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**DOCK
LABOR
DISPUTES
IN
GREAT
BRITAIN**

JEAN TREPP McKELVEY



**NEW YORK STATE SCHOOL OF INDUSTRIAL
AND LABOR RELATIONS, CORNELL UNIVERSITY**

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New York State School of Industrial and Labor Relations,
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*Dock Labor Disputes
in Great Britain*

A Study in the
Persistence of
Industrial Unrest

JEAN TREPP McKELVEY

Bulletin No. 23

March 1953

**New York State School of Industrial and Labor Relations
Cornell University**

Ithaca, New York

About the Author

MRS. JEAN MCKELVEY, professor at the New York State School of Industrial and Labor Relations at Cornell University, has a wide background of experience in the labor relations field, as a teacher, as an arbitrator, and as an author.

Her study *AFL Attitudes toward Production 1900-1932* was published by the School in 1952. She has made a study of and published a number of articles about compulsory arbitration in Great Britain. This material and the material for this study was collected during the summer of 1951 in the British Isles. That same summer she served as a member of the Faculty of the Salzburg Seminar in American Studies. She has also written extensively on the labor movement in the United States.

Currently she is acting as an ad hoc arbitrator for the Federal Mediation and Conciliation Service. She is a member of the Education and Research Committees for the National Academy of Arbitrators, a member of the Industrial Relations Research Association, and one of the National Panel of Arbitrators of the American Arbitration Association. In the Fall of 1952 she completed several months intensive work as a member of the State Fact-finding Board in connection with the Rochester bus strike. She is a public member of the tripartite Advisory Committee to the Secretary of Labor, appointed in February 1953 to advise the Secretary directly and deal primarily with general policy matters.

She received her A.B. degree from Wellesley College and the M.A. and Ph.D. degrees from Radcliffe.

Preface

THIS study was begun in the summer of 1951 when I spent a month in Great Britain under a research grant from the New York State School of Industrial and Labor Relations to analyze the operation of the British system of compulsory arbitration. In the course of this investigation I was invited to attend a private meeting addressed by Sir Frederick Leggett whose Committee of Inquiry had just completed a study of labor disputes on the London docks. Subsequently I obtained further information and opinions on this subject from Mr. Edward Eden of the Labour Department of the Conservative Party, from officials in the Industrial Relations Section of the Ministry of Labour and National Service (who must, because of British custom, remain anonymous), from Mr. Hugh Clegge of Nuffield College, Oxford, and from Mr. Kenneth Knowles of the Oxford Institute of Statistics whose own studies on dock labor have since been appearing.

Because of the limitations of time and the pressure of other studies, I was unable to make a first-hand investigation of the dock labor situation, or to interview any of the union officials involved. My analysis has therefore had to rest upon official documents and other published material. In releasing this report, I am well aware of its limitations. In a personal letter under date of December 29, 1952, Mr. R. G. Stansfield of the Department of Scientific and Industrial Research writes in part:

I confess that I do not envy you the task of making a short survey of dock labour disputes in this country — it must be exceedingly difficult to do so from the other side of the Atlantic, especially as one knows over here that the great bulk of the published material presents a picture which, if not actually wrong in fact, is so limited a part of the whole truth as to give a picture likely to be highly misleading.

Nevertheless I have been rash enough to complete the study in its present form in the belief that the material it contains will prove of interest to those people in this country who are currently concerned about the problem of reforms on the waterfront, and in the hope that I have not stumbled into too many pitfalls of interpretation. In this connection I derive some encouragement from noting that the conclusions of my own research based upon a study of the documents are fairly similar to those contained in recent articles by students of the same topic in Great Britain. While this is no guarantee of truth, it is at least reassuring that others who have travelled a similar course have reached the same destination, despite the ocean between us.

Ithaca, N. Y., February 1, 1953

JEAN TREPP MCKELVEY

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Introduction

IN THE spring of 1950 the editor of *The Economist*, after noting that a dock strike was becoming an annual event on the London calendar, warned that it would be a poor advertisement for the forthcoming Festival of Britain to invite overseas visitors to "come to London — to see the South Bank, the trooping of the colour and the dock strike."¹ But the admonition went unheeded, for visitors to England in 1951 were treated not to one strike, but to a pageant of dock labor disputes.

Dock strikes have not, of course, been phenomena peculiar to the British Isles. Recent events on the New York waterfront, in Hawaii, Australia, New Zealand, and West Germany have indicated that waterfront unrest is a world-wide problem in industrial relations which deserves attention. The British experience commands special study for a number of reasons. In the first place, the unionization of dock workers there goes back over sixty years to the Great Strike of 1889, which made British labor history by ushering in the "new unionism" of the nineties and led eventually to the development of one of the largest unions in the world — the Transport and General Workers' Union. The early leaders of the dockers, men like James Sexton, John Burns, Ben Tillet, Tom Mann, and Ernest Bevin, who first acquired prominence as the "Dockers' K.C.," likewise made labor history on the political front. Out of the turmoil, strife, and agitation on the waterfront emerged some of the leading statesmen of the British Labour Party.

In the second place, working conditions on the British docks have been the subject of private investigation and public inquiry for almost seventy years. After gathering dust for a long time, these studies eventually yielded results in the shape of legislative reforms.

Finally, the last decade has seen a revolution in dock labor employment brought about by the adoption of schemes of decasualization. If casual methods of hiring dock labor are a root cause of labor unrest, as has been suggested in the recent investigations in New York and New Jersey,² one might expect that the institution of controlled hiring

¹April 29, 1950, p. 928.

²In this connection see the excellent article by Budd Schulberg, "Joe Docks, Forgotten Man of the Waterfront" in the *N. Y. Times Magazine*, Dec. 28, 1942, pp. 3 ff. Schulberg stresses the "hopelessly outmoded" hiring system as the major cause of corruption on the New York waterfront.

practices, such as are now in use in Great Britain, together with the increases in dockers' earnings and security which have been a feature of the postwar period would produce a noticeable decline in economic strife. Yet the record to date indicates the contrary, for dock labor trouble persists in Great Britain, giving rise to the perhaps cynical query as to whether "too high a level of prosperity attained too quickly has its dangers?"³

The recurrent stoppages on the docks have also aroused speculation about the possibilities of maintaining industrial discipline under conditions of full employment — a question which was raised in the abstract toward the end of the last war in the debates over a policy of full employment.⁴ "The London dockers," *The Economist* reported in June 1948, "are suffering from the frustration bred of reconciling the unpleasant alternative of industrial discipline with the yet more unpleasant alternative of casual labor."⁵

If the earlier prescriptions for curing industrial unrest, such as strong union organization, full employment, decasualization, social insurance, even political power, have not brought about an alleviation of dock labor troubles, then other explanations must be sought for the persistence of the malady. It is the purpose of the present study to review the history of dock disputes in Great Britain, to trace the changes that have occurred in union structure and in the organization of the labor market, to review the more important private reports and the recommendations of special commissions and boards of inquiry, and to suggest at the end some of the persistent as well as the changing causes of dock labor unrest. Such a study, while not providing easy answers to the problem, may at least indicate the nature of the difficulty and may help the diagnostician of industrial unrest to avoid reliance on simple or short-run panaceas.

³*The Economist*, May 26, 1951, pp. 1213-1214.

⁴See especially William H. Beveridge, *Full Employment in a Free Society* (New York: W. W. Norton, 1945), pp. 194-198.

⁵*The Economist*, June 26, 1948, p. 1055.

I

Employment Conditions on the London Docks in the Eighties

THE first major investigation and report covering labor conditions on the London docks was made by Beatrice Potter (later Mrs. Sidney Webb) in 1887. Her interest in the dockers was an outgrowth of her earlier concern with the philanthropic experiments in rehousing which were a feature of the social reforms of the eighties. Because dock laborers in particular suffered from the evictions made necessary when slum properties were demolished, their living and working conditions attracted her attention. Her diary for November 12, 1885 records a day's visit to the Albert and Victoria Docks where the methods of employment aroused her curiosity. Noting that her questions and her demand for statistics had surprised "the courteous old gentleman" who conducted the tour, she expressed, with the scholarly tenacity which was already evident in her thinking, her determination to obtain answers to a list of specific questions about the "methods of remuneration and the way of engaging labor."¹ Subsequently she promised a study of "Docks" for incorporation in Charles Booth's monumental *Inquiry into the Life and Labour of the People of London*.

Her pioneer effort in social investigation, carried out with the persistence, thoroughness, and attention to detail which were later to characterize the life work of the Webbs, was begun in her spring holiday in March 1887. The diary entries reveal her methods of research. Thus at the end of the holiday we find her reporting that she had "thoroughly enjoyed the last month. Have got statistical outline of dock labour for Tower Hamlets." Two months later she confesses to feeling "rather low" about the paper: "Besides bare statistics I want local coloring; a clear description of the various methods of employing men, of types of character of men employed. . . . Must realize the 'waiting at the gates,' and find out for myself the exact hours at which the different classes are taken on." A short time later she reports filling

¹Beatrice Webb, *My Apprenticeship* (New York: Longmans, Green, 1926), p. 264.

pages of notes with interviews with dock officials and various grades of workers and their wives. "Morning after morning I am up early, watching the struggle for work at the dock gates."² In the process of this arduous field research she acquired, as she whimsically noted, some "notoriety as a female expert on dock labour," a reputation which was well sustained when her essay on "The Dock Life of East London" appeared in the magazine *Nineteenth Century* in October 1887.³ She characterized its publication as "the work I have always longed to do, the realization of my youthful ambition."⁴

Both statistics and local coloring did enrich her study. It provided, as she intended, a factual and vivid description of the methods of hiring and the types of workers employed on the London docks, one which she hoped was free from the moralizing and sentimentality which had hitherto created an image of the dock worker either as "an irrecoverable ne'er-do-well, or as a downfallen angel."⁵

The survey began with an analysis of the economic conditions of the industry. The growth of competition among the three major London dock companies after 1850 had led them to a close scrutiny of their labor costs. Piece work and the contract system of hiring, together with the introduction of more efficient methods of labor utilization, had reduced the demand for workers, thereby making employment more irregular. In the export trade, where skill was required to pack the cargo in the holds, the shipowners contracted directly with stevedores, the aristocrats among the dockers and the only workers at the time who were organized. The other port operations, such as warehousing and unloading, were conducted by the dock companies and required only the unskilled labor "that any mortal possessed of will and sinew can undertake."⁶

A variety of employment systems characterized the industry. At the Millwall Docks the work was let out to large contractors who were above the temptations of bribery for jobs and who managed for the most part with a small staff of permanent workers. The West and East India Company likewise maintained a permanent nucleus of employees supervised by foremen who also kept a list of preferred workers known as "Royals," men with superior strength, long service, and regular

²*Ibid.*, pp. 286-289.

³Beatrice Potter, "The Dock Life of East London," *Nineteenth Century*, Vol. 22 (Oct. 1887), pp. 483-499. Re-entitled "The Docks," this study was republished in Charles Booth, *Inquiry into the Life and Labour of the People of London*, Vol. 1 (1889), and also appeared in his Final Edition (1902) of the *Poverty Series*, Vol. 4.

⁴Webb, *op. cit.*, p. 296.

⁵Potter, *op. cit.*, p. 483. See note 18, below.

⁶It is characteristic of Miss Potter's powers of observation that after placing the timber porters in a higher grade of labor, she noted that timber unloading required a growth on the back of the neck caused by friction to enable the worker to balance the planks.

working habits. Despite this attempt to keep a stable work force on the job, their regular employees numbered only about eight hundred, while the number irregularly employed averaged over thirteen hundred, rising on occasion to twenty-three hundred. The largest employer of labor, the London and St. Katherine's Company, showed an even greater reliance on casual labor. Much of the work was let out to small contractors who were by inclination and position ready to exploit the workers they took on. A protest strike in 1880 had led the Company to insist upon the payment of a minimum wage by the contractor, but this reform had merely resulted in the replacement of a recognized form of sweating by a more demoralizing method of reducing wages through kickbacks, bribery, and corruption.⁷

Altogether Miss Potter estimated that a labor force of ten thousand was competing for some three thousand available jobs. She described the desperate and brutal struggle for employment which took place every morning as follows:

Rise early and watch the crowd at the St. Katherine or the West and East India gates. The bell rings, the gate opens, and the struggling mass surges into the docks. The foremen and contractors stand behind the chain, or in the wooden boxes. The 'ticket men' pass through, and those constantly preferred are taken on without dispute. Then the struggle for the last tickets. To watch it one would think it was life and death to those concerned. But Jack having secured a ticket by savage fight, sells it to needier Tom for twopence, and goes off with the coopers to drink or to gamble.⁸

Lest one think that this was purely a feminine reaction to the bewildering mores of a masculine world, it is interesting to note the similarity between Miss Potter's observations and some other contemporary accounts of the hiring process by those directly involved. For example, a foreman has left us this description of his job as it existed before the strike in 1889:

The position of a 'taking-on foreman' was an extremely dangerous occupation, and while he was thus employed it was advisable to look after his money and valuables, also look to himself; in fact it was necessary to know a little of the art of self-defence. There was a place in London Docks which was called the cage, where men were taken on after the first call. When I went there for the first time I was astounded. Firstly the constable unbarred the door, then a gigantic roar went up from hundreds of throats calling my name. A long platform about a foot from the ground was erected, upon which I stood to give out the tickets. A great mass of faces and hands through iron bars appeared before me, fighting and struggling, so much so, that it was difficult to detect which face the hand belonged to. Some would be struggling to secure as many tickets as

⁷Potter, *op. cit.*, pp. 484-489. Wage rates for permanent workers averaged a pound or more a week, a sum described as "above the poverty line." The rate for casuals was given as 5d. an hour, not out of line with that of permanent workers if full-time employment were secured and if kickbacks were not exacted.

⁸*Ibid.*, p. 496.

possible, so that they might be able to sell them to other men who had not been fortunate enough to get one.⁹

The demoralization of the work force which resulted from this system of casual employment was not limited to the London area. For example, James Sexton, later a Member of Parliament, who had drifted into the ranks of casual workers on the Liverpool docks in the early eighties, described the situation there as follows:

It was a standing joke amongst we older hands that we had to compete with ex-Cabinet Ministers, jockeys and owners and trainers, . . . broken-down company promoters, unsuccessful tradesmen and out-of-work counter jumpers — to say nothing of gaulbirds and the scouring of the doss-house — who swarmed to the docks and strove to snatch the bread out of our mouths. . . .

The bosses took advantage of this state of affairs by extending their business activities, many of them becoming money lenders. On the pitifully small loans they granted they exacted interest at the rate of threepence a week on each shilling advanced, and the man who did not borrow from them on this ruinous basis — whether he had need of the money or not — had very little chance of getting a job with them.¹⁰

The displacement of the regular workers by drifters and casuals frequently drawn from the criminal classes of society was likewise noted by Miss Potter:

A strong man presents himself at the gates. He may be straight from one of Her Majesty's jails, but if he be remarkable for sinew he strikes the quick eye of contractor or foreman. The professional dock labourer is turned away and the newcomer is taken on.¹¹

To this catalogue of evils, which reminds us sharply of the current crime investigation of the New York docks with its revelations of loan sharking, kickbacks, bribery, and the employment of men with criminal records, Miss Potter added the item of pilfering. A large body of dock police was required to "rub down" the departing workers, she noted, but she ascribed part of the blame to society:

Imagine the tantalising spectacle to a born lover of tobacco of masses of this fragrant weed actually consigned to the flames as 'undeclared' by Custom House officials. To see it burning and not to be able to take so much as a pinch. I know a socialist whose grievances against society are centered in this burning pile of the great comforter, and who enters his paltry protest against this ungainly order of things by lining his coat pockets at the risk of two months' hard labour and dock ostracism.¹²

Thus the dock hiring system stood indicted primarily because of its production of a class of habitual and hereditary casuals. Those who

⁹Included in the Charity Organisation Society Report on *Unskilled Labour* (1908). Quoted in William Beveridge, *Unemployment: A Problem of Industry* (London: Longmans, Green, 1930), p. 87, note 2.

¹⁰Sir James Sexton — *Agitator: The Life of the Dockers' M.P. An Autobiography* (London: Faber and Faber, 1936), p. 69. Sexton adds wryly: "Had I not been involved in the business, had I been a university professor, I might have regarded it as an interesting little demonstration of the working of economic laws in the world of industry."

¹¹Potter, *op. cit.*, pp. 493–494.

¹²*Ibid.*, p. 487.

were casuals because of economic misfortune tended to become casuals by inclination, largely because of the "difficulty of living by regular work, and the ease of living without it."¹³

This concern with pauperism and pauperization, so typical of Nineteenth Century reformers brought up on a Malthusian diet, is reflected in the remedies which Miss Potter suggested at the conclusion of the article.¹⁴ The first, dealing with the demand for dock labor, was rather half-heartedly espoused. After noting that individual employers were unable to effect any reforms themselves, since they as well as their workers were victims of a system of unregulated competition, she suggested: "The only radical remedy is a kind of municipal socialism, which many of us would hesitate to adopt, and which in the case of the docks and waterside would take the form of amalgamation under a Public Trust." This would permit a better organization of the trade through a dovetailing of operations. Another alternative would be a limitation on the number of contractors with their operations supervised under a legislative code.

