

TRADE UNIONS AND THE LABOUR PARTY SINCE 1945

Martin Harrison

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MARTIN HARRISON

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TRADE UNIONS
AND
THE LABOUR PARTY
SINCE 1945

by

MARTIN HARRISON

Ruskin House

GEORGE ALLEN & UNWIN LTD

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PREFACE

El hacer bien á villanos es echar agua en la mer.

SPANISH PROVERB

'It is surprising', said Mr David Butler, pacing his room in Nuffield College on that autumnal day in 1954. 'It is surprising how little has been written about the political work of the unions.' Such was the beginning not only of the present volume, but of my numerous debts to those who have contributed to it in one way or another. My principal debt of gratitude is to the Warden and Fellows of Nuffield College, Oxford, for making it possible for this book to be written and for encouragement in the writing of it.

I wish also to thank the Chief Registrar of Friendly Societies, without whose cooperation the chapters on trade union political finance and the political levy could not have been attempted. In his Search Room, that engaging backwater in North Audley Street, his friendly and helpful staff provided me with desk space, supplied me with files, and sustained me with countless cups of Civil Service tea.

It would be invidious to single out all those who have helped within the trade union and Labour movement. They include members of more than sixty unions, and national, regional and local representatives of the Labour Party. One general secretary, it is true, would not even say whether any members of the union had been candidates at the 1955 election, declaring 'This is a confidential matter, reserved to members of the Executive Council'. But this was exceptional. Though some unions were nursing painful memories of certain previous research workers, most of my informants were surprisingly communicative, and gave generously of their time and specialized knowledge.

I am further indebted to all those who have discussed particular sections with me at union summer schools or WEA lectures. Among my colleagues I wish to express my particular thanks to Mr Hugh Clegg and Mr David Butler, who suffered with my successive drafts, and to Mr Philip Williams, Mr Rex Adams and Mr Frank Bealey who read the later versions. Some union officials have kindly read the sections on their own

organizations. To all of them I owe a great debt for their criticisms and encouragement. This book appears in its final form as a result of—and sometimes in spite of—their ready advice. But mine is the final responsibility, and this volume should not be taken to express the views of any of those I have mentioned.

My warmest thanks are also due to the members of the college secretarial staff who struggled with the manuscript, but notably to Miss Jean Brotherhood who toiled the longest. Finally, I wish to add my special thanks to my wife, not only for the sustained encouragement she gave to a husband who seemed at times to have contracted a bigamous marriage with a typewriter, but for mountains of arithmetical calculations.

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INTRODUCTION

AFTER the expectant hush came happy pandemonium. Scrambling on their seats, waving their hats, delegates cheered the outcome of the crucial vote. The scene was the Trades Union Congress of 1899; the vote was on whether the unions should take independent political action. So far the TUC had always stood aside from the series of bodies which had been set up to win representation in Parliament for the working class. Now, after the long years of struggle by Keir Hardie and the Socialists, it was rejecting the traditional insistence that trade unionism and politics did not mix. By 546,000 votes to 434,000, it adopted a motion whose terms still merit recalling for all their lugubrious phrasing:

‘This Congress, having regard to its decisions in former years, and with a view to securing a better representation of the interests of labour in the House of Commons, hereby instructs the Parliamentary Committee to invite the cooperation of all cooperative, socialistic, trade union, and other working organizations to jointly cooperate on lines mutually agreed upon, in convening a special congress of representatives from such of the above-named organizations as may be willing to devise ways and means for securing the return of an increased number of labour members to the next Parliament.’

And so the Labour Party was born. For this was the decision which brought trade union and Socialist society delegates to that gloomy ‘Cathedral of Non-conformity’, the Memorial Hall in Farringdon Street, on February 27, 1900. Out of that meeting came the Labour Representation Committee.

To introduce an account of the Labour Party’s relations with the unions today by recalling that enthusiastic scene at the TUC sixty years ago may seem a little less than kind. But these beginnings are still important. They are a reminder that the traditional claim of trade union orators that ‘the Labour Party is the child of the trade union movement’ is no idle boast. And yet even at birth the Labour Party was never exclusively a trade union preserve. Throughout its history it has been profoundly

marked by being a party within which union and non-union elements have had to live together. It is also worth recalling the ambivalence in which the Party was born. The founders' deliberate ambivalence, without which the Party could scarcely have existed, still lingers to explain many of its internal tensions. The TUC motion indicates significantly what first persuaded many unions to support political action: it was 'the return of an increased number of labour members to the next Parliament'.

Some of the unions attending that inaugural meeting in 1900 were already under Socialist leadership. They saw the new party as the nucleus of a broad-based Socialist movement which was to transform society. But they were a minority. To many union leaders the views of Hardie and his friends were anathema. They were not consciously assisting at the birth of a Socialist party; political action was more a matter of bread and butter than of ideology. Their aims were more limited, reformist, sometimes expressed directly in terms of class. For years the unions had been wanting to send working men to the House of Commons to propose reforms and put their point of view in debates which affected their members. After appealing to the Liberals and Conservatives with signally little success they were now prepared to work for working class representation through a new political party.

It was to be years before Labour could hope to hold the bulk of the unions within its ranks and embrace a fully Socialist creed. Only in 1918 was the Party formally to adopt a Socialist constitution. From the very beginning Labour developed as a party within which 'socialist' and 'labour' preserved distinct meanings, in which there were both reformers and transformers, supporters of a class movement and believers in a national party—and in which the diverse threads were never neatly identifiable with either the unions or the political movement. But, most important, Labour developed into a party which the unions had not only helped to found and rear, but in which they found themselves organically embedded, forming part of the Party but also in constitutional and practical terms quite distinct from it. Here was an alliance which was to become the most controversial relationship in British politics. For after the

struggle over the 'wage freeze', the Bevanite revolt, and the nuclear weapons controversy—to take only three post-war examples—could anyone term the adjective excessive?

It is just sixty years since the first unions decided to support the 'political action' which took them in time into the Labour Party. Throughout those six decades, for the great majority of these unions 'political action' has meant effectively the trade union-Labour alliance. Against the 373,000 trade unionists who affiliated to the Labour Representation Committee in 1900, unions now associated with the Party have over eight million members. Today only five unions of more than one hundred which operate special political funds are not also affiliated to the Labour Party. There have been aberrations: the unions have flirted with syndicalism, held a general strike during which the Trades Union Congress kept the Party at arm's length, and they have mused from time to time about the joys of independence. Yet the link with the Labour Party has become so embedded in tradition that today in most of the larger unions it is an unspoken assumption.

