup>84</sup> Rawsthorne 2018: 177-182.

<sup>85</sup> Reicher and Hopkins 1996: 357.

<sup>86</sup> Beckett and Hencke 2009: 254.

movement in Britain deployed mass picketing and secondary industrial action. These tactics received massive backlash from the government and the employer, News International, and all 5500 union members participating in the strike were fired from News International. News International also sought injunctions against the trade unions for taking secondary industrial action, which was unlawful.<sup>87</sup> When the print trade unions would not stop their secondary action, the High Court seized their assets finding them to be in contempt of the court. There were deployed mounted officers and anti-riot officers to deal with the mass picketing, and to ensure access to the Wapping plant.<sup>88</sup>

The root of the conflict was News International moving the of production of its U.K newspapers to a new plant built to produce the papers with new technology in the former dockland area Wapping. This had been done in secret, overnight, and meant News international let go over 5000 production and clerical workers. The print trade unions were excluded from the new plant, together with the sacked union members. Some of the journalists supported the strikers, but many kept working for the newspapers regardless of the production moving. Before the Wapping dispute printers had generally held quite high wages, but this changed after this dispute, the trade unions having lost much of its power.<sup>89</sup>

The year before this dispute, in 1985, there had been ongoing negotiations between the print trade unions and News International, but just before Christmas of that year, the negotiations had broken down. Even though the print trade union had been open to more flexible work positions to make room for new technology, and they had been open to enter into disputes procedures with binding arbitration, they were not willing to enter into a legally binding collective agreement, nor did they want to abandon their right to the pre-closed shop. However, it is clear that at this point in the negotiations News International did not intend to come to an agreement with the print unions, as they already the month after moved its operations to Wapping, and legal advice given to the company about getting rid of its Fleet Street work force was given before negotiations ended, and during the negotiations with the print union News International was already hiring staff for the Wapping plant.<sup>90</sup>

The end of the conflict came when the two major print trade unions, the printing and clerical union (SAGOT) and National Graphical Association (NGA) voted to end the conflict,

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<sup>87</sup> Blissett, Ed. "Fatally Divided? An Analysis of the Role Micro-political Divisions Played in the Trade Unions' Loss of the 1986-1987 News International Dispute." *Labor History* 59, no. 5 (2018): 571, 572.

<sup>88</sup> Blissett 2018: 572.

<sup>89</sup> Harcup, Tony. "Wapping Dispute." *A Dictionary of Journalism*, 2014.

<sup>90</sup> Ewing, K. D., and B. W. Napier. "The Wapping Dispute and Labour Law." *The Cambridge Law Journal* 45, no. 2 (1986): 287,

SAGOT voting first and NGA following a few days later. They decided it was time to end the dispute, because they were threatened with being held in contempt to the court, and having their assets seized. The Thatcher government used this conflict to again fight for trade union reforms and promised new trade union legislation if the Conservative party was re-elected in the next general election.<sup>91</sup>

## 2.6 Summary

This chapter has discussed the major legislation concerning trade unions that were passed in the 1980s by the Conservative government, and some of the major strikes that occurred alongside this legislation. We can clearly see that the government worked systematically to weaken the trade unions' power and influence throughout the decade.

Interestingly because of this weakening of power there was also a difference in how establishments treated and regarded trade unions in the 1980s versus how they were regarded earlier. Older establishments were more likely to recognize a trade union, because the conditions in for example the 1960s were more favourable to unionization than the conditions in the 1980s.<sup>92</sup> What is clear is that the drop in trade union memberships can be tied to the Conservative governments, and the legislations they passed.<sup>93</sup>

It seems to have been important to the Thatcher governments to make trade unions less attractive, and to make more room for conservative members. When she fought for secret ballots and made it illegal to get fired for not belonging to a trade union, she helped weaken the power and influence of the trade unions. It is also clear from looking at the different strikes throughout the decade, that the trade unions had lost much of their power, and it was harder for them to bargain with employers, because the legal action they could take against employers became smaller and smaller. The Wapping dispute ended because the trade unions were liable for the actions taken by members, and because they could no longer use secondary industrial action legally. Thatcher's government certainly succeeded in weakening trade unions and making them less efficient tools for workers.

