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EMPLOYERS' ORGANISATION AND STRIKE-BREAKING IN BRITAIN, 1880-1914*

In the group-struggle over the division of the joint product, labour utilizes the union with its two great weapons, the strike and the boycott; while capital utilizes the trust and the association, the weapons of which are the black-list, the lock-out, and the scab. The scab is by far the most formidable weapon of the three. [. . .]

But both warring groups have reserve weapons. [. . .] the scab takes the place of the striker, who begins at once to wield a most powerful weapon, terrorism. [. . .]

His employers, the capitalists, draw their two remaining weapons, [. . .] the political and judicial machinery of society. When the scab crumples up and is ready to go down before the fists, bricks, and bullets of the labour group, the capitalist group puts the police and soldiers into the field, and begins a general bombardment of injunctions.

Jack London, *War of the Classes* (1905)

The historical development of employers' associations and the role these organisations played in strikebreaking has been considerably neglected in industrial-relations history. With a few notable recent exceptions, research has tended to concentrate on the development and struggles of the organisations of men, rather than the masters.¹ This is partly the result of the secrecy and anonymity of employers' associations and their reluctance to allow access to their records or to attract media interest, and partly because the defensive and conservative attitudes and policies of employers' organisations have proved less attractive to historians than the more militant

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¹ For work on employers' associations in the period prior to 1914 see in particular W. R. Garside and H. F. Gospel, "Employers and Managers", in: *A History of British Industrial Relations 1875-1914*, ed. by Ch. Wrigley (1982); A. H. Yarmie, "Employers' Organisations in Mid-Victorian England", in: *International Review of Social History*, XXV

political and social theories that lie at the foundation of trade-union policy. In particular, the strikebreaking activities of employers and their organisations were not widely publicised. As a result, this whole emotive area is shrouded in exaggeration, sensationalism, distortion and the propagation of myths by both workers and employers. The object of this paper is to analyse the parameters of employers' coercive strikebreaking tactics from the 1880's to 1914 and to shed some light on the role employers' associations played during industrial stoppages. The first section briefly outlines the main developments in employers' organisation, solidarity and labour-relations policy before 1914. Following this is a discussion of the various strikebreaking tactics utilised by employers in this period, broken down into sections on labour replacement, victimisation and legal action, strike compensation and internal solidarity, and, finally, the lock-out.

Employers' organisation, strategy and tactics

Broadly speaking, employers' organisations were the bosses' equivalent of a trade union: viz., a group of employers of labour who implicitly or explicitly combined together with the object of protecting and promoting the business interests of the owners. This protective role included the defence of employers' prerogative to manage, the maximisation of profits and protection against sectional trade-union attack and strikes "in detail", where claims were leapfrogged from firm to firm and area to area. Space precludes a detailed analysis of the genesis of employers' organisations. However, evidence suggests that most employers' organisations were *formally* created when employers felt particularly threatened by labour and usually in direct response to growing labour militancy and trade-union organisation. *Formally* should be stressed because it is almost impossible to tell if employers were not previously combined on an informal, clandestine basis. With the growth of trade unions, the labour-management problem

(1980); R. Bean, "Employers' Associations in the Port of Liverpool, 1890-1914", *ibid.*, XXI (1976); E. Wigham, *The Power to Manage: A History of the Engineering Employers' Federation* (1973); and *Essays in Anti-Labour History*, ed. by K. D. Brown (1974). There are also a number of rather dated "official" histories, including L. H. Powell, *The Shipping Federation* (1950), and E. Howe, *The British Federation of Master Printers, 1900-1950* (1950), but these tend to be narrative histories and "apologias", lacking any comparative analysis. Reference might also be made to the excellent theses of H. F. Gospel, "Employers' Organisations: Their Growth and Function in the British System of Industrial Relations in the Period 1918-39" (Ph.D., London School of Economics, 1974), and L. J. Williams, "The Monmouthshire and South Wales Coalowners' Associations, 1873-1914" (M.A., University of Wales, 1957), and to my own recently completed thesis, A. J. McIvor, "Employers' Associations and Industrial Relations in Lancashire, 1890-1939" (Ph.D., Manchester University, 1983).

could no longer be dealt with as an internal matter, specific to the individual firm. This defensive role was, of course, inevitable, as the employers held the capital that the workers wanted to re-distribute more equitably, and often dictated working conditions which workers fought to improve.²

However, whilst protection against a trade union might be the *raison d'être* of an employers' association, the masters were also encouraged to combine by the incentive which organisation offered to control competition within the trade and prevent "ruinous" undercutting by various methods of trade regulation (price fixing, market sharing, organised short-time working, etc.), or simply through controlling and standardising wages. Industries like cotton and coal developed strong employers' organisations in the second half of the nineteenth century because of both a strong tradition of unionisation and because competitive pressures were most intense in these trades, where there was not an enormously differentiated product range and hence a high degree of competition on price. In some industries the combined employers relentlessly discriminated against non-member firms by organising market-flooding and price-undercutting programmes, and agreeing rigid member-only inter-trading rules to boycott non-members in the market-place. Employers who stepped out of line might also find themselves ostracised within the business community.

Employers' organisations existed illegally in many trades in the period when the Combination Laws were in existence.³ However, their growth was seriously retarded prior to the middle of the nineteenth century by a poor communications network and by the grip of the prevailing classical economic orthodoxy, which opposed any interference with market forces from combinations of any sort. Many employers' organisations in this early period tended to fade out of existence as soon as a particular crisis period had passed or a strike was broken. Trade unions and employers' associations were inextricably interrelated in their development, and the formalisation of strong trade unions in the second half of the nineteenth century was paralleled by the establishment of powerful and permanent employers' organisations.⁴

² On the origins of employers' associations see Yarmie, "Employers' Organisations", pp. 211-18.

³ H. A. Turner, *Trade Union Growth, Structure and Policy* (1962), pp. 370-71; A. E. Musson, *Trade Union and Social History* (1974), pp. 137-55; D. C. Coleman, "Combinations of Capital and Labour in the English Paper Industry, 1789-1825", in: *Economica*, New Series, XXI (1954); Yarmie, "Employers' Organisations", p. 211.

⁴ Royal Commission on Labour, *Final Report*, Pt I [C. 7921] (1894), p. 31.

The last quarter of the nineteenth century, and particularly the 1890's, saw a significant development in employers' solidarity and the creation of relatively stable regional and national employers' federations in most of the major industries in Britain.⁵ This was partly a "backlash" against the growth of New Unionism. The Board of Trade figures indicate that there were 659 employers' associations in the United Kingdom in 1895.⁶ By 1902 there were at least 50 national federations of employers, combining almost 800 local associations.⁷ By 1914, the total number of employers' associations had risen again to 1,487.⁸ Such organisations were becoming increasingly powerful and representative, indicating a growing solidarity amongst the employing class. The Federation of Master Cotton Spinners' Associations grew from representing less than 40 per cent of the machine capacity in the trade in 1892, to federating almost 70 per cent on the eve of World War I. The membership of the master weavers' federation grew similarly from 25 per cent to 61 per cent of the industry over 1890-1914. Many of the larger local master-cotton associations and at least one of the regional coal-owners' associations (South Wales) had over 80 per cent of the employers in their catchment areas in membership by 1914.⁹ The Engineering Employers' Federation combined 744 firms (including most of the largest) employing 330,000 male workers in 1914,¹⁰ whilst in 1905 the Shipping Federation claimed to represent almost 90 per cent of the sea-going tonnage of the United Kingdom (although the actual figure was probably nearer 75 per cent).¹¹ Masters attempted to further promote their interests by establishing Parliamentary pressure groups and confederations, like the National Federation of Associated Employers of Labour (1873-81?), the Liberty and Property Defence League (formed in 1882) and the Employers' Parliamentary Council (created in 1898). None

⁵ K. Middlemas, *Politics in Industrial Society* (1979), p. 47; Garside and Gospel, "Employers and Managers", loc. cit., pp. 103-04.

⁶ Second Annual Report of the Labour Department of the Board of Trade (1894-95), with Abstract of Labour Statistics [C. 7900] (1895), p. 28.

⁷ Royal Commission on Trade Disputes and Trade Combinations, *Minutes of Evidence* (Appendices) [C. 2826] (1906), p. 10. Hereafter referred to as *Minutes of Evidence*.

⁸ Garside and Gospel, "Employers and Managers", p. 104.

⁹ A. J. McIvor, *Cotton Employers' Organisation and Labour Relations Strategy 1890-1939* [Polytechnic of Central London, Research Working Paper No 19] (1982), pp. 6, 10, 34; Williams, "The Monmouthshire and South Wales Coalowners' Associations", op. cit., p. 247. Admittedly, however, the employers in a number of industries – Yorkshire woollen textiles included – remained immune to the developing trend towards collective organisation before World War I.

¹⁰ Wigham, *The Power to Manage*, op. cit., p. 303.

¹¹ *Minutes of Evidence*, p. 302.

of these confederations, however, effectively represented more than a small minority of employers before World War I.