While the trade union-Labour partnership may be taken almost for granted within the unions, the old belief that the unions should leave politics to the politicians and stick to their industrial affairs has never completely disappeared. 'Our object is to keep politics out of the unions', Mr 'Ted' Leather tells Conservatives.¹ 'Surely the business of politics should be left to the powers that be while we get on with winning improved conditions', writes a railwayman.² 'Our job is to win higher wages and better conditions—not to get mixed up with politics', objects a member of the AEU.³ Such judgments spring either from woolly thinking or from a complete misapprehension of trade unionism. The unions have never been wholly isolated from politics, even in the days of purest *laissez faire*. In 1867 the Trades Union Congress found itself involved at birth with the Royal Commission on the Trade Unions. By the end of the century the unions were pressing for the State to introduce regulation of sweated labour, improved safety regulations, even

¹ *Advance*, August 1950.

² *Railway Review*, July 23, 1954.

³ *AEU Journal*, October 1953.

nationalization. Such essentially industrial aims could not be achieved without the intervention of the State.

Today there is less possibility than ever of a union avoiding involvement in politics. Even if we accept that the mission of trade unionism is just to 'win higher wages and better conditions' the idea that these can be won without intrusion into 'politics' bears no relation to reality. As the activities of government have multiplied to the point where Ministers influence wage settlements in nationalized industries, and mediate in major disputes in private industry, politics and 'better conditions' have become inextricably linked. Even such a union as the National & Local Government Officers' Association—so steadfastly non-political that it declines to affiliate even to the TUC—found itself caught up in a political storm in 1957 when the responsible Minister refused to implement recommended salary increases for its members employed in the National Health Service. Far from keeping the unions at a distance governments continually seek their opinion on a wide range of questions. Union representatives must figure on innumerable committees in Whitehall and on every Royal Commission. Today it is unthinkable that this movement, which has been hailed by Sir Winston Churchill as an estate of the realm, should become 'non-political' in the sense in which some of its critics use the term.

But the unions are more than simple by-standers, caught up in the political battle. They are combatants. Most of them are in direct partnership with the Labour Party; the decision taken in 1899 has led them a long way. 'Political action' has meant not only electing working class Members of Parliament and 'winning better conditions', but making pronouncements on education and Africa, and helping to shape Labour's policy on nuclear weapons and a host of other issues which have a tenuous connection at best with the unions' industrial interests.

Within the Labour Party the suggestion that the unions could fruitfully be 'in politics' without being linked so intimately with the Party is greeted with either incomprehension or derision. Yet it is clear that although the unions can never avoid being caught up in political debates, their traditional association with the Labour Party is a question of choice and political

judgment. It may be self-evident to Labour supporters that the unions have most success in attaining their ends by affiliating to the Labour Party, but which party best serves the working class is clearly a matter of opinion. It is worth recalling that between one fourth and one fifth of trade unionists vote either Liberal or Conservative (while the proportion of non-Labour voters in the whole working class is rather higher). Many unions have persistently held aloof from association with the Labour Party.

Yet the Labour-union alliance exists. Our purpose is not to debate its wisdom but to explore it. It is a strange relationship. Here is a movement more than eight million strong, connected intimately with the political party which forms now the government now the opposition. The questions their alliance provokes are as important as they are numerous. Around it have turned some of the most bitter debates of recent years. It is next to impossible to understand the strains and cross-currents in the Labour Party without exploring its relationship with the unions. For example, the extraordinary character taken by the struggle over policy and the succession to Mr Attlee which rent the Party from 1951 to 1956 was inseparably connected with the terms on which Labour lives with the unions. For years the air has been loud with cries about trade union 'bosses', block votes, and the clash between the unions and the Party's intellectuals. Yet, for all the angry polemic there has been surprisingly little attempt to weigh the unions' contribution to the life of the Labour Party. As a result the myths have flourished luxuriantly. How rife and contradictory these had become was most clearly revealed in the Bevanite controversy, but the commentaries provoked by Mr Frank Cousins' leadership of the TGWU show that as many misconceptions remain within the Party as outside. It is time they were cleared away.

Not everyone would agree: 'Look', said a respected union leader, stubbing his fingers emphatically on the desk and glaring at his interrogator. 'Look. What this union does in the way of politics is purely a matter for the members of this union. If they are satisfied that's an end of it. No one coming from outside has any right to know what we are doing, or to say otherwise.' And he leaned back with an air of ponderous, immovable finality. This attitude may have made sense sixty

year ago. But today, such is the importance of both the trade unions and the Labour Party that the terms on which they live together are no simple cosy domestic affair. They have lost the right to privacy.

Moreover, the questions which the Labour-union alliance provokes are as important for those within the Party as for outsiders. The Movement has had a spate of furious recrimination and wild generalization, and a certain amount of what can only be termed devotional literature. But in many Labour circles serious discussion of union-Party relationships is tacitly avoided in the interests of unity. The assumption is revealing. While members of the Labour Party may have lost some of the illusions which are held by outsiders, there is still little conception of the real and possible relations between the industrial and political wings.

It is fashionable within the Labour Party to wish that the skeletons of old feuds be left in the cupboard. But episodes like the Bevanite revolt are more than an unhappy accident or a calamitous departure from the Party's normal life. Although many of its ingredients rose from the specific political situation, it brought to the surface long-standing tensions and suspicions. These did not die as Mr Bevan and Mr Gaitskell stood shoulder to shoulder again on Party platforms. They remain, either latent or active but concealed from the eyes of the general public. In taking many examples from that period and more recent quarrels we shall not be idly raking over past history but looking at forces and problems with which, whether in power or in opposition, Labour must live. If ever Labour is bitterly divided again they could flare into the open.

Controversy may well return. 'It is inevitable', wrote Mr Attlee. 'It is inevitable that there should from time to time be misunderstandings between the industrial and the political sides of the Movement.'¹ The Party's history has not failed to confirm that laconic observation. If conflicts are to be expected they may at least be less serious if both sides understand the limita-

¹ *The Labour Party in Perspective*, Gollancz, 1937, p. 71.