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<sup>91</sup> "End of Wapping-big Press Dispute: New Era for British Industry; Thatcher Planning to Propose New round of Trade-union Curbs. (Margaret Thatcher)." *The Christian Science Monitor*, 1987.

<sup>92</sup> Disney, Richard, Amanda Gosling, and Stephen Machin. "British Unions in Decline: Determinants of the 1980s Fall in Union Recognition." *Industrial and Labor Relations Review* 48, no. 3 (1995): 411.

<sup>93</sup> Mason, Bob, and Peter Bain. "The Determinants of Trade Union Membership in Britain: A Survey of the Literature." *Industrial and Labor Relations Review* 46, no. 2 (1993): 337.



### **3 Trade union reactions**

When the legislations proposed by the Conservative government discussed in Chapter 2 passed there were reactions from both trade union leaders and from the Labour party, who were opposed to these policies. In this chapter I will discuss how these parties reacted to the various legislation, and I will briefly look at how union membership declined in the period.

#### **3.1 Trade union leaders**

For trade union leaders the policies passed by the Thatcher governments directly affected how they could do their jobs, and how effectively they could protect their members. With every piece of legislation that passed the trade unions were left with less power, something the trade union leaders tried to prevent.

The trade unions were against the 1980 Employment Act, and C. H. Urwin in the Trade Union Congress (TUC) described the Act as anything but the modest Act the Conservatives made it out to be. Urwin claimed that the Act would damage the weakest people in society, and the ones with least bargaining power. He also argued that this Act removed any statutory rights of trade union recognition there was, so that the trade unions could only be recognised through industrial action, or by agreement. This Act would remove unfair dismissal protection for hundreds of thousands of people, as well as maternity rights for women, resulting Urwin said, in a situation where these rights could only be protected through industrial action. He also imagined problems would arise on picketing, secondary action, and union memberships agreements in weak organisations, like the ones in the hotel business, in shops and in the clothing industry. The primary right to strike was threatened according to Urwin, because as a result of this Act judges were to determine whether something was an industrial dispute, which was impossible to do.<sup>94</sup> Terry Duffy, president of the Amalgamated Union of Engineering Workers told the TUC that his union would oppose the bill, but if it passed he would not encourage his members to break the law.<sup>95</sup> NUM delegates voted at a conference in Eastbourne to oppose the Act, and decided to campaign for a total TUC boycott of the new labour law reforms. Many of the most militant of these NUM delegates wished for a campaign of non-cooperation with the Government, taking industrial action if necessary, to fight the Act. The NUM also took a hard line at a Labour Party conference, demanding a campaign to defeat the economic policies of the Conservative government, and gain support for an alternative socialist

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<sup>94</sup> Wrigley 1997: 166-167.

<sup>95</sup> Wrigley 1997: 20.

strategy.<sup>96</sup> Trade union leaders put forward their policy of opposition to the Employment Act to the TUC in August 1980, seeking, again, non-cooperation with the Government, for the trade unions to reject the Government's policies on industrial relations, and to seek support from the Labour Party.<sup>97</sup> The trade unions were clearly opposed to this bill, but some union leaders were not prepared to break the law to fight it.