The labour-relations strategy and tactics of these organisations differed markedly between industries and changed considerably through time. Temporary, *ad hoc* capitalist organisation in the first half of the nineteenth century often combined with an autocratic, exclusionist and coercive labour-relations strategy, where employers were determined to retain their capacity for individual bargaining, and unions were regarded as intruding third parties defying the "laws" of political economy and derogatory to the interests of trade and society.¹² Using coercive tactics, such as the non-unionist pledge, the black list, prosecutions, blackleg importation and the lock-out, employers were often successful in unequivocally suppressing early trade unions. The second half of the nineteenth century saw a gradual shift in employers' labour-relations strategy towards acceptance and recognition of trade unions and the development of collective bargaining, or what might be termed an incorporative or procedural mode of control over labour. This institutionalisation of industrial relations was, in part, a reaction against the mounting costs, as workers became more and more organised, of the "trials of strength" strategy. Research has tended to concentrate on this trend, and has indicated that collective bargaining was clearly both a concession to labour and an advantage to capital up to 1914. Employers benefited from the reduction in production time lost through industrial conflict, from the fact that often the employers' criteria for wage changes were explicitly accepted (*viz.*, no consideration for changes in the cost of living), and from the policing role which recognised trade unions could exercise over their membership. Hence there was considerable incentive on the employers' side to switch from a coercive to a procedural mode of control over labour. Consequently by the 1890's and 1900's the initial reaction of most employers to disputes and grievances was to attempt to negotiate a peaceful settlement, either domestically, locally or nationally. By 1911-14, around 85 per cent of all strikes were settled by negotiation, conciliation or arbitration.¹³

The commitment to procedural control, however, came by degrees, in different shapes and forms, and occurred at different times and with different results between and within British industries. There was no neat and tidy evolutionary process, but rather a series of tentative experiments.

¹² Ph. S. Bagwell, *Industrial Relations* (1974), pp. 25-26; J. T. Ward and W. H. Fraser, *Workers and Employers* (1980), pp. 64, 82-83.

¹³ Ministry of Labour, *Eighteenth Abstract of Labour Statistics of the United Kingdom* [Cmd 2740] (1926), p. 150.

The coercive option remained the first line of defence for many employers, and was the predominant strategy of the shipping, railway and some coal employers in the 1880's, 1890's and 1900's. Moreover, for the majority of employers, coercive strikebreaking tactics did not disappear when collective bargaining was accepted, but became a second line of defence, usually brought into action when established collective-bargaining machinery was exhausted or ignored by the unions. David Lloyd George aptly summed up this process as "Conciliation at first but, failing that, the steam roller."¹⁴ A significant, though declining proportion of all strikes were broken by such autocratic methods in the years preceding 1914. In the early 1890's, around 40 per cent of recorded strikes were settled by methods other than negotiation, conciliation and arbitration.¹⁵ Over the period 1890-1914, at least 2,100 strikes in Britain (amounting to around 12 per cent of the official total) were settled by some partial or complete importation of labour to replace the striking operatives.¹⁶ The rest of this essay investigates the mechanics of employer strikebreaking and the role played by formal, multi-employer organisations.

Labour replacement in strikes, 1: The mechanism

The Board of Trade recognised in 1889 that one of the most common features in British strikes was the import of replacement labour to fill the places vacated by strikers.¹⁷ Strikebreaking was a complicated and often violent business, and whilst employers could and often did organise strikebreaking operations themselves, increasingly they were affiliating to employers' organisations which were aiding and abetting these efforts, and developing systematic procedures for dealing with industrial conflict. Alternatively, they might recruit the help of the specialist "free labour" organisations or labour-registration schemes, which emerged as part of the employers' counter-attack against New Unionism in the 1890's and early 1900's. The National Free Labour Association was the best-known and most notorious strikebreaking organisation of the 1890's and 1900's, and despite William Collison's exaggerations in his autobiography the association was probably the most successful of the various specialist

¹⁴ Cited in G. Alderman, *The Railway Interest* (1973), pp. 199-200.

¹⁵ Board of Trade, *Report on the Strikes and Lock-Outs of 1890* [C. 6476], of 1891 [C. 6890], of 1892 [C. 7403], and of 1893 [C. 7566].

¹⁶ *Ibid.*, of 1890-99; Board of Trade (Labour Department), *Fourteenth Abstract of Labour Statistics of the United Kingdom* [Cd 5458] (1911), p. 146; *Eighteenth Abstract*, *op. cit.*, p. 150.

¹⁷ *Report on the Strikes and Lock-Outs of 1888* [C. 5809], p. 9.

strikebreaking agencies of the period.¹⁸ Other prominent “free labour” organisations were the Free Labour Protection Association and the Association of Non-Unionists.¹⁹ Such organisations, however, clearly had their limitations in strikes in the craft trades and the well-unionised cotton and coal industries.²⁰ Only in trades where the labour process involved little skill, and the unions were weak, and the employers were violently anti-unionist were the specialist “free labour” organisations utilised with any regularity and success. In some strikes, immigrants were used by employers as blacklegs. Such workers were imported *via* a network of charity organisations, contacts, emigration agents and workhouse authorities, or heard of vacancies by word of mouth and letters from relatives. As Kenneth Lunn has recently shown, however, the role of immigrants as strikebreakers has been grossly exaggerated and their class-consciousness and political awareness neglected.²¹ The stereotype of immigrants typecast as strikebreakers is too simplistic an explanation for the diversity of reactions which such labour exhibited to industrial conflict in Britain.

The industrial employers' organisations probably played a much more significant role in the breaking of strikes, but because of the lack of research in this area these strikebreaking activities have been underestimated and have largely remained a theme without a literature. The Shipping Federation (founded in 1890) was one of the most militant of pre-1914 employers' organisations, and was established explicitly as a “permanent battle-axe” to protect ship-owners by countering the strike weapon.²² The Federation opened registry offices in all the main ports to engage labour and forced their workmen to sign the much resented registration “ticket”, pledging that they would work peacefully with non-

¹⁸ On the National Free Labour Association see G. Alderman, “The National Free Labour Association”, in: *International Review of Social History*, XXI; J. M. Ludlow, “The National Free Labour Association”, in: *Economic Review*, V (1895), p. 111; W. Collison and W. Ellis in *Minutes of Evidence*, pp. 261-62, 306-07; and W. Collison, *Apostle of Free Labour* (1913).

¹⁹ J. M. Ludlow, “The Labour Protection Association”, in: *Economic Review*, IX (1899); F. Millar and J. Cardwell in *Minutes of Evidence*, pp. 208, 245-46. The main function of the FLPA was providing ex-police and “special police” to protect “free labour” during strikes.

²⁰ Alderman, “The National Free Labour Association”, loc. cit., pp. 324-25; H. A. Clegg, A. Fox and A. F. Thompson, *A History of British Trade Unions Since 1889*, I (1964), p. 172.

²¹ *Hosts, Immigrants and Minorities: Historical Responses to Newcomers in British Society 1870-1914*, ed. by K. Lunn (1980).

²² Powell, *The Shipping Federation*, op. cit., pp. 1, 5.

unionists.²³ A special Labour Department was responsible for importing labour to break strikes and ensuring that ships experienced minimum delays in “turn-around” times during disputes, thus saving ship-owners the enormous costs of their capital lying idle. Strikes of seamen protesting against the Draconian conditions were rapidly broken, and at a number of ports, including Aberdeen, Swansea and Cardiff, the employers protected their imported labour by housing them afloat on specially requisitioned ships.²⁴ Beer tokens and free tobacco were issued to strikebreakers as an added incentive to keep up morale. The Federation also maintained three specially fitted-out depot ships for the housing of strikebreakers, and a store of bedding, cooking equipment and other necessities for the accommodation of up to 5,000 men within the docks.²⁵ The smashing of the dockers’ strike in Hull in 1893 (where 95 per cent of the men were in the union) was a clear indication of the power of the Shipping Federation’s strikebreaking machinery. As a result, Hull rapidly made the switch from best to one of the worst organised ports in the country, and by 1900 had a reputation as a major supplier of blacklegs in shipping and other strikes throughout the United Kingdom.²⁶ A contingent was even sent to the Taff Vale Railway Company in 1900.

The Shipping Federation was aided by the fiercely anti-unionist commitment of most of its constituent-member shipping companies, and by the customary casual system of employment at the docks and wharves, and the consequent over-supply of labour which made the men particularly vulnerable to blacklegging. However, the situation did not always remain so unequivocally in favour of the employers. Occasionally, as at Cardiff in 1910, the local labour market was peculiarly tight and the Federation found it impossible to obtain and retain even unskilled free labourers.²⁷ The attitude of tugmasters during strikes could also be of crucial importance, as they were often called upon to ferry free-labour crews to ships, and Powell has shown that they did, on occasions, object to such a pivotal role in the strikebreaking operation.²⁸ Adequate protection was also of crucial importance and usually the Federation could rely on generous state help to protect property and strikebreakers. However, by 1910-14 official attitudes were changing and the view was gaining ground

²³ *Ibid.*, pp. 5-8; C. Laws in Minutes of Evidence, p. 302.

²⁴ P. Leng, *The Welsh Dockers* (1981), pp. 24-26.

