

**THE POPULAR POLITICS OF THE POLL TAX:
AN ACTIVE CITIZENSHIP OF THE LEFT?**

A thesis submitted for the degree of Doctor of Philosophy

by

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Abstract

The Community Charge (poll tax) was seen by both its supporters and opponents alike as an attempt to promote the British New Right's concept of responsible, active citizenship in local politics. The reaction of different groups of citizens to the tax is explored through a detailed case study of events in the London Borough of Ealing, an archetypal London suburb. Here, as in most urban areas, organised anti-poll tax protestors clashed with MPs, councillors and the local magistracy, who played a large role in enforcing the measure. It shows how the protestors attempted to mobilise a 'moral community' built around the idea of 'fair' taxation and promote a campaign of civil disobedience to force abolition.

This in turn compelled local actors to make principled choices about the enforcement of a law of which many of them strongly disapproved. The protestors' tactics seemed to strike a popular chord and at least a fifth of all Ealing charge-payers (and eight million people nationally) failed to pay the tax in 1990/91. However, the detailed evidence also suggests that non-payment can best be seen as a mass expression of *bloody mindedness*, rather than a concerted and organised campaign of civil disobedience. Nevertheless the protests had important implications for the practise of left-wing citizenship in contemporary Britain and served to highlight growing divisions between the mainstream and radical Left.

Previously published academic accounts have addressed the 'high' politics of the poll tax. The thesis explores instead the 'popular' politics of the poll tax crisis in a suitably local setting and so redresses an imbalance in the literature. It therefore makes an original contribution to knowledge and understanding of the relationship between conventional means of political participation, radical popular protest movements and competing concepts of citizenship.

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RM

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Abbreviations

AAPTU	Acton Anti-Poll Tax Union
ABAPTF	All Britain Anti-Poll Tax Federation
ALAPTA	All London Anti-Poll Tax Activists
ALAPTF	All London Anti-Poll Tax Federation
AMA	Association of Metropolitan Authorities
CCB	Community Charge Benefit
CEAPTU	Central Ealing Anti-Poll Tax Union
CIPFA	Chartered Institute of Public Finance and Accountancy
CLP	Constituency Labour Party
CPAG	Child Poverty Action Group
DHSS	Department of Health and Social Security
EAPTC	Ealing Against the Poll Tax Campaign
ECCRO	Ealing Community Charge Registration Office
EHAPTU	Ealing Hospital Anti-Poll Tax Union
EAPTF	Ealing Anti-Poll Tax Federation
FBU	Fire Brigades Union
GLATC	Greater London Association of Trades Councils
GMAPTF	Greater Manchester Anti-Poll Tax Federation
GNAPT	Greenford and Northolt Against the Poll Tax
HAPTU	Havelock Anti-Poll Tax Union
IWA	Indian Workers' Association
LBE	London Borough of Ealing
LGIU	Local Government Information Unit
MSF	Manufacturing Service Finance [union]
NALGO	National Association of Local Government Officers
NAPO	National Association of Probation Officers
NUM	National Union of Miners
NUPE	National Union of Public Employees
SAAPTU	South Acton Anti-Poll Tax Union
SARAF	South Acton Resident's Association Federation
SAPTF	Scottish Anti-Poll Tax Federation
SAPT	Southall Against the Poll Tax
SMG	Southall Monitoring Group
STUC	Scottish Trades Union Congress
SWP	Socialist Workers Party
TGWU	Transport and General Workers Union
TSDC	Trafalgar Square Defence Campaign
TUC	Trades Union Congress
WEHAPT	West Ealing and Hanwell Against the Poll Tax

Introduction

A Popular Politics of the Poll Tax?

In 1996 I came across a copy of a book by David Butler, Andrew Adonis and Tony Travers called *Failure in British Government: The Politics of the Poll Tax*.¹ In many ways it was an impressive read, setting out the historical and political context in which the poll tax was conceived and implemented and full of detailed research about the meaning ascribed to the crisis by the political class and others in the ‘Whitehall village’. All this combined with an intelligent discussion of the possible implications of the tax for British democracy in the late twentieth century. Yet ultimately, it did not satisfy and I increasingly found myself asking – ‘where on earth has the anti-poll tax movement and the non-payment campaign gone?’

Of course how and what you see is determined by what you look for. Butler et al surveyed the ‘high’ politics of the poll tax and concluded that this spectacular policy failure was symptomatic of a wider malaise in the British political system. The notion that the poll tax can best be seen as a problem of elite governance remains a strong theme in much of the mainstream literature about the tax, but by no means all. For example, most politicians’ memoirs, biographies and works of contemporary history for the period tend to view the poll tax as an immediate party political crisis that had only short-term effects on the political system. Others, notably Margaret Thatcher, sought to stress the ideological purpose of the tax as a conscious attempt to turn ‘dependants into citizens’.² The poll tax also called forth a large ‘technical’ literature, including government and Audit Commission reports, legal guides and detailed analysis of the likely and actual effects of the tax produced by voluntary organisations. This latter strand tended to be overtly hostile to the tax as a social policy.

Three dominant themes emerge from this literature to explain the poll tax’s obvious lack of popular legitimacy. Firstly, most commentators (but particularly Conservatives) flag up the fact that the poll tax *cost more* than the rates for most

households. Many accounts are therefore replete with tables of 'winners and losers' and at times seem to assume a near-mechanistic relationship between the level of the charge and its popularity. Similarly, the poll tax is widely cast as '*unworkable*' because of the practical problems attendant upon any universal, flat-rate charge in a modern industrial society. Thirdly, the legitimacy of the tax was undermined by its obvious *unfairness*, in that it did not reflect an ability to pay. But the problem of inequality and its direct effect on the poor tends to be only seriously discussed by leftist voluntary organisations, such as the Child Poverty Action Group.

All in all then, according to most accounts, the poll tax is best viewed as a policy 'mistake'. True, it highlighted some real shortcomings in British liberal democracy, but the system came good in the end. Hence the decision of the parliamentary Conservative Party to unceremoniously jettison both the tax (and its leader) in the face of various opinion poll findings and by-election results. The politicians listened, parliamentary democracy worked. From this perspective the organised protest campaign was a fringe movement of the 'far left' and as such, was almost by definition, a peripheral actor in a drama whose principal leads were career politicians, various institutional actors and newspaper editors. The protestors and millions of non-payers (if they appear at all) are therefore cast as a sort of undifferentiated stage army, occasionally entering stage left in turbulent crowd scenes, but more usually remaining backstage, identifiable only by a muted background hubbub to which the main players occasionally lend an ear.

This was not how I remembered it. At this point I should perhaps come clean. Before I undertook this research my knowledge of the poll tax as a political issue had been largely derived from personal experience. Between 1989-1993 I was a very active participant in the anti-poll tax campaign in the London Borough of Ealing. I had written and handed out leaflets, spoke at public meetings and rallies, attended demonstrations, advised people unable (or unwilling) to pay the tax, represented some in court, visited people convicted of non-payment in prison and so on. I also served as the chair and later press officer of the Ealing Anti-Poll Tax Federation and so, in a small way, actively

shaped the direction taken by the movement. In short, I was an activist not an observer and the meaning I attributed to events necessarily reflected that fact.

My over-riding perception was that the politics of the poll tax were driven and shaped at almost every turn by a distinctly *popular* level of political participation, which found expression in a number of interesting ways. At first public antipathy travelled along 'conventional' political pathways such as the letters to the MP, votes at local elections and by-elections and the occasional orderly demonstration. If that had been all that had happened, so far, so unremarkable. But popular feeling soon broke out of these constraints and came to include more direct forms of political action. These included riots and disorderly protests at Town Halls and national demonstrations, the disappearance of nearly a million people off the electoral register in an effort to avoid the tax and most importantly of all, non-payment as a mass phenomena which involved at least eight million individuals by 1991. Of course, many of these non-payers were simply trying to get away with it, but in a real sense that did not matter. For whatever their motives, the fact that so many people were *bloody minded* ultimately made it unworkable. Poll tax non-payment therefore represents the biggest instance of popular protest since the general strike of 1926. Yet all these remarkable events receive scant, if any attention in the mainstream literature.

In part this imbalance may reflect the nature of some of the accounts produced by left-wing opponents of the poll tax, which tend to be strongly polemical in intent and content. One strand, produced by leading national protestors (such as Tommy Sheridan and Margaret Reynolds) seeks to portray the anti-poll tax movement as a primarily organised phenomenon and eulogise the role of a vanguard-style Marxist leadership in mobilising popular opinion.³ Another important strand, exemplified by Danny Burn's influential and perceptive account of the anti-poll tax movement in the South West, tends to flag up the spontaneity of the protests, casting the opposition to the tax as a revolt by the community.⁴ Taken together, this literature provides much information about the movement in some regions, such as the South West, the North West and Scotland. But it also tends to be long on rhetoric and short on detail at a more

local, authority-wide level. This is a pity, for as this study shows, the anti-poll tax movement was in practise a highly parochial phenomenon, although the national political context and a centrally determined legislative framework also tended to encourage a near-uniform response from local authorities.

Surprisingly perhaps, a detailed and sustained critical examination of the character of the movement (and especially the ambiguous meaning of non-payment) also tends to be largely absent. The ‘people’ and the ‘protestors’ are often portrayed as undifferentiated parts of the same ‘struggle’. But the highly politicised protestors were almost by definition unrepresentative of most ‘ordinary’ people in a generally apathetic political age. That does not mean that they were incapable of articulating and mobilising popular feeling on the poll tax as a single issue – all the evidence suggests that the anti-poll tax movement was unusually successful in this regard. But the relationship between the protestors and public opinion was often a complex one and needs careful exploration.

So in deciding to embark upon this project I hoped to address some of the omissions and shortcomings in the existing literature by considering the importance of the ‘popular’ politics of the poll tax. Such a project raises a number of theoretical and practical problems and before outlining the research, it is worth explaining why the study uses the concept of ‘active citizenship’ as a framing device.

Why ‘active citizenship’?

The concept of citizenship has proved useful in explaining the relationship between the individual and the state, as it ‘provides a framework of legitimation, a vocabulary of motive that draws on prevailing cultural ideas and provides the discursive conditions for discussions of social policy.’⁵ From one perspective, active citizens are economically autonomous and responsible social actors. From another, active citizens seek to turn their beliefs and ideals into reality by *doing* things, by participating in the politics of their society, by engaging with their fellow citizens. Both these broad notions of active citizenship were much

discussed in the late 1980s and played a discernible role in shaping the final form of the poll tax. For the Conservative government's efforts to roll back the frontiers of the state, to end a debilitating 'dependency culture', to control 'profligate (left-wing) local authorities and so generally recast the conduct and temper of politics in a neo-liberal form all found expression in the Local Government Finance Act 1988. The tax was therefore an unusually 'ideological' measure and was rightly perceived as such by its supporters and opponents alike.

This was significant, for as I will show, the poll tax was also a profoundly *unpopular* measure that was consistently opposed in principle by around 70% of the population. There was a general consensus that that the poll tax was a 'bad law' which failed to accord with majority values concerning 'fair taxation'. However, there are plenty of other laws which are widely perceived to be unfair. What differentiated the poll tax was that almost every adult citizen was asked to pay it. As a result, they could not dismiss the tax as someone else's problem, or banish it from their consciousness with the switch of the TV remote control. Instead, everyone was forced to address a question that normally goes by the board: should we obey a law we disagree with and so rely on the electoral process to seek redress? After all, the payment of taxes remains the main, formal duty that most citizens owe the state. To violate that duty is to bring into question the wider relationship between the state and its citizenry, however incoherently. In the event, the majority of the population chose to obey, but millions of others did not.

This dilemma was naturally of particular concern to the British Left, with whom much of this discussion is concerned. In general, the poll tax forced the Left to choose between two forms of political citizenship: an institutional form of participation that stayed within the law and let the electoral process run its course; or a more radical form of resistance, based on civil disobedience and non-payment. Once the organised anti-poll tax movement chose to sink the tax through direct action, it inevitably came into conflict with the political establishment, the institutionalised Labour movement, local councillors and magistrates. I will suggest that the inter-reaction between these groups went beyond a simple clash of interests – although this was obviously important. For

the conflict also represented a profound disagreement about the proper *means* by which ‘good’ citizens should seek to effect political change. In that sense, the poll tax crisis cannot meaningfully be separated from the wider debate about citizenship.

All this was primarily played out at a local level, where the tax was enforced. The primary focus of this study is therefore unashamedly local and deals with the experience of the anti-poll tax movement in an archetypal London suburb – the London Borough of Ealing. The approach partly reflects the localised nature of the anti-poll tax movement itself. It also seeks to fill an obvious gap in the literature as so far no other detailed study of the London anti-poll tax movement has yet been undertaken. Obviously, the Ealing experience was not necessarily representative of all other areas in the capital – in a sense that would be absurd once we accept the importance of localism – but it would be wrong to exaggerate the differences between specific London boroughs either.

Finally, in adopting the concept of citizenship as a framing device I do not seek to belittle the usefulness of other ways of looking at the poll tax. For example, at various times I actively considered approaching the issue in terms of the concept of political legitimacy, or as a specific social policy or by adopting a political science perspective and approaching the anti-poll tax movement as a New Social Movement. Ultimately, I chose to pursue the question of citizenship because it seemed the best means of framing a discussion about the potential and limitations of political action in contemporary Britain

AN OUTLINE OF THE RESEARCH

The first chapter discusses the poll tax in light of the Conservative government’s conception of ‘active citizenship’. It finds that the poll tax, as a policy, can be convincingly explained as an attempt to implement key *ideological* nostrums of the British New Right and so encourage an ‘active citizenship’ of economically independent, socially altruistic and politically conservative individuals. This vision of citizenship was violently criticised in the period and is briefly compared to the Left’s alternative conception of a rights-based citizenship.

However, the poll tax can also be seen as an attempt to address some specific traditional and more immediate *political* problems, including hostility to the rates within the Conservative Party, a desire to limit public expenditure and disputes with local government.

Chapter two begins to discuss the popular politics of the tax in Ealing by outlining the organisational development of the Ealing Anti-Poll Tax Federation and its affiliates. It shows that although the campaign came to involve a large number of people drawn from an unusually broad range of political traditions, it was largely initiated and sustained by the socialist and trade union left. The Federation was shaped by the particular characteristics of the poll tax and evolved into a highly parochial, loose, non-hierarchical protest organisation that proved capable of mounting an effective local campaign of civil disobedience and adapting to changing circumstances. Finally, the nature of the campaign is discussed and the experience in Ealing is set against some other theories regarding the anti-poll tax movement.

Chapter three outlines the rhetoric of anti-poll tax protest and seeks to assess how far the protestor's language and tactics accorded with majority opinion. Thus qualitative 'textual' evidence derived from written sources and interviews with local actors is compared with quantitative surveys on public attitudes and participation. The chapter concludes that the rhetoric of anti-poll tax protest can best be seen as a conscious attempt to mobilise a 'moral community' opposed to the principles embodied in the tax, that cut across traditional age, class, spatial, ethnic and political lines. The apparent effectiveness of this appeal helps explain why the anti-poll tax movement in Ealing and elsewhere was able to hinder the local state as it attempted to enforce the tax.

The protestors called upon local Labour councils not to implement the tax, local authority workers to refuse to collect and the local community not to pay it. These direct action tactics were consistently opposed by the leadership of the Labour Party and trade unions and received only patchy support among the movement's rank and file. Chapter four explores why the mainstream left proved so reluctant to countenance any form of extra-parliamentary action, even

though the tax promised to emasculate its traditional support-base in local government through the introduction of a Unified Business Rate and by establishing a 'rational' incentive for local citizens to vote for low spending (Conservative?) councillors. It concludes that the failure of the anti-poll tax movement to engage with the traditional left meant that mass non-payment emerged as the chief tactic almost by default.

Chapter five discusses the relationship between political violence and the anti-poll tax campaign. Through a detailed account of the major national anti-poll tax demonstrations organised in 1990, it shows that the protestors in Ealing neither expected, nor desired rioting to occur at these demonstrations. However, many protestors also tended to see police actions as a direct physical attack upon the movement and the right to protest. In order to explain this mounting hostility to the police, the wider question of citizenship and violent protest in the 1980s is assessed.

Chapters six and seven both describe and assess the campaign of non-payment in Ealing and elsewhere. Chapter six deals with the protestors' attempts to 'clog up the courts' at the liability order stage of the recovery procedure and so make the tax unworkable. It shows how this campaign brought the Federation into conflict with the local councillors and the lay magistracy and describes their reaction. It concludes that the authorities were forced to bend, subvert or simply ignore the law in order to pass liability orders against the mass of non-payers due to the sheer weight of numbers. As a result, the liability order stage revealed differing perceptions of what was the 'public interest' among rival groups of local active citizens.

Chapter seven takes up the story after the liability order stage and outlines the coercive measures used by Ealing council against the borough's non-payers, including attempts by bailiffs to seize property and the jailing of defaulters. It shows that the anti-poll tax movement continued to hinder payment and politicise non-payment, but largely failed to deflect the authorities from their chosen course. After the government's decision to abolish the tax the nature of the campaign changed radically and protestors effectively formed a support

group for those (invariably poor) local citizens facing imprisonment for poll tax debts.

The final chapter seeks to draw all these threads together and show how the popular politics of the poll tax revealed two broad sorts of 'active citizenship' for the contemporary British left. The first, adopted by the institutional left, stressed the desirability of 'New Realism', of abandoning potentially controversial left-wing policies, of working within the existing political framework and the necessity of obeying the law pending the outcome of a general election. The second much more incoherent model of citizenship exemplified by the anti-poll tax movement was built around expressive protest, scepticism about the ability of Britain's electoral system to allow radical change or reflect the norms and values of the majority and a willingness to break the law. Both models can partly be explained as alternative responses on the part of left-wing active citizens to Thatcherism. Finally, the legacy of the poll tax protests for both the institutional and radical left's notion of citizenship is considered.

Two appendices supplement these chapters. The first is intended as an aid for those unfortunate readers not intimately acquainted with the Queen of Suburbs and provides a brief social and political history of the borough, its geography and information about its social, economic and ethnic composition in the early 1990s. The second appendix discusses some of the sources and raises some methodological issues associated with the study, including the problems posed by my own involvement as an activist within the Ealing Federation.

¹ D. Butler, A. Adonis and T. Travers, *Failure in British Government. The Politics of the Poll Tax.*, OUP, Oxford, 1994

² Margaret Thatcher, *The Downing Street Years*, Harper Collins, London 1993

³ T. Sheridan & J. McAlpine, *A Time to Rage*, Polygon, Edinburgh, 1994. M. Reynolds *Uncollectable: The story of the Poll Tax Revolt*. Greater Manchester Anti-Poll Tax Federation, 1992

⁴ Danny Burns, *Poll Tax Rebellion*, AK Press, Stirling, 1992

⁵ John Scott, *Poverty & Wealth: Citizenship, deprivation and privilege*, Longman, London, 1994. p154

Chapter One

The Poll Tax and an Active Citizenship of the Right

For the first time a government had declared that anyone who could reasonably afford to do so should at least pay something towards the upkeep of... the services from which they benefited. A whole class of people – an “underclass” if you will – had been dragged back into the ranks of responsible society and asked to become not just dependants but citizens.¹

There are two obvious ways of approaching the poll tax. Firstly, it can be seen as an expression of the governing philosophy, an overtly ideological attempt to ‘turn dependants into citizens’. Secondly, the poll tax can be approached in more narrow political sense, as a practical piece of ‘statecraft’ that aimed to address particular political problems faced by British Conservatism in the 1980s. Of course neither of these two approaches are mutually incompatible and while it is convenient to distinguish between the two, the ultimate aim of this chapter is to synthesise both. This in turn should allow a coherent and hopefully convincing account of the poll tax to emerge that will inform the discussion in subsequent chapters.

This chapter will therefore seek to adopt a staged approach. First I will outline the dominant view of ‘citizenship’ within British Conservatism in the period, with a particular emphasis on the idea of ‘active’ citizenship. Although the primary focus of the chapter remains the British Right, I will briefly outline some of the obvious objections to this notion of active citizenship raised by the Left in the period. Secondly, I will identify the main *political* imperatives that encouraged the government to introduce a poll tax in the first place and set out the chief characteristics of the resulting Local Government Finance Bill (1988).

Finally I ask how far the poll tax can be seen as an expression of the British New Right's ideological project.

Thatcher's Citizens

British Conservatism has tended to distrust ideology as a basis of policy, stressing instead the virtues of pragmatism and common sense, rooted in tradition, history and experience.² The party has emphasised a series of *values*, including an emphasis on individualism, law and order, private property, hierarchical social relations and low taxation, within a cohesive national community secure from the threat of external aggression. Conservative politicians have therefore tended to react flexibly to particular policy problems, even if that meant abandoning, ignoring, or modifying its core values. This capacity to 'change in order to conserve' apparently served the party well in the post-war era and allowing it to accommodate major shifts in the relationship between the British state and its citizens following the creation of a welfare state and the adoption of Keynesian demand management after 1945. But by the mid-1970s a supposedly 'new', overtly ideological emphasis became dominant on the British Right, which stressed a more vigorous blend of economic liberalism and the primacy of the market in regulating human affairs, together with an appeal to social conservatism.

New Right theorists were highly suspicious of the modern state's supposed propensity to become 'overloaded' as politicians engaged in a form of 'pork barrel' politics to attract votes and appease the demands of organised interest groups.³ The state therefore increasingly promoted an inefficient, bloated public sector, funded through punitively high rates of taxation, at the cost of entrepreneurial economically 'active' citizens. 'Excessive' public spending not only distorted the operation of the market but also directly encouraged higher inflation, which in turn led to conflict between employers and 'producer groups'. Thus, a key policy aim of any government of the New Right was to encourage wealth creation through the market by restricting the role of the state, cutting public expenditure and lowering taxation.

Secondly, the New Right became concerned about the growth of a ‘dependency culture’, as the welfare state increasingly took over roles that would previously have been undertaken by individuals, their families or the ‘community’. Again, this sapped economic dynamism and distorted the operation of the market economy, by reducing incentives to work and artificially boosting ‘uneconomic’ and ultimately ‘unaffordable’ wage rates. But most importantly, significant sections of the population – an ‘underclass’ – were becoming wholly reliant on the state to meet their needs. According to Charles Murray, the ‘underclass’ was defined by its behaviour, measured by the propensity to have illegitimate children, commit crime and a refusal to get a job in the knowledge that the state would foot the bill.⁴ Such a position of mass dependency was *morally* corrosive and encouraged a host of other social problems, including the break up of the family, disdain for the rights of property and a general decline in the public respect for authority.

Most, if not all of all these general assumptions directly challenged the majority of post-war social theorists, who according to the New Right, equated, ‘the notion of citizenship with the pursuit of socialist goals of egalitarianism’.⁵ But initially at least, few Thatcherites seemed interested in formulating a more dynamic or coherent vision of citizenship to take its place. However, concern grew among many leading Conservatives that a moral vacuum may lay at the heart of their governing philosophy, which could easily be cast as nothing more than a celebration of selfishness, philistinism and crass materialism. Willetts, although a staunch supporter of Thatcherism in general, later articulated the growing sense of unease:⁶

Our deepest fear about the direction our country is taking is that somehow we are becoming worse people – more self-centred, more aggressive, hostile to excellence and achievement, less civil and less willing to give time and effort to any cause greater than ourselves.

Similarly, David Green argued that the ‘language’ of Thatcherism, based on the notion that all individuals were ‘utility maximisers’, failed to ‘embrace the full

gamut of ideals, passions, motives, duties, hopes, doubts and fears which are the reality of life'.⁷

The question of duty also exercised many One Nation Conservatives, who suggested that market philosophies might undermine national cohesion and respect for the rule of law. As Gilmour put it:⁸

if people are not to be seduced by other attractions, they must at least feel loyalty to the state. Their loyalty will not be deep unless they gain from the state protection and other benefits. Homilies to cherish competition and warnings against interference with market forces will not engender loyalty. People will not tolerantly sit back and wait for impersonal forces to overcome disaster. They expect and demand action, and if they do not get it they are likely to look elsewhere or take action themselves. If the state is not interested in them, why should they be interested in the state?

Clearly, something more was needed and following the 1987 general election a Thatcherite vision of the 'active citizen' emerged out of the New Right's ideological undergrowth.⁹

In search of the active citizen

There is no single summary of the Conservative concept of 'active citizenship' in the period and the idea tended to develop piecemeal, through a series of speeches delivered by Douglas Hurd (then Home Secretary), Thatcher and other Tory ministers in the late 1980s and the early 1990s. In many ways their rhetoric merely reiterated many of the key themes long associated with the New Right, but there was also a new emphasis on the altruistic, public spirited citizen operating within the wider political and social community.¹⁰ The Tory 'active citizen' therefore displayed two faces to the world: that of the sturdy, independent *economic* citizen and the engaged, responsible *political* citizen, active within the wider community.

Naturally the Thatcherite economic citizen eschewed 'dependency' on state welfare and instead embodied what Letwin called the 'vigorous virtues' of self reliance, rationality and independence that supposedly lay deep within 'traditional British morality'.¹¹ Here it was assumed that rising disposable income since 1950 had created a level of prosperity sufficient to allow for a fundamental redefinition of the relationship between a community of economically autonomous individual citizens and the state. Increasingly individuals and families would have a far greater degree of choice, new freedoms to *buy* services, such as education or pensions, rather than be confined to (an inferior) state provision. As Thatcher put it in an address to supporters in Cheltenham, ironically delivered on the same day as poll tax protestors rioted in Trafalgar Square:¹²

we put our faith ... in the millions of people who spend what they earn, not what other people earn. Who make sacrifices for their young family or their elderly parents. Who help their neighbours and take care of their neighbourhoods ... You don't expect the moon. But you do want the opportunity to succeed for yourselves and your children.

This emphasis on earning and spending was inseparable from the wider issue of taxation, which served as the most important point of connection between individuals and the state.

The Tory active citizen had a clear duty to obey the law and contribute to the national community through taxes. But the state also had an obligation to see that the level of taxation did not encourage these same citizens to become (or remain) economically 'passive'. High taxes might actually prevent people from reaching their full potential as *moral* individuals by delegating responsibility for the well being of their fellow citizens onto the state and so choking off the well springs of human compassion and private philanthropy. Moreover, according to the New Right, the history of the post war period had clearly shown the ability of the 'majority' to tyrannise the 'minority' by voting for high levels of progressive taxation which most simply did not have to pay. This in turn violated

fundamental principles of justice and compromised the freedom of the individual.

Such ideas were hardly new - the phrase 'active' and 'passive' citizenship had its origins in the French Revolution, when the National Assembly distributed political rights on the basis of taxes paid on property. Majority British liberal opinion in the nineteenth century also shared the general assumptions that 'responsibility' and property went hand in hand.¹³

It is important that the assembly that which votes on taxes, either general or local, should be elected exclusively by those who pay something towards the taxes imposed. Those who pay no taxes, disposing by their votes of other people's money, have every motive to be lavish and none to economise... It amounts to allowing them to put their hands into other people's pockets, for any purpose which they think fit to call a public one.

Of course most Conservatives combined these quite traditional concerns about the rights of property with a more upbeat assessment about the potential benefits of mass democracy, which could enhance liberty by forming a strong bulwark against the encroachment of the state. At a local level, democracy might also help develop individual political and social skills and help allocate public goods and services in the most effective way. So although few, if any, leading British Conservatives advocated a return to a franchise based on property qualifications or multiple voting, the desirability of building a strong measure of personal accountability and responsibility into the political process seemed clear enough.¹⁴

Nevertheless, there appeared to be a tension between Mill's traditional liberalism and the more purely market orientated nostrums of the New Right, which as we have seen, did not accept that mass democratic participation was likely to allocate public goods in the most effective way.¹⁵ This was particularly true at a local level. Here, citizens were best seen as consumers who could rationally weigh up the cost-benefits of services provided by local authorities when set against the cost of local taxes. These consumer-citizens, according to Tiebout,

were faced with a number of options.¹⁶ If dissatisfied they could ‘exit’ the locality or ‘voice’ their complaints in the hope of securing redress. Those consumers unable to move or protest, or who were generally happy with the balance between services and tax provided by their authority could respond with ‘loyalty’. In short, the sorts of assumptions (and terminology) employed by free market economists could be applied to local government. A number of obvious criticisms of this notion of local citizens as consumers readily spring to mind. For example, it is not easy for people to simply ‘exit’ localities chosen on the basis of jobs, family and community ties, as they might a supermarket. Nor is it realistically possible to undertake the sort of detailed cost-benefit analysis proposed by Tiebout and other New Right theorists. Nevertheless, the approach tended to favour the idea of an individual *charge*, paid by every local citizen in return for local services.

The stress placed by Conservative and liberal theorists on the primacy of the ‘private domain’ of individuals, friends, families and personal associates had a number of other political implications. For example, domestic pre-occupations left many people largely without the time or inclination to become active in politics – a point apparently confirmed by low turn outs at local elections and a general lack of interest in local government.¹⁷ It also implied that the boundaries of politics should be deliberately kept limited, encompassing only those spheres of human activity, like defence, macro-economic management or taxation that were necessarily carried out collectively. Nevertheless, this network of familial and market relationships could serve as a coherent ‘extended order’ based on ‘the suppression of the primitive instincts of solidarity, group altruism and group decision’.¹⁸ Thus the New Right’s definition of citizenship stressed the civil and political virtues of the market.¹⁹

The market decentralises power right down to every individual consumer, so that a grand, continuous general election is in progress the whole time, a vote being cast whenever a share or a security of an article or a service is bought and sold. This is an economic democracy in which there are no privileges – everybody’s dollar is as good as everybody

else's dollar – and where the mightiest corporations and capitalists have had to bow to the collective wishes of the humblest citizens.

Consequently, the British New Right exhibited at times a fierce hostility towards (usually left-wing) 'activism' and 'activists', who were almost by definition unrepresentative of the loyal, largely apolitical 'silent majority'. Highly politicised interest and pressure groups, such as trade unions or even single-issue protest movements like the Campaign for Nuclear Disarmament therefore became in a real sense 'the enemy within'. Moreover, the means by which they pursued their ends, like strikes or (often illegal) acts of protest either held the wider community to ransom or threatened the rule of law. For Selbourne, these attempts to empower citizens through extra-parliamentary collective action were based on a series of contradictory claims:²⁰

rights to participate in the political process [are claimed] but also rights to withhold support from, and even attack that process on the grounds that it is "not democratic"; rights to act as a citizen, but also rights to choose not to; above all, the right to be treated by the state as citizen in whatever circumstances.

In short, if every citizen is free to disobey any law with which they disagree, social disintegration and the dissolution of the civic bond could not be far behind.

But not every form of social and political activism was automatically suspect. Liberal democracy requires ordinary citizens to vote and called into being mass political parties with active memberships to both campaign in elections and select suitable candidates to hold public office. But this activism, channelled through established and responsible political institutions, is essentially *limited* and based on constructive co-operation within generally understood rules and values. As such it remained qualitatively different from 'socialist' activism based on confrontation, protest and ultimately, the capture of state institutions in order to intervene in the 'private domain'. But the record of the consensus years and the logic of state power suggested that even Conservatives might be forced by political interest group pressure into encouraging an unduly 'activist' state.

New Right advocates of active citizenship were therefore keen to stress that other, perhaps more potent means of helping the community than involvement in political parties and institutions existed. Active citizens could contribute just as well by serving as a JP, looking after a sick elderly neighbour, joining a Neighbourhood Watch scheme or perhaps becoming involved in charitable work. But again, these individual acts of altruism, which taken together would represent a genuine community, required the state to withdraw as ‘the real sign of a civilised society is... that voluntary, charitable organisations can meet human needs without coercive taxation and the employment of public officials... The biggest threat to collective action comes from the state.’²¹ Nor could social and political activism be meaningfully separated from economic activism. Ignatieff summed up these assumptions well: ‘without property a citizen cannot be independent; without the income of property, an individual will not have the leisure necessary to be a good citizen. Without property, the citizen is passive, the ward of the state, a dependent on the benefit cheque, the social services and the housing department’.²²

Interestingly, many Conservatives believed that their vision of active citizenship was most likely to flourish in the much-maligned suburbs, places indeed, like the London Borough of Ealing. Willetts’ eulogy to the British suburb is therefore worth quoting at a little length:²³

The British suburb is not the place of rootless, miserable apathy either. People, admittedly, do pursue their material aspirations – to own their own house, to be able to afford a good holiday – but these are not immoral or shameful. And at the same time the suburbs comprise rich networks of voluntary associations... Even that urge to home-ownership, satisfied more successfully in the 1980s than in any other decade, has given people new and stronger ties to their neighbourhood. Ownership and belonging go together.

Some obvious objections

As we might expect, the Conservatives' conception of the 'active citizenship' evoked hostility and even derision from the mainstream British left. However, it is not my intention here to debate the British New Right's conceptualisation of 'citizenship' in any depth. Instead, I have sought to identify some of their main ideological assumptions in order to help contextualise the poll tax as a policy. Nevertheless, one important explanation for the poll tax's obvious lack of legitimacy was that it overtly embodied philosophical principles that were radically out of kilter with dominant popular opinion regarding 'fair' taxation. And as the Thatcherites were right to emphasise, the whole issue of taxation remained highly emblematic of the wider relationship between the individual and the state. It would therefore be useful to *briefly* outline some of the more obvious criticisms at this point.

Firstly, the New Right's emphasis on individualism within a market economy was rejected as both simplistic and essentially wrong in principle. Human beings were not simply 'rational' economic actors, weighing up their every act in terms of self-interest, profit and loss, but instead functioned as part of a wider community with its own morals, culture and traditions, many of which may well mediate or reject altogether market values. Human beings were primarily social animals and as such embodied a number of often contradictory interests and characteristics which (however uneasily at times) could operate together: competition and co-operation, self-interest and altruism, individualism and a sense of community were not mutually exclusive qualities. Each could be harnessed to shape a more harmonious, equitable and dynamic society. At the very least, such a goal required that a basic minimum standard of life and meaningful opportunities for personal growth should be made available every citizen.

To this end the majority of the British Left (and many One Nation Conservatives) continued to promote a rights based conception of citizenship.²⁴ This vision of 'social citizenship' found most its most effective voice in the work of the sociologist T.H. Marshall, whose seminal series of lectures on citizenship

and social class remain central to academic debate.²⁵ Marshall proposed an essentially dynamic conception of the citizenship ideal in history, which he argued, had burgeoned and grown in staged movements with the advent of industrial capitalism. Briefly stated, the establishment of *civil* rights in the eighteenth century and *political* rights in the nineteenth had facilitated popular and institutional pressure for *social* citizenship rights in the face of gross social inequality and economic hardship. Indeed, for Marshall this 'drive towards social equality [was but] the latest phase of an evolution towards citizenship which has been in continuous progress for some 250 years'.²⁶ Henceforth citizens would have full access to the sorts of social necessities, like full employment, welfare benefits, housing, health and education *by right*. Such social rights would allow them to reach their full potential as individuals as part of the wider national community.

Many on the left were therefore quick to accuse the Conservatives' of proposing an essentially *negative* view of obligation.²⁷ It was all very well to stress the duty of the individual citizen to be economically active, but for a variety of reasons, including illness, the need to provide childcare or simply the existence of mass unemployment, this was not always possible. Moreover, in a society characterised by social inequality, it was simply misleading to assume that all citizens enjoyed equal opportunities and resources, irrespective of their gender, ethnicity and above all, class position.²⁸ These apparently self-evident facts of life had encouraged the notion of universal social rights in the first place.

Moreover, according to the Left, Thatcherite rhetoric about individual philanthropy should be seen as a deliberate attempt to obscure its wider (and ongoing) efforts to centralise power and more closely control local institutions and voluntary organisations. And yet these same institutions, not individuals, actually pursued and promoted welfare in practise. This in turn re-emphasised the importance of the citizen as an active participant, whether as a voter or within trade unions, political parties, community groups and even single issue protest campaigns. Ultimately, a collective form of active citizenship had made possible the transformation of the British state from a primarily coercive instrument into one that aimed to secure a decent 'minimum' for every citizen.²⁹ Institutions like

local government, however imperfectly, accepted communal responsibility for the provision of public services, relief of hardship and poverty. Realistically, institutions in modern mass societies, rooted in the communities they served and checked by a vigorous and democratic civil society, would remain central to the promotion of social advancement and individual empowerment.

So any rhetoric that cast active citizenship ‘in terms of securing the framework of law and order within which the individual will pursue his or her own good, and perhaps in the process make charitable contributions to the worst off’ was not only loose, windy and potentially morally suspect, but also largely beside the point.³⁰ Small wonder then, that the right’s rhetoric should therefore contain few if any practical proposals which might bring about a return to a philanthropic ‘golden age’, other than tax cuts for the wealthier sections of the population (and more improbably still, the adoption of a local poll tax?).

The Left also rejected most of the New Right’s assumptions regarding the potentially corrosive effects of taxation. For proponents of social citizenship, it seemed axiomatic that meaningful levels of individual welfare within a capitalist economy could only be provided if a sufficiently high tax base existed to pay for them.³¹ Quite properly then, the vast majority of citizens *did* pay progressive, universal taxes through income tax and national insurance. If this tax burden was largely shouldered by the economically ‘active’, as the New Right pointed out, then this was for a very good reason – some were too poor to directly contribute. So any concept of ‘fair’ taxation must assume that each person or business should contribute resources commensurate with their wealth and should not be linked in any way with political rights. As one Labour Party publication put it, ‘any reform of local government finance has to take as its starting point that democracy is based on citizenship and not on wealth. *The universal franchise is not negotiable*’ (original emphasis).³²

However, support for the mainstream left’s model of social citizenship was not universal. Certainly most Marxists in the period continued to argue that the concept of a common ‘social citizenship’, based on universal rights within a national community, was ultimately an illusion that masked the realities of a

society divided by mutually antagonistic classes. They also objected to the limitations of social citizenship as an emancipatory aspiration, which implied that the best that could be hoped for was not socialism, but a modified form of capitalism.³³ The trajectory of government policy since the mid 1970s had shown how contingent these supposed 'rights' were upon the continued willingness of the dominant class to uphold them. The changed and difficult economic conditions that characterised the period after the ending of the 'long boom' suggested that the idea of social citizenship may well have run its course.

But the majority of the Left (including Marxists) were also conscious that social 'rights' gained in the post-war era had also ushered in tangible gains for the majority of the working class and were therefore unquestionably worth defending. A policy like the poll tax not only undermined the welfare state in general, but also represented a significant attack on the living standards of ordinary people in its own right. Even so, the striking thing about the tenor of many of the objections raised by the left was their obvious assumption that the Conservatives were intent on pursuing an essentially *ideological* project. It followed that their policies could no longer be meaningfully understood as 'pragmatic responses to financial and administrative problems. As financial and administrative instruments, they defy all conventional rules of good taxation and public administration. Rather they are an instrument of policy, a tool of social engineering, aimed at altering social relationships, ideas and values'.³⁴

Once again, this criticism was by no means confined to the usual leftist suspects and many One Nation Conservatives cited the poll tax as perhaps the supreme example of the government's tendency to value ideology over 'common sense'. As Gilmour put it.³⁵

The poll tax was the culmination of the Thatcherite market or rather supermarket philosophy... in the Thatcherite philosophy the people of this country were not so much citizens as consumers.

This characterisation of the poll tax as an ideological measure has much to recommend it, but it should not obscure the way the poll tax as a particular

policy attempted to resolve several long standing *political* problems that exercised British Conservatism in the post-war period.

The politics of the poll tax

A number of political factors prompted the Conservatives to replace a property based domestic rating system that had endured for some four hundred years with a poll tax. In part, the Local Government Finance Act 1988 can be seen as the culmination of a long established hostility to the rates within the British Conservative Party and its electoral supporters – a point I will return to shortly. But by far the most important issue prompting reform remained the increasingly problematic relationship between central and local governments, tensions that tended to be largely (although not exclusively) expressed from the mid-1970s onwards through disputes over local finance and local taxation.

For most of the period between 1945 and 1979 local and central government operated a system of territorial politics, described by Bulpitt as a ‘dual polity’.³⁶ This rested on the respective autonomy of the centre to pursue ‘high’ politics (foreign and defence policy, macro-economic strategy) while political collaborators within the ‘periphery’ implemented and managed the ‘low’ politics of social and welfare policy. However, the expansion of public health, planning, social services and education and housing in the post-war period considerably increased the purview of local authorities which became responsible for around a quarter of all government spending, half of which was provided by national government grants.

This growing institutional importance implied that the centre might become increasingly vulnerable to pressure from the localities, which displayed ‘the potential to drive a wedge into its philosophies and policies’.³⁷ Certainly, the 1970s did see the growth of a more confident and ideological municipal left, which occasionally directly challenged the centre over specific policy issues, but it would be wrong to exaggerate the seriousness of this challenge.³⁸ For as Butler et al noted, ‘until the 1980s the system had always managed to jog along...

Under Mrs Thatcher relations between central and local government suffered a virtual breakdown'.³⁹

Why did this occur and why did it encourage the government to consider replacing the rates with a poll tax? From the mid-1970s many local authorities were faced by a double cash squeeze as the government cut rate support grants and inflation increased costs and eroded the real value of revenue. As a result, domestic and business rates tended to rise in the period, compromising the centre's traditional attempts to direct macro-economic strategy. This seemed to flag up the fact that the current system did not provide a direct relationship between local tax rates and the amount local authorities actually spent. Such concerns cut across party lines but were particularly pressing for the Conservative administrations of the 1980s as they sought to roll back 'the frontiers of the state', reduce costs on business, tackle inflation and generally curb public spending.⁴⁰

But it is unlikely that these pressures, in themselves, would have been enough to prompt any government to take the unpredictable and potentially dangerous step of abandoning the rates wholesale. For example, in 1981 the government issued a Green Paper on local government finance which examined four policy options - the retention of the rates, a local sales tax, a local income tax and a poll tax. Each was set against the criteria of practicability, fairness, ease of administration, the degree of financial control offered the centre and suitability for all tiers of government. The subsequent report concluded that while the rates were hardly ideal, there was no satisfactory alternative'.⁴¹ Moreover, a determined campaign waged by the mass media to discredit 'loony left' councils, the abolition of the GLC and Metropolitan counties, the determination of most local politicians to stay within the law, centrally imposed cash limits and 'rate capping' all combined to curb local authority confidence and budgets. (See Chapter Four for the experience in Ealing). Nevertheless, a number of political factors continued to push the government in the direction of a poll tax as a solution to the problem of accountability in local government.

The Conservative party had long displayed a latent hostility to the rates, although this tended to become particularly marked during general election campaigns and at a local level, where the issue was often conflated with the wider question of home ownership as a source of middle class social identity.⁴² Bulpitt's excellent summary of this 'divisive' ratepayers' culture bears obvious comparisons with J.S. Mill's comments:⁴³

It perceived two major actors in the local political process; the 'ratepayers' and the 'rest', or the 'haves' or the 'have-nots'. In some senses this was merely the national class conflict model of politics transferred to the local level. But the ratepayers theme... was more than that. It represented the survival of pre-democratic ideas in the twentieth century: local politics and local councils were regarded as the preserve of the private property owners who paid a local tax, the rate directly. The rest, principally council house tenants, were not perceived as legitimate local citizens; in some way they had acquired the suffrage by trickery and misunderstanding. Since local councils spent the ratepayers money, only those who paid the rates directly should be allowed to participate in the political process.

Certainly, in the 1980s only 18 million electors, out of an approximate total of 40 million, paid rates. Some 3.5 - 4 million 'ratepayers' also received a full or partial rebate and these were disproportionately clustered in Labour supporting urban areas. According to the New Right, the majority of citizens therefore had a clear 'rational' incentive to vote for high spending, high taxing (Labour?) candidates, in the knowledge that they would benefit from enhanced services without having to pick up the tab. Similarly, 'punitive' local business rates were a check on wealth creation and enterprise. Even Nigel Lawson, who was generally hostile to the poll tax, believed its purpose was 'to rescue business from the swingeing rate increases levied by local authorities on a sector which, as such, had no vote'.⁴⁴ As one leading Scottish advocate of the poll tax saw it, 'if ever there was a recipe for political irresponsibility, the rating system is it'.⁴⁵

But for all these criticisms, the rates retained a surprising degree of popular legitimacy, as custom and usage over time served to elevate them into an accepted part of the social fabric – something to be grumbled over perhaps, but essentially ‘normal’. The system also enjoyed the advantage of being relatively simple to collect and easy to understand. But above all, however imperfectly, a rate based on property values did seem to reflect an ability to pay, certainly in comparison to a poll tax. In that sense, they were perceived as *fair*.

All this fuelled scepticism among Thatcher and others ministers about the practicality of ditching the rates.⁴⁶ Nevertheless pressure for change continued to mount within the grass roots of the Conservative party, especially after a damaging rate revaluation exercise in Scotland in 1985 led to increased bills for many natural Tory supporters.⁴⁷ Crucially, this frustration was increasingly voiced by Tory backbenchers and as Young acerbically noted, Thatcher ‘was always attentive to the House of Commons, but strictly to her own side of it’.⁴⁸ Internal party management thereafter emerged as a major factor in shaping the direction of policy and almost ‘every key decision in the poll tax saga was made in the immediate run up to a party conference, by ministers anxious for something to wave from the rostrum’.⁴⁹

So in March 1985, the government formally committed itself to the idea of replacing the rates with a poll tax. The process by which this broad policy intention was translated into the Local Government Finance Act 1988 has been exhaustively described in great detail elsewhere and is of only limited relevance to any discussion of the popular politics of the poll tax.⁵⁰ However, a number of brief general points can usefully be made. Firstly, the genesis of the poll tax saw little meaningful consultation with interested institutional actors, including local government. Instead the detailed policy proposals were largely the preserve of a small group of politicians, civil servants, academics and other individuals, linked by remarkably close political and social ties. This example of what Marquand called ‘club government’ was exacerbated by the surprisingly supine attitude adopted by the vast majority of Conservative backbenchers to such a controversial and radical policy and the necessary legislation was passed without

significant amendment. What then, were the main provisions of the Local Government Finance Act 1988?

Again, it is not necessary to consider in any detail the mechanics of the poll tax as an administrative measure, many of which will become apparent in succeeding chapters. Nevertheless, it is worth noting that the community charge legislation may have been straightforward in principle, in detail it was 'anything but'.⁵¹ Firstly and most obviously the Act abolished domestic rates and replaced them with five kinds of payment, of which the most important (and common) was the 'personal community charge'. Each adult over 18 was now eligible to pay, although a few social and professional categories, such as clergymen or the homeless, were exempt. A system of rebates was made available and individuals on benefit or with low incomes could potentially secure an 80% exemption. Secondly, the legislation removed the right of local authorities to set the level of non-domestic (eg business) rates and instead created a Uniform Business Rate, set by the central government. Thirdly, the treasury retained its power to 'cap' local authorities it deemed to be spending excessively – a 10% rise in local spending would produce a 40% rise in poll tax.⁵²

All these clauses were based on the assumption that the final personal community charge bills issued to individuals would be relatively low. For example, the government projected an average charge of £278 for the 1990-91 tax year. However, from an early stage it became clear that these projections were 'a massive exercise in self-delusion' due to a combination rising inflation and a parsimonious rate support grant settlement for the 1990, which directly fed into higher bills.⁵³ The government therefore arranged a series of central subsidies with the aim of ameliorating the worst effects of the charge for 'losers' in the localities. These included a 'safety net' scheme (which effectively distributed the revenue gains under the poll tax from wealthy to poor areas) and a transitional relief scheme (which limited losses for individual households).

Although meaningful opposition to the poll tax in parliament was limited, the legislation provoked considerable degree of criticism from a minority within the Conservative party, led by Sir George Young, the MP for Ealing-Acton.

However, Young's rebelliousness, like that of all other Tory MPs, had definite limits and by 1989 he concluded that:⁵⁴

I spent most of 1988 opposing the Poll tax without success. The Bill is now an Act and I have no plans to re-open the debate. I believe it best to wait two or three years to see how the new system settles down.

The other established parties, local authorities, trade unions, church groups, voluntary organisations and of course, an increasingly vibrant, extra-parliamentary grass roots anti-poll tax movement were not so constrained.

Can then, the poll tax be seen as an attempt to implement the ideology of the New Right? Such a claim sits uneasily with important features of the legislation, which directly contradicted Thatcherite rhetoric regarding the need to make local government more accountable to its citizens by establishing a direct correlation between voting and spending. For example, the provision of Community Charge Benefits modified the flat rate nature of the charge. But then, even the most ideological of New Rightists would (presumably) have drawn back from levying a *wholly* uniform charge and some rebate scheme was therefore inevitable? Nevertheless, the existence of a benefit scheme potentially blurred the sort of direct accountability envisaged by the government. So did the decision to retain capping powers and the centralisation of non-domestic rates under the Unified Business Rate, which left central government, not the local electorate, as the ultimate arbiter of levels of local authority spending.⁵⁵

So under the poll tax only about 25% of local government expenditure was raised locally.⁵⁶ Even so, local authorities levied poll tax bills far in excess of the government's initial expectations. Subsequent attempts to keep bills down through safety netting and transitional relief schemes – however politically desirable from the perspective of Conservative's MPs - further complicated the picture. Finally, experience was to show that the poll tax did *not* reduce public spending and limit tax rises. In the event, the various administrative costs associated with the transition to poll tax and back to council tax has been estimated at least £3 billion (or 0.5% of GDP in the early 1990s).⁵⁷

It was tempting then, from a Thatcherite perspective, to conclude that the poll tax failed not because it was a 'bad' law, but because irresponsible, socialist local authorities seized the opportunity to 'jack up spending and blame the government'.⁵⁸ Successive ministerial decisions also created unnecessary anomalies by moving the policy further away from the basic principles it was intended to embody. Thus it was claimed, for all the obvious problems associated with the implementation of the poll tax, more and more people were coming to believe that everyone ought to contribute something to the upkeep of services which they use. It followed that there was no basic conflict between the principles and philosophy of the New Right - given tangible expression in the community charge - and wider popular opinion.

Conclusion – A taxing notion of community

The introduction to this chapter suggested that there are two distinct (but not mutually exclusive) ways of approaching the poll tax as a policy. Firstly, the tax could be seen as an attempt to address pressing political problems faced by the government, including ongoing conflict between the centre and the localities, a desire to limit public spending and resentment against the rates among core Conservative supporters. The second approach stresses the ideological basis of a measure that attempted to turn 'dependants into citizens', embodying the New Right's belief in the virtues of individualism, economic independence and 'fair' taxation as a means of encouraging 'responsible' political behaviour on the part of both voters and government. As Ridley remarked: 'Why should a duke pay more than a dustman? It is only because we have been subjected to socialist ideas for the last fifty years that people think this is fair.'⁵⁹ However, these market-based nostrums were increasingly tempered in the period by calls for 'active citizenship' within the community, expressed through existing political, voluntary and social institutions and through individual acts of altruism and philanthropy.