The Employment Act from 1982 was also met with resistance from the trade unions. After the Act had passed the TUC called in officials from all 105 affiliated trade unions for a briefing on the Act and to coordinate an effective opposition to it, as well as discussing how union officials would tackle the new situation. Leading up to the briefing the TUC was in the process of producing a handbook for the unions about the Act.<sup>98</sup> Before this legislation had even passed, trade union members were called to take part in sympathy strikes in support of employees at companies that would be invoking the 1982 Employment Act, even though this might have broken the law. This was done to oppose the Act, showing that the trade unions were willing to fight it.<sup>99</sup>

The Employment Act from 1984 was a blow to the unions, but some of the legislation was double edged for the Conservative government. Following the 1984 requirement of compulsory ballots before strikes, the trade unions mostly complied. The outcome of these ballots was in 90 per cent of the cases positive towards taking strike action, disproving Thatcher's theory that there was a silent majority who did not wish to go out on strikes. The large majority of these ballots ending in strikes led the Government to further limit local striking initiatives in the 1988 Employment Act.<sup>100</sup> The Trade Union Act from 1984 was not the only major blow for unions in 1984, and the Conservative government's anti-union policies led to trade union rights being removed from a large number of employees at the Government Communication Headquarters (GCHQ) at Cheltenham. The Employment Protection Acts made it possible for the Government to exempt government employees from the Employment Acts, to safeguard national security. This caused a political uproar amongst the TUC and the Labour party. Many of these employees who had lost their trade union rights elected to lose their jobs

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<sup>96</sup> Routledge, Paul. "Miners in unanimous vote to defy Employment Act." *Times*, July 11, 1980, 2. *The Times Digital Archive*.

<sup>97</sup> Routledge, Paul. "Union chiefs agree to resistance policy on Employment Act." *Times*, August 21, 1980, 2. *The Times Digital Archive*.

<sup>98</sup> Macintyre, Donald. "TUC plans 'war' briefing over employment law." *Times*, November 16, 1982, 2. *The Times Digital Archive*.

<sup>99</sup> By Our Labour Correspondent. "Striking against labour laws 'may be illegal'." *Times*, April 12, 1982, 2. *The Times Digital Archive*.

<sup>100</sup> Green 2006: 124.

rather than renounce their trade union memberships, making them martyrs in the eyes of the TUC and many other trade unions.<sup>101</sup>

The trade unions as we can see did not react well to the Conservative government's repeated attempts, and success to weaken them. The number of members in the trade unions fell drastically during the Thatcher administration, going from 13 289 000 members in 1979 when Thatcher was first elected, to 9 947 000 in 1990 when Thatcher fell. The number of trade unions had also declined, there being 453 trade unions in 1979, and only 287 in 1990. Some of this had to do with smaller unions being absorbed into larger ones, and trade unions merging with each other, but as time went on and membership numbers fell some of it can likely be attributed to anti-union policies as well.<sup>102</sup>

### **3.2 Labour party leadership**

The Labour party had a long history of working closely with the trade unions, and from the beginning the Labour party had a union presence. Trade unions have played a part in the development of Labour party policies, have supported the party financially, and many trade union members have voted Labour.<sup>103</sup>

To the changes proposed in the Employment Act from 1980, Labour politician Eric Varley, Labour's Shadow Employment spokesperson, said that he could see no great objection to accepting money financing strike ballots, saying that he was in favour of facing the trade unions with their great power, and that he thought the trade unions had had it too easy with past Labour governments.<sup>104</sup> Years after the legislation had passed, during the miners' strike in 1984 Labour accused the Government of using police as a surrogate for the 1980 Employment Act, and the Labour Shadow Home Secretary claimed the 1980 Act had become an adjunct of criminal law.<sup>105</sup> The Employment Act from 1980 was therefore seen as a catalyst, and a way for the Conservatives to justify their treatment of miners and other picketers. The Labour party did see some positives in this Act, but it criticised it later.

As mentioned above, there was a political uproar in 1984 when employees at GCHQ lost their trade union rights, and many of these had subsequently lost their jobs. Following the announcement that these rights would be taken away in a debate in the House of Commons

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<sup>101</sup> Wrigley 1997: 169-170.

<sup>102</sup> Wrigley 1997: 30.