²⁵ “The Shipping Federation: Why it was formed and what it has done”, in: *Fairplay*, 7 June 1895; Minutes of Evidence, p. 302.

²⁶ R. Brown, *Waterfront Organisation in Hull, 1870-1900* (1972), pp. 68, 74, 90-91.

²⁷ Leng, *The Welsh Dockers*, op. cit., p. 60.

²⁸ Powell, *The Shipping Federation*, pp. 11-14.

that heavy picketing was justified to a degree when the employers had provoked this response from labour by importing blacklegs. Consequently, the authorities became increasingly reluctant to provide military and police protection for substitute labour during strikes.²⁹

Whilst it may have been somewhat less easy to replace skilled men, clearly it was not impossible, and the employers' organisations in sectors employing a large proportion of skilled workers also often played an important role in the breaking of strikes. The National Association of Master Builders organised the import of blackleg labour from the continent on a number of occasions and during the 1899 plasterers' dispute large sums of money were allocated by the local associations of the master builders' federation for advertisements and expenses, and agents were established in America, Scotland, Ireland and around England to engage non-unionist craftsmen to work on the employers' terms.³⁰ The Lancashire master builders' federation had a regional sub-committee in the 1890's which organised the import of blackleg labour to get strike-hit firms working again.³¹ In London, Collison's organisation had at least some limited success in recruiting skilled craftsmen to break strikes in the 1890's, and later, in 1914, the master builders claimed to have successfully replaced around half of the 20,000 operatives locked out.³²

Similarly, many engineering and shipbuilding employers and their organisations attempted to break strikes by resorting to coercive tactics. The Iron Trades Employers' Association (established in 1872) created its own Labour Registry Office for unemployed non-unionist workmen and used these men to break a number of strikes over the following 25 years, including the 1886-87 engineers' strike at Bolton and the strikes at the Taff Vale Railway Company in 1877 and 1895-96.³³ Whilst there was negligible use of the National Free Labour Association during the 1897-98 engineering lock-out, evidence from the North-West suggests that local engineering employers' associations were organising advertisements for blackleg labour, were encouraging the retention of non-unionists and supervisory personnel, and were encouraging the promotion of handymen, labourers

²⁹ E. H. Hunt, *British Labour History 1815-1914* (1981), p. 331; Alderman, "The National Free Labour Association", p. 326; Bean, "Employers' Associations in the Port of Liverpool", *loc. cit.*, pp. 381-82.

³⁰ Lancashire and Cheshire Federation of Building Trades Employers, Minutes, 5 and 29 April 1899.

³¹ *Ibid.*, 27 January 1897.

³² Lancashire and Cheshire Federation of Building Trades Employers, Yearbook, June 1914, p. 37. According to R. Postgate, *The Builders' History* (1923), pp. 367-68, even Italian blacklegs were brought in.

³³ Iron Trades Employers' Association, Record (1900), pp. 25, 36, 84-85, 84-85, 130.

and apprentices to skilled work. The Manchester Engineering Employers' Association met the Lord Mayor and Chief Constable of the city to pressurise them to increase police protection for imported labour.³⁴ Some employers, such as S. DeFerranti, took their own initiative and were completely successful in their attempts to replace their labour-force.³⁵ These labour-replacement tactics were evidently a limited success and the Engineering Employers' Federation claimed that "In many cases from 20-50 per cent, more work of equal quality has been produced from machinery by comparatively inexperienced hands".³⁶ Whilst this was probably an exaggeration, it was excellent propaganda for the employers' cause, capable of seriously sapping the morale of strikers. Moreover, despite the firmer commitment of the engineering employers after 1898 to procedural forms of control, organised blackleg importation was still resorted to on numerous occasions up to 1914 when the formal disputes procedure was exhausted or ignored.³⁷

Cotton-spinning employers and their associations also utilised the labour-replacement tactic in strikes to ensure that production was kept running. Local master-cotton-spinning associations advertised for men, recruited labour agents, paid travelling expenses, and organised accommodation and police protection. Such replacement usually occurred at single-firm or sectional strikes and evidence suggests that little or no attempt was made to replace labour in the large-scale conflicts of the period: in 1891, 1893, 1908 and 1910. In individual strikes the local cotton employers' associations were often called in to take over the management of the dispute and organise the breaking of the strike. Two examples were the breaking of the strike at Joseph Crook's Bolton mill by the Bolton Master Cotton Spinners' Association in 1889, and the efforts of the Ashton association, supported by the Federation of Master Cotton Spinners' Associations, to import blackleg labour during the Stalybridge Mill Company strike in 1891.³⁸ Like the engineering employers' associations,

³⁴ Manchester Engineering Employers' Association, Minutes, 21 and 28 September, 5 and 19 October 1897.

³⁵ *Ibid.*, 31 December. Also cited in Wigham, *The Power to Manage*, pp. 282-83.

³⁶ *Labour's Turning Point 1880-1900*, ed. by E. J. Hobsbawm, 2nd ed. (1974), p. 157.

³⁷ See, for example, Manchester Engineering Employers' Association, Minutes, 3 December 1901, and Circulars Index, 11 February 1907; Engineering Employers' Federation, Microfilm Archive, 1905, ref. S(7)3; and Collison, *Apostle of Free Labour*, *op. cit.*, pp. 265-71.

³⁸ Bolton Master Cotton Spinners' Association, Diary, 2 May to 7 August 1889; Tenth Annual Report of the Bolton Operative Spinners' Association, for 1889, pp. 8-9; Ashton Master Cotton Spinners' Association, Minutes, 27 April 1892; Federation of Master Cotton Spinners' Associations, Minutes, 6 May and 28 June 1892.

the master cotton spinners' federation continued after the Brooklands Agreement in 1893 to fall back on labour replacement as an alternative tactic when the formal conciliation machinery broke down. Over the relatively peaceful period 1902-08, for example, the Federation helped successfully settle at least 7 strikes by complete or partial replacement of the striking labour-force.³⁹ Evidence thus suggests that whilst much was done on the initiative of the individual employer, formal specialist "free labour" organisations and multi-employer associations and federations played an important role in strikebreaking over 1880-1914, even in the trades which employed a high proportion of skilled labour. Moreover, employers' organisations were in this period becoming increasingly representative of employers, indicating a growing solidarity amongst the employing class and an increasing tendency to delegate labour management and the breaking of strikes to external, multi-employer organisations.

Labour replacement in strikes, 2: Blackleg importation in perspective

Using the mode of strike-settlement data collected in the Board of Trade's annual *Report on the Strikes and Lock-Outs* over 1888-1913 it is possible to make a series of hypotheses relating to the changing trends in the propensity to replace workers during strikes, the "labour-replacement proneness" of different industries and the variables which determined the tendency to replace labour, which may help to place strikebreaking into some kind of perspective. The use of such official data has to be qualified, however, by the fact that the Board's rigid inclusion criteria and information-collecting procedures resulted in a number of omissions and a definite tendency to underrepresent strikes.⁴⁰ Nevertheless, these annual reports were a serious attempt to quantify industrial conflict and they do shed significant insights into labour replacement during strikes. If not complete, the coverage was extensive and the data collected deserve much more sophisticated analysis by historians.

Table 1 indicates clearly that the majority of strikes solved by labour replacement were relatively small in scale and that there was a declining trend in the utilisation of labour replacement as a strikebreaking weapon over 1891-1919. Over 1891-95, 17 per cent of all strikes were settled by partial or complete replacement of labour, whereas in the decade 1910-19

³⁹ Federation of Master Cotton Spinners' Associations, Annual Reports, 1902-08.

⁴⁰ The scale of the underrepresentation of strikes in the official figures can be gauged from the fact that J. L. White, *The Limits of Trade Union Militancy* (1978), p. 184, found that 36 strikes in the cotton trade over 1910-14 were not included in the annual reports, despite being clearly within the inclusion criteria. This is, therefore, by no means a perfect and infallible source.

Table 1. *Labour replacement as a mode of strike settlement, 1891-1919*

	1: Total strikes	2: No of strikes in which workers were partially or wholly replaced	Percentage col. 2 to col. 1
1891-99	7,135	1,059	14.8
1900-09	4,754	613	12.9
1910-19	9,109	440	4.8
	<hr/> 20,998	<hr/> 2,112	<hr/> 10.1
	1: Total nos of workers involved in strikes	2: Total nos of workers replaced during strikes	Percentage col. 2 to col. 1
1891-99	2,581,319	80,271	3.1
1900-09	1,233,781	29,713	2.4
1910-19	7,800,000	23,000	0.3
	<hr/> 11,615,100	<hr/> 132,984	<hr/> 1.1

Source: Report on the Strikes and Lock-Outs of 1891-1913; Abstract of Labour Statistics, 1894-1937.

there was less than a one in 300 chance of a worker being replaced during a strike. Several factors account for this secular trend of decline in the utilisation of the labour-replacement weapon in strikes. This period saw many employers shifting from coercive, anti-unionist, industrial-warfare policies towards a much heavier commitment to union recognition, conciliation and arbitration. The government too over these years openly committed itself in favour of voluntary conciliation. Consensus and common interests were increasingly emphasised by employers, and blackleg importation may have been considered too provocative an option, especially in periods of buoyant trade. Over 1910-14, for example, the predominant tendency was to be conciliatory and flexible, and to placate labour in an attempt to prevent workers being taken in *en masse* by the growing socialist and syndicalist ideologies.

