

The Scaffolding of Servitude

The Meaning of Essential Works Orders

BY J. R. CAMPBELL

IN THE last few months, when public attention has been concentrated on the unbroken series of military defeats abroad, and the apparently unending process of muddle and corruption at home, there has been taking place, almost unnoticed, a great legal transformation of the status of the British working man. When the history of 1941 comes to be written it may be that its outstanding event will not be the Battle of the Atlantic, or the Battle of the Mediterranean, but the smooth introduction of the Essential Works Orders into the main industries of the country, with the connivance of the Trade Union bureaucracy. Already in operation in the engineering, shipbuilding, mining, merchant navy, docks, and building industries, these Orders will shortly be introduced into steel, railway, and transport.

The Background of Impoverishment

These Orders are being introduced amidst the growing impoverishment of the working class. The official cost of living index registers an increase in the cost of living of 5s. 8d. in the £. As many of the articles which are listed in the cost of living index are no longer available in sufficient quantities the workers have, in most cases, to buy dearer substitutes. It is an extremely modest estimate to say therefore that the real cost of living has increased by at least 6s. 8d. in the £. That means that a man earning £3 per week in September, 1939, requires at least £1 to bring his wages up to the level of the increased cost of living on the basis of a normal working week. A man earning £3 10s. would require £1 3s. 4d., while a man earning £4 would require £1 6s. 8d. The actual increase of wages for a normal working week are as follows:—

Engineering and Shipbuilding Works	8s. 6d. per week.
Building Workers	{ 11/- for 44 hours. 12/- for 48 hours.
Dockers	2/- per day.
Miners	17/- (exclusive of increases on ascertainties on a district basis.)
Railway Workers	11/- (exclusive of increases for lower paid workers in September, 1939.)
Passenger Transport Workers	11/- per week.

The discrepancy between the rising cost of living and wages is becoming so terrific that voices are being heard in the capitalist camp advocating that the cost of living index be disregarded in wage negotiations altogether.

Let us examine this argument which makes an appearance in the *Economist* of May 31st. The function of a cost of living index is to show how much it costs to procure a given list of commodities which enter into the standard of living of a working class family. A certain year (1904 in the present index) is chosen as the base year. It is ascertained that the working class habitually consumed certain goods and services in this year, and it is further ascertained what proportion of their expenditure goes for various goods and services, for rent, for food, for clothes, and for transport, etc. The question which the cost of living index seeks to answer is as follows:—"Given that in the base year, 1904, the working class spent its income on goods and services in certain proportions, what would it require to expend to-day if it spent its income on the same class of goods and in the same proportions." In other words, the cost of living index tells the workers in a rough and ready way what money they need in any given year if they want to obtain the same standard of life as they or their fathers had in the year when it was first drawn up. Now the need for such index is obvious. The worker is not only interested in the amount of money wages that he gets, but in the purchasing power of those wages; whether the same amount of money buys more or less than it did, say, in September, 1939. The index does not, of course, tell him whether the working class standard of life, which is the basis of its calculation, is very good or very poor. It only tells us how much money he needs to obtain that standard at present prices. But it does very roughly and inadequately show us the trend of things. It answers the question. "Are we on the up-grade, or are we on the down-grade?" And it is because it shows most clearly that the workers are on the downgrade that the *Economist* desires to sweep it aside at the present time. For example, the new clothes rationing order restricts the amount of clothes we will buy. We may not be able to spend the same proportion of our income on clothes as formerly. Or we may move away from eggs, meat, fruit, and other high grade foods to a war diet, whose main constituents are bread, oatmeal and potatoes. The cost of living index shows us what it costs to obtain the high grade (high grade is a purely relative term here) diet which we have moved away from. It does not tell us the cost of the low grade diet to which we may be forced. This defect of the index in the eyes of the *Economist* is, however, its merit in working class eyes. For the workers had by painful struggle and sacrifice built up a certain standard of life by September, 1939. They want to know how far short of that standard of life they are now. They want a rough and ready means of appraising the value of any wage increases they may have obtained; they want to know at every stage of the war what the real cost of the war is to them. Only then are they in a position to really defend their standard of life. That is why in all discussions and wage negotiations the workers cannot afford for a moment to let the relation between wages and the cost of living be lost sight of.

The Purpose of the Orders.