More to be desired, however, was a limitation on the supply of labor seeking employment. In Miss Potter's opinion London charity was the magnet which attracted the drift of "low-class labor" to the metropolis. Moreover, even if the demand for labor could be regularized, those who were deprived of casual employment would become more destitute. This unhappy prospect led her to conclude in grim Malthusian fashion:

Society cannot permit the direct multiplication of the unemployed; and by the irksomeness of the relief offered she must discourage all collateral increase of their numbers. In short, if society is to be reconstituted on a socialistic basis, the workhouse of today will only foreshadow in the severity of its regulations the workhouse of the future.¹⁵

¹³*Ibid.*, pp. 496-497. Casual workers were further described as those who were incapable of regular work, living on stimulants and tobacco, and indulging a passion for gambling. "They have a constitutional hatred to regularity and forethought, and a need for paltry excitement. They are late risers, sharp-witted talkers, and above all, they have that agreeable tolerance for their own and each other's vices which seems characteristic of a purely leisure class, whether it lies at the top or the bottom of society." It should be noted that while casuals were no found to be "down-fallen angels," Miss Potter did recreate them in the image of "irrecoverable ne'er-do-wells!"

¹⁴*Ibid.*, pp. 498-499.

¹⁵It should be noted that Miss Potter was not herself a Socialist at this time. In 1884 she had written to a friend of her objection to "these gigantic experiments, state-education and state intervention in other matters, which are now being inaugurated and which flavour of inadequately thought-out theories — the most dangerous of all social poisons." See Margaret Cole, *Beatrice Webb* (New York: Harcourt, Brace, 1946), p. 34. After she had become a Socialist she stated that her conclusions in the Dock essay "though sound as far as they went, were neither exhaustive nor sufficiently elaborated to be helpful." The conclusions which she referred to, however, were those concerned with the organization of a Public Trust, not those dealing with the relief of the destitute. See Webb, *My Apprenticeship*, pp. 298-299.

II

The Great Dock Strike of 1889

WHILE the reformers were conducting their investigations into poverty and casual labor, a small group of dockers who looked to union organization as a way of improving labor conditions began to emerge. At the time most unskilled workers in Great Britain were unorganized, with union membership confined to less than 10 percent of the wage earners. The trade unions of the day were associations of skilled workers, aristocratic societies of craftsmen who paid high dues to provide themselves with benefits in hard times and who were indifferent to the plight of the unskilled.¹ Among the dock workers, as has been noted, only the stevedores were unionized.

The first attempt to organize the rank-and-file dockers was made by Ben Tillett in 1887. Tillett was a London docker who had been shocked by the desperate battle for jobs at the call-stands where "men were packed tightly unto suffocation, like the Black Hole of Calcutta." The sight of men "crushed to death in the struggle," he wrote, sowed seeds "in my mind which made me an agitator and a fanatical evangelist of Labour."² The seeds bore fruit in his organization of a small Tea Porters' and General Labourers' Union in 1887, with a membership of three hundred.

The job of organizing was an uphill one, heartbreakingly difficult. The dock workers, themselves, many recruited from the ranks of farm labor, had no tradition of organization. Moreover, their competition for jobs made solidarity almost impossible of achievement. As secretary of the infant union, Tillett enlisted the help of London Socialists to go down to the docks in the early morning "to preach organised revolt to the crowd of casuals struggling for work."³ He likewise invited intellectuals such as Annie Besant and Charles Bradlaugh to address union

¹See Sidney and Beatrice Webb, *The History of Trade Unionism* (New York: Longmans, Green, 1920), pp. 385-387.

²Ben Tillett, *Memories and Reflections* (London: John Long, 1931), pp. 75-76. See also pp. 87-89 for a further description of the hunger, hopelessness, and degradation of the dock workers.

³Webbs, *History of Trade Unionism*, p. 403.

meetings.⁴ Beatrice Potter was cheered when she attended a union meeting in the fall of 1887, shortly after the publication of her dock study.⁵ Frequent strikes, demonstrations, and mass meetings helped to increase the membership to twenty-five hundred in the next two years. But despite this modest achievement, success seemed far away. As Tillet later reflected, "We struggled in an ocean of misery with small hope of reaching shore."⁶

Then suddenly in 1889 the miracle occurred. A small strike at the West India Dock, involving a dispute over the division of a cargo bonus, was the spark which set off a giant conflagration. Seizing advantage of this spontaneous outbreak, Tillet summoned two experienced craft union leaders, Tom Mann⁷ and John Burns,⁸ to his aid and the trio issued a call for a general strike on the docks. Within three days ten thousand workers responded to the call, and the port of London lay paralyzed for the first time in a century.

The three leaders kept the strike going with the aid of great processions and demonstrations. Tillet has left us a vivid description of "the great army of the strikers carrying on pikes, fish heads, onions and tiny loaves (instead of the heads of dock directors) as an object lesson in the meaning of revolution."⁹ Picketing and relief work were organized on an efficient basis, and a systematic campaign to inform the public of the issues in dispute and to urge their financial help began to produce results. Burns made some thirty-six speeches in a three-day period. Fortunately, Charles Booth's study had just appeared and enlisted public opinion on the side of the strikers. Editors, clergymen, shareholders, shipowners, and merchants brought pressure on the dock companies and their directors. With the strike receiving more publicity throughout the world than had any previous labor dispute, some £50,000 was raised by public subscription.¹⁰

⁴Tillet, *op. cit.*, ch. 12: "The Work of an Agitator."

⁵See Webb, *My Apprenticeship*, pp. 297-298, for a lively description of the meeting.

⁶Tillet, *op. cit.*, p. 111.

⁷Tom Mann, a member of the Amalgamated Society of Engineers, had been a student of Henry George's work. After a six-months visit to the U.S. in 1884, Mann returned to England as an active worker in the Social Democratic Federation. His success in organizing the dockers led to his election as President of the Dockers' Union, a post he held until 1892. He became Secretary of the Independent Labour Party in 1894. After a visit to Australia he returned to England in 1911 to organize general unions. In 1919 he was elected General Secretary of the Amalgamated Society of Engineers.

⁸John Burns, later called by the Webbs "the most striking personality in the Labour Movement," was, like Mann, a member of the Amalgamated Society of Engineers and the Social Democratic Federation. In 1889 he was elected to the London County Council. In 1893 he became Chairman of the Parliamentary Committee of the Trades Union Congress. He was the first workman to serve in the cabinet, occupying the post of President of the Local Government Board from 1906-1914. A recent biography is that of William Kent, *John Burns: Labour's Lost Leader* (London: Williams and Norgate, 1950).

⁹Tillet, *op. cit.*, p. 130.

¹⁰See Webbs, *History of Trade Unionism*, pp. 403-404; and G. D. H. Cole, *A Short History of the British Working Class Movement, 1789-1937* (London: Allen and Unwin, 1937), Vol. 2, pp. 159-164.

Although Burns hoped to make the elimination of casual labor one of the major goals of the strike, the workers were concerned with more immediate economic demands. Their central objective was the payment of a minimum wage of 6d. an hour, known as the "docker's tanner." Other demands included overtime pay, the abolition of subcontracting and piece work, and a guarantee of four hours of employment on a single call. By holding out for a month, and with the help of Cardinal Manning and Sydney Buxton who mediated the dispute, the men won most of their wage demands, including the "tanner."¹¹

The repercussions of this unprecedented uprising of the unskilled were tremendous, both among the dockers and on other unorganized groups. Within a year after the Great Strike the Tea Porters' Union, rechristened the Dock, Wharf, Riverside and General Labourers' Union of Great Britain and Ireland, had attracted almost two hundred thousand members, with Tillet continuing as Secretary.¹² Meanwhile, in Liverpool, James Sexton organized the National Union of Dock Labourers which soon extended its ranks to Scotland and Ireland. On the Northeast Coast the Tyneside and National Labour Union enrolled dockers and general workers, and even miners. Although difficult problems of organization and recognition lay ahead, the new unions were firmly established.¹³ Eventually they were all to amalgamate in the Transport and General Workers' Union.

The Great Strike was, in fact, a turning point in British labor history. The success of the dockers stimulated the organization of other unskilled groups. These "new unions" of the nineties dispensed with high dues and insurance funds. Instead, they concentrated on comprehensive membership, low contributions, and the establishment of strike funds. Despite the Socialist origins of their leaders the new unions looked to immediate bread-and-butter gains. Social reform was to be achieved through constitutional and legislative measures rather than through revolution.¹⁴ The Great Dock Strike thus generated the modern trade union movement, and in time, through the fusion of trade unionists and Socialists, produced the British Labour Party.

¹¹Cole, *op. cit.*, pp. 159-164. See also Lord Askwith, *Industrial Problems and Disputes* (London: John Murray, 1920), pp. 73-75.

¹²Kent, *John Burns*, pp. 39-43. Tillet served as General Secretary from 1887 to 1922.

¹³See Tillet, *op. cit.*, ch. 11: "Making a Trade Union," and Sexton, *op. cit.*, ch. 15: "Dockers in the Nineties." Sexton was made General Secretary of the Union in 1893. "Our big fight," he reported, "was to be with the chaotic want of discipline, the ignorance and petty difficulties within our own ranks, rather than with the employers."

¹⁴Webbs, *History of Trade Unionism*, pp. 405-414. Compare Askwith, *op. cit.*, pp. 74-75.

III

Investigations of Casual Labor on the Docks

ALTHOUGH slightly more than two decades were to elapse before dock labor unrest again produced a major strike upheaval, the intervening years were marked by a new public concern with the problem of casual labor. In 1891 the government appointed a Royal Commission on Labour to inquire into the questions "which have been raised during the recent trade disputes in the United Kingdom." The inquiry, which lasted three years, ranged over a broad list of trade groups and covered such general topics as strikes, arbitration and conciliation, and the eight-hour day.

Part VI of the Final Report dealt with "Irregularity of Employment" as illustrated by the "Special Case of Riverside Labour in the Port of London." The Commission noted that despite the efforts of the principal dock companies after the strike of 1889 to establish a corps of permanent workers, supplemented by a list of preference men, a substantial amount of unemployment still prevailed. In fact one of the employer witnesses testified that on the morning of his appearance before the Commission between five and six thousand persons had been turned away from the dock gates. Many other witnesses likewise depicted vividly "the evils of this casual system which have been compared to those of gambling or indiscriminate poor relief." Some held that the men themselves were chronic casuals, incapable of steady or consecutive labor, who preferred a system of irregular employment. Others blamed the hiring system itself for breeding a group of habitual casuals, while some employers attributed the lack of labor mobility to the restrictive work rules of the unions.

When it came to the matter of proposing reforms, the Royal Commission reached no conclusions other than to stress the need for the voluntary development of a system of permanent engagement to "free the docks from casual labour . . . where all the difficulty and trouble is." A vigorous and original Minority Report was, however, filed by

Tom Mann and three other members of the Commission. This document, drafted with the expert assistance of Sidney Webb, stressed the need for a physical consolidation of the entire port area of London, to be achieved through cutting a new channel in the Thames so as to reduce the waterfront area from a spread of 25 miles to one of 9½ miles. Mann also urged the improvement of dock construction so that cargoes could go directly from ships to warehouses, the use of labor-saving machinery such as hydraulic cranes, and the provision of adequate storage facilities at the docks. Admitting that these suggestions for improving port efficiency might seem strange, coming as they did from a labor representative, Mann nevertheless stated his belief that, even if seven thousand dockers were displaced in the process, it would be a price worth paying to wipe out the system of casual employment. But the majority of the Commission was unimpressed by the suggestions and relegated them to an appendix of the Report.¹

Although nothing came out of the Commission on Labour in the way of recommendations for improving dock labor conditions, two later landmark studies of unemployment, both of which appeared in 1909, did set in motion the experiments and reforms which were eventually to culminate in statutory decasualization. The fact that almost four decades were required for this achievement may be instructive to those impatient reformers in this country who believe that the ills of the waterfront can be cured quickly, once they have been diagnosed through public investigation and inquiry.

The first of these studies was William Beveridge's classic *Unemployment: A Problem of Industry*;² the second was the Report of the Royal Commission on the Poor Laws and Relief of Distress, especially the Minority Report of the Webbs on *The Public Organisation of the Labour Market*.³ What was noteworthy about both of these investigations was the emphasis they placed on the need for systematizing the *demand* for labor through coordinating the methods of hiring, rather than attempting to deal first with the surplus of *supply*.

In his discussion of the casual labor problem Beveridge leaned heavily on the earlier work of Beatrice Potter and Charles Booth so far as the description of conditions was concerned. His own investigation of

¹Great Britain, Royal Commission on Labour: *Fifth and Final Report* (June 1894). Cmd. 7421, 9 vols. plus index. The section dealing with London dock labor can be found in Part VI, pp. 76-77. Mann's report in the form of a memorandum is set forth in Appendix VI, pp. 178-185.

²W. H. Beveridge, *Unemployment: A Problem of Industry* (London: Longmans, Green, 1930). The 1909 report is reprinted separately in this edition. Page references are made to the 1930 edition.

³Sidney and Beatrice Webb, eds., *The Public Organisation of the Labour Market: Being Part Two of the Minority Report of the Poor Law Commission* (London: Longmans, Green, 1909). Cited hereafter as Webbs, *Minority Report*.

unskilled labor during his service on a Special Committee of the Charity Organisation Society in 1908 assisted him in his analysis of the problem. The persistence of a pool, or rather pools, of casual labor could be traced, he pointed out, to the disorganization of the labor market; in other words, to the system of hiring or engagement. Three features of the dock labor market were noted: 1) the multiplicity of small employers who, because of their fluctuating needs for labor, maintained separate pools or reserves upon which they could draw as need required; 2) the frictions resulting from the drifting of labor from employer to employer; and 3) the aimless and undirected nature of the mobility which did occur, due to chance engagement which placed the burden of forecasting employment on the individual worker who had to choose between sticking to one employer who might not need his services, or moving around in the hope of securing work elsewhere.⁴ The maintenance of these excess reserves of labor had the inevitable result of irregular employment, underemployment, and the pauperization of most of the labor supply. As Beveridge put it, the system of casual engagement "acts as a trap to catch the unemployed and turn them into unemployables."⁵

In his search for solutions Beveridge examined some of the reforms which had been adopted at the instance of Charles Booth after the strike of 1889. Certain employers had formulated preference lists which enabled workers on the A list to secure more regular employment, but forced the B men to become casuals elsewhere. More encouraging, he noted, had been the attempts during the past ten years (1889-1909) to develop the docks in the northern area of London as a single labor market. Thus the London and India Docks, whose reliance on casual labor had been excessive in the period before the Great Strike, had developed a system of permanent engagement by the week, with 80 per cent of their work performed by this permanent staff and the remainder by preference men and casuals.⁶ This, as Beveridge observed, was a real reform, although, since the companies involved employed less than one fifth of the daily labor in the whole port of London, its impact on the total problem was limited. The central evil of a large and floating reserve of labor remained, Beveridge concluded, "in essence what

⁴Beveridge, *Unemployment*, pp. 84-87.

⁵*Ibid.*, p. 108.

⁶The trend in the percentage of work performed by weekly labor at the London and India Docks was as follows: 1887-16%; 1891-1892, 45%; 1894-1901, 64%; 1902-1904, 78%. The permanent staff in January 1905 numbered 1,305 workers who received guaranteed weekly wages, overtime, three days annual leave, paid holidays, and pensions after fifteen years of service. The preference men were divided into two classes. List A men, 1,176 workers, received guaranteed weekly wages, overtime, and three days annual leave after a year's service on the list. The 2,077 men on the B list were guaranteed an hourly wage, overtime, and call-in pay. It is interesting to note the evolution of a detailed preference system combined with a guaranteed wage at such an early date. The information comes from Beveridge, *Unemployment*, pp. 89-90.

it was twenty years ago."⁷

Public attention was likewise drawn to the problem by the Reports, published in 1909, of the Royal Commission on the Poor Law which had been established in 1905. The Majority Report contained a section: "The New Problem: Chronic Underemployment," based on a special case study of dock labor as the leading instance of casual employment, labelled as "a modern evil":

If we be correct in our analysis of casual dock labour, and if such a system does economically and morally infuse and spread evils of a most serious character into the social life of the community where it prevails, then the system cannot be considered solely from the standpoint of the employer and employes. It is detrimental to the moral and material well-being of the community, and should, in consequence, be reduced, and if necessary by legislative regulation, to the smallest limits possible.⁸

To this end the Majority recommended the establishment of Labour Exchanges, or employment offices, which would increase information about jobs and hence improve the mobility of labor.

But this proposal seemed strikingly inadequate to one member of the Commission, Beatrice Webb. With the aid of her husband she drafted a Minority Report on methods of organizing the labor market which promised to get at the heart of the problem. By this time Mrs. Webb felt it unnecessary to add to existing knowledge about employment conditions on the docks which she had been the first to publicize some twenty years earlier. Instead she underscored the point made by Beveridge that the problem of underemployment on the docks was caused "*by the method by which the employers engaged their casual workers.*"⁹ As a particularly glaring example, she cited the situation in Liverpool where men sought employment at eighteen different call-stands located at a considerable distance from each other. The existence of these eighteen "stagnant pools" resulted in a labor supply 50 percent greater than was needed to do the work on the busiest days. Similarly in London, despite the reforms instituted by the London and India Docks Company, some 24,000 workers were competing for a maximum of only 14,482 jobs on any one day.¹⁰

No reform based on the voluntary cooperation of the employer and the worker could possibly succeed, she pointed out, largely because each had a vested interest in the continuance of the casual system of employment. Employers enjoyed the convenience of having at hand a large reserve of labor which could be drawn upon at times of urgent demand. These workers were discouraged from seeking jobs with other

⁷*Ibid.*, pp. 91-92.