<sup>103</sup> Thorpe, Andrew. "The Trade Union Contribution to the British Labour Party." In *Labour and Working-Class Lives*, Manchester University Press, 2017: 96-97.

<sup>104</sup> Wrigley 1997: 20.

<sup>105</sup> Haviland, Julian. "Ministers blamed for police 'dilemma' on pits." *Times*, April 11, 1984, 1. *The Times Digital Archive*.

Denis Healy, the Labour Shadow Foreign Secretary, called the Foreign Secretary's statement about the issue both disturbing and perplexing. The employees at GCHQ had been doing an incredibly admirable job since the war, building a large and skilled team, that had not taken industrial action in years. Healy argued the employees at the GCHQ had no less of a right to be a part of a trade union than the employees at the Ministry of Defence or the Foreign and Commonwealth office, pointing out that many employees at firms who did equally secret work, central to national security still enjoyed their right to a trade union membership.<sup>106</sup> In 1985 the Labour party was firmly committed to the outright repeal of the Employment Acts from 1980 and 1982, as well as the Trade Union Act from 1984. Labour described the three of these Acts as designed to weaken both the industrial and political strength of the trade unions, although they had not landed on a strategy to fill the gap they would leave if repealed.<sup>107</sup>

Following the 1988 Employment Act Labour party MP's spoke out against the Act. Eric Heffer, a Labour Party MP wondered why the Government had felt the need to include both an obligatory ballot where the majority rules, and introduce clause 3, which specified that no current or former trade union member should be unjustifiably disciplined by a trade union for not participating or supporting a strike or other industrial action. Michael Meacher, Labour Shadow Secretary of State for Employment pointed out the Conservative government's hypocrisy. He claimed the Government was happy for trade union members to take their unions to court to uphold the rules, but once the trade union themselves try to use these same rules for themselves, the Government would not have it. He felt the regulations put upon the trade unions were unfair compared to other organisations around the country, and he could not imagine any golf club in the country that would require a secret ballot, and then encourage its members to abide by the outcome of this ballot. According to Meacher not even the Government's strongest supporters - the CBI, the British Institute of Management, Conservative trade unionists, the Engineering Employer's Federation, and the Freedom Association, could stomach this secret ballot principle. Labour MP Michael Foot was also against this clause 3, pointing out that not even the Conservative Trade Unionists' National Committee could stand for this clause.<sup>108</sup>

The Labour party and Labour party officials therefore agreed with some of the earlier legislation the Conservative government enacted. The trade unions had enjoyed a beneficial working relationship with Labour for a long time, and as more drastic legislation was passed Labour spoke out against it. After the miners' strike the relationship between the trade unions

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<sup>106</sup> Wrigley 1997: 169-170.

<sup>107</sup> Bevins, Anthony. "Labour and the unions." *Times*, February 28, 1985, 4. *The Times Digital Archive*.

<sup>108</sup> Wrigley 1997: 175-176.

and Labour changed<sup>109</sup>, but the party was still defending workers' rights to unionise, trade unions' rights to play by the same rules as its members, working against the secret ballot system and against unfair regulations put upon trade unions. The Labour party had also wanted to repeal these Acts discussed above, seeking to strengthen the trade unions and workers' rights.

### **3.3 Summary**

This chapter has discussed how trade union leadership and the Labour party dealt with and responded to the Conservative government's legislation on trade unions and employees in the 1980s, as discussed in Chapter 2.

The trade unions were, not surprisingly, against the legislation that sought to weaken their power and the rights of their members. The TUC worked against all Acts discussed and acted against some of them. During the Thatcher era the number of members in the trade unions declined, going from 13 289 000 members in 1979 to 9 947 000 in 1990. This can not only be attributed to the Conservative government's legislation, but it certainly played a role in the decreasing numbers. The Labour Party also worked against the Employment Acts and Trade Union Act, after initially supporting parts of the 1980 Employment Act, defending the rights the trade unions had enjoyed since the Trade Disputes Act of 1906 was enacted.

