

**EUROPEAN SOCIAL SCIENCE HISTORY CONFERENCE
AMSTERDAM 12-15 APRIL 2000**

**Two Hundred Years since the Combination Acts: The Fate of the Trade Union
Ordinance in Singapore (F8)**

Chris Leggett

Chris Leggett, Professor of International Employment Relations, School of International Business, University of South Australia, Adelaide, South Australia 5001, Australia. Telephone +61 (0)8 83020481; Facsimile +61 (0)8 83020512; Email chris.leggett@unisa.edu.au

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Fear by the proprietors of the possibility of organised rebellion by the working classes inspired by the revolutionary spirit of France was the principle reason for the passing of the Combination Acts of 1799 and 1800 in Britain. There had been statutory regulation of employment relations in Britain before 1799, including combination acts for single trades, but *the* Combination Acts were the first statutory provisions to deal directly with the institution of trade unionism, albeit to suppress it. Although the Combination Acts were repealed in 1824-1825, trade unions did not gain a formal legality until the passing of the Trade Union Act 1871. Bills enacted in 1906, 1913 and 1927 completed the legislation – both protective and restrictive – that was in place when the British Colonial Office stepped up its encouragement of trade union ordinances in the territories for which it was responsible.

Kerr *et al.* (1960) hypothesised from their 1950s worldwide studies that industrialising countries would become more like each other. An inherent logic of industrialism would lead them to converge on a future of pluralistic industrialism. In the meantime, diversity could be explained, as well as by culture and the stage reached in the industrialization process, by the different ideologies of the industrializing elites. One class of industrialising elites was that of 'colonial administrators', another was 'revolutionary intellectuals', and another 'nationalist leaders'. Dore (1973), following his study of technologically similar manufacturing companies in Britain and Japan, modified the convergence thesis by suggesting that Japan had leapfrogged pluralistic industrialism and was itself the model for others' industrial futures. By being a 'late' developer Japan had more effectively than elsewhere adapted through 'welfare corporatism' the modern bureaucratic equivalent of paternalism. Regular Japanese employees enjoyed lifetime employment, age-based promotion and seniority wages. While these practices can be a source of rigidity (Dore, 1986) they encourage the incorporation of employees into the enterprise culture and result in strong employee commitment. It has been contended that these practices are a 'highly rational and effective means for inducing worker identification with the enterprise and for creating a highly skilled and pliable core of employees adaptable to rapid technological and organisational change' (Moore, 1987, page 143).

Within the frame of reference provided by convergence theory, this paper takes as an example the former British colony of Singapore. It follows the development of Singapore's trade union legislation from its original promulgation by colonial administrators through the subsequently amendments by the nationalist leaders, at

first in their struggle with 'revolutionary intellectuals and then to align trade unionism with the imperatives of rapid industrialization and economic restructuring. First, however, it is necessary to trace the British origins of colonial trade union legislation between the Combination Acts 1799 and 1800 and the Trade Union Acts of 1871 and 1913.

The Combination Acts 1799 and 1800

The *Magna Carta* sealed in 1215 contains no mention of workers. The worker as wage earner emerged in England in the 14th Century with the commutation of labour after the 'Black Death' had reduced its supply. It was not long before the state sought to impose its authority on this embryonic working class. The Statute of Labourers 1351 – the first piece of labour law in England – attempted to regulate wages, labour migration and occupational choice. Under the Tudors, laws were passed to treat vagabonds – the 'Egyptians', strolling players, and scholars of the universities who begged without a licence – from the Vice-Chancellor' – as criminals (Clapham, 1966, pp. 297-298). Social security for the 'deserving poor' was provided by the English Poor Law, so that poor children were apprenticed to a trade and the 'impotent' might be assigned to a House of Correction to learn some simple skills. Itinerants who did not move on and were therefore a burden on the parish were liable to be flogged and expelled. The *Speenhamland Act 1795*, 'which fundamentally altered English poor relief, [made] the parish responsible for making up the labourer's wage to subsistence level' (Plumb, 1950: 35).