'Movement' refers to the alliance of unions, Party and Cooperatives, while 'movement' refers either to the political or industrial wings according to context. Similarly 'Conference' and 'Party' refer throughout to the Labour Party Conference and the Labour Party.

tions of their partners. After surveying the record of the running battle in the Labour Party up to 1956, it is hard to doubt that both Deakinites and Bevanites misunderstood the Movement of which they were members. It is time not only that outsiders should begin to see the Labour Movement 'warts and all', but that the Labour Party should begin to know itself.

Within a single volume it is scarcely possible to answer every question which the unions' association with Labour raises. This would demand a review of a large slice of the work of the TUC and of the Party itself, as well as a study of many of the unions' industrial activities. But we shall go to the heart of many of the most controversial issues by concentrating on what is materially the most substantial side of the partnership. Inevitably such a scrutiny reveals some of the bases of union power in the Party and the way in which this power is exercised. However, this will not be primarily an examination of the ways in which union pressure is brought to bear—for the most important single source of pressure is exercised directly on the Party leadership by the General Council of the TUC, quite outside the Party's normal constitutional circuits. Accordingly we shall not attempt a systematic exposure of union power or trace the historical development of the alliance more than incidentally. We shall be trying to find how, as individual organizations, the unions contribute to the life of the Labour Party—enquiring into the health of the Labour Movement today, into its material expression.

We shall start, logically enough, with the political levy. Collected in every union which affiliates to the Labour Party, it forms the essential basis of union political activity. While trade unionists' enthusiasm for the Movement cannot be directly measured, examining the way they pay the political levy—the minimum commitment—will give a fairly clear indication of the support that political action commands today. This discussion of the payment of the levy leads naturally to its spending. That the unions pay large sums to the Labour Party is commonplace. How large, how important, and how generous these sums are has never previously been revealed. Finance, we shall see, is one of the alliance's most delicate problems.

We shall then turn to the unions' part in the making of

Labour policy. For years Labour dissidents have grumbled about the unions' power within the annual Labour Party Conference—the celebrated dispute over the 'block vote'—or criticized the way that the unions made their own policy decisions or join in the Party's local activities. We shall see what truth there is in such myths and criticisms, considering not just how the unions join in the policy-making process, but how far they are really capable of doing so.

Recalling the terms of the original motion of the 1899 TUC, we shall see how working class representation has fared. How close to fulfilment are the aspirations of the Party's founders? How far are the unions themselves still interested in sending their men to Westminster? Finally, after looking at the part that unions play in electing some of the Party leadership we shall glance briefly at the unions which have stood aside from the Movement. These often-forgotten non-political unions raise a question which the Movement normally prefers to forget.

To examine the relationship between the unions and the Labour Party largely in material terms admittedly does less than justice to the moral backing that the Party has drawn from the unions. No one who has worked among active trade unionists could fail to be aware of how often affiliation with Labour is taken as a natural and undiscussed part of union life. The association between union membership and Labour voting is assumed to be automatic. Even an enquiring research worker is likely to be taken for a Labour supporter simply because he shows a sympathetic interest in the unions. In electoral terms the 'rub-off' effect of such an atmosphere within the unions must be appreciable.

Yet, in affiliating to the Party the unions have assumed certain obligations, just as any individual who becomes a member. Indeed, the whole theory of 'The Movement' requires it. Labour is always critical of the Conservatives' connections with business and manufacturing interests. By contrast, Labour apologists say, the unions' association with the Labour Party is not that of a simple pressure group which is seeking to promote narrow sectional interests. The Movement rises above such sordid aims simply because it integrates the unions intimately into its whole life. They are part of the Party itself, sharing its burdens

and tribulations as well as the rewards. The course of the following pages will reveal the measure in which this ideal is realized, and the extent to which the unions are structurally capable of playing their part in the Movement. And in looking in turn at the political levy, Labour Party finance, Parliamentary representation and the making of policy we may fairly ask: do the unions pull their weight? Do the unions take their share of the burdens, or are they sleeping partners? Does the link with Labour still seem important enough for the unions to be willing to make sacrifices to maintain it? The answers will give some indication of the vitality of the Movement at the end of its first sixty years.



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CHAPTER I

THE POLITICAL LEVY

'We require unity, and we go so far as to say that unity must sometimes be imposed upon men in their own interests.'

J. R. CLYNES

'If I believed that the development of Socialism meant the crushing of liberty, I should plump for liberty.'

ERNEST BEVIN *

ONE of the most puzzling problems of the trade union-Labour Party alliance is what the ordinary trade unionist thinks of it all. After all, he is the very basis of the Movement. It is in his name that decisions are made and trade union leaders will claim to speak. The extent to which the vision of a Labour Movement corresponds to reality depends essentially on the degree to which he not only knows that the relationship exists, but accepts it and is ready to breathe life into it.

For all the brave words of official propagandists and fraternal delegates it would be unfair to set expectations too high. It would be unreasonable to look for the Movement to rouse the fervour in its seventh decade that it could apparently stir in its first. Obviously, as in all voluntary movements, the proportion of members actively engaged in meetings and conferences will be small. Yet this only makes it the more important to know what the average passive trade unionist thinks. Until a more systematic direct study of working class attitudes is made one of the few indications of the ordinary member's feelings which is available is the way in which he accepts the very minimum association with the Movement: payment of his union's political levy.¹ The way in which the unions recruit support for their political funds is some measure of the basis on which the Move-

* (a) Clynes' speech on the political levy in 1913 (41 *H.C. Deb.* 5s. col. 3020). For a less succinct but more recent expression of these views see Mr. Tom O'Brien's speech in 1946, at 419 *H.C. Deb.* 5s. cols. 231-2.

(b) Ernest Bevin, December 22, 1947.

¹ These unions have political funds but no affiliation with the Labour Party: Aeronautical Engineers' Association, Liverpool Victoria Workers' Union, National Union of Commercial Travellers, National Federation of Insurance Workers, Association of Scientific Workers. They are generally excluded from the following discussion.

ment is built. Accordingly we turn first to examining the way the political levy is collected—which also gives the chance to outline the legal framework within which the unions have been allowed to engage in politics over the years.