⁸Quoted in Beveridge, *op. cit.*, p. 256.

⁹Webbs, *Minority Report*, p. 196. Italics are hers.

¹⁰*Ibid.*, pp. 197-199.

employers lest their availability be reduced. In addition to the selfishness of the employers, the foremen had acquired vested and corrupt interests in the maintenance of the casual system. In a passage which anticipated some of the revelations almost a half century later of conditions in the Port of New York, she writes:

The system gives a valuable patronage to the foreman, which sometimes leads to the exaction of bribes, and is often, we are informed, the real obstacle to its reform. . . . The men responsible for getting the work done are afraid to give the men security of tenure for fear it should weaken their power over them.¹¹

Moreover, she found that, on the other side, the workers themselves had a preference for the system. Here Mrs. Webb was anticipating the problem of worker resistance to decasualization which was to arise many years later and was to receive extended consideration in an inquiry into dock labor disputes in 1951.¹² Many of the casual workers, she noted, "like the gambling nature of Under-employment." Since they earned high hourly rates they could take time off to suit their own pleasure without suffering the penalty of a permanent loss of jobs. A further objection to a change in the system was the fear of each worker that he might "be squeezed out by any reform that regularises the labour of the fortunate half, and thus left without even his present gambling chance of a job." On the whole, therefore, she concluded: "Neither side . . . wishes to disturb a practice which in some respects suits them. . . ."¹³

Since neither party could thus be expected to cooperate in a voluntary reform of the existing system, the Webbs concluded that compulsion was necessary. What they proposed as "an indispensable condition of any real reform" was a national system of public Labour Exchanges. Such a system was particularly requisite in dealing with the problem of casual labor. Although fluctuations in the demand for labor were inevitable, a national Labour Exchange could substitute one common pool of labor for the stagnant pools surrounding each individual employer. But in order to achieve this end there had to be a legal prohibition against hiring at the gate and a requirement that all labour be engaged through the Exchange. Short of this requirement, something might be done to permit employers to hire their own workers if they were willing to guarantee them a fixed minimum period of employment, suggested as a month, with all other workers being hired through the Exchange.¹⁴ This suggestion of a guaranteed minimum

¹¹*Ibid.*, pp. 200-201.

¹²See below, pp. 46-49.

¹³Webbs, *Minority Report*, pp. 198, 201-202.

¹⁴*Ibid.*, pp. 248, 260-264. It is interesting to note that the Webbs permitted some choice of individual workers to the employer: "He may ask for this man or that; he may keep his own list of 'preference men'; he may send for ten or a hundred men in order of his preference, or send merely for so many men without naming them. He may even bargain privately with the man of

period of employment was an idea which would later appear in the legislation of the 1940's.

For its part the Exchange would provide offices for the convenience of the employer either inside the dock gates or at the main wharves, would adapt its hours to the needs of the industry, and through a system of telephonic intercommunication would be able to adjust the supply of labor to the demand.

If such a system of compulsory hiring through the Exchange were adopted, simultaneous measures would have to be taken to provide for those displaced from the industry. The Webbs dealt with this aspect of the problem in a section entitled: "The Absorption of the Surplus."¹⁵ Briefly they proposed that new opportunities for employment be provided for those displaced by extending the school-leaving age so as to reduce child labor, by cutting the excessive hours of railway and tram employees, and by adopting a system of allowances to young mothers to force their retirement from industrial employment. Such reforms would permit a general shifting of the labor supply, but would not require the specific redirection of individuals to particular places of employment. As the Webbs pointed out: "It is not necessary to imagine that the most demoralised and deteriorated man among the casual dock labourers would be able to become either a railway signalman, a telegraph messenger, or a shirt maker."

The Minority Report, despite an intensive campaign staged for its acceptance by the public, met the fate usual to minority reports — that of waiting for a later generation to implement its proposals. In the meantime the recommendations of the Majority were implemented by the Government with the passage of a Labour Exchanges Act effective September 20, 1909, and with the enactment of a National Insurance Act in 1911 — the first of a long series of measures which were gradually to be woven into the Social Security system of the present day. Despite the "remarkable celerity" as Beveridge later put it, with which the government acted, no effective cure was found for decasualization.¹⁶ It remained for the dockers once again to take matters into their own hands, prompting experiments with voluntary measures of decasualization.

his choice, and virtually secure him beforehand; provided that he lets the formal hiring take place through the Labour Exchange. All that he is forbidden to do is, at any time or under any circumstances, to take on casual labour otherwise than through the Labour Exchange."

¹⁵*Ibid.*, pp. 268-280. An earlier experiment in absorbing the surplus had been tried by the Mansion House Fund in 1892 which offered temporary employment to unemployed London dock workers, administered vocational tests, and tried to direct the men to other areas either at home or abroad. The Board of Trade reported in 1893 that the experiment had met with small success. See Beveridge, *Unemployment*, pp. 90-91.

¹⁶Beveridge, *Unemployment*, p. 262. Both these measures had been laid before Parliament by Winston Churchill, then President of the Board of Trade.

IV

First Experiments in Decasualization: Voluntary Registration Schemes

THE hope of the Majority of the Poor Law Commission that the creation of labor exchanges would lead to a better organization of the casual labor market was, as Beatrice Webb had predicted, doomed to disappointment. Two decades after the passage of the law Beveridge was moved to comment:

On the work of the Exchanges in de-casualisation and prevention of chronic under-employment a more definite judgment can be passed. Here, as the Minority of the Poor Law Commission said, was to be found their highest utility. Here, in the leading case of dock and wharf labour, they have achieved just nothing at all.¹

Even if nothing was to be achieved, much at least was tried. The story of the various experiments with voluntary decasualization is instructive in indicating the length of time required before compulsion was attempted.

Just before the passage of the Labour Exchanges Act in 1909 Parliament had taken specific action to encourage decasualization in the London area. The Act incorporating the Port of London Authority in 1908 had enjoined it to establish, either alone or in cooperation with the parties, a system of labor offices and employment registers and to take whatever steps might be necessary to stabilize dock employment. But the law likewise included the proviso that nothing in it "shall deprive any person of any legal right which he would otherwise possess with regard to the engagement of labour." This freedom of hiring was interpreted by the Authority to make the whole obligation a dead letter.²

After the passage of the Exchanges Act the Board of Trade undertook negotiations with employers and union officials in the port of

¹Beveridge, *Unemployment*, Part II (1930), p. 312.

²*Ibid.*, p. 313.

Liverpool to evolve a suitable plan of decasualization. But no progress was made until the dock strikes of 1911 so increased the strength of the union that it saw advantages in a plan which among other features would require every docker to have a union button as a condition of employment.

The dock strikes of 1911 and 1912, like those of a generation earlier, began in London and were again led by Tom Mann and Ben Tillett. Mann, who had returned to England from Australia in 1910, was fired with enthusiasm for syndicalism. Together with Tillett, who was secretary of the Dockers' Union, he set out to combine some three dozen waterside unions into a National Transport Federation. The success of the National Sailors' and Firemen's Union in winning concessions through a national strike in 1911 spurred the other waterfront organizations to walk out either in sympathy or to win demands of their own. At the time there was no uniform national dockers' program, but the London dockers' demands, which were endorsed by the Transport Workers' Federation, helped to set a pattern, featuring union recognition and wage increases as the principal items in dispute. In London, also, the Federation took over the leadership of the negotiations with the employers on the Port of London Authority and eventually, although not without difficulty, secured recognition and economic advances.³ Workers in other ports likewise succeeded, after strikes, in securing gains through negotiations.⁴ But as yet the achievement of national agreements remained as a goal, not to be won until after the first World War.

In Liverpool, where the employers decided after the 1911 strike to accord complete recognition to the union, as noted above, the first formal port-wide plan for controlling the dock labor market to be adopted anywhere in Great Britain was instituted in 1912. A Dock Labour Joint Committee was established to deal with all employment questions in the port. The scheme adopted was one of registration. After July 15, 1912, only those who held a Board of Trade tally (a

³At first the Port of London Authority refused to negotiate and Churchill threatened to use troops to unload the ships. Finally through the intervention of Sir George Askwith, then serving as Chief Industrial Commissioner at the Board of Trade, the dispute was mediated, with half of the issues settled through negotiation and the remainder by arbitration. Although Askwith was proud of his success in settling the strikes, Tillett commented two decades later, when national collective bargaining had been achieved, that reliance on mediation had its dangers and that had it continued Askwith might have substituted the pressures of diplomacy to create an artificial peace based on compromise for the more satisfactory results obtainable through "face-to-face" negotiations. See Tillett, *Memories*, p. 246. For accounts of the strikes, see Webbs, *History of Trade Unionism*, pp. 500-501; and Cole, *Short History*, Vol. 3, pp. 81-87.

⁴It is interesting to note the emergence in this period of what was later to become a perennial problem in dock disputes — that of repudiation of negotiated agreements by the rank and file. In commenting on the Glasgow strikes of 1912 Askwith pointed out: "The leaders of the dockers were new men, and again the old story came up: they did not know what the men really wanted, and they could not control the men so far as to induce them to accept an agreement which they did not like." Askwith, *Industrial Problems*, p. 193.

metal disc) were to be employed. Tallies were to be issued only to those men who had a statement from an employer that they had previously been employed as dockers. This limitation represented an effort to control the influx of labor into the port as well as to confine employment opportunities to those who could show a genuine attachment to the industry. Mobility was to be promoted through the provision of eighty to ninety call-stands along the docks together with sixteen "surplus" stands equipped with a telephone and manned by a Labour Exchange official. Those who were not employed at the regular stands were to report to the surplus stands, which in turn cleared through six Clearing Houses. The Clearing Houses were also to serve as centers for pooled weekly wage payments to each registered worker. The costs of this system were borne by a contribution from employers and from the Board of Trade.

In a study of the plan, made by Frederick Keeling, after six months of operation, it was noted that the system had encountered some opposition from the workers and that three practical difficulties threatened to negate its effectiveness. The first problem grew out of the unwillingness of a considerable number of the men to accept a full week's work even when it was offered — behavior bearing out Beatrice Webb's earlier analysis. As a result, shortages of labor arose causing the issue of more tallies and increasing the supply or pool of labor. In the second place, Keeling observed that neither employers nor workers made proper use of the surplus stands. The men either failed to report to the jobs to which they had been dispatched, or the employers impatiently decided to hire from the street even after placing a call with the stands. What might be termed human friction was thus obstructing the smooth flow of labor. Finally, the system of weekly wage payments created certain administrative problems and disputes.

Keeling singled out two problems which required solution if decasualization was to be achieved. The first was that of limiting the number of tallies issued and determining who should be responsible for their issuance. The Board of Trade wanted the Joint Committee to assume these responsibilities, but the Committee was unwilling. The second problem was that of persuading the men to accept the work that was offered, for, as Keeling observed:

... it is not to be expected that after experiencing, or rather actually forming a part of, the gamble for employment for years — perhaps a whole lifetime — the docker should suddenly become anxious to work regularly for six days a week at a laborious employment, in order to suit the convenience either of employers or social theorists.

The solution to this latter problem, Keeling felt, lay in the adoption

of some form of guaranteed wage. Although he advanced the "bold" proposal of a guaranteed annual wage, Keeling was willing to settle for a weekly guarantee. With such a guarantee, regular attendance could be made compulsory, thereby eliminating the need for expanding the labor force to meet temporary shortages. Thus Keeling anticipated what later turned out to be a central problem of decasualization — that of maintaining discipline under conditions of guaranteed income or employment. In what was perhaps a masterpiece of understatement, Keeling concluded that the whole problem of decasualization "bristles with difficulties"; yet he went on to express the hope that "England may yet give effective and practical recognition to the principle that even among dockers 'they also serve who only stand and wait.'"⁵

In view of this searching criticism of the Liverpool plan made, as noted, only six months after it went into operation, it may be interesting to jump ahead of our story at this point to see whether time and experience effected any improvements. By 1929 a large number of ports had experimented with similar forms of registration. Yet in that year only one scheme, the original model, survived. Dock workers at Liverpool were still required to register, and employment was limited to tally men; wages were still paid weekly by the Clearing House, but the use of surplus stands to redirect unemployed dockers had fallen into abeyance. Since employers had abandoned telephoning the stands and the men had stopped going to them, both the phones and the stands had been removed. With no method for mobilization of the surplus, the register had been overexpanded. Thus in 1929 some 20,000 tallies were outstanding, though only 14,500 men were being employed in the busiest weeks. The labor supply was thus 25 percent in excess of the demand. Moreover, those who were employed averaged only four days of work a week. Although the hourly pay of dockers had risen 170 percent in the decade and dock work had in consequence become more expensive, the pattern of casual employment had not changed. As Beveridge noted:

The statistics of Liverpool dock labour before the war showed it as an occupation of men sweated by chronic under-employment and demoralised by irregularity. The picture since the war is in essentials the same.

With a trace of cynicism he concluded:

The one certain change made in the lives of dock labourers by eighteen years' working of the Liverpool dock scheme is that each Saturday three or four thousand men, in place of getting paid in two or three places, get paid in one.⁶

⁵F. Keeling, "Towards the Solution of the Casual Labour Problem," *Economic Journal*, March 1913, pp. 1-18. Like Beatrice Webb and William Beveridge before him, Keeling noted with approval the system in effect in Hamburg which included guaranteed wages, the use of a preference system in hiring, and central labor exchanges.

⁶Beveridge, *Unemployment*, Part II, pp. 314-317.

Let us return, however, to the other efforts to develop voluntary registration schemes even though the fate of the earliest and most comprehensive one is known. In particular we want to learn about the reasons for their failure to improve the dock employment situation, since these shortcomings were to lead in time to other measures for achieving decasualization.

The first World War gave an impetus to the development of registration systems required to deal with a shortage rather than a surplus of labor. In thirty-two of the larger ports the Board of Trade established Joint Advisory Committees of employers and workers to grant exemptions from military service to dock labor. These Committees soon found it necessary to establish registers for the purpose of determining which workers were to be retained in the industry.⁷ By the time of the Armistice, employment on the docks was 27 percent below that of 1914. With the end of the war, however, the old spectre of unemployment returned. This was the time, as Beveridge later observed, to institute a rigid system of hiring controls in order to prevent the docks from being flooded with applicants washed out of the army and the munitions industries.⁸ But such a system required cooperation between employers and unions, and in practice it proved impossible to frame schemes of decasualization which were acceptable to both sides. Nevertheless the effort persisted, with assistance furnished by the various courts of inquiry established in the postwar period to help in the settlement of port labor disputes.⁹ The first and most significant of these was the Court established in 1920 under the chairmanship of Lord Shaw of Dunfermline.

⁷Ministry of Labour and National Service: *Port Transport Industry, Report of Inquiry held under para. 1(4) of the Schedule to the Dock Workers (Regulation of Employment) Act, 1946*, p. 3.

⁸Beveridge, *Unemployment*, Part II, pp. 317-318.

⁹The Industrial Courts Act of 1919 (Act 9 & 10 Geo. 5.c.69) contained provision, among other measures for encouraging the voluntary settlement of labor disputes, for the appointment by the Minister of Labour of Courts of Inquiry to make recommendations to Parliament for the settlement of particular industrial disputes. The second such Court to be appointed under the statute and the first to make a report was the Shaw Board whose recommendations are outlined in the section which follows. For a succinct account of the place of Courts of Inquiry in the British system of labor disputes adjustment, see Ducksoo Chang, *British Methods of Industrial Peace* (New York: Columbia University Press, 1936), pp. 135-145.

V

The Shaw Report

DURING the war the various dockers' unions had completed their amalgamation into the Transport Workers' Federation as a national negotiating body for port labor throughout the country. In 1918 the Federation adopted a program calling for the limitation of dock work to registered men and for a system of guaranteed wages or "maintenance" to those in the reserve. When negotiations for a contract between the Federation and the newly organized National Council of Port Employers broke down in 1919, the Minister of Labour decided to appoint a Court of Inquiry of nine members, one of them being Ben Tillett, Esq., M.P.

The Court first met on January 22, 1920 and proceeded to visit the London and Liverpool waterside areas to gain a first-hand impression of dock labor conditions. Formal hearings opened on February 3, with Ernest Bevin and James Sexton appearing for the Federation and Sir Lynden Macassey for the Council.¹ Altogether the Court held twenty public sessions and heard fifty-three witnesses. Although the major issue in dispute was the union's demand for a national minimum wage of 16s. a day, with much of the testimony centering around cost of living, family budgets, ability to pay, and other criteria, the Court agreed to hear evidence bearing on the problem of casual employment.²

Pointing out that 90 percent of the London dockers were still hired on a casual system, Bevin proposed a system of compulsory registration with the number of men on the registers and the details of administration to be determined solely by the unions.³ He also urged that the extension of the National Unemployment Insurance Scheme to the docks, then under debate in Parliament, be scrapped in favor of a

¹Sexton, like Tillett, was now an M.P. and in addition a C.B.E. Bevin first acquired his reputation as the Dockers' King's Councillor from the brilliance of his performance before the Court — an informal accolade which was later converted into formal recognition from the Sovereign. In this connection see M. Turner-Samuels, *British Trade Unions* (London: Sampson Low, Marston & Co., Ltd., 1949), pp. 26-27.