While the structural and economic change in England from the 14th Century created poverty and unemployment and an administrative machine for coping with it, not all sections of the emerging working class were impoverished or impotent. In the 18th Century there is evidence of the existence of trade clubs (as opposed to craft guilds) of carpenters, feltmakers, wheelwrights, tailors, shoemakers, woolcombers and of workers in the silk, flax, iron and leather trades where a wage-earner's point of view might prevail. That these clubs were more than just friendly societies is suggested by the fact that they attracted the suspicions of government and the latter's use of informants to spy on them. By the time that the industrial revolution was well under way the state had passed repressive legislation in the form of the Combination Acts of 1799 and 1800 to ensure a quiescent workforce. It has been observed that:

The Combination Acts caused no comment in political circles. It was a general conviction that the working man was a savage, unprincipled brute who naturally thirsted to overturn a society so obviously not to his advantage. In fact, it was so obviously not to his advantage that many men of goodwill were troubled in their consciences and impelled to good works. They longed for a sober, diligent, enlightened and, above all, Christian working class who would understand that suffering and poverty were in the nature of things but not inimical to man's salvation. (Plumb, 1950: 158)

At the commencement of the 19th Century, the British government was especially repressive fearing as it did the progressive ideas spreading from France. English intellectuals like Tom Paine, who countered Edmund Burke's *Reflections* with his *The Rights of Man*, supported the revolutionary cause.

The Combination Act 1799 amounted to a general prohibition of trade unions, so that by attending a meeting with the object of using influence to increase wages or decrease working hours a worker could be imprisoned if convicted by a single magistrate, who might be that worker's employer. Among other revisions, the Combination Act 1800 introduced arbiters and required two magistrates to secure a conviction, neither of whom could be a master in the trade of the accused. The revisions of 1800 did not reduce the repressive nature of the Combination Laws and, although there was collective action continued, it was mostly ineffective. In fact the repeal of the Combination Acts was achieved not by mass movement but by persuasion of a Parliamentary Committee through the cooperative efforts of a Radical tailor, Francis Place, and a Radical Member of Parliament, Joseph Hume. Both Place and Hume believed that freedom to bargain collectively would see the end of strikes. When, in fact the repeal in 1824 led to an outburst of strikes, there was a movement for the reinstatement of the Combination Laws which Place and Hume had to work hard to defeat (Greg, 1973, p. 68-74).

Although the Act of 1825 which replaced that of 1824 made lawful the principle of combinations, trade unions were still vulnerable to conspiracy and laws against the administration of unlawful oaths. A breach of the latter resulted in the infamous transportation of agricultural labourers, known as the 'Tolpuddle Martyrs', to Australia in 1834, although there were many more cases of transportation for trade union activity than this one. In spite of the proscriptions and in spite of a failed grandiose attempt at all inclusive unionism inspired by the visionary Robert Owen in 1834, trade unionism in Britain moved into the 'New Model' phase of its development. New model unions, primarily of craftworkers – for example of engineers, boilermakers, ironfounders and bricklayers, but also of coalminers and textile operatives – typically encouraged Friendly Society activities and peaceful collective bargaining.¹ An exception was trade union violence in 1866 in Sheffield.² This resulted in the appointment of a Royal Commission 'to inquire into the Organization and Rules of Trades Unions and other Associations'. The threat to the future of trade unionism by this development was compounded by a Queen's Bench ruling in 1867 that trade unions did not fall within the scope of the Friendly Society Act 1855 and therefore could not sue officers who misappropriated union funds. The Queen's Bench Judge also declared that a trade union by being so far in restraint of trade was an illegal organization.

The Trade Union Act 1871

The Royal Commission issued Majority and Minority Reports in 1869 but the subsequent legislation followed the recommendations of the Majority Report.³ The Trade Union Act 1871 provided that a trade union was not illegal by being in restraint

¹ The history of British trade unions which applies the classification of 'New Model Unions' is that by Webb and Webb (1894).

² These were acts of violence perpetrated by trade unionists against 'blacklegs' which outraged public opinion.