Common sense suggests that the poll tax – like any other political act - was shaped by a mixture of philosophical and 'practical' considerations. But the evidence presented in this chapter has tended to underline an obvious ideological

dimension. This was certainly how Thatcher and many of her most avid supporters saw it and in that sense, the official name of the poll tax – the Community Charge - was of more than passing interest. Indeed, Thatcher reputedly showed a surprising degree of agitation whenever the words ‘poll tax’ were mentioned, ‘drumming her fingers on the table as if it were a piano, and saying that it must *not* be called a poll tax’ but a *Community Charge*.⁶⁰

This is potentially important, for while the practical shortcomings of the poll tax did much to undermine its popularity, they cannot ultimately explain its failure to secure legitimacy. Instead, the majority of British citizens in the late 1980s simply did not share the highly individualistic, market led Thatcherite notion of community embodied by the tax. As MacGregor presciently predicted:⁶¹

the poll tax may have gone too far. [It is] seen as offensive by large numbers of the British people. Up to now, the public seem to have borne the tearing apart of the social fabric with surprising equanimity... Now that the attack on democratic principles has cut through the outer layer of public sentiment and struck at the core values of fair play and liberty, the British people may have had enough of the great experiment.

The following chapters will show that not only was MacGregor right in her assessment of the poll tax as a particular policy, but that the tax also served to mobilise a powerful wave of popular protest which directly challenged (or subverted) the New Right’s notion of active citizenship.

A number of other ironies soon became readily apparent. Instead of the poll tax promoting personal ‘responsibility’, millions of ordinary citizens consciously sought to avoid paying it. Instead of inducing citizens to vote ‘rationally’ for low-spending Conservative councillors, the poll tax proved a serious electoral liability. Instead of promoting ‘responsible’ participation within the existing democratic structures, nearly a million people simply disappeared off the electoral roll, while hundreds of thousands of others attended protest meetings and (often unruly) demonstrations. Instead of the tax encouraging an individualistic active citizenship, expressed through personal philanthropy or

participation in civic society, it encouraged another, altogether more radical type of local activism in the form of a large-scale leftist anti-poll tax movement, committed to promoting mass civil disobedience. In the next chapter I therefore begin this discussion of the popular politics of the poll tax by looking at the development of that movement in one of Willett's beloved 'British suburbs', the London Borough of Ealing.

¹ Margaret Thatcher, *The Downing Street Years*, Harper Collins, London 1993, p661

² See introduction by Lord Butler (ed.), *The Conservatives*, Allen & Unwin, London, 1977, pp9-17 for a eulogy to a Conservative pragmatism informed by tradition

³ The following two paragraphs are based on Dennis Kavanagh, *Thatcherism and British Politics: The end of Consensus?*, OUP, Oxford, 1987, pp63-122; Nick Bosanquet, *After the New Right*, Heinemann, London, 1983 pp 5-84 and pp 103-108 and Shirley Letwin, *The Anatomy of Thatcherism*, Harper Collins, London, 1992

⁴ Charles Murray, *The Emerging British Underclass*, Institute of Economic Affairs, London, 1990

⁵ Peter Saunders, *Citizenship in Liberal Society*, in B. Turner (ed.) *Citizenship and Social Theory*, Sage, London, 1993, p57

⁶ John Gray and David Willetts, *Is Conservatism Dead?*, Social Market Foundation, London 1997, p103

⁷ David Green, *Reinventing Civil Society: The Rediscovery of Welfare Without Politics*, Institute of Economic Affairs, London, 1993, p132

⁸ Ian Gilmour, *Inside Right*, Hutchinson, London, 1977, p118, quoted in Andrew Gamble, *The Free Economy and the Strong State*, Macmillan, Basingstoke, 1988, pp151-2

⁹ See Thatcher, pp 625-6

¹⁰ Geoff Andrews (ed.), *Citizenship*, Lawrence & Wishart, London 1991, p12

¹¹ Letwin pp 333-353

¹² Thatcher p663

¹³ JS Mill, *Considerations on Representative Government*, in J. Donald & S. Hall (eds.) *Politics and Ideology, A Reader*, OUP, Milton Keynes, 1986, p11

¹⁴ Green p129

¹⁵ See Desmond S. King, *The New Right, the New Left and Local Government*, in John Stewart and Gerry Stoker (eds.), *The Future of Local Government*, Macmillan, Hampshire, 1989, pp185-199 for a useful discussion

¹⁶ *Ibid.* pp189-190

¹⁷ William L. Miller, *Irrelevant Elections: The Quality of Local Democracy in Britain*, Clarendon Press, Oxford, 1988, pp15-24 and pp59-77. See also C. Rallings, M. Temple & M. Thrasher, *Participation in Local Elections*, in Lawrence Pratchett & David Wilson, *Local Democracy and Local Government*, MacMillan, Hampshire, 1996, pp 62-83

¹⁸ Jim Tomlinson, *Hayek and the Market*, Pluto, London, 1990, pp43-44

¹⁹ P. Douglas and J.E. Powell, *How Big Should Government Be?*, 1968, p68, quoted in Robert Blackburn (ed.), *Rights of Citizenship*, Mansell, London, 1993, p7.

²⁰ David Selbourne, *Who Would be a Socialist Citizen now?*, in Andrews (ed.), p96

²¹ Gray & Willetts, p93-94

²² Michael Ignatieff, *Citizenship and Moral Narcissism*, in G. Andrews (ed.), p26

²³ David Willetts, *Why Vote Conservative?*, Penguin, Harmondsworth, 1997, p18

²⁴ However, many leftists were keen to restate the importance of obligation and duty, as well as rights. See for example, the various essays in Geoff Andrews (ed.) and also Geoff Mulgan, *Politics in an Anti-political Age*, Polity, London, 1994

²⁵ TH Marshall and Tom Bottomore, *Citizenship and Social Class*, Pluto Press London, 1992

²⁶ *Ibid.* p7

²⁷ Kelvin Knight, *State of Activity*, in *New Socialist*, October/November 1990, pp7-9

²⁸ John Scott, *Poverty & Wealth: Citizenship, deprivation and privilege*, Longman, London, 1994, See pp87-105 for evidence of relative poverty levels and public perceptions of poverty in

1980s and pp145-174 for a discussion of the continued relevance of the various social, ethnic and economic 'resources' available to certain groups in shaping people's ability to fully exercise citizenship rights

²⁹ Bryan Turner, *Citizenship and Capitalism*, Allen & Unwin, Hemel Hempstead, 1986

³⁰ Raymond Plant, 'Citizenship and Society', in *New Socialist*, December 1988, p9

³¹ Fred Twine, *Citizenship & Social Rights: The Inter-dependence of Self and Society*, Sage, London, 1994, pp113-144

³² Labour Party, *NEC Action/Advice Note Circ. NS19/87*, London, 1987, p13

³³ Ellen Meiksins Wood, *Democracy Against Capitalism*, Cambridge University Press, 1996, p287

³⁴ Susanne MacGregor, *The Poll Tax and the Enterprise Culture*, Centre for Local Economic Strategies, London, 1988, p14

³⁵ Ian Gilmour, *Dancing with Dogma: Britain under Thatcherism*, Simon & Schuster, London, 1992, p219

³⁶ Jim Bulpitt, *Territory and Power in the United Kingdom*, Manchester University Press, 1983

³⁷ Allan McConnell, 'The Recurring Crisis of Local Taxation in Post-War Britain', in *Contemporary British History*, Vol.11, No.3, Autumn 1997, p43

³⁸ Stewart Lansley, Sue Goss and Christian Wolmar, *Councils in conflict: The Rise and Fall of the Municipal Left*, Macmillan, London, 1989

³⁹ D. Butler, A. Adonis and T. Travers, *Failure in British Government. The Politics of the Poll Tax.*, OUP, Oxford, 1994, p8

⁴⁰ Denis Healey's first budget in November 1974 prompted the Chancellor to instruct local authorities to 'to limit the rise in their expenditure to what is absolutely inescapable' (quoted in D. Coates, *Labour in Power?* Longman, London, 1980, p30). The Secretary of State for Environment, Tony Crosland, was blunter, famously declaring in May 1975 the 'party is over' for local government

⁴¹ Nigel Lawson, *The View From No.11*, Bantam, London, 1992, pp568-569

⁴² See Ross McKibbin, *Classes and Cultures: England 1918-1951*, OUP, Oxford, 1998 pp44-105 for an excellent account

⁴³ Bulpitt p149

⁴⁴ Lawson p577

⁴⁵ Michael Forsyth, *The Case for a Poll Tax*, Conservative Political Centre, London, 1985, p4

⁴⁶ Butler et al., pp70-76

⁴⁷ See McConnell for a useful account

⁴⁸ Hugo Young, *One of Us*, Second Edition, Macmillan, London, 1990, p530. Young suggests that this was largely a reflection of the weakness of the Labour opposition

⁴⁹ Butler et al., p85

⁵⁰ See Butler et al., Lawson.

⁵¹ Martin Ward and John Zebedee, *Guide to the Community Charge*, Institute of housing, SHAC & CPAG, London, 1990, p1

⁵² Anthony Seldon, *Major: A Political Life*, Wiedenfield & Nicolson, London, 1988, p169

⁵³ Butler et al., p128

⁵⁴ *Poll Tax Forum* Newsletter No.2, June 1989

⁵⁵ Simon Jenkins, *Accountable To None: The Tory Nationalization of Britain*, Hamish Hamilton, London, 1995, pp 41-64. Jenkins is particularly critical of the way the poll tax concentrated tax raising powers in the hands of the central government.

⁵⁶ See Tony Travers, 'Community Charge and other Financial Changes', in John Stewart and Gerry Stoker (eds.), *The Future of Local Government*, Macmillan, Hampshire, 1989, pp9-29.

⁵⁷ Will Hutton, *The State We're In*, Jonathon Cape, London, 1995, p184. See also Butler et al., p2, who estimated the cost as £1.5 billion, although this rises to £20 billion if transfers from national taxation are included

⁵⁸ Thatcher p667

⁵⁹ Nicholas Ridley, quoted in *Daily Mirror*, 8 March 1990

⁶⁰ Lawson p577

⁶¹ MacGregor p16

Chapter 2

A well organised and vociferous campaign¹

This is a chapter of two parts. The first traces the genesis of the Ealing anti-poll tax campaign and reviews its organisational development. It argues that the organisational trajectory of the campaign was largely dependant on two factors: the course of national political events and the personal and political demands posed by the campaign's tactical shift away from propaganda and towards civil disobedience. It shows that although the majority of anti-poll tax activists came from a socialist or trade union background, the campaign developed a more wide ranging coalition of protest and established links with other sections of the Ealing community. The second part of the chapter seeks to place the Ealing protestors' experience in the wider regional and national context. It briefly outlines the history and political composition of both the All Britain Anti-Poll Tax Federation (hereafter the All Britain Federation) and then discusses the organisational links between local campaigns and these national and regional bodies. Finally, it considers what, if anything the organisational and political composition of the anti-poll tax movement might tell us about its nature and significance as a proponent of a particular form of direct, citizen action.

Ealing Against the Poll Tax

The first initiative to form an anti-poll tax campaign in Ealing came from 'Ealing Fightback' a ginger group of Labour Party members, trade unionists and community activists established in January 1988 to oppose cuts in local services (see chapter four). Like the majority of left-wingers, Ealing Fightback members saw the poll tax as a threat to the independent tax raising powers of local authorities and highlighted the likelihood of higher bills for ordinary citizens.² So as early as Summer 1988, the group resolved to organise a conference of Ealing Labour Parties and trade union branches with a view to discussing 'the Labour Party strategy on Poll Tax, to look at the Scottish experience and ... develop a strategy we can use locally'.³ However little was done for the rest of 1988 and the proposed conference did not materialise until

January 1989. Unfortunately, there appear to be no extant papers from this conference and little information is available, other than it was attended by a number of local councillors and trade union representatives. But it is clear that it was this gathering that decided to launch a borough-wide protest campaign.

Ealing Against the Poll Tax Campaign (EAPTC) was formally established at a meeting of 15 labour and community activists held on 21 March 1989. The meeting was attended by a fairly representative sample of the Ealing Left, including the president of the Indian Workers Association (IWA), Piarra Khabra (elected Labour MP for Southall 1992), Valerie Vaz (a Labour councillor), Oliver New and Lionel Millar (Ealing Trades Council officers), Anita Patel (Ealing Trade Union Resource Centre), Cathy Ludbrooke (Secretary, Southall Constituency Labour Party) and David Wahl (President Ealing NUT and convenor of Ealing Fightback). They went on to agree some fairly modest future priorities. Firstly, the campaign would 'put pressure on the Labour Council to produce information on the poll tax' by raising awareness of the issue within the Trades Council, the Labour Group, Labour Party wards, trade unions and affiliated organisations through the distribution of 'a simple but fairly hard hitting leaflet'.⁴ This emphasis on campaigning *within* the labour movement was to be supplemented by more public activities, like petitioning and leafleting, with a view to holding a demonstration in Southall later in the summer.

As organised opposition to the poll tax increased throughout 1989, EAPTC served as the main co-ordinating body until the creation of a Federation in May 1990. Until the implementation of the poll tax on 1 April 1990 campaigners naturally tended to focus on disseminating propaganda and information about the poll tax as widely as possible. These sorts of activities did not require any over-elaborate structures and EAPTC remained a largely informal (and so flexible) organisation. For example, there was no written constitution and only two formal positions were created – that of 'convenor' (who undertook mailings, minute taking etc) and a treasurer. A few individuals played an important part in 'kick-starting' the campaign, including Rosa Ward, who served as campaign convenor up until the creation of the Ealing Federation in May 1990. She was employed as an advice worker in the borough's Trade Union and Resource Centre and was therefore well placed to access resources

and effectively promote the campaign in the Ealing labour movement. As convenor, Ward also conducted correspondence with outside political, community and trade union bodies, including the Ealing Labour Group in the council. The other officer, Sukh Sander, the campaign treasurer, was also full-time worker with the IWA.

Meetings were attended by representatives of local anti-poll tax groups (as and when they formed), local public sector trade unions, some Labour ward organisations and Ealing Green Party. But as public hostility towards the tax burgeoned both EAPTC (and local anti-poll tax groups) increasingly began to attract the support of individuals with no particular history of political affiliation. These sorts of protestors tended to favour more informal modes of decision making, either in principle (in the case of Green activists) or because they had little experience of more bureaucratic means of political management. Crucially, they were also highly receptive to the idea of non-payment as a tactic. The importance of the Scottish precedent in encouraging Ealing campaigners to pursue a non-payment campaign can hardly be over-stated and the process was actively encouraged from early 1989 onwards by local supporters of the Militant Tendency. For example, local Militants energetically organised a contingent to join other London protestors travelling up Scotland on a specially chartered 'red train' to attend an anti-poll tax demonstration in Glasgow on March 1989. However, the non-payment strategy was certainly not the preserve of any particular group or faction and by autumn 1989 had become the prevailing orthodoxy among protestors.

EAPTC therefore undertook a number of co-ordinating activities in 1989 and early 1990 aimed at establishing a network of local anti-poll tax groups throughout the borough. One leaflet produced in 1989 advised readers that⁵:

Between now and April when they will start to collect payment, EAPTC aims to get leaflets out to every household as the first step of setting up Anti-Poll Tax groups in every Street, Tenants Association and workplace. Two or three people are enough to start a local Anti-Poll Tax Group. EAPTC can give you help and support to do this. If you'd like to get involved come along to our regular Saturday morning street stalls in Acton, Greenford/Northolt and Southall or contact us on [telephone number].

Although these ambitious organisational aspirations were to remain largely unfulfilled, the demand for publicity material, such as stickers, leaflets, posters and T-shirts from local groups soon exhausted the borough campaign's rather meagre financial resources and they were left with no alternative but to fund activities themselves. Even so, the financial position of the campaign at the end of 1989 illustrates both the sorts of activities undertaken and its support base. Most expenditure mainly arose from printing, postage and the costs of organising a demonstration. Sources of income included Ealing Trades Council (£101), Ealing NUT (£100), sale of T-shirts (£145) and donations.⁶ Interestingly, some donations (£245 in total) were secured after Piara Khabra personally appealed to Southall shopkeepers along the route of an anti-poll tax demonstration to make a donation of £1.⁷ However the accounts tend to downplay the resources actually available, as they ignore other 'donations in kind', such as use of photocopiers, inclusion of material in mailings by sympathetic trade union branches, community groups and Labour Party branches.

By the end of 1989 discussions in EAPTC began to focus on the organisational shortcomings of the present arrangements.⁸ Two related problems prompted the decision. Firstly, although the full organisational implications of proposals for a campaign of non-payment remained opaque, it was assumed that 'tighter' organisation and locally based support groups would be essential. Secondly, it was generally agreed that a more formal structure based on some loose form of representative democracy, with delegates from local anti-poll tax groups, trade unions and other community organisations was required. So as early as October 1989 the campaign agreed in principle to form a borough-wide federation of local anti-poll tax groups.

A gazetteer of Ealing anti-poll tax groups

In Ealing three types of local anti-poll tax group had developed by the end 1990, although in practise there was always a certain degree of overlap:

- Area based

- Estate based
- Vocationally based

The descriptions that follow of their organisational development has been drawn from extant local written records and material and interviews with key organisers and activists in each group.

Acton Anti-Poll Tax Unions

The anti-poll tax campaign in Acton was initiated by supporters of the Militant Tendency in March 1989, then operating through the local branch of a rather obscure front organisation named the Youth Trade Union Rights Campaign.⁹ Two Militant members, Michael O'Connell (a computer engineer) and Peter Tomlinson (a museum assistant) emerged as the main organisers and public voice of the Acton campaign and played an active part within the borough-wide Federation. Militant supporters were more prominent in the Acton APTU than in any other within the borough. Given the Labour Party's oft-repeated charge that such groups were little better than 'Militant fronts', it may therefore usefully serve as a brief case study from which to assess the organisation's role at a local level. I will return to Militant as a *national* issue within the anti-poll tax movement later in the chapter.

Although agitation about the poll tax began in March the first serious efforts to establish an anti-poll tax union began in September with a public meeting attended by 50 local residents of the South Acton Estate, jointly undertaken with the South Acton Residents Association Federation (SARAF).¹⁰ This collaboration was made possible by the involvement of Yvonne Say (a full time tenant's rights worker employed by SARAF) and a number of other tenants' activists. By December 1989 membership had reached 410 in Acton overall, prompting campaigners to divide the area into five – North, South, West, East and Central - with people 'responsible for areas, similar to shop stewards'.¹¹ But as Michael O'Connell recalled:¹²

The ideal situation would have been for [these] four or five anti-poll tax unions being very active, people involved, sending delegates to the Ealing

Federation and then in turn the whole thing being very alive and democratic.

That was the aim... But it didn't get to that stage.

Instead an essentially loose network evolved, including people who attended local public meetings, local and national demonstrations, staffed information stalls and telephone trees. The Acton campaign also put much effort into establishing a network of people who 'would [leaflet] the area around where they lived.' The total paid membership of the various Acton groups reached about 1000 by March 1991.¹³ Over the duration of the campaign (some three or four years) some 200 people were actively involved, including a 'hard-core of about 50 people 'who were always there and always prepared to do something and stuck it out'.

Who were the active protestors, how old were they and what were their political affiliations, if any? Although their social background was inevitably mixed, the campaign attracted the support of unemployed people, single-parents, and pensioners, as well as people in full time employment. So according to Yvonne Say, a large number 'were if anything of the under-class, as a lot of the people in [areas like] South Acton don't work – they're impoverished because they don't have a job'.¹⁴ In terms of age most established political activists were in their twenties and early thirties, but the wider membership tended to be older. The political affiliation of most Acton supporters was broadly Labour supporting (with a few ex-Tory voters). However, as we have seen, Militant members (but also a number of Socialist Workers Party members) were prominent and could meaningfully be said to have served as the organisational and political 'leadership' of the campaign in the area. Does this in itself substantiate the Labour Party's accusation that local anti-poll tax unions, like that in Acton were merely 'front' organisations for the 'hard left' with little 'genuine' popular support?

Although the avowed priority of groups like Militant was to defeat the tax, they 'made no secret of the fact' that they wanted 'to get people involved in a radical, left socialist party... But in retrospect it didn't really happen'.¹⁵ The relative failure of left groups to recruit in Acton (and elsewhere) merely reflected the interests of the vast majority of both passive and active supporters, who were mobilised by this *particular* issue. Of course there were also 'bigger' questions implicit in the

campaign and most were generally 'anti-Tory'. But as John Cudmore, leader of Labour Council and the local member for South Acton conceded, 'ordinary, hard up people... with no previous political agenda associated themselves with the campaign' out of a deeply felt opposition to the tax and could therefore not be seen simply as 'dupes' of the far left.¹⁶ Certainly there is little evidence of friction between local residents of the South Acton area and left activists, although anyone put off by the presence of 'militants' would presumably have voted with their feet. Nevertheless, according to Yvonne Say the relationship was generally harmonious because left activists 'worked with people, they didn't try to take over or dominate, so it was OK... Just a friendly bunch of lads really.'¹⁷

By August 1990 it was becoming apparent that the attempt to establish five separate anti-poll tax unions in Acton was over-ambitious. While some areas, such as South, Central and North Acton were functioning reasonably well, the Ealing Federation's organising committee noted that 'distribution and activity was not going ahead' in East and West Acton and suggested that all the Acton APTUs should meet jointly.¹⁸ Although, the Acton groups declined after the abolition announcement activity was maintained in connection with vociferous campaigns following the jailing of Michael O'Connell and Frank and Sylvia Mathews (see chapter seven). By the autumn of 1992 the Acton Anti-Poll Unions were effectively moribund.

Southall Against the Poll Tax

As so many active supporters of Ealing Against the Poll Tax Campaign lived and worked in the north of the borough there was a relatively smooth transition to a distinctly 'Southall' organisation in December 1989. Like other groups, the staple activities of SAPT included street stalls, public meetings, door-to-door leafletting and socials. However, less emphasis was placed on formal membership and a mailing list of some 150 committed supporters was maintained instead. Of these, there were some 25 consistent 'activists' drawn from diverse political backgrounds. According to Eve Turner (a local government officer and Socialist Outlook supporter) 'apart from 2 or 3 of us no one was in anything'.¹⁹ Similarly the social composition of the group was diverse, including pensioners, students, local

government workers and a number of Asian families who 'enthusiastically supported the campaign'.²⁰

This was significant, for above all Southall was, and remains, characterised by its large Asian community (see appendix one). Almost all commentators felt that the poll tax severely effected minority ethnic communities and the campaigners naturally sought to build support among the area's Asian population. However, by early 1990 activists sensed some reluctance to *formally* join the campaign, because 'Southall has a strong community tradition [and] people are organised through established organisations/temples'.²¹ Interestingly, a similar problem was recorded in the St Paul's area of Bristol, another inner-city area with a large minority-ethnic population.²²

sometimes in the places where the Anti-Poll Tax Unions were weakest ... resistance was strongest. For example, St Pauls was almost the only area in Bristol which couldn't sustain an Anti-Poll Tax group. Local people didn't feel the need to set up new groups because, as in many city areas, they already had strong networks of solidarity and there was already a high level of general hostility to officials of any sort ... the consensus not to co-operate resulted from local communication through informal networks.

Even so the Southall campaigners consciously sought to connect with formal community groups and organisations: 'We tried different things. We went to the temples, but we got more support at the Hindu temples than at the Sikh temples [whose] leaders were very right-wing, in the sense that they were basically Tories.'²³ Interestingly the 'Untouchables' temple, Western Road, Southall proved most friendly, circulated leaflets and allowed an Asian supporter of the campaign who could speak 'community languages' to address the congregation. Other local groups were approached and agreed to distribute material, including the Indian Workers Association, Southall Black Sisters, the Southall Monitoring Group, then co-ordinated by Suresh Grover, an anti-racist campaigner who would achieve some prominence in the furore over the murder of a black South London teenager, Stephen Lawrence. Southall Against the Poll Tax group continued to meet until the end of 1992.

West Ealing & Hanwell Against the Poll Tax

The West Ealing and Hanwell group was initially started in autumn 1989 by Astra Seibe, (a computer programmer and Green Party activist) who 'just got out [her] wall-paper table and went out into the streets of West Ealing and started recruiting people'.²⁴ By early 1990 there was sufficient interest to establish an organising committee.²⁵ By March 100 members had joined, but this included only a few activists.²⁶ By May membership had doubled to 200 and the number of activists had risen to 10.²⁷ The political and social background of active members 'came from quite a number of different political persuasions', but most were clearly 'of the left', including Greens, Labour Party members and a few Communist Party supporters.²⁸

The group focussed on two main areas of work. Firstly, regular stalls were organised outside a local supermarket, which generally received 'a very positive public response'.²⁹ Secondly, public 'information' meetings were organised in different parts of the West Ealing area including Hanwell, Northfields and the large Cuckoo Lane council estate. Interestingly, one campaigner 'found we got just as much support from the larger, middle class houses, as from people on housing estates'.³⁰ By May 1991, WEHAPT had become effectively moribund, although the fact that several of the groups leading members were officers of the borough-wide federation probably hastened the process of decline. As the last newsletter produced by the group rather plaintively noted 'Some of us have been involved in the campaign for nearly two years now and are flagging a bit. We therefore need new activists to revitalise the campaign'. These were not forthcoming and as Astra Seibe recalled, 'it didn't disband so much as fizzle out after the tax was abolished'.³¹

Central Ealing Anti-Poll Tax Union

Central Ealing APTU was initiated in November 1989 by Kevin Carlin (a carpenter and Labour Party member), Francois Fajolle, (a secretary and Labour Party member) and Richard Murgatroyd (a student and Militant member) and formally established at a public meeting of 150 people in March 1990. By February 1990 the group had 224 members, rising to 302 by April.³² In the absence of any large council estates,

its main focus remained a regular Saturday street stall and fly-posting. The membership of the Central Ealing group reflected the 'bed-sit land' character of the Ealing Broadway area, with a high proportion of young, single supporters living in private-rented accommodation. The following table attempts to record something of this diversity by recording the *known* political affiliations and occupations of activists, -defined as people who regularly attended meetings, stalls and demonstrations between spring 1990 and the abolition announcement.³³

Gender	Political Affiliation	Occupation
M	Labour Party member	Carpenter
M	Militant member	Student
F	Labour Party member	Secretary
F	Militant member	Teacher
M	Animal rights activist	Unemployed
M	None	Computer programmer
F	None	Computer programmer
F	Labour Party member	Student
M	Disabled Rights activist/ Labour Party member	Student
F	None	Graduate Student
F	None	Local government worker
F	Ex-Labour Party member	Local government worker
M	Scottish Nationalist	Clerical
M	Scottish Nationalist	Clerical
M	Ex-Conservative	Chauffeur
F	None	Local government worker
M	None	Clerical
M	Labour Party member	Clerical
M	ex-SWP	F/E lecturer
F	Labour Party member	Manager
M	Class War	Unemployed
F	None	Housewife
F	None	Nurse
M	Militant member	Local government worker

M

None

?

Doubtful information is marked with a '?'

Given the potential sensitivity of involvement in the civil disobedience campaign it did not seem appropriate to identify the names of these activists.

Clearly, this is a far from satisfactory exercise but some general themes are apparent. Firstly there is a fairly even gender split. Secondly, the political affiliation of most activists was broadly *of the left*, although a fair proportion had no marked political background or current loyalties to organised groups. Thirdly, the majority of activists worked in the public sector. In common with other area groups CEPTU largely ceased to meet as a separate body by the end of 1991, although a network of about a dozen members continued activity through the auspices of the Ealing Federation.

Greenford & Northolt Against the Poll Tax

Greenford and Northolt Against the Poll Tax (GNAPT) was initially established in autumn 1989, by two Labour Party members, Jim Ward (an electrician) and Peter Richmond (a social worker). Throughout 1989 and early 1990 the group gradually built support through a mixture of activities, including street stalls on Greenford Broadway, joint meetings with Ealing North Labour Party and several local tenants associations. By December 1989 it had roughly 200 paid members, which doubled to 400 by April 1990. However only some 30 members were 'involved in leafletting, the odd demo or lobby' and of these about 15 took responsibility for 'campaigning ideas, organisation and much of the street level work, public meetings, lobby's, street stalls, fund raising benefits and courts work. The political 'core activists' were drawn from the left of the Labour Party, a couple of supporters of the Marxist group Socialist Outlook, public sector trade unionists or Green/animal rights activists.

Although the group was extremely busy and succeeded in spreading information about the poll tax non-payment campaign throughout the area, 'large scale activity did not happen'.³⁴ One activist, Rachel Jones (a Northolt teacher) believed this

relative failure to successfully engage with the local community reflected the social realities of the area.³⁵

Northolt and Greenford is the most depressing place to be in the world, in my view! You have people who are living in grinding physical poverty and others who are culturally very impoverished as well. [So our] ability to get anything going in the neighbourhood was extremely weak.

Jones also felt there was a sense in which some of the core organisers were 'essentially [middle class] people who were travelling through'.³⁶ This in turn meant that too much work fell on too few shoulders and hindered engagement with the local community. So when, in summer 1991 a number of activists moved from the area, those remaining felt that they 'had gone as far as they could' and the Greenford/Northolt campaign formally disbanded, although legal advice and support continued to be offered to individual non-payers.³⁷

Vocational Groups

In Ealing only three 'vocational' anti-poll tax groups - that is based on a particular workplace or occupation - were created. These were Ealing Council Workers Against the Poll Tax, Ealing Hospital Anti-Poll Tax Union and Ealing College Anti-Poll Tax Union. The student's group proved to be particularly ephemeral, although Jonathon Vail, the full time President of the Ealing College Student's Union, was an enthusiastic supporter of the campaign and served on the Ealing Federation's organising committee. In practise this may have helped the anti-poll tax cause, as the Student Union itself tended to publicise national demonstrations and circulate propaganda and information around the college. Similarly, the Council Workers Against the Poll Tax group largely failed to take off (see chapter four).

The only successful vocational group was based in Ealing Hospital. Links were first established when a speaker from EAPTC addressed the hospital's COHSE branch and from then on most activities were organised through the branch until the formal creation of an anti-poll tax union in March 1990.³⁸ The Hospital Workers APTU

undertook a number of activities, including the dissemination of information about the legal consequences of non-payment to nurses living in residential accommodation and the hospital proper, a 'bill burning' and various fund-raising socials, in addition to loyally supporting the Ealing Federation's general activities. Why was it possible to establish a viable anti-poll tax group at this particular workplace and not elsewhere? The evidence suggests that student nurses were particularly resentful of the poll tax, which effectively represented a substantial wage cut for an already lowly paid group of workers. Organisation was also aided by the fact that most student nurses lived on site, encouraging a strong sense of community and a certain social coherence. But probably the most important factor was the consistent and active support of Barbara MacLean (COHSE branch secretary) and other trade union activists in the hospital, who were able and willing to utilise the branch resources, including a pager service to all staff seeking advice on the poll tax.³⁹

Estate based groups

By April 1990 five small anti-poll tax unions had been created based on local authority housing estates, namely, Havelock (Southall), Golflinks (Southall), Radcliffe Way (Northolt), South Ealing (Central Ealing) and Hambrough (Southall). The process tended to follow a uniform pattern, with campaigners from outside the estate calling a public meeting in co-operation with local tenant's association activists at which a steering committee would be elected. For example, a public meeting of 50 residents of the Golflinks Estate in February 1990 led to the creation of a committee of 5 residents. A petition against the tax and in favour of non-payment was then circulated around the estate and signed by 530 people.⁴⁰ Similarly, in April 1990, Jim Green, a local resident of the only significant council estate in the central Ealing area attempted to establish a South Ealing Anti-Poll Tax Union. A subsequent public meeting on the estate was reasonably well attended with some 50 local residents present, but only a few people were prepared to undertake consistent activity.

So in practise all these groups were short-lived. As Mick Brooks, secretary of the Ealing Federation recalled, they would only survive 'if someone actually took

charge of things or they would wither on the vine. And there was nothing we could do centrally about that'.⁴¹ In a sense, there was a certain inevitability about this failure to endure beyond the high-water mark of poll tax protest in Spring 1990. For although estate based groups could most obviously call public meetings and give out information about the tax – clearly important tasks for any civil disobedience campaign – their very parochialism hindered further development. Nevertheless, as the number of local anti-poll tax groups in the borough increased, the need for some sort of central co-ordinating body became more pressing.

Ealing Federation

The Ealing Anti-Poll Tax Federation was formally inaugurated on 1 May 1990 at a meeting of over 80 delegates and visitors from local anti-poll tax groups and affiliated trade union branches. The founding statement of the Federation, passed unanimously, noted that organisationally 'much has been achieved. We already have sixteen functioning Anti-Poll Tax Unions with over two thousand members. But a great deal remains to be done.'⁴² The statement then went on to establish some constitutional arrangements:

The federation shall be composed of all the Anti-Poll Tax Unions and Groups in the Borough set up in agreement with our objectives. They are entitled to up to four delegates at each meeting [sic]. Local trade union branches, tenants' associations and other affiliated organisations are entitled to up to two delegates at each meeting. Delegates may not be mandated by their organisations but can be recalled at any time... All meetings will be open to anti-poll tax activists, but delegates shall be entitled to vote... All statements in this resolution can be amended by a simple majority vote at a Federation meeting.

This deliberately minimal and loose 'constitution' was designed to encourage active participation and was a far cry from more rules-based political and trade union organisations. The meeting also elected an officers committee (hereafter the

committee) as a second tier of organisation 'entrusted with the day to day running of the campaign' who were 'accountable to the federation and can be changed at any time'.⁴³ The founding statement identified twelve formal officers' positions, namely Secretary, Assistant Secretary, Chair, Treasurer, Membership Secretary, Press Officer, Campaigns Organiser, Newsletter Organiser, Trade Union Co-ordinator, Tenants' Association Co-ordinator, Legal adviser and Youth and Student organiser. In late 1990 a 'Bailliff Organiser' was also added. However, in practise there was considerable overlap between jobs and the committee meetings were open to all activists.

Who were the core committee members? The following table shows the gender, (approximate) age, occupation and political affiliation of formal officers in may 1990.

Position	Gender	Age	Occupation	Political Affiliation
Secretary	M	42	Librarian	Militant
Assistant Secretary	M	20s	Engineer	Socialist Outlook
Chair	M	24	Student	Militant
Treasurer	F	32	Computer programmer	Green Party
Membership Secretary	M	27	Carpenter	Labour Party
Press Officer	F	20s	Trade union official	None
Campaigns	F	28	Teacher	None
Newsletter Organiser	M	20's	Museum Assistant	Militant
Trade Union Officer	M	39	Train Driver	Socialist Outlook
Tenants' Association	F	?	Housewife	None
-	M	20s	Teacher	Labour Party
Legal adviser	M	20s	Unemployed	Animal rights
Youth and Student	M	20s	Pres. Students Union	None

So as of May 1990 supporters of far-left groups held most of the principal officer positions. However, in summer 1990 the political composition of the core officers group shifted following the resignation of Mick Brooks (Secretary) and Richard Murgatroyd (Chair) from the Militant Tendency. Although their decision to leave Militant was largely prompted by wider concerns about the level of internal democracy and general direction of the organisation, the political balance of the

committee now shifted decisively towards the 'non-aligned'.⁴⁴ This in turn may have helped maintain the unity of the federation, for it does seem that there was some irritation with Militant 'who felt perhaps a bit more ownership of the campaign than other people thought they had the right to'.⁴⁵ Nevertheless, all the ex-committee members interviewed for this study broadly agreed that it was generally a 'comfortable milieu' to work in, that 'everyone's views were respected' and that the 'principle of furthering the campaign was paramount'.⁴⁶ This is not unremarkable, given the British left's long established proclivity for sectarianism and doctrinal dispute. But then the poll tax was an unusually straightforward issue.

Most strategic decisions regarding borough-wide tactics were made by the committee (which met approximately every month between May 1990 and May 1991) and were subsequently endorsed by the full Federation meeting. Members of the committee also undertook routine administrative and organisational tasks, including organising demonstrations, training courses and events, producing leaflets, issuing press releases and establishing telephone advice 'hot lines'. Again, there was a consensus among activists interviewed that the committee was generally an efficient body. Rachel Jones believed that there 'was a seriousness there... to do the business', although as she also conceded, 'perhaps I [would] think that because I was involved in it!'⁴⁷

Certainly, the Secretary's report to the 1991 AGM was upbeat.⁴⁸ He reported that since January 1989 the borough-wide campaign had produced some 62,000 leaflets, 4,000 posters and 60,000 window bills. The Federation had also established links with various tenants' associations and community groups such as the Southall Monitoring Group and the Indian workers' association. Similarly a number of local trade union branches, including Ealing NALGO, COHSE, MSF, NCU and the NUT had affiliated to the campaign. In 1990 two large public demonstrations had been held and Ealing council had been lobbied on a number of occasions. In consequence, a large number of sympathetic articles had also appeared in the local press. However, this scale of activity had inevitably taken its toll and Brooks was also anxious 'to revamp the committee and make sure all the areas are adequately [sic] represented'.⁴⁹ The financial records of the Federation for 1990/1 confirm this general picture of organisational advance and frenetic activity.⁵⁰ Firstly, out of a

total income of £1,386.65, some £242 had been donated by 'trade unions, Housing Co-ops etc'; another £345 from local APTUs; £332 was collected from the public and at Federation events; and another £354 raised through socials and selling merchandise. The vast bulk of expenditure - £1,052.70 out of £1,339.44 - was on printing posters, leaflets and newsletters.

However it is less clear that the Federation committee always faithfully represented the *experience* of local groups and local activists. For example, one resigning committee member cited a 'lack [of] realism about what is achievable locally'.⁵¹ Similarly, Eve Turner recalled sometimes 'sitting there thinking the local groups can't do this'. There were also differing perceptions of what the federation was actually *for*. Eve Turner believed that the Federation should have been more of a 'co-ordinator [rather] than an initiator'.⁵² Oliver New thought occasional tensions over the role of the Ealing Federation reflected 'what was happening nationally. Because... if you have this thing called the Anti-Poll Tax Federation and you then set it up on a more local level, presumably the idea is that the Federation would then control activity within the borough. In Ealing that was never going to happen.'⁵³

But then democracy within any federal structure also depends heavily on the quality of communication between local groups and their own members and supporters. Shortly after the formation of the federation a circular set out the committees' expectations for local groups:⁵⁴

Every functioning APTU will need a committee which meets monthly at least... it is vital you are represented. Remember, the Fed only deals with secretaries of local APTUs, not with individual delegates... It is up to you, the secretary, to pass on details of our meetings... In view of the number of things happening and the need to keep all members involved, you should consider mailing all your members with a letter about recent developments.

However, as we have seen, the various local groups essentially functioned as loose networks of activists, rather than tight-knit organisations with formal decision making structures and regular meeting dates. In that sense, many of these suggestions and expectations were simply unrealistic. For example, although most

local groups sought to recruit a 'mass' membership, by the Spring of 1990 many activists concluded that the £1 membership fee was not worth the considerable effort and resources required in mailing them. So even if we accept the figures provided by the five area based local groups as broadly correct (a bold step for even the most 'respectable' political organisation!) it is clear that only a small proportion of members could be said to have been active, even in the minimal sense that they did *something*.

Group	Formal Membership	Active
Acton	1,000	200
Southall	-	150
West Ealing/Hanwell	200	10
Central Ealing	400	25
Greenford/Northolt	<u>400</u>	<u>30</u>
Total	2,000	405

But this relatively low level of activism may be a little misleading. As Tonge noted in a study of the anti-poll tax organisations in Bristol, Taunton and Glasgow, although 'formal membership of APTUs remained low, far greater numbers participated in marches demonstrations and the non-payment campaign.'⁵⁵ Nevertheless, Federation circulars regularly sought to remind secretaries that due to the federal structure they had 'a duty to pass things on'⁵⁶ and most activists believed that 'you did feel genuinely that the people you were working with were going back and consulting [others]. There was as much democracy as there could be in that respect'.⁵⁷

According to Eve Turner, 'the strongest role of the Fed was bringing people together and keeping the political side of it alive because I think there was a bit of a tendency for local groups to get on with the practicalities and didn't discuss the politics... [At Fed meetings] we could keep on reminding ourselves what it was all about, rehearse arguments, exchange ideas and discuss publicity'.⁵⁸ As importantly perhaps, these occasions also allowed people to socialise together. For most of the activists interviewed agreed that although they were primarily motivated by wider political

concerns, involvement in the campaign could also be a lot of fun and a chance to make friends in an often impersonal urban environment.

Although the Ealing anti-poll tax campaign experienced a period of organisational growth from March 1989 this appears to have been checked by the resignation of Margaret Thatcher in autumn 1990 and pushed into reverse by the abolition announcement of March 1991. Thereafter, the various local tiers of organisation in the borough began to unwind at varying speeds. The estate based and vocational groups (with the exception of the Hospital APTU) became inactive first, followed by the area based groups, most of which had largely ceased to meet by the end of 1991/early 1992. So in the latter period of the campaign the organisational emphasis began to shift increasingly towards the Ealing Federation, although this too experienced decline. This was formally acknowledged at the 1992 AGM, attended by only 30 activists. The meeting agreed to abolish the organising committee, open out all meetings and cut the number of officers' position to three (secretary, treasurer and rotating chair).⁵⁹ Similarly, the Federation's accounts revealed a declining income of some £754.83, derived from donations and socials and a concurrently smaller expenditure of £659.90, the vast bulk of which (£545.00) had been spent on printing.⁶⁰

Why did the Federation and its affiliates experience such a rapid period of organisational decline? On one level the campaign was a victim of its own success. Once the government announced its intention to abolish the tax there was a real sense that the battle had been won. Yet this was not necessarily how many of the activists perceived it and the Federation's 1991 AGM agreed to continue to push for an amnesty of poll tax debts.⁶¹

Since the Poll Tax is set to remain in existence for at least two years, most councils will feel the need to threaten bailiff action to collect money in. The ultimate sanction for non-payment is imprisonment... The campaign is [therefore] likely to change its nature and dynamics. There will probably be a series of standoffs, as has happened in Scotland over the last year, with bursts of intense conflict around bailiff activity. Above all, the threat of committal proceedings will force us all to move into top gear to protect our own.

Although this analysis exaggerated the actual impact of bailiffs, it was largely borne out by subsequent organisational developments up until the end of 1992, when the Federation issued its last circular.⁶² The nature of many of the activities undertaken by the protestors, particularly the provision of legal advice and support for those threatened with jail, placed an increasingly onerous burden on activists. In effect, they had to become experts on quite complicated aspects of the enforcement procedure and then make time available during the day to provide support individuals in court. This was no easy task - a point that will become more readily apparent when the mechanics of the civil disobedience campaign are examined in greater depth in chapters six and seven. Inevitably, as the cost of activism rose the numbers participating declined - a trend that was generally in keeping with the experience of other local groups and national and regional anti-poll tax organisations, to which we now turn.

Outside the Borough - National and London-wide Organisational Developments

As the number of local anti-poll tax campaigns grew in England and Wales pressure mounted for the creation of a nationally representative co-ordinating body. On 1 September a Steering Committee with representatives of some 20 regional and city groups was established 'on the principles of mass non-payment, non-collection, non-implementation and defending those threatened with prosecution for non-payment'.⁶³ A meeting of 200 people, representing some 360 anti-poll tax groups on 3 September, attended by Rosa Ward and Jo Langan from the Ealing campaign, then endorsed the Steering Committee's call for a 'representative, democratic conference of delegates', although even at this early stage some 'were furious at Militant's overt attempts to hijack the movement'.⁶⁴ The All Britain Anti-Poll Tax Federation was subsequently established on 25 November 1989 at a founding conference in Manchester Free Trade Hall, attended by representatives from some 550 local anti-poll tax unions and 547 local trade union branches, Labour Parties and community organisations. It is often easy to exaggerate the importance of a single conference or meeting, but the decisions taken by this gathering defined the tactical orientation,

political composition and future organisational development of the anti-poll tax movement at a national level for the next three years.

The conference unanimously resolved to support calls for a campaign of civil disobedience, already apparent in Scotland where the tax had been introduced in 1989; and to organise a central London demonstration in March 1990, the eve of the Poll Tax's introduction in England. A rather vague constitution was also agreed, which effectively left the Federation's principal officers – Chair, Secretary and Treasurer – in day-to-day control and subject to few regular or systematic checks. For instance, the National Committee of 11 regional representatives had to meet only four times a year and was in any case dominated by Militant members who held 13 out of the 16 seats. Similarly, the Federation's Chair (Tommy Sheridan), Secretary (Steve Nally) and Treasurer (Maureen Reynolds) were all long-established Militant activists. The general 'managed' tone of the conference also tended to annoy many of the Ealing delegates, the majority of whom were not Militant members.⁶⁵ As one recalled, 'it wasn't a very democratic conference. There was obviously a preconceived notion of what was going to happen and come what may that *was* going to happen'.⁶⁶ Another, ex-Militant member believed that 'the meeting was a rally, the level of discussion was pitiful. It was badly done... a conference is supposed to be about division and debate [but] within Militant there was a fear of debate and conflict' which 'might put people off'.⁶⁷

Despite these reservations the All Britain Federation remained the main national body within the anti-poll tax movement. Militant tended to explain this by stressing the virtues of its own leadership style, based on a Leninist conception of 'vanguardism'. For example, Tommy Sheridan, Secretary of the Scottish Federation and the most prominent individual figure associated with the anti-poll tax campaign, believed that political leadership 'of the campaign was vital. Militant provided it. Our programme and tactics on how to beat the poll tax became the property of millions. It was leadership secured through democracy and discussion, not cunning or subterfuge'.⁶⁸ This last claim was bitterly disputed by Militant's opponents, who tended to see the All-Britain Federation in less flattering terms. As Danny Burns, one of the three non-aligned National Committee members saw it, a combination

factors meant that the All-Britain Federation was ‘virtually irrelevant to the movement’.⁶⁹

As a ‘federation’ it had no direct control over its member groups. It could pass policies and take initiatives, but it was up to the local groups whether they wanted to take part in them or not. Local groups had the power to do and say what they wanted and the majority of groups who didn’t like the way the All Britain Federation was organised simply ignored it. Given this, the problems of the All Britain Federation were never seen as important enough to warrant splitting the movement.

Even so, any national campaign could reasonably have been expected to efficiently discharge a number of co-ordinating functions, including public relations, the regular provision of information to affiliates, the organisation of national events such as demonstrations and the promotion of internal democracy and discussion through conferences and meetings. According to Burns, the sectarian nature of the Federation largely prevented the successful pursuit of all of these goals. For example, Burns and others believed that its failure to produce sufficient regular national newsletters was because the leadership ‘wanted the *Militant* newspaper to become the voice of the movement’.⁷⁰ This led to the publication of various regional and grassroots newsletters by activists such as *London Fight the Poll Tax*, *Stand Firm!* and *3D* (eg Don’t pay! Don’t collect! Don’t implement!). Similarly, the Federation’s attempts at influencing the media agenda were hampered by the perception among many national journalists that the body was a Militant ‘front’ organisation and so unrepresentative of public opinion.⁷¹ Its regular claims that the ‘National Federation is the only body seriously fighting the Poll Tax and now represents over 14 million people refusing to pay’⁷² (my emphasis) therefore did not ring true.

On the other hand, the All Britain Federation organised a number of national demonstrations, including the 31 March 1990 demonstration (see chapter five), a ‘Peoples March Against the Poll Tax’ in September/October 1990 and various conferences which did attract support from local activists in Ealing and elsewhere. Nevertheless, the evidence from Ealing tends to support Burn’s main argument that

as early as the Autumn of 1990 the All Britain Federation was clearly of declining interest to most local activists. For example, no Ealing representatives attended its second annual conference, which saw only 639 APTUs represented out of a national total of some 1,500.⁷³ Nevertheless, the All-Britain Federation continued to function up until the tax's abolition and act as a national resource upon which local activists could draw, especially in their attempts to defend non-payers threatened with imprisonment.

This last point is potentially important, for while many Ealing activists remained highly critical of Militant's general political approach, all interviewed for this study expressed 'a certain respect for what they did', especially in promoting the idea of non-payment.⁷⁴ Some went further:⁷⁵

It was clear that without Militant taking the sort of initiative they did and without their national organisation the poll tax campaign wouldn't have been as well organised as it was. You would have still had a lot of local campaigns and [active] individuals but it was Militant that gave it a national perspective and kept the groups communicating with each other.

By April 1990 local campaigns, anti-poll tax unions or federations had been established in all the thirty-two London boroughs. One survey carried out by the London Federation in November 1990 provided addresses for over 210 London anti-poll tax organisations, although this might underestimate the number of local groups as many boroughs (such as Ealing) gave only the details of the borough-wide federation.⁷⁶ Equally, it may well exaggerate organisational growth, as many of the groups listed could have been 'paper' organisations. Whatever the truth of this, by June 1992 a similar exercise listed only 130 London anti-poll tax organisations and even the congenitally optimistic leaders of the London Federation conceded that only two thirds of borough campaigns were 'functioning'.⁷⁷

Like almost all other London borough-wide campaigns, the Ealing Federation was affiliated to the All London Anti-Poll Tax Federation. It would add little to explore in any depth the various manoeuvres and shenanigans that preceded the formal creation of the London Federation on 10 February 1990, except to note that all the

significant anti-poll tax organisations in the capital eventually agreed to participate in its founding conference.⁷⁸ But again, strong reservations about the role played by Militant surfaced among some campaigners.⁷⁹

I did start going to a London group based on anarchist and libertarian groups. Basically it was a feedback-type meeting, people would say what they were doing, and what was going on in their areas ... I was quite surprised then, to hear that there was going to be *another* All-London Federation. So I went along to the founding meeting and found it quite bureaucratic, in that the first group of people took it in turns to take notes and send out minutes, but in the All-London Federation the most important thing seemed to be electing various committee members and passing various resolutions.

Although the Ealing Federation did elect delegates to London-wide meetings, by mid-1991 most attended only sporadically. In part, this declining sense of interest reflected the tendency of the Federation's leaders to place the day-to-day interests of their party over that of the movement as a whole. For example, a London Federation conference scheduled for June 1991 was abruptly cancelled on the spurious assumption that London anti-poll activists 'will be wanting to canvass for the Broad Left [eg Militant] candidate' in a by-election held in Liverpool Walton.⁸⁰ Inevitably, this limited both the Federation's effectiveness and its potential to attract more broadly based support. Nevertheless, even groups hostile to the Militant conceded that by April 1992, its activists were playing an important part in keeping the Regional Federations going.⁸¹

Some London borough campaigns increasingly looked to another small but energetic regional group, the 'All London Anti-Poll Tax Activists' (ALAPTA), as a source of information. This was set up as a direct result of 'unhappiness' with the way the leadership of both the All-Britain and London Federations were operating.⁸² In particular, it felt that the London Federation was not providing adequate and regular information to local campaigns and therefore resolved to print a monthly newsletter entitled *London Fight the Poll Tax*. But significantly, there was never any intention here to set up a rival regional co-ordinating body to the London Federation, for the

same reason that no organised national group was established in opposition to the All Britain Federation.

For as this brief survey of national and regional organisational developments has shown, the organised anti-poll tax movement was primarily a *local* phenomenon. In forming anti-poll tax organisations, the protestors were obviously engaged in a localised form of active citizenship, albeit one which was informed by a consciousness of wider national concerns and goals. Given this orientation, concerns about the effectiveness of national or regional organisations would always take second place to activity on the ground. But this obvious point casts little actual light on the nature of these campaigns. By way of a conclusion I will therefore seek to identify some of the main interpretations of the anti-poll tax movement *as an organisation* made by activists and commentators, and then consider how well each model accords with the experience of the Ealing protestors.

