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## VIOLENCE MUST NOT PAY

The settlement which the NCB has offered to the NUM, whose national executive rejected it on Friday and will not even risk putting it to the vote of all its members, is a dishonourable one which should now be withdrawn so that any future negotiations start with a clear sheet. It reflects little credit on the Coal Board since its details increase rather than reduce union influence on management decisions. It would, if accepted by the NUM, seriously let down the 65,000 individuals who have continued to work in the coal industry and whose representatives, along with ministers, have privately made clear their misgivings about the nature of the settlement to the Coal Board.

The chairman of the Coal Board, along with his colleagues, is obviously inspired, by a passionate desire to resume business. That is understandable, but it has led him in negotiation to preserve only the inner essentials of management control while being prepared to off-load peripheral questions like a troika driver discarding his luggage in order to keep ahead of the wolves.

As a result, any agreement with the NUM would have been couched in such abstruse language, with so much left to be tested on the ground later, that everybody would have been able to claim a victory based on the small print. The British public would not have taken kindly to a settlement for whose real significance one had to search the small print. After six months of unprecedented violence, 6,500 arrests, criminal damage, arson, assault, offensive weapons, riots and conspiracy, should we have to examine the small print to find out if it has all been worth it?

Such a settlement would have two grave consequences. The first would have been to condemn working miners to a dangerous future. It would not so much have affected those working miners at Nottingham who are in a local majority and whose union dues, being the only source of income to the NUM, have been used incongruously against them in the financing of violent flying pickets sent south from Yorkshire. It would seriously affect other working miners, however, grouped in dozens or in a few hundred who would find themselves heavily

out-numbered by strikers. Their lives would be intolerable, and possibly in danger, sharing a coal face with some of Mr Scargill's lieutenants for whom his declaration that the NUM would never work alongside scabs would mean more than any no-victimisation clause in that same small print. So unless Mr Scargill is now prepared to call a ballot for the whole NUM to vote on the terms available to it, the NCB should not contemplate a future settlement until working miners equal or out-number strikers at most pits.

The second serious consequence of such a settlement would be in the country at large. The public may be sick of this strike and long for a return to the quiet life. But they could only draw one conclusion from a return to work on this formula after the months of organized thuggery which they have witnessed; that violence does indeed pay. They would have to conclude that the forces of law and order, operating both on their own and with general guidance from ministers, had allowed Mr Scargill to organize his private army to conduct violent operations of this kind day after day after day because they had no way of stopping it, but only of containing it at any particular pit head. Behind that conclusion would lie an even more sombre one: that ministers did not feel that steps could be taken to stop this violence at source because they feared they would be unable to control the wider consequences of such an action.

The Coal Board's objective now should be the protection of working miners, not just to get them back to work through the pickets today and tomorrow but to create conditions for a future settlement which would guarantee that individuals who had come back to work would have no fear of further intimidation from their colleagues at the coal face.

It was thus appropriate that Mr McGregor yesterday brought the question of violence back to the top of the agenda. The issue at the heart of the dispute round the negotiating table may appear to be who should run the coal industry - board or union - but out there at the pithead and in the minds of the public at large it is the violence which has become the issue.

In the next phase of this

dispute the NUM will clearly do all it can to browbeat and intimidate its members from going back to work, while the TUC will do all it can to give the impression that it is able to provide sufficient support to negate the effects of increased coal production in Nottinghamshire and elsewhere. Is the TUC by its actions thus going to associate itself with Mr Scargill's organized violence? There is little evidence that the Brighton accord has had any effect on the picket lines or resulted in more peaceful methods being applied.

Moreover the focus of the struggle may soon shift to the courts for two reasons. The first is that many of the working miners' committees are bringing actions against the NUM leadership for its abuse of the rule book. These actions, if successful, could progressively threaten Mr Scargill's control of union funds unless he opted for a ballot. The second is that the strike ballot provisions of the Trade Union Act 1984 come into effect on 26 September. They will apply to any industrial action which is initiated by a trade union after that date. Should any union in the TUC be tempted to support the miners it will fall foul of the law in two ways, both on the grounds of secondary action and because it would lose its legal immunities unless it had first held a secret ballot with all those members likely to be called out on strike in support of the miners. The inability of the transport unions to hustle their members into line behind the miners suggests that such ballots are not likely to succeed.

The NCB should thus withdraw the package which it has left on the table unless there is an early and substantive indication that Mr Scargill is prepared to put it to ballot. Having withdrawn that offer the Board should then make its highest priority the protection of working miners. Area managers should devote all their time and energy to helping individuals return to work. Uneconomic pits where the NUM withdraws its safety cover should then be closed and the workers transferred immediately to better pits. All this would restore the initiative to the Coal Board, whose position has been eroded during the days of inconclusive bargaining.

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