Britain’s rail unions RMT and ASLEF will not fight anti-strike laws

Thomas Scripps
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The UK government announced plans Thursday to implement sweeping restrictions on the right to strike, allowing employers to force a minimum number of workers to stay on the job during industrial action. Its new law will apply across the fire, health, transport, education and other sectors.

With the statement imminent, the Trades Union Congress (TUC) pre-emptively disowned any struggle against the legislation, with General Secretary Paul Nowak telling the *Financial Times*, “Our unions will still find ways… to take effective action [that is, abiding by the anti-strike law] but we’ll challenge it legally”.

He told *LabourList*, “We’ll challenge it politically and we’ll challenge it in the court.”

Nowak was setting the tone for trade union leaders to tell workers they must accept these attacks while the legal and parliamentary pantomime takes its course. His lead was followed by the entire bureaucracy, including its nominally left and militant representatives.

The new anti-strike laws were first conceived as a response to the national rail strikes. But their two main leaders—the Rail, Maritime and Transport (RMT) union’s Mick Lynch and train drivers’ union ASLEF’s Mick Whelan—both rushed to make clear that they were in lockstep with the TUC.

On the day the legislation was announced, Lynch gave an interview to *Tribune* magazine. He has been hailed from all quarters of the union bureaucracy, the pseudo-left and the corporate media as the figurehead of a renewed, fighting trade unionism. Yet, despite accurately describing the grave implications of the government’s plans, he offered workers nothing in response.

Calling the legislation “repressive”, “conscription” and “a huge suppression of our human rights”, Lynch explained the employers gain “the right to name individuals who’ve got to go to work… If they don’t cross pickets, they could be sacked. And it would be a lawful dismissal automatically. Any sort of dissent from that can lead to the union being fined god knows how much money.”

The law would effectively reverse “the right to be exempt from legal proceedings for losses to businesses or individuals if you take strike action,” in place since 1913.

This means that “striking will probably become ineffective in many cases” and even winning ballots would become “extremely difficult”. Acknowledging his own members were the “immediate target”, he warned, “This is only the beginning, too. You can be sure they will bring in more legislation.”

Nothing Lynch went on to advocate could possibly combat what he called an “historic threat”. Referring in passing to resistance “possibly through industrial action”, he clarified the next day that his union would abide by the government’s restrictions and that industrial action if called at all would be limited to a “work to rule… long term overtime bans, partial strikes.”

Instead of a coordinated and aggressive programme of strikes mobilising the entire working class, the RMT leader said in his *Tribune* interview that the campaign against the anti-strike laws needed “the churches, the mosques, the gurdwaras, it needs all the religious groups. It needs civil society and all the other campaigning groups, from environmentalists to human rights organisations.”

This is the anti-class struggle, middle-class liberal politics of the Enough is Enough campaign group which Lynch fronts. It has been preached for decades by the Labour “left” and the Stalinist Communist Party of Britain that played a key role in ideologically shaping its leader, Jeremy Corbyn.

Established by the dwindling remnants of Labour’s left and several unions to help dissipate workers’ anger and deflect criticisms of the Labour Party and demands for wider strike action, Enough is Enough’s press release on the coming legislation states only that a petition will be followed “with local meetings, rallies and protests across Britain in the coming weeks.”

Much of Lynch’s standing among workers is due to his references last autumn to the need for a general strike to defeat the Conservative government’s attacks. Today, despite the much larger numbers of workers now taking

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action, all such talk has been abandoned so as not to cut across the determined orientation of the TUC and its member unions to Labour and other opposition parties.

Lynch told *Tribune* that a campaign against the anti-strike laws "means reinvigorating the councils, regional governments, and local institutions that have lost their power," turning workers to the Labour Party, Scottish National Party and Plaid Cymru.

Prompted by his interviewer, he insisted on the need "to get the mainstream of the Labour party on board… They need to be making calls for the legislation to be stopped or, if needs be, repealed."

His appeal is based on Labour leader Sir Keir Starmer's pledge to scrap the Tories' legislation if he gets into office. But this has no credibility whatsoever.

Starmer has set out Labour's joint programme with the Tories of austerity and wage cuts, making plain his hostility to strikes and the working class. His promises are worthless. Lynch does not need reminding that Starmer's political idol Tony Blair promised to renationalise the railways while in opposition, swiftly ditching the policy as "too expensive" once in power.

A stark lesson is provided by the United States and the role of *Tribune*'s parent organisation *Jacobin*, the house paper of the Democratic Socialists of America (DSA). The DSA endorsed Democratic Party candidates and supported the presidential campaign of Joe Biden as a way of combatting Donald Trump and the Republicans, claiming it would give "space" to "labour activists" to work—in reality, give more places on the gravy train to union bureaucrats.

When it came to a genuine struggle of the working class in the US rail industry, Biden and the Democratic Partywith the collusion of DSA-supported members of Congress such as Bernie Sanders and Alexandria Ocasio-Cortez—banned the planned strike action. Sanders played this role only weeks after appearing as a star guest at an Enough is Enough launch meeting.

Lynch is using Starmer's meaningless promise of "jam tomorrow" to excuse the trade union's refusal to fight the legislation now, while the Tories are still in power and waging all-out class war.

The reality of the union bureaucracy's position was given in its unvarnished form by Mick Whelan in an interview with Sky News. Asked about the anti-strike laws, he said baldly, "If we have to comply with them, we will."

The only challenge would be a legal one. Whelan noted that "We're currently, with eleven other trade unions, taking legal action against the last set of laws they put in place." These were laws enacted earlier this year allowing firms to use agency workers as a scab workforce to break strikes.

Almost six years ago, in 2017, even more draconian laws were passed in the Trade Union Act with no opposition organised by the trade union bureaucracy. This was in keeping with a now 40-year record of not fighting any of the anti-union laws introduced by the Tories since Margaret Thatcher's 1982 Employment Act, despite a vote of the Trades Union Congress Special Conference that year to do so. Legal challenges against her legislation, taken to the European Court of Human Rights, the course of action advocated once again by the TUC, all failed.

In the four decades since, the unions have presided over worsening inequality and an unprecedented fall in the social position of the working class—always citing Tory legal restrictions as the reason nothing could be done.

While the anti-strike laws target the trade unions, they are more fundamentally directed against the working class organised within them. They are intended to strengthen the bureaucracy's resolve in facing down the militant demands of their members, bringing the unions more firmly under the control of the state. At the same time, they provide it with the now well-worn excuse for limiting or abandoning any action that might get out of its control.

A struggle against the draconian plans of the Tory government can only proceed through a political fight to throw off the dead hand of the union bureaucracy and return control to the rank-and file. New organisations of leadership, rank-and-file committees in the unions and among the three-quarters of workers not in any union, democratically elected and immediately accountable, can mobilise the mass movement necessary to overturn the government's laws and decades of falling living standards.

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