Conclusion

The 1980s saw an increasing interest among academic and media commentators in the apparent growth of 'New Social Movements', such as the peace, animal rights women's or environmental movements.⁸³ Although the term encompasses a wide range of political phenomena, from local campaigns to international environmental protest organisations, certain common features emerge. The 'new' social movements are said to be expressive, they rarely seek power, they usually concern single-issues, albeit ones that are often totemic of wider values and operate within loose, non-hierarchical structures. They are often suspicious about the ability of existing institutional actors to effect change and aim to operate independently of them. Their clearest defining feature may well be the tactics they utilise, including forms of illegal, direct action protest.

Clearly the anti-poll tax movement shared some of these characteristics. This prompted Tonge to describe it as a 'pressure movement', that is a fusion of pressure groups and new social movement forms of activity.⁸⁴ However, as Byrne suggests, the movement cannot convincingly be cast as a social movement, at least within the

dominant definition used by political scientists, 'because its target was one specific policy; once the policy was changed, the *raison d'être* of the campaign disappeared, as did the protest. A social movement, because of its emphasis upon widespread beliefs and values, has a *scope* and potential *durability* that a protest campaign does not' (original emphasis).⁸⁵ Byrne's point does need some qualification, for the campaign did, however incoherently, articulate beliefs and values concerning the proper relationship between the individual and the state. Nevertheless, his main contention is sound.

Other commentators (and participants) drew far bolder conclusions about the movement. Drawing upon their experience of the Avon Federation, Burns and Hoggett believed that 'one of the reasons the anti-poll tax movement has been able to achieve its broad base is because it is primarily based upon social networks strengthened by their geographical proximity'.⁸⁶ The informal nature of the campaign, with its strong emphasis on expressive action rather than 'boring' organisational and bureaucratic concerns meant that 'a mass campaign was built that reached into the heart of communities. In many areas it completely restored the whole idea of community and collective organisation'.⁸⁷ So the role played by organisations and individual activists in the anti-poll tax movement had to be placed within the wider context of the community 'fighting back'.⁸⁸

The power of parliament, the parties and the City have directly opposed themselves to the power of our communities... As activists we are only part of the struggles of our communities [which] create and sustain the struggle, because they have to, while activists come and go, and occasionally end up in the council or in parliament. The links for struggles exist outside of ideologies and parties.

While it is clear that areas like Bristol did see large public mobilisations, such claims are perhaps inherently problematic given the slippery and highly subjective nature of the very notion of 'community', a point more fully discussed in the next chapter.

Certainly many commentators, such as Lavalette and Mooney, argued that most local anti-poll tax unions could not credibly be described as spontaneous and were

usually initiated and sustained by existing socialist and trade union activists.⁸⁹ This accords with the evidence outlined in this chapter. Although the Ealing campaign came to involve groups and individuals from other (or no) political traditions during the high tide of anti-poll tax protest, this did not amount to a response by an Ealing 'community' except in one important sense. For as I argue in the next chapter, the protestors deliberately sought to mobilise a *moral community*, united around the proposition that 'fair' taxes should be based on an ability to pay. The fact that much of the active support for the movement fell away following Thatcher's resignation and the government's subsequent decision to abolish the tax, suggests that campaigners were motivated primarily by the poll tax as an immediate political/economic issue, rather than through participation in an ongoing community 'struggle'.

In any case, the important role played by established left activists probably had a number of benefits. Firstly, the campaign had access to human (and material) resources that might otherwise have been unavailable, for political activism is a skill that must be learnt, like any other. In particular, the confidence to discuss political issues freely and politely, to address large meetings effectively and to present complex ideas in an easily comprehensible way takes time to develop. It also meant that activists could draw upon their personal and material resources to integrate the anti-poll tax campaign within an existing local network of socialists, trade unions, tenants associations, community groups, left-wing Labour Party wards and even temples. While such networking remains hard to measure or document, it was clearly of some importance. For in uniting a range of disaffected individuals and groups in the borough, the anti-poll tax campaign was able to establish a sufficiently broad coalition of protest to sustain a viable organisational structure.

But again, this cannot convincingly be described as a direct engagement with local spatial communities. For example, during winter 1989 to spring 1990 every local group in Ealing held joint public meetings with local tenants' associations, attended by large numbers of people with no obvious political background. As we have seen, sometimes these events led to the creation of a number locally based anti-poll tax unions, but even this relative success was usually conditional upon the support of existing leaders of tenants' organisations. So there was a strong sense throughout of

active citizen speaking unto active citizen. However important a political issue, the poll tax alone was never likely to compel individuals to spontaneously combine with their neighbours and 'restore the whole idea of community and collective organisation'.

Nevertheless the rapid organisational growth of the Ealing anti-poll tax campaign in 1990 did suggest that its arguments *had* struck a chord with majority public opinion. In the words of one protestor, the local left emerged 'out of the ghetto'.⁹⁰ Even Butler et al., who remained generally dismissive of the organised protestors' importance in sinking the tax, conceded:⁹¹

In an organized and an unorganized way the mass public became involved. The poll tax provides a rare example of an issue which galvanized not only the Militant Tendency and the extreme left, but with it substantial numbers of the wider less politicized public... As in 1381 the new tax became a lightning-conductor for a range of dissatisfactions with the government.

The next chapter explains why the arguments of the anti-poll tax protestors were apparently so effective and ultimately proved capable of mobilising a 'moral community' against the tax.

¹ Councillor Martin Mallam, quoted in speakers' notes, Secretaries' Report to 1991 EAPTF AGM

² Ealing Fightback circular 18 January 1990

³ Letter from Anita Patel (EF Convenor) to Cathy Ludbrook 23 June 1988

⁴ EAPTC minutes 23 March 1989

⁵ undated leaflet, circa 1989

⁶ EAPTC minutes & financial statement 19 December 1989

⁷ EAPTC minutes 5 June 1989

⁸ EAPTC minutes 17 October 1989

⁹ EAPTC minutes 10 April 1989

¹⁰ *Bulletin*, SAAPTU, September 1989 & EAPTC minutes 5 June 1989

¹¹ EAPTC minutes & financial statement 19 December 1989

¹² Interview Michael O'Connell 1 February 1999

¹³ AAPTU Leaflet, March 1991

¹⁴ Interview Yvonne Say 22 March 1999

¹⁵ Interview Michael O'Connell 1 February 1999

¹⁶ Interview John Cudmore 7 September 1999

¹⁷ Interview Yvonne Say 22 March 1999. See also M. Fletcher, *Poll Tax: A Short Sharp History*, Seventy Press, Reading, 1992, p32-33 for similar sentiments in relation to the Reading campaign.

¹⁸ Minutes EAPTF Committee 21 August 1990

¹⁹ Interview Eve Turner 12 October 1998

- ²⁰ Ibid.
- ²¹ Minutes EAPTC 7 February 1990
- ²² Danny Burns, *Poll Tax Rebellion*, AK Press, Stirling, 1992, p 193
- ²³ Interview Eve Turner 12 October 1998 & Oliver New 9 November 1998
- ²⁴ Interview Astra Seibe 22 October 1997
- ²⁵ WEHAPT Newsletter February 1990
- ²⁶ WEHAPT Newsletter March 1990
- ²⁷ WEHAPT Newsletter May 1990
- ²⁸ Interview John Green 25 October 1999
- ²⁹ Ibid.
- ³⁰ Interview Astra Seibe 22 October 1997
- ³¹ Ibid.
- ³² Minutes EAPTC 7 February 1990 & ECAPTU membership report, c. April 1990
- ³³ The information has been gleaned from the memory of the author, interviews with Tony Ward, Kevin Carlin, Françoise Fajolle, Melanie Griffiths, Jude Sutherland and Gill Reavey. See also ECAPTU membership report & list of 'Active People' c. April 1990
- ³⁴ Letter to the author, Jim Ward 14 April 1999
- ³⁵ Interview Rachel Jones 19 February 1999
- ³⁶ Ibid.
- ³⁷ Letter to Mick Brooks 12 June 1991
- ³⁸ Minutes EAPTC 21 July 1989 & 12 March 1990
- ³⁹ Leaflet, Ealing Hospital APTU, undated
- ⁴⁰ EAPTC minutes 12 March 1990
- ⁴¹ Interview 5 July 1997
- ⁴² EAPTF, founding statement 1 May 1990
- ⁴³ Ibid.
- ⁴⁴ Interview Mick Brooks 5 August 1997
- ⁴⁵ Interview Oliver New 9 November 1998
- ⁴⁶ Interview Rachel Jones 19 February 1999
- ⁴⁷ Ibid.
- ⁴⁸ All information taken from Brooks' speaking notes, 2 April 1991
- ⁴⁹ EAPTF circular March 1991
- ⁵⁰ All information from EAPTF accounts, 31 March 1991
- ⁵¹ Letter to Mick Brooks 29 October 1990
- ⁵² Interview Eve Turner 12 October 1998
- ⁵³ Interview Oliver New 9 November 1998
- ⁵⁴ Circular EAPTF, circa May 1990
- ⁵⁵ Jon Tonge, 'The Anti-Poll Tax Movement: a Pressure Movement?', *Politics*, 1994, 14(2) pp 93-99
- ⁵⁶ Circular EAPTF circa June 1990
- ⁵⁷ Interview Rachel Jones 19 February 1999
- ⁵⁸ Interview Eve Turner 12 October 1998
- ⁵⁹ Chairs Speaker's notes, 28 January 1992
- ⁶⁰ EAPTF accounts presented to AGM, 28 January 1992
- ⁶¹ Secretary's Report to EAPTF AGM, held 2 April 1991, p1
- ⁶² Circular, EAPTF 10 November 1992
- ⁶³ Statement of All British Anti-Poll Tax Steering Committee, 1-9-89
- ⁶⁴ Danny Burns, *Poll Tax Rebellion*, AK Press, Stirling, 1992, p78
- ⁶⁵ EAPTC Minutes 14-11-89. See also Lorna Reid, *Paying to be Poor*, Larkin Publications, London, 1990, pp39-41 for a highly critical account of the conference
- ⁶⁶ Interview Eve Turner 12-10-98
- ⁶⁷ Interview Mike O'Connell 1-2-99
- ⁶⁸ T. Sheridan & J. McAlpine, *A Time to Rage*, Polygon, Edinburgh, 1994, p xiii. See also M. Reynolds *Uncollectable: The Story of the Poll Tax Revolt*, Greater Manchester Anti-Poll Tax Federation, Manchester, 1992, pp 165-7
- ⁶⁹ Burns, *Poll Tax rebellion*, pp81-82
- ⁷⁰ Ibid. p80
- ⁷¹ David Deacon and Peter Golding, *Taxation and Representation: The Media, Political Communication and the Poll Tax*, Acamedia Research Monograph, Coventry, 1994 pp101-103
- ⁷² ALAPTF Secretary's Report, undated, but 1991

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- ⁷³ Burns, *Poll Tax Rebellion*, p79
- ⁷⁴ Interview Eve Turner 12 October 1998
- ⁷⁵ Interview John Green 25 October 1999
- ⁷⁶ Address list of London anti-poll tax organisations, ALAPTF, November 1990
- ⁷⁷ Ibid. June 1992. See also ALAPTF circular 30 January 1992
- ⁷⁸ The fourteen resolutions proposed to London Federation founding conference give a flavour of some of the tensions and also suggest that at this stage, Militant's organisational control was still tenuous
- ⁷⁹ Interview Astra Seibe 22 October 1997
- ⁸⁰ Undated Notice, ALAPTF, 1991
- ⁸¹ ALAPTA, Minutes 7 April 1991
- ⁸² ALAPTA Bulletin, December 1990, p1
- ⁸³ S. Tarrow, *Power in Movement: Social Movements and Contentious Politics*, Cambridge University Press, 1998. Paul Byrne, *Social Movements in Britain*, Routledge, London, 1997.
- ⁸⁴ Tonge
- ⁸⁵ Byrne p23
- ⁸⁶ D. Burns & P. Hoggett, 'The Revenge of the Poor: the anti-poll tax campaign in Britain', *Critical Social Policy* 33, 1991, p99. See also John Dickie, *Cause to be proud: a local group's struggle against the poll tax*, Gecko Press, Edinburgh, 1992
- ⁸⁷ Burns & Hoggett, *Revenge of the Poor*, p109
- ⁸⁸ *London Fight The Poll Tax*, May 1992, p1
- ⁸⁹ G. Lavalette & G. Mooney, 'The Poll Tax Struggle in Britain: A Reply to Hoggett and Burns', *Critical Social Policy* 36, 1992
- ⁹⁰ Interview Mick Brooks 5 August 1997
- ⁹¹ D. Butler, A. Adonis and T. Travers, *Failure in British Government. The Politics of the Poll Tax.*, Oxford University Press, Oxford, 1994, p262

Chapter Three

Mobilising a moral community

Enter Hamlet reading...

Polonius: What do you read my Lord?

Hamlet: Words, words, words!¹

Dramatists, actors, poets and jazz musicians often talk about their art in terms of ‘voices’. Sometimes an individual artist’s voice can appear wholly novel, dramatically breaking with convention and so pushing the form onto a higher level of creativity. But any sense of innovation is often illusory, as closer analysis soon reveals the older traditions and precedents upon which the artist has built. Indeed, a sense of continuity is necessary for any sustained engagement with the audience, who can best appreciate the novel when it is set alongside the familiar. This notion of expression as a cumulative process is also helpful when considering the discourse used by opponents of the poll tax. Despite their failure to organisationally engage with local, spatial communities (see last chapter), the protestors nevertheless sought to portray the tax as an affront to the dominant values of the wider ‘community’. Were they successful? Ultimately the poll tax failed because it did not secure legitimacy. In part this was an administrative problem, as the tax proved extremely difficult to collect and maintain, but opinion poll evidence showed that around 70% of the public consistently opposed the tax in principle: as Michael Heseltine rather dryly observed, ‘the public have not been persuaded that the community charge is fair’. This in turn suggests that the government’s opponents effectively won the argument.

The rhetoric of anti-poll tax protest in Ealing sought to highlight three main themes. Firstly, the protestors sought to cast the poll tax as ‘unfair’ by showing how it violated the popular consensus that taxes should, however imperfectly, reflect an ability to pay in an unequal society. Secondly, the tax was portrayed as economically disadvantageous for ‘ordinary people’ in general and the ‘poor’ in particular, both in terms of increased bills and the likelihood that public

services would suffer from under-funding. This last point may have had a particular resonance in the period due to mounting public over the quality of public provision and fears for the future of the welfare state. Thirdly, the rhetoric seamlessly connected these grievances with a tangible means of redress, in the form of a mass campaign of non-payment.

These arguments seemed to strike a chord with popular opinion and allowed the protestors to mobilise a 'moral community' against the tax. In order to explain this apparent success, the chapter has adopted a staged approach. Firstly, it outlines the key arguments, illustrations and themes advanced by opponents of the poll tax and then identifies the social and political groups they hoped to influence. Secondly, the meaning of 'community' in the context of the time is considered and compared with evidence from contemporary national attitudinal surveys and opinion polls to see how far the protestors appeal rang true with wider public opinion. The chapter concludes by arguing that the protestors' rhetoric can best be understood as an appeal to a moral community of active citizens, united by a clear sense of enlightened self-interest.

The Peasants are Revolting

The protestors' often used historical imagery as a means of undermining the legitimacy of the tax and frequently cited the example of the 'Peasants' Revolt' of 1381. Here it will be recalled, a mass uprising of peasants and rural artisans occurred in some southern counties, partly as a response to the imposition of a poll tax in 1377 and 1380. The revolt culminated in an armed demonstration in London, led by Wat Tyler and the execution of a number of unpopular officials and members of the court. After controlling the capital for several days, the rebels were dispersed and most of the leadership executed. Nevertheless, there remained a strong sense in which succeeding 'generations regarded the 1381 poll tax as an object lesson in how not to tax'.²

So in drawing parallels with the poll tax of 1381 the protestors sought to illustrate two obvious points in a readily accessible way. Firstly, the latter day poll tax was cast as an archaic anachronism, an affront to common sense in a

modern industrial society. The Ealing protestors therefore typically characterised the poll tax as ‘like Robin Hood in reverse – robbing the poor to pay the rich’.³ Similarly, visual imagery reminiscent of the Medieval era was incorporated into the protests.⁴ For example, in Nottingham protestors dressed as Robin Hood and Maid Marion threw ‘custard pies’ (shaving foam on paper plates) at councillors setting the local poll tax rate and were subsequently jailed for one month each for their crime. Secondly, the 1381 revolt could be seen as just one episode in a long tradition of English dissent which included the Chartists, the Suffragettes and various heroic episodes from the history of the labour movement.⁵ On these occasions, it was suggested, the ‘common people’ had risen in the face of tyrannical and unreasonable imposition from a central government concerned solely with the interests of the rich. Surely the precedent would be repeated in the case of this latter day poll tax?

The Duke & The Dustman

The protestors were assisted by the quite crude expressions of class interest shown by some members of the British establishment, the vast majority of whom could be expected to benefit financially from the new measure. The most obvious example of this came during the passage of the 1988 Finance Act through the House of Lords. Initially this was expected to be rather troubled affair, but in the event the new tax proved singularly attractive to a large majority of their Lordships and all significant amendments to the bill were defeated by ‘the highest turn out of Tory peers in living memory’.⁶ Opponents of the tax suggested that this behaviour was motivated primarily by greed - on average peers were set to pay only a tenth of their present rate bills under the poll tax – a point expressed in one leaflet produced by Manchester protestors through the use of individual examples:⁷

	Lord Vestey	Duke of Baccouch	Viscount Portman
Rates	£5,017	£1,454	£1,321
Poll Tax	£180	£220	£133
Gain	£4,737	£1,234	£1,188

The episode was perhaps especially significant given the dominant notion of 'upper class' in the period, which tended to be conceived in terms of social status, 'that is as having some sort of hereditary title – 'the aristocracy' – or living a 'hunting, fishing and country house' (upper class) lifestyle'.⁸

The question of the increased cost for 'ordinary people' - when the poll tax was compared to the rates according to one 'best estimate', some 27 million people financially lost, while 8 million gained - naturally exercised public opinion and was therefore consistently emphasised by campaigners.⁹ But this should also be set against the overall tax burden, which despite the government's, image as a tax-cutting administration, rose from 39% in 1979 of GNP to 43% in 1989. The generally regressive character of the government's taxation policies led to a steady increase in indirect taxes, national insurance contributions and income tax cuts for top earners. As a result, by 1988 the poorest fifth of the population paid out 40% of their income in taxes while the richest fifth paid out 35%.¹⁰ The poll tax not only exacerbated these general trends, but also hit middle income groups the hardest.

One public leaflet issued by Ealing campaigners could therefore hardly have been more explicit. Headed 'WHO WINS, WHO LOSES?' it set out the likely cost of the poll tax for household of various sizes and invited readers to 'check whether you are likely to be better off?'¹¹ Although an ostensible wish to provide such information about the new tax remained an important strand of the rhetoric, it was never intended as an altruistic educational act and an alarmist 'spin' was invariably placed on any 'facts' tendered. For example, window posters produced in the Autumn of 1989 baldly stated (relative point size retained):¹²

EALING
POLL TAX
£357

CAN'T PAY
WON'T PAY

This proved an underestimate and the actual cost of the poll tax in Ealing was £435 for 1990/1. But as the newsletter of one local anti-poll tax union in the borough was quick to point out:

Well in case you haven't heard the Poll Tax has now been set for Ealing - £435 per year!! Which will mean the average Ealing household paying out around 32% in poll tax more than they did in rates last year... But even if the Poll Tax had only been set at say £200 per person, we would still fundamentally oppose it, as it is not based on people's ability to pay.

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Thus the likelihood of bigger bills was seamlessly linked to the wider issue of the unfairness and the unjust nature of 'a tax on being alive'. Here the protestors effectively turned Tory rhetoric on its head, with the poll tax cast as discriminatory precisely because everybody had to pay, a quality that they instinctively assumed to be unfair due to structural inequality in society. This in turn drew upon a more traditional language of class, which saw no tension between overtly economic issues and wider questions of social justice. For example, a leaflet advertising a meeting on the Havelock Estate (Southall), organised by a Mr and Mrs Davies (two local residents) in conjunction with Southall activists showed both a strong vein of parochialism and class resentment.¹⁴

The Tory government is abolishing the rates and replacing them with a new Poll Tax. The Poll Tax is a flat rate charge – everybody pays the same. A duke will pay the same as a dustman.

This Tory tax steals from the poor and gives to the rich. Most people on our estate will be worse off... To beat the tax we need to organise support on the estate and all over Ealing.

The Nurse and the Millionaire

Many of these themes neatly dovetailed with attempts to highlight the way the poll tax apparently penalised ‘productive’ citizens. This drew upon a conception of citizenship as public service that had long been current within the British socialist tradition and the nurse soon came to assume some significance as an emblematic figure. Ealing campaigners were therefore keen to emphasise that ‘a nurse at Ealing hospital living in one or two rooms, would pay the same amount as a millionaire living in a mansion in Hanger Hill’.^a Similarly, the case of Mrs Thatcher was juxtaposed against that of a student nurse.¹⁵

The Loser

Denise Capstick is a student nurse at Guy’s hospital in Southwark, South London.

- She gets £7,300 for her demanding job, and reckons to make a further £50 a month in special duty payments and other income.
- Home is a Southwark flat supplied by the NHS, which she shares with four other people.
- At present her bill comes to £170 a year.
- Under poll tax that will rise to £570 a year.
- Poll tax will cost Denise an extra £400 a year.

The Winner

Margaret Thatcher is Prime Minister. Her home when she isn’t at 10 Downing Street is in Southwark, South London.

- She gets £47,000 a year, while husband Dennis is reckoned to be a millionaire. Income is not a problem.
- Home is a £475,000 neo-Georgian house in a desirable part of Dulwich on a private high security estate.
- At present her rates bill comes to £3,000 a year.
- Under poll tax that will fall to £570 a year.
- Poll tax will save Margaret £2,430 a year.

^a Hanger Hill, as any Ealing resident would immediately recognise, is the wealthiest part of borough. One resident in the 1990s included Neil Kinnock MP

Why this particular symbol? Arguably, in Britain nurses have a particular metaphoric quality due to the profession's strong association with the National Health Service and there was ample opinion poll evidence that many members of the public were growing increasingly concerned about the health of the NHS at this time. The nurse was also traditionally thought to embody caring qualities, such as a sense of vocation and selfless public service. So 'Margaret', the 'millionaire' who had famously declared that there was 'no such thing as society' was juxtaposed with Denise, a student nurse with 'a demanding job' who cared for others. This was always likely to be successful strategy. For example, one 1988 MORI Public Opinion survey found that 79% of respondents thought that 'ideally' Britain should be 'A society in which caring for others is more highly rewarded' compared to only 16% who preferred 'A society in which the creation of wealth is more highly rewarded'.¹⁶

The Wealthy Widow and the Council Tenant

However the protestors were not alone in their use of emblematic figures. In seeking to justify the fairness of the poll tax, government ministers were wont to produce an equally affecting victim of the old rating system: the elderly widow living alone in a large family home, but who still paid the same as a family of four living next door.¹⁷ The metaphor had the advantage of neatly underlining the unfairness of the rates, but in terms that would presumably appeal the government's middle British core constituency. However the protestors also felt able to use housing (and housing tenure) as a suitable arena in which to contest the fairness of the tax. For example, one Ealing leaflet invited the public to:¹⁸

Compare how poll tax will affect different sized household around the Borough

1. Mr and Mrs Davies are council tenants living in Conrad Tower, South Acton Estate. Not being eligible for any rebates they pay full rates of £463.32. When poll tax comes in they will pay £714, a loss of £4.82 per week.
2. The Shah family live in Saxon Road, Southall. There are 7 adults in the household. The two elderly members of the family qualify for a maximum rebate and only have to pay 20% of the poll tax. Despite this the total poll tax bill will be £1927.80 as

opposed to £521.82 they currently pay in rates, a loss of £1405.98 per year or £27.04 per week.

3. Mrs Benyon lives on her own in a large house in Chatsworth Road, Hanger Hill. After the poll tax comes in she will pay only £357. Because of the high [rateable value] of her home she pays £1,883.70 in rates, a gain of £1,526.70 a year or £29.35 per week.

The conclusion was clear: 'those people living in parts of the Borough where unemployment is highest, incomes lowest and housing conditions at their worst' would be most severely effected.¹⁹ Housing therefore became another metaphor for inequality, albeit a rather indistinct one. But appeals directed solely at council tenants could only go so far given that by the late 1980s the majority of households were owner-occupiers (see appendix one). In any case, for many people housing tenure was as likely to be conflated with neighbourhood than with the concept of social class. So according to Yvonne Say, a tenants' association activist on the South Acton estate, opposition to the poll tax among people in her area did reflect 'a sort of class solidarity' but 'people wouldn't have described it like that. They'd have seen it as the community sticking together'.²⁰

This suggests that the wider community (the people) broadly shared and acknowledged a common moral obligation to act in concert in order to provide for the disadvantaged. Even so, the language of protest either explicitly (or more often implicitly) sought to articulate a notion of solidarity more commonly associated with traditional Labourist discourse. For example, Dick Douglas, a Scottish Labour MP explained his decision not to pay the poll tax thus:²¹

Where I came from you had to stand up and protect the weaker sections of the community. My socialism is not the socialism of the books and the universities. It is the socialism of the tenement and the shipyard, where if you didn't stand up for the weakest they picked you off one by one. This poll tax attacks the weakest.

This sort of rhetoric potentially had a wide appeal. For example, the *Daily Mirror* compared the social and economic situation of Dora Coull, a 77 year old ‘disabled granny’ jailed for 14 days for wilful refusal to pay the poll tax, with that of Mrs Renee Perring JP, the magistrate who had sentenced her.²² ‘Dora’ lived in a two-bedroom tied cottage, without mains electricity, gas, sewerage or street-lights. ‘Renee’ on the other hand, lived in a ‘luxurious four-bedroomed house in one of the best parts of royal Tunbridge Wells’, with mains gas, electricity, ‘well maintained’ pavements and street lighting. But Dora paid only £20 poll tax a year less than Renee, prompting *The Mirror* to ask ‘How can we call this fair?’

Black and White

Some Ealing anti-poll tax campaigners also tended to highlight the notion of community in relation to the borough’s large minority ethnic population. A leaflet produced by various Southall voluntary groups compared the impact of the rates and the poll tax on 12 streets in the predominantly Asian Northcote ward, Southall.²³ It claimed that the average household contained 3.33 adults. Assuming the poll tax was set at £301, this would translate to a poll tax bill of circa £1002 per household, compared to an average rate bill of £502. The conclusions they drew were both radical and unequivocal (original emphasis):

THE POLL TAX IS RACIST BECAUSE.....

FACT * Our families are larger than white families.

FACT * Our houses are older and in worst condition.

FACT * Our wages are lower and more of us are unemployed.

AND SO.....

We will be worse off than whites.

This in turn implied that the black and Asian people should oppose the poll tax as a distinct *community*. Leaving aside the question of whether it is ever

meaningful to speak about communities based on skin colour – for example the Asian population in the borough was (and is) highly heterogeneous – this appeal to an ‘imagined community’ remained potentially powerful. For example, Acton anti-poll tax campaigners sought to highlight the importance of kinship through the case of the Grewal family, which contained eight adults and so might have attracted a poll tax bill of £2,500.²⁴ Sukchain Grewal, described as ‘the main breadwinner’ was approvingly quoted as saying ‘We are going to beat the poll tax by fighting back. If there is fighting to be done then the people in this family will do it. When they come round to this house to collect poll tax then they’ll be in for a surprise’. However, this emphasis on community (or even family) self-organisation was tempered by most organised protestors, who consistently emphasised the idea of unity, irrespective of ethnicity.

Labour v Conservative

Given the Labour and trade union background of most anti-poll tax activists there was never much doubt about which person (and party) they were going to publicly blame for the poll tax. Thus the protestors tended to preface any mention of the tax with adjectives that seemed to them at least to be self-evidently negative. So this was not simply a poll tax, it was a *Tory* poll tax or *Thatcher’s* poll tax. Similarly, the banner of the Ealing Anti-Poll Tax Federation portrayed a large cartoon of Frankenstein (labelled ‘poll tax’) in the act of strangling a distraught Mrs T. over the caption ‘But you can’t destroy *me!* I created *you!*’ Perhaps Thatcher only had herself to blame for much of this rhetoric, which merely reflected her own oft-stated personal commitment to the poll tax as a flagship policy. But while the rhetoric remained consistently anti-Tory, it was never overtly pro-Labour. In part this reflected the decision of the local Labour council to administer the tax as effectively as possible (see next chapter) and the growing hostility towards the anti-poll tax campaign on the part of the national and local Labour Party. Even the election of a Conservative administration in Ealing in May 1990 did little to encourage overt support for Labour and relations between the anti-poll tax protestors and councillors of all parties remained fraught.

Similarly, if the grievances highlighted by the protestors seemed clear enough, the question of which form of local taxation should replace the poll tax (if and when it was repealed) was left opaque. This was no accident, for although the opposition political parties were canvassing various alternatives throughout the period, the campaigners resolutely refused to endorse any of them. Such a policy had the obvious advantage of establishing abolition as a simple and unequivocal means of redress and so limited the capacity of partisan loyalties to undermine some key themes of the campaign's rhetoric. Instead, broad ethical principles were posed as criteria upon which any alternative to the poll tax should be based, such as fairness, ability to pay or simply a restoration of the status quo.

Consumers and Citizens

Several strands of the protestors' rhetoric flagged up the implications of the tax for the relationship between the individual citizen and the local authority. Most commonly the protestors (and indeed the wider labour and trade union movement) sought to highlight the potentially dire impact of the tax on local authorities, which, it was claimed, would no longer be able to provide 'decent' public services under the new funding arrangements. Similarly, the campaigners claimed that henceforth local 'communities will no longer have the right to run local affairs as they see fit: the right to decide what services we need and how we think they should be paid for'.²⁵ This linkage between the poll tax and cuts in public services potentially appealed across the class spectrum and served to undermine Tory claims that the new charge was fair because everybody who used public services should contribute towards their cost.

For the campaigners were unequivocal in their opposition to the idea of cutting services in order to have lower poll tax bills – hardly surprising given the public sector background of most activists. As one leaflet put it (original emphasis and relative point size):²⁶

The Tory Poll Tax Game

“Heads You Lose – Tails You Lose”

On 8th March Ealing Council will decide how much Poll tax we will have to pay. In order to keep the current level of Council services, the Poll tax would have to be £490 per person. To get a lower Poll Tax rate of around £450 and to avoid the Government's Poll Tax capping, there would have to be cuts in our vital services.

Whatever decision is made the Tory Poll Tax is a disaster in Ealing. The vast majority of people will be WORSE OFF.

We will have to pay MORE MONEY FOR POORER COUNCIL SERVICES. Does this make sense?

Such concerns were not necessarily the preserve of domestic service users, or for that matter, public sector workers. For example, a revealing letter from Mr M.J.M Chevalier, the representative of Quaker Oats Ltd on Ealing Council's Non-Domestic Ratepayers Consultation Panel predicted that because of the poll tax, the council was 'clearly going to experience severe financial difficulties during 1990/1 and the following years.'²⁷ Interestingly, Mr Chevalier was under no illusions about the class nature of the new tax, although his proposed solution was perhaps rather optimistic:

That there are wealthy people within the borough who will benefit from the Community Charge is clear, and it is possible that some of these will wish to help the borough.

But if the poll tax served to arouse concerns about the provision of public services among the generality of the 'middling sort', this was most obviously the case amongst its 'radical wing', predominantly employed as public sector workers in the caring professions. As the previous chapter showed, many of the

most active anti-poll tax protestors in Ealing were teachers, social workers and local government officers. Each area of social and economic life tends to create its own distinctive discourse (or jargon) and the rhetoric of 'Equal Opportunities' was prominent in these occupational sectors by 1990. This discourse tended to subsume class within a list of groups that together comprised the 'disadvantaged', such as benefit claimants, members of ethnic minorities, women, the elderly and the disabled. As many of these groups had been largely exempt under the rates, they were almost by definition set to lose out. Again, this helped boost opposition to the tax amongst a wide swathe of liberal and leftwing opinion.

The Hapless Citizen mauled by the Bureaucratic Leviathan

The second rhetorical strand concerning the relationship between citizen and the state took a radically different tack. This sought to suggest that the poll tax represented a 'sinister threat... to our democratic rights and individual freedoms'.²⁸ The Ealing protestors therefore warned that every local authority:

will employ Poll Tax snoopers... Identity cards and/or numbers are a possibility ... The Poll Tax will operate as a Pass Law encompassing the entire adult population. When adults move they will have to inform the relevant local authorities and if marriages break up the partners will have to pass on each others whereabouts to avoid being liable.

In part this merely reflected fears among the wider British left regarding the general authoritarian drift of government policy and echoed concerns expressed by the Labour Party and various public sector organisations about the implicit linkage between the payment of the poll tax and the right to vote. For it was feared that those unable to pay the tax would prove reluctant to place their names on the electoral register in order to avoid registration for the new charge. This might in turn also undermine essential social citizenship rights as 'the vast majority of people who register and pay the tax are likely to be aware that they can no longer approach a social worker, a housing benefit adviser or even a librarian in confidence'.²⁹

After the first bills were issued Ealing Council began to institute often controversial recovery procedures against non-payers, including the use of bailiffs and the ‘ultimate sanction’ of imprisonment (see chapters six and seven). Thus a new type of victim of the tax was readily identifiable. Similarly, many individuals suffered as a result of administrative ‘cock ups’ associated with the recovery procedure. The tax was then cast as ‘unworkable’, ‘heartless’ and ‘an affront to common sense’. So two themes central to the Ealing campaigner’s rhetoric came together; namely a portrayal of the poll tax as a fundamentally *incompetent* policy, which also arbitrarily attacked the poor.

Active and Passive Citizens

Many of these criticisms were indistinguishable from those made by mainstream political opposition parties, One Nation Conservatives, trade unions, voluntary organisations and local authorities. What set the organised protestors’ apart was their persistent emphasis on ‘peoples’ power’, expressed through collective civil disobedience in the form of mass non-payment, as a means of making the tax unworkable. Like the juxtaposition between the productive and parasitic citizen embodied in the emblematic use of the nurse and millionaire, this in turn drew upon established notions of active citizenship present within the British socialist tradition. But how was this conception of active citizenship to be expressed? As one leaflet, issued a month before the first bills were despatched in Ealing, put it (original emphasis):³⁰

Thatcher has never listened to public opinion, so how can we defeat the poll tax? All over Eastern Europe ‘people’s power’ has shown that unpopular governments can be stopped. In Scotland over ONE MILLION PEOPLE ARE REFUSING TO PAY ... Scotland has shown the way. If we all refuse to pay the government will be helpless.

THE TIME HAS COME TO MAKE A STAND

This broad-brush appeal was supplemented by another, more detailed, even at times pedantic, language of protest. For example, in 1989 the Ealing protestors issued various advice sheets and circulars that outlined the opportunities available offered by the poll tax registration process to disrupt implementation.³¹

Here are some ideas/information ...

- People who have not filled in the 2nd [registration] form will now have received a reminder.
- If at this stage you do not fill in the form or you fill it in incorrectly, then soon you will be visited by someone from the Community Charge Registration Unit.
- They will attempt to get people to fill in the form on the doorstep.
- There are a variety of delaying tactics you can use. For example the Brent campaign against the Poll Tax have advised people to avoid, if possible, filling in the form there and then. You can do this by saying:
 - You're on your way out
 - You're a visitor
 - You're the babysitter
 - You're watching Neighbours
 - or any other reasonable excuse that can delay!!

Such advice displayed a number of characteristics that would recur in material produced by protestors throughout the period of the campaign. For example, the reference to the anti-poll tax campaign in the Borough of Brent, which lies adjacent to Ealing, is indicative of networking between protestors from different areas and groups. This allowed information to be shared about the various administrative measures undertaken by other local councils and some of the legal implications of non-payment. Secondly, the advice displayed a marked attention to detail and a correspondingly sound understanding of the recovery procedure. Such expertise derived partly from necessity, but also again suggests the involvement of public sector professionals whose work entailed the interpretation and implementation of tax and benefit regulations. Thirdly, the advice displayed a concern with 'knowing your rights', conjuring up shades of the self-informed (and invariably 'bloody awkward') archetypal barrack room lawyer. All these qualities would be much in evidence when the non-payment campaign proper got under way.

Any rational person actively considering non-payment naturally sought detailed and accurate information about the likely costs and legal consequences. The Ealing campaign therefore followed the example of Scottish protestors and produced a large print run of some 40,000 A4 leaflets, to be distributed to every household in the borough. One side simply said 'PAY NO POLL TAX' and doubled as a window poster. The other, under the heading 'YOU, THE POLL TAX AND THE LAW' reminded readers that the 'Tories and the mass media will be putting out lies to try and frighten people into paying up.' It continued – 'These are the facts about poll tax non-payment. Please read it carefully, photocopy it and pass it on'.

There was also a distinctive *oral* strand within the informational rhetoric. Public and joint meetings with tenants associations proved a relatively effective way of promoting the idea of non-payment. Many of these meetings were lively affairs, 'full of people for whom standing orders might as well relate to the parade ground'.³² The audience tended to be primarily interested in receiving information, rather than discussing the political iniquities of the tax. This posed something of a challenge to some Ealing leftists who were far more used to delivering extended rhetorical denunciations of the Tory government and all its works. In such an atmosphere it could often prove difficult to strike the right balance and on one occasion a speaker from the campaign was thrown out of a meeting of seventy members of the Limetrees Resident's Association (Northolt) after some members of the audience judged his speech to be 'too political'.³³

As Mick Brooks, Secretary of the Ealing Anti-Poll tax Federation recalled:³⁴

it was no good going onto an estate, with a hundred people turning up, who've... decided not to pay a bill for the first time in their life out of some principled position and just ranting that the poll tax is evil. Because they knew it was evil. What they wanted was reassurance and they wanted a strategy. So these weren't 'rants' these meetings.

So you'd ask "What happens when you get a bill?"... "What happens if you don't pay it?" ... "What happens if you get the red bill?"... And

you'd go through this, stage by stage, right up until the committal proceedings.

Any advocacy of civil disobedience inevitably posed a number of personal and moral dilemmas, which are discussed more fully in chapter eight. Others were of immediate practical import. For example, a liability order passed against a non-payer could affect their credit rating – a far from trivial matter for some at a time of economic contraction. However, the 'ultimate sanction' of imprisonment was naturally most off-putting. The protestors therefore sought to diffuse such fears by emphasising that (assuming you had the necessary wherewithal) any legal action could be halted immediately upon payment of the outstanding debt. So at public meetings activists would seek to remind potential non-payers:³⁵

that at the eleventh-and-a-half hour and fifty-fifth minute they could make an offer and get out if they weren't prepared to go for it. And we'd never criticise anyone. People would say "if this happens I'm out of it" and we'd say "fair do's".

Similarly, campaigners were aware that an exclusive emphasis on non-payment could potentially weaken their coalition and emphasised that while 'some people, for whatever reason, may feel obliged to pay. *This does not exclude you from our campaign...* we want our campaign to include everyone in the Community who is opposed to the Poll Tax' (original emphasis).³⁶ Nevertheless, the protestors were always clear that people's power could only succeed if a sufficiently large critical mass of citizens was mobilised to render the various efforts of the state to collect the tax ineffective (original emphasis).³⁷

"What will happen to me if I refuse to pay the Poll Tax?" This is the main question Anti-Poll Tax campaigners are asked every day. If we are to build a mass campaign of non-payment... it is vital that every member of the union knows the answer.

All mass campaigns of civil disobedience are based on one simple fact – it is impossible for any government to jail its entire population... The important point for us is that non-payment will only work if it is

done by millions of people. This is why we must build a MASS CAMPAIGN. Not only to protect us from the courts, but it will also give more and more people the confidence not to pay.

WE DO NOT WANT TO BE MARTYRS

WE WANT TO STOP THE POLL TAX by making it impossible to collect.

A moral community?

This discussion has so far revealed three consistent themes. Firstly, there is a strong emphasis on material interest: the poll tax will be costly for ‘ordinary families’, some individuals will simply not be able to afford it and even those who are better off will suffer from declining standards of local public services. Secondly, there is a calculated ethical appeal: the poll tax is intrinsically ‘unfair’ because ‘everybody has to pay’ irrespective of their economic position. Thirdly, the citizenry are invited to actively oppose the tax (and by implication the government), both of which can be overturned by collective acts of civil disobedience. In order to express and illustrate these broad themes the campaigners tended to draw upon emblematic figures from a broad range of social milieux. This was most usually expressed through the use of contrast and juxtaposition:

- The duke and the dustman
- The nurse and the millionaire
- The wealthy widow and the council tenant
- Black and white
- Citizens and consumers
- The hapless citizen mauled by the bureaucratic leviathan
- The active and passive citizen

These various discontents coalesced into a relatively coherent appeal to two sorts of community, namely a *community of interest* and a *moral community*.

However, it is worth emphasising that any concept of community is an inherently slippery concept. For there is a danger that such talk is nothing more than ‘words, words, words’ that subsume (and therefore obscures) identities based on geography, class, gender, age, ethnicity and ideology under a single all-embracing category. Any attempt to define the term soon reveals a bewildering range of (usually overlapping) attributes and identities:³⁸

- *Community as heritage* – a common sense of tradition or identity.
- *Community as social relationships* – ‘patterns of interrelationship reflected in kinship, neighbouring, mutuality, support and social interaction often deriving from the residential base.’
- *Community as the basis of collective consumption* – an aggregation of the needs of neighbourhood or groups for local public goods.
- *Community as a source of influence and power* – through collective action, or conversely, as a source of resignation and a shared sense of powerlessness.
- *Communities of interests* – shared by trade unionists, business, unemployed etc.
- *Communities of place* – based on locality and neighbourhood.
- *Imagined Communities* – based on ideological and religious belief.

The sheer diversity of these attributes questions the usefulness of ‘community’ as a descriptive term. This may be especially true of a place like Ealing, which like most London suburbs has a socially diverse, multi-ethnic and highly mobile population (see appendix 1). So it seems hard to imagine that any political discourse resting on the idea of community could successfully serve as a mobilising device? Yet a number of factors allowed the protestors’ rhetoric to do just that, not least because all British adults were expected to pay at least a portion of the poll tax, and so compelled to strike some sort of attitude towards the issue. Moreover, the particular political context in which the poll tax crisis occurred encouraged many people to subsume wider discontents into this one grievance and thus enabled the protestors to simultaneously appeal to a community of interest and a moral community.

The rhetoric directed at communities of interest tended to highlight themes that had traditionally figured prominently in socialist discourse – the juxtaposition between ‘rich and poor’, ‘nurse and millionaire’. But others were directed at ‘new’ interests, based around ethnicity, gender and even housing tenure. Together, these various groups made up the ‘people’. So despite their socialist and trade union background, most active protestors tended to use language that was closer to Gladstonian rhetoric of the ‘masses and the classes’ than an appeal to a militant working class. This in turn helped them to mobilise another ‘imagined community’, that is a moral community.

Significantly, the evidence suggests that the protestors’ moral and ethical arguments against the tax were in line with majority public opinion, which as Crewe argued, had ‘not been converted to economic Thatcherism – not to its priorities, nor to its economic reasoning, nor to its social values’.³⁹ The poll tax may therefore have helped solidify public concerns about the generally regressive character of the government’s taxation policy. Successive *British Social Attitudes* surveys from the mid-1980s revealed a consistent willingness among a majority of the public to pay higher taxes in return for better public services. The 1990 survey also recorded that some 82% of respondents believed that those with high incomes should pay more in tax.⁴⁰ It should come as no surprise then that attitudinal surveys and opinion polls also showed that the poll tax was not a popular measure.⁴¹ Moreover, feeling against the unfairness of the tax seems to have largely cut across class lines.⁴² An effective alliance between various strata of British society, from the concerned middle-class owner-occupier to the single mum subsisting on benefits on sink estates was therefore assumed to be possible.⁴³

The protestors challenged a key Conservative argument – that public goods, like private goods, should be subject to the market, that everybody who used public services should directly ‘pay’ for them, that individuals were primarily responsible for their own welfare. Again, evidence from the period suggests that they were pushing at an open door. For example, the *British Social Attitudes* survey of 1991 asked respondents a series of questions regarding the proper role of the state:⁴⁴

On the whole, do you think it should or should not be the governments' responsibility to:

- a) ... provide a job for everyone who wants one?
- b) ... reduce income differences between rich and poor?
- c) ... provide health care for the sick?
- d) ... provide a decent standard of living for the old?
- e) ... provide a decent standard of living for the unemployed?

Although only the answers to questions (c) and (d) indicated a *firm* consensus, the general tenor of public opinion seemed clear enough:

		Definitely should be	Probably should be	Probably should not be	Definitely should not be
a)	%	24	40	22	15
b)	%	42	32	16	10
c)	%	85	15	-	-
d)	%	79	20	1	-
e)	%	32	48	15	5

But exaggerated or crude claims regarding the existence of a 'popular' consensus, characterised by altruism and solidarity, in juxtaposition to an elite, neo-liberal consensus promoted by the Conservative government and its (wealthy) supporters should be avoided. Whatever their rhetoric, these same politicians continued to allocate funds to maintain key areas of public sector and the welfare state. Moreover, many ordinary citizens experienced tangible improvements in living standards in this period and appeared largely indifferent in the face of rising inequality. Perhaps this was because poverty often remained hidden, either geographically enclaved due to the North-South divide, or because of patterns of housing distribution which left the poor concentrated in 'sink' estates or inner-city areas. Rejection of the poll tax as a particular policy cannot therefore be crudely equated with a popular desire to re-institute the policies of the consensus era.

Nevertheless, evidence from attitudinal surveys does seem to support Paul Bagguley's conception of popular antagonism to the tax as a form of what E.P.

Thompson called the 'moral economy' of the crowd.⁴⁵ Thompson originally proposed the idea in relation to eighteenth century food riots which, he suggested, were not simply driven by purely economic concerns, but also 'the belief that they were defending traditional rights or customs; and, in general, that they were supported by the wider consensus of the community'.⁴⁶ Bagguley's extension of the concept to the poll tax therefore assumes that the tax:⁴⁷

violated what is seen in Britain as legitimate and what is illegitimate in terms of taxation. What Thatcher described as 'dragging the underclass into citizenship' violated people's notions of what was acceptable, and indeed affordable. What was previously a political market, a regime of taxation regulated by a moral imperative around the economic ability to pay, became a free market where everyone was to be forced to pay.

In short, opponents of tax sought to mobilise a moral community built around a sense of enlightened-self interest and a popular consensus on fair taxation.

But there was no similar consensus regarding the civil disobedience tactics proposed by anti-poll tax campaigners. Again, this is reflected in survey evidence of the period which showed that the poll tax crisis neither provoked nor reflected a systemic *legitimacy crisis* in Britain, although there is some evidence of *legitimation problems*. For example, an ICM poll in April 1994 found that 71% of respondents agreed with the statement: 'The voting system produces governments which do not represent the views of most ordinary people'.⁴⁸ On the other hand, only a minority of respondents in the same survey (some 30%, mainly younger respondents) agreed with the claim that 'Britain was not a democracy'. Nevertheless one wide-ranging comparative survey project concluding that public cynicism towards established political actors and institutions in the late 1980s was on the rise.⁴⁹ Another 1988 survey suggested that only a minority of the public believed that key elements of the British state could be trusted to serve the public interest 'just about always' or 'most of the time'.⁵⁰

Serve the public interest
 'just about always' or
 'most of the time'

The Police	51%
Civil Servants	46%
Governments of any party	37%
Local councillors of any party	31%
Journalists on national newspapers	15%

Despite the public's declining attachment to conventional political actors, support for democratic values remained strong. However, there was a general tendency for those furthest to the left to be most cynical about politicians and the least trusting of government.⁵¹ Did this encourage left-wing citizens, or anyone else for that matter to engage in protest activities and by-pass existing pathways of political participation? I return to this important question more fully in chapter eight, but it is worth noting here that cynicism is as likely to encourage apathy as it is to encourage action. According to Marshall et al, the majority of British citizens in the 1980s accepted the current order as a 'largely unalterable' fact of life.⁵² Most people therefore displayed a form of 'informed fatalism' towards politics - cohesion was 'rooted more in resignation and routine than consensus and approval'.⁵³ On the other hand, attitudinal surveys conducted since 1983 do appear to indicate a rising trend in support for illegal means of protest, at least in principle.⁵⁴

On exceptional occasions people should follow their consciences even if it means breaking the law.

	1983	1984	1986	1989	1991	1994	1996
% agreeing	46	42	43	48	47	56	55

Was then the poll tax 'exceptional' enough to justify acts of civil disobedience in a liberal democracy? Any issue of conscience is by its nature subjective, but

the organised protestors clearly assumed that a combination of moral and economic objections to the tax meant that it was. As Tony Benn put it:⁵⁵

the idea that 'conscience is above the law' is deeply entrenched in our collective sub-conscious and even a decade in which the Dow Jones Industrial Average has been worshipped in preference to the Ten Commandments has absolutely failed to obliterate an old conviction that what is morally wrong can never be politically right.

However, this belief in the efficacy of civil disobedience failed to win the support of many on the traditional left, including the Labour Party and the trade unions which continued to favour a model of active citizenship based on the existing electoral pathways, political institutions and pressure groups. And yet this highly politicised, anti-Tory constituency would logically be expected to be most receptive to the protestors' arguments? In the next chapter I consider the reasons for the failure of the civil disobedience tactic to take root in the Labour movement and its implications for the organised protest campaign.

¹ *Hamlet, Prince of Denmark*, William Shakespeare, Act II, Scene II

² D. Butler, A. Adonis and T. Travers, *Failure in British Government. The Politics of the Poll Tax*, Oxford University Press, Oxford, 1994, p13

³ leaflet, EAPTC, circa 1989

⁴ See also the video *A Tax on Existence*, Community Productions Merseyside, 1989. The film starts and ends with a cameo of two 'peasants' on their way to London to protest against the tax.

⁵ See Tony Benn, *Arguments for Socialism*, Penguin, Harmondsworth, 1980, pp23-44

⁶ See Butler et al, op cit., pp121-125 for a full account

⁷ Adapted from material in Margaret Reynolds, *Uncollectable: The story of the Poll Tax Revolt*, GMAPTF, Manchester, p14

⁸ Gordon Marshall, David Rose, Howard Newby and Carolyn Vogler, *Social Class in Modern Britain*, Hyman, London, 1988, p146.

⁹ Butler et al, p157

¹⁰ See Ian Gilmour, *Dancing with Dogma: Britain under Thatcherism*, Simon & Schuster, London, 1992, pp123-125 for useful summary and evidence that many One Nation Tories shared the left's concerns about rising fiscal inequality.

¹¹ EAPTC leaflet, circa 1989

¹² Window poster, EAPTC, circa Nov 1989

¹³ West Ealing & Hanwell Against the Poll Tax, newsletter, March 1990

¹⁴ Leaflet, Havelock Anti-Poll Tax Union, November 1989

¹⁵ Undated leaflet, EAPTC (circa 1989)

¹⁶ Cited in I. Crewe, *The Thatcher Legacy*, in A.King (ed), *Britain at the Polls 1992*, Chatham, New Jersey, 1992, p20

¹⁷ Nigel Lawson, *The View From No. 11* Bantam, London, 1992, p568. See also Michael Forsyth, *The Case for a Poll Tax Conservative Political Centre*, London, 1985

¹⁸ Leaflet EAPTC (circa 1989)

¹⁹ Ibid.