In the earliest days of political action the law set few limits. One by one the unions began supporting Parliamentary candidates, then affiliating to the Labour Party. Once the decision to intervene in politics had been taken the individual trade unionist could not escape. He had to pay the political levy whatever his opinions. At first the complaints were few, but Conservative and Liberal members grew increasingly restive as it became clearer that almost all political expenditure was favouring the Labour Representation Committee. Then, in 1908, the pertinacious Mr A. V. Osborne of the Amalgamated Society of Railway Servants (forerunner of the present National Union of Railwaymen) successfully challenged in the courts his union's power to operate a Parliamentary Representation scheme. The House of Lords not only found the Railway Servants' political rules *ultra vires* the Trade Union Acts, they plainly considered that their subsidizing of 'tied' Members of Parliament was contrary to public policy. In the Court of Appeal Lord Justice Cozens-Hardy had already commented on another aspect of the unions' political activities, the compulsory levy:

'I cannot think that it is the intention of the Legislature that it should be competent to a majority of the members to compel a minority by their votes, and still less by their subscriptions, to political views which they may abhor.'¹

Over the next year or so a series of like-minded injunctions paralysed the political funds of almost every large union. A few, such as the Miners and the Railway Servants, continued to collect contributions unofficially but, for the moment, trade union political action was all but crippled. Poverty-stricken at the best of times, the Labour Party now saw the chief sources of its income gradually drying up. Fortunately the Liberals, partly in Labour's debt for support, promised relief. Payment of Members of Parliament, many of whom were dependent on maintenance grants from their unions, was a partial help after 1911.

¹ [1910] A.C. 87 at p. 108.

But the unions' full return to political activity took longer. The Liberal Government found it hard to strike a balance between the dark suspicions of its own right wing and Labour's demand that the unions be given the widest possible freedom. Ill-drafted and imprecise, the Bill which emerged from the months of delicate negotiation bore all the marks of compromise. Nevertheless it has survived. The Trade Union Act, 1913 still effectively determines the conditions on which unions can engage in political activities.

It is an odd mixture of restriction and license. It lays down that before a union may spend any money to further those political objects which come within the Act,¹ it must secure the approval of its members, through a general ballot, for the setting up of a political fund. (Whether a union affiliates to the Labour Party is, in law, a separate issue decided through the union's normal policy-making processes.) The ballot must be held under rules approved by the Chief Registrar of Friendly Societies, who insists on rigorous provisions to ensure that the vote is secret, that voting and counting are honest, and that every attempt is made to publicize the ballot throughout the union. Before they vote members must receive a copy of the proposed political fund rules—which must also be approved by the Registrar. On several occasions the Registrar has shown his determination to ensure a fair vote by his investigation of members' complaints, and even by quashing ballots where there had been purely technical infringements of the rules.²

Most unions which have political funds today set them up immediately after the 1913 Act was passed. Ballots were almost always successful. By 1939 over 200 unions had voted on political action, and only thirteen failed to obtain a majority—although some had to try several times. The Association of Engineering & Shipbuilding Draughtsmen went to the polls in 1920, 1921, 1923 and 1940, before it succeeded at last in 1944. There has only been a slow trickle of ballots since the war. Of the twenty-four unions which have voted since 1945 only seventeen have

¹ For an outline of the scope of the Act see Chapter II. A full examination of the Act is contained in N. Citrine, *Trade Union Law*, Stevens, 1950.

² For example, the Registrar rescinded his approval of the CSCA ballot rules because they did not require the stamping of the branch stamp on each ballot. *Red Tape*, October 1949.

shown a majority for political action—often by small majorities on low polls. In some unions the opposition to political funds has been so strong that motions to hold a ballot have been rejected at their conference or not even submitted. This relative lack of enthusiasm is scarcely surprising, for most strongly political unions set up their political funds long ago.

Few trade unionists have had a direct say about whether their union should join in political activity. This is far from saying that they are bound unwillingly to continue a fund to which they have never given their assent. Constitutionally it is much easier for a union to suppress or to emasculate its political fund than to introduce it. No ballot is necessary. Following their normal procedure for amending rules unions can delete their political fund rules (or simply omit them from the next printing of the rule book). They may retain the political rules, but make them a dead letter by declining to collect contributions. All these courses have been adopted.¹ Contributors to the political fund can cripple it by refusing to agree to higher contributions, or they can insist that the union either disaffiliate from the Labour Party or even stop spending its money on any party political purpose at all.² So long as a union is democratically run there is scope for any opposition to political action to show itself. However, although renunciation of political action is simple on paper, in practice once a political fund has been established it rapidly becomes a union tradition, with all

¹ In *Edwards and the National Federation of Insurance Workers* Mr Edwards, a member, complained that the union was not collecting the political levy. This was admitted by the NFIW. At the Annual General Meeting in April 1947 a proposal to begin the collection of the political levy, according to rule, had been defeated by a simple majority. The Registrar ruled that this was not an amendment to rule (requiring a two-thirds majority) but a refusal to exercise power, and that the collection of the levy was not mandatory. Registrar's decision, January 21, 1948, *Report of Selected Disputes etc.*, p. 241.

The Executive of the Musicians' Union reported in 1957 that 'of the union's branches many did not operate a political fund'. *The Musician*, July 1957. This is a long-standing failing.—Cf., *Report of the Chief Registrar*, 1924, Part IV.

The Amalgamated Society of Woodcutting Machinists let its political fund lapse during the 1930's by publishing a new rulebook without political rules.

In 1955 the Medical Practitioners' Union voted that 'No part of the subscription of the Union shall be used for the furtherance of the political objects . . .', effectively negating the political rules.

² Notably the Association of Scientific Workers.

the advantages that sheer inertia and the argument that 'We've always had a political fund' can give.¹

The Trade Union Act provides two other major safeguards. Once the political fund has been set up it must be kept rigorously separate from the industrial funds. The Act and the Registrar insist categorically that only political contributions may be paid into the political fund. Finally there is relief for the dissenters. Liberals, Conservatives, and those trade unionists who simply want to save a shilling or so per year may be excused payment of the levy by handing a 'contracting-out' form to their branch secretary. New members may contract out at any time; others can claim exemption from the following January 1. Simple though it is, this system led to forty years of heated controversy.