³ Greg, (1973, pp.346) details some of the evidence presented to the Royal Commission.

of trade. The effect of this, however, was negated by the Criminal Law Amendment Act 1871 making all picketing illegal. It was not until 1875, aided by the extension of the electoral franchise to working class men, that political campaigning led to the Criminal Law Amendment Act 1871 being replaced by the Conspiracy and Protection of Property Act, which made peaceful picketing legal. Another Royal Commission ('on Trade Disputes and Trade Combinations') reported in 1906 and led to the Trade Disputes Act 1906, which reversed the effect of the House of Lords Taff Vale Judgement in 1901 by granting trade unions immunity from legal proceedings in respect of civil wrong. Again, in 1913, legislation in the form of the Trade Union Act had to be passed to reverse a House of Lords Judgement, the 'Osborne Judgement', which had restricted trade unions contributing to political funds. These laws, variously amended became the prototypes for legislation in Britain's colonies in the 20th Century

The Colonial Legislation

Most of the United Kingdom's colonial territories had some type of 'native employment ordinance' to regulate labour in the plantations, on the railways, on the docks and in administrative offices before the Colonial Office had begun to formulate a labour policy in response to the emergence of colonial trade unionism. Thus, it was not until 1930 that the Colonial Secretary – at that time Sydney Webb – sent a dispatch to all British colonial governors urging them to legislate trade union rights in their territories. In spite of further dispatches by Webb's successors, little was achieved until 1938 when the Colonial Office became insistent and there began the appointment of labour advisors, the enactment of trade union ordinances, the creation of labour departments, the appointment of labour inspectors and the provision of dispute settlement machinery. These developments were furthered by the requirement under the wartime Colonial Development and Welfare Act 1940 that 'no territory might receive aid under its provisions unless it had in force legislation protecting the rights of trade unions...' (Davies, 1988, p. 39).

Trade union acts had been passed in India and in Burma in 1926, but among the earlier colonial trade union ordinances urged by the Colonial Office were those of The Gambia, Tanganyika and of Nyasaland in 1932. Subsequent ordinances were passed in Uganda in 1937, in Mauritius and Nigeria in 1938, in Antigua and in Barbados in 1939, in Singapore and Malaya in 1941, in Aden in 1942, and in Fiji in 1943. Postwar trade union ordinances included those in North Borneo, Brunei and Sarawak in 1947, and in The Sudan and Hong Kong in 1948⁴.

The typical British colonial trade union ordinance emulated the principles of freedom of association in the United Kingdom legislation and embodied its immunity from prosecution for a trade union's objects being in restraint of trade. On the other hand, the concern of the British authorities to confine colonial trade unionism to industrial matters meant that, unlike in the home country, a trade union in the colonies was

⁴ A useful source on the development of trade unionism in British territories at the time of the trade union ordinances of the 1930s and 1940s is Roberts (1964, pp.3-166).

required to register. The Registrar of Trade Unions, usually accountable to a Labour Commissioner or the Governor, might withdraw the registration certificate of a trade union if it engaged in a range of unlawful activities. Other differences from the United Kingdom legislation include the political levy – in Malaya, for example, it was not until 1954 that trade unions were permitted to operate a political fund (Gamba, 1955, p.19) – and restrictions on affiliation. The confusion of purpose by the colonial administrators – between benevolent paternalism and the containment of nationalism – was inherent in the colonial relationship. Thus in Africa (but true for elsewhere):

...[T]he British administration seemed unaware where the logic of its own position led. Trade unions throughout Africa were registered and closely supervised by the labour departments: accounts were scrutinized, political affiliation was discouraged, union offices were closed, and, in practice, the right to strike was severely circumscribed by the 'emergency' actions of Governors or by the introduction of long lists of essential services in which strikes were illegal. (Davies, 1966, p. 42).

Singapore

The legal regulation of trade unions and employment relations in Singapore comprises a series of statutes which began as ordinances⁵ under the British colonial administration and which were subsequently amended and added to or repealed by the People's Action Party (PAP) Government elected to office in 1959. The Trade Unions Ordinance 1940, which did not come into effect until after World War II when a Trade Union Adviser was appointed conformed to the Colonial Office model. It granted legal immunities for actions in restraint of trade, required the compulsory registration of trade unions, and provided for their regulation by the office of the Registrar. The Trade Disputes Ordinance 1941 regulated picketing, and the Criminal Law (Temporary Provisions) Ordinance 1955 listed those essential services in which industrial action was unlawful or required a statutory period of notice.