- ²⁰ Interview Yvonne Say 22 March 1999
- ²¹ *Independent* 14 March 1990
- ²² *Daily Mirror* 26 July 1991 & 27 July 1991
- ²³ Leaflet issued by Indian Workers Association, Southall Community Law Centre and Ealing Anti-racist Response and Action Group, circa 1989. See also Militant, *Blacks in Britain: The Battle Against the Poll Tax*, London 1989 and Lorna Reid, *Poll Tax: Paying to be Poor*, Larkin Publications, London, 1990, p4
- ²⁴ Acton APTU Bulletin, September 1989
- ²⁵ Leaflet EAPTC (circa 1989)
- ²⁶ Leaflet EAPTC, March 1990
- ²⁷ Ealing Council, minutes, Non-Domestic Ratepayer's Panel, 2 Marc 1990
- ²⁸ Leaflet EAPTC (circa 1989)
- ²⁹ Peter Esam, *Guide to the Poll Tax*, Local Government Information Unit, London 1990, p25
- ³⁰ EAPTC leaflet Feb 1990
- ³¹ EAPTC Circular 26 July 1989
- ³² Tommy Sheridan & Joan McAlpine, *A Time to Rage*, Polygon, Edinburgh, 1994, p57
- ³³ *Ealing Gazette* 22 September 1989 & Minutes EAPTC 26 September 1989
- ³⁴ Interview Mick Brooks 5 August 1997
- ³⁵ *Ibid.*
- ³⁶ Newsletter WEHAPT, June 1990, p1
- ³⁷ *Anti-Poll Tax News* produced by Acton APTU circa winter 1989
- ³⁸ These categories are drawn mainly from D. Burns, R. Hambleton & P. Hoggett, *The Politics of Decentralisation: Revitalising Local Democracy*, Macmillan Hampshire, 1994. pp 223-227; but see also G. Crow & G. Allan, *Community Life: An introduction to local social relations*, Harvester Wheatsheaf, Hemel Hempstead, 1994, pp1-23 and P. Hoggett (ed.), *Contested Communities*, Policy Press, Bristol, 1997, p3-16
- ³⁹ Ivor Crewe, 'Has the Electorate become Thatcherite?' in R. Skidelsky (ed.), *Thatcherism*, Chatto & Windus, London, 1988, p35
- ⁴⁰ R. Jowell, S. Witherspoon & L. Brook (eds.), *British Social Attitudes: the 7th report*, Dartmouth, Aldershot, 1990, p 216
- ⁴¹ Crewe, 1988, p43
- ⁴² Butler et al., p260
- ⁴³ An interesting example of the enduring attractiveness of rhetoric about 'fair' taxation occurred in early 2000, when 'easyJet', a budget airline company, launched a newspaper campaign against proposals to double the rate of duty on flights. Echoing rhetoric used by anti-poll tax protestors, the company claimed the tax was 'unfair because it is not related to ability to pay' and discriminates against 'millions of budget conscious travellers' to the benefit of 'fat cats' (*The Independent* 17 January 2000)
- ⁴⁴ A. Heath and D. McMahon, 'Consensus and Dissensus', in R. Jowell, L. Brook and B. Taylor (eds.), *British Social Attitudes: the 5th report*, Dartmouth, Aldershot, 1991, pp 2-23
- ⁴⁵ Paul Bagguley, 'The moral economy of anti-poll tax protest', in Colin Barker & Paul Kennedy (eds.), *To make another World: Studies in Protest and Collective Action*, Sage, Avebury, 1996 pp7-24
- ⁴⁶ E. P. Thompson, *The Moral Economy of the English Crowd in the Eighteenth Century*, Penguin, Harmondsworth, 1991, p188. See also *The Moral Economy Reviewed* in the same volume, pp 259-351
- ⁴⁷ Bagguley, p10
- ⁴⁸ Andrew Marr, *Ruling Britannia*, Penguin, Harmondsworth, 1996, p 23
- ⁴⁹ H. Klingemann & D. Fuchs (eds.), *Citizens and the State* Oxford University Press, Oxford, 1995
- ⁵⁰ R Jowell, S Witherspoon & L Brook (eds.), *British Social Attitudes: the 5th Report*, Aldershot: Gower, 1988, p 112. While apparently damning, this evidence does require some qualification. The immediate political context prevailing when this survey was conducted suggests that given the relative longevity of the Thatcher administration, many respondents may have found it perhaps understandably difficult to distinguish between government and party and Conservative voters were more likely to trust the government (50%) than Labour supporters (29%)
- ⁵¹ R. Jowell, S. Witherspoon & L. Brook (eds.), *British Social Attitudes: the 4th Report*, Aldershot: Gower, 1987, p 62
- ⁵² Marshall et al., p143

⁵³ Ibid p143

⁵⁴ R Jowell, S Witherspoon & L Brook (eds.), *British Social Attitudes: the 4th Report*, Aldershot: Gower, 1987, p 95

⁵⁵ *The Independent* 28 March 1990

Chapter Four

The Labour Movement and Civil Disobedience

The previous chapter outlined the reasons why the British left (together with many One Nation Conservatives and Liberals) unequivocally opposed the poll tax and the principles that informed it. It suggested that these arguments allowed the left to mobilise a ‘moral community’ against the tax, based around the limited contention that a ‘fair’ tax must reflect peoples’ ability to pay. However, there was much less unanimity about the proper *means* by which organisations and individuals should actively seek to oppose the poll tax. Demands by the anti-poll tax movement for a campaign of civil disobedience therefore served to polarise left-wing opinion. The three central objectives adopted by the Ealing Federation at its founding meeting were typical of the protestors concept of peoples’ power, allied with the existing institutional strength of Labour councils and national trade unions:¹

- * non-implementation by the council, including a refusal to penalise non-payers.
- * non-collection by the workers involved, including a refusal to deduct Poll Tax arrears from wages and benefits, and support from their trade unions for such action.
- * a mass non-payment campaign with Anti-Poll Tax Unions and Groups in every street, on every estate and in every workplace.

The purpose of this chapter is to consider the first two objectives, namely local government (non-implementation) and the trade unions (non-collection). The Ealing anti-poll tax movement’s attempt to organise a mass non-payment campaign is considered in detail in chapters six and seven.

The fact that some form of civil disobedience remained central to all these objectives implied that illegal political action by individuals and institutions was a legitimate means of resisting the poll tax. In part this can be explained by the wider political context of *fin de siecle* Thatcherism. For the cumulative

experience of the 1980s suggested to many on the left that conventional party politics simply didn't work and that the electoral system was so cast as to consistently allow a minority of the population to repeatedly elect an over-powerful and 'extreme' government. But others drew precisely the opposite conclusion and argued for a 'New Realist' response to Thatcherism. Ultimately, this proved most persuasive and the labour movement continued to seek to effect political change through lawful and electoral means. As a result, the protestors became progressively isolated from potential allies in the Labour Party and the trade union movement. This failure shaped the character and tactical direction of the organised anti-poll tax campaign. But the ensuing debate also revealed much about the different means by which left-wing active citizens hoped to resist the poll tax. So whatever else they may have achieved, the protestors forced both Labour Party members and local public sector trade unionists to consider issues that in the normal course of events would simply have passed by default. This was particularly true for local Labour councillors, who were charged with implementing the tax.

Don't Implement!

From the outset, the Labour movement believed that the poll tax represented a clear danger to the independence of its traditional institutional bastions in local government. As Ron Todd, (TGWU General Secretary) bluntly put it, poll tax:²

is feared by people who respect the role played by local government. They know it means we will see the stage by stage dismantling of this vital part of our lives. They sense that it means the end of genuine democratic control which now exists so that people can vote for the sort of local services they want.

Others warned that the new tax 'undermines accountability – the very notion it was meant to enhance [because] the government will control around three quarters of councils' income'.³

Certainly the poll tax was wholly in line with general direction of the Conservatives' post-1987 legislative programme, which successively curtailed the power and fiscal independence of local government through vigorous application of rate-capping, the introduction of Compulsory Competitive Tendering and the Local Government Finance Act (1988).⁴ The percentage of locally determined council expenditure shrank from 40% in 1980/1 to 15% in 1992/3.⁵ Similarly, the purview of local councils became more restricted. For example, the Local Government & Housing Act (1989) severely limited capital expenditure on housing; the Education Reform Act (1988) introduced a national curriculum, local management of schools and encouraged schools to seek grant maintained status; and the Housing Act (1988) encouraged council tenants to transfer to private landlords. As Steven Sears, a senior Labour Ealing councillor saw it, the aggregate effect of these changes would be considerable:⁶

Unless the PM changes her mind ... the council you elect in 1990 will be so hamstrung by central government rules and regulations that whoever you vote for, it will be Whitehall that wins. [So] when serious and respected local councillors say that the present Government is set on a course that will not leave a shred of democracy they are not exaggerating.

It seemed then, that the stakes for local government could hardly be higher and Ealing anti-poll campaigners called upon the Labour council to refuse to 'implement the Tory tax, cut our services, fine non-payers and non-registers'.⁷ Yet up until its loss of office at the May 1990 elections, Sears and the rest of the Ealing Labour group set about implementing the tax with an administrative enthusiasm that belied their more public statements of opposition. All this begs an obvious question. If the implications of the poll tax were potentially so serious, why did Ealing Labour councillors so dutifully participate in their own self-emasculatation? In order to answer this question, it is first necessary to briefly outline the fortunes of Ealing Labour council between 1986 and 1990 and then set its experience in the context of national party developments.

Ealing Reds establish 'Kremlin' in leafy suburb - shock!

The financial and political problems experienced by Ealing council in the 1980s were not untypical of those faced by most other London Labour authorities. These included threats of rate-capping by central government, calls for non-compliance, left-right conflicts within the labour group and sustained accusations of 'loony leftism levelled by the Conservative party and the popular press. However, these conflicts never reached the sort of intensity experienced by Labour administrations in boroughs like Brent or Lambeth. Nevertheless, like them, Ealing council experienced a series of financial crises and as a result disputes about local taxation progressively came to dominate the politics of the borough. Consequently, the experience of the Labour council in the period was not, on the whole, a happy one. By the time Labour was defeated in the 1990 local elections, a majority of the group was clearly demoralised, unsure of where it was going and subject to rancorous personal and political disputes. This in turn does much to explain why the local Labour party offered no serious institutional resistance to the poll tax.

The 1986 local elections saw substantial Labour gains throughout London. In Ealing, where the Conservative's had been in control since 1974, Labour benefited from an average 12.5% swing on a 40% turn-out (Labour – 47, Conservatives – 20, Liberals –3).⁸ The new Labour group contained a diffuse range of personalities and political currents which, in the parlance of 1980s 'Labourologists' ranged from 'moderate' to 'hard left'. A number of long established white working class members stood on the right of the party and remained influential in the administration's early years. Their outlook had been largely shaped by the experience of the consensus period, when the relationship between central and local government had generally been benign. As a consequence, they were largely unprepared for the Thatcherite onslaught on local government of the 1980s (see chapter one) and often seemed irritated by the preoccupations of many their colleagues.

The majority of the group could loosely be labelled as 'soft left'. Although the term defies easy definition, the 'soft left' emphasised issues of gender, race and

sexuality; generally supported nuclear disarmament; and (sometimes uneasily) supported the Kinnock leadership. Prominent figures included Len Turner (group leader), Phil Portwood (Chief Whip), Hilary Benn (deputy leader), John Cudmore, Steven Sears, and Gareth Daniel. Additionally a loose group of some 10-12 councillors associated with *London Labour Briefing* stood on the 'hard-left', including Kevin Vaness, Ruth Clarke, Ruth Blunt and Valerie Vaz. However, support for the 'hard left' fell away quite rapidly under the pressures of office. Finally ethnicity added another dimension as the group contained 10 Labour councillors of Asian origin, drawn from Southall's large Asian community. Given their numerical position and the importance placed on equal opportunity policies by all political currents within the group, these Asian councillors could (when working in a co-ordinated fashion) prove influential.

The sorts of issues raised during the 1986 election campaign cast the parties in rather traditional terms. The Conservatives stressed the alleged political extremism and financial irresponsibility of their opponents and underlined their central commitment to keep rates low.¹ Labour emphasised improved services, including the admission of rising fives to primary education, a pledge to build 1,500 homes, better housing services, a rent freeze and the promotion of equal opportunities in the borough through the creation of three 'units' (Women, Equal Opportunities and Race). The Ealing party's manifesto, drawn up by Labour's Local Government Committee (LGC) rather than the group, ran to over 100 pages and contained 500 pledges. After the election, an exuberant Kevin Vaness, LGC Secretary, proudly declared that the 'manifesto represents the most detailed plan ever produced by a political party for the borough of Ealing and its implementation will lead to the most radical alteration in the delivery of Town Hall services ever seen'.⁹

In the event, due to a combination of financial shortfalls, rate-capping, national legislation and subsequent political divisions these heady ambitions were to remain largely unfulfilled. Hence the furore that surrounding the budget-making process every year, which came to assume a ritualistic quality. The annual cycle

¹ Under the Conservatives, the slogan 'Ealing - lowest rates in West London' was used as the council's post-mark.

of dissension would typically begin in January with rows within the Labour group, fuelled by disputes within the wider party and expressions of alarm from the local government trade unions. This would usually be followed in February by a period of mud-slinging between the parties in the council chamber. In March, the council's final budget-setting meeting would invariably attract public demonstrations from an aggrieved assortment of ratepayers and local government workers. Inevitably, this process served to propel the question of local government finance to the forefront of political discourse in the borough.

The budget for 1986 was largely inherited from the outgoing Conservative administration and was therefore something of a 'holding operation'. Some reserves were utilised to immediately fund the creation of the new units and to improve provision for selected services.¹⁰ The 1987 budget proved much more controversial (and politically damaging) with a rate rise of 65%. While this was clearly a large percentage rise by any measure, Labour argued that they had inherited an unrealistically low rate level. The increased cost of rates would, it was hoped, be offset by a marked improvement in service provision. However, following threats from the central government of an enforced rate cap in 1988, the Labour council effectively 'capped' itself. The rates were therefore reduced by 23% and some £9 million of cuts implemented. In 1989, on the eve of the poll tax's introduction, a rate rise of 31% was agreed with a further £12 million of cuts. In 1990 a final poll tax figure of £435 per charge-payer, was agreed, together with cuts of £13 million. Throughout this period, 'creative accounting', including the depletion of reserves, sale of capital assets and borrowing were also deployed in order to keep cuts to the minimum.

The cumulative political effect of these budget decisions was debilitating, not least because the climate of financial stringency served to undermine public support for many of the council's policies. This was particularly true of equal opportunity initiatives, which were cast as wasteful and irrelevant to the 'real' needs of residents by the Conservative opposition. In this context, the Tory leader Martin Mallam argued, central government controls on Ealing's budget were wholly justified: 'They will have to make cuts. Sure. But the cuts must come from the extra army of [equal opportunity] bureaucrats they have installed

in what is lovingly known as the Kremlin by its inhabitants'.¹¹ Mallam's equation of the Town Hall and the 'Kremlin' was of a piece with the wider 'loony left' campaign run by the government and its supporters in the national media. Although Ealing tended to escape the worst of these smears, several national tabloids ran Ealing-related headlines such as '£5 million bill for lefties' race spies', 'Romps for gays on the rates' and the (untrue) allegation that the library service had banned the nursery-rhyme Robin Redbreast because of sexist connotations.¹² *The Sun* even described a neutering programme for feral cats as a grant to 'underprivileged kittens' – although it is not recorded whether any cats castrated under the programme were grateful for this particular piece of municipal munificence.¹³ Nevertheless, the council's public emphasis on equal opportunity issues tended to reinforce the impression that white working class areas were being neglected. Taken together, all these factors undermined Labour's support, a point reflected in a series of by-election losses after 1987 and ultimately in the 1990 council elections proper.

The second important political effect of each successive budget crisis was the confusion, division and demoralisation engendered within the Labour group itself. This was a cumulative process, but the decisive moment appears to be the decision to 'self-cap' in 1988. Len Turner, the group leader, publicly expressed his sense of powerlessness, complaining that 'If we can't give voice to the public will then there's no role for us'. 'We are beaten whichever way we turn.'¹⁴ Such a climate tended to exacerbate political divisions within the group, which came to a head in 1989 when the budget seemed to combine the worst of all worlds – cuts *and* a large rate increase. The first signs of revolt came from the right, which had grown increasingly frustrated with the continued rise in the rates and the possibility of conflict with central government. In January 1989 Len Curtis, chairman of the Environmental Services Committee resigned his seat, citing unspecified 'policy disagreements'.¹⁵ His public denials that the resignation had anything to do with the council's budget proposals did little to diminish its impact. At the budget-setting meeting in March two other Labour right-wingers broke ranks and criticised the proposed rate rise.¹⁶ Councillor Ron Johnson's comments were particularly revealing. Waving angrily at Labour's front bench, he claimed that:

I'm only a backbencher and they don't listen to me, they just expect me to vote when I'm told to ... I've been torn apart with what's gone on but up to now I've gone along with it. [But the council] officers warned us in 1987 that if we went over the top we had every chance of being rate-capped. I've had enough. Let the young ambitious ones who have messed it up carry on and sort out the mess.

A direct challenge to the cuts in the 1989 budget was also mounted from the left, channelled through 'Ealing Fightback', a pressure group comprised of leftwing Labour Party members and local public sector trade unionists. As we have seen, Ealing Fightback was also influential in kick-starting the anti-poll tax campaign in the borough. In February Ealing-Southall Labour Party threatened to deselect any Labour councillors who voted for cuts and a number of public demonstrations were mounted. Within the Labour group, four influential left-wingers – Kevin Vaness (Chair, Housing Committee and Group Secretary), Valerie Vaz (Deputy Leader), Ruth Clark (Chair, Women's Committee) and Ruth Blunt (Vice-Chair Women) came out publicly against further cuts and voted against the council's budget. In a statement, the four declared that:¹⁷

Many Labour councils have fought for years to resist the Tory cuts but most have now resigned themselves to managing those cuts and hoping for a return of a Labour government ... We believe that Labour Councils must not do the Tories' dirty work for them. Ealing council must begin to build a fightback against Tory policies, by joining those who provide Council services and those who use them to maintain those services.

But what exactly, did the no-cuts councillors mean by a 'fightback' in this context? The declaration remained studiously vague about the tactics that the council should pursue in any confrontation with the government. Significantly, it failed to call for a policy of illegality or 'non-compliance' which was seen as 'past its time' and would have amounted to nothing more than a 'gesture'.¹⁸ But in the absence of a strategy of non-compliance, cuts could only hope to be

avoided through another large rate rise, which would in turn, provoke more rate-capping.

The majority of the group certainly reacted badly - all four were removed from their positions and according to one left councillor 'it got very unpleasant' and the rebels were subject to regular bouts of 'personal abuse'.¹⁹ It was now clear that the hard left was effectively isolated and shorn of influence. Meanwhile the leadership of the group rapidly shifted rightwards. In July 1989 Len Turner stepped down as council leader and was replaced by John Cudmore. Even though the Tory leader, Martin Mallam, had an obvious vested interest in promoting charges of 'loony leftism', he was forced to reluctantly concede that Cudmore was a 'middle of the road' and 'moderate' politician. The new leader was certainly conscious of the splits in the party and perceived his primary task as to 'rebuild the unity of the group'.²⁰

There was a recovery job to do, specifically with an election coming up... [My] first year [was about] trying to hold things together and to deal with immediate financial problems which we had brought, at least partially, upon ourselves.

A kind of dreamland

While Ealing Labour councillors remained preoccupied with their own local difficulties the national party leadership was growing increasingly alarmed as the locus of debate around the poll tax shifted away from the perceived iniquities of the tax (hardly a contentious issue) and towards the desirability of civil resistance. As the poll tax had been introduced in Scotland a year before England and Wales it seemed natural to look North of the border for guidance and inspiration. Unfortunately, there was clear evidence of growing support for a non-payment and non-collection strategy in Scotland. So much so, that by 1988 Neil Kinnock felt compelled to denounce civil disobedience in an address to the Scottish Local Government conference as 'a policy of despair' and 'a kind of dreamland'.²¹

Yet in some ways the Scottish precedent was only of limited relevance to most Labour supporters in England and Wales. For example, in the 1987 general election Conservative electoral support slumped to only 24 %, underlining the growing nationalist dimension within Scottish politics. To many Scots it seemed that the Westminster government now lacked electoral legitimacy, which in turn encouraged (rather loose) talk within the Scottish labour movement about a potential major constitutional crisis – the so-called ‘doomsday scenario’.²² Such sentiment was naturally encouraged by the Scottish Nationalist Party (SNP), which sought to outflank Labour on the left and in 1988 called for a campaign of non-payment to sink the ‘English’ poll tax. An SNP bye-election victory at Glasgow Govan in 1988 in which poll tax non-payment emerged as a major issue suggested that such a policy could potentially secure mass public support.

So whether on the grounds of principle or electoral expediency, many Labour Party members began to seriously consider a strategy of civil disobedience in 1988-9. For example, a Special Recall Conference of the Scottish Labour Party in April 1988 saw a majority of constituency delegates vote for non-payment, although the leadership were able to utilise the trade union block vote to win the day (512,000 against non-payment, 225,000 for). Even a number of Scottish Labour MPs, including George Galloway, Denis Canavan and Robin Cook pledged not to pay. Indeed, by March 1990 the total number of Labour MPs nationally committed to non-payment had reached 28, but most buckled fairly quickly under intense pressure from the party leadership.²³ At the grassroots of the party there was a higher level of support for the notion of civil disobedience and a survey of party members found 41.9% of respondents ‘agreed’ or ‘strongly agreed’ with the proposition that the ‘Labour Party should support individuals who refuse to pay the poll tax’.²⁴

Nevertheless, in the absence of a nationally co-ordinated civil disobedience campaign, acts of defiance undertaken by Labour local councillors tended towards the individualistic and episodic. For example, in March 1990 four leftwing Haringey councillors resigned from the Labour group after the charge was set at £573 per person. In Manchester, a city *The Economist* was later to dub the ‘non-payment capital of Britain’, John Byrne, Deputy Leader of the council and chair

of the city anti-poll tax Federation, was removed from all positions along with other non-paying councillors.²⁵ In Leicester 10 Labour councillors voted against the city councils budget in protest at cuts and the poll tax.²⁶ There is no available information as to the total number of individual Labour councillors throughout the country who refused to pay. But if the experience of Ealing is fairly representative they were a small minority and few of these established strong connections with local organised anti-poll tax campaigns. Only Liverpool City Council, long dominated by the left, offered more substantial institutional support, providing the Merseyside Federation with offices and waiving the £5000 a year rent.²⁷

The *individualistic* nature of these protests allowed the party leadership a certain degree of flexibility. For so long as non-payment was a personal matter of conscience, a simple official renunciation by the party generally sufficed to deflect Conservative charges of irresponsibility and political extremism. However any suggestion that Labour councils should utilise their institutional power to resist implementation of 'unjust' Tory legislation, including the poll tax, was a different matter altogether.

Collecting in the most effective way

The majority of Ealing Labour councillors appear to have perceived the poll tax as an *administrative*, rather than a *political* problem. Viewed in that way, the tax became simply another 'bad law' thrown up by a hostile government, to be managed by canny and pragmatic tactics. Phillip Portwood, chair of the Finance Sub-Committee, argued that although 'the council is firmly opposed to the poll tax in principle we are equally committed to collecting it in the most effective way. After all, if someone evades the tax they are forcing up the amount their neighbours will have to pay'.²⁸ There was certainly little sign that Labour either saw (or sought to portray) the poll tax as a fundamental threat to local government in Ealing.

Indeed, councillors seemed more concerned about the number of potential Labour voters who might disappear off the electoral register in order to avoid

paying the new tax. Although even then, as John Cudmore later conceded: 'I don't think we were imaginative enough to think that the [tax] was permanently going to disenfranchise huge chunks of our traditional supporters'.²⁹ Similarly there is no evidence that the Labour group even discussed the detailed implementation of the tax, let alone considered calls for civil disobedience. Instead, strategic decisions were taken by the group's leading lights in consultation with council officers. This was probably deliberate. As one ex-councillor put it – 'Some of the key figures in the Labour group had a feeling that this was going to be a sticky ride. The easiest thing was to let things go by default. Because if we discussed the poll tax all the time, you might lose control of the debate, so the [line] was we *have* to collect it.'³⁰

In the absence of detailed local discussions the group relied heavily on advice from the centre. In a sense, this again helped to 'normalise' the poll tax as an issue, as Labour groups were accustomed to following directions from the national party, which issued regular *NEC Action/Advice Notes to Labour Groups*.³¹ Consequently, the council's actions accorded closely with the national party's 'key campaign priorities' which they hoped would 'turn people's dislike of the poll tax into support for Labour at the next election'.³² The first priority identified by the national party was therefore to 'make sure responsibility for poll tax is placed fairly and squarely where it belongs - on the government which has introduced it and not on the local authorities which have the unpleasant duty of implementing it'.³³ This could largely be pursued through public campaigning, press releases and so on, but the council also wished to go further. So in September 1989 Ealing's Policy (Finance) Sub-Committee agreed that 'the Community Charge function should have a different identity to the Council's main delivery of services' and 'set up the Ealing Community Charge and Rating Office (ECCRO) with a different Council logo and telephone number. Wherever possible subject to financial resources ECCRO should distance itself from the Council's main services to the community'.³⁴ There is little evidence to suggest that this distancing operation was successful - hardly surprising given that the poll tax collection office was situated in the Town Hall.

The national party also sought to 'give people the facts on the poll tax and help them to assert their rights under the legislation'.³⁵ Working on the assumption that (on this occasion at least) bad news was good news, the council regularly fed the local press 'horror stories' about the poll tax. Thus as early as October 1988 the council issued a report estimating that the first year's poll tax would be around £250 per head.³⁶ The study found that at this level, a family of 7 adults that had paid £522 under the rates would face a 'massive' bill of £1,625 under the poll tax. In May 1989 the council increased its estimate of per capita poll tax to £324.³⁷ In March 1990 the council circulated to every household details of a CIPFA survey predicting that poll tax would be 20-25% higher than government estimates through the supposedly 'non-political' borough magazine, *Ealing Voices*. By that stage the final poll tax figure had risen to £435.

It is difficult to judge the effect of this 'information' campaign. On the one hand the growing cost clearly alarmed many residents and helped undermine public support for the new tax. But this could just as easily backfire given Ealing Labour's association with high rate rises. Certainly the national party worried that Labour councils would be blamed, especially as the government had ordered that every council should print the 'meaningless' national benchmark figure of £278 poll tax on every bill.³⁸ Labour groups were therefore urged to emphasise unfairness, the arbitrary nature of the final bills (with some Tory councils like Wandsworth and Westminster clearly receiving preferential treatment), the loss of services if poll tax was set at government approved levels and the impact of the 'safety net'.

The problem for Labour was that the new system of local government finance was so opaque it proved almost impossible to produce a straightforward answer to the apparently simple question of who should take the blame for the high level? Even so, Portwood and other councillors routinely (and accurately) claimed that Ealing's poll tax would be increased by some £27 due to the government's 'safety net scheme'. Similarly, the introduction of a unified business rate meant that only £61 million of the £72 million raised from this source would go to the borough.³⁹ But however earnestly the council sought to

give people 'the facts' it is doubtful such explanations meant much to the average Ealing resident.

Perhaps the likelihood of increased bills encouraged the council to actively comply with the national party's third campaigning priority, to 'help people to offset the worst effects of the tax ... by ensuring, for instance, that everyone entitled to a rebate receives it'.⁴⁰ Certainly the council energetically promoted the Community Charge Benefit scheme through various means including local newspaper advertisements and information in council offices. Two types of brightly coloured posters were produced and placed on lamp posts. One urged people to claim a rebate and the other urged people to register to vote. Some anti-poll tax campaigners attempted to subvert the message, scrawling 'Go on - give yourself a 100% rebate - Don't pay!' on these posters. In February 1990 the national party recommended that councils should hold a 'Rebate Week' and the borough dutifully organised a number of Saturday morning advice stalls in local shopping centres.⁴¹ Interestingly, some workers from the Housing and Community Charge Benefit section staffing these stalls used the occasion as an opportunity to engage in a petty act of subversion and prominently wore anti-poll tax stickers, to the amusement of many Saturday morning shoppers.⁴² Nevertheless, the campaign to encourage rebate applications was a success, perhaps *too* much of a success, as the Housing/Community Charge Benefit section subsequently proved unable to cope with this unprecedented number of applications (see chapters six and seven).

On a more positive note party members were urged to 'argue for a system of local taxation which relates to people's ability to pay'.⁴³ In February 1990 the party sought to move beyond this rather vague formulation and relaunch its scheme for a combined property and income tax as an alternative to the poll tax. The proposals were generally ill received and were superseded by a proposal for 'a reformed and modernised property tax' in July 1990.⁴⁴ But as Butler et al wryly noted, at this stage 'nothing Labour could do could detract from the mess the government were now in' and the public in Ealing, as elsewhere, were generally unaware and indifferent to these policy debates.⁴⁵

All these measures accorded well with attempts by the party to publicly distance itself from any calls for civil disobedience, which as far as the Labour leadership was concerned, was simply an attempt by Militant to 'embarrass the party leadership and to point up the attractions of its own more simplistic approach to politics'.⁴⁶ On 21 May 1990 the National Executive Committee formally proscribed support for the All Britain Anti-Poll Tax Federation which it asserted, could 'be regarded as a Militant Tendency front organisation'.⁴⁷ Significantly, the injunction included 'local organisations called 'Anti-Poll Tax Unions', which effectively ruled out co-operation with all local groups, irrespective of their political composition. Throughout this period Ealing Labour therefore used every opportunity to show it opposed the local anti-poll tax campaign by the simple expedient of having nothing to do with it. For example, a suggestion from Councillor Valerie Vaz that the group should receive a delegation from EAPTC was turned down without discussion by the chief whip, Phillip Portwood.⁴⁸ All further attempts to pressurise the party to begin a dialogue, including a resolution passed by Southall CLP and a direct request from Piara Khabra, the Southall prospective parliamentary candidate were similarly received. It therefore became increasingly politic for anyone with pronounced personal ambitions to distance themselves from active support for the protestors and Khabra ceased to attend their meetings or speak on anti-poll tax platforms.

Overall then, the programme put forward by the Labour (and faithfully implemented in Ealing) seems to support Benn's contention that by Spring 1990 the party was 'more frightened of the anti-poll tax campaign than of the poll tax itself'.⁴⁹ But it also possessed a number of strengths. Firstly it was 'safe' – a quality easily recommended to many Labour supporters after the turbulent 1980s. In that sense, the consistent emphasis on the electoral process as the only feasible means of securing change helped maintain the party's internal cohesion. Moreover, by promoting rebates *and* trumpeting Labour's principled opposition to the tax, local authorities could appear caring, protective and responsible at the same time. Opinion poll evidence was certainly encouraging, with support for Labour rising to 54% by March 1990, compared to 30% for the Conservatives.⁵⁰ However, there was also a sense in which Labour was simply riding along the wave of poll tax unpopularity. Moreover, it was doubtful whether the party's

actions could meaningfully be described as a 'political' campaign at all. After all Ealing council (like every other) could reasonably be expected both to provide information about the new tax regime and promote the national rebate scheme both as part of its statutory duty. Whatever the rhetoric deployed, these were in reality straightforward administrative measures that aided effective implementation. So attempts by Labour councils to distance themselves from the poll tax tended to be undermined by the fact that they were collecting it.

Registering opposition and compliance

Under these circumstances it was hardly surprising that Ealing anti-poll tax campaigners became increasingly critical of the Labour council and there 'was a lot of feeling that the hypocrisy of the councillors should be exposed'.⁵¹ In an open letter on behalf of EAPTC, Oliver New and Jo Langan complained that it was all very well for the council to publish figures estimating that 2 out of 3 adults would be worse off under the poll tax, but these 'are the same people who voted the Labour councillors into office and expect real opposition. Instead they have received limp statements of non-agreement.'⁵² The council should therefore use the opportunities offered by the compilation of the community charge register to hinder the implementation of the tax. For as a 'head tax' the poll tax obviously required an accurate head count and the council's subsequent billing and recovery procedure was predicated on this list of charge payers.⁵³ The Local Government Finance Act 1988 therefore placed each local authority under a statutory duty to regularly update the register, utilising a wide variety of sources, including council records and records from privatised monopolies such as British Telecom or British Gas. However, it became fairly clear in Ealing, as elsewhere, that the registration process would throw up various practical problems, that can perhaps be summed up by the tag - 'people move about, houses don't'.

The very notion of a register provoked claims that the efficient administration of the poll tax posed a serious threat to civil liberties and individual privacy.⁵⁴ The legislation formally empowered the Registration Officer (Tim Dauncey, the council's Chief Finance Officer) to act independently of councillors when compiling information. Thus councillors could only 'make representations' if

they felt concerns over particular aspects of the compilation of the register. Of course this formal position underplayed the power of councillors. As Dauncey was keen to emphasise in a reply to a query by Councillor Ruth Clark, he had 'always sought Members agreement to the course of action I am taking'.⁵⁵ There is no evidence that tensions surfaced regarding civil liberties issues in Ealing.

The question of fines proved far more problematic. In anticipation that some people would deliberately seek to evade the poll tax by evading registration, the 1988 Act made non-registration a civil offence liable to a £50 fine for a first refusal and £200 for a second. However, these penalties were imposed at the discretion of the charging authority and could therefore be waived as a political act, if the local authority so chose.⁵⁶ This element of discretion offered councillors a relatively risk-free means of hindering implementation of the tax without falling foul of the law. There was also a feeling that non-registration was somehow qualitatively different from non-payment, more of a delaying tactic than an outright call for civil disobedience. Nevertheless, any decision not to vigorously pursue the registration process could potentially prove very effective. As Eve Turner pointed out, in 'Lambeth, where returns are lowest at 20 per cent, the council has said it will not fine non-registrants. The difference is that in Ealing they have not said this'.⁵⁷

Ealing anti-poll tax campaigners therefore argued that given Ealing council's purported commitment to protect the disadvantaged in the borough, it would be 'utter hypocrisy' for fines to be deployed against non-registers.⁵⁸ The appeal was bolstered by examples of 'respectable' Labour politicians refusing to register, including a number of Scottish MPs and MEPs. Closer to home in the neighbouring London Borough of Hillingdon, nine Labour councillors, including the group leader Brian Hudson and his deputy Jane Rose-Williams, publicly refused to register.⁵⁹ In Ealing things tended to be more low key. So in October councillor Ruth Clarke, prompted by the campaign, 'sought clarification' on the imposition of penalties for non-registration from Labour's local government committee. She reported back to Rosa Ward (secretary of EAPTC) that Councillor Phillip Portwood had been 'ambivalent, to say the least'.⁶⁰ There the

matter seems to have ended, reflecting the majority position of Labour members who wished to collect the poll tax 'as effectively as possible'.

'Initially at least, the wisdom of such a stance seemed confirmed by the lack of any obvious popular resistance to registration. By September officials reported an overall registration rate of 94.38% (201,603 people), with some minor variations in the rate of return within the borough.'⁶¹

	Central	East	West	North
No. of returns	30,406	21,705	27,367	29,551
% of returns	93.6	90.3	94.6	98.1

The council hastened to publicise the high rate of return and signalled its intention to fine some 7,000 residents £50 for not returning the necessary forms.⁶² However, all was not quite as rosy as the figures suggested. For example, although the number of residents registered for the charge had continued to rise, by December 1989 it still fell some 15,026 short of the population established in the 1987 census (208,950 and 223,976 respectively). This shortfall prompted Tim Dauncey, the Director of Finance to concede that 'Obviously the council would have to pursue the matter of non-registration further'.⁶³ Similarly, by May 1990 the council estimated that only 1,800 of the borough's 8,000 students had registered.⁶⁴ But the problems associated with registration would only become fully apparent when collection was under way.

Nevertheless, given this high level of registration, anti-poll tax campaigners were faced with something of a tactical dilemma – should they encourage individuals to refuse to register as a form of protest? Clearly, a certain degree of individual awkwardness would cause some administrative problems and was therefore to be encouraged. For instance at a rally in Southall in July 1989, Anita Patel of EAPTC suggested that 'if registration is bogged down sufficiently then the council will be reduced to sending forms out by recorded delivery as well as having to resort to hiring more officers to knock on doors'.⁶⁵ But ultimately, non-registration posed too many problems to be viable as a strategy of mass protest. For the council could draw upon many sources of information to compile the

register, making it difficult to evade. Moreover, the penalty for non-registration (unlike non-payment) was an immediate fine. This was important, for the protestors were aware that although they could 'give support to individuals/groups if they have not registered ... we do not have the kind of resources to help with fines etc'.⁶⁶ In any case, the Scottish experience showed that high-levels of non-registration did not necessarily equate with high levels of payment once the bills were finally issued. The protestors therefore reluctantly concluded that 'at this stage all we could do is encourage people to delay filling in the form but avoid being fined'.⁶⁷

People's power

Nevertheless the agitation continued and by the Spring of 1990 the poll tax was emerging as the pre-eminent political issue in the borough. Certainly the anti-poll tax campaign was now at the height of its activity in terms of public meetings, protest events, demonstrations, information-stalls, fly-posting and a mass leafleting campaign. Their efforts fuelled mounting public disquiet over the high level of the new charge - with losers outnumbering winners by two-to-one according to the council's own estimates. For the protestors, both high bills and non-payment were linked. As one campaigner, Kevin Carling, put it, 'For a lot of people it is not going to be a case of refusing to pay, but not being able to pay'.⁶⁸ This more radical temper seemed confirmed by events on 8 March, when campaigners protested outside the Town Hall on the night that the council set the level of poll tax for 1990/1.

The Ealing Town Hall demonstration was just one of many held in February and March 1990. According to Bagguley these involved some 22,000 people in fifty different towns.⁶⁹ Other estimates suggest a higher degree of public involvement, with Burns claiming that over 50,000 people attended local demonstrations in the South West alone.⁷⁰ Some of these protests showed a distinct potential for disorder. In Bristol police drew truncheons and charged a crowd of 500 protestors, five officers were injured and twenty-one arrests made. Every one of the 32 London boroughs saw town hall demonstrations, ranging from 200 people in Waltham Forest to a reported 5000 in Hackney, where again, serious clashes

between police and protestors occurred. In Lambeth a demonstration of some 1,000 people saw 37 arrests, 10 police injuries and was followed by a small-scale riot in which a police car was overturned. The behaviour of these local crowds aroused anxiety among sections of the media. Echoing rhetoric that had become almost ritualistic by the late 1980s, the *Sunday Times* alleged that the Town Hall riots were organised by the 'far Left' :

The methods are increasingly elaborate: on Tuesday loud hailers from a Militant stall were used to incite the crowd to break police lines, on Thursday vans were bussing youths into Hackney; by Friday night the mob that rioted in Lambeth was controlled by the use of a drumbeat and orders issued on mobile telephones.⁷¹

Talk of crowds controlled by drumbeats seems almost resonant of a pre-industrial age. But other journalists questioned this characterisation:

At Plymouth, where several were arrested a rally [of some 5,000] was in part organised by Hilda Biles, a housewife and former Tory voter. Superintendent Derek Roper said that the majority of those arrested were local. He noted "people with hoods on inciting the crowd to kill the police", but did not know if they belonged to any organisation. Among those arrested was an elderly man who broke two windows in the council offices with his walking stick.⁷²

Given the overall national picture, Ealing anti-poll tax campaigners were a little alarmed by the possibility of violence and worried that it might alienate public support. For example, campaigners in Acton reported that at their Saturday stalls there were 'more arguments than usual about the reports of violence at council lobbies'.⁷³ But in practical terms there was little that could be done and the campaign concentrated on securing as high a turn-out as possible.⁷⁴

Another aim of the demonstration was to present a petition, signed by some 5,000 residents, demanding that the council refuse to 'implement the poll tax, make cuts and fine non-payers and non-registers'.⁷⁵ In fact the petition had been

ready for presentation to the leader of the council for some time, but John Cudmore, presumably well aware of its symbolic significance, proved reluctant to accept it. Eventually he agreed to take the petition in private and on the understanding that he would under no circumstances present it to the Lord Mayor in the full Council.⁷⁶ If that was not acceptable, EAPTC should 'ask one of a number of Labour Group members whose names I assume you are familiar with'. In the event, Councillor Ruth Blunt presented the petition on behalf of the campaign.

On the night of 8 March it became immediately apparent to most anti-poll tax activists that this was likely to prove an unusual demonstration, both in terms of size – the crowd numbers fluctuated between 500 – 750 throughout the evening – and in its political and social composition.⁷⁷ The crowd also reflected the ability of the poll tax to mobilise a disparate 'coalition of protest' including 'a scattering' of left-wing activists, public sector trade unionists, a delegation from Ealing Hospital's nursing home, families, council tenants and individuals with no obvious political affiliation. This combination seemed to lend the proceedings a certain degree of spontaneity. So, instead of the usual speeches from activists, ordinary members of the crowd were invited to take the megaphone and 'have their say'. Similarly, many people brought home-made placards and banners and came in family groups. Others decided to turn up after hearing about the demonstration on *Radio Sunrise*, a Southall-based community radio station catering mainly for Asian residents. Many of the councillors and protestors present recalled being surprised by the number of passing motorists who shouted approving comments or blew their horns in support. Apart from a few incidents of shoving and a couple of eggs thrown at police there were no violent incidents and the temper of the crowd remained generally good humoured. Although Ealing campaigners were happy with this outcome, one later sarcastically noted that media coverage 'was limited to the local press, as there was no violence [and] therefore there was nothing newsworthy for the national media!'⁷⁸

Meanwhile, inside the council chamber the mood was growing progressively more fraught. The police had allowed only 24 demonstrators into the public gallery but even they proved sufficient to disrupt proceedings, with speeches

drowned out and a steady shower of torn up agenda papers thrown at councillors. Councillor Ruth Blunt then presented the campaign's petition to the Mayor. As the budget meeting got under way John Cudmore felt it necessary to reaffirm the council's determination to 'administer [the poll tax] in the knowledge that when a Labour government is elected it will be abolished'. Phillip Portwood, in his capacity as chair of the finance sub-committee once again denounced the impact of the government's 'safety net' on the borough. After a two hour debate the budget was passed with three Labour councillors – Ruth Blunt, Ruth Clarke and Kevin Vaness – voting against. During the debate these councillors also announced their intention not to pay the poll tax amidst jeers and shouted insults from some other members of the Labour group. Later, on the Town Hall steps they received a far warmer reception from the assembled protestors.

What was the meaning of this demonstration? Although the episode was certainly less dramatic than some other Town Hall protests, it did seem to show the growing 'popular' dimension of the politics of the poll tax. The fact that the issue of civil disobedience should emerge as the main focus of both press reports and the comments of local politicians was in itself significant. As Tony Ward recalled, although most of those present accepted that come-what-may the council was going to set a poll tax rate for Ealing that night:

It didn't feel like a defeated crowd. OK, you were asking the [councillors] to change their mind on the poll tax but you sort of knew they weren't going to. You didn't feel that you were losing. People weren't cowed or defeated.⁷⁹

So Labour had apparently failed to sideline the issue of non-implementation and non-payment and shift the agenda onto ground of its own choosing. Nevertheless, Labour councillors rejected suggestions that this demonstration, and others like it throughout the country, meant that proponents of civil disobedience were anything other than a small minority. Instead, they argued, most people at the demonstration simply saw it as a chance to protest against the poll tax, rather than an opportunity to signal their intention not to pay. Whatever the truth of this, the May 1990 elections were to show that despite its best efforts,

Ealing Labour council had failed to distance itself from the political fall-out associated with the tax.

Something extraordinary

Some trepidation about Ealing's high poll tax was evident among Labour supporters in the run up to the May elections. For example, in March Labour Councillor Gareth Daniels once again plaintively asked residents to 'bear in mind that the level of the poll tax is clearly the government's fault' and remember that although 'the poll tax is unfair, we are forced to implement it'.⁸⁰ Nevertheless, bolstered by the obvious unpopularity of the poll tax and Labour's convincing lead in national opinion polls, most Ealing Labour Party supporters approached the forthcoming elections in a mood of quiet confidence. So the Conservative Party's victory on 4 May came as a surprise to almost all local politicians and commentators, with the new Tory leader, Martin Mallam, going so far as to dub the result 'something extraordinary' and 'inexplicable'.⁸¹

Expressed in terms of seats, the result was dramatic enough, with 17 Tory gains. However, expressed as a percentage of the vote, it was clear that the first past the post electoral system had served to exaggerate the swing, with 45.7% voting Conservative and 44.1% Labour. Significantly 14 of the 17 Tory gains were within the Ealing North constituency, covering Northolt and Greenford. Here the Conservative won 55% of the vote and Labour 38%. Nor did the Ealing result sit easily with the London-wide and national picture. While it is true that in London the Conservatives gained control of the neighbouring borough of Brent and increased their majorities in the heavily subsidised 'flagship' councils of Wandsworth and Westminster, the general trend of Conservative loss seemed clear enough. Thus on a 48% turn out Labour gained 400 seats in London (but lost 137) while the Conservatives lost 360 (but gained 164).⁸² Similarly, elections in the Non-Metropolitan Districts and Metropolitan Districts saw the Conservatives also suffered heavy losses. Nevertheless, the retention of Wandsworth and Westminster allowed the Tories to present the results as an at least partial justification of the tax. The point was taken up by John Curtice, who believed that the electoral data showed a statistical correlation between poll tax

rates and fluctuations in the Conservative vote. In general, the Tories polled best in Conservative authorities which had set a low poll tax and worst in those Labour authorities with a low poll tax. Consequently, it appeared that 'the poll tax was taken by a sizeable number of voters as a reliable guide to the efficiency and competence of the local council'.⁸³

From the outset the Ealing Conservatives sought to confront the issue of high poll tax levels head-on, asserting that the 'Community Charge will bring home to all the value of 'good housekeeping' in Ealing's affairs. Their manifesto promised a 'return to sanity and £50 off your poll tax' to be achieved by disbanding the various equal opportunities units, sacking 'political advisers and quitting the Town Hall'.⁸⁴ While the financial calculations underpinning such a populist platform would not have sustained much prolonged scrutiny it did succeed in highlighting two of Labour's weak spots.^b Similarly, the importance of the poll tax was also confirmed by John Cudmore, who concluded that people 'believed we were responsible for the poll tax. We argued that we couldn't get it below £435 without cutting services. We will have to see.'⁸⁵

But it is hard to see how, on the basis of the 1990 local election results, the poll tax had ushered in a period of 'responsibility' on the part of the electorate. While it is possible to cite some examples of Tory gains, the general picture was of a serious defeat for the governing party. For although there *was* a connection between high poll tax levels and the electoral fortunes of the major parties, a number of other (often parochial) factors were probably as important. In particular, the result in the London boroughs was effected by the inter-connected issue of councils perceived competence as basic service providers and the 'Loony Left' media controversies of the 1980s.⁸⁶ As John Cudmore saw it, the council 'suffered from an image we gained in the first year and in certain parts of the borough we still haven't recovered from it'.⁸⁷ The decision to raise rates by 65% continued to damage the party, especially as many voters perceived only small tangible gains in return. As another ex-councillor put it:⁸⁸

^b Apparently Martin Mallam kept a sign above his desk which read 'If you can't convince them, confuse them' (*Gazette* 11-5-90)

The Labour council was very good at providing services for people in Acton and Southall, both needy areas of the borough with large minority ethnic communities. And that was perfectly right. But what it didn't do was address the needs of the white working class electorate ... areas like Northolt and Greenford saw nothing.

Whatever the reasons for the Conservative victory, it was immediately apparent that the May result had a number of potentially important implications for the organised anti-poll tax campaign in the borough. On one reading, the result seemed to confirm their oft-repeated contention that any decision by Labour councillors in Ealing and elsewhere to collect the poll tax would damage the party and hit Labour's core constituency hardest. There is certainly general evidence that the party was aware that its stance on the poll tax could easily lead to charges of hypocrisy. For example, the Local Elections Campaign Pack for the May 1991 elections provided model policy positions in a question and answer format, which is perhaps worth quoting at a little length.⁸⁹

Q. If the poll tax is such a bad and unfair tax why are labour councils forcing people to pay it?'

A. They have no choice. The government has framed the law in such a way that local councils and local councillors are required to enforce the poll tax. And if they didn't collect it then councils would have to start sacking home helps, closing parks and shutting schools. Of course, Labour councils are doing all they can to make sure that those who have difficulty paying poll tax get all the rebate due to them...

Question three continued:

Q. What's Labour's attitude towards those who don't pay their poll tax?'

A. The Labour Party believes that people should pay their taxes – however bad they are. The real answer to the injustice of the tax is to work for a Labour government...

While it is improbable that the whole question of non-payment surfaced as a significant issue in Ealing in May 1990 as poll tax collection had barely got underway, this general stance was hardly likely to encourage much active support for Labour among the local left, let alone anti-poll tax protestors. Indeed the protestors, as an organised force, made no significant intervention in the election campaign, although some activists (particularly Militant supporters, ironically enough) canvassed for the party. Interestingly, although the Ealing Green Party publicly supported the idea of non-payment of the 'unfair, undemocratic and absurd' poll tax, the Anti-Poll Tax Federation retained a formally non-partisan position, underlining once again their residual loyalty of most activists to the labour and trade union movement.⁹⁰ Nevertheless the Conservative victory had important consequences for the anti-poll tax campaign. Firstly it allowed it to unequivocally associate the 'Tory' poll tax with Ealing's Tory council. Secondly, the result decisively ended any hope that the Labour group might be persuaded support a policy of non-implementation and so removed an obvious distraction from the non-payment campaign.

Entering a local state of denial?

At the beginning of this chapter I asked why, if the implications of the poll tax were potentially so serious, did Ealing Labour councillors so dutifully participate in their own self-emasculation? In the light of the council's record up to 1 May 1990 such a question may seem fanciful. While it is true that local authorities could have refused *en masse* to implement the poll tax there is simply no evidence to suggest that this was ever likely to happen in Ealing, or elsewhere. Was then Kinnock right in scornfully labelling calls for non-implementation as 'a kind of dreamland'? His view certainly accords closely with Butler et al's assertion that non-implementation campaigns were: 'in reality doomed from the start. Mrs Thatcher's government was used to dealing with recalcitrant councils. Legislation was now drafted to be watertight and, if possible, judge-proof. The Local Government Finance Act gave local authorities legal obligations which they could not avoid.'⁹¹ This ostensibly 'common sense' view was later echoed by Donald Dewar, who claimed that while Labour was 'prepared to consider any

effective weapons that came to hand... a boycott threw up too many practical problems'.⁹²

Moreover, local governments' subordinate constitutional position undermined its authority to challenge the poll tax, or for that matter, any other national policy. Certainly, local authorities in the twentieth have displayed only a limited capacity to confront national governments. For example, in the Edwardian period, local authorities in Wales and the North undertook a sustained campaign of 'passive resistance' to scupper the implementation of the 1902 Education Act, but after a protracted wrangle and some compromises, the centre got its way.⁹³ The 1920s also saw Poplarism directly challenge existing funding arrangements in order to raise benefits paid under the Poor Law with more success.⁹⁴ Similarly, in 1972 councillors in Clay Cross, Derbyshire refused to raise council house rents in line with national legislation and were subsequently surcharged and disqualified from office.