In 1913 it was unthinkable that the Conservatives should welcome the incursion of the unions into politics, or that they should be quickly reconciled. This hostility crystalized in the contracting-out issue. The long, unhappy debate constitutes the history both of political action before the law in recent years, and of the attitude of the political parties to trade union political action.

Contracting-Out

From the beginning the Conservatives fought contracting-out, insisting that it gave protesters a wholly inadequate protection against victimization by their fellows. Labour, meanwhile, termed the provisions for dissent a 'blacklegs' charter', a reflection on the unions' honour, and a subversion of the principle of majority rule. MacDonald demanded that whatever their views all members should be forced to pay the levy.²

As the unions set up their political funds the marked discrepancy between the number of votes cast against their being

¹ There have been repeated attempts in the Association of Engineering & Shipbuilding Draughtsmen to end political affiliations, or to hold a further ballot. Cf., *Report of the Representative Council Conference*, 1947, p. 96; 1948, p. 259; 1949, p. 324; 1950, p. 244; 1952, p. 382; 1953, p. 363; 1955, p. 342; 1958, p. 395. The majorities against a further ballot have fallen steadily. There have been other attempts, less substantially backed, in the Amalgamated Union of Building Trade Workers and the Association of Supervisory Staffs, Executives & Technicians.

² 26 *H.C. Deb.* 5s. col. 949.

established and the number of members subsequently contracting-out hardened the Conservative belief that many were paying only under duress. But for the moment the war imposed a lull in the debate.

Peace, and the return of industrial unrest brought with them a militant Conservative Right, suspicious of the unions and determined to curb abuses of power. The first attacks, led by Sir Frederick Banbury, were broad and repeated. Every session brought at least one private member's Bill to prohibit trade union political action, or to sweep away the privileged position at law granted to the unions by the Trade Disputes Act of 1906. However, the Lloyd George Coalition and subsequent governments refused to grant further time for their discussion. Gradually the hostility to political action narrowed, concentrating on the contracting-out rule.

In measures like the flamboyantly styled Trade Unionists' (Restoration of Liberty) Bill the Right called for annual contracting-in, by which the levy would have been paid only by members who signified their willingness afresh each year. Conservative opinion hardened. By 1925 it was no longer clear where the majority in the Parliamentary Party lay, and the Conservative Party Conference was pressing for action to 'curb the unions'. But an active moderate wing still urged Baldwin to oppose the latest attack—the Macquisten Bill—which proposed a straight switch to annual contracting-in. Baldwin rallied behind him a cabinet containing a sizeable revisionist element, and then carried the House. He was later to say that this speech, one of the few which may genuinely have swayed votes, gave him the greatest satisfaction of all his Parliamentary performances.¹ He argued:

'I want my party to make a gesture to the country . . . and to say to them: "We have our majority; we believe in the justice of this Bill which has been brought in today, but we are going to withdraw our hand, and we are not going to push our political advantage home at a moment like this. . . . We, at any rate, are not going to fire the first shot."'²

¹ See A. Duff Cooper, *Old Men Forget*, Hart-Davis, 1953, p. 142 f. G. M. Young, *Stanley Baldwin*, Hart-Davis, 1952, p. 91.

² 181 *H.C. Deb.* 5s. col. 840.

Baldwin carried the day on expediency, leaving the principle conceded. The controversy might well have petered out but, as Baldwin remarked, 'There was a shot fired the next year, and a very heavy shot'.¹ The General Strike gave the Right the ascendancy. Baldwin's temporizing could do little more than limit the drastic reprisals that were urged upon him. The Trade Disputes and Trade Unions Act, 1927, was primarily concerned with the events of the previous year. It sought to outlaw political and sympathetic strikes, to prohibit the enforcement of the closed shop by public authorities, and to tighten the laws on intimidation. The financial support given to the strikers by some of the Civil Service unions (none of whom came out on strike), led to a provision that they might not affiliate to bodies outside the Service. The Post Office Workers, the Tax Officers, and the Civil Service Clerical Association were forced to abandon their affiliation to the Labour Party, cease political action, and wind up their political funds. All Civil Service unions were obliged to withdraw from the TUC. Finally, and wholly unconnected with the General Strike, contracting-in was imposed in place of contracting-out.

Despite the reservations of some courageously thoughtful Conservatives such as Mr Oliver Stanley,² the Bill was carried against implacable Labour opposition, with the Liberals divided.³ The second Labour Government twice tried to honour its pledge to return to contracting-out. Both attempts foundered ignominiously in committee. During the 'thirties motions to repeal the 1927 Act became part of the pious ritual of trade union conferences and Labour election addresses, much as demands for the repayment of post-war credits have been faithfully reiterated in more recent years. But there was no hope of a change.

During the war the unions' hopes rose, and the TUC approached both Mr Chamberlain and Mr Churchill, hinting that labour's contribution to the war effort might be recognized by relaxation at least of the closed shop provisions, and the ban on Civil Service unions affiliating to the TUC (though not to the Labour Party). After prolonged meetings between Conservative Party officials and union leaders, Mr Churchill wrote to Sir

¹ 247 *H.C. Deb.* 5s. col. 416.

² 206 *H.C. Deb.* 5s. col. 2068.

³ For Clynes' speech pledging repeal see 205 *H.C. Deb.* 5s. col. 1340. For the Liberal attitudes see 247 *H.C. Deb.* 5s. col. 875.

Walter Citrine, then General Secretary of the TUC, 'I fear that there is no possibility of amending the Trade Disputes Act . . . I have ascertained that the overwhelming mass of Conservatives would not support such an amendment'. The forthcoming election would indicate the mood of the electorate.¹

Although repeal of the 1927 Act was undoubtedly part of Labour's programme, it was little debated during the 1945 campaign.² However, in due course the Labour Government claimed its mandate to introduce 'a modest little Bill',³ repealing the 1927 Act outright. The Conservatives professed themselves scandalized at Labour's haste to attack this problem, when the economic situation was so grave. But already the unions and the Labour rank and file, who understood little of the difficulties of the Parliamentary timetable, had been growing restive. While the Conservatives fought every section of the Bill, the return to contracting-out drew particularly violent attack: 'A devastating comment on the fitness of the Labour Party to govern' thought Mr Quintin Hogg.⁴ 'A stab in the back for democracy', cried Lord Willoughby de Eresby.⁵ Liberal opposition was tinged with embarrassment, since the original 1913 Act was the work of the last Liberal Government. A few trade union Labour MPs still hankered after the suppression of all right to refuse to pay the levy, but the party leadership was firm.⁶ The repeal

¹ There are several versions of these wartime exchanges, differing slightly. See: Mr Tom O'Brien's account, see 419 *H.C. Deb.* 5s. cols. 228-231. Mr Arthur Deakin's account, see *Report of the Labour Party Conference* 1951, p. 92. Minutes of the National Council of Labour, *Report of the Labour Party Conference*, 1945, p. 3. *Repeal of the Trade Disputes Act*, Labour Party, 1946. *Notes for Speakers & Workers*, Conservative Central Office, 1945, pp. 131-6.