²Transport Workers, Court of Inquiry: *Report and Minutes of Evidence of the Inquiry*, 2 Vols. (1920). Cmd. 936 and 937. The Minutes of Evidence comprise almost 500 pages and are numbered separately from the pages of the Report, both being found in Vol. 1. (Vol. 2 contains the exhibits, appendices, and index.) Reference will be made below, as appropriate, either to the *Minutes* or the *Report*.

³Bevin referred to voluntary registration as "one of those British compromises to try to get something done, but it is not a solution." *Minutes*, p. 39.

separate industry fund supported by a levy on the payrolls of port employers. With a guaranteed wage there would be need, Bevin admitted, for improved efficiency, mechanization, and increased output in order to keep labor costs on a competitive basis.⁴ Likewise the union would have to support disciplinary measures to ensure that men showed up for work regularly and reported to jobs as assigned. "But if you want security," he told the Court, "you must give security." Again, in his summation, he reiterated his readiness to seek methods of increasing efficiency, because

Socialist that I am, I recognize that if we change from a capitalist state to a socialist tomorrow, we have got to have service and we have got to have discipline.⁵

That the union might have difficulty with some of its members in this connection was frankly indicated by the General Secretary of the Scottish Union of Dock Labourers who pointed out that the Glasgow dockers had repeatedly voted down registration schemes recommended by their leaders. What prompted this rank-and-file rejection, he testified,

is the fact that the men are afraid of losing what they call their liberty and their freedom so far as selecting their work is concerned; they are afraid that registration would mean they would have to go to the job they were wanted to go to, whereas at the present time they have a right either to work or not as they like.⁶

For their part the employers likewise emphasized the "innate conservatism of . . . dock workers in general," and expressed doubts as to the union's ability to discipline its members but, in conclusion, stated that they were in favor of decasualization "as far as practicable."⁷

Bevin's eloquence, his careful marshalling of facts, and his responsible attitude won a great victory for the dockers. With only two dissenters the Court recommended that the unions' claim for a national daily minimum wage of 16s. be granted.⁸ The need for speed, the Court explained, led them to limit their specific recommendation to the wage issue. But the minimum wage could not be dissociated from considerations of efficiency or of casual labor. Hence the entire Court noted that it was calling attention to the problem of decasualization because, un-

⁴*Minutes*, pp. 41-43.

⁵*Ibid.*, p. 490.

⁶*Ibid.*, p. 159. Under examination, the witness explained that the opposition of the men was unshakable, that even a guarantee would not "sell" them on decasualization, and that a government recommendation would likewise fall on deaf ears.

⁷See especially the testimony of Sir Alfred Booth on the operation of the Liverpool Dock Labour Joint Committee of which he had been a member since its formation in 1911, *Minutes*, pp. 86-114. Sir Lynden Macassey's statements on the difficulties of registration systems can be found on pp. 125 and 479-485. Macassey was particularly opposed to any national plan, holding that local port labor committees should first be established, on the principle of having the child learn to walk before he tried to run.

⁸The Court estimated that on the basis of an average of eight half-days of employment out of a possible eleven, the docker could earn £3 4s. a week which was still below the employers' estimate of £3 17s. as the amount needed to provide a comfort and decency budget for a man, wife, and three children.

less it was solved, "the prospect of peace at the docks . . . will be hopeless."⁹ In a ringing condemnation of casual labor, which, it declared, "has reached the dimensions of a serious social disease," the Court recommended that "the system of casualisation must if possible be torn up by the roots. It is wrong."¹⁰

The details of decasualization were to be worked out by the parties on the basis of the following summary of the principles which the Court endorsed:¹¹

1. The introduction of a registration system in all the ports, harbors, and docks of the Kingdom.
2. The payment of maintenance allowances to unemployed dockers.
3. The payment of wages on a weekly rather than a daily basis.
4. The creation of national, district, and local joint councils along the lines recommended in the Whitley Report to plan and administer decasualization schemes, together with representation of the unions on the local port authorities.

So far as strikes and stoppages were concerned, the Court called attention to

a fact of much significance which the parties and the Government have to face, namely, the absence of confidence between employers and men. The men's memory has not to go far back to recall conditions of labour which were such as to make their minds revolt against an employment which recognised such conditions, and even against a society which permitted them. . . . Such days are past; but while causes disappear, effects linger on.¹²

Nevertheless the Court urged upon the rank and file the need for a new sense of responsibility, for improvements in efficiency, and for abandonment of restrictions on output, euphemistically characterized as "the adulteration of time."¹³

These were indeed brave words and, in the light of subsequent developments, supplied a keen diagnosis of waterfront unrest. But the reliance on voluntarism was again to prove futile. Almost a decade later Beveridge, after quoting many of the salient passages from the Shaw Report, commented:

Unfortunately from all this very little that endures has come, and nothing that makes a difference to the conditions of dock labour. The victory of the Shaw Report has proved yet hollower than the victory of the "docker's tanner" thirty years before. . . . Towards tearing up casualisation by the roots hardly a step has been taken.¹⁴

⁹*Report*, p. 8.

¹⁰*Ibid.*, p. 9. The Court took cognizance of the problem of worker resistance discussed at the hearings, but expressed confidence that the union leaders would "counsel the abolition of the old bad hand-to-mouth habit of pay."

¹¹*Ibid.*, pp. 16-17.

¹²*Ibid.*, p. 12.

¹³*Ibid.*, pp. 14-15. The Court estimated that over 9,000,000 hours a year were lost by deliberate refusals to work, or slow-downs at the beginning and end of each day.

¹⁴Beveridge, *Unemployment*, Part II, pp. 319-320.

VI

Further Experiments with Voluntary Registration Schemes

FOLLOWING the Shaw Report the fourteen major transport unions sought even closer amalgamation, and in 1922 one big union — the Transport and General Workers' Union — emerged under the leadership of Ernest Bevin. Two years later, when negotiations between the TGWU and the National Council of Port Employers broke down over the issues of the daily minimum and a guaranteed week¹ and a strike ensued, the Minister of Labour appointed another Court of Inquiry to look into the causes and circumstances of the dispute. The Court met on February 19, 1924 and commenced public hearings the next day, with Bevin again acting as the union spokesman and Sir Norman Hill representing the employers. However, mediation during the night of February 20, under the auspices of the Minister of Labour, produced a settlement and the Court adjourned.² Part of the settlement included a provision in the National Docks Agreement that:

The parties to this Agreement agree to appoint a Sub-Committee (the Minister of Labour to appoint an Independent Chairman and supply such technical assistance as may be necessary) for the purpose of developing and strengthening the system of registration and to examine the proposal for a guaranteed week with a view to arriving at an agreement to give effect to the Shaw Report.³

In accordance with this agreement a committee was established, under the chairmanship of Sir Donald MacLean, and two interim

¹The dockers had been brought under the Unemployment Insurance Extension Act of 1920 which provided benefits for those having full days of continuous employment but did not help casual or part-time workers.

²This time there were only three members on the Court, with Holman Gregory as Chairman. See *Report by a Court of Inquiry concerning the Dock Labour Dispute* (1924). Cmd. 2056. The success of the Ministry in mediating the dispute may have been due in part to the fact that the new Labour Government had been in office only a few weeks and was, therefore, anxious to avoid a threat from within its own ranks. As *The Economist* pointed out in an editorial on "Labour and the Threatened Dock Strike," in a passage anticipatory of what was to be a major problem two decades or more in the future: "It is an incident of political success that it may negative or atrophy industrial action." *The Economist* also reported that a bill for a guaranteed week had been drafted and would soon be introduced into Parliament. Legislative action was deferred by the settlement reached and by the short life of the government. See *The Economist*, Feb. 9, 1924, pp. 236-237. Two years later, after the abortive General Strike, the TGWU admitted breaking their contract and agreed in future not to give strike instructions to their members until the conciliation machinery of the National Agreement had first been exhausted. See Wilfred H. Crook, *The General Strike* (Chapel Hill: University of North Carolina Press, 1931), p. 462. The text of the Port of London Settlement can be found in Appendix D, p. 612.

³*Port Transport Industry Inquiry* (1946), *loc. cit.*, p. 4.

reports were issued in the summer of 1924. The first, echoing the Shaw Report, emphasized the need for a registration scheme in every port, while the second postponed consideration of a wage guarantee until the costs could be estimated on the basis of experience under the registration schemes. Some eighteen ports were listed as possessing registration plans at the time, but thirty-three had none. Although the London scheme was called "shadowy," effective schemes were found at Liverpool and Bristol.⁴ The Committee remained in existence while further efforts were being made to establish joint registration schemes. By 1927 there were schemes in twenty-eight ports, yet their effectiveness was on the whole negligible. In almost every port the number of men on the register was far in excess of the labor requirements of the port, and, because of the absence of provisions for ensuring mobility, employers were frequently hiring labor outside the register. In 1928 the Committee recommended a reduction in the number of hiring places.⁵ Finally, in May 1930, the Minister of Labour decided to reconstitute the Committee as a Departmental Committee with a broad franchise

to inquire into employment and unemployment in the port transport services in Great Britain and to make recommendations thereon with special reference to decasualisation. . . .⁶

Well might Beveridge comment, about this time:

After twenty years it seems fair to say that the appeal to reason and public spirit in this industry has failed. The way is open to the compulsion which the Majority of the [Poor Law] Commission were prepared to apply when needed and which the Minority advocated from the start.⁷

One cannot help recalling at this point Bevin's confident statement before the Shaw Court: "What appears to us insoluble today, the solution is found for tomorrow."⁸ But another decade had now passed and tomorrow was still ten years in the future.

The Committee of Inquiry on Port Labour devoted almost a year to the hearings and an analysis of evidence before preparing its lengthy

⁴*Ministry of Labour Gazette* (July 1924). For an excellent detailed account of the development of these voluntary schemes up to 1926, see Great Britain, Committee on Industry and Trade, *Survey of Industrial Relations* (1926), pp. 166-171, which contains a statement on "The Casual Labour Problem" furnished to the Committee by the Minister of Labour.

⁵*Ministry of Labour Gazette*, February 1928.

⁶Ministry of Labour, *Port Labour Inquiry Report* (1931). MacLean remained as Chairman, with 13 members including Bevin, Sexton, and Tillett on the union side and Sir Alfred Booth, among others, on the employer's side. Many of the cast were thus drawn from the Shaw Inquiry. Numerous resolutions had been forwarded to the Minister from Liverpool some months before asking him to have such an inquiry made. The Lord Mayor of Liverpool pointed out that the clearing house system had "mitigated the degree of casualness, but it had not so far changed its nature." See *The Times* (London), Jan. 1, 1930, p. 7, col. 3.

⁷Beveridge, *Unemployment*, Part II, p. 321. Beveridge pointed out as he had done twenty years earlier the need for 1) registration to prevent the influx of unnecessary labor, 2) reorganization of the methods of hiring and pooling, and 3) the maintenance of those on the reserve. Of all these measures the second was most important and most neglected. For without mobility the register was bound to be excessive.

⁸*Minutes, loc. cit.*, p. 487.

report.⁹ At the outset, the Committee noted the advantage it enjoyed over previous inquiries in being able to examine the results of the various attempts made by the port registration committees to stabilize employment in an "inherently" casual industry. The Committee stressed the need for encouraging greater mobility of labor within the port areas, but noted, as had so many of its predecessors, the difficulty of coordinating the separate demands of individual employers. A detailed review and description of the various port registration schemes pointed up some of the basic administrative problems inherent in their operation.

When it came to recommendations, however, the Committee reported its regret in being unable to reach agreement on methods for solving the problem of casual labor. The only unanimous point of agreement was that

Registration schemes and measures taken with the object of improving the system of labour engagement and distribution have proved in practice of great advantage not only to the Industry itself but to the community in general. Although they cannot be regarded as an end in themselves, they are a vital means to the end in view.¹⁰

To encourage the further development of such plans and to assist in their administration, it was recommended that the National Joint Council for Dock Labour, which had been created pursuant to the recommendations of the Shaw Report, establish a new joint Standing Advisory Committee to assist in "a common effort" to decasualize the industry.

A separate report from the labor side of the Committee of Inquiry reiterated the view, expressed by Bevin before the Shaw Board a decade earlier, that "registration schemes alone will not provide a solution to the problem of casual employment at the docks." Accordingly it was again recommended that a complete statutory scheme, providing for a minimum weekly wage guarantee, pensions, registration, and distribution of labor, all administered by a single statutory authority, was the only measure which offered a "complete solution." A separate memorandum from the Chairman concurred to the extent of recommending a statute if it were shown to be necessary after a further trial with voluntary schemes over the next five years. The employers' side, however, opposed a statutory scheme as one which would destroy initiative and good will.¹¹

Once again, therefore, the stage was set for further experiments with

⁹*Port Labour Inquiry Report* (1931).

¹⁰*Ibid.*, p. 61.

¹¹*Ibid.*, pp. 64-70.

voluntary measures, this time under the sponsorship of the National Joint Advisory Committee established soon after the report was handed down. By 1939, port registration schemes had been established in every port except Aberdeen and Glasgow where the dockers with true Scottish tenacity were maintaining the opposition they had expressed before the Shaw Court.¹² Unfortunately another decade of experience merely revealed the inability of the plans to keep the register in any close relation to the demand for labor. The basic characteristics of these schemes can be summarized as follows:¹³

1. They were voluntary in character.
2. The only obligation of employers who were party to the schemes was to give priority in hiring to registered workers; otherwise they were free to hire outside the register.
3. The only obligation of the registered workers was to show up at each call for work; otherwise they were not obliged to report elsewhere for unfilled openings.
4. The size of the register in each port was determined by a joint committee representing the unions and the employers.
5. None of the schemes provided a guaranteed weekly wage; hence the employers had no financial incentive to reduce the size of the register.

It was not for want of trying, therefore, that these joint efforts had failed to achieve a measure of success, nor was it from any lack of union or employer organization. As a matter of fact, national collective bargaining was well established in the industry after 1920, and each set of negotiations saw the emergence of union demands for stabilized employment. But these demands were usually shoved aside by the pressures for wage adjustments. Thus after the minimum had been fixed at 16s. in 1920, it was reduced through negotiations in 1921 and 1922 to 11s. in the larger ports and 10s. in the smaller. The 1924 strike pushed the rates ahead to 12s. and 11s., but they were again reduced by agreement in 1932 to 11s.2d. and 10s.2d. By 1934, the dockers were seeking a rescinding of the reduction, but the times were such that the union could threaten no precipitate action.¹⁴ As the clouds of depression lifted, the unions were able once more to win economic concessions. An agreement in 1937 covering 120,000 dockers throughout the country yielded an increase of 1s. a day, pay for the King's birthday, and the restoration of Saturday afternoon overtime which had been

¹²In this connection, see another Board of Inquiry Report: *Port Labour in Aberdeen and Glasgow (1937)*.

¹³See *Port Transport Industry Report (1946)*, p. 5.

¹⁴The *Times* (London), Sept. 14, 1934, p. 12, col. 6.

given up in 1932. Once again the agreement also provided that the parties were to get together immediately "to devise methods to give greater security of tenure to the dock worker."¹⁵

Meanwhile there was a hint of events to come in the form of scattered signs of rank-and-file rebellion against the registration schemes. For example, in May 1934 there was a two-week strike of London dockers protesting the transfer of six redundant clerks back to the labor register. Although the union had approved the transfer, there was a sudden strike of both permanent and casual men. Bevin himself was physically attacked by some of the workers. This was merely the first evidence of what was later to develop into a regular form of dock labor unrest — strikes directed against the union leadership rather than against the employers.¹⁶ But before dealing with these disputes of the '40's and '50's, it is necessary to trace the wartime experience with decasualization.

¹⁵*Ibid.*, Sept. 1, 1937, p. 9, col. 2; and Sept. 24, 1937, p. 21, col. 6.

¹⁶*Ibid.*, May 26, 1934, p. 13, col. 4. The editor commented: "There is a bad influence somewhere, and it is powerful enough at chosen times to take control of the men and to leave the union officials helpless."

VII

Wartime Schemes of Decasualization

ONCE again war was to provide the stimulus to a renewed attack on the problem of decasualization, but this time the experience gained was not to be thrust aside; it was to provide the basis for peacetime readjustments. Despite the compulsory powers wielded by the government during the war, the British still showed a substantial reliance on the traditions of voluntarism and joint consultation which had been integral parts of the prewar structure of industrial relations.

The need for a reorganization of the labor market and the efficient utilization of dock labor was more keenly felt when labor shortages rather than unemployment became a problem. Likewise the need for labor mobility within port areas became broadened to a requirement for mobility between ports. In October 1939 the port unions and employers association reached an agreement with the Minister of Labour providing for temporary transfers of dockers on a voluntary basis to those ports where shipping diversions had created a local labor scarcity.¹

In June 1940 compulsory registration was introduced by the Dock Labour (Compulsory Registration) Order. This soon proved insufficient, as had the registration schemes which preceded it. Accordingly, after consultations with the negotiating bodies and after the signing of a National Dock Agreement in July 1941 providing for the wage terms of employment, Ernest Bevin, then Minister of Labour and National Service, issued an Essential Work (Dock Labour) Order in September 1941.²

This Order provided for the submission of decasualization schemes from each port to the Minister for approval based upon a model dock labour scheme agreed to by the unions and employer organizations. Over-all administration was placed in the hands of a National Dock Labour Corporation previously established by the National Joint

¹The *Times* (London), Oct. 9, 1939, p. 5, col. 3.