However, by the mid-1980s the idea of institutional resistance by Labour councils was becoming more popular, partly as a reflection of the shift to the left in the party, but more particularly as a response to Conservative rate-capping policy.⁹⁵ In 1984, the party's local government conference even went so far as to support a policy of 'non-compliance' by local authorities refusing to set a rate. Both the Annual Conference and the National Executive Committee subsequently endorsed the strategy.⁹⁶ Predictably, the national leadership energetically sought to overturn the policy. Kinnock warned that 'We don't want to weaken the broad coalition by wrangles over legality or public dramas or exciting excursions. Our basic concern is – and must remain – jobs, services and democracy'.⁹⁷ Pending the election of a Labour government, Labour councils should continue to serve as a 'dented shield' to protect the poor and disadvantaged from the Tory's worst excesses. Meanwhile, financially hard-pressed or rate-capped councils were encouraged to look towards 'creative accountancy' as an alternative to direct political confrontation.

Although the 'dented shield' strategy generally stuck, two left-wing Labour controlled local authorities, Lambeth and Liverpool, refused to set a rate in protest

at government controls on their spending limits. Others threatened to do so. The councillors concerned were suspended from office, surcharged, routinely lambasted by the mass media, government ministers and Labour's national leadership, who expelled some from the party. Effectively then, the national leadership of all the established political parties and the media continued to act in consort when faced with any extra-parliamentary action by local councillors. Similarly, all the main political players either actively promoted, or in Labour's case tacitly accepted, a political discourse that branded the municipal left as a 'loony left'.

Given this weight of authoritative opinion it is hardly surprising that this particular 'story' of municipal politics should have come to predominate.⁹⁸ It may be useful then to recall that this was *not* how many Labour activists, including most supporters of the Ealing anti-poll tax campaign tended to see it. Ken Livingstone's alternative account of the municipal left is therefore worth quoting at a little length:⁹⁹

Whether it was the miners' strike, the Falklands War [or] 'loony left' councils... our leaders seem to accept unquestioningly the agenda and even the parameters of debate set by our political opponents...

[Yet] the government's attacks on local councils had rebounded badly on Tory support in various key areas. In Liverpool the support for the Labour council in its fight with the government had squeezed the base of the Tories almost to the point of extinction. In Lambeth, the banned and surcharged Labour councillors were replaced by an even bigger Labour majority. In London, popular support for the GLC had surpassed that achieved by Labour in the 1945 and 1966 general elections...

In retrospect it seems incredible that so much time was devoted to the leadership's crusade against the left in the party that they never got round to launching a campaign against the poll tax.

Even so, the vast majority of Labour councillors, including those who would have placed themselves firmly on the left of the party, rejected calls for non-

implementation and objected to any tactic that could be seen as ‘a vote of no confidence in the democratic process’.¹⁰⁰ For as Donald Dewar sought to ‘remind’ delegates to the 1988 Annual conference, any party that aspires to be in government cannot ‘afford to have selective amnesia when it comes to the law of the land’.¹⁰¹ If this meant leaving the way open to more radical campaigners against the poll tax, including proponents of civil disobedience, then so be it.¹⁰²

It is tempting therefore to see the poll tax episode as simply another example (if more were needed) of the British labour movement’s deep attachment to existing constitutional arrangements. As Milliband put it: ‘the Labour party has always been ... dogmatic – not about socialism, but about the parliamentary system. Empirical and flexible about all else, its leaders have always made devotion to that system their fixed point of reference and the conditioning factor of their political behaviour’.¹⁰³ Similarly, the national Labour party had consistently displayed a certain suspicion of its supporters in local authorities and tended to favour a ‘statist’ approach to many policy questions which might better ensure a uniform public service in areas like health and education. Again, this tended to limit the potential of local activism.

But there is also another important element in the response of mainstream Labour councillors to the poll tax - a sense of exhaustion. John Cudmore believed that ‘the 1986-1990 administration was a fairly chastening experience to the Ealing Labour Party. There was very much a reaction by 1989 against anything that could be seen as outside the law’.¹⁰⁴ Similarly, Ruth Blunt recalled that ‘the party in 1990 was a different party from that of 1985. [Then] there was a spirit of hope, that you could still *do* some things, stop bad things happening... I think there was a decline in people’s energy after a whole decade of Thatcherism’.¹⁰⁵ In such a climate of demoralisation it was unlikely that calls for non-implementation would ever find much purchase.

Was there an alternative?

It hardly takes a leap of historical or political imagination to conclude that *provided councillors were prepared to go beyond the law*, the introduction of the

poll tax actually furnished many practical opportunities to scupper implementation. Firstly, the sheer scale of the administrative changes required by the new tax can be gauged by the fact that some 15,000 new staff were employed nationally to get the new system up and running.¹⁰⁶ Most obviously then, local authorities could simply have done nothing, declined to set up the necessary machinery to collect the tax and so left the ball firmly in the government's court. Formally this would have triggered an immediate confrontation with central government, including surcharge.

Councillors could have responded by taking action to further undermine the legitimacy of the poll tax by resigning and seeking re-election on a specifically anti-poll tax, non-collection ticket. Alternatively, Labour councils and the wider labour movement (with or without the co-operation of other opposition parties) could have used their institutional position to organise a 'people's referendum' asking whether the poll tax should be introduced in their area. The Peace Ballot of 1935 could feasibly have served as a precedent. Such an exercise in direct democracy was attempted by Labour's Milton Keynes council, which, when faced with a parsimonious central grant, cuts in services and redundancies, asked local citizens whether they supported an above inflation increase in their council tax.¹⁰⁷ In short, Labour councils could have attempted to use their institutional power to mobilise public opinion as part of a direct challenge to the government's 'flag ship' policy.

Such a strategy, while inevitably full of risks, could only have been contemplated if a sufficiently powerful critical mass of local authorities were committed to supporting non-implementation. But could it have forced even as combative a politician as Mrs Thatcher to reconsider? The protestors naturally flagged up the unpopularity of both the tax and the government in 1990. However, they were not alone in judging the overall political context as particularly unfavourable to the Conservatives. As John Major recalled:¹⁰⁸

If you actually look at the situation in 1990 when I became prime minister, the party was very split, the poll tax had been a complete social and economic disaster, we had a recession that had been building up as a

result of the boom in the late Eighties, we had interest rates in double figures, we had very high inflation, we had unemployment rising dramatically, we had growth going into the ground. There was a full scale recession with negative equity.

Nevertheless, any counterfactual built around non-implementation remains unconvincing. Not necessarily because it was, *a priori*, doomed to fail, but because the majority of those who would have had to implement or support it – the national Labour Party, local councillors and local authority workers – lacked the necessary political will to pursue such a radical and combative strategy. As Andrew Marr noted:¹⁰⁹

the problem for left-wing and liberal advocates of local government is that their logic... directly challenges the logic of the British political system itself. To speak of entrenched powers in a centralised state whose Parliament claims absolute sovereignty is little short of revolutionary. And yet these are such mild-mannered revolutionaries one cannot quite believe that they have the backbone to follow through the consequences of their arguments.

This emphasis on ‘backbone’ actually accorded quite closely with the views of most anti-poll tax protestors who saw the decision of Labour councils to implement the poll tax primarily as a failure of leadership. They suggested that if local government was really as emasculated as Labour councillors were wont to claim - that they were ‘beaten whichever way they turned’ – then why continue to be so compliant? An open confrontation with the government over the whole question of local finance would better protect the interests of Ealing’s citizens than by passively accepting ‘death by a thousand cuts’. In any case, the protestors were adamant that many poor people would simply be unable to pay – it would therefore be immoral (as well as bad politics) for Labour councils to do the Tories’ dirty work for them. As Sheridan scornfully put it:¹¹⁰

I suppose it must be easy to wrap yourself up in the white flag of surrender if you do not have to live with the consequences of defeat...

Could [the poor] afford to sit in their prison-grey homes watching the damp blur the wallpaper pattern, waiting for the ballot box to speak at some future time?

Yet calls for non-implementation effectively cast Labour councillors as a radical 'vanguard' - a role they fundamentally rejected, either on principled political grounds or through fear of the personal consequences. Instead, most believed that their primary duty, irrespective of rate capping, the poll tax or any other law, was to run services as efficiently as possible and serve as a bridge between the public and the local administration. Most were prepared to put in long hours to this end - an average of 82 hours a month in 1991 according to one survey.¹¹¹ Within this schema there was no place for direct confrontations with central government and the argument that widespread non-payment was ultimately self-defeating, as any shortfalls in council revenue would simply make a bad funding situation worse, was a strong one. Moreover, at a subtle level the shrinking prerogatives of councils and the shift in role from provider to 'enabler' increasingly encouraged a culture of 'managerialism' among most councillors.

Ultimately then, the growing conflict between the anti-poll tax campaigners and Ealing Labour council reflected not so much a mutual incomprehension, but rather a profound disagreement over what was the proper role of the left-wing 'active citizen' in local government. I return to this essential issue in chapter eight, which more fully compares the different models of active citizenship revealed by the poll tax crisis for both the 'institutional' and radical British Left. Similar tensions were to surface between the protestors and trade union organisations over the demand for non-collection.

Don't Collect!

The socialist and trade union background of so many Ealing anti-poll tax activists naturally encouraged them to emphasise the organised working class as primary agents of protest. But any hopes that trade union action might prevent collection of the new tax were to remain unfulfilled. As Mick Brooks, secretary of the Ealing Federation saw it:¹¹²

One of the mistakes of perspective that we had when we started off was that we expected more support from local authority workers in the form of strike action. And we didn't get it. The reason for that is obviously betrayal by the national labour movement the TUC and the Labour Party... But if you take the average NALGO or NUPE member, if they weren't going to get national support they were snookered.

The apparent failure of the trade unions to offer a lead seemed to confirm a wider (perhaps perennial) frustration felt by many trade union activists with the reluctance of the British labour movement to countenance any overt form of political industrial action.

Like the Labour Party, the trade union movement was apprehensive about the implications of the poll tax from an early stage and between 1987 and 1991 the majority of unions passed resolutions at successive annual conferences condemning the tax in principle. Some public sector trade unions also spent large sums on adverts and publicity events. For example, in April 1990 NALGO launched a 'non-party' poster campaign urging people to 'Vote NO to the Poll Tax!' in the May local elections at the cost of some £250,000.¹¹³ Most of the criticisms they levelled against the charge were indistinguishable from those put forward by the Labour Party. The regressive nature of the tax and its potentially baleful effect on civil liberties were all emphasised, as were concerns regarding the threat to the powers and financial independence of local government. This last issue was of course directly relevant to public sector trade unions, which feared that the new tax regime represented a direct and immediate threat to their members' livelihoods. A motion passed by the 1989 annual conference of the town hall clerical union, NALGO, summed up the prevailing mood of alarm: 'If it is not stopped, the poll tax will ... result in widespread cuts in local authority services, with major consequences for the jobs and conditions of NALGO members.'¹¹⁴

So for public sector trade unionists at least, it was possible to argue that the poll tax was a genuine industrial issue, albeit one with heavy political overtones.

Nevertheless, this overt political quality was to prove a source of contention and complicate the response of the trade union movement. For while it seemed straightforward that unions should oppose the tax in principle, it was far less obvious how this could best be done effectively both within the law *and* within the dominant tradition of non-political trade unionism. This was especially important as most trade union leaderships sought to buttress attempts by Neil Kinnock to shift the Labour Party to the right and so make it 'electable'. Overtly political action would, it was argued, recall the supposed anarchy of the 1970s and so expose both the Labour Party and the trade unions to charges of irresponsibility and extremism. Nevertheless, the poll tax served to highlight tensions between left and right in the trade union movement as to what was the proper political role of industrial action and strained the commitment of some members to constitutional pathways of protest.

All this begs a number of questions. Firstly, did events in Ealing and elsewhere support the protestors' charges of 'betrayal'? How did local activists seek to influence national policy and how much support did they enjoy at a rank and file, as opposed to activist level? In short, were calls for non-collection ever viable?

A grand coalition

A number of bureaucratic factors have historically tended to boost the importance of the Scottish Trade Union Congress (STUC). The trade union policy-making process formally revolves around the annual or biennial conference, which theoretically at least, 'instructs' trade union leaderships. The annual conference therefore becomes an arena in which different sectional and political groups (including the leadership itself) contest ideas and alternative policies. Of course, in practice there is often something a little unreal about the set-piece debates, for all their sound and fury. For union leaderships, simply by virtue of their ability to manage the day-to-day affairs of the union, can usually ignore or creatively interpret awkward conference decisions. Nevertheless, because the STUC congress effectively kicks off the conference season, decisions can often define the agenda of other labour movement bodies.

By the late 1980s the STUC had developed a well established campaigning repertoire which sought to unite as many strands of organised public opinion, including academics, trade unions, welfare pressure groups, business, the churches and political parties within 'grand coalitions'. According to the official historian of the STUC, as 'the Conservatives' electoral mandate in Scotland shrivelled, a new form of civic politics began to gather force, one which contrived to embody Scotland's collectivist traditions in conscious defiance of the cult of individualism that underpinned the new Conservative thinking.¹¹⁵ Certainly a pronounced nationalist undertone was apparent as a Scottish Consensus formed around specifically 'Scottish' issues, such as the threatened closure of the Upper Clyde Shipbuilders (1972), the Ravenscraig steel mill in the 1980s and calls for greater devolution.¹¹⁶ So it seemed natural that the STUC's anti-poll tax campaign, *Stop It*, launched in 1988, should follow the by-now familiar pattern.

One perhaps inevitable effect of the tactic was that the STUC remained publicly committed to constitutional methods of protest. Anything less would hinder attempts to form a grand coalition against the tax. John Rafferty, secretary of *Stop It*, was by 1988 firmly against any calls for non-payment. Any form of civil disobedience was, he rather dourly asserted, a 'chic', 'trendy' form of 'fashion politics' which would directly threaten the jobs of local government workers.¹¹⁷ Moreover, non-payment must inevitably 'create electoral problems for Labour politicians' and make marginal seats 'so essential to the formation of a Labour government, all the more elusive next time round'.¹¹⁸ However, in deference to mounting public opposition to the tax, the public were urged to foul up the registration process through time-wasting enquiries and the STUC set up a hot-line to offer suitable advice on how this might be achieved.

This strategy soon came under criticism from within the STUC on a number of grounds. Firstly, it was difficult to avoid registration. Secondly, previous attempts at grand coalitions had, by and large, proved ineffective in the face of the sustained hostility of the national Conservative government. Why should *Stop It* be any different? In any case, the spectre of a resurgent and radicalised Scottish nationalism naturally threatened Labour-supporting trade unionists, who

believed that if anyone was going to lead the anti-poll movement, it should be them. As one delegate to the STUC's 1988 Congress saw it:

we are the elected leadership of the Labour and trade union movement. Our remit is protect our membership and their dependants and society in general. We have started this process with the *Stop It* campaign, but we must now clearly state that if *Stop It* fails we must publicly ... support the campaign of non-payment of this unjust tax.¹¹⁹

Privately many leading members of the STUC agreed and Campbell Christie, general secretary, later publicly refused to pay. Nevertheless sustained and 'powerful pressure behind the scenes' from Donald Dewar, Labour's shadow Scottish secretary helped ensure that such individual protests did not become official STUC policy.¹²⁰ Similarly all pressure to campaign jointly with the largest grass roots anti-poll campaign – the Scottish Federation – were brushed aside, despite the best efforts of the protestors. As Tommy Sheridan later ruefully observed, the Federation 'chased the STUC in the way a besotted schoolboy might pursue a woman who's just not interested'.¹²¹

The policy adopted by the national TUC developed on near-identical lines to that of the STUC, although arguably in England and Wales the political pressure for civil disobedience within the trade union movement was more easily contained due to the absence of a nationalist dimension. The TUC's 1988 Congress resolution further attempted to flesh out objections to the poll tax as a trade union issue.¹²² For example, concern was expressed as to the effect of the poll tax on employees living in temporary accommodation as part of their jobs. The new legal responsibilities of local authority treasurers were condemned as 'invidious' and represented 'government interference in local authority staffing matters'. The TUC also adopted the STUC's grand coalition tactics and sought to involve 'all other groups who do or are likely to oppose' the poll tax so long as they were 'operating within the law'.

An unholy alliance?

But proponents of civil disobedience envisaged a very different sort of campaign that transcended any individualised response to the tax, or for that matter, the apparently toothless grand coalition favoured by the TUC. Instead, millions of non-payers in the community could unite with local authority trade unionists refusing to implement, collect or prosecute non-payers. Such a strategy was necessarily vague, but a number of possible scenarios could be envisaged. Most obviously, key public sector workers, such as DHSS staff and local government employees involved with revenue collection, could deliberately refuse to implement the poll tax on overtly political grounds. In an appeal to trade unionists the Strathclyde Anti-Poll Tax Federation suggested that ‘workers in Computer Services Sections refusing to co-operate ... could have a very disruptive effect. The potential of action against non-payers could be limited if workers in the Assessors and Finance department refused to hand over information’.¹²³ However, caution was also necessary, as ‘these workers have not previously been in the forefront to take action and if they do so now they would be vulnerable ... particularly since few councils have declared themselves willing to refuse to co-operate with the Tax’. There were ‘therefore two prerequisites... First of all a mass movement of non-payment must be built, otherwise sections of workers will be left isolated, and secondly wherever workers are prepared to place their jobs on the frontline by refusing to co-operate we must prepare now for proper solidarity support from the wider trade union movement.’¹²⁴

From a national trade union perspective such a strategy immediately posed a number of general problems. Most obviously, any ‘political’ action which would contravene the existing legal definition of ‘lawful’ industrial action. The sequestration of the NUM’s funds in the mid-1980s left trade unionists in no doubt that this was a serious problem. Political industrial action would also fly in the face of long established traditions of a politically impartial public service. Any campaign of civil disobedience could only be successful as part of a co-ordinated national campaign, which in turn necessitated the active and constructive support of national trade union leaderships. As we have seen, this was never likely to be forthcoming. However, if overtly national political action

proved too difficult, local disputes by poll tax collection and enforcement staff, ostensibly about conditions of service issues, could effectively halt collection. While such action would remain within the law, it would be limited to particular authorities and not represent a direct national challenge to the government or the new tax system. Nevertheless, anti-poll tax campaigners welcomed all local disputes involving revenue collection staff with alacrity. Another source of contention that could be exploited might arise if employers attempted to deduct unpaid poll tax from their employees' wage packets at the request of local authorities. In the event, a marked reluctance of local councils to pursue wage arrearments in the early 1990s left this possibility largely academic.

Despite the formidable practical and political problems implicit in each of these strategies calls for civil disobedience failed to die down and between 1988 and 1990 most individual trade union conferences seriously debated the merits of a such a strategy. Even the TGWU, was forced to concede that the 'campaign to refuse to pay the poll tax, a resistance campaign, has gained some solid support in Scotland, and is likely to find echoes in England and Wales'.¹²⁵ Even so, members were advised that the 'TGWU has not supported this campaign in the sense that it does not believe it is right for a union to take decisions about the tactics which individuals and community groups may wish to make, and be responsible for'.

Inevitably the debate was most acute in the public sector unions. Several smaller traditionally left-wing unions, such as NAPO and FBU, came out in favour of non-payment. Indeed, the FBU went as far as denouncing the 'role played by the Labour Party leadership in Scotland'.¹²⁶ However, campaigners were well aware that the most important union in this context was NALGO, whose members' collected the tax. As in every other union, powerful currents within NALGO opposed civil disobedience. The most prominent voices raised against such a policy came initially from the Executive (and full time officials). According to Jim White of Scottish NALGO, a non-collection strategy was an 'adventurous policy aimed deliberately at binding Local Government Unions as the shock troops who will defeat ... the poll tax. That ... is never, not now, and never will be a broad based campaign.'¹²⁷

However, for many activists or Executive members the issue was not quite as clear cut as White's trenchant statement implied. For the effect of the poll tax on local government's revenue-raising powers and political independence was potentially so serious as to demand immediate action. Therefore it was arguably in the best interests of NALGO's members to challenge the Conservative government upon uniquely favourable ground. So almost despite itself, the national union became increasingly ambivalent about the Scottish civil disobedience campaign. For example, in May 1989 the union's monthly journal, distributed free to every member, interviewed sympathetically on its front page two Scottish members who were refusing to pay.¹²⁸ Similarly, the union's 1989 Conference moved the union much closer towards an illegal strategy. The conference resolved:¹²⁹

- * that NALGO will support mass non-payment and other forms of civil disobedience if and when they become viable options as a result of raising public consciousness through campaigning ...
- * to pressure local authorities through means appropriate to local circumstances not to pursue non-payers of the tax through civil penalties
- * to instruct the [Executive] that branches be encouraged to ... pursue this policy by all means, including if appropriate industrial action.

Some anti-poll tax campaigners were understandably jubilant, but as events would show, their optimism was largely misplaced.¹³⁰ Despite an apparently militant tone, the wording of these key action points was sufficiently vague to allow the national union and local branches to interpret them freely. For example, the qualified support for non-payment ('if and when' it became 'viable') was to all intents and purposes meaningless. Even so, both the leadership and more right-wing sections of the union were clearly alarmed by many of the sentiments expressed and the possible implications of the policy.

Something more than ritual expostulations was needed if the disparate currents within NALGO were to be successfully managed. By 1990 the leadership had

come favour a strategy that met demands for a more robust response to the poll tax half-way, but still kept within the law. Thus after a prolonged (and perhaps pregnant) silence, in May 1990 the union's journal once again discussed the tactics open to NALGO members. John Stevenson, branch secretary Lothian Region, emphasised the *personal* nature of the union's response¹³¹

We've supported people's rights not to pay. But say it's not for us to hinder implementation. Recently the branch has voted to take action of up to half a day in support of those who've had their bank accounts frozen for non-payment. So we do support people. But we wouldn't tell them that they shouldn't, mustn't pay. That's not our role to take.

Meanwhile, back in Ealing...

As we saw in chapter one, Ealing trade unionists played an important role in the creation of the organised anti-poll tax campaign in the borough before April 1990 and used their contacts with local branches to circulate appeals for help, ask for donations and promote model resolutions. Such efforts were, perhaps predictably, most successful with public sector unions. For example, Ealing NUT, which contained several prominent anti-poll tax activists, proposed a motion to the union's 1990 annual conference in favour of mass non-payment. In response the NUT leadership ruled large sections of the motion outside the aims and objects of the union, including any reference to non-payment. Melanie Griffiths, the Ealing delegate was amused to recall how her attempts to move the now emasculated motion were continually interrupted by the President, who forbade her to even mention the words 'non-payment' and eventually switched off the microphone and ordered her off the rostrum.¹³² However, behind the knockabout lay a more serious question: how far could the poll tax be seen as a trade union, rather than a political or 'community' issue?

This dichotomy hindered the efforts of the Ealing protestors to establish organisational links with particular work-places. In Ealing, the only viable work place anti-poll tax union established was based at Ealing Hospital and drew most of its support from student and newly qualified nurses living in hospital

accommodation (see chapter two). Other public sector professionals, by virtue of their position, could use their day-to-day work to make a political point about the poll tax (or even hinder its implementation) with the justification that they were defending their client's confidentiality. For example, NALGO members in a number of West London housing associations refused to 'give any information at all' about their tenants to local councils.¹³³ But the key arena for agitation remained Ealing council and it was here that campaigners naturally focussed their efforts to promote a non-collection strategy.

As we have seen, NALGO's 1989 Conference policy seemed to suggest that there was at least a possibility that local government workers might take some sort of action to hinder collection of the tax. A number of influential individuals within the branch, including the branch secretary Chris Morey and the branch chairperson, Eve Turner, were in favour of non-collection in principle. Additionally some shop stewards and rank and file NALGO members, particularly within the Housing Benefit/Community Charge section and Housing Department, were also active in local anti-poll tax unions both within and outside the borough. But as experienced trade unionists, most harboured few illusions about the genuine problems inherent in such a strategy and were well aware that calls for non-collection did not necessarily enjoy universal support, even among activists. According to Eve Turner it 'was a bit of a mixed bag. As a general principle you wouldn't come across any NALGO activist that supported the poll tax. I think they did support non-payment, but there were more reservations about non-collection because of the practical issues.'¹³⁴

Nevertheless, a motion in support of non-collection was passed at the 1990 branch AGM with a large majority. The branch also agreed to propose a similar motion to NALGO's 1990 Annual Conference, but significantly, those members from the revenue department present at the adoption meeting generally abstained.¹³⁵ The motion was 'written in a certain way to get through the conference [and] was very pragmatic', calling upon the national union to *campaign* for non-collection rather than an outright demand for immediate action.¹³⁶ Although if passed such a motion would incrementally, rather than decisively shift the union towards active support of civil disobedience, it would

have been of symbolic significance in the Spring of 1990, the high-water mark of anti-poll tax protest. So much was at stake and Ealing's motion provoked a tense and at times acrimonious debate.

Eve Turner, moving the motion, predicted cuts of some £13 million in Ealing as a direct result of the new tax and concluded that 'If we don't get rid of the poll tax it will get rid of us'. In the debate, every speaker for the motion emphasised that, in line with the 1989 Conference decision, 'mass-non payment' had now 'become a reality' and the union was therefore duty bound to actively consider calls for civil disobedience. In reply, opponents of the motion pointed out that calls for non-implementation were simply unrealistic and 'too late'. After all, NALGO members, however reluctantly, had been involved in setting up the new tax system for well over a year and a half. Alan Jinkinson, (General Secretary-elect) warned delegates that a non-collection strategy would fall foul of the Tory trade union laws. Thus the debate's 'outcome will determine whether we stay within the mainstream ... Or whether ... NALGO would be put out front with its head on the chopping block'. On a card vote, Ealing's motion was defeated by 380,165 to 220,108. The decision effectively ended any hopes that NALGO would support a non-collection strategy and the All-Britain Anti-Poll Federation declared itself 'Frankly disappointed ... but we have to say that the union leadership has once again let us down'.¹³⁷

But had it? In the absence of contemporaneous survey evidence it is of course impossible to definitively assess the mood of council workers at this time and any account must remain impressionistic. All the anti-poll tax activists who worked for the borough interviewed for this study agreed that the majority of council workers opposed the tax in principle, but there remained a mixture of views and 'some home owners supported [it] as Ealing had recently introduced massive increases in the rates so it represented a reduced expense for them'.¹³⁸ Despite the potential of the new tax to adversely effect their conditions of service, opinions appeared to be 'not so much a reflection of them as council workers, but as members of the public'.¹³⁹ Gill Reavey, a Housing department worker, recalled how members of her office held a whip-round to loan a female

colleague money to enable her to avoid imprisonment for non-payment in 1991 (see chapter seven).¹⁴⁰

However, attempts by some council-worker activists to organise a workplace based group – Ealing Council Workers Against the Poll Tax – in Spring of 1990 foundered after only three meetings, although campaigners had more success in persuading their colleagues to attend lobbies of council meetings.¹⁴¹ Other council workers engaged in petty acts of subversion. For example, staff in one advice bureau referred people who had been summonsed for non-payment to the Ealing Anti-Poll Tax Federation’s ‘hot-line’.¹⁴² Sympathetic workers in the Finance Department also kept anti-poll tax campaigners fully briefed about the levels of non-payment and difficulties with the collection process.¹⁴³ The information was then routinely passed onto the local press in the hope of embarrassing the council. So fears that the non-payment campaign might be resented as a possible threat to funding and jobs proved unfounded. According to Chris Morey cuts ‘were happening anyway. The election of a Tory council in May 1990 was much more significant’.¹⁴⁴ In any case, both the national and local union were at pains to portray the 21 ‘capped’ authorities in 1990 undertaking cuts as ‘victims of the poll tax axe’, including boroughs that were directly adjacent to Ealing, such as Hillingdon, Brent and Hammersmith.¹⁴⁵

But benign tolerance or even open support for non-payment fell well short of the campaigners’ initial goal of encouraging revenue staff to refuse to collect the tax. A number of factors explain this failure. Firstly, the decision of the national union to repudiate non-collection discouraged local branch officers from calling for political action to defeat the tax, which would only make sense if undertaken on a national level. If in the unlikely event Ealing NALGO had issued such an appeal, any resulting action would have been unofficial with all that implied in terms of legal and material support for the workers involved. In any case, there was scant evidence that the members in the Finance Department actually *wanted* to undertake political strike action. Chris Morey’s explanation for this reluctance is worth quoting at length:¹⁴⁶

You are actually asking these people to become a kind of unchosen vanguard. In fact the union has done that from time to time, has looked at revenue staff as a weapon against the employer ... But what the Union has learnt across the country is that you can't keep going back to the same people. They say "Why us?" In Ealing that was never a viable option, given the people who worked in the [Finance] section. In those days most might have been conservative with a big 'C' ... they didn't necessarily see the connections. A lot of them had a very traditional view of public service, as non-political and you do what your told.

Nevertheless, industrial relations problems did arise in connection with the poll tax in Ealing and elsewhere. For example, in Greenwich poll tax collection workers undertook protracted official strike action in 1990 over regrading issues. In Sheffield housing staff refused to undertake training connected with the poll tax. Similarly, in Southampton housing staff refused to co-operate with plans to place poll tax collection boxes in housing offices because they meant more work-load and 'constitutes a real security risk'. In Ealing, Community Charge collection staff also threatened industrial action in March 1991 over health and safety fears when dealing with charge-payers and demanded 'protective screens between defaulters and... security guards or police officers present at all times during the interview process'.¹⁴⁷ Such concerns hardly suggest that the staff saw non-payers as joint participants in a struggle to defeat an iniquitous tax. Although some sought to portray these sorts of disputes as part of the wider political struggle against the tax, such claims were generally less than convincing.¹⁴⁸

Non-collection – a non-option?

All this begs an obvious question. Why, if the prospect of a non-collection strategy was so unlikely, did anti-poll tax activists in Ealing and elsewhere campaign for it? After all, they were hardly political tyros? Many held responsible positions in their local branch and so enjoyed close personal knowledge of the mood of their colleagues. Moreover, all the evidence shows they were well aware how difficult it would be to get such a strategy off the

ground, let alone make it stick. Were calls for non-collection, as many of its opponents claimed, mere 'political posturing' or 'adventurism' - just another example of the often noted disparity between the left-wing political views of many branch activists and the majority of rank-and-file members. Certainly the strategy assumed a high level of political consciousness among trade union members: It also fitted into orthodox Marxist doctrine, which emphasised the organised working class as primary agents of change. For example, for much of 1989 the Socialist Workers Party continued to advocate an essentially syndicalist strategy based on 'industrial action and the involvement in the Labour movement'.¹⁴⁹ This assumed that even 'large numbers of people organised in the community' rather than on a workplace basis would not 'have the strength to win. The state machinery, through fines, arresting of wages and so on, can wear down community resistance.'¹⁵⁰ To their subsequent embarrassment, some Scottish SWP members therefore initially paid the tax. However, the failure of the non-collection campaign and the apparent success of non-payment in Scotland led almost all Marxists to reappraise their position, including the SWP.

The history of the British trade union movement after 1945 offered few precedents of directly and explicitly 'political' industrial action aimed at changing a particular government policy, unless, like Heath's Industrial Relations Act, it directly threatened to remove existing trade union immunities. This seemed to confirm Hain's charge that many on the left were far too ready to romanticise the potential of industrial action to secure political change.¹⁵¹ Indeed, there is a real sense in which calls for a refusal to collect were out of kilter with most members' perceptions of what trade unions were actually *for*, with the majority continuing to see work-place, pay and conditions of service issues as the proper concern of their unions.¹⁵²

But did this hold true in the more politicised context of town hall trade unionism? A survey of NALGO members conducted by the national union concluded that the average member was 'a 40 year old home-owning *Guardian* and *Public Service* reader who is not in a political party but is more likely to vote Labour while insisting they are moderate'.¹⁵³ The survey also found that most members had joined the union in order to secure 'better pay, work conditions'

and improved pensions. However, a top campaigning priority was 'saving the NHS'. This accords with other survey evidence from the period which found that only 19% of service workers retained trade union membership because they saw it as a 'way of creating a more just society' or a belief in 'solidarity'.¹⁵⁴ However, it is also worth stressing that there is no evidence that rank and file trade unionists had adopted an individualistic 'Thatcherite' view of the dangers of collective organisation.¹⁵⁵

While these wider debates about the proper purpose of trade unionism lurked in the background they were rarely openly voiced. Instead attention tended to focus on the tactics which might best meet the challenges posed by the breakdown of the post-war consensus. In the eyes of many trade unionists, the late 1980s was essentially a period of retrenchment and defeat. As one comprehensive study of trade unions saw it, by 1990, 'what had been in the eyes of many outsiders and members ten years earlier, a united self-confident social movement as well as a powerful industrial bargainer, often seemed more closely akin to a demoralized collection of special interest groups'.¹⁵⁶ Such fears seemed confirmed by the decline in national membership, from a peak of 13.3 million in 1979 to 9.9 million in 1990.¹⁵⁷ The response of national trade union leaders and many local activists was essentially defensive, a strategy of 'new realism' that sought to protect the essential fabric of the unions and maintain existing conditions as far as possible, pending the election of a Labour government. Within this schema, any calls for civil disobedience to defeat the poll tax could only be provocative, counter-productive and doomed to failure. The problem for the trade union right was that up to 1990 the results of 'new realism' could hardly be deemed a success. For example, public sector wage rises throughout the period generally lagged behind inflation and cuts in local services became an annual and increasingly traumatic occurrence in many authorities (including, as we have seen, Ealing). Moreover, moderate tactics did *not* speed the election of a Labour government in the 1987 or 1992 general elections.

All this fuelled left-wing criticism. Andy Dixon, an NUT executive member and supporter of the non-payment campaign argued that the trade union response to the poll tax once again showed that the:¹⁵⁸

problem is not just that we have a determined and vicious Tory government to fight but also the leaders of our movement [who] are afflicted with the disease of NEW REALISM. This so-called new realism is really OLD DEFEATISM. The TUC and the official trade union movement has not been so completely outside of a mass popular movement of this kind for many years.

Thus the poll tax as an issue presented an ideal, perhaps unique, opportunity for the organised working class to effectively link up with the unorganised working class in pursuit of a (defensive) political goal that would benefit the whole community. From this perspective the non-collection tactic was wholly appropriate. While such action would inevitably entail breaking current trade union laws, so be it. However, the argument was fatally undermined not by the machinations of national trade union leaders but by the marked reluctance of public sector workers to undertake any form of industrial action. This in part reflected a wider rejection of militancy, as the high-point of anti-poll tax agitation coincided with a marked decline in the total number of days lost through strikes and the number of recorded disputes.¹⁵⁹

While it is ultimately impossible to disprove the suggestion that a decisive lead from the trade unions could have mobilised members to undertake political industrial action to sink the tax, it was particularly unlikely in such a climate. But it is also worth noting that most anti-poll tax activists and their supporters in the trade unions believed they were duty-bound to promote the virtues of political trade unionism anyway. Anything less would implicitly validate the failed values and policies of a right-wing leadership that had consistently proved itself incapable of rising to the challenges posed by Thatcherism.

Conclusion – Non-payment by Default?

By autumn 1989 it was clear to Ealing anti-poll tax campaigners that calls for non-implementation and non-collection were unlikely to be successful. Given the failure of these strategies to take root it is tempting to conclude that non-payment

emerged as the campaign's primary tactic almost by default. After all, most protestors rightly assumed that many would not be able to pay, that the new system would offer opportunities for evasion and that considerable logistical problems would occur. Protestors were also aware that a number of academic studies and reports commissioned by local government organisations, trade unions and think tanks confirmed the suggestion that the poll tax could easily prove uncollectable.¹⁶⁰ All that remained to be done then, was to build an alliance between these 'can't payers' and principled 'won't payers', outraged by the unfairness of the tax. But however logical this seemed in theory, nobody could be sure that mass non-payment would ever actually occur. The Ealing protestors therefore anxiously looked towards the experience in Scotland. As Rachel Jones recalled:¹⁶¹

I can remember very clearly being in my flat, decorating and listening to this programme on the radio about the introduction of the poll tax in Scotland where it was already seen to be having major [collection] problems, just before it was introduced in England and Wales. So people knew that there were already going to be problems with it and that it was not working in Scotland.

Scottish local authorities had issued the first bills in April 1989 and almost from the outset the payment figures were the subject of fierce claims and counter claims – a pattern that would later be repeated in Ealing (see chapters six and seven). By mid-October the Convention of Scottish Local Authorities issued the first authoritative estimate of payment levels, suggesting that 15% of eligible charge-payers, some 600,000 people had not paid. The Scottish Federation was quick to point out that this figure excluded some 500,000 others who were seriously in arrears and 300,000 who had 'disappeared'.¹⁶² In short, some 1 million Scots had not fully paid their poll tax, as compared with a default rate of less than 1% under the rates. While a clear majority of Scots had paid up, it was obvious that non-payment on this scale, if extended over time, might leave the system 'unworkable'.

Meanwhile the example of Scotland was not lost on other political actors in the borough. As Councillor Gareth Daniels, Labour chair of the Environment Committee ruefully observed, ‘an unjust tax cannot become a just one by inking with the level at which it is set. When the poll tax was introduced in Scotland, some of the highest levels of non-payment were recorded in Shetland, which had one of the lowest poll tax levels – people were opposed to it in principle.’¹⁶³ All this reinforced a growing conviction that mass non-payment in Ealing was not simply possible, but likely. Meanwhile, as protestors and councillors alike prepared for the introduction of the tax, popular tempers continued to rise. The depth of this anger was revealed by a series of unusually large and disorderly national demonstrations, which are considered in the next chapter.

¹ Founding statement/minutes Ealing Federation Committee 8 May 1990

² TGWU, *The Poll Tax is Nigh: Another Great Idea from the Tories*, London 1989, pi

³ Labour Party, *Campaigning on the Poll Tax*, NEC Statement, 1 October 1989

⁴ See David Wilson & Chris Game, *Local Government in the UK*, Macmillan, Hamps 1994, chapters 2-7 for a comprehensive introduction and Lawrence Pratchett & David Wilson (eds), *Local Democracy and local Government*, Macmillan, Hamps 1994 pp1-20, 92-98

⁵ Wilson & Game, *Local Government in the UK*, p132-179

⁶ *Ealing Gazette* 26 February 1988

⁷ EAPTC Petition (circa February 1990)

⁸ See *Ealing Informer* 16 May 1986 & *Ealing Gazette* 16 May 1986 for full reports

⁹ *Ealing Trade Union News* April 1986

¹⁰ All information from *Ealing Gazette* 1987-1990

¹¹ *Ealing Gazette* 1 January 1988

¹² *Ealing Gazette* 27 April 1990

¹³ Undated press release from Cllr. Kevin Vaness

¹⁴ *Ealing Gazette* 22 January 1988

¹⁵ *Ealing Recorder* 20 January 1989

¹⁶ *Ealing Gazette* 3 March 1989

¹⁷ *Public Statement by Those Councillors Voting Against Cuts*, London, Jan 1989

¹⁸ Interview Ruth Blunt 3 November 1998

¹⁹ Ibid.

²⁰ Interview John Cudmore 7 September 1999

²¹ *The Guardian* 30 January 1988

²² Labour Briefing, *Labour, the Assembly and the Poll Tax*, Labour Briefing, Scotland, 1988 pp3-10

²³ D. Butler, A. Adonis and T. Travers, *Failure in British Government. The Politics of the Poll Tax*. Oxford University Press, Oxford, 1994, pp129-131

²⁴ Patrick Seyd and Paul Whiteley, *Labour's Grass Roots: The Politics of Party Membership*, Clarendon Press, Oxford, 1992. See also Labour Party, *Conference Report*, London, 1988 p47

²⁵ Maureen Reynolds, *Uncollectable: The story of the Poll Tax Revolt*, GMAPTF, Manchester, 1992, p28

²⁶ Socialist Movement, *Newsletter* No. 4, June 1990, p1

²⁷ *Sunday Times* 11 March 1990

²⁸ *Ealing Gazette* 13 October 1989

²⁹ Interview John Cudmore 7 September 1999

³⁰ Interview Kevin Vaness 15 December 1998

- ³¹ Wilson & Game *Local Government in the UK*, p256
- ³² Labour Party, *Campaigning on the Poll Tax* NEC Statement 1-10-89, p2 and *Poll Tax Facts – Information and Campaign Pack*, London, 1989, p1
- ³³ Ibid.
- ³⁴ Report EBC Policy (Finance) Sub-Committee 3-10-89
- ³⁵ Labour Party, *Poll Tax Facts*, p1
- ³⁶ *Ealing Gazette* 14 October 1988
- ³⁷ *Ealing Gazette* 5 May 1989
- ³⁸ Labour Party, *NEC Guidance Note Jan/90*, Circ 3/90
- ³⁹ *Ealing Voice's* March 1990
- ⁴⁰ Labour Party, *Poll Tax Facts*, 1989, p1
- ⁴¹ Labour Party, *NEC Guidance Note Jan/90*, Circ 2/90, p1
- ⁴² Private information
- ⁴³ Labour Party, *Poll Tax Facts*, 1989, p1
- ⁴⁴ Labour Party, *Fair rates: Labour's alternative to the poll tax*, London, 1990, p2
- ⁴⁵ D. Butler, A. Adonis and T. Travers, *Failure in British Government. The Politics of the Poll Tax*, Oxford University Press, Oxford, 1994, p148
- ⁴⁶ Bryan Gould, *Goodbye to All That*, Macmillan, London, 1995, p 227. Gould also describes the evolution of Labour's 'Fair rate's' proposals in some detail, pp227-230.
- ⁴⁷ Labour Party, Circular JG/SMC 25 June 1990
- ⁴⁸ EAPTC minutes 10 April 1989, 5 June 1989
- ⁴⁹ Tony Benn, *The End of an Era: Diaries 1980–1990*, Hutchinson, London, 1992 pp 585-6
- ⁵⁰ David McKie (ed.), *The Election: A Voters' Guide*, Fourth Estate, London 1992, p288
- ⁵¹ EAPTC minutes 24 October 1989
- ⁵² *Ealing Gazette* 3 November 1989
- ⁵³ M. Ward & J. Zebedee, *Guide to the Community Charge*, SHAC/CPAG/IOH, London 1990, pp 105-130 and pp157-159
- ⁵⁴ National Council for Civil Liberties and Association of London Authorities, *Privacy and the Poll Tax: guide to good practise for Councillors*, London, circa 1989, p1
- ⁵⁵ Letter Tim Dauncey to Ruth Clarke 19 October 1989
- ⁵⁶ *Local Government Finance Act 1988*, HMSO, London, p99. The discretionary principle is established in Schedule 3, para. 1 which states that the charging authority 'may' impose a penalty.
- ⁵⁷ *Ealing Gazette* 14 July 1989. See also Richard Heffernan and Mike Marqusee, *Defeat from the Jaws of Victory: Inside Kinnock's Labour Party*, Verso, London, 1992 for a description of the poll tax controversy in Lambeth and the subsequent expulsion or disciplinary action taken by the national party against a number of Lambeth councillors
- ⁵⁸ Draft letter to Ealing councillors October 1989
- ⁵⁹ *Uxbridge Gazette* 6 December 1989
- ⁶⁰ Letter to Rosa Ward October 1989
- ⁶¹ EBC Policy (Finance) Sub-committee, minutes 3 October 1989
- ⁶² *Ealing Gazette* 13 October 1989
- ⁶³ EBC Policy Committee 257/90: Non-domestic Ratepayers Consultative Committee, minutes (14 December 1989)
- ⁶⁴ *Ealing Gazette* 4 May 1990
- ⁶⁵ *Ealing Gazette* 14 July 1989
- ⁶⁶ EAPTC minutes 24 October 1989
- ⁶⁷ EAPTC minutes 31 July 1989
- ⁶⁸ *Ealing Gazette* 16 March 1990
- ⁶⁹ See Paul Bagguley, *The moral economy of anti-poll tax protest*, in Colin Barker & Paul Kennedy (eds.), *To Make Another World: Studies in Protest and Collective Action*, Avebury, 1996 p13
- ⁷⁰ Danny Burns, *Poll Tax Rebellion*, AK Press, Stirling, 1992, pp 84-86
- ⁷¹ *The Sunday Times* 11 March 1990
- ⁷² *Independent on Sunday* 11 March 1990
- ⁷³ EAPTC minutes 12 March 1990
- ⁷⁴ EAPTC minutes 21 February 1990
- ⁷⁵ Copy of petition, circa March 1990 & Letter from mayor's office to EAPTC 30 April 1990
- ⁷⁶ Exchange of correspondence between Rosa Ward and the Leaders Office, February 1990

- ⁷⁷ The description for this demonstration is drawn from the *Ealing Gazette* 16 March 1990 and interviews with activists and local councillors
- ⁷⁸ WEHAPT Newsletter March 1990
- ⁷⁹ Interview Tony Ward 8 February 2000
- ⁸⁰ *Ealing Gazette* 9 March 1990
- ⁸¹ *Ealing Gazette* 11 May 1990
- ⁸² David Wilson & Chris Game, *Local Government in the United Kingdom*, Macmillan, Basingstoke, 1994 p194
- ⁸³ John Curtice in *The Economist*, 12 May 1990, quoted in Butler et al. p162
- ⁸⁴ Ealing Conservative Party, *Back to Sanity: A Conservative Manifesto for Local Government in Ealing*, London, April 1990, p1
- ⁸⁵ *Ealing Gazette* 11 May 1990
- ⁸⁶ See *New Socialist* 6 August 1990 pp 6-11 for an interesting discussion of the May 1990 local election results in London
- ⁸⁷ *The Gazette* 11 May 1990
- ⁸⁸ Interview Ruth Blunt 3 November 1998
- ⁸⁹ Labour Party, *Local Elections Campaign Pack*, London, 1991, p1
- ⁹⁰ *Ealing Gazette* 9 March 1990
- ⁹¹ Butler et al. p279
- ⁹² Labour Briefing, *Labour, the Assembly and the Poll Tax*, Scotland, 1988 p35
- ⁹³ See Steven Koss, *Nonconformity in Modern British Politics*, Batsford, London 1975 & Kenneth Morgan, *Wales in British Politics*, pp166-221
- ⁹⁴ Noreen Branson, *Poplarism 1919-1925*, Lawrence & Wishart, London 1984. See p55 for Herbert Morrison's criticisms of Poplarism, which are remarkably similar to the Labour leadership's stance in the 1980s.
- ⁹⁵ See Stewart Lansley, Sue Goss & Christian Wolmar, *Councils in Conflict: The Rise and Fall of the Municipal Left*, Macmillan, Basingstoke, 1989, pp 34-46.
- ⁹⁶ Alan Sked and Chris Cook, *Post-War Britain*, Penguin, Harmondsworth, 1992, p461
- ⁹⁷ *Ibid* p456
- ⁹⁸ The trend has been encouraged by a tendency of some commentators to take the exaggerated or false claims about 'loony leftism' made in the right-wing press throughout the 1980s at face value. See for example Shirley Robin Letwin *The Anatomy of Thatcherism*, Fontana, London, 1992, p196 in relation to Ealing council.
- ⁹⁹ Ken Livingstone, *Livingstone's Labour. A programme for the 1990s*, Unwin Hyman, London, 1989, p 280-281
- ¹⁰⁰ *Ibid*.
- ¹⁰¹ Labour Party, *Conference Report*, 1988 p47
- ¹⁰² See Butler et al, p254-5 for a criticism of labour's failure to run with the poll tax as an issue.
- ¹⁰³ Ralph Miliband, *Parliamentary Socialism*, Merlin Press, London, 1973
- ¹⁰⁴ Interview John Cudmore 7 September 1999
- ¹⁰⁵ Interview Ruth Blunt 3 November 1998
- ¹⁰⁶ David Wilson & Chris Game, *Local Government in the United Kingdom*, Macmillan, Basingstoke 1994 p178
- ¹⁰⁷ See *The Guardian* 24 February 1999. Residents were offered three possible council tax rises and voted as follows:

Projected % Rise in council tax	% Vote
15.0	23.6
9.8	46.3
5.0	30.1

The postal ballot secured a turn out of 45% compared to 26% in the local previous elections.