Bearing in mind this background of growing impoverishment, let us ask ourselves what is the purpose of the Essential Works Orders. To read some trade union journals one would imagine that the chief aim of those

orders was to confer upon the working class the inestimable blessing of a guaranteed week. Nothing of the kind. The object of the orders was well indicated by Mr. Bevin when he said:—

Recently I met the Clyde shipbuilders . . . and what was their cry? They said "You, the Minister of Labour, must undertake discipline. I said "Why?" They replied "We cannot." I said "Why can't you?" They replied "Because sacking is no good."—Speech in House of Commons, April 2nd.

Here is the essence of the whole question. In normal times capitalist labour discipline is maintained by the exercise of the right to sack, tempered by trade union resistance. But in times of good trade the efficacy of the right to sack is reduced considerably. The sacked worker, after two days' rest, can get a job elsewhere. As a general method of discipline the right to sack has lost its terror, though it remains a useful weapon in the hands of employers who want to remove trade union militants from key factories. There is also looming up the fact that the food shortage, the clothes shortage and the high income tax may rob numbers of the young single workers of any decisive economic incentive to work overtime. Thus it becomes necessary to replace the economic incentive with a penal compulsion. In the case of the older worker with a family to maintain the economic incentive may continue to operate, but such workers are increasingly liable to fatigue. A penal stimulus is therefore introduced here also to supplement the economic stimulus.

Thus the four misdemeanours in the Essential Works Orders for Shipbuilding and Mining are:—

- (1) Being persistently late.
- (2) Being absent from work without an adequate excuse.
- (3) Refusing to obey a lawful order (which the Shipbuilding Order clearly says includes an order to work overtime).
- (4) Conduct calculated to impede production (which may amount to no more than an attempt to defend some trade union custom).

Workers accused of those misdemeanours will be warned by a National Service Officer to mend their ways, and if they repeat the offence they are liable to a fine of £100, with the alternative of three months' imprisonment. In the mining industry there appears to be a double punishment for absenteeism. The absentee worker loses his 6s. per week attendance bonus and may be fined and imprisoned into the bargain.

Some audacious members of the trade union bureaucracy have dared to compare the Essential Works Orders with that obligatory Labour service that a Socialist State might at a certain stage of development exact from all its adult, able-bodied citizens. This contention can be exposed in three propositions (1) the compulsory labour service in Britain does not apply to all citizens, but only to the workers who are employed in certain industries; (2) the penal legislation of the State is invoked in order to discipline workers who are in the private employment of an employing class, and who are working to augment the profit of that employing class; (3) after 45 years of age, no rich capitalist shareholder is liable for any form of industrial conscription whatever. What has this in common

with compulsory labour service on the part of all citizens in a Socialist state? Nor is it accurate to suggest that the worker is being adequately compensated for having to work under this onerous and inequitable discipline because he has got the concession of the guaranteed week. The guaranteed week was a necessary equivalent for the state exercising the right to keep a man from leaving the job at which he is employed. If the state keeps a man in a particular workshop, it is obviously entitled to force the employer to pay him wages for the full week, even if owing to some muddle outside the control of the management or the workers the expected raw materials have not arrived and there is no work for the worker to do. Further, if the worker is denied the right to leave an employer whose factory has been blitzed, he is morally entitled to wages whether or not his employer can give him sufficient work to do. A guaranteed week is the necessary corollary of the worker being refused the right to leave his job, but it is absolutely preposterous to claim that the giving of a guaranteed week entitle the employers in the last analysis to bring in the policeman and the magistrate to help him in maintaining workshop discipline—for this is the central meaning of the Essential Works Orders. Nor will it do for the trade union bureaucracy to argue that they are establishing for all time the cherished principle of the guaranteed week. On the contrary, they are making the guaranteed week dependant on the right of the employer and the state to tie a man to his job and to fine and imprison him when he is late, absent from work, refuses to work overtime, or to give up some dearly-bought trade union right. The guaranteed week of a free worker is one thing. The guaranteed week of an industrial serf is another, and the sooner the union bureaucracy begins to be able to distinguish those things the better it will be for those they are supposed to be leading. Further, the advantages of the guaranteed week are at their lowest in time of war, which is a period of full employment, not to say overwork. Stoppages of work through lack of raw materials will probably decline considerably as the war goes on and the guarantee will really only operate when a factory has been blitzed. That is a mighty thin concession to balance against the imposition on the workers, with the cheering approval of the trade union bureaucracy, of a Fascist penal labour discipline. And the value of this thin concession vanishes as the cost of living rises.