²All the documents can be found in Ministry of Labour and National Service, *Dock Labour Schemes: Explanatory Memorandum by the Minister of Labour and National Service together with the Essential Work (Dock Labour) Order, 1941; Model Dock Labour Scheme, and National Dock Agreement of 16th July, 1941* (London, 1941). The Dock Labour Order was issued under Regulation 58A of the Defense (General) Regulations, 1939. The signatories to the National Dock Agreement were the National Council of Port Labour Employers and the Transport and General Workers' Union, the National Union of General and Municipal Workers, and the National Amalgamation of Stevedores and Dockers.

Council and governed by a Board composed of three representatives of each side of the Council and a Chairman, Vice-Chairman, and Financial Director appointed by the Minister. The costs of all schemes were to be defrayed from a National Management Fund maintained by the Corporation, supported by contributions from employers not to exceed 25 percent of their gross wage bill, and underwritten by the Exchequer.

The model plan called for the creation of local dock labor boards, with a manager appointed by the Corporation, and for local joint registration committees to register and allocate labor. All dockers who were not regular weekly employees of a particular employer were to cease being casuals and were to be regarded as employees of the Corporation subject to assignment or to temporary placement in a Reserve Pool. The men were required to attend all calls, to report to work as directed, and to be liable to transfer to other ports. In return for this obligation, they were guaranteed attendance money of 5s. for each turn at which they reported but were not engaged, the guarantee not being offset by overtime earnings subsequently enjoyed. All wages were to be paid weekly by the Manager. Men who failed to show up or who otherwise were in breach of the scheme were subject to such penalties as suspension without pay, notice of termination, or summary dismissal. Men thus penalized were, however, to have rights of appeal to joint panels with provision for a referee where necessary to break deadlocks.

For their part, employers were no longer free to hire dockers off the streets. They were restricted to using only those who were their own weekly employees at the time the scheme went into effect, and could obtain additional labor only through the Manager.³

It should be noted how closely the essential features of this plan met the requirements laid down for a true scheme of decasualization over thirty years before. The restrictions on hiring, the payment of maintenance allowances, the provisions for mobility and direction of the labor supply, the use of a financial incentive to reduce the register — all indicated that the years of study and investigation had not been wasted. It remained to be seen, however, whether the plans could work under more normal peacetime conditions after the military emergency had passed.⁴

³A somewhat different plan operated for the ports on the Merseyside and Clydeside under control of the Ministry of Transport. See *Port Transport Industry Report* (1946), pp. 5-6.

⁴By March 1943 almost all the ports had adopted approved schemes. Within an eight-month period in 1942, the Corporation had transferred 17,026 dockers over long distances and 26,144 to ports within daily commuting range. The plan had indeed increased mobility. But it was still difficult to regularize employment. In April 1942 there was a daily surplus of 8,000 dockers, reduced to 6,000 by October. As a consequence the costs of the scheme exceeded its income; the balance being met by the Government. See *International Labour Review*, Vol. 47 (March 1943), pp. 379-380.

VIII

The Re-emergence of Industrial Unrest

BY THE end of the war the success of the decasualization schemes in reducing the supply of dock labor was plainly apparent. Whereas the prewar labor force had numbered 135,000 men, there were only 73,500 on the registries in August 1945. Employers were paying a levy of 10 percent of their wage bill to meet the costs of the guarantee which had risen to 6s. a turn.¹

Despite this achievement, and in part because of it, problems of discipline were beginning to appear, and unrest was already making itself manifest. Even before the war ended, the entire port of London was paralyzed by an unauthorized strike in March 1945. This action was precipitated by a relatively minor incident involving the transfer of a call-stand at the Royal Albert Dock across a distance of 250 yards. When the men refused to report to the new location, they were disciplined by the Corporation. Resentment over the penalties sparked a walkout which soon spread to the entire port.²

The dockers returned to work only after Ernest Bevin, Minister of Labour, promised to appoint a Committee of Inquiry to investigate the dispute. Subsequently the Committee, which consisted of nine members representing the unions, the Port of London Authority, and the Corporation, with Lord Ammon as Chairman,³ issued a report condemning the strike and the failure of the men to use the established grievance machinery, and pointing out the necessity of discipline to assure the operation of the dock labor scheme.

Despite these strictures the Committee showed some awareness of the ferment among the dockers. It recommended that provision be made for granting leaves of absence after long and arduous spells of employ-

¹*The Economist*, Sept. 1, 1945, pp. 305-306.

²*Ibid.*, March 24, 1945, p. 388.

³Ammon was also Chairman of the Corporation. As distinguished from a Court of Inquiry which makes a report to Parliament, a Committee of Inquiry enjoys less power to call for information, may be informal and flexible in its methods, and may attempt mediation. Its report need not be laid before Parliament.

ment, it stressed the need for more welfare work and better facilities on the docks, and it suggested that the Port Manager should consult with the worker or his union representative before imposing disciplinary measures. But, in view of the composition of the Committee, it is not surprising that the report was more defensive than constructive.⁴

With greater objectivity *The Economist* pointed out that the dispute indicated the existence of serious disaffection with the arbitrary and centralized administration of the scheme. The whole machinery of industrial relations was in need of overhauling. In particular the grievance procedure was slow, cumbersome, and inflexible. Moreover — and as we shall see, an important point — there was, *The Economist* observed, insufficient contact between the rank and file and the union leadership.

Not too discouraged by this turn of events, Ernest Bevin was reported as saying:

You cannot easily change habits of men that have been formed for over one hundred years. It is only by a new generation, who are growing up in a new environment, that these things can be accepted.⁵

As if to give point to this statement, a series of wildcat strikes erupted in September 1945. Again a relatively small incident — the walkout of sixty dockers at Birkenhead over a wage grievance — had started a chain reaction. Between September 24 and November 3, 1945, fifty thousand dockers struck in almost every port, causing a loss of over a million man-days of work. The increasing paralysis of shipping forced the Labour Government to use troops to unload vital foodstuffs and military stores.⁶ Efforts of the union leaders to get the men to return to work under promise of expediting the national wage negotiations then under way evoked only the sturdy response that the dispute was “a spontaneous rising of the men of Britain against oppression.”⁷ Finally, upon the promise of the new Minister of Labour, George

⁴The *Times* (London), April 27, 1945, p. 2, col. 3; *The Economist*, May 5, 1945, pp. 608–609.

⁵*The Economist*, Sept. 1, 1945, pp. 305–306.

⁶Some 21,000 soldiers were employed in these activities. Just before the strike ended the government was considering the use of troops for all port work. See *The Times* (London), Oct. 27, 1945, p. 4, col. 7.

⁷The *Times* (London), Oct. 12, 1945, p. 4, col. 1. Commenting on the antagonism of the Liverpool strikers to the pleading of Mr. Donovan, the National Secretary of the dockers' section of the Transport and General Workers' Union, the *Manchester Guardian* reported on October 5, 1945: “The vast majority of the dockers do not want to hear Mr. Donovan, and the more radical of them make no secret of their intention to howl him to town. This antagonism towards their own union... is no sudden development.... Indeed, a list of union ‘failures’ has been compiled. One striker said ‘Because their hands are tied is always their explanation for their own inaction. They have become our masters instead of our servants.’” And a day later the same paper quoted the chairman of the Liverpool strike committee as saying, after denying outside political influence on the strike: “We are not prepared to listen to the dictates of the Transport and General Workers' Union. For twenty years we have been dictated to by them. We know that the union has been arbitrating on our behalf, but I challenge the union to state the dockers' case.” These quotations from the *Manchester Guardian* are given in Kenneth Knowles, “The Post-War Dock Strikes,” *Political Quarterly*, Vol. 22 (June 1951), p. 276.

Isaacs, to appoint another Committee of Investigation the men agreed to suspend the walkout for thirty days.

A Committee of five, under the chairmanship of Mr. Justice Evershed, rendered its report within a week after its appointment.⁸ After considering the union demand for an increase in the minimum daily wage from 16s. to 25s. and the employers' offer of 18s., the Committee recommended the sum of 19s.⁹ In addition the Committee urged the unions and employers to expedite their discussions of peacetime decasualization and, in the absence of agreement, proposed that another board of inquiry be appointed to deal with the question. With this promise of early action on decasualization, the report was accepted and the dispute came to an end.¹⁰

⁸Ministry of Labour and National Service, *Port Transport Industry: Report of a Committee of Investigation on a Difference between Employers and Workpeople regarding the National Minimum Wage and the Piece-workers' Minimum Guarantee* (1945).

⁹This sum was not to be offset by the payment of attendance money. Hence the Committee calculated that on the basis of the union's assumption of four days of employment, on the average, the weekly wage plus attendance bonus would be almost 100s. a week — equal to the amount the union was demanding. Had it not been for the strikes, the parties might have reached agreement on the wage rate without government intervention.

¹⁰It should be noted that the government refrained from using the sanctions available under the Compulsory Arbitration Order. This topic will be treated below, pp. 39, 42-43.

IX

The Achievement of Statutory Decasualization: The Dock Workers (Regulation of Employment) Act, 1946

THE wartime decasualization orders were scheduled to expire on July 1, 1947. In the meantime the overwhelming victory of the Labour Party at the end of the war gave it the opportunity to achieve what it had sought for so many years — the ending of casual employment by law. Accordingly, on December 10, 1945, the government introduced for its third reading in the House of Commons a Dock Workers (Regulation of Employment) Bill which gave the industry a chance to prepare its own scheme before October 1, 1946, but in the absence of agreement lodged power with the Minister of Labour to prepare one himself. The debate on this measure is of interest since it indicates both the progress that had been made during the past half century as well as the problems that lay ahead.¹ No longer was there argument about the need for a statutory scheme. The Webbs' Minority Report had now become the accepted doctrine of all parties. But differences still persisted over the choice of means.

The debate concentrated on two issues. The Conservatives desired amendments looking toward the improvement of port efficiency by the elimination of restrictive work rules. The Liberals advocated the removal of criminal penalties which might be applied against employers or workers who violated the hiring restrictions.

Speaking for the Conservatives, Peter Thorneycroft argued that, although restrictive practices by unions and the inefficient use of labor by employers were inevitable by-products of a system of casual employment, there was no longer any need for their continuance. Similarly, Earl Winterton remarked:

¹417 *H. C. Debates*, pp. 88–135 (5th Ser. 1945).

We all admit on this side of the House, that the dockers had a very raw deal in the past. I will go so far as to say that the way in which they were treated 40 or 50 years ago was a disgrace to the country and to all parties in the country.

But the time had come, he went on, to improve England's competitive position in world markets. And he echoed Thorneycroft's plea: "When we decasualize dock labour we want to see that the industry is made efficient at the same time." The Government's reply to this argument was that it would be impossible to standardize working rules for all the ports and that the question could better be handled by mutual agreement than by legislation.² In addition Isaacs pointed out that the bill was not intended to deal with disputes but with decasualization.

To the Liberals' criticism of the penal provisions, the Government answered that without them the scheme would be nullified. There is no use, its spokesman remarked, "saying we are in favour of decasualisation, if we leave wide open the doors by which decasualisation can be destroyed." Penalties were needed to prevent employers from hiring labor off the register and to ensure that workers reported to jobs which were available.

Both the Conservative and Liberal amendments were defeated. The Bill was approved by the House of Lords on February 19, 1946 and received the Royal Assent that same day.³

The task of implementing the statute was carried through by the typically British processes of negotiation — joint consultation, government inquiry, directives, and further consultation and inquiry. In August 1946, the National Joint Council for the Port Transport Industry reported to the Minister their failure to reach agreement on a permanent scheme of decasualization. In particular there was a difference of opinion between the employer and union groups on the methods to be used in reducing the registers outside London which had been swollen by the shipping diversions of the war.⁴ It was the contention of the unions that men who were retired after long service on the docks should receive a special industrial pension, regardless of their age. The employers proposed that the cuts fall on men over 65 who would shortly be eligible for the new state pensions. To assist himself and the parties in resolving the dispute, the Minister on September 27, 1946 appointed Sir

²Beverly Baxter twitted the Government for its lack of consistency: "We found that no matter how the Government had committed themselves to a Socialist policy, the trade unions are there to see that it is not carried out." On the other hand when Thorneycroft wanted to know about the Government's intention of nationalizing the port authorities, quoting Dr. Johnson's remark that "when a man knows he is going to be hanged in a fortnight, it concentrates his mind wonderfully," the Government answered that the bill was a decasualization and not a nationalization statute.

³The *Times* (London), Feb. 15, 1946, p. 8, col. 6.

⁴At the time there was an average daily surplus of over 12,000 dockers, and the Corporation was running a weekly deficit of £15,000. The *Times* (London), August 21, 1946, p. 5, col. 3 and p. 2, col. 2.

John Forster, then Chairman of the Industrial Court, to conduct a special inquiry with reference to the control of the registers and the matter of wage guarantees.

The report which was made on November 21, 1946 reviewed the history of decasualization schemes and set forth the contentions of the parties.⁵ The employers were proposing a plan for administration on a local basis through the port authorities. Dockers who were without work were to be regarded as employees of the local authority which would determine the size of the register and the men to whom the guarantee was to be paid. In particular the employers were opposed to any form of joint administration, holding that "the payment of the guaranteed wage is purely a responsibility of the employers and it is therefore logical that the employers shall themselves determine the number of men to whom it shall be paid." It was feared that under a system of joint control the unions would oppose any reduction in the registers, thereby keeping costs unreasonably high. So far as the guarantee itself was concerned, the employers argued that it should be based on a week and offset by all earnings during that period. The attendance bonus would be dropped.

On the other hand the unions argued for a system of joint control, saying that without one they would withdraw from any participation in the plan. Since reductions in the register would never be popular with the rank and file, the union officials argued that their position would become untenable were they required to implement a decision which they had no voice in making.⁶ In addition they held that control of all local schemes should be vested in a national administrative body with powers similar to those of the National Dock Labour Corporation. On the question of guarantees they urged the retention of attendance bonuses; and, in addition, the payment of a weekly guarantee offset only by the attendance bonus and the wages earned during normal working hours, exclusive of overtime and week-end work.

In his conclusions Forster supported the union position for joint administration by a national agency composed of representatives of both sides of the Council with three independent members appointed by the Minister. This central body was to be responsible for decisions affecting the size of the register and for direction of labor between ports, although it could, at its discretion, delegate some of its powers to local and area joint boards. On the question of guarantees he sided with the

⁵Ministry of Labour and National Service, *Port Transport Industry: Report of Inquiry held under para. 1(4) of the Schedule to the Dock Workers (Regulation of Employment) Act, 1946* (1946).

⁶As later events indicated they might better have argued that their position would become untenable if they bore responsibility for making unpopular decisions. See below, pp. 56-58.

employers, holding that pensions should not be confused with wages, and that the weekly guarantee should be offset by all wages earned during the period. Finally, he recommended that disciplinary powers be lodged with the local managers, but that the worker have a right to appeal to the local board and ultimately to an impartial tribunal independent of the industry.

Subsequent to the report, when the parties still found themselves far apart on the question of guarantees, with the unions unwilling to accept Forster's recommendations, the Minister appointed a Committee of Inquiry with five members under the chairmanship of Sir Hector Hetherington to investigate the dispute and to make specific recommendations on the amount of the guarantee. This Committee came up with a recommendation for a 5s. attendance bonus and a guaranteed weekly wage of £4 7s.6d., less the attendance money and all earnings except those for Saturday afternoon.⁷ When this proposal in turn proved unacceptable to the workers, the parties finally negotiated modifications providing that all overtime earnings were to be excluded from the guarantee and that the guarantee itself was to be 88s. a week for Class A men, 72s. for B men, and 48s. for C men. The guarantee was still further reduced for men over 65, while for those over 70 only six turns of attendance money were to be paid.⁸

On June 20, 1947 the Minister gave statutory effect to these agreements by issuing an Order under the Dock Workers Act⁹ establishing a permanent scheme of decasualization under the control of a National Dock Labour Board. "The Minister's order," commented the *Times* the next day "should be a cause for rejoicing throughout Britain's ports."¹⁰ And Arthur Deakin, General Secretary of the Transport Union, said the Order "marks the end of casual employment in dockland and the end of a fifty-years' fight."¹¹ Whether the rejoicing was premature is a question to which we shall now turn.

⁷The *Times* (London), June 21, 1947, p. 4, col. 7.

⁸The *Times* (London), June 28, 1947, p. 4, col. 6.

⁹*Statutory Rules and Orders, 1947, No. 1189.*

¹⁰The *Times* (London), June 21, 1947, p. 5, col. 3. Editorial: "Security at the Docks."

¹¹The *Times* (London), June 28, 1947, p. 4, col. 6.