Using the Kerr et al. (1973) classification, and at risk of oversimplifying, industrial relations in Singapore after World War II incorporated the partly conflicting aims of three main parties: 'revolutionary intellectuals', 'nationalist leaders' and 'colonial administrators'. The 'revolutionary intellectuals' were the pro-communists backed by the Malayan Communist Party (MCP). On the labour front, the pro-communists operated through large general unions at different times, such as the General Labour Union, the Singapore Factory and Shop Workers' Union, the Singapore General Employees' Union and Singapore Trade Union Working Committee. A non-communist Singapore Trades Union Congress (STUC) was established in 1951, but it never succeeded in controlling the labour movement.

⁵ Statutes before Singapore's independence in 1965 (on leaving the Malaysian Federation) are conventionally referred to as Ordinances, after independence as Acts.

Among the 'nationalist leaders' were Alfred Marshall and Lim Yew Hock, who led a Labour Front, and Lee Kuan Yew, whose success as a labour advocate had anticipated his leadership of the PAP, founded in 1954. The British 'colonial administrators', seeking to secure Britain's interests in the region, had declared an 'Emergency' in 1948 and applied its Regulations to trade union activists in an endeavour to contain communist insurgency in Malaya and Singapore. In pursuing their different objectives, these parties' strategies and tactics were substantially determined by language and ethnic distinctions – for example, the need to win the support of Chinese-educated Singaporeans by (mostly) English educated nationalists – and the prospective post-colonial political configuration of the Malayan region.

Singapore was granted limited self-government in 1955 and the Labour Front governments that preceded the PAP Government were dogged by industrial unrest. Marshall's administration unsuccessfully confronted the militant trade unions, including the Singapore Bus Workers' Union, controlled by the pro-communists over dismissals at the Hock Lee Bus Company. An arbitrator (Charles Gamba)⁶ ordered the reinstatement of the dismissed bus workers thereby demonstrating to both communist and non-communist trade unions that militancy could succeed (Lee, 1998, p. 204).⁷ In 1957, Lim Yew Hock's administration too confronted the pro-communist leaders, after they had mustered 95 unions under the banner of a 'Civil Rights Convention, by detaining the pro-communist leaders under the Emergency Regulations.

The PAP which won office in 1959 was an uneasy association of the detained pro-communists and the non-communists, the latter led by Lee Kuan Yew. A condition demanded by the PAP of the colonial administration before taking office was that the principle pro-communist detainees be released. Lee Kuan Yew had regularly visited them in detention and C. V. Devan Nair had helped draft a PAP manifesto of non-communist aims that they were able to publicly commit themselves to upon their release.

In 1960, the PAP Government embarked on a program of industrialization and passed the Industrial Relations Ordinance to standardize collective bargaining, centralize conciliation in the Ministry of Labour and, in a break with the British tradition, establish compulsory arbitration by Industrial Arbitration Courts (IACs) modelled on Australian institutions. Likewise, controls over trade union registration and the appointment of trade union

⁶ Gamba was an academic from the University of Western Australia who was influential in the establishment of Australian-style compulsory arbitration through Industrial Arbitration Courts (IACs) into Singapore's industrial relations (Krislov and Leggett, 1985).

⁷ A notable piece of employment legislation passed by the Labour Front Government was the Central Provident Fund Ordinance 1955, the provisions of which have been central to the employment policy of the PAP Government.

officers were strengthened. Meanwhile the PAP cultivated a National Trades Union Congress (NTUC) under the leadership of C. V. Devan Nair to rival the 'Leftist' Singapore Association of Trade Unions (SATU). From 64 per cent of organised workers in 1963, The NTUC affiliates organised 95 per cent in 1979 (Department of Statistics, 1983). The never-registered SATU faded from the scene after the pro-communist leaders had mostly been purged from the PAP, at the time of Singapore's joining the formation of the Malaysian Federation in 1963.