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<sup>109</sup> Beckett and Hencke 2009: 257.

## 4 Conclusion

The purpose of this thesis has been to examine the decline of British trade union memberships under the Thatcher governments from 1979-1990. I have done this by answering my overall research question: *Why did trade union membership drastically decline after 1979?* There were many factors contributing to this decline. Unemployment, economic challenges, and structural changes all contributed, but the most important factor was political forces working to reduce the power of the trade unions and political factors played a role within these other factors as well.

To understand the decline, and to thoroughly answer the research question I have looked at how trade unions were weakened by the policies, and how trade unions responded to the policies trying to weaken them using sub questions. In Chapter 2 about the government policies enacted by the Thatcher governments my sub question was: *How and why was trade union power and influence weakened by the Thatcher governments between 1979 and 1990?* Through four major Acts of Parliament, The Employment Acts from 1980 and 1982, the Trade Union Act from 1984, and the Employment Act from 1988 the Conservative government weakened the power of the trade unions. The Government's industrial policies also contributed to weakening the large unions, as factory shutdowns, a new wish for efficiency, and redundancies in the industrial sector made the large trade unions lose a lot of members. Although Thatcher was not against trade unions, she and many other Conservatives felt that the trade unions had no place on the political stage and in the making of policies, and she felt they had become too political. With these policies the Conservatives wished to put the trade unions back in their place, on a factory bargaining level, working for their members locally, where they belonged.

In Chapter 3 about trade union and Labour party reactions my sub question was: *How did the trade unions react to the government policies trying to weaken them?* The trade unions were, not surprisingly, against the legislation that sought to weaken their power and the rights of their members. In the 1980s there were two major strikes in the steel and coal industries (1980 and 1984-1985), as well as the print union strike at Wapping (1986). The TUC worked against all Acts discussed in this thesis and acted against some of them, and some trade union leaders called for the TUC to boycott the legislation entirely.

This thesis has focused primarily on the political factors, as I think it is most important to understand how the political changes in the period affected the trade unions and contributed to the membership decline. The political factors played a part in many of these other factors as well, and to understand the broader economic, structural, and social factors we must understand

how the political factors changed the context in which the trade unions existed. The Conservatives did not have the same historic connection to the trade unions as the Labour party had, and this might have contributed to how drastic some of the new policies were. The Conservative policies led to massive changes in how work was organised, leading to a more 'flexible-work force', the downsizing of traditional core industries, which led to unemployment and a change in where people worked, and it changed the British economy, less production meant less export, and more import of certain products. This also led to many pit villages and traditional industrial communities changing, often struggling as their corner stone industries disappeared. Therefore, politics was the basis of all these factors.

In the introduction I asked to what extent the Thatcher government merely succeeded in implementing ideas that the preceding Labour and Conservative government under Wilson and Heath had tried, but failed, to implement, and if there were more political consensus on the need to reform than we tend to think. The Wilson government had tried to implement the Donovan report, which shared similarities to the legislation passed by Thatcher. As we have seen, some Labour politicians agreed with parts of the first employment Acts, wanting to curb the trade unions power, thinking they had had it too easy during previous Labour governments. This shows us that, yes, there was probably more consensus on the need to reform than we think, but as we know, Labour politicians thought the later legislation was taking the reforms too far. I also asked whether membership decline in the trade unions went hand in hand with the loss of power. When the trade unions had fewer members, it was more difficult to strongarm the government. When the trade unions had less power to help their members, they found it harder work efficiently, something that again could lead to fewer members. Thus, the trade unions were left in a very different position at the end of Thatcher's reign than they had been in in 1979. Trade union memberships had dropped drastically, and the trade unions had lost much of its power. Though we can attribute the main cause of this to the political forces working against them, other factors played its part as well. As we have seen, Thatcher and her Conservative governments had succeeded in reducing the trade unions' political influence greatly by the time Thatcher left office in 1990.

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