Blaming the Worker

Further, the meek acceptance of the Essential Works Orders is an acceptance of the proposition that it is the workers' lateness for work, his absenteeism, and his refusal to work overtime that is responsible for slowing down production. The meanness of this lie is seen if we examine two characteristic bottle necks in production to-day—mining and building. It is well known that the first mentioned industry was depleted of men in the most reckless manner. Further, the men who remained were denied the possibility of a proper mid-day meal, for the general shortage of food has re-acted disastrously on the mining industry, where men cannot, as in the case of factory industry, take advantage of canteen facilities mid-way through their shift. The miner carried his home-made sandwiches down the pit in pre-war days, and according to his income and the day of the

week between the bread there were bananas, or cheese, or tomatoes, or bacon, or beef, or eggs. Every one of the articles listed is now unobtainable for the miners' mid-day sandwich except cheese, the weekly ration of which might last him for two meals. In Scotland miners have been known to go down the pit with nothing more nourishing to sustain them than toast and margarine. Naturally there has been a fall in the output. Toast and margarine do not provide the energy to work effectively amid the din and the strain of a modern mechanised pit. If there is slackness or absenteeism in such circumstances, let those who tolerate the present rotten methods of food "control" accept their responsibility.

The case of building is even more damnable. Everyone knows that to organise a vast plan of building without centralised control of the operations by the state was to invite the most hideous waste and mismanagement. Here is a typical fact. In any given Government job there were usually twenty or more contractors doing different parts of the work. When a contractor's particular job was done he would dismiss his men who went back to the Labour Exchanges and remained idle for two days or a week before they were sent back to another contractor who was just opening out on the same job. A Labour Exchange on the site would have obviated all this, but though this was talked about in a number of big jobs, with which the writer is acquainted, nothing was ever done. The number of man hours lost in this imbecile process was appalling. Then there was the grotesque cost-plus system of contracting which gave the contractor the most direct economic incentive not to hurry up production. The result is that the building programme is behind schedule, is holding up the other sectors of the war effort, and the Ministry of Labour rushes in to coerce the workers. From henceforth the policeman and the magistrate is to stand behind the foreman in enforcing discipline, while speed up and payment by results is foisted on the industry in spite of the opposition of the reformist bureaucracy itself. The worker is called upon to pay for years of appalling corruption and mismanagement.

What Can the Workers Do?

In the mining industry it has been asked by some workers that if penal discipline is the essence of the Essential Works Order, why should not the workers refuse to operate it. But neither the workers nor their representatives are called upon to operate the Order in this sense. Suppose the workers refused to associate with the various joint committees under the Orders—the yard committee in shipbuilding or the pit committee in mining—and refused to be represented on the local Appeals Boards, it would not make the slightest difference, for the people who operate the Order are the management, and the Ministry of Labour officials—the National Service officers. Suppose a worker is absent from work, the management reports him, the National Service officer interviews him or admonishes him, and if the worker repeats the offence he can be taken before a court and fined or imprisoned. Of course there is machinery of consultation and appeal. Before he admonishes or prosecutes a worker the National Service Officer can discuss the matter with yard committee or pit committee consisting of equal representation of management and men. (There is no similar Committee provided for in the Essential Works

Order in the engineering industry). But if the management and the National Service Officer are bent on prosecuting the man the objections of the workers representatives could be speedily swept aside. The case would then proceed to the local Appeal Board, with one representative of the workers, one of the employers, and one of the Ministry of Labour, who in the last analysis tips the balance whichever way he cares. Thus, after the motions of consultation are gone through, the Ministry of Labour official has the power of a Nazi Labour "Trustee."

In the opinion of the writer, therefore, we should do all in our power to (1) protect the worker from the penal consequences of the Order, and (2) to campaign for their withdrawal while fighting to retain the guaranteed week as a separate and necessary reform.

Naturally the first step to protect the worker must be taken in the workshop itself. At present the National Service officers are coming round the workshops admonishing workers suspected of a tendency to absenteeism and lateness. These interviews take place solely between the man and the officer, although the writer has heard of an instance where a representative of the management was present. Here is where the defence of the worker must start. The worker should categorically refuse to discuss with or listen to the National Service officer unless he is accompanied by his shop steward. The shop stewards must likewise insist in being present at all such interviews. Here the first line of the worker's defence must be established.

Should We Stand Aside?