Moreover, as unionisation and labour solidarity spread to the more remote agricultural districts of the country, the pool of easily available non-unionist labour shrank, thus further undermining the labour-importation weapon. The proportion of British workers in trade unions rose from

around 10 per cent in 1890 to 18 per cent by 1910 and nearly 40 per cent by 1920.⁴¹ This meant more effective picketing and more complete and demoralising social ostracism for the would-be strikebreaker. This more intense class-consciousness was reflected, for example, in the Ormskirk farmworkers' strike in 1913, when imported Irish labourers refused to work as strikebreakers and most of them tramped across to Yorkshire to find "legitimate" employment.⁴² The state of the labour market also played an important role, labour replacement in strikes peaking in the severe depression in the early 1890's, when it was considerably easier to obtain workers desperate enough to break strikes, and declining most rapidly in the prosperous trading years immediately before 1914. Even over the short-term, seasonal trade cycles (especially in agriculture, building and printing) led to considerable fluctuations in the size of the "reserve army" of unemployed, and hence influenced the ability of the employers to replace labour during strikes. Finally, the removal of restrictions on picketing and the development of a clearly defined legal right to picket in the Trades Disputes Act of 1906 may have improved the ability of trade unionists to prevent the importation of outside labour during strikes.

Averages often obscure as much as they illuminate. Table 2 provides an index of the differing commitment amongst industrial groupings of employers to blackleg importation during strikes. This evidence suggests that coal-owners resorted least to the labour-replacement weapon and that miners had considerable immunity to labour importation during strikes in the 1890's, despite the fact that the job was not highly skilled in the traditional craft-apprenticeship sense. The extent of capital concentration (tending to make strikes large pitched battles), a close community spirit in the mining towns, heavy unionisation and the specialised, arduous, dirty and highly dangerous work process made it particularly difficult to organise blackleg labour. The coal-owners' early commitment in some regions (particularly the North-East) to the sliding-scale automatic wage regulator and collective bargaining may have deflected them from a more coercive labour-relations strategy. Significantly, moreover, the most militant of coal-owners' associations in South Wales did not favour the organised blackleg-importation weapon, preferring to concentrate on the payment of large sums of financial indemnity, victimisation (*via* the discharge note), legal action and the lock-out in their efforts to break strikes.⁴³

⁴¹ G. Bain, *The Growth of White Collar Trade Unionism* (1970), p. 22.

⁴² A. Mutch, "The Ormskirk Farmworkers' Strike, 1913" in: *The North-West Labour History Society Bulletin*, No 8 (1982-83), pp. 60-62.

⁴³ Williams, "The Monmouthshire and South Wales Coalowners' Associations", pp. 218-63.

Table 2. *Labour replacement in strikes by industry, 1888-99*

Industry	1. Total strikes	2. No of strikes settled by partial or complete labour replacement	Percentage col. 2 to col. 1
Mining & quarrying	1,735	59	3.4
Textiles	1,916	215	11.2
Metals	2,246	261	11.6
Building	1,864	261	14.0
Clothing	660	98	14.8
Transport	778	173	22.2
Cabinet & furniture making	244	63	25.8
Food & provisions	161	53	32.9
Printing	124	58	46.8
Miscellaneous trades*	556	178	32.0
	10,284	1,419	13.8

* Miscellaneous trades include chemicals and explosives, brush making, cement manufacture, coach building, cooper, glass making, agriculture and general labour, leather, rubber, paper, pottery, saddle and harness making, and municipal employment.

Source: Report on the Strikes and Lock-Outs of 1888-99.

The textiles, clothing, metals, engineering, shipbuilding and building trades fit into an upper middle group where between one in seven and one in ten strikes were settled by labour importation. With the exception of clothing, these trades were also heavily unionised and a large proportion of the labour-force were skilled. The organised employers in these trades had also often shifted by this period to a predominantly incorporative labour-relations strategy. Finally comes a group of industries – which included transport, furniture, food and printing – where labour replacement in strikes was relatively popular in the 1890's. In the transport and food trades a high proportion of the labour-force were non-unionised, casually employed, unskilled and semi-skilled operatives, and thus probably more likely to blackleg than a skilled, paid-up union member able to fall back on accumulated savings and union benefits during strikes. The endemic

labour surplus facilitated strikebreaking in transport and seriously hampered the union activities of dockers, seamen, cabbies, tramwaymen, busmen and, to a lesser extent, railwaymen.⁴⁴ Moreover, in the food and transport trades many of the employers and the masters' associations were of that autocratic type who refused to recognise or negotiate with unions. Strikes in these sectors were also enormously costly to employers as there was usually far less opportunity than in the factories and mines to "claw back" lost production after the dispute had terminated. Hence there may have been more incentive to rapidly replace the labour-force during a strike.

The inclusion of furniture and printing amongst the most "blackleg-prone" industries is less easily explainable and indicates clearly that neither skill nor heavy unionisation provided complete protection against the substitution of workmen during strikes. Whilst most of the strikers in the furniture trade were skilled men, blackleg importation must have been facilitated by the small scale of the stoppages in this sector, by the fact that the industry was very poorly unionised and by the existence of a large surplus-labour pool during severe seasonal fluctuations in demand.⁴⁵ The strikes of highly skilled and well-unionised printers were also often small in scale, occurring at firms which were often not members of the local masters' associations, and who were struggling to undercut and secure a profit with a cheap-labour policy. Printing was also a trade where it was often very difficult to claw back lost production after a strike had terminated. This was particularly so in the newspaper trade. Despite the craft nature of the job, there was also a constant abundance of labour in the trade, casual employment was common and the industry was partly seasonal.⁴⁶ Finally, the impact of technological change in printing, with the rapid switch from hand composing to mechanical typesetting, was tending towards de-skilling, and this may have further facilitated labour importation during strikes.

Three additional points might be mentioned before moving on to the next table. Firstly, significant differences in replacement-proneness

⁴⁴ Ph. Bagwell, "Transport", in: *A History of British Industrial Relations*, op. cit., pp. 239, 242, 248.

⁴⁵ Clegg, Fox and Thompson, *A History of British Trade Unions*, I, op. cit., p. 468; R. Gray, *The Aristocracy of Labour in Nineteenth-Century Britain, c. 1850-1900* (1981), pp. 17-18.

⁴⁶ A. E. Musson, *The Typographical Association* (1954), pp. 103, 131-38, 171-72; Howe, *The British Federation of Master Printers*, op. cit., p. 31.

occurred within each industrial sector between the various occupational groupings, caused partly by skill differentials and levels of unionisation. The well-unionised shipbuilding workers were particularly immune to strikebreaking, and within the textiles sector the cotton workers were considerably less prone to replacement than the woollen operatives. Secondly, promotion was a powerful inducement to blackleg, there being a marked tendency in the cotton-textiles sector, for example, for piecers to replace striking spinners, and jobbers and weavers to replace striking overlookers.⁴⁷ Similarly, on the railways, firemen were often promoted to engine driver if they were willing to work during strikes.⁴⁸ Finally, the differing employment environments of industries also significantly influenced the effectiveness of employers' labour-replacement policies. The crucial factors were accessibility to the workplace and the ability of employers to provide sufficient protection. Factories with few entrances which could be patrolled by police were relatively effective bases to accommodate strikebreakers, whilst remote building sites with little shelter and open to access from all directions were not.⁴⁹ Mutual protection and companionship at work were important for strikebreakers and could not be provided where men operated in small isolated groups – like the cartage and lighterage trades, and other sectors of transport. The existence of a working environment which did not easily facilitate the import and protection of blackleg labour during strikes could have the effect of encouraging employers to organise together to develop more sophisticated strikebreaking techniques. This, for example, was an important causal factor in the creation of the Shipping Federation in 1890.⁵⁰

Finally, a run of data collected by the Board of Trade over 1888-93 is summarised in Table 3, which indicates, somewhat surprisingly, that almost as many skilled workers were replaced in strikes as unskilled, over a period which encompassed the peak years of the new-unionist upsurge. Whilst the time period is short, and the categorisation methods of the Board were crude and left much to be desired, this clearly strengthens the evidence provided in Table 2, which indicated that the supposed dichotomy between the indispensable skilled and the easily replaced unskilled strikers was more fiction than fact. This lack of immunity of skilled personnel to replacement in strikes can be partially explained by the ferocity

⁴⁷ General Union of Associations of Loom Overlookers, *Jubilee History, 1885-1935* (1935), pp. 33-45, 51-52; J. L. White, "Lancashire Cotton Textiles", in: *A History of British Industrial Relations*, p. 217.

⁴⁸ *Minutes of Evidence*, p. 277.

⁴⁹ *Ibid.*, p. 134.

⁵⁰ *Ibid.*, p. 302.