In 1965 Singapore was obliged to leave the Malaysian Federation on which the PAP leaders had staked Singapore's political and economic future. This event and the impending closure of the British military base, a major employer of Singapore labour, prompted the Government to take action to ensure the character of Singapore's industrial relations would not be a deterrent to multi-national corporate investment in labour-absorbing enterprise. Thus, the Trade Unions Act was amended in 1966 and 1967⁸ and the Public Daily Rated Employees Unions Federation (PDREUF), known for its militant leadership, was deregistered in 1967. In 1968, the Industrial Relations (Amendment) Act and the Employment Act were passed to curtail the scope of collective bargaining and standardize employment conditions.⁹

The 1968 legislation resulted in a decline in trade union membership that was not reversed until the National Wages Council Act 1972 established a tripartite agency for the centralisation of annual wage fixing. The trade unions' involvement with subsequent national wage increases, it might be deduced, contributed to the revival of their credibility with the workforce. Meanwhile, in 1969, the NTUC, which by then had established a 'symbiotic' relationship with the PAP under C. V. Devan Nair's guidance,¹⁰ set a new direction for Singapore's trade unions at a seminar under the banner, 'Why

⁸ The Trade Unions (Amendment) Act 1966 authorised the disqualification of non Singaporean trade union officials and those with criminal records. The Trade Unions (Amendment) Act 1967 was concerned with structuring statutory board unions.

⁹ The Industrial Relations (Amendment) Act 1968 made it an offence for a trade union to raise for collective bargaining matters pertaining to the promotion, transfer, hiring, firing or job allocation of an employee. Representation might be made to the Minister of Labour on behalf of a union member alleging dismissal 'without just cause' and trade unions could negotiate retrenchment compensation. The Employment Act 1968 set out the minimum terms and conditions of employment for the workforce. However, for the bulk of the manual workforce, the Industrial Relations (Amendment) Act 1968 limited the terms and conditions of service in a collective agreement to those specified in the Employment Act 1968.

¹⁰ C. V. Devan Nair shed his pro-communist sympathies in 1959. He was elected to the Malaysian Federation Parliament but returned to Singapore to revamp the labour movement. He was a strident defender of Singapore's industrial relations system when it was criticized in international forums. His appointment to the, at the time largely ceremonial, Presidency of Singapore was prematurely terminated due to his alcoholism.

labour Must Go Modern' (National Trades Union Congress, 1970). The direction was away from confrontational collective bargaining and towards labour-management cooperation supported by the NTUC's promotion of service cooperatives and recreation and educational provisions for members.

It is well known that Singapore successfully industrialised between 1960 and the mid-1970s to become categorised as a Newly Industrialized Country (NIC) which had successfully accommodated the effects of the oil-price hikes of the 1970s. By 1979, to avoid the 'low wage trap', the PAP Government sought to restructure the city state's economy to one based on high technology, high value added enterprise through what might be described as a national human resource management strategy.¹¹ The National Wages Council (NWC) made a succession of substantial wage increase recommendations and employer and employee contributions to the Central Provident Fund (CPF) reached 25 per cent each of gross wages. The employers associations merged into one peak body, the Singapore National Employers' Federation (SNEF), and the NTUC began to restructure its 'omnibus' affiliates, which had been deemed appropriate for labour-intensive industrialization, into industry-wide unions, and then, where appropriate, into enterprise unions. Both to reflect what was already the case and to promote further the economic restructuring of Singapore, the Trades Union (Amendment) Act 1982 was passed.

Consistent with the original British legislation the Trade Unions Act 1940 had defined a trade union according to its 'objects' of the regulation of industrial relations, the imposition of restrictive conditions, representation in trade disputes and the promotion of industrial action. In 1982 the 'purposes' of the promotion of 'good' industrial relations, the improvement of working conditions and the achievement of productivity were substituted for the confrontational 'objects' of the original definition. In addition, the scope of the authority of the Ministry of Labour to regulate the registration and de-registration of trade unions was widened. Trade unions were allowed 12 months to re-register in line with the new legislated 'purposes'. Amendments to the Employment Act were also made - in 1984 to give greater flexibility to managers in rostering staff and paying overtime rates, and, in 1995, to facilitate the transfer of workers to a new employer in the case of restructuring a business.