¹⁰⁸ *Independent* 11 October 1999

¹⁰⁹ Andrew Marr, *Ruling Britannia*, Penguin, Harmondsworth, 1996 p58

¹¹⁰ Sheridan & McAlpine p42

¹¹¹ See Lawrence Pratchett & David Wilson, p 11-12

¹¹² Interview with M. Brooks 5 August 1997

¹¹³ *Public Service* April 1990

- ¹¹⁴ Greater London Association of Trade Councils, *Guide to Trade Union Policies on the Poll Tax*, London 1989 p7
- ¹¹⁵ Keith Aitken, *The Bairns o' Adam: The story of the STUC*, Polygon, Edinburgh 1997, p292
- ¹¹⁶ *Ibid.* pp 223-229 and 293
- ¹¹⁷ *Scottish Trade Union Review* Winter 1988 No.7
- ¹¹⁸ *Ibid.* p4
- ¹¹⁹ STUC *Annual Report* 1988, p289
- ¹²⁰ Aitken p298
- ¹²¹ Sheridan & McAlpine. p65
- ¹²² GLATC pp 4-6
- ¹²³ Scottish Anti-Poll Tax Federation, *No Poll Tax Here*, Edinburgh 1989, p37
- ¹²⁴ *Ibid*
- ¹²⁵ Transport and General Workers Union, *The Poll Tax is Nigh: Another Great Idea from the Tories*, London 1989 p26
- ¹²⁶ GLATC p12
- ¹²⁷ *Annual Report* 1989 STUC, 1989 p299
- ¹²⁸ *Public Service*, May 1989 p1
- ¹²⁹ GLATC. p7
- ¹³⁰ *Militant* 16 June 1989
- ¹³¹ *Public Service*, May 1990 p10-11
- ¹³² Interview Melanie Griffiths 10 August 1999. See also *The Guardian* 19 April 1990
- ¹³³ Letter from Tim Beasley to Ealing Federation 4 May 1990
- ¹³⁴ Interview Eve Turner 12 October 1998
- ¹³⁵ This account is based on interview with Eve Turner 12 October 1998 and *Public Service* Mid-May and June 1990. Quotations are taken from original tape recordings of this conference session (Tapes 11 and 12, Wednesday, Composite G), prepared for NALGO by Q.E.D. Recording Services Ltd, London).
- ¹³⁶ Interview Eve Turner 12 October 1998
- ¹³⁷ ABAPTF Bulletin June 1990 p2
- ¹³⁸ Interview Jude Sutherland 23 March 1999
- ¹³⁹ Interview Chris Morey 18 May 1999
- ¹⁴⁰ Interview Gill Reavey 23 March 1999
- ¹⁴¹ Interview Aryn Jumani 10 August 1999
- ¹⁴² Interview Eve Turner 12 October 1998
- ¹⁴³ Private information
- ¹⁴⁴ Interview Chris Morey 18 May 1999
- ¹⁴⁵ *Public Service* September 1990
- ¹⁴⁶ Interview Chris Morey 18 May 1999
- ¹⁴⁷ Minutes Of Community Charge (Collection) Workplace meeting 1 March 1991
- ¹⁴⁸ See for example *Militant* 29 June 1990
- ¹⁴⁹ See *Republican Marxist* SWP 1989 Conference Bulletin, p1 for a full account (and a Pythonesque example of 'sectariania'!)
- ¹⁵⁰ Quoted in Sheridan & McAlpine op cit. p70
- ¹⁵¹ Peter Hain, *Political Strikes*, Penguin, Harmondsworth, 1986, p 244
- ¹⁵² See W.E.J. McCarthy (ed.), *Trade Unions*, Penguin, Harmondsworth, 1985, pp26-34 & 47-58 and Robin Blackburn and Alexander Cockburn (eds), *The Incompatibles: Trade Union Militancy and the Consensus*, Penguin, Harmondsworth, 1967, pp 263-280
- ¹⁵³ *Public Service* October 1989
- ¹⁵⁴ Duncan Gallie, Roger Penn and Michael Rose (eds.), *Trade Unionism in Recession*, Oxford University Press, Oxford 1996, pp 144-145. However, the numbers surveyed was small – only 569.
- ¹⁵⁵ *Ibid.* Chapter 4.
- ¹⁵⁶ *Ibid.* p2
- ¹⁵⁷ *Ibid.* p1
- ¹⁵⁸ Socialist Movement, *The Poll Tax and the Unions*, Chesterfield, 1990, pp 2-3
- ¹⁵⁹ Chris Cook & John Stevenson, *Handbook of Modern British History 1714-1995*, Longman, Harlow, 1996, p228
- ¹⁶⁰ See for example Peter Esam (ed.), *Guide to the Poll Tax*, LGIU, 1990
- ¹⁶¹ Interview Rachel Jones 19 February 1999

¹⁶² *Bulletin No.2 SAPTF, 1990*

¹⁶³ *Ealing Gazette 9 March 1990*

Chapter Five

Poll Tax Riots

The dominant conception of active political citizenship within liberal democracies assumes that people should seek to effect change in a 'peaceful and responsible manner' through existing democratic institutions and political structures.¹ We might therefore, logically expect demonstrations, parades and protest marches to play only a limited role in British political life. This seems to be borne out by one, admittedly small scale survey of popular attitudes to political participation conducted in 1985-6 which found that the majority of respondents (72.4%) would 'never' attend a protest march.² Moreover, although the 1970s saw increasing numbers of people willing to attend demonstrations, pickets and sit-ins,³ the proportion of the public participating in these sorts of 'unconventional' activities had not significantly altered between the mid-1970s and mid-1980s.⁴ But there still remains a strong sense in which protest demonstrations have 'become the major non-electoral expression of civil politics', especially for the organised left.⁵ As Marquand saw it, this does not necessarily denote a rejection of dominant political values:⁶

the politically competent potential protestor is a blood-brother to the good citizen of liberal democratic theory. He is likely to turn to protest not because he does not understand the system or accept its norms, but because he has been disappointed in it: because he comes to feel that it has let him down.

So as street protest became more normal (and thus ritualised), it also tended to become 'a continuation of conventional political participation by other means' and empirical evidence does suggest that if anything, people attending demonstrations or pickets were *more* likely to also participate in conventional political activities.⁷ Yet the political meaning of demonstrations remains highly contingent on both the particular political context in which they occur and in Britain at least, the extent to which good order is maintained. For when

political protests take a *violent* turn they immediately become something else and are widely perceived as both a challenge and a threat predominant political norms and values. Implicitly, 'democratic' means of securing change, through elections, discussion and consultation within a mutually agreed legal or constitutional framework, are superseded by overt, unpredictable and morally ambivalent forms of crowd conflict. Political riots may also threaten the personal safety of the police, members of the public and private property.

Significantly then, the various public demonstrations, rallies, sit-ins and pickets associated with the anti-poll tax movement became linked with the problem of political violence for elite politicians, the media, state authorities and the protest organisers alike. This linkage may well have been misleading or unfair, for the vast majority of anti-poll tax protest events passed off peacefully. It also tends to assume that such violence was a *conscious* political act and as I shall show, there is little convincing evidence that the anti-poll tax protestors actually desired violent protest. Nevertheless, political perceptions and discourse do not automatically reflect reality and the question of political violence therefore remains a central theme that should be addressed by any serious enquiry into the popular politics of the poll tax. Firstly, this chapter seeks to place events in their proper historical context and looks at the 'problem' of crowd disorder in the post-war period and considers how this might have affected the outlook and assumptions of the organised anti-poll tax movement. Secondly, it describes in some detail various national anti-poll tax demonstrations held in 1990-1, with a particular emphasis on the dramatic confrontation in Trafalgar Square and its environs on the afternoon and evening of 31 March 1990. Throughout this discussion I will consider rival explanations for the militant temper of poll tax protests put forward by key national (and local) political actors and ask what, if anything, they tell us about the meaning of active citizenship in the period.

The Problem of Violence

By the late 1960's many felt confident that a 'conquest of violence' had occurred in British political life.⁸ Certainly, if Northern Ireland is considered

separately, domestic politics since 1945 had remained largely pacific and political demonstrations predominantly peaceful in comparison with many other European countries. This happy state was thought to reflect the uniquely 'British' system of policing protest by consent, the socially cohesive benefits of consensus-style social and economic policies and the existence of a well-established democratic culture. After 1968 the number of violent confrontations at political protests increased dramatically, fuelling elite fears that British society was becoming potentially 'ungovernable'. As one 'expert' on public order saw it in 1973, 'it must now be regarded as normal for any major demonstration to be exploited for wider revolutionary aims'.⁹ Certain episodes, such as the mass picket of Saltley Gate Coke Depot (1972) achieved something approaching mythic status for some on the New Right and strengthened their determination to re-establish 'order' through more stringent public order legislation and the promotion of a sense of personal responsibility.¹⁰

But the propensity of such protests to lead to violence should not be exaggerated. As Parry et al note, whatever 'the impression given by media reporting of occasional violent incidents, political violence is something so set apart from the 'mainstream' of political protest in mainland Britain that it barely registers in a national survey'.¹¹ Nevertheless, demonstrations bring large crowds together in an implicitly confrontational context and so remain inherently more likely to see outbreaks of conflict between protestors and the police. Again, this is potentially important, as the police serve as the most obvious and immediate symbols of state authority at demonstrations, and are easily perceived as their 'hard front, the pioneer corps, the disciplinary arm, the shock troops'.¹² By the late 1980s many on the left had come to believe that the right to peaceful protest was being eroded. In part this reflected formal changes in the law governing trade union picketing rights and other public order legislation which increased police discretionary powers.¹³ But most commonly, a broad swathe of Left opinion pointed to the apparent paramilitarisation and politicisation of the police, most evident during the Miners' Strike (1984-5), as tangible evidence of a new authoritarianism under Thatcher.¹⁴ As one anti-poll tax organisation saw it:¹⁵

It is widely accepted that the last fifteen years have seen significant changes in the way that public protests, demonstrations and pickets are policed... that policing has become a political tool to contain opposition to government policy. Serious questions have to be raised as to whether the policing of events is designed to preserve public order or to criminalise political protest and beat protestors off the streets.

Logically then, the cumulative experience of violent confrontations on picket lines, disturbances on sink estates and the inner cities and at demonstrations shaped the 'folk memory' of poll tax protestors and encouraged antipathy towards the police. But did it actually affect their behaviour?

Trafalgar Square Demonstration

As we saw in Chapter Two, the founding conference of the All-Britain Federation resolved to support calls for a campaign of civil disobedience and to organise a central London demonstration on 31 March 1990, the eve of the Poll Tax's introduction in England and Wales. The Scottish Federation also planned to hold a demonstration in Glasgow to 'celebrate a year of non-payment'. Both these decisions were generally well received among local activists throughout the country, who desired a national show of strength. However, as we also saw, the Militant Tendency controlled the All-Britain Federation from the outset, prompting the Labour Party and TUC leadership to denounce the anti-poll tax movement as a Militant 'front' organisation. On these grounds alone, the 'official' labour movement resolutely refused to have anything to do with either forthcoming demonstration.

Despite (or perhaps because of) this indifference, the demonstration acted as something of a catalyst for organisational growth and seems to have encouraged local groups to communicate and co-operate with each other. For example, the Ealing Hospital APTU arranged over-night accommodation in the nurse's home for about 50 Maidenhead protestors, who were passing through the borough along the route taken by rebels during the Peasant's

Revolt of 1381, with the intention of joining up with the main rally at Trafalgar Square. Local groups also used the demonstration as an occasion in which to gather support from other established actors, including trade union branches, the Labour left, community organisations, tenants associations and student unions. But the campaigners remained primarily interested in reaching out more directly to unorganised public opinion and the Ealing Federation concentrated on leafleting and fly-posting for the event, billed as '*the Demo*'.¹⁶ Although the majority of people minded to attend could be expected to go as individuals or in family groups and use public transport, some local anti-poll tax unions did hire buses in order to pick up contingents from local housing estates, including the Golflinks (Southall) and South Acton.¹⁷ On the day itself, the main Ealing contingent gathered at Ealing Broadway station, filling two or three tube carriages.

Interestingly, in some areas efforts to build support for the demonstration were hampered by fears of violence. As we saw in Chapter Four, the potential for disorder at poll tax protests had become evident in February and March 1990 during demonstrations outside English town halls as local councils met to set the level of the new charge. The Avon Federation reported that it:¹⁸

expected to send 40 plus coaches to London. Last week one of the local coach companies pulled out on the grounds of 'politics' and 'violence'. When they were rang up and were told that there were hundreds of OAPs and kids booked on the coaches and they were extremely angry, they didn't bat an eye lid. When we told them that we were aware that they had a number of big union contracts which they were likely to lose and they had two hours to think about it, they rang back within an hour and a quarter guaranteeing whatever we wanted.

But it would be misleading to exaggerate fears among both the protestors and the authorities that the forthcoming national demonstration was *inevitably* going to lead to violence. For example, the police turned down the organisers request for the march to be re-routed to Hyde Park in the expectation of a

significantly higher turn out than the 20,000 originally expected, on the grounds that less than a week's notice had been received.¹⁹ Even a decision to issue a press release by the Federation calling for non-violence was largely prompted by a desire to deflect press criticism after the Town Hall riots, rather than any particular fear that the forthcoming march would be anything other than overwhelmingly peaceful and orderly. Nevertheless it argued that 'a clash with the police does not achieve anything positive' and that demonstrators should 'be on guard against provocateurs who may seek to incite violence'.²⁰

Both local groups and the All-Britain Federation were keen to highlight parallels with 'peoples' power' protests then much in evidence in Eastern Europe and China.²¹

Across the world people have seen on their televisions and in their newspapers images of a government in its death throes. Ours. Its fatal move was to introduce a tax straight from the middle ages... in the hope that everyone would take it lying down. Well we haven't.

Certainly, if the political base of the anti-poll movement had been confined to the 'usual (leftist) suspects' it is unlikely that the demonstration would have proved of more than passing interest. But instead, the event clearly revealed capacity of the movement to mobilise large numbers of individuals with little or no previous history of political activity and as a consequence the crowd gathered on 31 March in Kennington Park was unusually large. Estimates of attendance, as ever a disputed commodity, range from 40,000 to 300,000.²² Probably the best estimate would be around the 200,000 mark - columns of protestors were still leaving Kennington Park by the time Trafalgar Square (which will only hold 60,000) was full. Unfortunately, no survey was attempted to identify the occupations and social composition of the crowd, but a number of generalisations are possible. Firstly, both the protest organisers and the media generally agreed that family groups and pensioners were prominent and that 'most demonstrators were young and the vast majority were working class' with about half coming from London and its immediate environs.²³ That said, the organised Left was much in evidence with large

numbers of radical literature sellers, anti-poll tax union, local Labour Party and trade union banners present. There was also a small anarchist contingent, including members of 'Class War', a group that subsequently received a high degree of media attention. Nevertheless, most Ealing protestors were struck by the heterogeneous nature of the crowd:²⁴

I still have this vision of going under this bridge and seeing this old pensioner, who looked like someone who had never been on a protest, who was not a stereotypical activist of any sort, with his crutch up in the air shouting No Poll Tax!

Another recalled:²⁵

I can remember arriving and the place was heaving. Wherever you looked there were just thousands of people. I got chatting to these two women who had never done anything political in their lives. But they were going to do this... I thought 'wow'! This really is a coming together of such a range of people.

Initially at least, the mood of the crowd was predominantly 'very happy, very determined... like a carnival' and there seemed no reason to expect that events might turn ugly.²⁶ Indeed, just before the demonstration set off at about 1pm, stewards called for a vote on whether or not the march should be peaceful and 'it looked like every hand in the park was raised'.²⁷ However, it soon became obvious that sections of the crowd, perhaps emboldened by the size of the demonstration or 'excessive drinking and a small amount of cannabis smoking', displayed a strong antipathy to the police. As the crowd advanced towards central London, lights and tapes were broken, pushing and shoving occurred and police were barracked and sworn at. By the time the crowd crossed Lambeth Bridge it had expanded to fill the whole street.²⁸

We were going up from Embankment, just south of the river, and the crowd was *wide* in the street. The police had a plan to keep it to half the road and they had big bollards and tapes to keep us in. But these were

getting knocked over [which] is an unusual thing for a crowd to do. But it is also an unusual thing for the police to *let* them do. They couldn't stop it.

When the demonstration reached Whitehall tensions rose considerably as about 300 marchers staged a sit down protest opposite Downing Street. Despite numerous requests by stewards and police this group, predominantly comprised of anarchists and Socialist Worker Party members, refused to move. The subsequent course of events in the next few minutes is disputed, but it is clear that some desultory missile throwing occurred, while the majority of the demonstrators moved past the still relatively localised confrontation and entered Trafalgar Square. The subsequent police enquiry accepted that the attempt to end the sit-down protest was the initial flash-point for the riot. However, the report argued that the decision was justified in order to avoid a crush that 'would' endanger lives.²⁹ But as we have seen the passage into Trafalgar Square, while restricted, was not closed. Moreover, by focussing on this particular incident, the report tended to downplay later tactical decisions regarding the use of riot squads and equipment.

Whatever the truth of this, at about 3.30 p.m. the duty commander ordered mounted police units to move in and break up the sit-down protest, with foot squads in close support. Batons were drawn and used aggressively, although dedicated riot squads were not yet deployed. Some sections of the crowd, incensed by what it perceived to be inappropriate and heavy-handed tactics fought back and the police were initially forced to retreat. Further scuffles and missile throwing ensued as the fighting in Whitehall rapidly began to escalate. Meanwhile, in Trafalgar Square a still-peaceful crowd was addressed by leading left-wing Labour MPs Tony Benn, George Galloway and leaders of the Federation. Gradually, both the speakers and crowd members became aware of the disturbance in Whitehall, which by degrees, spread into the Square proper. Within half an hour 'probably the worst [riot] to take place in central London for over a century' was well under way.³⁰

Police tactics throughout the first stage of the riot, characterised by a series of (bitterly resisted) attempts to clear the crowd in Trafalgar Square, were certainly controversial. For example, semi-armoured vans drove through the crowd at relatively high speeds and the deployment of mounted units proved provocative to many in the crowd, who pelted them with missiles. In any case, the sheer volume of people in the square hampered operations considerably, for although only some 6,000 people were consistently involved in the fighting, many others either looked on or vocally supported the rioters. This posed operational problems for the police who perhaps understandably, seem to have experienced difficulty in accurately distinguishing between active rioters and others. Demonstrators were also able to take material from building sites, such as scaffolding poles, fire extinguishers and rocks, to some extent redressing the police advantage in weaponry and protective equipment. A number of buildings were attacked and set alight, including the South African Embassy in Trafalgar Square itself.

However, the course of the riot cannot simply, or primarily be explained as a public order problem. For example, the political nature of the event is underlined in video footage, which shows the crowd chanting anti-poll tax slogans at police officers throughout the confrontation.³¹ Others instinctively placed their experience within an international context, referring to contemporaneous examples of 'people's power' from Eastern Europe and China. For instance, one rioter recalled people chanting '*Stah-zee! Stah-zee! Stah-zee!*' at police.³² By about 5.30 p.m. the police had largely succeeded in pushing the crowd out of Trafalgar Square into the Strand/Charing Cross Road, a victory that soon proved distinctly hollow as the displaced rioters spread into the West End. Trouble continued throughout the evening and as darkness fell the number of attempts to loot shops, attacks on expensive cars and even police stations in the West End increased. These actions were later characterised as attacks on symbols of wealth and power by some protestors.³³ During the disturbances a total of 542 police officers were injured and 42 recorded complaints were made against the police, but no police officers, of whatever rank, were subsequently disciplined. No figures are available for the number of protestors injured. Damage to property cost well over £3 million. In

all, 1,985 crimes were reported, with 408 arrested on 31 March and a further 123 subsequently.³⁴ This investigation, Operation Carnaby, involved 125 officers full time and the Crown Prosecution Service, in an unprecedented move, set up a special unit, which assembled over 90 hours of video tape and seized 30,000 photographs from newspapers and individuals.

Why did this initially peaceful protest take such a violent turn? The question is potentially revealing and remains central to any political account of the Trafalgar Square riot, as different political and institutional actors struggled to both exonerate themselves and pin responsibility for the riot on their opponents. The subsequent debate revealed two broad explanations. The first account, promoted by the political ‘establishment’, that is elite politicians, the police and the mass media blamed the riot on a combination of apolitical criminal hooliganism and the actions of ‘far-left’ extremists. The protestors on the other hand, tended to cast the riot as a justified reaction by the crowd to police brutality and incompetence. Others went further and claimed the demonstration had been deliberately attacked by the state in order to discredit the anti-poll tax movement. Each account has important implications for any wider discussion of active citizenship in the period.

The Establishment Account

It is an obvious point, but like the rest of humanity, the diverse attitudes and political views that underpin the actions – including rioting – of crowds at protest events are socially constructed and primarily accrue meaning through the judgements and responses of others. In a more parochial pre-industrial age this audience would tend to be local, confined to inhabitants of the county, the town or even the village in which the disturbance occurred. In the modern age the mass media, politicians and the police (at times hardly indistinguishable) display a historically unprecedented capacity to shape and assign meaning to particular events.

Media responses to riots since the late 1960s have tended to follow a fairly consistent agenda. They begin from the assumption that all political violence

is intrinsically undesirable and more importantly perhaps, morally indefensible in a liberal democracy which allows the public to effect change through the ballot box. Consequently, with the occasional exception of the liberal press, the media almost invariably tends to see riots as the work of a minority of (sometimes foreign) agitators and far-left extremists, who consciously hijack demonstrations against the wishes of the majority of peaceful participants. In this schema the police are cast as long-suffering victims who respond to violence rather than play any significant part in initiating it. This sits easily alongside other, highly traditional notions of riots and the sorts of people that participate in them, derived from Le Bon's notion of a fickle, irrational mob comprised largely of the criminal residuum and easily manipulated by demagogues. Such treatment tends to depoliticise the meaning of riots, casting them primarily as public order problems rather than expressions of political or social tension.

All these elements were present in most media accounts of the Trafalgar Square poll tax disturbances. For example, *The Times* claimed that after the demonstration 'many rioters could be seen taking the Underground home with that same air of fulfilment after mayhem that one often sees in a football crowd'.³⁵ Similarly, the state was actively helped in its endeavours during Operation Carnaby by the tabloid press, with one of Maxwell's Mirror Group newspapers going so far as to publish pictures of alleged rioters under the headline "If You Know 'em, SHOP 'EM".³⁶ Interestingly, a certain degree of hostility towards the media among both protestors (and rank and file police officers) had become evident during the course of the riot with photographers and camera crews targeted for attack. One *Sunday Mirror* reporter later expressed fears that the coverage could lead to her being attacked at demonstrations as a 'police informer'.³⁷

But on balance the extensive media coverage of the riot did not prove disastrous for the protestors, as the violent scenes from Trafalgar Square transmitted in live news broadcasts inevitably show incidents of police, as well as crowd violence, eliciting some public sympathy. Prominent shots of anti-poll tax placards dominated most TV reports, which also contained interviews

with protest organisers. Again, this helped shape popular perceptions of the riot as a primarily *political* event, rather than a simple case of hooliganism or mob disorder. This may have been important, for by 1990 there was a sense of familiarity, even routine in media responses to most demonstrations, which rarely received more than a few column inches unless violence occurred. As Tommy Sheridan, chair of the All-Britain Federation, ruefully acknowledged: 'there is no way we would have got those headlines or the massive international coverage if there had not been a riot'.³⁸

Perhaps mistakenly, the Conservative government initially sought to reprise the spirit, if not the precise form, of the 'enemy within' rhetoric of the mid-1980s and consciously played *up* the political significance of events. Margaret Thatcher therefore cast the protests as an unholy alliance of left-wing extremists and the criminal 'underclass' of the unemployed and homeless.³⁹

The violent riots of 31 March in and around Trafalgar Square was [the underclass'] and the Left's response [to the poll tax]. And the eventual abandonment of the charge represented one of the greatest victories for these people ever conceded by a Conservative Government.

However, there is no evidence that either the protest organisers or the majority of the 'left' either wanted or positively approved of the disorder and only a handful of those arrested on the day were established anti-poll tax activists. Moreover, Thatcher's description of the rioters as the 'underclass' was highly questionable. According to the main legal defendants group, only a third were unemployed and one lawyer described his Trafalgar Square clients as 'nearly all in full time employment, including a couple of civil servants ... not the sort of people you've been led to expect ... what you could call extremely respectable'.⁴⁰

The second thrust of the government's case was more overtly partisan. In a statement to Parliament the Home Secretary, David Waddington, sought to link the riot with the 28 Labour MPs who had pledged not to pay the tax.⁴¹ However, such charges were never likely to find much purchase given the

determination of the official Labour movement to distance itself from the organised anti-poll tax movement (see Chapter Four). Indeed, the leadership seemed to have consciously seen the event as an opportunity to underline their moderation and responsibility. For example, Roy Hattersley, Labour's deputy leader, condemned the violence 'without reservation or qualification', called for 'exemplary punishment' of convicted rioters and expressed sympathy for injured police officers, with no mention of casualties among the protestors. Similarly, the TUC noted that 'the media's preoccupation with unlawful and sometimes violent anti-poll tax protest undoubtedly deflected attention from arguments about fairness, social justice and civil liberties'.⁴²

It seemed then, that despite the obvious attempts of various elite politicians to use the riot as an occasion on which to score party political points off each other, the general 'establishment' line was clear. The riot was the work of criminals and agitators. The police were victims not perpetrators. By advocating illegal civil disobedience tactics, the anti-poll tax movement had implicitly encouraged violence and lawlessness and so put itself outside the pale of respectable public opinion. Needless to say, that is not how the protestors saw things.

The Protestors' Account

The initial reaction of the protest organisers was clearly shaped by fears that the riot might fatally wound their attempts to influence public opinion and hinder constructive engagement with mainstream political parties and pressure groups. For example, statements made by Tommy Sheridan and Steve Nally (Chair and Secretary, All Britain Federation) sought to blame 'trouble-makers' and 'anarchists' for the violence and promised to organise a labour movement enquiry into the disturbances which would, if necessary, 'name names'. The stance prompted the *New Statesman* to pithily (and accurately) sum up all-party opinion thus: 'The Tories tried to scapegoat the Labour Party, Labour in turn tried to scapegoat Militant and the Socialist Workers, and they tried to scapegoat Class War – who grabbed the buck with enthusiasm.'⁴³ But within days it became obvious that the Federation's initial position was untenable, not

least because any characterisation of the rioters as ‘trouble-makers’ did not seem to accurately reflect the experience of those present on the day. As importantly, the idea that the anti-poll tax movement should collaborate with a hostile state was widely seen as wrong in principle and a tactical mistake to boot.⁴⁴ One Ealing protestor recalled:⁴⁵

I thought that their reaction was quite disgusting. The first interviews I saw were on the Sunday immediately after the event and I don’t think they had the whole picture then. What I found most disgusting was they said they would actually give names to the police.

Another activist drew even more radical conclusions and believed that not only had the rioters done ‘the right thing’ under the circumstances, but that the Federation’s leadership should have openly said so:⁴⁶

The horse they were riding was a mass movement. It wasn’t a legalistic thing. And that mass movement did the cause a tremendous amount of good that day... The reaction of most people wasn’t “Horror! Horror!” these poll tax people are rioting. It was these people are rioting *against* the poll tax and I don’t like the poll tax either. [So] the Tories wouldn’t be sanguine... They’d be thinking, if this is the first year, what the bloody hell will happen next year?

Another Ealing protestor, Francois Fajolle, remained puzzled by the strength of feeling provoked by the riot. Drawing upon her own experience as a French citizen, she noted: ‘I couldn’t see what the problem was. In France you haven’t had a proper demonstration unless there’s been a riot!’⁴⁷

Certainly there is no evidence that the riot prompted a public backlash against the anti-poll tax movement, or that concerns over the violence bolstered support for the poll tax, which according to opinion polls declined even further in popularity.⁴⁸ According to most Ealing protestors’ interviewed for this study, the demonstration did not substantially dent public support for their campaign, although some adverse comments were received on stalls and

meetings in the weeks that followed. This low key public reaction seems to accord with Reiner's suggestion that in an increasingly 'post-modern' society, characterised by 'greater cultural herogeneity, economic fragmentation and global diffusion' it is 'far less likely that particular protests and disorders will be seen as other than single issues, local troubles, however serious they are in themselves.'⁴⁹ However this should also be set against convincing evidence of a decline in popular deference towards the police by the end of the 1980's. For example, one survey concluded that public confidence 'in the police and prison service is low and falling, and the public is rather more cautious now than it was about derogating powers to the police'.⁵⁰ Similarly, younger people were 'especially supportive of the right to protest, wary of police surveillance and sympathetic to ethnic minorities'. However, the same survey also revealed a marked ambivalence towards political radicals, with respondents almost evenly split when asked whether 'people who want to overthrow the government through revolution' should be allowed to hold public meetings and publish their views.⁵¹

On another level the riot may have helped bolster support for the non-payment tactic as a better way of defeating the tax. Three days after the riot one Hanwell resident wrote to the Ealing Federation:⁵²

Following the march and rally at Trafalgar Square this weekend I find I am now totally frustrated and appauled [sic] the efforts of some 200,000 people to peacefully show their anger and opposition to the tax... has now gone to waste through the actions of those whose concerns are not with the implementation of this tax but with the state system itself... I now realise that the only way to break this tax is through solidarity, peaceful tactical but rigorous campaigning and vociferous non-payment... Therefore I wish to join you.

These conclusions certainly accorded with the majority view among Ealing campaigners who tended to oppose violence at protest events on pragmatic rather than moral grounds. As one recalled: 'I was pissed off... It didn't need [a riot]. The demonstration was too big be ignored or dismissed as a hardened

group of activists'.⁵³ Another believed that 'Joe Average felt that it had been hijacked by anarchists and sectarians, who had spoilt a good days protest, a peaceful protest'.⁵⁴ Thus while the Federation's initial promise to 'name names' remained clumsy and deeply problematic, there was also a sense in which any general attempt to distance the movement from violent protest was both sensible *and* in step with majority opinion. Nevertheless, as a detailed picture of the day's events emerged, the Federation felt compelled to rapidly reverse its original position and claimed that the police had undertaken a premeditated *political* attack on the demonstration.⁵⁵

The Met[ropolitan Police] in my opinion, were under instruction to provoke aggression in order to discredit our movement. They thought they could contain the resulting violence and win the day. But they underestimated the strength of feeling, the size of the crowd. That's why senior officers were forced to admit afterwards: "We lost it, we lost it".

Thus police actions constituted nothing less than an attack on the right to protest, a point echoed by the feminist journal *Spare Rib*, which concluded that 'in this country, peaceful protest would never even be allowed to get to the stage it got to in Tiananmen Square'.⁵⁶

Others on the Labour left argued that the actions of the police were better understood in the wider context of 'the Thatcher years [in which] brutal police tactics have been so regular that they have gained a certain 'legitimacy''.⁵⁷ They also suggested that if the official labour movement had organised the demonstration the rioting would not have occurred. For as we have seen leaders of the 'official' labour movement refused point blank to sponsor national demonstrations against the tax. But this was not in itself unusual, for by the late 1980s the labour movement, keen to shed any residual image of 'loony leftism' seemed reluctant to call extra-parliamentary protests regarding *any* issue. This was potentially significant, for rioting is rare at demonstrations called and organised by national labour movement bodies, partly because their superior organisation and resources help ensure a smooth passage on the day.

But more importantly perhaps, such demonstrations become 'respectable'. For example, a detailed study of police tactics in public order situations in London in the early 1990s found that the attitude of police became more positive if they were organised by bodies like the TUC, as senior officers were acutely aware that any spectacular breakdown of order would damage their career prospects.⁵⁸ While it is speculative to claim that the flashpoint for the rioting on 31 March 1990 would not have occurred if the protest had somehow been more 'official', a more temperate police response could reasonably have been expected.

Again, this highlights the primary role of the police, rather than the crowd, in shaping events. But some anarchists present tended to see police actions less in terms of an organised political conspiracy and more in terms of habitual, repressive brutality.⁵⁹

I have no love for the state or their Aunt Sallies, the police ... We can't and shouldn't wait for them to attack us (as they inevitably do) so its on their terrain and their conditions. But where I was, on the Strand, it was the police that started the trouble ... Why did they do it? Is it simply because they cannot accept people being on the streets, whether it's at a football match, a rave or a demonstration?

So in practice, despite the common ideological assumption shared by most activists that the police were ultimately agents of a hostile state, their attitudes were surprisingly contingent on police behaviour. As Margaret Reynolds, of the Manchester Federation recalled:⁶⁰

In the North West hundreds of protests went off without violence. I can only recall a couple of incidents locally, both caused by odd individuals. Most of the ordinary police were co-operative and turned a blind eye to our many contraventions of petty council bye-laws. Stories were legend of police who said they supported us and took poll tax stickers home with them because so many of them were badly hit by

the tax. But some were extremely provocative and it took a lot of effort to restrain our patient and angry troops.

One veteran Ealing demonstrator, Eve Turner also tended to explain the trouble in essentially common sense terms:⁶¹

As usual [the police] were trying to shut down the demonstration before it actually finished. And then people get worked up and freaked out. I've seen it before... I mean its no point pretending that the people involved did absolutely *nothing*. It's a bit of a two way process. [First] the police stir everybody up, they create a bit of tension, people panic and they throw things, because its a sort of defensive reaction and the police come in ten times harder. Then it gets out of hand.

Although there was a consensus among anti-poll tax protestors that the *police* were primarily responsible for the violence, opinion varied as to whether their actions were informed by sheer incompetence, habitual brutality or were evidence of a more sinister attempt to attack the demonstration. There was also little unanimity about the implications of the riot, which posed a series of pressing and difficult questions for the movement. While a violent, defensive reaction to police provocation may well be justified, given the by now established tendency for anti-poll tax protests to lead to confrontations, would any future demonstrations merely serve to weaken the movement and so damage the non-payment campaign? But the organised protestors also faced a more immediate problem: what attitude should it take towards those charged with crimes at the demonstration?

Defending the Defendants

The personal consequences for those arrested were potentially serious and given the protestors' contention that the riot was essentially a 'police riot', could not be ignored. Their eventual organised response took the form of the Trafalgar Square Defendants' Campaign (TSDC), an organisation set up in co-operation with the Haldane Society of socialist lawyers to co-ordinate and

assist people accused of crimes. Significantly, not only was the TSDC wholly autonomous from the All-Britain Federation, but the two bodies had a very uneasy relationship, which broke out into open hostility by October 1990 (see below). One of the founding tenets of the campaign was that it should ‘unconditionally support all those arrested’, a decision implying that any of the protestor’s actions, even violent ones, were acceptable in this particular political context. Consequently, the TSDC tended to define and justify its support role in highly ‘political’ terms (original emphasis):⁶²

Successful mass defiance of unjust laws, and refusal to be intimidated by oppressive policing and hostile propaganda is a great part of our traditions, from the original Peasants’ Revolt up until today. That’s how workers won the right to organise, women won the right to vote and so on. In all these struggles, it was essential to support those victimised, fined and imprisoned.

THIS WE MUST DO – BY SHOWING UNCONDITIONAL AND COMPLETE SOLIDARITY WITH THOSE ARRESTED.

However, the various defences attempted at subsequent trials were rarely overtly political, as the main concern of the majority of defendants was naturally to secure acquittal or lenient sentences rather than use the court to denounce the British state and all its agents. Many defendants therefore pleaded guilty, rather than risk a plea of self-defence, which if unsuccessful might have led to a higher sentence.⁶³

But others chose to contest their case on what may be termed ‘public safety’ grounds, claiming that their participation in the riot was an honest attempt at self-defence in the face of illegitimate, incompetent and potentially dangerous police actions. For example, during the early stages of the riot, attempts to clear Whitehall resulted in severe congestion, leading some sections of the crowd to chant ‘Hillsborough! Hillsborough!’ at the police, a reference to a well known incident of incompetent crowd control tactics at a football match that led to a large number of fatalities in 1986. Indeed, many active rioters’

accounts of the day display a strong sense that the police had over-stepped their legitimate function and attacked the crowd, which in turn justified the actions of those who fought back, even for individuals who would not normally consider violence against police officers as desirable.⁶⁴ This found some expression in subsequent trials. One defendant, Michael Conway, an examiner, admitted throwing rocks but pleaded self-defence saying 'I didn't walk away because I took a decision to defend the people behind me'.⁶⁵ The jury acquitted him, although similar pleas did not always prove so successful.

Many of these concerns were echoed in the case of Joseph Jones, 27, an unemployed musician from Southall and the only (known) Ealing resident arrested and charged. In the event he was fined £550 and £311 compensation for smashing a window. Although the police also claimed that he had shouted 'Kill the Pigs' the magistrate appeared sceptical, and chose not to impose a custodial sentence, apparently agreeing with Jones' solicitor's comment explanation that:⁶⁶

he went to the demonstration that day with no intention of getting involved with the police. He broke the window out of frustration because he was knocked down by the police, which he did not think was necessary.

Jones' experience was probably typical of most defendants who, like him, had little or no connection with the organised protest campaign other than their attendance at the demonstration. Meanwhile, the anti-poll tax movement continued to wrestle with the dilemmas posed by the riot.

To demonstrate, or not to demonstrate?

While it would be wrong to exaggerate the extent of their problems, the leadership of the All Britain Federation emerged from the Trafalgar Square demonstration politically wounded. For example, some London groups sought to limit the Federation's future public relations role and the London Federation adopted 'clear guidelines' to be followed by representatives when

talking to the press, including a direction that they should restrict themselves to reiterating agreed policy and concentrate on criticising those responsible for the poll tax rather than 'judging' protestors.⁶⁷ The Federation leaders were so cautious about the desirability of organising any further national demonstrations and faced a number of tactical dilemmas which, in turn, exacerbated tensions already apparent between the Militant leadership and other factions.

In particular, Burns and the other non-aligned National Committee members felt that the movement should reassert its right to protest and keep up the pressure on the government by organising a series of (possibly fortnightly) national demonstrations.⁶⁸ This reflected the widespread belief among many on the left that the East German and other Stalinist regimes had been 'toppled by a spontaneous movement of popular sovereignty – peoples' power'.⁶⁹ As we saw in Chapter Three, the imagery of 'peoples' power' not only suffused the rhetoric of the anti-poll tax movement, but was also frequently cited by protestors during and after the 31 March demonstration. However, the leadership of the Federation remained deeply sceptical about the suggestion, arguing that such demonstrations would only serve as a distraction from the mass non-payment campaign. The loose structure of the anti-poll tax movement, which as we have seen, was primarily local, offered little scope for a comprehensive or ordered debate around future tactics and this in turn allowed the Federation's leadership to largely ignore calls for an immediate national demonstration. Nevertheless, the campaign clearly needed some form of national focus and a number of regional bodies and local federations passed resolutions and lobbied for a new national initiative. Consequently, the All-Britain Federation called a 'Peoples March Against the Poll Tax' in September and October 1990, a largely symbolic protest redolent of the Jarrow crusades of the 1930s and the TUC's 'Right to Work' marches of the 1980s. So instead of an overt attempt to mobilise 'peoples' power' on the Eastern European model through confrontational demonstrations with the state, the Federation seemed more intent on evoking powerful myths and symbols of the British labour movement.

After an often fraught internal debate the London Federation agreed to organise a rally in Brockwell Park to 'greet' the arrival of the 'People's Marchers' on October 20.⁷⁰ This deliberately limited event effectively avoided the risk of further violent confrontations between police and protestors posed by another central London demonstration. However, the arrangement failed to satisfy a minority of anti-poll tax activists who insisted that the demonstration should seek to highlight the situation of Trafalgar Square defendants and generally reassert the 'right to demonstrate'. So the TSDC, supported by some local groups and Federations, called for pickets of first Horseferry Magistrates Court on the morning of the 20 October, and then, after the main rally, a break-away march to Brixton prison in the afternoon, where four rioters were incarcerated. The protest organisers were now effectively divided between the London Federation and the TSDC, each promoting rival a demonstration, with different aims. The potential for conflict was apparent to all sides.

Predictably then, the All-Britain and London Federations made few, if any meaningful efforts to promote the proposed Brixton demonstrations. In part this reflected their parlous financial position, as well as an ongoing desire to scotch the efforts of opposition factions. Interestingly, according to Waddington the police were kept well informed of the financial difficulties and internal disputes within the London Federation, which had been infiltrated by Special Branch informers and this information helped direct the course of the rally along 'safe' lines.⁷¹ The TSDC meanwhile held separate meetings with the police and agreed changes to the route to minimise traffic disruption. The campaign also established a legal liaison system, with sixty observers, many equipped with cameras and video cameras, to monitor police tactics and behaviour and a 48 hour co-ordination office staffed by sympathetic solicitors and doctors was established.⁷²

But just as protestors are not homogeneous, then neither is the modern state, which comprises a number of different agencies, each with its own particular interests and policy agenda. This became evident in official reactions to the proposed October demonstration. For example, the proposed demonstration occurred during a period of conflict within the Conservative Party, which was

highly alarmed at the apparently deep-seated electoral unpopularity of the poll tax. Further scenes of disorderly protest were therefore distinctly unwelcome and the police were given to understand that any request to ban the forthcoming demonstration would be met sympathetically by the government.⁷³ However, marches and demonstrations in London can only be banned by the Home Secretary *at the request* of the police and the suggestion was fiercely resisted by senior officers, who opposed the banning of demonstrations on the pragmatic grounds that this would only serve to provoke further disorder. Rank and file officers, who had born the brunt of the Trafalgar Square fighting, were less sanguine and the organisers expressed fears that some officers hoped for a 'rematch' with the poll tax protestors. Indeed, Deputy Commissioner Metcalfe the officer responsible for the Brixton march conceded at a meeting on the night before the demonstration that he too had heard 'rumblings' confirming the rumour, but promised that any officer who stepped out of line would be dealt with 'with the utmost severity'.⁷⁴

On 20 October the Federation's rally in Brockwell Park, attended by some 30,000 people passed largely without incident, although a residue of conflict from events at the previous demonstration was apparent. Several leaders of the Federation were barracked by sections of the crowd who denounced them as 'copper's narks' and a degree of tension between different political currents among the crowd was evident. In part this reflected its composition, which was more heavily weighted towards the organised Left than that of the 31 March demonstration. Similarly, attendance was down and the number of family groups present much reduced – presumably reflecting concerns about the possibility of trouble. During the rally supporters of the Brixton prison picket circulated among the crowd promoting the breakaway demonstration and by 3.45 some 2,500 people had formed up.

Given the experience of the Trafalgar Square riots it seems safe to assume that the majority of the crowd in the breakaway section realised that conflict with the police, if not certain, was at least possible. For example, the police outnumbered demonstrators with over 3,000 officers deployed, shadowing the march in ranks of 2-3 deep. Brixton prison was reached without significant

incident. Outside the prison the picket initially remained generally peaceful with few arrests, although some protestors chanted 'Maggie Thatcher's Boot Boys' at police and some missiles were thrown. At about 4.30 p.m. the police began to deploy riot units and proceeded to disperse the picket, which was scheduled to run for another hour. In the course of this at times violent operation some 120 protestors were arrested and 40 police injured. As usual, no figures are available for the number of protestors hurt and no disciplinary action was subsequently taken against any officer.⁷⁵

The ferocity and extent of the rioting, certainly in comparison with the Trafalgar Square demonstration, was small scale – hardly surprising given that the police outnumbered protestors throughout. However, the political inferences drawn revealed how far the fabric of consensual protest had been stretched. In a press conference after the riot DAC Metcalfe claimed that 'anarchists intent on clashing with police' were responsible for the violence and suggested that future anti-poll tax demonstrations may have to be banned. Although this suggestion was endorsed by a number of Conservative backbenchers, the Home Secretary, David Waddington, was publicly more circumspect, and at this stage confined his comments to denouncing the rioters and calling for a full report. Nevertheless, this sequence of events inevitably served to reinforce widespread fears that, once again, anti poll tax protests were being deliberately targeted by police. For example, the Federation leaders concluded that the violence was 'pre-planned' and that the police had 'attacked' the march.⁷⁶ Similarly the TSDC claimed that:⁷⁷

Police allegations that the protest was hi-jacked by a violent minority are simply not borne out by the facts. To the contrary, it appears that, in the face of enormous provocation and excessive violence from police, demonstrators showed great courage and restraint and their behaviour deserves to be applauded.

What was the attitude of the Ealing protestors to these various developments? Overall, the Ealing campaigners remained preoccupied with *local* issues and seem to have seen these national events as a sub-plot to the real drama being

played out in their locality. So, while they were obviously aware that national demonstrations might easily take another violent turn, the Ealing Federation's seemed mainly concerned with protecting its supporters in the event of trouble. For instance, the Ealing Federation provided some central stewards at the October rally and encouraged supporters to go on a chartered bus rather than use public transport, in order to ensure that there was a 'separate Ealing contingent on the march, stewarded by our people'.⁷⁸ Similarly, when the All Britain Federation organised another central London demonstration on 23 March 1991 'to put the last nail into the coffin of the Poll Tax', the Ealing protestors dutifully publicised the event, provided central stewards at the request of the London Federation and attended as a single contingent, with the Ealing Hospital APTU organising a local bus.⁷⁹

It would be tempting then, to assign only limited *local* significance to the dramatic confrontations at poll tax protests outlined in this chapter. But any local/national dichotomy should not be overplayed. After all, crowds of people at national events do not simply gather spontaneously, but are usually mobilised locally. Moreover, whether for good or ill, it was the local activists who had to deal with most of the consequences. Given the strong association between the 1990 poll tax demonstrations and violence there was, as we have seen, a clear danger that the local campaigns might be damaged. But as we have also seen, this did *not* emerge as a major problem. Instead, the general experience of the national protests – particularly the huge 31 March demonstration – was overwhelmingly beneficial to the local campaign. Firstly, the riot attracted substantial media coverage and so raised the poll tax as a political issue to the forefront of national political discourse. Secondly, each demonstration served to galvanise local activity and despite differences over tactics, encourage local groups to feel part of a bigger, national movement. But ultimately their most important impact of the demonstrations was the obvious sense of empowerment and confidence felt by local activists, who emerged emboldened by the sheer size and determination of the crowd. It seemed that they had been present at a dramatic and important historical event and one Ealing protestor felt able to describe the Trafalgar Square demonstration as 'one of the best days of my life'.⁸⁰

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- ¹ Department of Education and Employment, *Education for Citizenship and the Teaching of Democracy in Schools*, Qualifications and Curriculum Authority, London, 1998, p10
- ² G. Parry, G. Moyser and N. Day, *Political Participation and Democracy in Britain*, Cambridge, 1992, p424. Only 1,578 people were surveyed, drawn from six geographical areas
- ³ Alan Marsh, *Political Action in Europe and the USA*, Macmillan, Basingstoke, 1990
- ⁴ Parry et al. pp 420-421
- ⁵ S Tarrow, *Power in Movement: Social Movements and Contentious Politics*, second edition, Cambridge University Press, 1998, p100
- ⁶ D. Marquand, *The Unprincipled Society*, Fontana, London, 1989, p196
- ⁷ R. Dalton, *Citizen Politics in Western Democracies*, Chatham House, New Jersey, 1988, p63
- ⁸ T. Critchley, *The Conquest of Violence*, London, 1970
- ⁹ R. Clutterbuck, *Protest and the Urban Guerilla*, Cassell, London, 1973, p33-37
- ¹⁰ M. Thatcher, *The Downing Street Years*, Harper Collins, London, 1993, pp 340-341 and K. O. Morgan, *The People's Peace* Oxford University Press, Oxford, 1992, pp353-357
- ¹¹ Parry et al. p52
- ¹² Stuart Hall, *Drifting into a Law and Order Society* Cobden Trust, London, 1982, p11
- ¹³ K. Ewing & C. Gearty, *Freedom under Thatcher* Clarendon Press, Oxford, 1990, pp 84-128
- ¹⁴ See for example British Society for Social Responsibility in Science, *Techno Cop: New Police Technologies* Free Association Books, London 1985, p92, which noted:

'if democratic rights and civil liberties are not to become a complete facade... encroachments of state power must be rolled back, the apparatus of the centralised technological police force dismantled. Until that is achieved, we live under the threat of a tightly disciplined, politically controlled shock-force of battle-hardened troops, a compliant tool of any authoritarian government'

- ¹⁵ TSDC, *Preliminary Report on the Policing of the Anti-Poll Tax Demonstration of October 20th* London, 1990, p4
- ¹⁶ Leaflet ABAPTF, March 1990
- ¹⁷ EAPTC minutes 12 March 1990
- ¹⁸ ABAPTF Bulletin March 1990
- ¹⁹ Tommy Sheridan & Joan McAlpine, *A Time to Rage*, Polygon, Edinburgh, 1994, p126
- ²⁰ *Militant* 30 March 1990
- ²¹ ABAPTF Bulletin March 1990
- ²² See Metropolitan Police, *Trafalgar Square Riot Debriefing*, 1991 and J. Cook and J. Stevenson, *Handbook of Modern British History*, Longmans, 1996, p197 respectively
- ²³ *Militant* 6 April 1990
- ²⁴ Interview Mike O'Connell 1 February 1999
- ²⁵ Interview Rachel Jones 19 March 1999
- ²⁶ Interview Kevin Carling 8 April 2000
- ²⁷ Danny Burns, *Poll Tax Rebellion*, AK Press, Stirling, 1992, pp88-89
- ²⁸ Interview Tony Ward 8 February 2000
- ²⁹ Metropolitan Police, p5
- ³⁰ P Waddington, *Liberty and Order* UCL, London, 1994, p15
- ³¹ A Mitchell, 'The Poll Tax Riot 1990 – Building a real time video chronology'. Paper and video presentation to 4th Conference on Alternative Futures and Popular Protest, Manchester Metropolitan University, 1998
- ³² *New Statesman & Society* 6 April 1990
- ³³ Burns p92
- ³⁴ Metropolitan Police, p i
- ³⁵ *The Times* 2 April 1990
- ³⁶ *The People* 13 May 1990
- ³⁷ TSDC Bulletin June 1990
- ³⁸ Sheridan & McAlpine p129
- ³⁹ M Thatcher, *The Downing Street Years*, Harper Collins, London, 1993, p661
- ⁴⁰ TSDC Newsletter, June 1990
- ⁴¹ See D. Butler, A. Adonis and T. Travers, *Failure in British Government. The Politics of the Poll Tax.*, Oxford University Press, Oxford, 1994. pp154-155

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- ⁴² Trades Union Congress, *General Council Report*, London, 1990, p106
- ⁴³ 6 April 1990
- ⁴⁴ See Burns, pp105-116.
- ⁴⁵ Interview Astra Seibe 22 October 1997
- ⁴⁶ Interview Tony Ward 8 February 2000
- ⁴⁷ Interview Francois Fajolle 19 April 2000
- ⁴⁸ Butler et al. p154
- ⁴⁹ Robert Reiner, *Policing, Protest and Disorder in Britain* European University Institute, Florence, 1997, p15
- ⁵⁰ R Jowell, L Brook and BTaylor (eds.), *British Social Attitudes: the 8th report*, Dartmouth, Aldershot, 1991 p175 & p200
- ⁵¹ A. Heath and D. McMahon, 'Consensus and Dissensus' in *ibid.* p8
- ⁵² Letter from C. Reynolds to EAPTF, 3 April 1990
- ⁵³ Interview Rachel Jones 19 March 1999
- ⁵⁴ Interview Kevin Carling 8 April 2000
- ⁵⁵ Sheridan & McAlpine, p126 Militant's position was also echoed in Ealing in a post-demonstration edition of *Anti-Poll Tax News* produced by Acton APTU, April 1990:

'The Anti-Poll Tax Unions do not condone the violence which occurred after our demonstration. It will not help defeat the poll tax and gives anti-working class bigots in the press and the Tory party more fuel for their rantings. The actions of the rioters (mainly poor, homeless youth) are a direct result of the government's attacks on youth. Everyone who was there agrees the main cause of trouble was the vicious tactics of the police. While the stewards were trying to calm people down the police were provoking the crowd and handing out indiscriminate beatings. Their [sic] should be a full enquiry by the All-Britain Anti-Poll Tax Federation supervised by the trade unions.'

- ⁵⁶ *Spare Rib* April 1990
- ⁵⁷ Independent Labour Publications, *The Battle of Trafalgar: Where Next for the Anti-Poll Tax Movement?* Leeds, 1990 p4
- ⁵⁸ See Waddington.
- ⁵⁹ Anon, *Poll Tax Riot: 10 hours that shook Trafalgar Square* Acab, London, 1990, p34
- ⁶⁰ Reynolds, p49
- ⁶¹ Interview Eve Turner 12 October 1998
- ⁶² TSDC leaflet, circa May 1990
- ⁶³ Mitchell, 'The Poll Tax Riot 1990 – Building a real time video chronology'
- ⁶⁴ See Green, pp240-246 and Clifford Stott, 'The Inter-group Dynamics of Crowd Events'. Paper presented to 4th Conference on Alternative Futures and Popular Protest, Manchester Metropolitan University, 1988
- ⁶⁵ *The Guardian* 18 July 1991
- ⁶⁶ *Ealing Gazette* 18 May 1990
- ⁶⁷ Resolution, London Federation Meeting 8 April 1990
- ⁶⁸ Comments made by Danny Burns at *Resistance to the Poll Tax: Tenth Anniversary Witness Seminar*, 1-4-00, organised by Institute of Contemporary British History and New Politics Research Group
- ⁶⁹ Geoff Andrews (ed.), *Citizenship*, Lawrence and Wishart, London, 1991, p11
- ⁷⁰ See letter to TSDC from Steve Nally, 25 October 1990 which criticises the organisation of the October Brixton demonstration and the reply by Paul Bowman and Dave Morris of the TSDC, 7 November 1990.
- ⁷¹ Waddington, pp106-7
- ⁷² See TSDC, *Stand Firm* January 1991, for a full description.
- ⁷³ Waddington, p52
- ⁷⁴ Burns, p120
- ⁷⁵ Two comprehensive accounts of the Brixton demonstration exist. See Waddington for the police perspective and Burns for the protestors
- ⁷⁶ *Militant* 26 October 1990
- ⁷⁷ TSDC, *Preliminary Report on the Policing of the Anti-Poll Tax Demonstration of October 20th* 1990, p13
- ⁷⁸ EAPTF Circular 16 October 1990

⁷⁹ EAPTF Circular March 1991
⁸⁰ Interview Kevin Carling 8 April 2000

Chapter Six

Clog Up the Courts!