Table 3. *Labour replacement in strikes: distribution by skill, 1888-93**

	Numbers	Percentage of total workers involved
Skilled workers replaced in strikes	6,638	36.6
Unskilled workers replaced in strikes	6,965	38.4
Others (unspecified mixture)	4,525	25.0
Totals	18,128	100.0

* This table includes only strikes settled by a complete replacement of the striking labour-force. Partial-replacement cases are excluded, as no information is given on the actual number replaced in the source.

Source: Report on the Strikes and Lock-Outs of 1888-93.

of the employers' counter-attack in the 1890's and partly by the penetration of essentially de-skilling technology and new management techniques, which promoted a more acute division of labour in a number of industries – including certain sectors of engineering, printing, food processing and the cheap end of the furniture-making business. This subversion of skill reduced employers' dependence on certain pivotal, highly skilled craftsmen, and consequently made successful blackleg importation in these sectors much more feasible during strikes. The segregation of the labour aristocracy was under threat, and, if anything, the evidence prompts the hypothesis that there existed only a relatively small upper subgroup within the working class of highly skilled craftsmen who were almost completely protected from replacement during strikes solely by the intrinsic skill of the job and the complexity of the work process and training.

At the other extreme, it may not have been so easy to replace unskilled labour during strikes as has hitherto been assumed. Well-organised mass picketing (as in 1889) and community solidarity and support could help to thwart attempts to break such strikes. The importance of the "home front" – the solidarity and support of wives and family – as a restraint on strikebreaking is a vastly neglected aspect of the history of industrial conflict in Britain.⁵¹ Whilst the inefficiency of blacklegs brought in to replace skilled strikers is apparent, there is no reason to assume that the substitute blackleg labour for relatively unskilled work such as at the docks

⁵¹ See E. Nijhof and P. Schrage, "Behind the Picket Line: The Home Front of the Rotterdam Dockers, 1900-1980", unpublished paper presented to the Anglo-Dutch Labour History Conference at Newcastle, April 1984.

or gasworks would be as efficient as the strikers. In fact, experience, manual dexterity, physical fitness and stamina acquired through long habituation to the work-task counted for much in the unskilled trades. Consequently, there are numerous examples of poor productivity, inefficiency, low-quality work and damage to property when groups of unskilled or semi-skilled strikers were replaced.⁵² Witness, for example, the Hull dock strike in 1893, when it was taking imported labour around twice the normal time to turn vessels around and less than 20 per cent of normal coal exports were leaving the port during the strike.⁵³ Many employers recognised the value of their regular hands and it was customary for blacklegs to be recruited on clearly defined short-term contracts and for many unskilled strikers, as well as skilled, to get their jobs back afterwards.⁵⁴

One of the problems in dealing with such an emotive topic as strikebreaking is that much of the evidence is partisan and conflicting. Whilst the employers praised their efficiency, the unions exaggerated the ill-behavior, sordid motivations and poor work rate of blacklegs. Undoubtedly, some strikebreakers were what Collison called ignorant “brandy moochers”, who simply did it for the money and the chance of free booze, tobacco and other such “perks”.⁵⁵ Others were desperate men who took to strikebreaking as a last resort to support their families and who often swallowed their pride and self-respect, and showed a great deal of courage in the face of violent picketing. However, in a period when less than a quarter of the workforce were unionised it is also not improbable that a proportion of blacklegs were motivated not by greed or desperation, but, like most of the prominent organisers of “free labour”, by an individualistic ideology or moral principles (or even religious belief).⁵⁶ Many may have been so imbued with classical economic theory that they firmly believed that “socialistic” tendencies within the trade-union movement were coercing the “free born”, independent working man and interfering adversely in the “natural” market mechanism, whereby individual workers should be entirely free to sell their labour at whatever terms they could get. This, of course, is not to imply approval for the activities of strikebreakers, merely sympathy and, hopefully, some understanding of motive.

⁵² Minutes of Evidence, p. 70; Report on the Strikes and Lock-Outs of 1889, [C. 6176], pp. 100, 126-27; G. Brown, *Sabotage* (1977), p. 5.

⁵³ Brown, *Waterfront Organisation in Hull*, op. cit., pp. 81-82.

⁵⁴ Report on the Strikes and Lock-Outs of 1889, p. 135; of 1891, p. 309.

⁵⁵ Cited in Ludlow, “The National Free Labour Association”, loc. cit., p. 116.

⁵⁶ L. J. Williams, “The Coalowners”, in: *A People and a Proletariat*, ed. by D. Smith (1980), pp. 94-95.

Victimisation, intimidation and legal action

In the battle to break strikes, discourage industrial conflict and penalise labour militants, employers also formulated and practised various covert policies of victimisation and intimidation. Indeed, the effectiveness of the labour-replacement weapon depended, at least in part, on the ability of employers to ensure that the strikers would not find employment elsewhere. Blackleg importation and victimisation of strikers often, though not always, went hand in hand. Sophisticated methods were developed to keep militants permanently out of employment and to prevent men gaining work whilst a strike was in progress. Moreover, such victimisation and intimidation techniques changed significantly through time as employers' broader labour-relations strategy evolved. In the early nineteenth century, trade unionists were victimised *via* the non-unionist pledge, or "document", whereas by the 1880's and 1890's it was predominantly strikers and labour militants who were so singled out.⁵⁷ By the turn of the century, the "document" was practically extinct in all but the most reactionary of industries (including agriculture, some sections of transport, shop and office work). The use of industrial spies, *agents provocateurs* and private investigation agencies, though not unknown, also seems to have been more characteristic of America than Britain. British employers predominantly resorted in the period 1880-1914 to the character or discharge note, the enquiry, the black list, selective re-employment after a strike, legal prosecutions, and internal fining in an attempt to punish and proscribe actions which deviated from employer-formulated codes of industrial behaviour. Moreover, just as different industrial groupings exhibited differing commitments to the labour-replacement weapon, so too did each employers' organisation develop its own favoured methods of victimising and intimidating strikers.

In the coal, shipping and railway industries, the employers' organisations enforced the character- or discharge-note system over 1880-1914. This was a reference from a previous employer which an applicant for a job had to present in order to obtain work.⁵⁸ Strikers and strike organisers were not provided with a note. The enquiry note performed a similar function, and was preferred and widely used by the engineering, shipbuilding, construction and cotton masters. The enquiry was a procedural rule, adopted

⁵⁷ For an example of the document imposed during the 1859-60 London building dispute see 1868 – Year of the Unions, ed. by E. Frow and M. Katanka (1968), p. 175.

⁵⁸ For the working of the discharge note in the South Wales coal industry see J. H. Morris and L. J. Williams, "The Discharge Note in the South Wales Coal Industry, 1841-1898", in: Economic History Review, Second Series, X (1957-58).

by many employers' organisations, whereby all members agreed to make an enquiry to the previous employer about the position of each individual job applicant. Strikers could thus be identified and employment refused. These notes performed three major functions: they were evidence of a worker's competence; they aided general industrial discipline and strengthened managerial authority; and, most significantly, they prevented strikers getting employment elsewhere and consequently prolonging strikes. A more idiosyncratic system was adopted in some Lancashire cotton towns, including Oldham, where employers retained operatives' birth certificates on recruitment and refused to return these to strikers, thus preventing them getting work elsewhere.⁵⁹

Such tactics might be backed up by the issuing of a black list. Attitudes towards the utility of blacklisting, however, differed considerably amongst employers. A number of employers' associations claimed to have never issued black lists of strikers' names, including the master builders and the cotton employers.⁶⁰ Both these groups utilised the enquiry and on occasions only selectively re-employed hands after a strike, thus weeding out the militants. The cotton employers' organisations feared the legal consequences of issuing black lists, and often contented themselves with the issue of a cautionary circular to member firms informing them of a local strike and reminding them of their "duty" not to employ strikers.⁶¹ The use of the black list of strikers was, however, particularly common in the engineering and shipbuilding trades, and the employers' organisations in these sectors played an important role in its organisation and dissemination. The Iron Trades Employers' Association in the 1880's and the early 1890's, and the Engineering Employers' Federation thereafter developed sophisticated procedures for the blacklisting of strikers. Lists of strikers were forwarded to the national Federation, then printed in bulk and circulated to the secretaries of all the local associations, and from them to all the member firms in the region.⁶² The procedure was kept as secretive as possible, despite the large scale of its operation. In Manchester, for example, 112 separate black lists of strikers were circulated between 1898

⁵⁹ H. Booth (Solicitors), Legal Opinion No 34, to the Oldham Master Cotton Spinners' Association, March 1909.

⁶⁰ Minutes of Evidence, pp. 126-27, 144, 148, 150, 288.

⁶¹ Cotton Spinners' and Manufacturers' Association, Minutes, 21 February 1913, and Circular, 22 February 1913.

⁶² Engineering Employers' Federation, Correspondence Files, 1898-1914, *passim*; Minutes of Evidence, pp. 164-65, 169.

and 1914, one of these alone including 560 names.⁶³ Victimisation could also occur in a much less formal manner, contracts for work simply not being renewed. Some firms had internal blacklisting procedures, and foremen could exercise a petty tyranny over those seeking work, ensuring that activists and in some cases strikers were not taken on.