X

Operations of the National Dock Labour Board

LIKE so many other British agencies which started their lives in the uncertain days of the postwar period, the National Dock Labour Board has had to work toward employment stabilization in an industry especially sensitive to the fluctuations of overseas trade. Because of the variability in economic trends, the problem of determining the number of workers required has proved exceptionally difficult. At the inception of the scheme the Board inherited a work force of 78,500 men. During 1948 the excess of the supply of labor over the demand sometimes ran as high as 12,000 men a day. Yet local interests, on both the labor and the industry side, resisted cuts in the register so that fewer than 500 men were released that year because of redundancy. In 1949, with an average surplus of 7,500 workers, only 81 were dismissed as redundant.¹ Three years later the situation had grown worse. The increase in trade in 1951 had brought the register to a peak of 81,000. Yet with the decline in trade in 1952 the register had dropped only to 78,000, with the number drawing benefits seldom falling below 9,000 and occasionally reaching a level of 20,000. To meet its obligations under the guarantee the Board was forced to increase the levy on employers from 12½ percent of payrolls, the initial rate in 1947, to 22½ percent in 1952.²

This situation has had its unfortunate aspects for both the dockers and the industry. To be sure the average earnings of dockers under the scheme have been high, placing them second in rank to the miners. In 1951 the average weekly earnings for dockers in the London area amounted to over £9 a week and for those elsewhere the amount ranged between £7 and £8. Yet these figures conceal a considerable amount of underemployment and overemployment so far as individuals are concerned. The high level of dockers' earnings has been attributed

¹*Review of the Work of the National Dock Labour Board: 1947-1949.* (Submitted by the Board to the National Joint Council for the Port Transport Industry, March 1950), pp. 14-20.

²*The Economist*, Nov. 8, 1952, p. 370. The National Dock Labour Board estimated unemployment on the docks at 20 percent in November 1952. See *N. Y. Times*, Nov. 3, 1952, p. 1.

largely to special payments for handling difficult cargoes and to overtime premiums. For those who are not employed the scheme guarantees a payment of £4 8s. (\$12.32) a week, but this is below the level of family subsistence. Yet the idle docker cannot draw relief because he is technically in the employ of the Board; nor is he apt to seek employment elsewhere in view of the guarantee and the chance of high earnings should opportunity come his way.³

While decasualization has thus removed some of the burdens of trade fluctuation from the shoulders of the worker and has eliminated the brutal struggle for jobs, the costs of the system have been transferred to the employers and in part to the nation. Whether the increase in the levies will be an important factor in hindering the export drive and raising the domestic price level has yet to be determined. The Board, however, has been conscious of the need for reconciling the twin goals of economic security, on the one hand, and industrial efficiency on the other.

But in its efforts to reduce the size of the registers — the only answer to the problem set forth above — the Board has been confronted with administrative and psychological hurdles. Although the responsibility for determining the size of the work force is lodged with the Board, it has met resistance to its directives from the local and area boards.⁴ The National Board has itself been reluctant to press hard for redundancy dismissals, fearing that such action would shake the confidence of the workers in the security of their jobs — a security which the Board was created to protect. Finally, when the Board has attempted limited cuts in the register, it has met with protest strikes by the men.⁵ In fact the increase in industrial unrest on the docks, together with the frequent recourse to strike action, poses the most serious problem faced by the Board and in the eyes of some observers threatens the survival of the scheme itself. These developments will be traced in the next section.

³K.G.J.C. Knowles and Ann Romanis, "Dockworkers Earnings," *Bulletin of the Oxford Institute of Statistics*, Vol. 14, Nos. 9 and 10 (Sept.-Oct. 1952), pp. 327-363. The authors find that the average percentage of men proving attendance (the unemployed) ranged from a low of 9 percent in London to a high of 30 percent in the smallest ports for the period 1946 to 1951 (see Table IV on p. 343).

⁴*Review of the Work of the National Dock Labour Board: 1947-1949*, pp. 47-48. The Board determines a "sanctioned strength" for each port area every six months. If the register is above this figure it is allowed to run down by natural wastage. But since few agreements fix any retirement age, and since "dockers apparently expect to stay at work until they die," this method of adjustment lacks precision. The average age of the docker is over 47 years and men over 80 are still at work. See Knowles and Romanis, *op. cit.*, pp. 329-334, for detailed statistics on fluctuations in the register. So far as temporary increases in the demand for labor are concerned, the Board's policy has been one of relating recruitment to continuing rather than "peak" labor requirements, resisting local demands for additions to the register, and forcing reliance on non-registered workers to meet urgent short-term needs. This policy became important in 1951 when trade expanded during the first and third quarters of the year, causing anxiety about labor shortages, but fell off during the final quarter, thereby justifying, in the eyes of the Board, its policy of holding back recruitment. See *Ministry of Labour Gazette*, July 1952, pp. 238-239.

⁵Only a month before the peacetime scheme began operation, the Glasgow dockers struck when 5000 men were discharged as redundant. See *The Times* (London), June 28, 1947, p. 3, col. 2.

XI

Postwar Dock Strikes

IN THE years since the war, dock labor strikes have become, as was noted at the outset, regular events on the British calendar. For most of this period, until the fall of 1951, such strikes were technically illegal under the government Order providing for compulsory arbitration.¹ They have likewise, with one exception, been unauthorized by the official union leadership. Their recurrence has stimulated a large number of government investigations and has also aroused the interest of a number of students of the labor movement.² To what extent is the decasualization system itself responsible for these outbreaks? Are other factors such as union organization, worker psychology, the structure of industrial relations to blame? These are some of the questions to be kept in mind as we trace the developments of the last five years.

In the two years, 1948 and 1949, there was a total of 143 stoppages in various ports causing a loss of over 750,000 man-days. The great majority of these strikes were "quickies" lasting for only one day or less. But three were major stoppages which aroused public concern and forced government intervention.

As an example of the kind of issue involved in the smaller disputes, the Dock Labour Board noted a seven weeks' strike by all the men in the Middlesbrough Dock in protest against an arbitration decision by the National Joint Council altering the time of the dock call from 3 p.m. to noon — an award prompted by the need for increasing the mobility of the men in the labor reserve. Commenting on the strike, the Board noted:

There is little doubt that the men in Middlesbrough would have resisted vigor-

¹For an account of the arbitration system, see the articles by this writer in the *Arbitration Journal*, Vol. 7, Nos. 1 and 2 (1952); and in the *Cornell Law Quarterly*, Spring 1952. A list of the principal dock strikes in this period can be found in the appendix of this bulletin.

²See especially Kenneth Knowles, "The Post-War Dock Strikes," *Political Quarterly*, Vol. 22 (June 1951), pp. 266-290; Joseph Goldstein, *The Government of British Trade Unions* (London: Allen and Unwin, 1952); and the current studies of the Field Research group of the British Institute of Management, including the report by R. P. Lynton and S. D. M. King: "The London Docks" (mimeographed, n.d.). A major research project on the Liverpool dockers is currently being conducted by a team from the Department of Social Sciences of Liverpool University, under the direction of Miss J. Woodward. According to a letter to this writer from Mr. R. G. Stansfield of the Department of Scientific and Industrial Research, Charles House, London, dated Dec. 29, 1952, the field work on the Liverpool study is completed and the writing is well advanced, "but as it will be a book of some substance, it will be some little time before it is available."

ously any attempt to take away the benefits of the Scheme. But this change the men were prepared to resist, even though it involved some hardship.³

The first of the major walkouts — the “Zinc-Oxide” strike — began in London in May 1948. A gang of eleven men disputed the rate for handling a cargo of zinc oxide and, despite approval of the rate by the joint “viewing committee,” persisted over a period of days in their refusal to handle zinc-oxide cargoes. Their conduct was finally reported by the employer to the London Dock Labour Board which decided to suspend the men without pay for a week and to disentitle them to the benefits of the scheme for a period of three months. A top Appeals Tribunal subsequently reduced the latter penalty to two weeks. But meanwhile an unofficial strike committee — the forerunner of later “Portworkers’ Committees” — sprang up, appealing to all the dockers to walk out as a protest against the use of the scheme for “victimisation” and against the disentitlement which, it argued, would force a return to the old system of “fighting for a job.” Soon the strike spread to the entire port; Liverpool dockers likewise came out in sympathy. The Government proclaimed a State of Emergency, but before it became operative the strike collapsed and the men returned to work.⁴

The second major strike—the “Ineffectives” strike—likewise involved the decasualization scheme. In April 1949 the London Board discharged thirty-two men, following orders from the National Board to dismiss men who were “ineffectives” — that is, men unable or unwilling to work. Some of the men involved were members of the Stevedores Union whose General Secretary was at the time a member of both the London and the National Dock Boards. With his support the union called a strike of its London men, who were promptly joined by members of the Transport Workers’ Union over the protests of their leaders. Within a week the strike was over, but only after the Government had threatened action under the Arbitration Order.

The third major dispute had its origin in a strike of the Communist-dominated Canadian Seamen’s Union. Though the details of its development are too complicated to unravel here, it may be briefly noted that the stoppage began in the spring of 1949 as a sympathy strike when a few dockers refused to work the “black” ships whose Canadian crews had walked out as the ships touched England. Again unofficial portworkers’ committees sprang up, assisted by Canadian agitators, and soon

³*Review of the Work*, p. 22. The dockers objected to being thrown into a common pool with the wharf men.

⁴*Ibid.*, p. 23. More details can be found in Ministry of Labour and National Service: *Unofficial Stoppages in the London Docks* (May 1951). Cmd. 8236. Appendix II contains a chronological account of all the major strikes in the Port of London, 1947–1950. The Lynton and King study cited in note 2 above contains a “strike diary” kept by one of the authors who observed the course of this dispute.

the ports of London, Liverpool, Bristol, and Newport were paralyzed. This time the Government put its Emergency Powers to use for the first time since the General Strike of 1926, and the port of London was ruled by an Emergency Committee which employed troops to unload essential cargoes. The handling of the strike soon embroiled the Dock Labour Board in a dispute with the Government which repudiated a threat by the Board that unless the men returned to work the casual labor scheme would be dropped. When the strike was finally abandoned on July 22, the Minister of Labour, George Isaacs, expressed in the House of Commons his hope that the dockers "will realise that their loyalty has been played upon. . . I hope they will listen to their trade union leaders and not to outside people."⁵

In reviewing these three strikes in its triennial Report, the National Dock Labour Board pointed out certain recurring features common to all the disputes. Each of them played upon traditional sentiments of the dockers — the fear of a return to casual labor, the fear of redundancy dismissals, and the solidarity-born resistance to working a "black" ship. As the Board noted:

The unofficial leaders showed no little skill in exploiting these sentiments. This they were able to do because the Unions, having progressed from the open-air militancy of the early days to the practice of securing improvements by negotiation, are necessarily somewhat vulnerable to the tactics of mob rule.

The second feature which the disputes had in common was the way in which attention was shifted from the original grievance to an attack upon the disciplinary powers of the Board. As a result, dissatisfaction became focussed on the Board and those responsible for the administration of the decasualization scheme. Finally, the tactics of the unofficial strike committees served to keep the flames of controversy burning until all passion was spent.

In a ringing condemnation of these actions the Board declared that three times in the last two years the economic life of the nation had been put in jeopardy. "It is an intolerable position; and there is no assurance that the same cycle of events will not recur in the future."⁶

The accuracy of this forecast was soon to be verified. As a matter of fact the Board's use of the terms "cycle" turned out to be correct, although perhaps not in a way it had foreseen. Yet the term "circle" might be more accurate, for the aftermath of the last strike in 1949 produced consequences which in turn were to engender further disputes. As will be noted, the pattern which began to appear was one

⁵For the House of Commons Debate on the London Docks Strike, see 467 *H.C. Deb.*, pp. 1376–1385 (5th Sen. 1949). Isaacs' statement is on p. 1739. A narrative of the development of the strike can be found in Minister of Labour, *Review of the British Docks Strikes, 1949* (Dec. 1949). Cmd. 7851.

⁶*Review of the Work*, pp. 27–28.

in which a strike occurred; penalties were imposed either by the Board or by the unions; further strikes in protest of the penalties broke out, followed by discipline; and so on in a vicious circle of cause and effect which defied penetration.

An example of this process was the "Expulsions" strike of April 1950. Following the "Canadian Seamen's" strike, the General Executive Council of the Transport Workers Union brought to trial eight members of the union who had acted as members of the unofficial "Portworkers' Defense Committee." Subsequently, three of the men were expelled from the union, and their readmission was conditioned upon evidence that they were again fitted for membership; four were debarred from holding office in the union subject to proof of fitness, and the remaining man was warned. As soon as the final decision was announced in April 1950, following the exhaustion of the appeals machinery within the union, the Portworkers' Defense Committee sprang into action to get the men reinstated in the union.⁷ Strikes began on several docks and then spread until almost the entire port was affected. Threats by the Dock Labour Board to enforce the penalties of the scheme merely fanned the flames. Once again Londoners were treated to the familiar spectacle of troops working on the docks. Only after two weeks did the strike committee finally lead the men back to work, first denouncing the union leaders and the Board.

Somewhat the same sequence of events, although on a smaller scale, occurred the next month. A group of London lightermen, contrary to their union agreement, refused to perform shift work. They were given a seven-day suspension by the Board. Next, ninety-one of their associates walked out in protest, and these in turn were given summary dismissals by the Board. As the strike began to spread to other docks, the Board and the union backed down and agreed to reinstate all the men on the register provided they promised to honor their obligations under the scheme in the future.

When in the following year the Government attempted to stop dock strikes by imposing penal sanctions, even more serious consequences ensued. Early in February 1951 the Government arrested seven dockers, likewise leaders of a rank-and-file Portworkers' Defense Committee, who had persuaded 450 men in London and Liverpool to walk off their jobs in protest against the Transport Workers' Union's acceptance of a compromise wage adjustment. The men were charged with inciting a strike contrary to the Arbitration Order of 1940. On the day of the indictment, according to the *London Times*:

Nearly 300 dockers had marched to the court from Victoria Docks. About 50

⁷Since union membership was a condition of employment, their expulsion also deprived them of their jobs.

were admitted and the others waited in the rain for nearly two hours until the proceedings ended. They continually sang 'Land of hope and glory'....The accused men were loudly cheered as they left the court on bail.⁸

The next day almost 7,000 men were out in London and 11,000 in Liverpool. In a short time the strike was temporarily suspended pending the outcome of the prosecution, although as the trial went on sporadic walkouts took place. The men's defense was that they were not leading a strike against their employers but against their union; hence they were not guilty of a breach of the Order which covered only "trade disputes." All the men made short statements in the court attacking the official leaders of the Transport and General Workers' Union for losing touch with the rank and file. One remarked: "The persons who should be in the dock are Arthur Deakin and many of his selected officials."⁹ In April the jury found the men guilty on one count of the indictment but failed to agree on the other. This verdict sparked a resumption of the strike. Further trouble was averted when the government quickly dropped the prosecution, ostensibly because of the "illogical" findings of the jury, but actually to avert further unrest.¹⁰

But trouble was about to erupt elsewhere. Toward the end of April all the dockers in Manchester walked out in protest of the suspension by the Dock Labour Board of two men who refused to work overtime. For six weeks the port was at a complete standstill. Once again the strike was kept going by attacks on the Dock Labour Board, the officials of the union, and the penalties of the scheme. The strike finally ended when assurances were given that there would be no retaliation against the strikers and their grievances would be investigated by the Minister.¹¹

Visitors to the Festival were indeed being treated to a pageant of dock disputes. In June 1951, almost 1,500 tally clerks struck in London for ten days, keeping 100 ships idle and causing a loss of 100,000 working days. Here the grievance was also related to the decasualization scheme. A shortage of clerks had led the Dock Labour Board to propose the recruiting of 80 new clerks. In a reverse twist to the redundancy issue, the men objected that the increases in the register might be used as a pretext for getting rid of some of the older workers. Settlement came only after the union had promised to allow the clerks to elect their own lay representatives to participate with the regular paid officials in consultations about this matter. Here too can be noted the rank-and-file mistrust of their union officers who associated with employers on the Dock Labour Board.¹²

⁸The *Times* (London), Feb. 10, 1951, p. 6, col. 1.

⁹The *Times* (London), March 17, 1951, p. 2, col. 3.

¹⁰The *Times* (London), April 19, 1951, p. 3, col. 2. See also *The Economist*, April 21, 1951, p. 361.

¹¹See Minister of Labour, *Report on Certain Aspects of the Manchester (Salford) Dock Strike* (Oct. 1951). Cmd. 8375.

¹²*The Economist*, June 16, 1951, p. 1425. Denunciations of the strike by the Union Executive

Altogether almost one third of the aggregate time lost in work stoppages in Great Britain in the first six postwar years was attributable to actions of the transport workers – mostly in the form of large-scale dock strikes.¹³ As a matter of fact, the dockers had replaced the prewar position of the miners as the leading contributors to strike-caused idleness. In the postwar period, man for man, the dockers lost seven times as much working time as the miners. Although 15 of the 26 principal dock strikes in the period from July 1945 to June 1950 involved London dockers, there were numerous strikes in smaller ports. The 85 dock strikes of 1948 affected 26 ports, and the 58 strikes in 1949 involved 21 ports. But since one third of the nation's port employment is concentrated in London, that city accounted for the greatest amount of strike idleness.

A high proportion of the disputes was of short duration. Thus in 1948 and 1949, 69 percent of the strikes did not last for more than a day. On the other hand, a characteristic feature of the dock strikes was their repetitive involvement of the same workers. Statistics on repetitive striking for 1949 indicate that in the dock industry the average number of strikes per striker was 1.57, whereas the corresponding figure for coal mining was 1.24, and for all other industries, 1.14. Here again the dockers had replaced the miners who in the prewar period were the most prone to repetitive striking.

Although the formal reasons given for strike action may fail to indicate the real causes of unrest, it is interesting to note the multiple causes listed by the Ministry of Labour for the twenty-six principal dock strikes which occurred in the first five years of the postwar period. Pay issues were involved in nine disputes; questions of discipline arose in ten; working conditions in four; redundancy in three; and sentiments of solidarity or sympathy were invoked in six.