² It is not mentioned in R. B. McCallum and A. Readman, *The British General Election of 1945*. OUP, 1947.

³ Sir Hartley Shawcross, 419 *H.C. Deb.* 5s. col. 193.

⁴ 419 *H.C. Deb.* 5s. col. 296.

⁵ 419 *H.C. Deb.* 5s. col. 241.

⁶ Mr Tom O'Brien and Mr J. Haworth, trade unionists with no reputation for extremism, regretted that the government had failed to abolish all exemption. (419 *H.C. Deb.* 5s. cols. 231-2 and 258).

Mr E. J. Hill criticised the return to the 1913 compromise in the *Annual Report* of the Boilermakers for 1946.

The Scottish Horse & Motormen's Association voted unanimously in 1953 that trade union law should be amended to give trade unionists 'the right to participate in unfettered political action.' *The Highway*, May 1953.

Among the more interesting examples of double-think that this issue stimulates is an account in *The Woodworkers' Journal*, June 1952. This remarks that 'In 1913 the Liberal Government . . . had the object of hampering trade union interest in politics and making it more difficult for unions to finance Labour candidates than it was before the Osborne case. . . . That Liberal Government was so anxious to

passed, the 1913 Act was restored, and with it contracting-out. But the battle was not yet over.

The Conservatives pledged amending legislation when they returned to power; singling out specifically the contracting-out clause and the affiliation of Civil Service unions to the Labour Party. Even then not all Conservatives shared Mr Hogg's dogmatism. Mr Selwyn Lloyd observed simply, 'Personally, I do not attach quite the importance to this particular measure that I suspect my honourable and learned friend would like me to, but I think that it would be most seemly and decent if this alteration had not been proposed'.¹ Conservative publications promised insistently that the Party would, after consultation with the unions, re-establish contracting-in—'on which', as the *Conservative Campaign Guide*, 1950 pointed out, 'we have strong convictions of principle'.²

The 1950 election over, the Conservative Party's *Weekly Newsletter* reaffirmed, 'We want a round-table conference with the unions on a number of questions—how to ensure that no man pays to the funds of a political party unless he wants to. . .'.³ Later that year, however, it remarked that 'contracting-out is a very personal matter, and the Conservative Party have always made it of secondary importance compared with the necessity to attend branch meetings'.⁴ Sir David Maxwell Fyfe, the chief spokesman on trade union affairs, wrote that 'we deny to none the right to contribute to a union's political fund if he or she desires'.⁵ Early in 1951 Mr David Eccles, speaking of union political activities said, 'I reject the idea of legislation to make

handicap the trade unions that they introduced one of the most unfair methods in democratic practice. . . . ' The denunciation merges into an attack on the 1927 Act, but the article concludes with a thankful note about Labour's repeal of the 1927 Act, without mentioning that in so doing it re-established 'one of the most unfair methods in democratic practice'. The case for compulsion rests on the contention made in a letter to *The Post* (Union of Post Office Workers), October 24, 1953, that 'Anyone withholding the political levy is gaining the benefit of political action without doing anything about it'. This puts him in the same category as non-unionists. The arguments come from industrial need and experience, and carry the common union tendency to consider the methods used in industrial action as appropriate in politics.

¹ 419 *H.C. Deb.* 5s. col. 272.

² *The Campaign Guide*, 1950, p. 180. See also *50 Things the Tories will Do* (1949), *This is the Road* (Popular Version) (1950). For the importance of the issue during the election, see H. G. Nicholas, *The British General Election of 1950*, Macmillan, 1951, p. 180.

³ March 4, 1950.

⁴ November 11, 1950.

⁵ *Ibid.*, November 18, 1950.

any radical change in the unions' structure and rules'.¹ Yet official literature still insisted that 'Conservatives are pledged to restore this lost political freedom'.² However, when the *Conservative Campaign Guide*, 1951 was published, the Party's industrial policy had been almost totally excised; the political levy was not so much as mentioned. On the eve of the election Sir David Maxwell Fyfe reiterated the pledge to seek round-table talks with the unions.³ Mr Arthur Deakin, Mr Aneurin Bevan, and then the *TGWU Record* challenged him to reveal what the Conservatives proposed to do if they gained power.⁴ A major campaign issue was brewing. Sir David announced almost at once, on October 8, that there were no issues pressing for immediate discussion between the Conservatives and the unions.⁵ His speech caught the *Weekly Newsletter* dated October 13 in the press saying 'Sir David Maxwell Fyfe and others have made it quite clear that one of the first actions of a Conservative government would be to call a round-table conference with the unions on a wide variety of questions'. Now, in Mr Churchill's words, the Party's attitude was:

'We do not think this is fair. But the Conservative and Liberal membership of the Trade Unions is growing so steadily, that a wider spirit of tolerance has grown up and the question may well be left to common sense and the British way of settling things.'⁵

This was the opening of the Monckton era when Conservatives hoped to get on even better with the unions than Labour. A small group of younger MPs, such as Mr 'Ted' Leather, a member of the Association of Supervisory Staffs, Executives & Technicians (and a Canadian) were urging that Conservatives should be encouraged to be good trade unionists. If the unions were to be weaned away from the Labour Party, it would be through Conservatives working within the movement for political neutrality—much as some Cooperative societies had

¹ *The Times*, March 21, 1951.

² *All the Answers for the Election*, Conservative Research Department, 1951.

³ *The Listener*, September 27, 1951.