Employers also resorted to the law courts and to private systems of fining workers in an attempt to punish and intimidate, and discourage future strike action. Amongst others, the cotton and coal employers' organisations encouraged their members to prosecute for breach of contract where workmen had gone on strike without giving notice.⁶⁴ Workers would also be prosecuted for their part in any violence on the picket lines. Strike-indemnity payments would on occasions be suspended by the employers' association unless the firm concerned took such legal action. "Wildcat" strikes were particularly resented by the employers as they provided no opportunity prior to the stoppage to organise replacement labour or to make other arrangements, such as maintenance and cleaning work. Fines mulcted from workers in the courts served to both reduce trade-union funds and conserve employers' association finances. Moreover, employers' organisations also on occasions offered financial aid in cases of principle concerning strikes which it was judged essential to win to establish precedent. The employers' legal offensive in the 1890's and 1900's is well documented, particularly the impact of the Taff Vale decision on strike activity.⁶⁵ There were a great number of similar cases in the localities, all imposing constraints on effective strike action. The employers were aided in their legal action by the traditionally conservative, anti-labour attitudes of the bulk of the judiciary, and the drift of judge-made legal decisions in the 1890's and 1900's emphasised the partisan role of the courts as additional leverage for the masters. Workers took this "link-up" between employers and the judiciary for granted in the period before World War I.

Accurately gauging the penetration and the impact of coercive victimisation and intimidation tactics in the period 1880-1914 is difficult, not least because employers were extremely secretive about these activities. There is

⁶³ Manchester Engineering Employers' Association, Circulars Index, 1898-1914; Engineering Employers' Federation, Circular Letter, 27 April 1905.

⁶⁴ Oldham Master Cotton Spinners' Association, Annual Reports, 1892, pp. 28-29; 1899, p. 10; 1909, pp. 7-8; 1913, p. 10; Cotton Spinners' and Manufacturers' Association, Minutes, 27 June 1911; Williams, "The Monmouthshire and South Wales Coalowners' Associations", pp. 241-43.

⁶⁵ See J. Saville, "Trade Unions and Free Labour", in: *Essays in Labour History*, ed. by A. Briggs and J. Saville (1960); Clegg, Fox and Thompson, *A History of British Trade Unions*, I, pp. 313-29.

evidence of some successful evasion of victimisation by strikers giving false names, citing inaccurate previous employers for references and forging or stealing documents, discharge and character notes. In response, some employers' organisations jettisoned their blacklisting policies. Others developed sophisticated policing procedures, which included visiting member firms to examine their lists of employees, to neutralise any attempts at evasion and to ensure that employers were not illicitly employing strikers. The employers' association, however, had no jurisdiction over non-member firms. Consequently, the effectiveness of victimisation policies was limited by the level of employers' organisation and solidarity within a trade or region. Where employers' organisation was weak, victimisation was probably relatively ineffective. The prevailing state of product and labour markets was also crucial, and evidence suggests that in periods of sustained trade buoyancy, such as 1910-14, employers tended to turn a blind eye to black lists, the enquiry, character and discharge notes, and become considerably less sensitive to the status of job aspirants in their eagerness to exploit the enhanced possibilities for profit. Within a broader conciliatory and incorporative labour-relations strategy, victimisation may have been considered by some employers to be too provocative and inflammatory an option. There is also no evidence of a specialised central blacklisting agency, victimising strike organisers and militants, being in existence, as there was in the form of the Economic League after World War I. A final restraint on the propensity of some employers' organisations (including cotton) to victimise was their perception of the illegality of such tactics. This was important despite the fact that the judiciary did its utmost to protect employer victimisation,⁶⁶ whilst workers' attempts to victimise and boycott "unfair firms" were severely penalised, as criminal conspiracies illegal under the 1875 act.⁶⁷

In the final analysis, however, the weight of evidence suggests that the victimisation and intimidation policies of employers and their organisations were widespread over 1880-1914, and could be effective, especially when combined with blackleg importation, in breaking many existing strikes and discouraging future strike action. Indeed, though there was a tendency towards relaxation in trade "booms", the practice of not employing strikers had congealed into a fairly well established custom amongst many groups of employers – organised and non-organised – by the 1890's. In engineering, there are numerous examples of strikers being

⁶⁶ See *Jenkinson v. Nield* and *Bulcock v. the St Annes Master Builders' Association*.

⁶⁷ *H. Booth (Solicitors), Legal Opinion No 9, to the Oldham Master Cotton Spinners' Association*, 12 December 1907; *Minutes of Evidence*, pp. 15-16.

unable to obtain work elsewhere, and on returning to their employers being told that their places were filled and the matter closed. Many trade-union militants found it impossible to get work on the docks in the 1890's and on the railways, victimised strikers protested that their chances of getting work abroad were even prejudiced.⁶⁸ The provision of "victim pay" by many unions, including the operative printers, and the experience of many of the more notorious union officials of this period also bear witness to the effectiveness of such victimisation. Moreover, whilst an employers' closed shop was rare before 1914, the increasing trend of organisation amongst employers and the accelerating representativeness of their associations and federations over 1890-1914⁶⁹ may well have had the overall effect of consolidating and strengthening employers' victimisation and intimidation tactics.

Strike compensation and internal discipline

Successful strikebreaking depended not only on victimising and intimidating strikers and bringing in replacement labour, but also on retaining solidarity within the employers' ranks, and preventing any breakaways and defections by employers who were experiencing or threatened with a strike. Employers' organisations retained loyalty, and encouraged employers to resist the temptation to concede embarrassing concessions "in detail" or compromise managerial rights and prerogatives by formulating quite sophisticated strike-indemnity schemes and various internal disciplinary methods. This considerably strengthened individual employers' defences against strike action.

In the early- and mid-Victorian periods, solidarity in strikes and lock-outs was often maintained by the imposition by employers' organisations of heavy financial fines on breakaway firms or by the system of the financial pledge or "bond". This was where combined employers fixed a certain sum of money as a financial penalty which they guaranteed to pay to the organisation if they conceded unilaterally to the demands of the men. Such tactics were occasionally backed up with threats of commercial embargoes and organised price undercutting directed against recalcitrant member firms. Witness the evidence of M'Williams to the Committee on Combinations in 1838:

In the strike of 1829, M'Williams said, one master had suggested terms to his men, and the men decided to accept them. Then they waited upon the

⁶⁸ Ibid., p. 279.

⁶⁹ See above, p. 4.

master. "He said, 'Men, I am extremely sorry that I cannot stand to the engagement [. . .]. I have been to the Masters' Association to-day, and I must tell you that we were bound together by a bond of £500 if any one master should deviate [. . .]. they have further told me that if I consent to give this list, they will throw their goods into the same market which I go into with my yarns at a price which will utterly ruin me.'"⁷⁰

By the 1880's and 1890's, however, such tactics, though not unknown, had declined considerably. Some organisations, including the cotton masters, continued with a formalised fining system up to 1914 and beyond, where employers who had stepped out of line with federation policy were forced to pay a financial levy calculated on the number of spindles or looms running per week. The ultimate sanction remained dismissal from the employers' organisation, and subsequent social ostracism amongst the local elite. Dismissal meant a loss of all the benefits of association, including strike insurance, participation in the disputes procedure and aid in strikebreaking, which, particularly for the well-unionised, medium- to large-sized companies, amounted to a very real deprivation. Furthermore, because of the inter-trading and boycotting customs adopted by a number of employers' organisations, such disloyalty could adversely affect the business connections and prospects of a firm, especially in trades like construction, where there was a large subcontracting network.⁷¹ Increasingly, however, employers' consciousness of their common interests as a class prevented many defections and breakaways, and disciplinary procedures were, in fact, relatively rarely used.

Cementing solidarity and giving employers an added incentive to resist during strikes were the financial-compensation schemes developed by employers' organisations. These had a long history, and were sometimes prompted into existence by the awareness that trade unions were accumulating funds.⁷² By the 1890's and 1900's most employers' organisations, including those in shipping, coal, cotton, engineering, shipbuilding, clothing, furniture-making and building, had developed formal strike-indemnity schemes.⁷³ Over 1888-95, the Board of Trade found 85 cases of strike compensation being paid to individual firms by employers'

⁷⁰ S. J. Chapman, "A Historical Sketch of the Masters' Associations in the Cotton Industry", in: *Transactions of the Manchester Statistical Society*, Session 1900-01, p. 74.

⁷¹ Inter-trading had a very long history in the building trade, dating back at least to the 1860's, and the use of the employers'-association crest on a firm's stationary was one method used to facilitate such inter-trading.

⁷² Bolton Master Cotton Spinners' Association, *Minutes*, 5 August 1898; Darwen Cotton Spinners' and Manufacturers' Association, *Minutes*, 24 January 1902.