The question prompted by these statistics is why unrest existed on such a large scale despite the national effort that had gone into improving the wages and the security of the dockers, the achievement of 100 percent trade unionism, and the existence of what the largest union, the Transport and General Workers' Union, described as "the best machinery in the country for dealing speedily with disputes."¹⁴ This was the question to which the Government sought an answer in the numerous investigations which it sponsored during the postwar years.

had no effect until rank-and-file representation was assured. See *London Herald*, June 9, 1951, for Arthur Deakin's statement, reading in part: "The Council takes the strongest exception to the reckless and irresponsible action of those responsible for the strike and calls upon the members to resume work immediately."

¹³*Ministry of Labour Gazette*, May 1952, p. 166, gives the figures for 1951. Statistics for the period July 1945 to June 1950 are presented and analyzed in Kenneth Knowles, "The Post-War Dock Strikes," *Political Quarterly*, Vol. 22 (June 1951), pp. 266-269.

¹⁴*Transport and General Workers' Union Record*, April 1949. Quoted in Knowles, *op. cit.*, p. 269.

XII

Investigations of Dock Strikes

AS THE dock disturbances gave no indication of subsiding and indeed, if anything, seemed to grow worse, the Minister of Labour started a series of investigations and reports to Parliament in the form of White Papers. The first of these — a review of the British Dock Strikes in 1949 — was prepared to give the chronology of the complicated disputes together with an analysis of the propaganda techniques and hand-bills put forth by the unofficial strike committees.¹ Other than to lay these facts before Parliament, the Minister, George Isaacs, merely drew the homiletic conclusion, echoing his earlier remarks in the House:

The men owe it to themselves, their families and their fellow trade unionists to give loyal support to their Trade Union leaders. Nothing can be more damaging to the Trade Union Movement than a refusal on the part of the men to honour the agreements entered into on their behalf by their Trade Union and to refuse to use the joint machinery of the industry for the discussion and settlement of any difference they may feel they have with the employers.²

But, while the sentiment expressed was a worthy one, the essential question as to *why* the men were acting otherwise was not answered.

In a subsequent report on the Manchester Dock Strike submitted by Alfred Robens, the last Minister of Labour under the Labour Government, this question was faced more directly.³ In fact, shortly after the strike was over, the question itself was raised, by the Minister, in answer to a parliamentary query:

It seems to me important to establish how it came about that men were induced against the advice of their Union to take strike action in breach of agreement for declared objects which were not only impossible of achievement but were detrimental to their own interests and to the interests of dock workers as a whole.⁴

The strike itself, it will be recalled, started over the disciplining of two men who refused to work overtime. The Report directed itself to the question as to how the dispute was prolonged and how the issue

¹Minister of Labour and National Service, *Review of the British Dock Strikes, 1949* (Dec. 1949). Cmd. 7851.

²*Ibid.*, p. 3.

³Minister of Labour and National Service, *Report on certain aspects of the Manchester (Salford) Dock Strike, April-June 1951* (Oct. 1951). Cmd. 8375.

⁴*Ibid.*, p. 3.

was shifted to an attack on the appeals machinery of the Dock Labour Board. This in turn raised such queries as, had the port had a long history of industrial unrest, was an outside organization at work, had the men been misled by false statements. The first two questions proved relatively easy to answer. Unlike London, the port of Manchester had seen no major dispute since the end of the war. Nor was there any proof that the dockers had been animated by political motives such as a desire to support communist appeals against rearmament. Evidence did reveal, however, that there was outside leadership from the London Portworkers' Committee which skillfully used the men's feelings and sentiments and directed them against the union leadership. As the Report stated:

An unofficial strike such as this does not seem to require any great number of men to start it or to secure its continuance. With a few hundred men to give it an appearance of solidarity, thousands can be immobilised by picketing and intimidation...and there is a natural disinclination to oppose fellow workmen in taking action that is held out to be in defence of workmates...Whereas the unofficial leader has no continuing responsibility to the men and can promise or demand anything that is likely to appeal to them, the Trade Union official must always be thinking of the future. He must take into account national policy as well as purely local factors.⁵

But the question as to why the union leadership was so remote from the rank and file that unofficial leaders could take over was not answered.

A more thorough analysis of this question, in the end a far-reaching study of the causes of dock labor unrest, was the product of a Committee of Inquiry appointed in May 1950 to investigate the postwar stoppages on the London docks. This Committee, appointed by Isaacs, consisted of five impartial members under the chairmanship of Sir Frederick Leggett. Its report, based upon a year of searching study supplemented by visits to the docks and consultation with the unions, employers' associations, the Dock Labour Board, and individual workers, will probably rank in years to come with the monumental Shaw Inquiry some thirty years before.⁶ The main findings and recommendations of the Committee were summarized under five headings, each of which will be reviewed below:

- The Industrial Background
- Activities of the "Unofficial" Group
- The Dock Labour Scheme
- The Trade Unions
- Amenities in the London Docks

⁵*Ibid.*, p. 7.

⁶Minister of Labour and National Service, *Unofficial Stoppages in the London Docks: Report of a Committee of Inquiry* (May 1951). Cmd. 8236.

So far as the industrial background was concerned, the Committee found that despite the existence of joint negotiating machinery and grievance procedure the variations in piecework systems, coupled with the lack of any permanent relationship between the workers and a particular employer, made the men anxious when controversy arose to seek a settlement on the spot before the job should be finished and the employment relationship terminated. In addition, the Committee noted that despite decasualization the workers retained the attitudes they had acquired in the prewar days:

The pre-war casual conditions created suspicion and distrust between employers and workers, and it was not to be expected that these feelings would cease to exist automatically with the swift transition in conditions of employment from one extreme to the other. As we were told more than once, "Dockers have long memories."⁷

Part of the legacy of the past was the docker's fear of dismissal. This suspicion, despite the greater security provided by decasualization, remained as an obstacle to efforts to improve efficiency or to change working rules or practices. Moreover, some substance was given these fears whenever the Board attempted to reduce the registers, or even, as we have seen, to increase them. Still another factor was the strong tradition of solidarity which had developed in the earlier years:

It appears to be incredibly easy to bring dock workers out on strike. . . . In the words of one witness, himself a dock worker, "All that was needed was for a man to go round the docks shouting 'All out' and waving the men off the ships, and out they would come."⁸

Moreover, the fact that dock workers formed a tightly knit community, both at home and in their living areas, made them fear ostracism if they refused to join their mates. Finally, the casual tradition led to resentment against the curtailment of individual freedom which was involved in the scheme — a freedom which the Committee noted is "still precious to the dock worker."

Given the almost unlimited opportunities for industrial disputes to arise and the persistence of the casual outlook it is easy to see that here was a situation made to order for dissident groups to exploit. The fact that the leading members of the Portworkers' Committee were Communists and that the party line was directed toward industrial strife, particularly the interruption of shipping, was advanced as partial explanation for the turmoil stirred up on the docks, but this factor was not in itself given all or even a major share of the blame. Without a receptive soil all the seeds scattered by subversive elements would be wasted.

⁷*Ibid.*, p. 5.

⁸*Ibid.*, p. 7.

A considerable responsibility was found to rest upon the decasualization scheme. It was not that the dockers were anxious to revert to the prewar conditions of insecurity, but they were reacting to certain aspects of the administration of the scheme with manifest dissatisfaction. As the Committee reported: "Full employment has tended to disguise the benefits of the Scheme, and to throw into prominence the obligations which it imposes."⁹ In particular, the obligation to report for work every day, coupled with prolonged periods of overtime, was bound to cause irritation and some irresponsibility. In addition, the continuity rule of the agreement which provided that men must finish the work for which they were hired before accepting other jobs was a source of friction to those who felt they were being deprived of the chance to obtain a better-paid job or to work for a preferred employer.

All of the above reactions were perhaps inherent in the whole change in the organization of the labor market. More remediable, in the opinion of the Committee, were certain features of the administration of the scheme itself. Although the scheme had decasualized employment, it had not in a true sense decasualized the employment relationship. As the Committee noted, the effect of the scheme was to make employment "even more impersonal," since technically the men were employees of the Dock Labour Board and subject to orders which threatened to sever their relations with their own work group or their own employer. As a matter of fact, a central point of difficulty was the confusion in the men's minds as to who their "employer" really was. Since the most obvious managerial function performed by the Board was that of discipline, it was not hard to see why the Board so constantly emerged as a target of attack. More important was the presence of official union representatives on the Board, which was a joint body. This, in the opinion of the Committee, had a particularly damaging effect on the standing of the paid leadership with the rank and file:

Certain decisions of the London Dock Labour Board have inevitably been unpopular with the men, and the fact that their own Union officials were participating in such decisions has caused disaffection among elements of the Unions' membership. . . . Unless they evade their responsibility as members of the Board by repudiating to the men the Board's decision, Union officials are bound in such circumstances to create a good deal of resentment among the members whom they represent and to offer to dissident elements an opportunity to discredit them in the eyes of the men.¹⁰

Because of the central importance of the whole question of discipline under the scheme, it should be pointed out that the individual employer had been deprived of all powers of discipline. His sole function

⁹*Ibid.*, p. 8.

¹⁰*Ibid.*, pp. 13-14.

was that of reporting a breach of rules to the Board's Manager. To be sure, workers had a right of appeal, but the appeals tribunal in London consisted of two members nominated by the unions and two by the employers. If necessary, in the event of deadlock, an independent chairman could be added to make the decision. The appellant had the right to appear himself and to be represented by his union official. Questions involving the interpretation of a union agreement were to be referred to the joint industrial committee, but, as the Committee found, "it is in practice often extremely difficult to say in respect of any particular case whether or not the interpretation of an industrial agreement is involved."¹¹

Another facet of the disciplinary process was related to the impersonality of the employment relation noted above:

The maintenance of discipline through a cold-blooded system of stereotyped forms and written explanations is likely to engender resentment among any body of men, and particularly among men inured to casual conditions.¹²

Finally, the Board's threats to impose sanctions against strikers, as instanced in so many of the disputes detailed above, seemed to constitute an interference with the collective bargaining relationship and accordingly provoked resentment. Threats to dismiss large bodies of men for strike activity can not easily be implemented and must in the end create more problems than they solve.

In addition to the difficulties raised by the operation of the scheme itself, the Leggett Committee ascribed considerable weight to the structure and administration of the unions. One problem involved was that of rivalry between the several unions, but, inasmuch as this had been a situation of long standing, it had merely been aggravated by the operation of the scheme when men were thrown together in mixed gangs or given work assignments which were outside what they considered their own class of work.

On the position of union leadership the Committee felt — paradoxically, perhaps — that there was too much democracy in the smaller unions which had annual elections of officers; longer terms, it was proposed, would help in the development of more responsible attitudes. On the other hand, the Committee complained about the lack of interest in union affairs shown by the membership of the TGWU, but conceded that "apathy among the membership is harder to overcome in a large Union than in a small one."¹³ The distance between officials

¹¹*Ibid.*, p. 15.

¹²*Ibid.*, p. 16.

¹³*Ibid.*, p. 25. The unions covering dock work are: the TGWU which includes the great majority of dockers; the Scottish TGWU; the National Union of General and Municipal Workers covering mainly the Humber and North-Eastern ports; the National Amalgamated Stevedores and

and rank and file was further increased by poor information and publicity within the unions. Finally, the Committee noted that the number of paid officials was too small to provide effective handling of grievances.

As a last point, the Committee took up the lack of amenities on the docks in such matters as first aid, sanitary accommodations, canteens, and washing facilities. In this connection it observed:

From statements made by dock workers we have reached the conclusion that the Welfare Officers of the Dock Labour Board make little impact on the life, work or thought of the dock workers and that their efforts have had little effect in improving conditions in the docks.¹⁴

So much for the findings. In the matter of recommendations, the Committee devoted most of its attention to changes which might be made in the Dock Labour Scheme. It urged an extension of permanent employment "as far as possible," though how that goal, which had been in the minds of every committee from 1891 on, was to be achieved it did not specify. It also urged that disciplinary powers be transferred to the Joint Industrial Council — that is to the regular grievance machinery — although how this would clarify the ambivalent status of union officers or their dual responsibility to act as judge and advocate is likewise hard to understand. Similarly ambiguous were its recommendations on the imposition of penalties. On the one hand, the Committee urged more flexibility and discretion in the administration of discipline. On the other, it argued that persistent troublemakers should suffer summary dismissal although such action, it conceded, was bound to be costly.

So far as the unions were concerned, the Committee urged that they take special measures "to regain the lively interest of the members, to encourage their participation in union activities, and to keep them fully informed of the affairs of the industry." Finally, it was suggested that there be an improvement in the provision of amenities since existing conditions contributed to "the sourness of industrial relations in the Port."¹⁵

The Committee Report was notable for the thoroughness of its analysis and for the calmness of its tone. More strident were some of the current editorial comments which expressed a sense of hurt, shock,

Dockers (in London); and the Watermen, Lightermen, Tugmen and Bargemen's Union which includes a category of workers distinct from the other dockers. Much of the tension can be attributed to the desire of the stevedores to maintain their independence from the TGWU — a rivalry which goes back to 1923 when some of the London dockers broke away from the larger union to join the stevedores.

¹⁴*Ibid.*, p. 32.

¹⁵An interesting report on the progress made in the provision of amenities which casts a different light on the matter is to be found in National Dock Labour Board, *Welfare among Dock Workers: A Review — July 1947 to Dec. 1951*. (Jan. 1952).

and anger. Thus *The Economist* in 1949 lamented that the only result of the social experiment with decasualization had been "a most marked decline both in efficiency and responsibility."¹⁶ A year later it asked what the community had received from the scheme and answered:

It has brought lowered efficiency and a chronic tendency to stoppages. It is hardly surprising that there are voices to be heard arguing that if these are the results of trying to make the dockers happy, the community could hardly get worse work out of them, and would certainly get it more cheaply, by going back to the old unregenerate policy of letting them be unhappy.¹⁷

And again, two years later, *The Economist* reported that dock labor conditions were still "notoriously bad."¹⁸

¹⁶*The Economist*, July 16, 1949, pp. 117-118.

¹⁷*The Economist*, May 13, 1950, p. 1044. This is the first of an interesting series of articles on "Change and Tradition: The London Dockers."

¹⁸*The Economist*, Jan. 26, 1952, p. 203.

XIII

Some Conclusions

WHAT conclusions can be drawn from this long history? So far as decasualization is concerned, it can now be seen that this was not the achievement of a few years, or even a few decades, but of more than half a century of repeated investigations and experiments. The reforms achieved should not be minimized, despite the persistence of industrial unrest. We have only to recall the descriptions of the docks in the early days — the brutal and frantic competition for jobs, the human misery and degradation, the meager hourly earnings, the fact that dock work was the last resort of “the failure in every branch of life, professional, commercial, and industrial”¹ — to realize the progress that has been made. Today dockers are the second highest paid industrial group in terms of weekly earnings in Great Britain. Entrance into the trade is for the most part restricted to sons of dock workers. There are few public reports of corruption or pilfering.² The guarantees of the scheme and the protection against dismissal afford the dock workers a kind of security which no other industrial group enjoys. No longer is the British Joe Docks the “forgotten man of the waterfront.”³ Moreover, progress is being made in the provision of amenities and welfare services,⁴ and there is evidence that permanent attachment to a single employer is increasing.⁵ All these are achievements which should be kept in mind as we review the causes for the recent manifestations of industrial unrest. It may be that the strikes of recent years were merely

¹H. Llewellyn Smith and V. Nash, *The Story of the Dockers' Strike, told by two East Londoners* (London: Unwin, 1889), p. 24. Quoted by Knowles and Romanis, *op. cit.*, p. 327, note 1. The note adds: “At that time the labour force was said to have included the sons of a baronet, as well as a peer who had achieved notoriety by his unsuccessful wooing of a barmaid.” Compare Sexton’s description of the dock labor force, p. 4 above.

²One observer has commented that the control of pilfering (which was highly prevalent during and immediately after the war) and the insistence on regularity of attendance “may, in so far as both absenteeism and pilfering indicate unrest, tend to drive dissatisfied workers to find their outlet in strikes.” Knowles, *op. cit.*, p. 275.

³See note 2 in the Introduction, above.

⁴National Dock Labour Board, *Welfare among Dock Workers: A Review — July 1947 to Dec. 1951* (January 1952). See also *N. Y. Times*, Jan. 20, 1953, p. 3, col. 7, for a brief reference to the “great social welfare movement . . . springing up in the London docks’ area.”

⁵The register of weekly workers has shown an increase every year since 1947. At the end of 1951 this register was almost 24 percent higher than in December 1947. The 1951 registers showed a total of 82,330 workers on the books. Of these, 68,319 were daily workers and 14,011 were employed by the week. The corresponding figures for 1947 had been 68,449 daily workers and 11,320 employed by the week. Knowles and Romanis, *op. cit.*, pp. 330–331.

the growing pains experienced by a new system and new institutions.⁶ In any event, their persistence for the first seven years of the postwar period requires explanation.