This is the first of two related chapters that look in detail at the experience of the non-payment campaign. The dramatic national events outlined in the previous chapter signalled to local activists that their campaign had now entered a new phase. They now had to turn the rhetoric of civil disobedience, of mass non-payment, into reality. Inevitably given the nature of the campaign, much of the subsequent experience of both protestors and the authorities was defined by the legal and administrative process used to recover unpaid poll tax. The process had two distinct stages. The first stage – the subject of this chapter – was dominated by the liability hearings. The intention here was to encourage non-payers to express ‘people’s power’ through a mass attendance of charge payers which would effectively ‘clog up’ the court. This in turn would help render the tax unworkable. The second distinct stage of enforcement - the use of bailiffs and the imprisonment of non-payers - is the subject of the next chapter. However, given the intense political controversy generated by the tax, the legal process was always related to (and ultimately proved subordinate) to more overtly political considerations. So in Ealing, Acton magistrates’ court also came to serve as a local arena in which differing conceptions of the proper role of the active citizen could be contested.

From Liability to Imprisonment - The Legal and Administrative Process

It is a feature of all bureaucracies that wherever possible changes are introduced on the basis of past policies and procedures. So the legal framework for enforcement under the Local Government Finance Act 1988, and the resulting administrative procedure deployed by most council Finance departments to recover unpaid poll tax, broadly followed that utilised under the rates. The recovery procedure had two broad phases.¹ The first concerned the establishment of liability for debt:

- First bill issued to every charge payer.

- First reminder issued.
- Second reminder (optional).
- If bill still outstanding seven days after the first reminder is served, the charge-payer loses right to pay in ten monthly instalments.
- Fourteen days after first reminder is served, local authorities can begin court proceedings.
- Summons to Liability hearing by local magistrates' court.

Once a liability order had been issued, the second phase of the recovery procedure ensued. Although this will be the subject of the next chapter, it is worth briefly identifying the three main methods the local authority could use to recover the debt and the 'ultimate sanction':

- Attachment of earnings order to deduct money from the wages or salary of the debtor.
- Deductions from Income Support, if applicable.
- Distress – the seizure (or 'distrain') of goods and property by certified bailiffs.

If this distress failed to elicit payment the local authority then had the right to apply to the magistrates court for a warrant of commitment in an attempt to get the debtor sent to prison for a maximum of three months. While poll tax non-payment was a civil rather than criminal offence across the UK, there were some notable differences between the initial legal recovery procedure in Scotland and that applied later in England and Wales.² For example, in Scotland local authorities could not have taken non-payers to court and all proceedings were dealt with by post. However, in both England and Scotland there were no fines for non-payment, although legal costs could be added (together with a 10% surcharge in Scotland only).

Don't Panic, Don't Pay!

Although the authorities possessed substantial coercive powers, mounting evidence of large-scale non-payment in Scotland in 1989/1990 suggested that

most were likely to experience collection problems. For example, by the end of September 1990 1,200,000 warrants had been issued by Scottish local authorities. If a similar rate of non-payment occurred in England and Wales some 12,000,000 people would be summonsed, out of a total population of 35,652,150 eligible charge-payers.³ As early as June 1989 Ealing's Policy (Finance) Sub-Committee heard estimates from officers that the 15,000 summonses issued under the rates was likely to increase to 60,000.⁴ Block booking of 30 days court-time for summer 1990 was subsequently arranged, with the aim of taking the first defaulters to court in July. Public statements from councillors and council officers further reinforced expectations that a shortfall of collection was likely.

In a remarkably frank interview, Tim Dauncey^a, the Assistant Director of Finance, outlined some of the expected difficulties.⁵ Political problems with the tax included telephone threats to blow up Ealing Town Hall by a doubtless mythical terrorist group calling itself the Shining Path Anti-Poll Tax Unit.^b The Ealing Anti-Poll Tax Federation seemed positively moderate in comparison, pledging merely to 'cause difficulties if the council attempts to prosecute non-payers'. Dauncey also cited a number of compelling practical problems, including the update of the community charge register, which by April 1990 was already out of date. As he conceded, 'unless you do door-to-door canvassing every day you are not going to keep on top of the situation'. On a more positive note the expected number of summons to be issued was reduced from the earlier figure of 60,000 to 10,000 (presumably for public consumption). But any optimistic forecasts were to prove misplaced, as the timetable for the issue of final reminders slipped from May to August. Similarly the date of the first scheduled liability hearings was moved from July to October. This slippage was problematic for the council on a number of grounds. Firstly, it tarnished any claims it may have wished to make about the efficiency of the collection machinery. Inevitably, growing public cynicism about the council's ability to enforce the charge would encourage some to default. Secondly, the delays disrupted the accepted procedure, which under the rates had been to 'adopt a

^a Rather optimistically billed as 'The man who turns the Won't Pays into Must Pays'

^b A reference to the Peruvian Maoist guerrilla group 'Sendero Luminoso'

hard legalistic line relatively soon after the default on payment so that legal sanctions are available and the charge-payer is aware they are waiting in reserve'.⁶ Together, these allowed a substantial breathing space for those
'ely considering non-payment.

The Ealing protestors' first task was therefore to encourage people to break their previous behaviour patterns under the rates, which most people had paid relatively quickly. Conversely, the council sought to ensure prompt payment by establishing 'easy' methods of collection (eg direct debit), promoting incentives (eg retention of right to pay by instalments) and by publicising the coercive measures available to charging authorities. Inevitably, given these tensions and the controversy generated by the new charge, the payment figures came to assume a particular significance for all interested parties, including the local media, simply because they were the most obvious 'objective' means of measuring the relative success of each sides' campaign. In order encourage non-payment Ealing anti-poll tax groups utilised a number of campaigning techniques between April and November 1990, beginning with a small-scale publicity event on 5 May when about 100 supporters gathered on Ealing Common to 'Bring and Burn' their poll tax bills.⁷ Rosa Ward, the Federation's spokeswoman was also keen to highlight administrative problems associated with the tax, citing the case of 'one twelve year old who had received a poll tax bill' as 'an example of just how chaotic the system is'.⁸ Similarly, the Federation organised a local demonstration on 7 July around the slogan 'No Poll Tax - No Cuts', with financial and logistical support from some local public sector union branches, the IWA and tenants activists.

Although the Federation claimed 'hundreds' in attendance the demonstration was smaller than that of the lobby of the council on 8 March. Given the violence associated with earlier national protests, the Federation was keen from the outset to ensure the event passed smoothly and liased closely with the police.⁹ After a march from Ealing Hospital to Ealing Common, Ealing Federation spokesman Kevin Carlin claimed that 'an astonishing' 60% of Ealing residents had not begun payment and Wally Kennedy, Hillingdon councillor and member of the ABAPTF National Committee estimated that nationally some 14 million were in

arrears.¹⁰ The central theme of non-payment dominated local press reports of the event, which were generally sympathetic, with the demonstrators described as 'families'.¹¹

Meanwhile the newly elected Conservative council continued to experience political and practical problems with the new charge. Although the Conservative group had resolved to cut the council budget by some £20 million in order to reduce poll tax bills to £370 in the next financial year, Graham Bull, Finance Committee chair found that he could give 'no guarantee of anything' without knowledge of the nationally-determined grant settlement.¹² The council was also hampered by lower than expected collection levels, with only 55% of poll tax collected, compared with 75% at the same time in 1989, under the rates. At this stage the council's public statements tended to downplay the suggestion that non-payment was somehow a political phenomenon, blaming instead a number of logistical problems, including an inadequate computer system and a serious backlog in applications for Community Charge Benefit. In August the council issued some 57,000 'friendly' reminders and later in the month, finally succeeded in issuing 14,000 statutory reminders, warning that debtors would lose their right to pay by instalments and be liable to further legal sanctions. As the Federation saw it (original emphasis):¹³

THIS IS CRUNCH TIME FOR US. There is a danger that people on their own will start to buckle under the pressure and pay their poll tax unless we are able to reach them...

But how was this to be achieved? As we have seen, campaigners used traditional methods of communication, such as public meetings, street leafleting and fly-posting. So a series of leaflets headed 'Don't panic – Don't Pay' were produced and distributed throughout the borough between August 1990 and Spring 1991 in response to various bills and summons. Each emphasised certain key themes, such as the sheer number of Ealing residents in arrears ('100,000 people in Ealing have not paid. Why should you?'); the impracticality of the tax ('at this rate it will take them THREE YEARS to take [them] to court'); and the repetition of certain key legal 'facts':

REMEMBER:

- Not paying the Poll Tax is not a criminal offence.
- You will not get a criminal record.
- There are no fines for not paying.
- Bailliffs cannot force their way into your home.
- You will be charged a court cost whether you appear or not.

The council on the other hand, tended to rely on a blend of 'bill blitzing' and publicity stories in the local press. For example, in November 71,000 statutory reminders were issued with prominent threats of court action to follow. The results were at first dramatic with some £6 million collected in one week, and the local press reported the story under the headline 'Poll tax rebels pay up ...if they can'.¹⁴ But typically even this 'good' news story was marred by the seemingly inevitable reports of administrative chaos and insensitive billing, including demands made to children and deceased residents.¹⁵ Nevertheless Conservative councillors sought to portray the figures as evidence of 'a victory' over non-payers, accepting for the first time that the phenomenon was at least in part organised. Similarly, Conservative Party publicity material directly challenged the protestors':

Those who [are] being urged not to pay the new charge, to 'clog up the courts' etc, should stop and think who will pay the bill in the end for the chaos they predict. Answer: the taxpayer, and that means all of us, including the protestors.¹⁶

The protestors were also aware that the civil disobedience campaign would call for more direct means of communication with potential supporters. The favoured method employed in Ealing and elsewhere was the creation of telephone 'advice lines', staffed by volunteers able to dispense information on the likely implications of non-payment. Thus every leaflet, poster and press release produced by the Federation invariably listed a series of telephone contact numbers, usually representing each local anti-poll tax union, together with a central '24 hours hotline' number. The information given invariably concerned the various stages of the recovery process or issues relating to Community

Charge Benefit; although the Federation even fielded a few calls from local businessmen experiencing problems with the Unified Business Rate.

The system of 'hot-lines' reflected the federal structure of the Ealing campaign and callers were encouraged to call their local anti-poll tax union.¹⁷ In addition a '24 hour hotline' number allowed people to leave their name, number and geographical area on an answer machine. The co-ordinator would then collate all the messages and distribute their details, according to area, among a pool of about ten volunteer advisers, who then would return the calls. While it is impossible to accurately assess the number of calls received during the height of the agitation (1990-mid 1991), it seems that the 'hot-line' was generally busy, with at least 50 calls a week and 'on a bad week [there] could be a hundred'. Even assuming an average of 50 calls a week, the Federation 'hotline' alone, would have dealt with over 2,700 enquiries in the first year after of the poll tax's introduction. However this excludes calls direct to local groups and thus almost certainly underestimates the total number of callers.

Unsurprisingly perhaps given this volume of calls, the co-ordinator recalled 'going home from work with a sense of dread... to a series of telephone answering machine messages.'¹⁸ Nevertheless the advice lines offered protestors the opportunity to encourage non-payers to keep their nerve in the face of various council demands and served as a valuable means of putting campaigners in touch with people who had been summonsed. But more importantly perhaps, the various 'hotlines', together with leaflets, posters, public meetings, Saturday morning street stalls and articles in the local papers, however impressionistically, supported the Federations' claim that 'You will not be alone. We shall defend you'.¹⁹

All these preparations implied the need to 'educate the educators' and the Federation organised two day schools on various aspects of the legal process, but with a particular emphasis on training potential 'McKenzie friends' for the impending liability hearings.²⁰ The McKenzie friend procedure allowed another person to 'quietly' help, take notes, suggest questions and advise a debtor in court, although they would only in the most exceptional circumstances be

permitted to directly address the court.²¹ This was particularly significant as defendants in cases of poll tax enforcement were not entitled to legal aid and would therefore be otherwise unrepresented.

The Federation was keen to encourage as many activists as possible to undertake the role: 'You don't have to be a Perry Mason (though if there is anyone of that name in your local APTU let us know). The main thing is to give support to bewildered people in court'.²² However, the duties of a McKenzie friend remained intimidating for anyone without formal legal training and the training sessions - organised by a group of sympathetic teachers and the Federation's legal officer - were therefore geared towards promoting confidence based on practical knowledge of the law.²³ Activists were provided with copies of relevant legal briefings (based upon material produced by the Poll Tax Legal Group and Dyfed Poll Tax Opposition), a list of 98 potential questions the defendants could ask the court and the likely response of the magistrates. The session then undertook various role-plays, with activists taking it in turns to play the McKenzie Friend and going through a series of 'typical' cases:²⁴

- A Mrs Gill says that she never received a reminder from the council, although she agrees that she has not paid any poll tax. The council claim that they did send a reminder and within the specified time.
- B. Mr Johnson had chosen to pay by direct debit. Because of computer problems, the system broke down and Mr Johnston was asked instead to pay by instalments with his paying-in book. He has refused to do this.

It is significant that these examples display no wish on the part of the protestors to encourage non-payers to attempt a 'political' defence at liability hearings. Instead they anticipated the likely effect of the tax on 'ordinary' people in realistic circumstances, with a view to fashioning a credible defence within the narrow terms allowed by the law. This suggests that protestors initially assumed that the court would be generally impartial and allow inconvenient or sustained legal argument.

On the other hand, the Ealing protestors, like many British leftists, were growing increasingly concerned about the supposed impartiality of the British justice system. In part this reflected worries about the apparent drift towards authoritarianism displayed by the police, the courts and the government.²⁵ But it also reflected a more general ideological and social hostility to the magistracy, which the protestors believed, was largely comprised of:

(usually rich) amateurs. You do not have to call them “your worship” and more than likely the poll tax activists will know as much or more about the poll tax law. Many are Conservative Party members. If they are we should be able to challenge them on the basis of political bias.²⁶

This last claim was based on the semi-official manual used by magistrates’ courts – *Stone’s Justices’ Manual* – which stated that a magistrate should not judge cases where they were ‘in some way associated with an organisation which is a party to the proceedings’.²⁷ However, a statutory instrument issued by the Conservative government in March 1990 clarified the matter. It ruled that any JP who was a member of the Conservative Party could not be challenged on the grounds of a potential conflict of interest simply because the poll tax happened to be a Conservative policy.²⁸ Defendants could therefore safely assume that there were no substantive grounds for ‘a reasonable and fair-minded person [to suspect] that the magistrate was incapable of approaching the case with impartiality and detachment which the judicial function requires’.²⁹

The First Hearing

The first liability order hearings in Ealing took place on 11 October 1990 at Acton magistrates’ court. From the outset it was clear that all the organised interests involved with poll tax collection, including the council, the protestors, the magistrates’ bench (on this occasion chaired by Lady Henrietta Bennett) and the local press were well aware of its symbolic significance. The event therefore usefully highlights some of the main features of the hearings, such as the protestors’ tactics, the attitude of court officials and the local magistracy, the council’s policy and the behaviour of non-payers with no previous record of

political activity who turned up to contest their cases. As usual, the Ealing protestors were kept well informed of the councils' planned legal moves, the exact numbers that were to be summonsed, the time and date of the first hearing and which areas were to be covered. This allowed time for careful preparation, including the organisation of 'Makenzie's [sic] friends in court, people in the public gallery, stewards outside, a runner between inside and out, a welcoming committee, a photographer' and provision for a creche in the nearby West London Trade Union Club.³⁰ However, experience in other areas had shown that these efforts would only be effective if combined with a mass attendance.³¹

if 1 in 37 appear, courts will be unable to cope... Under the rates the council was able to proceed by hundreds of orders going through on the nod. If in your town you can get 5,000 people to contest their actions for only 20 minutes that's nearly 1,667 hours, or 278 days of a courts time. Excluding weekends there are only 261 days a year! The system would collapse.

Events at liability hearings throughout the country from the summer of 1990 onwards certainly suggested that unusually high attendance levels could be expected. For example, liability hearings for 3,000 non-payers held in the Isle of Wight were abandoned following problems with evidence and crowd pressure. In this case a local anti-poll tax activist successfully argued that the council had failed to allow sufficient time between the service of the reminder notice and the taking out of the summons.³² Similarly, at one London court in January 1991 1,500 non-payers turned up for a hearing of 5,000 summonses.³³ Meanwhile, Ealing council was just as keen to see a low turn out as the protestors were to see a high one. Although the civil nature of the recovery procedure tended to discourage attendance by taking away the threat of arrest if debtors did not appear, the council also attempted a number of other strategies. For example, the numbers summonsed to the first batch of hearings in winter 1990 was kept deliberately low at only 200 per hearing in order to encourage a speedy resolution of all cases and establish sound procedures for future hearings. Similarly, a one page notice, printed in large bold red type was enclosed with every summons, which simply read (original relative point size retained)

IMPORTANT

YOU DO NOT HAVE TO ATTEND COURT
TO MAKE AN ARRANGEMENT TO PAY

YOUR COMMUNITY CHARGE

CONTACT THE COUNCIL

IMMEDIATELY

ON THE TELEPHONE NUMBER

SHOWN ON THIS SUMMONS

In the event, only 25 of the 200 summonsed for 11 October paid up beforehand and a dozen of the 175 outstanding cases (7%) turned up to contest liability.³⁴ At court the Federation's welcoming committee approached all defendants, offered to provide help, a McKenzie friend and urged them to actively contest their case. Most agreed to be assisted by Ben Savill (the Federation's legal officer). Rather surprisingly, the court chose to interpret the applications for McKenzie friend quite literally, asking Savill how long he had known the defendant and how he had met them?³⁵ As Savill's 'friendship' with the defendants was obviously of rather brief duration, the application 'brought sarcasm into the court clerk's voice'.³⁶ In his initial application the council's lawyer, Mr Humphries:³⁷

made reference to the activities of Anti-Poll Tax Groups, encouraging people to delay court proceedings and circulating lists of questions to be used to waste court time; [he] reminded the magistrates that question should be limited to the specific issue [of liability].

Humphries was also particularly keen to emphasise that 'political objections to this tax are not matters for this court, Parliamentary procedure is the mechanism for that'.³⁸

When the bench began to process the cases most defendants were surprised to discover that it initially proposed to deal with them in batches, presumably to speed the process along. However, on Savill's advice, each requested and was granted the right to an individual hearing. Perhaps emboldened by 'a packed

public gallery of young and old [which] gave good-natured support', the first six defendants 'laughed, chatted and shuffled around as they stood in line before the bench'.³⁹ But, as the proceedings moved into individual hearings it became obvious that most were over-awed by the atmosphere of the court, hampering Savill's efforts to act as a McKenzie friend:⁴⁰

the main problem is that all the defendants were very nervous: no sooner had I told them what to say than they had forgotten it – they got the wording muddled and didn't ask the right things – and when they reluctantly got into the witness box, they soon ran out of things to say.

Partly this reflected the narrow line taken by the court clerk on questions regarding the accuracy and legal validity of the council's evidence – the only substantive grounds upon which to contest the liability order applications – which tended to be brushed aside or brusquely ruled as 'irrelevant'. This particularly annoyed the protestors as 'the council did NOT have a copy of the people's entry on the register and offered no evidence that bills/reminders had been sent out other than the word of the council officer in the witness box. Despite repeated objections... the magistrates accepted his word as gospel' (original emphasis).⁴¹ Although legal argument failed to halt the proceedings, it took some 2 ½ hours to process the dozen contested cases, an average of twenty-five minutes per defendant. Moreover, the Federation clearly succeeded in politicising the hearings. Subsequent press reports cast the hearings primarily as a *political* event and highlighted Ealing Federation's intention to 'stall' the proceedings.⁴² The press also sympathetically reported the administrative chaos and travails of 'ordinary' non-payers, which prompted one defendant, Gerald Gresley of Northolt, to describe the hearings as 'a kangaroo court'. Understandably perhaps, the Federation was rather pleased with the outcome.⁴³

I hope you all saw the front-page article in last week's Ealing Gazette. It made marvellous publicity for our local campaign. That will only be a bit of compensation that 174 liability orders were passed... They still have to get the money out of them, though. And at the present rate of

knots it will take them twenty years just to get the legal OK to move against all the non-payers in the borough.

Every other Thursday... forever

This soon proved over-optimistic as a number of factors encouraged a robust response. Firstly, the level of default in the borough left the council with little option but to escalate court action. Secondly, the Conservative councillors, on the basis of party loyalty alone, could be expected to strive to make the new tax work as well as possible. Thirdly, they naturally displayed ideological opposition to the leftist protestors and seemed to increasingly equate non-payment with the organised non-payment campaign. In any case, with only a few months left to go before the end of the financial year, the Ealing Conservative's needed to boost collection levels if they were to fulfil their election pledge to reduce poll tax bills to £370 in 1991/2. For disturbingly, Ealing was one of the ten London boroughs with the worst (or as the protestors saw it the 'best') percentage of registered charge-payers who had paid nothing by 31 December.⁴⁴

Authority	% who had paid nothing
Lambeth (Lab)	43%
Hackney (Lab)	38%
Haringey (Lab)	31%
Southwark (Lab)	29%
Camden (Lab)	27%
Westminster (Con)	27%
Waltham Forest (Lab)	23%
Ealing (Con)	21%
Hounslow (Lab)	18%

Consequently, between January and March 1991 alone the following liability hearings were arranged in Ealing:⁴⁵

D:	No. summonsed	Area
Jan 24th	4,000	Mainly closed accounts (i.e. people who closed standing orders & fell in arrears).
Feb 7th	4,000	North
11th	2,000	Central
12th	4,000	West
13th	2,000	East
14th	2,000	North
20th	2,000	Central
21st	4,000	West
25th	2,000	East
Mar 4th	2,000	North
5th	4,000	West
6th	2,000	East
7th	<u>4,000</u>	Central
	38,000	

While dramatic, these sorts of figures were not particularly unusual in London. For example 11,000 people were summonsed in Camden alone in January 1991. Thereafter, a relentless pace was maintained in Ealing with liability hearings held 'every other Thursday... forever'.⁴⁶ By early July 1991 approximately 60,000 summonses had been issued⁴⁷, rising to 74,052 by January 1992⁴⁸. By October 1992, the total number of outstanding liability orders stood at around 100,000.⁴⁹

The sheer scale of these proceedings seemed to offer a golden opportunity to the Ealing protestors to clog up the courts. On the basis of previous hearings in winter 1990, a turnout of between 5-10% of non-payers might reasonably be expected. According to the Federation, although the hearings were unlikely 'to involve many hard core refuseniks', these sorts of numbers meant that 'anything [could] happen and we have to make sure that it does!'⁵⁰ This was no mere rhetorical threat and as early as January 1991 it had become clear that the courts

were under considerable strain. So much so, the government actively considered by-passing the justice system altogether and giving local authorities powers to issue liability orders directly, subject to the right of appeal at a magistrates' court. However, the plan was quietly shelved, possibly because of concerns raised by the opposition, with David Blunkett noting that 'no tax is worth the erosion of civil liberties and democratic rights required to make poll tax in some way workable'.⁵¹

Over the following months the protestors deployed various strategies and legal arguments to delay the proceedings, but despite the increased numbers processed by the courts, they failed to halt a single one. As one protestor recalled:⁵²

It was like trying to climb a greasy pole... Even though we never got the majority of people summonsed to turn up to the magistrates court, on many occasions we managed to get sufficient numbers of people to hold up the proceedings for quite a considerable period of time and make the magistrates sit through hours of stupid questions.

But the fact remained that the Acton magistrates invariably passed the vast majority of liability orders, whether defendants turned up to actively contest their case or not. Again this seems to have been fairly typical of the experience of organised protestors in London, prompting some activists to conclude as early as February 1991 that 'the battle can't be won in the courts. However... [campaigners] should still turn up in order to delay and frustrate the council's progress..., make contact with non-payers and for publicity'.⁵³

Why then, did the protestors in Ealing and elsewhere fail to clog up the courts? Firstly, the numbers of non-payers being processed soon came to pose as serious a logistical problem for the Ealing Federation as it did for the council. In order to meaningfully affect the outcome it was necessary to have at least half a dozen activists with a reasonable knowledge of the legal procedure present. As most protestors were in full time employment activists had to take days off work, or more riskily, pull a 'sicky'. Clearly, this level of activism could only be

sustained temporarily and an almost apologetic note began to creep into the Federation's appeals for court advisers during 1991:

we really do need to maintain some sort of presence... Preliminary reports seem to indicate that much fewer people are turning up second time around, knowing the court hearing is a farce, but there are always people in some sort of trouble there.⁵⁴

In any case a decline in the numbers of non-payers attending the court had become apparent soon after the abolition announcement. The high-point of attendance appeared to be the autumn/winter 1990, when an estimated 10% of those summonsed contested liability.⁵⁵ A survey by All Britain Anti-Poll Tax Federation noted that the announcement had the effect of diffusing the poll tax as a national issue [but paradoxically] this has led to many people ignoring court summonses believing the poll tax has been abolished'.⁵⁶ Even so, the numbers were still significantly higher than under the rates, when only 1% of summonses were contested.⁵⁷ For example, of the 3,494,701 liability hearings up to 25 October 1991, 152,275 were contested (4.3%).⁵⁸ Nor did the overall number of summonses significantly decline, with over 4 million people summonsed nationally in just the first six months of the 1992/3 tax year.⁵⁹

A third factor reducing the impact of the campaign was the increasingly successful attempts by court and council officials to encourage non-payers not to actively contest their case and instead reach an accommodation as to future payments. For the first few hearings council employees were forced to mingle in the court foyer alongside with defendants and protestors. Unsurprisingly perhaps, many members of staff felt intimidated and in March 1991 NALGO members of the Community Charge Collection section threatened to withdraw cover at Liability Order hearings due to fears of 'violence and possible tragedy' at the hands of 'angry defaulters'.⁶⁰ Thereafter the court made a room available for council use and the court ushers actually directed defendants towards the council officials. Naturally, the spectacle of the court openly colluding with one of the parties in the case did little to bolster its claims of impartiality.

Moreover, in January 1991 the Acton magistrates banned the use of McKenzie friends. Unable to directly intervene in the proceedings (except on the relatively frequent occasions an active supporter of the Federation was summoned), the protestors were reduced to distributing written and verbal advice to non-payers before hearings, or offering vocal support from the public gallery. Nevertheless the protestors energetically continued to encourage all non-payers to 'have their day in court' and one 'anti-poll tax advice sheet' warned non-payers (original emphasis):⁶¹

CAREFUL OF THE COUNCIL!

DON'T DO A DEAL!

As you enter the magistrates [sic] court, council officials hanging around the lobby will try to get you to do a deal. They want to avoid the hassle of you going to court. In the past they have made offers to people and at the same time the court has been stamping out liability orders against the same people... You have nothing to gain. You can do a deal just as easily afterwards... DON'T BE INTIMIDATED

Increasingly then, many of the activities of Federation court advisers could be cast as *apolitical*. Their advice tended to emphasise the welfare and personal economic circumstances of individual defendants, irrespective of their motivation for turning up. Only a small proportion of the advice was directly addressed to 'won't payers' and the bulk concerned the situation of 'can't payers', particularly those defendants receiving benefits. This included information on their potential right to a rebate, getting court costs waived ('If you don't ask you don't get') and information on how to secure an adjournment for those who 'can't face going into court'.

As we have seen, the government built a 80% rebate into the system, however, a number of problems tended to undermine the effect of the provision. Firstly, the Community Charge Benefit (CCB) section appeared unable to cope with the huge number of applications submitted and experienced a series of administrative, technical and logistical problems, which often led to claims

simply disappearing. As the protestors noted, this was ‘important as probably the majority of plaintiffs in Poll Tax cases have cited problems with CCB as a factor which affected their ability to pay.’⁶² Similarly, the local press routinely ran stories highlighting the inadequacy of the council’s computer system, which frequently issued summonses to people who had either started paying or even paid up in full.⁶³ But from the outset the Acton court chose not to consider the relevance of any outstanding claims for benefit when judging liability – a position later confirmed by the High Court, sitting under Lord Justice Watkins^c in a test case in May 1991.⁶⁴ Whatever the legal validity of the position, it led many defendants to become frustrated. As Eve Turner recalled:⁶⁵

It was important to have [activists] there just to talk to people, to give them confidence and advice... [just moral] support really. Because a lot of people found the court experience really shocking. They couldn’t believe that nobody was interested in the fact that they couldn’t afford to pay.

For most protestors, all this seemed to confirm the general impression that any attempt to contest individual liability through purely legal argument tended to be futile. In any case, the impact of the liability hearings proved less limited than the authorities’ hoped and the protestors originally feared. For example one national survey found that at least 86% of individuals with outstanding orders against them had still not paid up and were consequently being pursued by bailiffs.⁶⁶ So as Oliver New saw it, the authorities’ behaviour was shaped by the failure of the liability hearings to decisively check the growing levels of non-payment in the borough.⁶⁷

They thought that by [summonsing] people down the courts it was all over. Then they discovered that it wasn’t and that caused immense frustration... It meant that the courts had to resort to... ignoring the law in their attempts to process people. It was a staggering thing to watch and [on the rare occasions] when a solicitor would come in all the

^c A judgement by Watkins, L.J. also upheld magistrates’ right to deny defendants the assistance of a MacKenzie friend, discussed below.

procedures suddenly stopped for the duration of that hearing. And when [s/he left] they went back to ignoring the legal provisions again.

New's use of 'they' to describe council and court was significant, for like the majority of the Ealing protestors, he came to see these two supposedly separate institutions as working in tandem. I will return to this serious accusation shortly, but it is worth noting here that a diminishing sense of respect for the impartiality of the court may explain the tendency of some protestors and members of the public to treat the proceedings increasingly irreverently.

Chaotic scenes

Despite the best efforts of the Acton magistrates, their staff and the police, the liability hearings were often rowdy affairs. This atmosphere flowed from the sheer number of people packed into a relatively confined space, the stressfulness of the situation, the activities of the protestors' and the reaction of members of public incensed by the court's apparent refusal to treat their case with the sort of respect they believed it deserved. As we have seen, the ability of the Federation to disrupt the hearings became evident at the first liability hearing which 'threatened to descend into farce' due to heckling and clapping inside the court and 'a loudhailer which kept up a constant anti-tax tirade from demonstrators outside'.⁶⁸ Occasionally, during the course of later hearings fire alarms were also set off or mock bomb threats occasionally made to the court, but these sorts of activities were not approved of by the protestors who thought they would only serve to antagonise the magistrates. That said, campaigners often deliberately (or more usually spontaneously) interrupted court business from the public gallery by shouting, clapping or loudly cracking jokes. In order to curb this, a couple of policemen were normally stationed by the public gallery in order to eject troublemakers or arrest and imprison them in the court cells, pending an impromptu hearing for contempt.

For example, on one occasion the chief magistrate, Stanley Shindler 'lost patience with repeated questions posed by defendants' and ordered the arrest of

six people for contempt, including two Federation McKenzie friends, amid 'chaotic scenes'.⁶⁹ As Rachel Jones, recalled:

he took exception to the fact that I was wearing an anti-poll tax T-shirt and insisted I remove it. So someone threw me a jumper. Then he took exception to the fact that I was chewing gum. Basically he was doing everything in his power to undermine me and put me off my stride. I think it was actually for chewing gum that he had me arrested for contempt of court! It was unbelievable – I was then hoicked out by two burly coppers and locked up.

An hour or so later I was called up to the court again and he said to me "Are you going to apologise to the court?" I'm a very stubborn person and I just thought "Why the hell should I apologise for chewing gum?" [So] at first I refused and then he informed me that I would be found formally in contempt of court and either be fined [up to £1,000] or sent to prison [for 28 days]. And I can remember people in the gallery shouting at me "Apologise! Apologise!" So eventually through gritted teeth, in the most surly manner I could muster, I apologised.

Unfortunately the local press reported the incident and Jones, a secondary school teacher who had rung in sick in order to attend the court, was later the subject of disciplinary action at her school.

Given the number of people summonsed there was always a fair chance that each hearing would include one or more activist supporters of the campaign. Their presence, even without the right to a McKenzie friend, sometimes allowed these individuals to mount relatively sustained challenges to the council's evidence and signal their general defiance. Much depended here on the ability of the protestor/defendant to withstand interruptions or hostile interjections from the bench and then form coherent and credible questions which could not immediately be dismissed as 'irrelevant'. One protestor, Tony Ward, recalled his appearance.⁷⁰

I was summoned to the court and I had a look at all the letters and poll tax bills I'd received from the council. And there was a stupid little mistake. Some of them were addressed to "Flat 1" and some to "Flat 1A". So when I was in the dock I first of all asked if I could be quoted the address on my record. The clerk said they didn't have to do that and I became lawyer-like and said "I think you'll find it *will* be relevant". So [the council official] quoted the record as "Flat 1".

Then I said "I actually live in Flat 1A and this is a serious matter". I went into lawyer mode again and made a little speech: "What would be adequate? Would it be sufficient if you sent letters to the house next door? A house on the same street? The nearest town? The same country? What is required?" I don't think they were impressed by the oratory but the magistrate began to back off and asked "If we defer the case, when would you pay?" And at that point I said I was morally opposed to the poll tax anyway and even if Postman Pat himself had put the summons in my hand I still wouldn't have paid it!

Such sallies were guaranteed a favourable reaction from the public gallery and more able defendants sometimes got a round of applause. But most surreal or comic moments came from members of the public with no previous connection to the campaign. For example, Gill Reavey and Jude Sutherland recalled sitting in the public gallery watching a case when a man suddenly stood up, pointed dramatically at an adjacent policeman and screamed: 'That man has got boots on and I am intimidated by boots!'⁷¹ On another occasion a defendant placed a tape recorder on the bench and to the considerable annoyance of the court clerk played a recording of what appeared to be traffic noise at high volume. Brushing aside all attempts at interruption the defendant defiantly asked 'Why should I pay the same poll tax as everybody else when I have to put with this noise?' while 'the court clerk's eyes nearly popped out of his head'.⁷²

However the conduct of the hearings left many members of the public confused, humiliated or merely angry and in September 1991 an Ealing council employee was assaulted in the court foyer.⁷³ At the first hearing 'wheel-chair bound William McDonald went home after waiting outside for an hour-and-a-half

having allegedly been told there was no wheel-chair access - 'He should have been carried in' said a surprised court official'.⁷⁴ Another incident witnessed by Michael O'Connell was equally fraught:⁷⁵

Some man was in front of the magistrate [who] was being really severe on him. His wife, who was pregnant, was in the public gallery. She stood up and shouted at the magistrate, full of rage, [lots of] bad language and swearing. The magistrate was shocked and asked the policeman to arrest her but she ran off and got away. I don't think the police were motivated to chase a pregnant woman.

Indeed, reports from other London courts suggest that the Acton officials and police were if anything relatively laid back about the presence of public and protestors. For example, at a liability hearing in December 1990 Greenwich magistrates only allowed four anti-poll activists in the court and even then the police demanded their names.⁷⁶ But a number of Ealing protestors recalled that some police, council staff and even low level court officials were often surprisingly friendly and would privately admit that they too opposed the poll tax and were often embarrassed by the proceedings.⁷⁷

It is also worth emphasising that while 'chaotic scenes' did regularly occur the vast majority of court business was expedited speedily and efficiently, with over a hundred thousand orders passed in Acton (and millions nationally) between 1990 and 1993. In part this was possible because only a minority of defendants turned up, in part because of the specific measures taken by court and council to facilitate business, some of which, as we have seen, proved controversial. Certainly the Ealing protestors' levelled two broad charges against the authorities, each of which deserves more detailed consideration. Firstly, they claimed that the local magistracy was politically and socially prejudiced. Secondly they suggested that this bias encouraged the bench to distort, misconstrue or even ignore the law. But how far are these charges actually supported by the evidence? As the second charge directly flows from the first, it seems appropriate to begin by looking at the social and political composition of the bench.

A Prejudiced Magistracy?

In 1990 the 27,000 or so magistrates in Britain dealt with 97% of all criminal cases and possessed wide sentencing powers (which had been substantially increased by the passage of the 1982 Criminal Justice Act).⁷⁸ Therefore the primary purpose of the magistrates' courts was (and is) to deal with *criminal* and not *civil* cases. Under the rates, liability hearings and other hearings connected with debt enforcement formed a minority of those civil cases that fell within the purview of the local bench. So the relentless series of poll tax hearings could easily be seen as an unwarranted interruption to the magistrates' proper job. Common sense suggests that this institutional factor played a part in shaping the courts' antagonistic response to the organised protestors.

However, even keen proponents of the principle of a lay magistracy conceded that its reputation for impartiality was in decline. As Sir Thomas Skyrme saw it, 'much of the population' holds the 'erroneous' view that justices 'are prejudiced, prosecution minded, middle-class bigots, motivated by lust for power and totally lacking in any feeling for those who appear before them'.⁷⁹ Certainly a high concentration of power in the hands of a few appointed individuals could easily seem anomalous in a modern democracy, especially given the apparent eagerness of some magistrates to impose custodial sentences, often against the expressed advice of the Home Office.⁸⁰

There were also worries about the apparently unrepresentative social and political composition of the bench. The vast majority of justices in 1990 were lay people nominated by local advisory committees and appointed by the Lord Chancellor, whose 'declared policy is to make sure that each bench is a microcosm of the local community in which it operates'.⁸¹ This played an important legitimising function as it 'enables the citizen to see that the law is his law, administered by men and women like himself, and that it is not the esoteric preserve of the lawyers'.⁸² But as one study of the appointments system noted:⁸³

The selection of justices of the peace remains a largely personal and intimate affair, almost entirely dominated by existing magistrates who can easily turn into a self-perpetuating oligarchy.

A survey of 25,934 JPs conducted for the Lord Chancellor's department in 1983 found an imbalance in terms of gender with 15,606 men and 10,328 women.⁸⁴ Most JPs also tended to be middle aged and middle class - a 1977 survey found that only 8.2% of magistrates were manual workers and some 63.2% were drawn from various 'middle-class' occupations including company directors, senior managers, landowners, educational professionals, ex-services and a small number of trade union officials. By 1985 there were about 200 black or Asian magistrates, although again, the bulk of these were drawn from the middle-class.⁸⁵ In terms of political composition the magistracy was demonstrably Conservative in 1983, with supporters drawn from the following parties:

Conservatives	41%
Labour	28%
Liberals	11%
SDP	1%
Plaid Cymru	0.3%
Independent & not known	18.7%

In fact this almost certainly underestimates the level of Conservative support among nominal 'independents' as local advisory committees, which put forward names of potential magistrates, often showed 'great ingenuity in dressing up a candidate from one party in the guise of another to satisfy the Lord Chancellor's requirement'.⁸⁶ In any case, according to Burney, successful Labour nominees tended to be drawn from the right of the party with left-wingers invariably excluded as 'extreme'.⁸⁷

Unfortunately, it has not proved possible to assemble detailed information about the Ealing bench at the time of the poll tax hearings, although there is no reason to suspect that it differed markedly from the national picture. There were about 130 magistrates in the early 1990s, covering two courts - Ealing and Acton,

about five of whom came from an ethnic minority background.⁸⁸ The problem of Conservative over-representation appears to have been quite marked, with only about 25% of justices supporting the Labour Party, although this may not have been particularly unusual for the London area where the bench was heavily Conservative.⁸⁹ For example, political imbalance prompted the Lord Chancellor in the late 1970s to seek to introduce more official Labour appointees ‘in some suburbs and well heeled areas of central London’ but without any marked success.⁹⁰ In Ealing the Lord Chancellors’ initiative led to the appointment of four youngish Labour nominees in 1980, but all had resigned by 1990.⁹¹

Although it is relatively easy to show that the political and social composition of the national magistracy fell well short of the Lord Chancellor’s aspiration that the bench should be a ‘microcosm of the local community in which it operates’ it is more difficult to say how this shaped its response to the poll tax protests. The political background of most magistrates implied that they would have scant sympathy with either the aims or tactics of the Ealing protestors. A sense of antipathy is evident from a survey of one specialised legal journal tailoring for magistrates and clerks between 1989-1995.⁹² Initially, although there was a recognition that ‘the amount of civil unrest which has developed following the new [tax] will mean that the courts are in for some hectic times’, the dominant tone was rather facetious.⁹³ One court clerk described the protestors at a liability hearing in Plymouth as ‘mild troublemakers’ while the police, on the other hand, ‘were quite wonderful, as ever’.⁹⁴ He continued:

The dress of the public was multi-coloured and varied, as were the bodies. Some appeared unwashed... One chap indicated three or four times in a loud voice ‘No Poll Tax, No Poll, Tax, No Poll Tax’ and when I looked up I saw that was emanating from a member of the public who, putting it mildly, had a peculiar hair cut... I thought he looked like a Red Indian and the chairman later indicated to me that he thought the young man’s mother really ought to have made sure his jeans were darned, stitched, or whatever...

Then came the first attender, a hopefully not too typical example of modern youth, accompanied by a McKenzie friend... We ascertained

that the non-payer was a slip of a girl about 19, was a one parent family, couldn't afford to pay the poll tax [and] could only follow sentences of about five words.

But as the number of liability and committal hearings mounted the tone shifted from condescension towards annoyance and then alarm at the amount of court time swallowed up by poll tax enforcement. So the government's decision to abolish the charge came as 'something of a relief... Such was the level of organised opposition... courts were expected to sit for far longer than originally estimated'.⁹⁵ More damagingly, the fear was increasingly expressed that the courts had been 'perceived as merely rubber stamping local authority applications'.⁹⁶

A rubber stamping machine?

As we have seen, the Local Government Finance Act (1988) excluded as irrelevant any reason *why* a defendant had not paid, including economic circumstances. Only at the committal stage was an enquiry into a defendant's means required by law. In order to ascertain liability the court was simply empowered to judge whether the local authority had followed the correct procedure in placing an individual's name on the register, issuing bills, issuing a correct summons and so on.⁹⁷ As one anti-poll tax legal guide noted:⁹⁸

Naturally, the law has been so structured ... as to make it as easy as possible for local charging authorities to obtain these orders, and consequently, little if anything which could be possibly described as a legal defence is available.

Similarly, enforcement procedures relating to routine offences (including debts incurred under the old rating system and most road traffic offences) had also excluded almost every conceivable defence. Once liability had been established, the onus was clearly on the individual chargepayer and the local authority to sort out any outstanding problems.⁹⁹ It seemed then that the discretion available to the court was highly restricted, implying that any vehement criticism of the

magistracies' behaviour might easily be misplaced. Nevertheless, evidence from the protestors, comment in legal journals, the reaction of 'ordinary' defendants and the general tenor of press reports all seemed to indicate that at best, the conduct of the magistrates and officials at liability hearings often provoked a degree of unease among those who witnessed it. At worst, it was cast as an abuse of power. Four main accusations emerged over the course of the hearings.

Firstly, the protestors claimed that the court discouraged people from actively contesting their case by promoting a hostile atmosphere at hearings, disallowing reasonable questions in a brusque and rude manner, and frequently interrupting defendants. It was claimed that such behaviour was particularly serious as the vast majority of defendants were 'law-abiding' citizens who were already overawed by the unfamiliar atmosphere of a court. So, according to one Ealing protestor, 'bullying' by clerk, magistrates and council officers 'increased peoples' nervousness and made them 'just want to get it over with'.¹⁰⁰ In fact, the court officials rather than the magistrates tended to bear the brunt of most of the criticism, as the clerk (the only legally trained official in court) played a very active role, inter-reacting with the defendants, asking questions and advising the lay magistrates on points of law. This surprised one Ealing campaigner, who recalled, 'the persona of the magistrates was about as important as the colour of the wallpaper. [The court clerk] was actually running the show and the magistrates just sat there like turnips all day!' ¹⁰¹ As the public face (and voice) of the justice system it was perhaps inevitable that the clerk should have become something of a *bete noire* for the protestors, who variously described him as 'a most unpleasant man', 'horrible', 'irritating', 'pompous' and 'pooterish'. More seriously, the course of the hearings fuelled suspicions that the clerk was 'blatantly hostile and may well have been colluding with the council's lawyers as to how to hurry the process along... he was antagonistic and patronising and tried to be intimidating'.¹⁰²

On the other hand, the protestors themselves were also 'blatantly hostile' to the proceedings and quick to seize upon anything they considered to be an 'injustice'. Similarly, it is always difficult to measure fairly and objectively such intangible human qualities as tone of voice, manner or demeanour. One person's

businesslike countenance may be another's calculated condescension. Moreover, even if court officials did on occasion behave in a manner that could have been interpreted as prejudicial to the organised protestors (and indeed *anyone* who sought to contest liability), perhaps that was wholly understandable given the fraught context. After all, why should the magistrates and court officials in Acton and elsewhere have simply accepted the protestors openly stated intention to 'clog up' their court with equanimity and continue to act as a sort of bumbling, institutional straight-man while the protestors openly mocked, subverted and disrupted the hearings? So in taking a firm line the magistrates may have been upholding the spirit and sanctity of the law.

A similar justification could be used in relation to a second frequently levelled accusation – that because defendants were processed in 'batches' they were effectively denied the right to an individual hearing. Every court had a different procedure, with some hearing all cases individually and others considering batches of up to fifty defendants at a time.¹⁰³ The Acton court seemed to have followed a rather mixed policy. First the council witness stated the case against batches of five or more defendants. The court then allowed individuals an opportunity to cross-examine the official and take the witness stand to argue their case. However, many defendants were too nervous to press the point and most cases were quickly dispatched. Nevertheless, as Ben Savill conceded, the fact remained that at the Acton court 'every defendant was given a chance to cross-examine the council witness, albeit he refused to answer most questions'.¹⁰⁴

Nevertheless the use of a conveyer belt system tended to discredit the procedure for many non-political defendants who left the court aggrieved that their own personal circumstances had not been properly considered. On another level, the spectacle of (often confused) batches of defendants milling around before the bench added little to the dignity of the proceedings or promote the appearance of fairness. For example, magistrates in the neighbouring borough of Brent following similar procedures to the Acton court, prompted Ken Livingstone, MP for Brent East, to observe that the liability hearing he attended resembled a 'cattle market'.¹⁰⁵

Clearly the magistrates were biased against us all the way. They tried to keep as many people out [of the court] as possible. This is clearly an attempt to rubber-stamp it and roll the process forward... If someone is done for murder they don't turn up and find there are seven or eight other murderers being dealt with at the same time. You have the right to be heard and make your point and this is what we are fighting about here.

The third charge, that defendants were deliberately denied the right to McKenzie friends, again relates to the magistrates' efforts to speed up the proceedings. In January 1991 the High Court, under Lord Justice Watkins held that the magistrates' court had discretion to permit or refuse applications for a McKenzie friend.¹⁰⁶ His judgement expressed concern that local justices were increasingly 'being placed in the intolerable position of being faced with people claiming to be friends of defendants who are either politically motivated or activists, whose function it is to oppose some authority whose function it is to carry out the wishes of Parliament'.¹⁰⁷ Acton magistrates responded by immediately banning all McKenzie friends from the court. All this provided further evidence that the magistracy was growing increasingly bullish in the face of what they believed to be organised disruption. Considered in that light the judgement could be cast as a reasonable response to a highly unusual and potentially damaging situation.

Nevertheless Watkins' judgement was generally ill-received. Some believed that 'if not overturned, [it] will encourage magistrates' courts to continue to give priority to the speed at which they dispose of poll tax cases, and to the convenience of local authorities, rather than to safeguarding due process and the rights of defendants'.¹⁰⁸ Concern was not confined to organised protestors or for that matter, the usual liberal suspects, although Liberty (the renamed National Council of Civil Liberties) did write to the Lord Chancellor as early as September 1990 expressing its 'grave concern' about the conduct of some liability hearings.¹⁰⁹ For example, one consistently conservative law journal suggested that justices use the judgement sparingly, 'lest the proceedings should

bear the hallmarks of unfairness'.¹¹⁰ Unsurprisingly perhaps, the judgement was overturned on appeal by the High Court in August 1991.

The judgement had potentially wide implications for the relationship between the law, citizen and state. As defendants in poll tax cases were unable to claim legal aid, the High Court effectively seemed to confirm that they had no right to expert representation. As one Ealing protestor complained, 'while liability hearings are continuing, we have found that legal knowledge is disregarded unless backed up by a professional qualification and right of audience in the courts'.¹¹¹ So local justice did indeed seem to be the esoteric preserve of the lawyers and that the sort of *popular*, voluntary advocacy proposed by the protestors was deemed to be incompatible with the British legal system. This was especially problematic given the contention that many magistrates' courts were simply ignoring all objections to the evidence presented by council officials. But then, there may have been nothing particularly unusual here. As one Welsh campaigner saw it

long experience, and what few surveys have been done, have always tended to show a very strong tendency in the magistrates' court, over a jury trial, to favour the probative value of the evidence of "officialdom" (especially police evidence) over that of the troublesome oiks what have been brought to court for correction!¹¹²

Even so, lawyers supporting the national anti-poll tax campaign warned that the admissibility of computer evidence 'was in doubt'.¹¹³ Given the host of administrative and technical problems associated with the new tax, it was certainly easy to see from a 'common-sense' perspective why some scepticism about the accuracy of computer information may have been appropriate. But in the highly politicised and often fraught context of the hearings any irregularities came to assume a new significance, as they implied that many of the liability orders issued, which stated that individuals owed a certain sum, could simply have been wrong. However, the chief contention of the Poll Tax Legal Group related to a narrower issue. They claimed that 'council witnesses in court... rely on statements displayed on computer screens or computer print outs as the

source of their knowledge to show non-payment. As officers do not have direct, personal knowledge but rely on out-of-court statements from others (in this case computers), the evidence is hearsay and inadmissible'.¹¹⁴ While it was perhaps easy to characterise such objection as a merely technical point, many legal campaigners believed that the amateur composition of the magistracy led them to apply inappropriate 'common-sense' judgements on important points of law. In this instance, justices were being 'swayed by what they consider to be [the] probative value' of evidence when considering its admissibility – a basic error in law.¹¹⁵

Remember, lay justices are not lawyers, and although they are informed about important [legal matters] during their brief initiation into the magistracy, very many, especially the "experienced ones", behave as though it is mere legal mumbo-jumbo which doesn't really apply to them.¹¹⁶

So despite repeated attempts from summer 1990 to argue the point in magistrates' courts throughout England and Wales, it was only finally (and tentatively) accepted in Bury St Edmunds in December 1991. In January 1992 the case was firmed up substantially when Clerkenwell magistrates court also accepted that computer evidence was legally 'hearsay'. (It may be significant that a Stipendiary magistrate, a professional lawyer, rather than a lay justice chaired the court.) In February the High Court also confirmed that computer evidence was 'hearsay' and potentially inadmissible in poll tax cases, allowing people who had had a liability order served against them in the previous three months leave to appeal.¹¹⁷ The potential implications of the judgement were far-reaching as it suggested that some four million or so liability orders may have been wrongly issued. Consequently magistrates' courts in 40 areas adjourned nearly 250,000 summonses pending clarification. Others, including the Acton court, chose to continue to process the cases regardless.