Should the militant workers stand aside from the yard committees and the pit committees, seeing that the workers' representatives on those committees cannot by their votes give decisive protection to any worker? By no means. It must never be forgotten that the reformist leaders of the trade union movement are supporting those committees in the hope that they will be a counter-weight to the militant shop stewards and miners branch committees. Take the following example. In every shipyard on the Clyde the yard committees were elected on the same basis, namely, directly by the shop stewards. No objection was raised to this procedure either by the management or by the Confederation of Trades, until in two of the largest yards a decidedly militant yard committee was elected. Then the Confederation of Engineering and Shipbuilding Trades decided that methods of electing yard committees from the shop stewards committees were entirely wrong and ordered a ballot vote as the proper means of electing the yard committee. It may well be doubted whether the ballot vote will give them any better results, but the intention of the reactionary bureaucracy to free the yard committee from the control of the general body of shop stewards and to make it a rival institution to the shop stewards is sticking out clearly. It would therefore be an unpardonable tactical error to stand aside from the election of those committees. Besides, while the men's side of a yard committee cannot prohibit the prosecution of a workman for any of the four classic misdemeanours of the Essential Orders, it can at least put up a strong resistance to the idea of prosecution, and if it is acting as an outpost of the general body of shop stewards, it can bring deeds to reinforce words in getting a prosecution

stopped. It is here that the struggle around the Orders can commence. It is one thing for the trade union bureaucracy, without in any single instance consulting their members by the ballot vote (so much cherished by the Clyde district of the Confederation) to agree to the imposition of a legal framework of Fascist penal discipline on the workers. It is another thing to operate this in the workshop in view of the present relation of forces, which is such that if the workers act unitedly, they can render the penal clauses of the Order null and void.

When Should We Appeal?

As to whether the shop stewards and the unions use the Local Appeals Boards it all depends on the issue that is raised. Say a worker wants to change his job and is refused permission to do so. It would be ludicrous to make that a case for industrial action on the part of the workers. Such a case could quite properly go before the Appeal Board, and the workers shop steward or trade union branch should be allowed to appear on his behalf.

On the other hand, suppose the employers, anxious to get rid of an active shop steward or a militant worker, should decide to dismiss him for "gross misconduct." Can the workers allow the question of whether their steward is to be reinstated or not to go to the Local Appeal Board, i.e., to the ultimate arbitration of some government official? Obviously the workers could not take this suicidal course. Their key men in the factory must be defended with all the power of the workers' organisation. Take what happens when they trust Appeal Boards. Near Glasgow is a firm which for long enough refused to recognise the trade unions, or to negotiate with its workers, although it was entirely on war work. Finally, recognition of the union was forced and a collective agreement arrived at. A young man in this factory who was active in building the union was made shop steward. In the course of his duty he had to negotiate on the case of a fellow worker. Before going up to the office to negotiate he told his foreman where he was going. He was a considerable time on this mission, and later in the day when he came back to work he was dismissed for gross misconduct, i.e., for leaving his job in order to carry out his functions as a shop steward. The case was taken to the local Appeal Board, who upheld the young man's appeal against dismissal. The National Service Officer took the case to a higher instance and the appeal was rejected. In face of such ludicrous decisions trade unionists can only decide not to use the Appeal Boards on questions of vital trade union principle but to rely on the strength and activity of their trade union and workshop organisations.

The first consequence of the introduction of the Essential Works Order on the Clyde is that certain managements, believing that the Lord (beg pardon, Mr. Bevin), has delivered the workers into their hands, are proceeding in the face of rising prices and increased taxation to cut the workers bonus earnings. Let one works producing tanks be taken as an example. Last October a production bonus was agreed to and the men went ahead on tank production and produced a steady amount of tanks per week, although they could have produced more had there been a better

flow of materials. But it appears to be the fixed idea of some stupid managements that workers, no matter what their output is, should not be allowed to earn more than a certain sum of money per week. So this management is insisting on a bonus cut, and may cause a strike if it persists. "Produce more tanks for the brave boys at the front and your reward shall be a cut in your bonus." The fact that every reactionary management has been emboldened to attack the workers is the best commentary on the alleged blessings of the Essential Works Orders.

Those Orders were accepted by the bureaucracy without even the pretence of consultation—except in the case of the miners—although even here the ballot vote was refused. The working class has therefore still to express its opinion of this Fascist labour discipline, as it has to express its opinion of the trade union bureaucracy's policy, which might be defined as "Fascism by consent." But that it will express its opinion by deeds as well as by words is certain. The legal scaffolding of a servile Fascist economic order is being erected, but will the solid building follow the construction of the scaffolding? Not unless the British working class is false to its historic tradition; not unless the devoted militants of trade unionism in the workshop falter in the defence of the vital interests of the workers. That is less likely than that the workers will find ways and means of dismantling the scaffolding of servitude, thus defending the British people from those who are playing the game of Fascism under the pretence of fighting it.

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