⁴ Respectively: *Report of the Labour Party Conference*, 1951, p. 92. *The Times*, October 9, 1951. *TGWU Record*, October 1951.

⁵ *Daily Notes*, Conservative Central Office, October 12, 1951.

been taken out of politics. But Conservatives could not hope for peaceful cooperation with the unions if they insisted either on contracting-in or on the so-called 'Industrial Charter'. Finally the Conservative Party realized that contracting-out just did not interest the electorate. It was expendable ballast. Even without Mr Deakin's challenge it was unlikely, by October 1951, that the Party would have restored contracting-in. It would probably have been quietly shelved, like the promise to re-introduce the university seats.

Conservative hostility had always reflected general suspicion of the unions' fitness to exercise power rather than any appreciation of the specific problem. After forty years of dispute contracting-out, and with it the terms on which unions engage in politics, seems accepted. Conservative policy still holds, naturally enough, that the unions should keep out of party politics. But when the Party's hopes of harmony with the unions faded amid the major strikes of the mid-fifties, the demands that abuses of trade union power must be curbed centred on such industrial problems as shop stewards' activities and the closed shop. Contracting-out was a forgotten battle. While the system of political action is subject to amendment from within the trade union movement itself the possibility that it might be crippled or abolished from without seems to have passed.

Who Pays the Levy—and Why?

Mr Clement Davies might well remark, as the House of Commons debated contracting-out in 1946, 'I do not think that any deep principle is involved'.¹ It was not principle that impassioned the debates. Behind the highly-coloured controversy both parties were campaigning lustily in their own interest. Every Labour or Conservative partisan knew that the adoption of one or other system of paying the political levy led to large variations in the numbers of members contributing—to much more, or much less money being given by the unions to the Labour Party.²

¹ 419 *H.C. Deb.* 5s. col. 266.

² Duff Cooper recorded in his diary for January 25, 1926: 'Later some of us went to see Jackson and Blair at (Conservative) Central Office, who crudely confessed that their object was to deplete the funds of the Labour Party.' *Old Men Forget*, p. 143.

Nevertheless, Conservative criticisms seemed devastatingly justified when the effect of the 1946 Act was reported by the Chief Registrar. The proportion of contributors, in unions with political funds, rose from 48.5 per cent in 1945 to 90.6 per cent in 1947.¹ Conservatives could claim that three million workers were paying the political levy against their will. But it was typical of the whole confused controversy over the political levy that the debate was fed by inaccurate statistics.

To know how many members were led to contribute to their union's political fund simply because of the change from contracting-in to contracting-out is not just a matter of historical interest. It affects the whole relationship between the unions and the Labour Party. The number of members a union affiliates to the Labour Party depends on its number of political contributors. The overwhelming voting power of the unions at the Party Conference, and the financial well-being of the Labour Party also depend on how many members pay the levy. Trade union leaders will claim to speak for these members. How far they contribute willingly and how far they pay the levy only as a result of this minor administrative change, is obviously an indication of the importance that trade unionists attach to political activities and to the link with the Labour Party.

TABLE 1
TRADE UNIONISTS PAYING THE POLITICAL LEVY^a

Year ^b	Registered Trade Unions with Political Funds Membership	Contributing to the Political Fund	Members Paying the Political Levy in Unregistered Trade Unions ^c	Total Paying the Political Levy ^d	Per cent Paying Political Levy ^e
1925					
1926					
1927					
1928	2,801,434	1,634,019	581,444	2,088,000	58.3
1929	2,822,537	1,668,796	583,530	2,119,000	59.1
1930	2,840,000	1,683,457	590,044	2,144,000	59.2
1931	2,701,000	1,587,452	582,310	2,045,000	59.7
1932	2,553,283	1,493,495	542,404	1,916,000	58.5
1933	2,597,455	1,481,402	548,585	1,915,000	57.0

¹ *Report of the Chief Registrar of Friendly Societies, 1947. Part IV, Trade Unions.*

1934	2,731,846	1,575,865	525,443	1,983,000	57.7
1935	2,965,442	1,671,060	525,343	2,078,000	56.5
1936	3,297,797	1,779,537	544,980	2,325,000	54.0
1937	3,729,011	1,921,623	569,538	2,491,000	51.5
1938	3,935,080	1,974,903	574,724	2,550,000	50.2
1939	4,074,939	2,016,674	562,221	2,579,000	49.8
1943	5,705,835	2,385,417	515,502	2,901,000	41.8
1944	5,619,728	2,426,499	523,514	2,950,000	43.2
1945	5,928,674	2,846,150	95,813	2,917,000	48.0
1946	6,904,000
1947	7,413,000			5,613,000	75.6
1948	7,529,000			5,773,000	76.8
1949	7,477,000			5,821,000	77.9
1950	7,433,000			5,833,000	78.4
1951	7,688,000			5,936,000	77.1
1952	7,712,000			5,962,000	77.5
1953	7,678,000			5,924,000	77.2
1954	7,707,000			5,949,000	77.2
1955	7,854,000			6,173,000	79.6
1956	7,859,000			6,245,000	79.5
1957	7,923,000			6,329,000	80.0
1958	7,735,000			6,280,000	81.3

^a From 1925-45 the source is the Chief Registrar of Friendly Societies. From 1947 the figures are revised calculations by the author. The Chief Registrar gives the following figures for these years:

1947	6,738,000	1950	6,683,000	1953	6,787,000	1956	6,903,000
1948	6,890,000	1951	6,839,000	1954	6,808,000	1957	6,947,000
1949	6,814,000	1952	6,857,000	1955	6,907,000	1958	6,813,000

^b Figures are not available for 1940-2. The figures for 1925-7 contain substantial double counting and should be taken as only a rough indication.

^c The National Union of Mineworkers became a registered trade union in 1945 and separate figures for unregistered unions were no longer published.

^d From 1928-34 the total of contributors is less than the sum of the two columns of contributors because the Chief Registrar has eliminated some double counting.

^e Until 1945 this percentage refers to registered trade unions only, thereafter to all unions.