⁷³ K. G. J. C. Knowles, *Strikes* (1952), p. 122.

organisations.⁷⁴ Based on voluntary returns, this is undoubtedly a grossly underestimated figure. Alternatively, a minority of employers' organisations developed work-sharing schemes during strikes, particularly when it was imperative to complete contracts and difficulties were experienced in blackleg importation.⁷⁵ The funds from which strike compensation was paid were usually accumulated by voluntary subscription on the membership of the particular employers' organisation. During very long stoppages, such as the 1897-98 engineering lock-out, such defensive funds might be bolstered considerably from donations by other employers' associations. Out-payments were usually made when a member firm experienced a strike and resisted conceding the workers' demands on the advice of the association. Employers' strike pay usually corresponded in some way to an estimate of the output lost due to the strike (e.g., tonnage, wages not paid, machinery idle) and, naturally, out-payments increased considerably in periods of intense strike activity. Note the considerable increase in out-payments by the South Wales Coalowners' Association over 1910-14.

Table 4. *Strike compensation paid by the South Wales Coalowners' Association and the Cotton Spinners' and Manufacturers' Association, 1890-1914*

Period	S W C A		C S M A	
	No of firms compensated	Total indemnity payments	No of firms compensated	Total indemnity payments
1890-94	Unknown	£126,680	7	£ 4,826
1895-99	45	£254,609	35	£ 5,562
1900-04	288	£294,313	7	£ 2,087
1905-09	289	£230,597	48	£ 9,703
1910-14	Unknown	£676,067	7	£11,197
Totals	622	£1,582,266	104	£33,375

Source: Cotton Spinners' and Manufacturers' Association, *Minutes, 1890-1914*; Williams, "The Monmouthshire and South Wales Coalowners' Associations", Appendix.

Some organisations paid compensation to solely cover fixed charges and defray overhead expenses, whilst others were more generous and provided

⁷⁴ Report on the Strikes and Lock-Outs of 1888-95.

⁷⁵ Minutes of Evidence, pp. 148, 170-71, 177, 278, 286.

compensation for losses on contracts, late delivery of products, and even for companies to pay a dividend to shareholders.⁷⁶ However, all claims were not paid automatically. The general rule in coal and cotton was that claims would be rejected if the member involved had acted contrary to the advice or policy “line” of the employers’ association, or if a member had been responsible for provoking the stoppage by not paying standard wage rates or endeavouring to reduce wages or otherwise subvert well-established working conditions. The associations were rarely prepared to subsidise individual employers to compete “unfairly” by undercutting the labour costs of the majority of firms in the region. Strike compensation was thus a further strategic weapon in the armoury of employers’ strikebreaking tactics. Indeed, amongst some employers’ organisations, including the South Wales coal-owners and the Lancashire cotton weavers, this was considered the single most important defence against strike action and sectional encroachments of the workmen.⁷⁷ Strike compensation played a particularly important role in periods of trade buoyancy by ensuring that strikes remained localised and isolated and, at the very least, by delaying, sometimes for very lengthy periods, the granting of pivotal precedents in wages and working conditions.⁷⁸ In other trades, indemnity schemes were largely only symbolic of employers’ solidarity. Clearly, most individual employers had a less crucial need for financial aid than did individual trade-union members, whose strike pay might reduce reliance on the pawnshop and keep a family from the indignity of the workhouse, or perhaps even starvation. Stoppage indemnity could also have a number of adverse effects and was not universally popular. Some employers found the cost prohibitive, whilst less strike-prone firms resented being forced to pay for the heavy-handed personnel policies of some employers.⁷⁹ Moreover, because the total resources of employers’ organisations and trade unions could be drawn upon, strikes at individual firms could be drawn out for many months, thus irreparably damaging the trading and

⁷⁶ Blackburn Cotton Spinners’ and Manufacturers’ Association, Minutes, 9 September 1907 and 18 February 1909; Ashton Master Cotton Spinners’ Association, Minutes, 29 December 1891, 3 March and 9 May 1892; Report on the Strikes and Lock-Outs of 1888-95 (section on strike compensation received). See also R. Smith, “A History of the Lancashire Cotton Industry, 1873-96” (Ph.D., Birmingham University, 1954), p. 303.

⁷⁷ Williams, “The Monmouthshire and South Wales Coalowners’ Associations”, p. 237.

⁷⁸ One good example of the use of strike compensation as a delaying tactic to localise industrial conflict was during the “bad spinning” crisis and the abrogation of the Brooklands Agreement over 1913-14.

⁷⁹ Membership of the Engineering Employers’ Federation declined from 810 firms in 1913 to 744 firms in 1914, largely as the result of the adoption of a more costly “Subsidy Scheme”. See Wigham, *The Power to Manage*, pp. 82-83, 303.

business connections of the company. Partly as a consequence of this, an underlying commitment remained towards the ultimate strikebreaking weapon, the "one-stop, all-stop" policy of the general lock-out.

The lock-out

A further, often final tactic of employers in the struggle to deter and break strikes was the resort to a lock-out. Such action was defined by the Board of Trade thus:

The lock-out is the action of an employer who notifies to his workpeople that on a certain date all existing contracts of service will terminate, and who lays down no definite proposal for the continuation of such contracts; or who closes his works to compel his men to cease to be members of a union, or to increase the difficulties of a strike organisation fighting with other employers by increasing the number of those it will have to support [. . .].⁸⁰

Lock-outs could occur at a single firm, a local area or be industry-wide in scope, and can be split crudely into two groups, determined by which side took the initiative.⁸¹ Firstly, there was what might be termed the "offensive" lock-out, where a single employer or the combined employers in the trade took the initiative to propose and force through (usually in periods of trade depression, as in 1892-93 and 1908) changes in working conditions and reductions in wages, and who locked out their workers in response to their strike action opposing such changes. Here employers fought to retain the classical economic theory that the wages of labour should rise and fall and be regulated solely by the market forces of supply and demand. The labourist argument that a wage determined by humanitarian considerations and common decency should be a first charge on industry was rejected by all but a thin strand of paternalist and welfarist employers before 1914.⁸² The second group of stoppages might be labelled, though not entirely accurately, "defensive" lock-outs. Such stoppages were an attempt by employers and their organisations to neutralise the trade-union policy of "whipsawing" sectional strike action at single or several firms, which the employers interpreted as an attack "in detail" to establish unprecedented improvements in wage rates or improve working conditions, thus adding to total labour costs.

The primary object of the lock-out weapon was to force the issue to a head, spread the dispute as widely as possible in order to involve all the

⁸⁰ Report on the Strikes and Lock-Outs of 1888, p. 5.

⁸¹ Because of the possibility of managerial provocation of strikes it is, however, sometimes difficult to determine just who was actually the initiator of a stoppage.

⁸² E. H. Phelps-Brown, *The Growth of British Industrial Relations* (1959), p. 313.

employers in the trade in the district, drain trade-union morale and funds, and, if it came to it, starve the men into submission. In some cases, the employers supplemented the lock-out by exerting pressure on both Poor Law Guardians to refuse outdoor relief to strikers (see the Merthyr Tydfil legal case in 1900) and on local shopkeepers to withhold credit.⁸³ Where unions were poorly organised and no formal machinery to deal with disputes existed, lock-outs might be the immediate response of employers to a strike in the trade. Where employers were committed to a more incorporative labour-relations strategy, the lock-out would usually be a final sanction brought into action when disputes procedure was exhausted or ignored, often when all other strikebreaking methods had failed, and sometimes when despite the payment of strike compensation and the threats of internal discipline, individual employers were wavering during strikes and were tempted to break away and give important concessions. Table 5⁸⁴ illustrates both the local scope of most lock-outs and the tendency of employers to utilise the lock-out as a response to sectional strike action.

Where collective organisation amongst firms was weak, or non-existent, individual employers continued to take their own initiative against trade unions and strike action. One of the most notorious and longest lock-outs (lasting over three years) of the 1880-1914 period occurred at the Penrhyn Quarries in North Wales over 1900-03. This was the “Grunwick” of the day; a fight essentially for union recognition. The autocratic Lord Penrhyn and his manager E. A. Young saw themselves in the vanguard of a national employers’ offensive against trade unionism to protect their authority to manage unilaterally, and they utilised all the weapons at their disposal to break the men, whatever the cost. They attempted to bring in imported labour and induce the “loyal” quarrymen back by using all the power and patronage at their disposal. Pressure was imposed to obtain police and military protection for those working and a black list drawn up (using information gathered from a network of spies and detectives) of strike organisers, sympathisers and “disloyal” men (e.g., those involved in picketing incidents and prosecutions), who were never to be re-employed or given company tenancies or pensions. Penrhyn eventually broke the men’s resistance, though out of the 2,800 who walked out of the quarries almost one thousand were never to return. As R. Merfyn Jones has noted, it is a testimony to the power of community solidarity and the collective “moral law” in face of intense deprivation in Bethesda that after two and a

⁸³ Knowles, *Strikes*, op. cit., pp. 139-40.

⁸⁴ Source: Report on the Strikes and Lock-Outs of 1889, pp. 113-16.