Conclusions

The British combination legislation as it stood in 1906 became the model for Britain's colonial territories. Its distinctive features were the definition of trade union objects

¹¹ In the mid-1980s Human Resource Management subjects became compulsory in all disciplines in Singapore's tertiary education institutions.

and trade unions' immunities from prosecution for actions in restraint of trade while pursuing a legitimate trade dispute. However, in the colonial territories the legislation contained provisions for compulsory registration and for detailed regulation by a Registrar of Trade Unions. These regulations included those for the registration, de-registration and dissolution of a trade union, for the rules by which trade union officers were elected and for the management of funds (including political funds) and accounts. The right to strike, inherent in the immunity provision, was often limited by other ordinances and 'Emergency' regulations. As the various post-colonial governments dealt with the political, economic and social imperatives facing their countries after independence, the colonial ordinances have experienced different histories. Exceptionally, Hong Kong remained a British Crown Colony until 1997, and its Trade Union Ordinance 1948 has not been fundamentally changed, although an amendment in 1988 permitted the use of political funds (England, 1989, p.141). In the Sudan, on the other hand, the existing trade unions were abolished in 1971 and a new Trade Union Act passed to approve and regulate trade unions registered from thereon (El Jack and Leggett, 1980, p.18). More common has been a series of amendments to the original colonial trade union ordinance – as in Singapore, at least until the Trade Union (Amendment) Act 1982.

The 'behaviour of the actors' in Singapore's industrial relations system has been observed as orchestrated by the PAP Government (Levine, 1980, p. 78)¹². This observation is in keeping with Prime Minister Lee Kuan Yew's view that, 'If you try to run the undiluted British style of democracy in the context of South East Asia, you will collapse' (Lowe, 1960).¹³ Indeed, amending the Trade Unions Act, and other procedural and substantive employment legislation has been only part of a complex of institutional means for shaping the labour force to meet the Government's imperatives for the social and economic development of Singapore.

Other means have included centralized tripartite wage fixing, the PAP-NTUC symbiosis, a network of statutory boards for implementing economic and social policies, centralized arbitration, the Ministry of Labour conciliation provisions and the social, recreational and educational provisions of the NTUC (Leggett, 1988). In their various ways they have all contributed to the non-confrontational character of Singapore's industrial relations which had become almost taken for granted. Not surprisingly then, in 1980 the Ministry of Labour was slow to invoke the Trade Unions Act when Singapore Airlines flight crews organized (unlawfully as it turned out) a work-to-rule (Leggett, 1984). In 1984, however, the Ministry found the Act convenient when the General Secretary of the Singapore Air Transport Union (SATU) resisted the NTUC's attempts to restructure his union. As in the original British legislation, the Registrar only required seven members to register each of the

¹² Singapore, having incorporated trade unions rather than marginalize them, in 1993 Singapore was one of the signatories to a draft ILO resolution arguing that conventions should be applied more flexibly. It ratified ILO Convention No. 98 (Right to Organise and Collective Bargaining, 1949) in 1965 but has not ratified Convention No. 87 (Freedom of Association and Protection of the Right to Organise, 1948).

¹³ Cited in Roberts (1966, p. 77).

proposed enterprise unions to replace the industry-wide SATU (Leggett, 1988, p. 249)¹⁴.

Singapore's Trade Union (Amendment) Act 1982 in one sense, i.e. that of its redefinition of trade union objects, represents a fundamental change to trade unionism rather than its regulation in law. It did mean, however, that Singapore's trade unions in order to re-register had to revise their constitutions to bring them into line with the new legal definition of objects. Before 1982 a trade union in Singapore was defined as:

any association or combination of workmen or employers, whether temporary or permanent, having among its objects one or more of the following objects – (a) the regulation of relations between workmen and employers, or between workmen and workmen, or between employers and employers; or (b) the imposing of restrictive conditions on the conduct of any trade or business; or (c) the representation of either workmen or employers in trade disputes; or (d) the promotion or organisation or financing of strikes or lock-outs in any trade or industry or the provision of pay or other benefits for its members during a strike or lock-out, and includes any federation of two or more trade unions.

In 1982 a Singapore trade union was redefined as:

any association or combination of workmen or employers, whether temporary or permanent, whose principal object is to regulate relations between workmen and employers for any or all of the following purposes: (a) to promote good industrial relations between workmen and employers; (b) to improve the working conditions of workmen or enhance their economic and social status; or (c) to achieve the raising of productivity for the benefit of workmen, employers and the economy of Singapore, and includes any federation of two or more trade unions.