It is unfortunate, since the point is so politically important, that the official statistics are gravely inaccurate.¹ Up to 1945 they were acceptable enough. Unions reported to the Chief Registrar the numbers of their political contributors, and the totals were

¹ The production of any trade union statistic is open to error. There is no standard definition of what constitutes a member, and union practices vary widely. Some unions give year-end membership figures—which are possibly affected by seasonal factors. Others calculate figures of average membership, allowing elaborately for turnover. Though few unions nowadays claim inflated membership figures for prestige reasons, many unions cannot state their membership precisely. Their figures are honest approximations at best. My statistics reflect this imprecision, as do those of the Chief Registrar of Friendly Societies.

printed in the Registrar's Annual Reports. Since 1946, however, unions have reported the number of members who have 'obtained exemption from contributing to the Political Fund', that is, those who have contracted-out. Deducting this total from the membership of unions with political funds, the Registrar has published annually a statistic of 'Members contributing'.

This is far from telling the whole story. Some unions automatically exempt whole classes of member by rule, such as juniors or apprentices, the sick and the unemployed, members serving in the armed forces, and those living in the Republic of Ireland or overseas. Contracting-in remains in force in Northern Ireland, and only about 37,000 of the 150,000 members of English-registered unions contribute to the political funds.¹ For these and other reasons the number of effective contributors often falls far below the numbers reported to the Chief Registrar. The United Society of Boilermakers reported to the Chief Registrar in 1957 that 4,518 of its 93,706 members had contracted-out. But it also excused 587 temporary and honorary members, 10,651 apprentices, and 4,031 superannuated members. None of the 325 members in the Republic of Ireland paid, and only 250 of the 3,200 Ulster members contracted-in. Altogether 18,544 more members were excused than was reported. Contributions finally collected represented payment by 57,080 members.² The Typographical Association, with 57,324 members, of whom only 9,425 contracted-out had, in fact, 31,442 contributors to its political fund.³ In the Amalgamated Engineering Union (AEU), about 100,000 overseas members are apparently counted as paying the political levy, although they never contribute a penny, and the National Union of Mine-workers (NUM) returns include some 90,000 retired and 'Power Group' members who do not pay the levy.⁴ Some unions report all their exemptions, whatever the cause, as 'contracting-out'. Others return only the numbers who have signed the

¹ *Reports of the Registrar of Friendly Societies* (Northern Ireland).

² *Annual Financial Report*, 1957.

³ *219th Half-Yearly Financial Report*, March–September 1958.

⁴ The NUM Power Group includes colliery members of the TGWU and NUGMW, on behalf of whom the NUM exercises negotiating rights, who normally contribute to their own union's political fund. They are apparently double-counted in the membership figures.

official contracting-out form. The result is statistical chaos.¹ Since 1946, in the last type of union, members who are excused payment of the political levy by rule are counted in the official statistics as paying it. In the extreme case, the unions which have a political fund but collect no contributions, the number of contributors was officially nil in 1945 but, since there were no contractors-out, it became 100 per cent, for official purposes, from 1947.²

It is quite impossible to tell from the published statistics either how many people pay the political levy, or how many have refused to do so by signing a contracting-out form. It is quite evident, however, that the number of trade unionists who have contracted-out in the officially prescribed manner falls far short of the Registrar's figure of just under one million. Some other yardstick is essential. The best available means of gauging the effect of the switch from contracting-in to contracting-out is to measure its consequences, not on contributors—who may exist only on paper—but on contributions. By measuring the importance of the 1946 change through the increase in the political levy collected we can also take account of the 'silent contractor-out'—the member who simply will not pay the political levy, but never fills in a contracting-out form. The Shipwrights' Association shows what a problem these members can be. Slightly over 1,500 of its 25,000 members have contracted-out—yet only about 5,100 pay the political levy. No amount of cajoling by the union has persuaded them to 'regularize their position'.³

Making contributions collected the standard presents certain difficulties, because of the problem of 'fractional members', and the averaging of contributions—as a result 20,000 contributions do not necessarily indicate exactly 20,000 contributors. It has proved a reliable index during the postwar years, when unem-

¹ The attention of the Chief Registrar of Friendly Societies was drawn to this point in 1925, by Captain Waterhouse. Cf., 181 *H.C. Deb.* 5s. cols. 33 and 624, and *Report of the Chief Registrar of Friendly Societies*, 1924, Part IV.

² This appears to have been the case for the National Federation of Insurance Workers and the Medical Practitioners' Union.

³ *Report of the SSA*, 1947, 1948 and 1951. See also *The Highway*, May 1948. The Scottish Horse & Motormen's Association complains that although 20,000 members out of 21,000 should have been paying the political levy because 'only a few hundred' had contracted-out, they had nowhere near so many contributors.

ployment has been low for most unions, arrears have probably been relatively constant, and the expansion or contraction of total membership has been slow. According to the Registrar's calculation (which was then accurate), there were 2,917,000 political contributors in 1945; the revised method produces a figure of 2,903,000.¹

The true consequences of the 1946 Act are now more evident. The proportion of contributions collected rose from forty-eight per cent to seventy-six per cent—not to ninety-one per cent as the official statistics have it.² The number contributing to political funds rose by 3,800,000 between 1945 and 1947, on the Chief Registrar's reckoning. About 700,000 of these were new members who would have paid the levy in any case. But the *true* rise was equivalent to 2,700,000 members—of whom, again, some 700,000 would have paid in any event. In short, the simple change from contracting-in to contracting-out was worth 2,000,000 contributors to the unions. Among those eligible, one trade unionist in four who would not have paid the political levy under contracting-in, paid it under contracting-out.

TABLE 2

HOW THE RETURN TO CONTRACTING-OUT AFFECTED THE AMALGAMATED ASSOCIATION OF OPERATIVE COTTON SPINNERS AND TWINERS

District Association	Percentage of Members Paying the Political Levy	
	April 1947	July 1947
Bamber Bridge	% 32	% 82
Bolton	73	96
Bury	46	99
Heywood	50	94
Hyde	52	97
North-East Lancs—Accrington	42	98
North-East Lancs—Blackburn	27	100
Oldham Cop Packers	0	92
Oldham Provincial	58	96
Oldham Roller Coverers United	0	0
Preston	27	100
Rochdale	52	54

¹ Under contracting-in many unions, unable to say how many members contributed to their political funds, calculated their political membership on the basis of contributions collected. The revised calculation continues this practice.

² Henceforward we shall refer to 'contributors' and 'proportion contributing' for convenience's sake, although this is not completely precise.