In the first place, it is apparent that certain features of the work environment, the temperament and traditions of the men, the "long memories" of the past help to explain the persistence of industrial unrest. For the majority of workers, the employment relationship is still a casual one, and, although minimum income has been assured by the scheme, employment is still irregular, subject to variations in trade as well as to the vagaries of weather and shipping schedules. The obligations imposed upon the docker to report to work as directed have also brought about changes in human associations. As the Lynton and King study points out:

For most dockworkers the variations in the location and the nature of the work to be done means that they are working only rarely with people whom they know well. Yet the members of the gang largely depend on each other. Trial and error is involved in sorting out what anyone is to do for the day, or the half-day. Several members of the gang may not have had very much experience in the type of work, or an old man may not be able to keep up with the speed of the rest. . . . Only a few men may have worked with the particular ganger before. They may not know at all the ways and methods of the shipworker, foreman or superintendent. There may be no opportunity to get to know them better, even less to get to know the employer. A docker may have as many sets of mates, shipmen, foremen, or employers as there are days in the week, or even more.⁷

The resultant uncertainty has forced the men to fall back on their own efforts to provide security as far as possible through maintaining their customs of working and resisting efforts to change their traditional patterns of behavior and associations. In so doing they have met counter pressure from employers seeking to reduce the costs of the scheme by more efficient utilization of labor and machinery. Over the years it has become increasingly important for the employers to increase the flexibility of their operations and for the men to seek ways of reducing the uncertainties of their calling.

This clash of change against tradition has in fact produced an explosive situation. The increase in costs is reflected in part in the increase in the average time required for a turn around of ships from seventeen days before the war to twenty days in 1952. Some of the delays are unavoidable, due to changes in cargo, the use of larger ships, and the shortage of equipment. But some have been attributed to the restrictive practices of the dockers, such as their refusal to use new

⁶It is interesting to note that no major disputes on the docks occurred during the first ten months of 1952. Whether this marked a real trend or was merely a reflection of the adverse economic situation at the time cannot yet be determined.

⁷*Loc. cit.*, p. 7.

machines or to permit the amalgamation of incomplete gangs.⁸ Increases in costs in turn produce pressure upon the employers to introduce changes. The result of this conflict is what has aptly been termed a "strike-prone" relationship.⁹

If traditional sentiments and behavior were the sole forces at work, however, there would be scant hope of improvement until, as Bevin remarked, a new generation should come of age, and even then it might be doubted whether hereditary attitudes would disappear.¹⁰ Although psychology and the newer studies of human relations offer valuable insights into the ferment at work on the docks, to this observer, at least, they do not tell the whole story. Broader institutional and political forces seem to be exerting themselves on the waterfront. Two must be singled out for special emphasis.

The first is the whole nexus of problems centered in national collective bargaining and big unionism. These institutions are not, of course, limited to the docks, but other factors peculiar to the industry make their implications more clearly visible. So far as bargaining is concerned, the conduct of national negotiations on a businesslike basis, though greatly to be desired, has removed much of the drama as well as the interest from this aspect of the union's activities. The prevalence of piecework payment systems makes the settlement of minimum-time rates in the contract a rather insignificant factor in wage adjustment. In addition, the practice of local bargaining on rates, the great variations in jobs, and the necessity for adjusting disputed rates on the spot before the day's work is finished create a situation in which walkouts take place before the union can be notified and the local bargaining committee called into the picture. This means, as two observers have pointed out, that "dockworkers can take advantage of particular circumstances to press for higher rates without at once coming up against the broader issues of industry-wide negotiation."¹¹

⁸*The Economist*, March 15, 1952, p. 636. How much the increase in turn-around time is due to the structure of the docks, obsolescent facilities, and transportation difficulties rather than to restrictive practices by labor is not known at this time. A committee is currently investigating the whole question of port efficiency. There is some evidence in the Report of the Dock Labour Board for 1950 that, because of the increase in port traffic at the end of the year, "marked shortages of labour occurred, causing serious delays." *Ministry of Labour Gazette*, July 1951, p. 272. These shortages were in part caused by the inflexibility of the decasualization scheme in adjusting the supply of port labor to the demand.

⁹Lynton and King, *loc. cit.*, p. 29.

¹⁰In this connection it is interesting to note the comment made by Sir Colin Anderson, Chairman of the National Association of Port Employers, when he was asked at a press conference during the 1951 strikes why he thought the dockers were so willing to follow the lead of "agitators." According to the *Times*: "Sir Colin Anderson suggested the answer was in the realms of psychology. In most ports the backbone of the workers was hereditary. They were told by their parents of past days when they had had to fight for anything they got. They did it by solidarity then, and that instinct for solidarity remained. Sometimes they would strike in support of their fellows without even knowing what the strike was about. No doubt that would disappear bit by bit. They were in a new era but were not yet properly adjusted to it." *The Times* (London), Feb. 16, 1951, p. 3, col. 4. Similarly *The Economist* has noted the clutch of historic sentiment against change and adherence to tradition among the dockers which "is almost a mania." See article cited in note 17, page 51 above.

¹¹Knowles and Romanis, "Dockworkers' Earnings," *loc. cit.*, p. 335.

The rate system is even further complicated by the payment of premiums for overtime, night and week-end work. Such payments, it has been estimated, accounted for 35 percent of the total wage bill in London in 1951 and for 20 to 35 percent in five other large ports.¹² These bonuses have proved to be a potent source of strife. On the one hand, they induce some men to prolong the job or to refuse to accept additional men in the gang, contrary to the rules of the national agreement. On the other hand, while some individuals in a gang may welcome the extra payments, those who prefer leisure may resist orders to work overtime, thereby causing disputes and stoppages.¹³

The division of the employers into two main groups – the deep-sea traders and those engaged in short hauls – likewise tends to upset bargains made at national levels. The deep-sea traders, who have heavy capital investments, are concerned with quick turn arounds and the maintenance of schedules. Their anxiety to avoid strikes leads them to make concessions and to overlook violations of the contract. As Lynton and King point out:

They tolerate bad time keeping and other malpractices which from a cash point of view are trivial compared with the loss they risk through stoppages consequent upon insisting on a full day's work and fulfillment of agreements. Since apparently they dominate the employers' side of any bargaining, they can often be relied on in effect to help the men against the other types of employers.¹⁴

The other types of employers, whose concern is for economy in cost rather than in time, are less able and hence less willing to make concessions of this kind; they thus find themselves involved in disputes for which they had not bargained.

The inability of the national unions to control these ad hoc bargains and spontaneous disputes is in part due to the nature of the industry and the system of wage payment, as we have just seen. But a more serious cause of their lack of influence has been the growing gap between the union officers and the rank and file. This is especially true of the leading dock organization – the Transport and General Workers' Union – which, because of its enormous size, wealth, and power seems to many of its members as remote as the government and the employer and in many respects identifiable with them. Now that its battles for recognition both in the economic and in the political sphere have been won, the TGWU no longer appears to the ordinary docker to be the crusading force it once was. In one sense this represents a trend char-

¹²*Ibid.*, p. 362.

¹³For an interesting narrative based on an incident of this kind, see the article "Unofficial Strike" by Paul Forrest (a pseudonym) in the *New Statesman and Nation*, Dec. 29, 1951, pp. 751–752. Although written in the form of fiction it is based on first-hand knowledge and close contact with the facts. I am indebted for this information to Mr. R. G. Stansfield of the Department of Scientific and Industrial Research, Charles House, London. Letter dated Dec. 29, 1952.

¹⁴*Loc. cit.*, p. 27.

acteristic of the whole British labor movement. As *The Economist* has pointed out:

Without question, the influence of trade union leadership over the rank and file has lost much of its old effectiveness during recent years of full employment. The old giants and personalities have gone; the battles for recognition have long been fought and won; now the sense of struggle is in danger of being debased into ill-natured restiveness. . . .¹⁵

In the TGWU this restiveness has shown itself in apathy toward the union on the one hand and enthusiasm for unofficial leaders on the other.¹⁶ Since membership in the union is in effect a condition of dock employment, the act of joining does not necessarily represent enthusiasm for the organization or even a readiness to participate in its affairs or to be bound by the obligations of membership.¹⁷ The extent of indifference to the union was illustrated by the comments of two dockers during a debate at the Biennial Delegates Conference on a motion to make attendance at branch meetings compulsory. One explained that he favored the resolution because out of a membership of 2,100 in his branch, the attendance was often twenty. The other reported that with a branch membership of 5,564 "I have had six people attending a meeting and four of these have been paid tellers to count the other two votes."¹⁸

Problems of communication, discipline, and education are, of course, intensified in any organization which develops a monolithic structure. Yet the TGWU from all the evidence has, as yet, done little to improve its information and communication services. Instead it has taken refuge in denunciation of unofficial strikes coupled with attacks on its critics. Thus in July 1951 after himself criticizing the three recent dock strikes in Salford, London, and Liverpool, Arthur Deakin, the General Secretary of the TGWU, dismissed "with complete contempt" current press comment that the union was out of touch with its membership.¹⁹

This leads us to the second major institutional explanation of industrial unrest — the place of the unions in the decasualization scheme. It will be recalled that the Leggett Committee pointed out clearly the dual, almost schizophrenic, role in which the average union official finds himself cast, acting one moment as the joint employer and the

¹⁵*The Economist*, May 26, 1951, pp. 1213-1214.

¹⁶The best study of the whole problem of apathy in the TGWU is that of Joseph Goldstein, *The Government of British Trade Unions*, cited above in note 2, page 39. The influence of the Communists in the leadership of the strikes, although featured in the press reports, has been minimized in the government investigations. While the Communists have undoubtedly infiltrated the Portworkers Committees and in the case of the 1949 strikes played a major role in leadership and the planning of strategy, their efforts would have been futile had there not been dissatisfaction upon which to capitalize combined with mistrust of the regular union officials. See above pp. 40-41, 47.

¹⁷*Ibid.*, pp. 36-37.

¹⁸Quoted in *ibid.*, p. 202.

¹⁹*The Times* (London), July 12, 1951, p. 3, col. 7.

next as the representative of his constituents. It is this ambivalent position which has caused confusion in the worker's mind as to the identity of his "employer," and the location of his "representative." Thus a docker asked:

What's wrong with the N.D.C. [National Dock Corporation]? Nothing as a board but I think that they should have two workers as well as the employers, Union and N.D.C., on a tribunal so that the merits of a case could be thrashed out.

You might say that we are represented by Union officials on the Board. The truth is the rank and file are suspicious of their officials. So why not have two workers on the Board to clear the air?²⁰

Although the National Board has three independent members, in addition to the union and employer representatives, the local boards are bipartite in structure. Hence if a division occurs between the two sides, a decision is delayed; if accord is reached on an unpopular decision, the union side of the board becomes suspect. In describing the typical procedure in handling disputes which had not been resolved by the local union secretary or the conciliation machinery, Mr. T. MacPherson, Labour M.P. and a member of the Port of London Authority, wrote:

The trade union leader duly arrives on the scene and he turns out to be one of the employers — a paid member of the Dock Labour Board. Can you wonder that the docker does not understand it? He finds himself in dispute — rightly or wrongly — with his employer, he pays a trade union official to represent his case, and, lo and behold, when it comes to a fight his trade union leader is defending the bosses' point of view.²¹

Even more succinct was the comment of a docker:

We go to see the boss, and we find our trade union leader. We go to see our own trade union official and we find the Government. We don't know where we are.²²

This type of confusion is not, of course, characteristic only of the dock workers. One of the central dilemmas of the contemporary labor movement in Great Britain is that of reconciling the union's function as policy maker with its more traditional role as representative of its constituents. This is an issue which is disturbing the nationalized industries. Moreover, it is one which produced serious cleavages within the labor movement, during the tenure of the Labour Government, on

²⁰Letter to the *News Chronicle*, June 22, 1948. Quoted in Goldstein, *op. cit.*, p. 64. In this connection it will be recalled that the 1951 strike of the tally clerks was settled only when the workers were promised representation on the consultative machinery. See above, p. 43.

²¹The *Times* (London), August 6, 1949, p. 5, col. 5. Mr. MacPherson who likewise had had experience with the wartime schemes notes that he had approved the provisions in the 1946 statute for joint control over the scheme because he believed "that the presence of their own leaders on the board would give the men a confidence and a happier relationship with their employers which they had never had before." But, he now confessed, "I was mistaken."

²²Quoted in an article by the Rt. Hon. Malcolm McCordodale, *Sunday Times*, Jan. 29, 1950, as requested in Kenneth Knowles, "Post-War Dock Strikes," *op. cit.*, p. 281.

such issues as wage restraint and compulsory arbitration.²³ On the docks, however, the problem is more apparent because the union's share in discipline is so clearly evident.

Although industrial democracy and joint control are old slogans of the movement, their implementation raises some serious difficulties which were not, perhaps, foreseen by the social theorists. If one consequence of union participation in management is that the union thereby assumes the image of the employer, then we must expect to find strikes in the "laboristic" age against unions which are located in the new centers of management. This at least would seem to be a valid conclusion to draw from the dock experience.

Fortunately, it is one which offers some hope of solution. One would be to place responsibility for discipline in the hands of the Port Authorities — the suggestion made originally by the Conservatives, it will be recalled, during the debates on the Decasualization Bill — leaving the unions free to challenge decisions and releasing them from their present equivocal position. Perhaps a wiser alternative would be to make the Dock Labour Board a nonpartisan body or authority similar to the boards administering the nationalized industries. Union officials who serve on such boards divest themselves of their union offices and responsibilities so that their decisions do not commit the unions to endorsing their policies.²⁴ Such a change in the composition of the Dock Labour Board, while not eliminating all problems, would have the merit of resolving the confusion as to the identity of the employer. In any event, more concentration on the handling of grievances and the day-to-day problems of the rank and file would help restore to the unions their old reputation as champions for their members, even though it might eliminate the more interesting and challenging jobs involved in joint management.²⁵ If the unions persist in their determination to share control with the employers, the result may be the destruction of the whole system of decasualization and even of the unions themselves. Certainly a return to the conditions of the nineties is not to be desired. What is needed is a serious rethinking of the role of the union in the new society.²⁶

²³See the articles by this writer on compulsory arbitration in Great Britain cited above in note 1, page 39; and also her "Trade Union Wage Policy in Postwar Britain" in *Industrial and Labor Relations Review*, October 1952.

²⁴Somewhat this same conclusion has been reached by Kenneth Knowles. See his article on "Post-War Dock Strikes," *loc. cit.*, p. 281.

²⁵Goldstein finds that the average staff available for handling grievances in the TGWU numbers only 4 per 10,000 members. See Appendix No. 4, p. 278, *op. cit.* The development of a more effective grievance procedure, perhaps through increasing the number of stewards assigned to cover the docks, would be one way in which the union could improve its services to the rank and file.

²⁶In this connection, see the research pamphlets published by the Acton Society Trust in 1952 in the series on Nationalised Industry, especially No. 8: *The Future of the Unions*, and No. 10, *The Framework of Joint Consultation*.

APPENDIX¹

Principal Disputes in the Docks, July 1945 to January 1952

Year	Month when strike began	Maximum ² numbers involved	Localities affected	Maximum duration in calendar days	
1945	July	4,500	Glasgow	4	
		1,500	Glasgow	1	
		1,090	Swansea	15	
		1,200	Cardiff	23	
	September	50,000	Liverpool, Birkenhead, London, Glasgow, Hull, and other ports	40	
1946	February	2,900	London	1	
	May	2,160	London	3	
	July	1,500	Southampton	4	
1947	February	1,920	London	2	
	March	{ 3,450	Glasgow	40	
	April	{ 10,780	London, Glasgow	9	
1948	February	475	London	5	
	April	5,630	London	1	
	June ³	{ 14,500	London	15	
	October	{ 13,200	London, Merseyside	11	
		430	Glasgow	1	
1949	February	2,000	Belfast	4	
		410	London	3	
			1,740	London	1
			350	Middlebrough	38
	April ⁴	16,700	London	3	
	May ⁵	{ 12,250	Avonmouth, Bristol, Portishead, Liverpool	29	
		{ 15,650	London	30	
	July	800	Belfast	3	
1950	April ⁶	14,440	London	10	
	May	1,030	London	35	
1950	June ⁷	1,030	London	21	
1951	February ⁸	{ 26,000	Merseyside, Manchester, London, Clyde-side	27	
			London	1	
	March	{ 9,440	London and Birkenhead	5	
	April	{ 11,130	Manchester		
	April ⁹	{ 2,520	Manchester		
	May	{ 2,520	Manchester	42	
	June ¹⁰	{ 10,470	London and Tilbury	10	
	July ¹¹	{ 1,970	Tilbury	1	
September	{ 1,920	Tilbury	10		

Source: Ministry of Labour Gazette

Strikes extended sympathetically or otherwise are linked to the original strikes by brackets.

¹The data for July 1945 to June 1950 are taken from the Appendix of Kenneth Knowles, "The Post-War Dock Strikes" in *Political Quarterly*, Vol. 22 (1951), p. 290. The data for the remainder of the period have been compiled by the author from the monthly reports listing "Principal Disputes" in the *Ministry of Labour Gazette*.

²I.e., not all the workers were necessarily on strike for the whole of the period specified.

³The "Zinc-Oxide" strike.

⁴The "Ineffectives" strike.

⁵The "Canadian Seamen" strike.

⁶The "Expulsions" strike.

⁷The "Lightermen's" strike.

⁸The "protest strikes" against the arrest and prosecution of the men accused of conspiring and inciting the dockers to join an illegal strike.

⁹The "Overtime" strike.

¹⁰The "Tally Clerks" strike.

¹¹Protest strike against an increase in the number of "permanent" (weekly) employees hired by one master stevedoring firm.

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