Table 5. *Lock-outs reported to the Board of Trade in 1889*

Trade and locality	Numbers involved	Duration	Notes
1. Boot and shoe operatives, <i>Bristol</i>	4,000	5 weeks	Lock-out in support of one establishment where the men struck
2. Brush makers (bass dressers), <i>East London</i>	125	9 weeks	Lock-out of 7 firms after strikes at 2 firms for wage rise and closed shop
3. Joiners, <i>London-derry</i>	60	Several days	Lock-out of 4 firms in support of 2 firms struck for 8 months
4. Plasterers, <i>Glasgow</i>	300	7 weeks	Lock-out of 32 firms in response to workers' restriction of output
5. Coopers, <i>Alloa</i>	11	6 months	Lock out against closed shop
6. Steel smelters, <i>Sheffield</i>	Unknown	Unknown	Against closed shop
7. Engineers, <i>Glasgow and district</i>	250	10 days	Lock-out of 9 firms in support of 5 firms struck
8. Shipbuilding fitters' helpers, <i>Glasgow area</i>	900	Over 2 weeks	Lock-out in several firms after 1 firm struck
9. Coal miners, <i>Kilmarnock</i>	70	Unknown	1 firm (wage reductions)
10. Coal miners, <i>Newcastle</i>	24	3 days	1 firm
11. Cotton weavers, <i>Great Harwood</i>	3,500	4 days	10 firms locked out after strikes at 2 firms
12. Cotton weavers, <i>Chorley</i>	400	1 week	1 firm
13. Linen weavers, <i>Forfar</i>	1,950	6 weeks	Lock-out of 4 firms in support of 1 firm struck
14. Silk dyers, <i>Leek</i>	100	Unknown	Unknown
15. Wool dyers, <i>Honley</i>	18	Unknown	Strikers replaced
16. Worsted menders, <i>Leeds</i>	20	Unknown	1 firm

half years the quarries were still running at only around a third of their previous capacity.⁸⁵ It would be interesting to conjecture whether Penrhyn could have done better had he been able to draw on the resources of a strong employers' organisation.

Employers' associations often played a crucial role in the organisation of a lock-out. Indeed, the existence of some kind of employers' combination was an essential precondition for the initiation of a lock-out beyond a single firm. The development of employers' organisation in the second half of the nineteenth century and the increase in representativeness in the 1890's and 1900's potentially raised the conflict demarcation area from the domestic to the local, regional and national level, and this provided a powerful deterrent against strike action. The role of the employers' organisation was to ensure that the lock-out was as solid as possible on the employers' side, by sending deputations to recalcitrant firms to encourage membership and solidarity and to urge sympathetic action (at the very least, short-time working), organising the formation of new local associations, soliciting donations to the employers' funds, preparing statements to the press to influence wider public opinion, and fining and sometimes expelling disloyal member firms. The effectiveness of the lock-out weapon depended, to a large extent, on the proportion of employers' organised and the efforts of the organisation to ensure the widest possible support amongst the community of employers. Often, as in the 1897-98 engineering lock-out, the employers' organisation was successful in their efforts to induce more and more employers to join the lock-out and to thus widen the area of conflict.⁸⁶ On other occasions, employers' organisations were crippled by the lack of cohesion and solidarity in their own ranks. Whilst the cotton masters had a good response in the South-East Lancashire coarse-spinning area during the Brooklands lock-out in 1892-93, both the North Lancashire "mixed" master spinners and weavers, and the Bolton fine-cotton spinners refused all pleas for co-operation. This action was instrumental in enabling the South-East Lancashire cotton operatives to resist for twenty weeks and ultimately score a significant moral victory in getting the proposed wage reduction decreased from 5 to 2.9 per cent. It was subsequently commented that "reducing wages in the future is to be an

⁸⁵ For a very detailed and excellent account of the 1900-03 Penrhyn lock-out and its repercussions see R. Merfyn Jones, *The North-Wales Quarrymen, 1874-1922* (1981), pp. 210-94, on which this brief note is based.

⁸⁶ The employers ended the lock-out with 702 firms closed. See *Engineering Employers' Federation, List of the Federated Engineering and Shipbuilding Employers Who Resisted the Demand for a 48 Hours Working Week* (1898).

undertaking so costly and hazardous that the game will not be worth the candle".⁸⁷

The propensity to lock out and the effectiveness of such action before 1914 was also affected by prevailing public opinion, the government response, the anticipated and actual degree of labour resistance, and the trade cycle. Evidence suggests that on occasions employers utilised the lock-out as a method to clear the market of excess production, and that firms were much more wary of escalating a sectional strike by voting for a general lock-out when product markets were particularly buoyant and when opportunities for a considerable profit were at risk. However, questions of wider principle and employers' prerogative could and did on occasions transcend such narrow self-interest and the short-term profit motive. Unfortunately, because of the scarcity of data and particularly the tendency of the Board of Trade to group strikes and lock-outs under one heading, it is almost impossible to quantify trends and developments in the utilisation and impact of the lock-out weapon. Nevertheless, evidence suggests that there were literally hundreds of lock-outs over 1880-1914, and that the lock-out was amongst the most feared and most devastating of employers' strikebreaking tactics over this period. The utilisation of the lock-out differed considerably, however, between employers and employers' organisations depending on their attitude towards trade unions and strike action, and their broader industrial-relations strategy, which was itself affected by the trade cycle and by the degree of employer and employee organisation. By the 1900's, and more so by 1914, the majority of employers' organisations had clearly made the conversion to a conciliatory, incorporative labour-relations strategy, and increasingly the lock-out tactic was being by-passed, as a provocative and costly relic of a stormy industrial past.

Conclusions

The objects of this paper have been to outline the major elements in employers' strikebreaking activities in the period 1880-1914 and to discuss the role that employers' organisations played in the breaking of strikes. Strikebreaking is a particularly emotive issue open to distortion, sensationalism and the propagation of myths by both workers and employers. Consequently, an attempt has been made to place this topic into some kind of perspective. The period was characterised by the diversity of labour-

⁸⁷ Fourteenth Annual Report of the Bolton Operative Spinners' Association, for 1893, pp. 4, 10.

relations strategies and tactics adopted by employers between and within different industries and localities, and therefore it is difficult to make accurate generalisations. Some masters preferred to cling into the twentieth century to the independent paternalism characteristic of the early-Victorian employer. Others combined in employers' organisations for their mutual protection, but retained a violent repulsion towards trade unionism and labour militancy, and refused to consider collective bargaining. Nevertheless, the predominant trend over this period was clearly towards the recognition of trade unions, the acceptance of negotiation on substantive issues and the creation of formalised disputes' machinery, designed to reduce time lost through industrial conflict. Even when faced with a strike, the most popular response of the masters was to attempt to negotiate a settlement, rather than to break it by force.

Strikebreaking by employers continued, however, to be an important, if minority activity and employers' industrial organisations played a crucial role in the breaking of strikes. Some employers' associations, including many of those in the transport sector, continued to refuse recognition of trade unions and utilised coercive strikebreaking tactics as a first line of defence against trade unionism and labour militancy. More common by this period, however, was the use of sophisticated strikebreaking procedures as a final deterrent forming a second line of defence, brought into action when established procedures to settle disputes without a stoppage of work were either exhausted or ignored. Thus one of the major functions of employers' organisations was to break any strikes where they had failed, by incorporative and conciliatory methods, to prevent them occurring. It has also been argued here that the propensity and effectiveness of employers' strikebreaking activities depended to a large extent on the degree of organisation and solidarity that existed amongst employers in the trade or locality. A number of other factors and circumstances had an impact on the tendency and the success of strikebreaking efforts, including the trade cycle and the state of local labour markets; the extent of worker organisation, resistance and community solidarity; public opinion and the attitude of the government and local authorities; the structure and nature of the business and the employment environment; and the nature of the work process and the penetration of de-skilling technology and the division of labour.

Much was done on the initiative of the individual firm. However, the role of the employers' organisation should not be underestimated. Apart from the role employers' associations played in aiding employers to find blackleg labour, the existence of an employers' organisation was a precondition for the effective multi-employer victimisation of strikers, for the creation of a reserve fund to finance strike-compensation schemes, for the

intensification of solidarity enforced by various internal disciplinary methods and for the successful organisation of a multi-employer lock-out. Whilst the evidence suggests that the utilisation of coercive strikebreaking tactics may have been in decline over 1880-1914 as the incorporative mode of labour-relations strategy became more popular, the considerably more extensive, formalised and sophisticated strikebreaking techniques developed by employers' organisations over this period meant that such tactics were probably a lot more effective and successful than previous poorly organised attempts made when employers' organisations were non-existent, weak and ephemeral. Paradoxically, the upsurge in employers' organisation which occurred over 1890-1914 provided the preconditions for both the accelerating commitment to institutionalised, procedural forms of control over labour, and the formalisation and strengthening of employers' coercive strikebreaking machinery.

This paper offers a brief reconnaissance of a neglected aspect of industrial-relations history, and extended research is urgently required to verify, refute or revise the tentative hypotheses put forward and to discover more precise relationships between the variables which determined the propensity and effectiveness of attempts to break strikes. In particular, much could be gained by an analysis of company records during and after strikes to determine whether blacklegs were permanently retained and to prove or disprove, by examining productivity and output figures, just how efficient a substitute labour-force was in comparison to pre-strike effort norms with the usual workforce. Moreover, there remains much scope for a general, non-partisan investigation of employers' organisation and their labour-relations strategies and tactics, and, more specifically, the mechanics of strikebreaking and the motivation of strikebreakers. If this essay stimulates further research along these lines it will have achieved its aim.