The necessary immunities and conditions achieved in the original British legislation that:

No suit or other legal proceedings shall be maintainable in any civil court against any registered trade union or any officer or member thereof in respect of any act done in contemplation or in furtherance of a trade dispute to which a member of the trade union is a party....

that:

A suit against a registered trade union or against any member or officers thereof on behalf of themselves and all other members of a trade union in respect of any tortious act alleged to have been committed by or on behalf of the trade union shall not be entertained by any court.

and that:

A registered trade union may sue....

¹⁴ The provision of a minimum of seven members to register a trade union was used differently in Hong Kong by the colonial administration: it allowed the proliferation of small unions, thus weakening the labour movement (England, 1988).

remain in the Act.

Ironically, in the 1980s in Britain, a series of Acts imposing requirements on British trade unions which had long been part of the colonial ordinances were passed. For example, the Trade Union Act 1984 required a secret ballot for authorising or endorsing industrial action, the ballot paper having to include a statement that industrial action may involve workers in a breach of their contracts of employment. Five-yearly secret ballots were required for union executive committee members and secretaries and presidents with voting rights on such committees. Provisions for secret ballots had long been included in the Trade Union Act in Singapore.

References

- Clapham, Sir J. (1966) *A Concise Economic History of Britain: From the Earliest Times to 1750*. Cambridge: Cambridge University Press.
- Davies, I. (1966) *African Trade Unions*. Harmondsworth: Penguin.
- Department of Statistics (1983) *Economic & Social Statistics Singapore 1960-1982*. Singapore: Singapore National Printers.
- Dore, R. (1973) *British Factory-Japanese Factory*. London: Allen & Unwin.
- Dore, R. (1986). *Flexible Rigidities: Industrial Policy and Structural Adjustment in the Japanese Economy 1970-1980*. London: Athlone Press.
- El Jack, A. H. and Leggett, C. (1980) *Industrial Relations and the Political Process in the Sudan*. Geneva: International Institute for Labour Studies, Research Series No. 49.
- England, J. (1989) *Industrial Relations and Law in Hong Kong*. Hong Kong: Oxford University Press.
- Gamba, C. (1955) *Labour Law in Malaya*. Singapore: Donald Moore.
- Greg, P. (1973) *A Social and Economic History of Britain 1760-1972*. London: Harrap.
- Kerr, C., Dunlop, J. T., Harbison, F. H. and Myers, C. A. (1973) *Industrialism and Industrial Man*. Harmondsworth: Penguin.
- Krislov, J. and Leggett, C. (1985) 'Singapore's Industrial Arbitration Court: Changing Roles and Current Prospects', *The Arbitration Journal*, volume 40, number 1, pp. 18-23.
- Lee, K. Y. (1998) *The Singapore Story: Memoirs of Lee Kuan Yew*. Singapore: Singapore Press Holdings.
- Leggett, C. (1984) 'Airline pilots and Public Industrial Relations: The Case of Singapore Airlines', *Indian Journal of Industrial Relations*, volume 20, number 1, pp 27-43.
- _____ (1988) *Industrial Relations and Enterprise Unionism in Singapore*, *Labour and Industry*, volume 1, number 2, pp. 242-257.

Levine, S. B. (1980) 'Changing Strategies of Unions and Management: Evaluation of Four Industrial Countries', *British Journal of Industrial Relations*, number 1, volume 18, pp. 70-81.

Lowe, J. (1960) *The Malayan Experiment*. Faber International and Commonwealth Bureau, Research Series 213.

Moore, J. (1987). 'Japanese Industrial Relation', *Labour and Industry*, volume 1, number 1, pages 140-155.

National Trades Union Congress (1970) *Why Labour Must Go Modern!* Singapore: NTUC Publication.

_____ (1979) Pelling, H. (1987) *A History of British Trade Unionism*. London: Macmillan.

Plumb, J. H. (1950) *England in the Eighteenth Century (1714-1815)*. Harmondsworth: Penguin.

Roberts, B. (1964) *Labour in the Tropical Territories of the Commonwealth*. London: The London School of Economics and Political Science/G. Bell and Sons.

Webb, S. and Webb, B. (1894) *The History of Trade Unionism*. London: Longmans.