The Ealing Federation therefore wasted no time in launching a test case. On 30 January a barrister connected to the Poll Tax Legal Group attended Acton magistrates' court and argued that Ealing's computer evidence was

inadmissible, but the bench chose to reject the submission.¹¹⁸ Later, in the light of the High Courts' judgement, Oliver New, an Ealing activist, initiated a request for a judicial review of the validity of a liability order issued against him in February 1992.¹¹⁹ However, as New, a train driver, was not eligible for legal aid the potential costs of the case meant the game wasn't worth the candle and after a desultory correspondence the case was allowed to lapse.

In any case, the government immediately signalled its intention to close the 'legal loophole', both through issuing statutory instruments and by incorporating the necessary legislation in the new Local Government Finance Act 1992, then being considered by the Lords. Interestingly, the Labour Party offered no opposition to any of these moves, restricting its criticisms to complaints that the government had not acted quickly enough and had declined Labour's offer of co-operation with 'an instant change in the law'.¹²⁰ Even so, the judgement seemed to serve as a vindication of several years of onerous, detailed (and unpaid) legal research and advocacy in various magistrates' courts undertaken by anti-poll tax legal campaigners. Understandably perhaps, some could scarcely contain their excitement:¹²¹

At long last... justice has been done and seen to be done – with enormous implications... if the Department of the Environment changes the law at this stage it will be impliedly admitting to the biggest blunder in 20th century legal history.

It will be an admission of a colossal [sic] mistake which has resulted in millions of people being denied justice and the protection of the law. It implicates the Government, local authorities and Magistrates' courts... The need for major reforms in the law and the way in which the poor are treated before the courts is becoming increasingly obvious.

While it is tempting to see the disputes over the evidence presented by local authorities at liability hearings as a rather obscure procedural issue, the quality of evidence used in judgements obviously has wider significance for the justice system as a whole. As one anti-poll tax legal guide rather sarcastically put it, 'the rules of the "Law of Evidence"... have long been the proud boast amongst

the rights, liberties and freedoms supposedly enjoyed by Englishmen, distinguishing English Law Courts from those of lesser foreign lands, where people may be fined, jailed and even executed on the basis of mere speculation and hearsay.’¹²² Legal campaigners were therefore keen to compare the issue of (allegedly) tainted evidence at liability hearings with other spectacular contemporary miscarriages of justice by equating the ‘Guildford Four, the Birmingham Six and the Poll Tax Seven Million?’¹²³

Ultimately this author is not qualified to attempt any sort of judgement on the merits or demerits of the legal arguments put forward relating to evidence. However, it seems fair to conclude that at the very least, such legal disputes further undermined the legitimacy of the tax by reinforcing the perception that it was an ill thought out law. But more seriously, when all the complaints about the conduct of the court were considered in aggregate, it is easy to see why a diverse range of political opinion should have concluded that the legal authorities were acting in an arbitrary manner. Given the importance of the idea of the ‘rule of law’ in regulating relations between the individual citizen and the state within the British polity, this was clearly of relevant to the wider question of citizenship.

The Public Interest

The liability hearings revealed several faces of the active citizen, embodied by the principal players at the proceedings, including the Ealing Federation, the thousands of ‘non-political’ members of the public who turned up to dispute liability, the local magistracy and of course Ealing council. Each of these players brought to the arena of the court a distinct vision of where the ‘public interest’ lay in relation to the tax.

As we have seen, supporters of the Ealing Federation sought to pursue the public interest by clogging up the courts in an attempt to make an unjust tax unworkable. But in practice, their attitudes and behaviour were far more complex and two apparently distinct approaches became evident. The first, and most obvious was a highly *political* approach to the liability hearings as an occasion

upon which citizens could collectively protest against the tax and in the process make it unworkable. This implied that the actual content of the hearings, legal argument and so on were of little importance and primarily designed to waste the courts time. The second approach was far more *legalistic* and individualistic. This tended to see the representation and assistance of individual non-payers as a useful political activity in its own right. It followed that protestors should be positive about the capacity of the courts to dispense justice and not simply assume 'that Magistrates have no regard for the plight of Poll Tax debtors... At the very least they will be conscious of the need to be seen to act as fairly as possible in the hearing of Poll Tax cases given the controversy surrounding the tax'.¹²⁴ Similarly, influential legal anti-poll tax activists sought to encourage a sense of empowerment and questioned the idea that 'local authorities are "Big Brother" – all powerful organisations which have powers to do what they like. Local authorities have to follow the law – if they do not they can be taken to court'.¹²⁵

There was always a tension between these two approaches. For example, any political campaign hoping to mobilise 'people's power' would inevitably tend to view the efforts of small groups of usually legally qualified individuals as potentially discouraging wider popular involvement. An undue focus on the limited sphere of the courts could easily obscure the political basis of the anti-poll movement and instead refocus attention on arcane disputes over points of law. Moreover, the experience of the liability hearings seemed to show the apparent futility of much legal argument. For example, despite the controversy over the admissibility of computer evidence in early 1992 the Acton court simply carried on regardless. Meanwhile, the government changed the relevant law. On the other hand, legal campaigners could argue that a politically hostile approach to the courts was counter-productive and merely served to antagonise the authorities. Following the decision to exclude McKenzie friends the Poll Tax Legal Group believed that it was:¹²⁶

of lasting regret that there have been some anti-poll tax campaigners who used the McKenzie friend procedure as a tactic for disruption of courts and – even more astonishingly – actually wrote and published

their intentions... Such antics have blurred the real issues involved and provided a wonderful excuse to cut back on civil rights.

Certainly, all the evidence suggests that most protestors *did* seek to use McKenzie friends as part of the civil disobedience campaign. But they also saw this as compatible with the provision of helpful and accurate legal advice to non-payers. Can the potential contradiction between these two sorts of activity be reconciled? Several practical factors tended to blur the distinction between the Federation's activities as a protest organisation and as a support group for non-payers. Most obviously, they could best hope to clog up the court through sustained legal challenges in individual cases. Similarly, the 'legalistic' protestors' efforts were most likely to succeed if the poll tax remained politically controversial, focussing public and media attention on the behaviour of the courts. So despite occasional tensions, legal campaigners and various national and local non-payment campaigns retained a close working relationship, especially in relation to the jailing of non-payers (considered in the next chapter).

But at least one major problem remains. The evidence suggests that the protestors initially worked on the assumption that the courts would stick to the letter of the law, however inconvenient this may be for the authorities. Why else would the Ealing protestors have expended considerable time and effort developing expertise on the various aspects of poll tax law and then sought to maintain a presence at the hearings? And yet theirs was an organised campaign of civil disobedience, actively promoting the idea of law-breaking as a means of effecting political change. Could the Ealing protestors reasonably cry foul when the local magistrates (and the wider legal system) seemed to distort or ignore the law? Was this a case of the protestors seeking to have their cake and eat it? However this assumes that the legal system is, ultimately, a highly *politicised* institution dedicated to upholding the needs of the state, rather than impartially dispensing justice. And yet much of the courts' legitimacy rests on their claim to be impartial. For example, all newly appointed magistrates continue to swear an oath promising to uphold the law 'without fear or favour, affection or ill will'. But as two academic observers of events in the poll tax courts noted:¹²⁷

Some basic requirements of the rule of law are that the courts should act impartially in disputes between citizens and the state, apply relevant laws and ensure that legal procedures are fully and properly followed. There is plenty of evidence that magistrates' courts all over the country have not observed these standards.

In that sense, the protestors' activities should have been largely irrelevant to the conduct of proceedings. If, as the protestors claimed, there was overt collusion between the judiciary and the state, it was perfectly reasonable to simultaneously demand that the courts apply the law 'without fear or favour, affection or ill-will' and at the same time advocate an act of civil disobedience against a particular law. The general and the specific were in effect, separate issues. As Oliver New saw it: 'Because we were pointing out that the courts were acting in a partisan and political way on behalf of the council it politicised what the courts were doing.'¹²⁸ Another activist put it more starkly:¹²⁹

There was a sort of moral and political imperative to make these *people*, these *individuals* who put themselves in the position of sitting as magistrates actually face the consequences of their decisions... we were actually [trying to make] them do what they were supposed to do anyway.

For arguably, it was the mass of ordinary, largely apolitical non-payers who suffered most from the tendency of the courts to 'rubber stamp' liability orders. As we have seen, despite the best efforts of the council relatively large numbers of people turned up to contest their liability orders, although this declined after the government announced its intention to abolish the poll tax in March 1991. But it is less clear how far this can be seen as primarily a *political* phenomenon, for whether or not they personally agreed with the poll tax, the vast majority of defendants did *not* attend Acton magistrates court in order to stage a calculated political protest. Instead, the evidence suggests that most hoped to secure a detailed, individual hearing of their circumstances, which would prove that a liability order should not be issued against them. Nevertheless, this was a sort of

active citizenship, as people demanded their rights, had their say and so in a sense, sought to hold the authorities accountable. But given the narrowness of the issues to be considered and the court's evident wish to speed the process along, most defendants emerged from the experience disappointed. So even the Magistrates' Association came to fear that the quality of justice on offer had tainted the reputation of the system. As one conservative legal trade journal ruefully conceded:¹³⁰

nine out of every ten persons appearing before the Community charge courts have had no political axe to grind, but have expected justices to ... well ... administer justice. Many of those summonsed have come with hard luck tales of limited income, disability, incompetence by local authorities in the provision of services etc., and not unreasonably have genuinely expected the courts to be able to something about their problems.

Ironically, most Ealing protestors would have broadly agreed. For example few harboured illusions about how far the anti-poll tax campaign was responsible for the relatively high turn out of defendants. As Mick Brooks saw it:

It wasn't necessarily us that clogged them up actually. People clogged them up on their own volition... they'd just turn up because they were outraged about the poll tax and they just wanted to say something to somebody about how unfair it was.

Thus even at the height of the agitation only a small number of those summonsed to each hearing contacted the Federation advice lines beforehand.¹³¹ This seemed to be confirmed by events at a liability hearing held in January 1993, when the poll tax had only three months left to run, which saw several hundred people turn up to contest the charges amidst the by now familiar 'chaotic scenes'.¹³² Not only was the Ealing Federation largely moribund by this stage, but the political significance of the poll tax had also faded. Similarly, as we have seen activists tended to be realistic about the primary motivation of most defendants once they reached court. For example, the court briefings

prepared by the Federation consistently emphasised 'practical' issues, like outstanding community charge benefit claims, rather than rhetorical denunciations of the poll tax. Moreover, the protestors knew full-well that many of the defendants they encountered (described as 'as a representative cross section of the British people') tended to be initially rather suspicious of their motives.¹³³

A lot of people wouldn't talk to you [at first] because they realised that you were probably some sort of communist and [thought] you were probably going to 'use' them. And then they realised that they didn't know what the hell they were going to do... and that you were telling them useful things.

So on those occasions when the court did allow McKenzie friends there was rarely a shortage of defendants willing to be represented. Others, caught up in the drama and excitement of the proceedings, or incensed by what they perceived as high-handed treatment, joined with organised protestors in the public gallery to directly voice their approbation. Nevertheless, it seems hard to claim that the majority of those contesting liability hearings were engaged in a form of overtly *political* form of active citizenship. But that does not necessarily imply that the defendant's actions were without political significance. For irrespective of their individual motivation in turning up, the inter-reaction between large numbers of 'ordinary' people and the highly organised protestors at the liability hearings effectively helped make the tax 'unworkable'. It also helped politicise the procedure at a period of great sensitivity for the ruling party and the local judicial and state authorities.

Certainly the protestors tended to bracket the Acton magistrates alongside the local council as part of largely undifferentiated, faceless 'authorities'. This in turn implied that the justices could best be seen primarily as coercive instruments of state power, bestowing a veneer of legitimacy on a largely political process. However, it is worth remembering that each individual magistrate was an active citizen in her/his own right. As lay volunteers magistrates claimed to serve the community by impartially dispensing 'local'

justice and so upholding the rule of law. In that sense they could be seen as perfect examples of the New Right's vision of an active citizenship based on voluntary service in the 'public interest', within the existing structures and traditions of British social and political life (see chapter one). Thus the conflict between the protestors and the local magistracy can also be seen as emblematic of a wider tension between two contradictory visions of the 'public interest'.

Interestingly, some anti-poll tax legal campaigners suggested that activists could best seek to pursue the public interest by becoming magistrates themselves:¹³⁴

Experience has shown that there is no shortage of legal ability, given the number of non-lawyers who have assisted debtors at community charge hearings. Some may consider helping the court by sitting on the Bench rather than acting as a McKenzie friend... it is hoped... sufficient numbers of people [will be] prepared to consider this aspect of public service and [so] make the service more representative.

But as we have seen, the selection process for lay justices ensured that not only was a majority of the bench Conservative, but that any individuals deemed to be 'extreme' by the existing justices were simply not appointed. So it is hard to see how any sort of distinctly radical approach to local justice would have been compatible with the majority view on the 'public interest' held by individual magistrates and the institution as a whole.

For as one study of local juvenile sentence policy in the period noted, there was ample evidence of a largely received 'magistrates' ideology' shaped by local tradition, the experience of senior colleagues and training given by the court clerk. All this encouraged a sense that justices were 'special people who have a unique position in both the local community and the local court'.¹³⁵ Magistrates strongly believed that they were 'pretty experienced, sensible people... [who] know what's what and who's who... not easily fooled.'¹³⁶ Problematic political issues or the social background of defendants were therefore quite irrelevant. But the application of a common sense 'magistrates' ideology' in poll tax cases inevitably came to assume a greater political significance: the protestors were *a*

priori ‘extremists’ deliberately seeking to undermine the law, while the justices were ‘moderates’ who sought to uphold it. In that context, it was wholly reasonable to ban the use of McKenzie friends, even though this might leave ‘genuine’ defendants (defined within the magistrates’ ideology as those ‘with no political axe to grind’) wholly unrepresented.

All this seems to suggest that J.A.G. Griffiths’ characterisation of the senior British judiciary can also be usefully applied to the local magistracy. Senior judges, he believes, do not have a ‘conscious and deliberate intention to pursue their own interests and the interests of their class’.¹³⁷ Instead they honestly seek to uphold the ‘public interest’. However, by the very nature of the role judges are called upon to perform, they make *political* decisions:

which are sometimes presented to them, and often by them, as determinations of where the public interest lies; that their interpretation of what is in the public interest and therefore politically desirable is determined by the kind of people they are and the position they hold in our society; that this position is a part of established authority and so is necessarily conservative, not liberal.

Thus during the liability hearings, Acton magistrates’ court instinctively chose to define the ‘public interest’ as facilitating Ealing council’s efforts to collect the poll tax, a choice that was wholly in line with the prevailing ‘magistrates’ ideology’.

Finally, given the apparently adversarial relationship between the Acton magistrates and the organised protestors it is easy to obscure the role played by Ealing’s Conservative council. As we have seen the evidence suggests that Tory councillors increasingly appeared to see non-payment as a deliberate act. Their duty was therefore to uphold the law and protect the council’s financial position by breaking the back of non-payment. Such a view was wholly typical of the majority of councillors from all parties, who were faced by October 1993, with 11 million people in arrears in England and Wales.¹³⁸ Indeed by early 1992 it was clear from official figures that Labour controlled authorities were if

anything *more* likely to issue summonses to defaulters.¹³⁹ This generalised sense of purpose among would become more obvious as Ealing Council sought to first levy ‘distress’ against non-payers through the use of bailiffs, and then imprison some of them.

¹ The following is based on Alan Murdie and Len Lucas, *To Pay or Not to Pay?: What happens if you don't pay your poll tax?* Green Print, London, 1990

² This paragraph based on Scottish Anti-Poll Tax Federation, *No Poll Tax Here*, Edinburgh 1989, pp46-48

³ Local Government Information Unit (LGIU), *Poll Tax Focus*, January 1991

⁴ Minutes EBC Policy (Finance) Committee 27 June 1989

⁵ *Ealing Gazette* 6 April 1990

⁶ Association of Metropolitan Authorities, *Collecting the Community Charge: Choices for Local Authorities*, London, 1989, p28.

⁷ EAPTF leaflet, April 1990 & WEHAPT Newsletter, March 1990. The tactic did not win universal approval - as one Green Party member playfully reminded protestors: ‘remember recycling paper is more environmentally friendly than burning it!’

⁸ *Ealing Gazette* 11 May 1990

⁹ Minutes EAPTF Committee 22 May 19 90 & 13 June 1990

¹⁰ *Anti-Poll Tax News*, EAPTF, 1990, p1

¹¹ *Ealing District Recorder* 13-7-90 & *Ealing Gazette* 13 July 1990

¹² *Ibid*

¹³ EAPTF Circular 22 August 1990

¹⁴ *Ealing Leader* 22 November 1990

¹⁵ *Ealing Gazette* 11 January 1991

¹⁶ Ealing Southall Conservative Party, *In Touch*, Autumn 1990, p2

¹⁷ The description in the next two paragraphs based on interview with Rachel Jones 19 February 1999

¹⁸ *Ibid*.

¹⁹ EAPTF leaflet circa August 1990

²⁰ EAPTF Circular, July 1990

²¹ Murdie and Lucas, pp47-48

²² EAPTF Circular 22 August 1990

²³ This description based on teaching materials used at training schools 19 August 1990 & 30 September 1990

²⁴ *Ibid*.

²⁵ See for example, K Ewing & C Gearty *Freedom under Thatcher* Clarendon Press, Oxford, 1990 and David Rose, *In the name of the Law: The Collapse of Criminal Justice*, Vintage, London, 1996

²⁶ *Anti-Poll Tax News*, EAPTF, Summer 1990.

²⁷ Richman, Draycott & Baker (eds.), *Stone's Justices' Manual Vol. 1*, 1989 edition, p9

²⁸ The relevant statute was Section 45 of the Justices of the Peace Act 1979, as amended by Statutory Instrument 531 1990, March 1990.

²⁹ *Stone's Justices' Manual*, 1989 op cit.

³⁰ Minutes EAPTF 17 September 1990

³¹ ABAPTF Bulletin May 1990

³² *Justice of the Peace*, Vol. 154, p369

³³ *Guardian* 28 January 1991

³⁴ Events on 11 October 1990 are unusually well documented. The following account is based on EAPTF committee minutes and circulars; a detailed 8 page report on the day's proceedings prepared by the Federation's legal officer (hereafter referenced as ‘Report 11-10-90’), legal briefings and leaflets used to advise defendants, press reports in *Ealing Gazette* 12-10-90 & *Ealing Recorder* 19-10-90.

³⁵ Report 11-10-90, p2

³⁶ *Ibid*

- ³⁷ Ibid., p4
- ³⁸ *Ealing Gazette* 12 October 1990
- ³⁹ *Ealing Recorder* 19 October 1990 & *Ealing Gazette* 12 October 1990
- ⁴⁰ Ibid.
- ⁴¹ Report 11 October 1990, p5/6
- ⁴² *Ealing Gazette* 12 October 1990
- ⁴³ EAPTF Circular 16 October 1990
- ⁴⁴ *London Fight The Poll Tax*, March, 1991, p1, citing a report from the Chartered Institute of Public Finance and Administration issued on 6 March 1991.
- ⁴⁵ EAPTF Circular 15 January 1991
- ⁴⁶ Ibid.
- ⁴⁷ Minutes Ealing Borough Council Finance Committee 4 July 1991
- ⁴⁸ Association of London Authorities Bulletin, March 1992, p7
- ⁴⁹ Minutes of London Borough of Ealing, full council, 20 October 1992, p5
- ⁵⁰ EAPTF Circular 15 January 1991
- ⁵¹ *Guardian* 28 January 1991
- ⁵² Interview Rachel Jones 19 February 1999
- ⁵³ ALAPTA, Minutes 3 February 1991
- ⁵⁴ EAPTF circular 30 September 1991
- ⁵⁵ *New Law Journal*, 21 September 1990
- ⁵⁶ ABAPTF Circular 18 December 1991, p2.
- ⁵⁷ *New Law Journal* 21 September 1990
- ⁵⁸ Figures from House of Commons Library, cited in *Poll Tax Law Review*, no.6, Autumn 1991, PTLG, p1
- ⁵⁹ David Wilson & Chris Game, *Local Government in the UK*, Macmillan, Hampshire, 1994, p178
- ⁶⁰ Minutes Of Community Charge (Collection) Workplace meeting 1 March 1991
- ⁶¹ EAPTF leaflet 1991
- ⁶² *The Poll Tax Jailings in Ealing – The Facts*, EAPTF, 1992, p1
- ⁶³ See *Ealing Leader* 11 January 1991 for a typical example of administrative problems experienced by the council.
- ⁶⁴ See Law Report, *The Independent* 8 May 1991
- ⁶⁵ Interview Eve Turner 12 October 1998
- ⁶⁶ *Poll Tax Focus*, LGIU, Feb 1992, p1
- ⁶⁷ Interview Oliver New 9 November 1998
- ⁶⁸ *Ealing Gazette* 12 October 1990
- ⁶⁹ *Ealing Recorder* – undated press clipping.
- ⁷⁰ Interview Tony Ward 8 February 2000
- ⁷¹ Interview Jude Sutherland and Gill Reavey 23 March 1999
- ⁷² Ibid
- ⁷³ EBC (Finance Committee) minutes 19 September 1991
- ⁷⁴ Ibid.
- ⁷⁵ Interview Michael O’Connell 1 February 1999
- ⁷⁶ ALAPTA Bulletin, December 1990, p1
- ⁷⁷ Interview Rachel Jones 19 March 1999. Eve Turner 12 October 1998 & private information.
- ⁷⁸ See Howard Parker, Maggie Sumner & Graham Jarvis, *Unmasking the Magistrates*, Open University Press, Milton Keynes, 1989
- ⁷⁹ Sir T Skyrme, *The Changing image of the Magistracy*, second edition, Macmillan, London, 1983, p8
- ⁸⁰ Parker et al. pp166-170
- ⁸¹ Skyrme, p67
- ⁸² Ibid. pp8-9
- ⁸³ Elizebeth Burney, ‘*JP: Magistrate, Court & Community*’. Hutchinson, London 1979, p 73
- ⁸⁴ All information in this paragraph from Skyrme pp56-67; see also Burney pp 56-108
- ⁸⁵ Michael King & Colin May, *Black Magistrates*, The Cobden Trust, London, 1985, p100
- ⁸⁶ Skyrme, p59
- ⁸⁷ Burney, p62; see also pp 86-87 for some examples of the exclusion of Labour left-wingers.
- ⁸⁸ Private information
- ⁸⁹ Private information

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- ⁹⁰ Burney, p62
- ⁹¹ Private information.
- ⁹² *Justice of the Peace* Volumes 153-159
- ⁹³ *Ibid* 16-6-90, Vol. 154, p369
- ⁹⁴ 17-10-90, Vol. 154, pp694-5
- ⁹⁵ 1-12-90. Vol 155, p776
- ⁹⁶ *Ibid*.
- ⁹⁷ Murdie and Lucas, op cit. p48-49
- ⁹⁸ Dyfed Poll Tax Opposition, *Liability Order II: Challenging the Poll Tax Authority in Court*, Law Notes No. 8, Dyfed, 1990(?) p3
- ⁹⁹ See Bryan Gibson, *Introduction to the Magistrates' Court*, Waterside Press, Winchester, 1995, pp109-110 for a useful description of council tax recovery procedures, which follow those in place under the poll tax.
- ¹⁰⁰ Report 11-10-90, p4
- ¹⁰¹ Interview Mick Brooks 5-7-97. There was nothing particularly new about such concerns - the Roche Committee Report on Justices' Clerks concluded in 1944 that there 'was a temptation to clerks... to run the court'.
- ¹⁰² Report 11-10-90, p4
- ¹⁰³ Richard de Friend and Ian Grigg Spall, 'Poll tax cases and the Rule of Law' in *Legal Action*, March 1991, p7
- ¹⁰⁴ *Ibid*
- ¹⁰⁵ *Guardian* 13 March 1991
- ¹⁰⁶ The original case was *R v Leicester City Justices ex parte M and C Barrow*. See *Justice of the Peace* 20-4-91 Vol. 155, p243-245
- ¹⁰⁷ *Legal Action* March 1991, p7
- ¹⁰⁸ Richard de Friend and Ian Grigg Spall, 'Poll tax cases and the Rule of Law' in *Legal Action*, March 1991, p7
- ¹⁰⁹ Although see for example *The Guardian* 1-2-91 which noted that the court 'had reached its political objective' (my emphasis).
- ¹¹⁰ *Justice of the Peace* 20-4-91 Vol. 155, p243-245
- ¹¹¹ Letter from B Savill to M Brooks, 1 July 1991
- ¹¹² Dyfed Poll Tax Opposition, p5
- ¹¹³ *Poll Tax Law Review*, No.4, March 1991, PTLG, p2
- ¹¹⁴ *Poll Tax Law Review- Computer Evidence Special*, 1992, p1
- ¹¹⁵ Dyfed Poll Tax Opposition, p5
- ¹¹⁶ *Ibid*
- ¹¹⁷ See law reports in *The Independent* 28 January 1992 & 24 February 1992
- ¹¹⁸ See *London Fight the Poll Tax*, March 1992, p1
- ¹¹⁹ Correspondence between Oliver New and Acton Magistrates court March - April 1992
- ¹²⁰ *The Guardian* 2 March 1992
- ¹²¹ *Poll Tax Law Review- Computer Evidence Special*, 1992, p2
- ¹²² Dyfed Poll Tax Opposition, p4
- ¹²³ *Poll Tax Law Review- Computer Evidence Special*, 1992, p1
- ¹²⁴ Murdie and Lucas, p42
- ¹²⁵ *Ibid*. p12
- ¹²⁶ *Poll Tax Law Review*, No.4, January 1991, PTLG, London, p4
- ¹²⁷ *Legal Action*, March 1991, p7
- ¹²⁸ Interview Oliver New 9 November 1998
- ¹²⁹ Interview Rachel Jones 19 March 1999
- ¹³⁰ *Justice of the Peace*, 15-2-92, Vol. 156, p109
- ¹³¹ Interview Astra Seibe
- ¹³² *Ealing Gazette* 15 January 1993
- ¹³³ Interview Mick Brooks
- ¹³⁴ *Poll Tax Law Review*, No.6, Autumn 1991, PTLG, London, p4
- ¹³⁵ Parker et al, p171
- ¹³⁶ *Ibid*.
- ¹³⁷ J.A.G. Griffiths, *The Politics of the Judiciary*, 5th edition, Fontana, London, 1997, p334-335
- ¹³⁸ *The Guardian* 1 October 1993
- ¹³⁹ *The Guardian* 22 February 1992

Chapter Seven

Defending Non-Payers

This is the second of two related chapters that considers poll tax non-payment as a political phenomenon. By early 1991 the protestors had concluded that attempts to clog up the liability order hearings could only go so far. Instead their focus shifted to the two main coercive measures applied to non-payers after a liability order had been granted, namely the threat of bailiffs and the ‘ultimate sanction’ of imprisonment. Campaigning around each of these issues over time came to alter the nature of local campaigns, which increasingly moved away from overt calls for civil disobedience towards advocacy and support for individual non-payers. However, these shifts in emphasis were largely prompted by the dramatic decision of the new Major administration to scuttle Thatcher’s flagship.

We’ve won – well almost

Following the Trafalgar Square riot the poll tax continued to exert a malign influence on the fortunes of the Conservative Party, although opinion polls suggested that it recovered somewhat from its nadir at the time of the tax’s introduction. In particular, a majority of the public seems to have perceived the poll tax to be *Thatcher’s* tax and this, together with concerns about her personal style, led the Prime Minister’s personal ratings to fall behind those of her party.¹ Moreover, the idea that Thatcher and ‘Thatcherism’ was increasingly ‘extreme’ gained wide currency. For example, a poll in April 1990 found that three out of every four respondents thought that Mrs Thatcher was ‘extreme’ while only 18% regarded her as a ‘moderate’.² Given the value traditionally placed on moderation within British political culture this was a serious problem and does much to explain the increasing willingness of many Tory MPs to ditch her at the first opportunity. It is also significant that following Thatcher’s resignation, all the candidates in the second round of the Tory leadership contest committed themselves to ‘a fundamental review’ of the poll tax. Indeed, an attempt to kill

the poll tax as a political issue became central to John Major's efforts to re-brand himself as a One Nation Conservative, anxious to leave behind 'the Poll Tax riots, the exclusion of so many minority groups and those left outside the race to prosperity that we had seen in the 1980s.'³ Following Major's election, a review of both local government finance and the wider role of local government was therefore initiated, led by the new Environment Secretary, Michael Heseltine, a long-standing critic of the tax.

Given the purpose of this study, it is not necessary to describe in anything but the most superficial terms the rather vexed and at times contradictory course of Heseltine's review.⁴ However, some issues can usefully be highlighted here. Firstly, powerful forces within the Conservative Party wished to continue with the tax, albeit in a modified form and with much reduced bills.⁵ Both Thatcher and her supporters maintained that the decision to abandon the charge represented either a collective loss of nerve on the part of the Conservative parliamentary party, or more sinisterly, part of the ongoing machinations of the Prime Minister's opponents.⁶ They maintained that 'more and more people were coming to believe that everyone ought to contribute something to the upkeep of services which they use'.⁷ Even at a local level many Conservative councillors still supported the basic principles of the tax. For example in April 1993, Councillor Graham Bull, leader of Ealing council concluded that 'the community charge was a fair tax. I'm disappointed its gone.'⁸

However, developments both outside and inside the Conservative Party continued to make abolition ever more likely. In February Major was accused of 'dithering' by sections of the media and increasingly felt compelled to establish his own authority as leader, by pushing forward the process of reform. On 7 March the Ribble Valley by-election saw the loss of the Conservatives' thirteenth safest seat and was widely perceived as a referendum on the poll tax, with one survey finding that 57% of all voters (and a third of all Conservatives) cited the tax as the issue that would most affect their voting intentions.⁹ On 19 March Norman Lamont presented his first budget and promised to cut every poll tax bill by £140 per head, with average personal bills now set to fall from £392 to £252. The move not only took some of the sting out of the charge for

traditional Conservative supporters, but also effectively signalled the government's intention to abolish it. As any return to a policy of increasing progressive income taxes was ruled out, the reduction was to be funded by increases in indirect taxation and VAT subsequently rose from 15% to 17.5%.

At this stage Heseltine was still unclear about the details of any alternative and instead sought to establish some fundamental points. The government was unequivocal that whatever the shape of its eventual replacement, the poll tax would 'at the earliest possible moment' be abolished.¹⁰ Moreover, any replacement tax would be based on 'two essential elements, the number of adults living there and the value of the property'. Clearly a return to the status quo was imminent, a point apparently confirmed by the new Council tax, which had four main features. Firstly, it was based on property values, with properties assigned to eight 'bands'. Secondly, it retained a minor 'personal' element, with a personal discount of 25% available for single householders. Thirdly, there were 100% rebates for low income groups. Fourthly, councils would only issue one bill per household. Significantly, the legislation also included a provision debarring any councillors who had failed to pay either poll tax or council tax from voting on financial issues.

The announcement of a new council tax based on these principles did much to allay public concerns, but played less well among the protestors and the left in general, many of whom concluded that 'we've won – well... almost!' For as Ealing campaigners noted:¹¹

Whereas the Council Tax will generate a differential of only 2½:1 between richest and poorest (eg £600:£240) the rating system had differentials of 20:1 within boroughs... It is clear that there is a very large flat rate element in the Tories' new proposals.

Similarly, the Council Tax would continue to allow local authorities to raise only 20% of their income, leaving central government very much in control of the Unified Business Rate and with the right to cap budgets. So from the outset anti-poll tax protestors and local authority trade unionists in Ealing believed that

the new tax would have essentially malign effects for local government and services, pointing out that in its first year (1993) the borough made 125 teachers redundant and cut other services.¹²

But in a sense, the detail of the policy shift may have been less important than the accompanying spin. The government's media presentation of the abolition announcement was, under the circumstances, very slick indeed - although it would probably be wrong to exaggerate the difficulty of the task given the marked Conservative bias of British newspaper proprietors. Thus after spring 1991 'the issue disappeared almost completely from the national news agenda, despite the fact the tax still had a two year period to run'.¹³ Similarly, whatever national media coverage did arise tended to faithfully follow the government's agenda, even if it often drew radically different conclusions. This may have been important. One detailed study of media reporting of the poll tax conducted by Deacon and Golding found a clear correlation between public perceptions of the salience of the tax as a political issue (as measured by opinion polls) and the quantity of national media coverage.¹⁴ This apparently confirmed the proposition that 'the media may not tell us what to think but they are very influential in telling us what to think about'.¹⁵

What then, were people to think about the government's decision to abolish the poll tax? The main explanations put forward by politicians of all parties, the media and academics flagged up conventional factors, such as letters to MPs, by-election results, opinion poll evidence, intra-party power struggles and policy disputes. The fact that millions of people had not paid the tax was, however, noticeably absent from most of these accounts. This was surprising, for by spring 1991 non-payment levels were over 20% in some urban areas and 10% in non-urban districts. Moreover, this fiscal time bomb was unlikely to be defused by the coercive instruments then available. For example, surveys of local authorities conducted by the Audit Commission found that coercive sanctions against non-payers, including wage and benefit deductions, use of bailiffs and even the threat of imprisonment had not produced payment in 80 per cent of cases.¹⁶ Moreover the Scottish experience suggested that non-payment was if anything likely to grow.¹⁷

Although such levels of non-payment might be containable in the short term, they promised a spiral of ever-increasing bills (adjusted to make good collection shortfalls) followed by surging public anger, followed by more non-payment. This in turn implied that even in the medium term the collapse of the poll tax was a real possibility. So by 21 March Major felt compelled to warn the cabinet that 'in the final analysis, difficulties of collection rendered [the tax] unworkable' and the majority of the population continued to consider it 'unfair'.¹⁸ The cabinet then formally decided to abolish the tax and later that day Heseltine made the necessary announcement in the House of Commons. While it is commonsensical to acknowledge that the tax had proved 'uncollectable', most accounts have pointedly underplayed, or more usually ignored altogether, the role played by the organised anti-poll tax campaign in promoting non-payment. I will return to this important question in the next chapter, which considers the meaning of non-payment within the wider context of active citizenship and the left. The focus here is necessarily narrower and concerns the impact of the abolition announcement on the protestors' efforts to defend non-payers.

The reaction of most local campaigners was surprisingly mixed. Initially there was an obvious, and perhaps understandable, sense of euphoria:¹⁹

One year after the anti-poll tax movement launched a mass campaign of non-payment, abolition has been announced. Our campaign provoked a political crisis which forced Thatcher to go... This is the most significant climb down since the Tories came to power in 1979.

Moreover, this victory, against all predictions, had primarily been secured by the exercise of 'peoples' power', undertaken by 'millions who took direct action by refusing to register, by refusing to pay, by bashing the bailiffs. And it's one in the eye for those traitorous politicians who bleat vote for us and we'll scrap the poll tax.'²⁰ But any sense of triumphalism was tempered by a number of other concerns. While the Ealing protestors continued to characterise non-payment as part of a wider 'campaign', there was also a frank recognition about their limited

ability to influence non-payment, which had by now gathered its own momentum.²¹

There is no sign that the non-payment campaign is collapsing. On the contrary it seems to have drawn strength from the news of abolition. Though it is possible that some “won’t payers” will conclude that we have already won, and others will be pleased with the reduction of Poll Tax bills this year, on the other hand people are joining the campaign because so many millions are seen to get away with it.

Inevitably then, the ‘one thing we can be sure of is that [there will be] people who genuinely cannot afford to pay still being taken to court, still having bailiffs come round and still being sent to prison’.²²

All this posed a simple and immediate question – should the campaign carry on advocating non-payment, or for that matter, carry on at all? Both the London and All-Britain Federations remained unequivocally committed to maintaining the non-payment campaign as a means of forcing an amnesty for non-payers.²³ However, other prominent individual campaigners and organisations disagreed. For example, Len Lucas of the Poll Tax Legal Group, together with the SNP abandoned non-payment, as did the vast majority of those left-wing Labour MPs who had up to now refused to pay.²⁴ After all, now that the campaign had ‘won’ there was no longer any justification for continued civil disobedience. In that sense, it was hard to justify the escalating personal costs of non-payment for non-payers. On the other hand, there were strong arguments to continue. For the consequences of poll tax for those who could not afford to pay would continue unabated. There was, therefore, an obvious moral imperative for all those who had advocated non-payment to carry on ‘defending’ non-payers. By simply abandoning ‘can’t payers’ to their fate, the protestors would have confirmed their opponents’ oft-repeated accusation that they were simply ‘using’ people for their own (extreme) political ends. In any case, there was also an unashamedly political imperative. Although the Ealing Anti-Poll Tax Federation was always a single-issue campaign, it drew its strength from a broadly anti-

Tory coalition. In carrying on, the protestors could therefore seek to hold both the local Conservative council and the central government to account.

weighing all these factors, the Ealing Federation urged local citizens not to 'give up now! Don't be fooled into thinking it's all over!'²⁵, Nevertheless, many active protestors voted with their feet and after the abolition announcement the levels of activity of local groups and activists began to rapidly wane (see chapter two). Even so sufficient number of others chose to continue, but unless the anti-poll tax campaign was simply to provide *apolitical* support to non-payers in the form of legal support, the campaign required a *political* demand around which to campaign. This took the form of demands for an amnesty for all non-payers.

Amnesty

Any demand for a full amnesty for all poll tax non-payers could be seen as perverse. After all, why should the majority of law-abiding citizens, who had paid the poll tax, be discriminated against? By granting an amnesty in such circumstances the state would, in effect, be colluding with those who had defied rule of law, a point unequivocally spelt out in a letter to the Ealing Federation from the Department of the Environment, which emphasised that.²⁶

the Government are adamant that there will be no amnesty for non-payers... To withhold payment for whatever reason simply puts the [local] authority under extra pressure and adds to the strain of people who have diligently and rightly paid their charge. It is one thing to disagree with Government policy, but quite another to break the law by failing to pay.

As if to underline its determination, the government subsequently issued an order in council that allowed local authorities six, rather than two years, in which to collect outstanding debts.²⁷

Similarly, the Labour Party signalled its continued opposition to non-payment and a motion arguing for a *full* amnesty received short shrift at the party's 1991 Annual Conference.²⁸ Significantly, the two most prominent non-paying Labour MPs, Dave Nellist and Terry Fields, were also barred from attending conference as part of ongoing expulsion proceedings and even the minority of left-wing MPs who had refused to pay up tended to distance themselves from the campaign for an amnesty.²⁹ On the other hand, support grew for a *partial* write off of poll tax debts. For example, by the Spring of 1991 local government associations, the Poll Tax Forum (supported by the Labour party and trade unions) and even the Audit Commission had publicly come out in support of a limited form of amnesty, directed at those eligible to pay 20% of the charge. Similarly, it was suggested that councils should be given the power to write off unpaid bills on the grounds of hardship. None of this was necessarily motivated by altruism, as the Audit Commission concluded that the cost of pursuing poorer debtors was 'disproportionate' and 'not a good use of scarce recovery resources'.³⁰

But ultimately these various suggestions failed to move the government, which argued that essential principles were at stake, including the rule of law and the primary duty of citizens to pay their taxes. How then did the protestors seek to justify their call for an amnesty? Firstly, they maintained that an unjust law remained an unjust law. If the poll tax was discredited, as the government had admitted, why continue 'persecuting the poor'? Given that many of the poorest *could not* pay such a course was actually futile, as well as immoral. Secondly, it was the government that was responsible for the parlous state of local government finances, not the non-payers. The fact that the government had squandered prestigious amounts of public money on no less than seven attempts to revamp the charge by mid-1991 implied that resources could be found. As one protestor acerbically noted:³¹

The cost of implementing the Poll Tax was at least £10 billion, then £5 billion more was pumped in to lower the tax in its second year... to make the government more 'attractive' in local elections. The £1.6 billion of poll tax debt is peanuts in comparison.

Nevertheless the problem of those who had paid remained and, significantly, tended to be ignored in the various leaflets, documents and memoirs written after the abolition announcement. The nearest the anti-poll tax campaign came to a coherent policy on the issue, was formulated by a group of London activists, who enjoyed little influence with the All Britain Federation. They rejected proposals for a local 'tax holiday' and instead suggested the government should back-date any replacement tax to April 1989 for Scotland and April 1990 for England, and then subtract the revised charge from actual payments made for poll tax.³² Given that the charge would be lower than the poll tax for most citizens, this would lead to either a partial reimbursement, or in the case of 'the poor', a full refund. As the government was responsible for the poll tax, it should, as a special measure, write off the extra money owed by wealthier households who would have to pay more under the new system. Even so there is no evidence that this was taken up by the Ealing protestors, who in common with almost all local anti-poll tax campaigns tended to rely on emotive, broad-brush arguments for an amnesty. Inevitably perhaps, such arguments proved less than convincing and as the Ealing Federation itself rather lamely admitted:

We recognise that none of [our] demands will be graciously conceded, they will have to be fought for. It is unlikely that any government, Labour or Tory, will formally forgive the Poll Tax debts. The best way to get [them] written off is to carry on not paying. If we keep up the pressure and the bailiffs continue to be a failure they may be forced to bump the level of central government grants to bail out the councils.³³

With all the rigour that the law will allow

Needless to say, if given the choice, Ealing council would have happily rejected this particular offer of assistance. For by the end of November 1991 it was clear that only £76 million out of a total of £92 million had been collected for the 1990/1 tax year, a non-collection rate of over 17 per cent.³⁴ While some of these debts were to prove recoverable later, the council still projected a non-collection rate of 10% in the 1991/2 and 1992/3 tax years. More worryingly, at the end of the second quarter of 1991/2 tax year only 73% of Ealing residents had made

any payment and the council considered whether to organise a ‘no amnesty, publicity campaign. However, the news was not all bad. When set against that of neighbouring London boroughs, Ealing had improved its collection rate slightly for the second quarter of 1991/2.³⁵

Borough	% of CC payers making payment for 91/2 by 30-9-91	Receipts of 91/2 charges as a % of 91/2 budgeted yield by Sept 1991	Receipts of 90/1 charges as a % of 90/1 budgeted yield by Sept 1990
Ealing	73.2	38.1	37.6
Brent	-	-	36.8
Hammersmith & Fulham	67.8	26.8	44.3
Harrow	83.0	40.0	46.1
Hillingdon	78.9	29.6	37.9
Hounslow	75.2	36.2	37.9

Nevertheless, the council experienced problems right up to until the poll tax’ abolition, with over 200,000 community charge accounts¹ in arrears at the beginning of April 1993, owing a total of £25 million.³⁶ In London as a whole, some £160 million of poll tax remained uncollected, even though £220 million had been written off.³⁷

How did Ealing Conservative councillors’ explain this unprecedented shortfall? While it is always wise to distinguish between politicians’ public statements and their real opinions (or motives), two broad explanations for non-payment can be readily discerned. Firstly, councillors explained non-payment as an almost inevitable consequence of the tax itself, which as we have seen, was relatively easy to avoid and plagued by administrative and computer problems. However, the evidence also suggests that the council increasingly came to see non-payment as a deliberate act by individuals seeking to evade their responsibilities to the wider community. Given the existence of a vociferous non-payment

campaign in the borough, it was but a short step to conclude that at least *some* of the defaulters were organised. So perhaps inevitably, the Ealing Anti-Poll Tax Federation became the target of a certain degree of opprobrium from Conservative councillors. In part this reflected an ideological dislike of the leftist extremists protestors, who, it was felt, were flouting the law of the land and in the process, 'using' people in pursuit of their extremist political goals. In particular, by issuing 'misleading' advice, the protestors would encourage otherwise law-abiding individuals to needlessly suffer. For example, following the committal of Maurice White (see below) the council issued a press release that was clearly aimed at attempting to discredit the protestors.³⁸

The Anti-Poll Tax Union's advice to the public can be detrimental. By refusing to pay, the public faces distraint and removal of their property and possible jail sentences, all of which can be costly to the individual... The public are advised to contact the council rather than follow the Anti-Poll Tax Union's advice.

On other occasions, councillors urged the public not 'to be the dupes of the Anti-Poll Tax Federation'.³⁹

Conservative councillors also vigorously contested many of the key arguments put forward by the protestors and appear to have considered their calls for an amnesty, or even a more 'humane' enforcement procedure as quite simply perverse. Thus in a letter to the protestors Councillor David Millican sought to throw their accusations of 'heartlessness' back in their faces:⁴⁰

The attitude of your organisation in advocating non-payment of a legal tax is callous and uncaring in the extreme... Who has to make up for their non-payment? There is no magic fairy who will create £5 notes from rose petals to pay for all the services provided by the council. The vast majority of law abiding citizens in the borough, including those on

¹ Theoretically, by 1993 one individual could have arrears on three separate 'accounts' for each of the three tax years the poll tax had been in operation.

low incomes, will have their community charge increased next year to cover for the non-payers. What will you say to them?

It was certainly undeniable that charges of those who had paid were boosted as a result of non-payment. For example, by 1992 chargepayers in London had to pay an average surcharge of £28 per head due to late or non-payment.⁴¹ In Ealing, Conservative councillors were keen to lay the blame for any rise in the level of the charge in 1992/3 at the door of non-payers. As Councillor Bull explained in *Ealing Voices*, a magazine produced by the council and delivered free to every household, 'we have held the increase to a minimum but it would have been lower still if it were not for those people who haven't paid their bills.'⁴² But such appeals were rather moderate compared to those attempted in some other London boroughs. For example, in neighbouring Brent the council published the names and addresses of thousands of local non-payers in full page advertisements in the local press.

The councillors also had scant sympathy with the contention that many residents would simply be unable to pay. Instead they pointed to the provision of Community Charge Benefit (CCB) and increases in benefit levels instituted after 1988 to help towards the 20% contribution as evidence that sufficient provision had been built into the system. As Michael Heseltine saw it, this was 'hardly "naked oppression of the poor"!' ⁴³ On the other hand, CCB – based largely on the Housing Benefit system⁴⁴ – was in practise quite hard to qualify for as a full rebate would only be eligible for those whose weekly income was close to that provided by Income Support (£57.53 in 1990). In effect, a couple with two children would both be eligible to pay the full charge if their joint income exceeded £135 per week.⁴⁵ Nevertheless, councillors and council officers were adamant that the recovery procedure contained built in safeguards that would prevent the poor being arbitrarily treated. For the option of committal was 'only taken as a last resort', 'a persons ability to pay is considered prior to any decision' to prosecute and 'all outstanding benefit claims were investigated before the hearing'. ⁴⁶ Unlike Hillingdon (Tory) council, which set up a hardship committee of councillors to explore whether each individual was capable of paying before proceeding, Ealing Conservatives were content to leave matters in

the hands of council officers. For ultimately, even if they erred the court would institute a proper means enquiry that would ensure that justice was done. As Councillor Richardson confidently asserted:⁴⁷

No British court will jail anyone who cannot afford to pay their community charge. Those who are sentenced to prison are those who are able to pay but who wilfully refuse to do so.

Moreover, many councillors argued, if as the protestors claimed, those jailed were too poor to pay, why did the vast majority of them subsequently secure their release by paying up?

Nor did the protestors appear to receive much support from the Ealing Labour group. Although one individual – councillor John Gallagher – did ask officials questions when approached by the Federation concerning individual cases and the general principles underpinning the council's collection strategy. But even Gallagher was at pains to point out that he was 'in no way opposing the Council in using its ultimate sanction [eg imprisonment] to collect the revenue required to discharge its many financial obligations. I am solely concerned that the council is not acting in a manner which may be unduly harsh or oppressive against many of our citizens whose circumstances are so straightened as to make collection unproductive'.⁴⁸ Similarly, John Cudmore, the group leader, side-stepped direct appeals to oppose either the use of bailiffs or the jailing policy and blandly noted:⁴⁹

My colleagues and I share your concern over the many people in the Borough who find themselves in difficulties because they are simply unable to pay this unfair tax. I would urge you to put such people in touch with their Labour councillors and we will do everything possible to help them and make sure they get all the Benefits they are entitled to.

As we saw in the last chapter, Labour authorities were actually more likely to issue liability orders in connection with 'this unfair tax'. However, the evidence

does suggest that Labour councils were more reluctant to initiate committal proceedings. For example, of the 156 individuals who had served their sentences by December 1991 in England and Wales, only 29 were residents of Labour authorities (with Labour controlled Burnley accounting for 23 of these).⁵⁰

It seemed then, that irrespective of their party affiliation, Ealing councillors were committed to pursuing 'those who fail to pay with all the rigour that the law will allow'.⁵¹ Not only was there a statutory duty to collect the poll tax⁵², but more importantly there was a duty to the majority of law-abiding residents who had paid the charge. As one Tory councillor put it, if this meant 'that some individuals are sent to Prison, then so be it.'⁵³ A similar spirit of determination informed the council's use of bailiffs.

A blunt instrument

The previous chapter outlined the legal and administrative process up to the liability order stage. Once an order had been granted in the magistrates' court, the local authority was empowered to move to the next stage in the recovery procedure, namely an attempt to 'levy distress'.⁵⁴ This involved the use of certificated bailiffs, who were legally authorised to 'distrain', or seize goods in respect of the outstanding debt. As the terminology suggests, the origins of the system – described by Lord Denning as an 'archaic remedy' – went back to the early middle ages. Nevertheless, most local authorities, including Ealing, assumed that bailiffs would prove an important means of poll tax enforcement. For under the rates, the mere threat of distraint had invariably proved sufficient to elicit payment. For example, of the 1.2 million warrants issued to bailiffs by county courts in 1988, only 2,393 (0.2%) cases led to the sale of seized goods.⁵⁵ Even so, the prospect of burly bailiffs physically seizing goods to secure unpaid taxes projected an emotive and controversial image and the Law Commission recommended its abolition in 1986. Such problems were magnified given the political sensitivity of the poll tax. As one legal guide, aimed at local authority finance officers noted:⁵⁶

Distress has proved to be a very effective method of obtaining rates' payments but it is a blunt instrument which must be tempered by strict policy guidelines on how bailiffs are to perform their duties.

Consequently, Ealing council's own code of conduct/operational guide showed a keen awareness of the potential damage illegal or heavy-handed bailiff action might inflict upon the reputation of the authority in general and the Community Charge Department in particular, which would 'have a very much higher profile than hitherto, being the focus of attention for all adults resident in Ealing.'⁵⁷ Thus bailiffs employed should 'bear in mind that they are acting as ambassadors for the London Borough of Ealing.'⁵⁸

However, in comparison with their colleagues in Scotland, the thousand or so certificated bailiffs operating in England and Wales were relatively constrained by a number of legal restrictions.⁵⁹ In Scotland, if attempts to freeze non-payers bank accounts or deduct wages failed (in the event they were never systematically applied due to logistical problems) then local authorities could issue a warrant and then attempt a 'poinding'. This involved Sheriffs Officers (eg bailiffs) forcibly entering a defaulters home and valuing 'non-essential' goods. These could then be sold at public auction (a 'warrant sale') to clear the debt, although this sanction was rarely invoked. Bailiffs in England and Wales did not enjoy the right to force entry into an individuals home. Indeed, as one anti-poll tax legal guide noted, 'their powers of entry are rather like those traditionally associated with vampires – they have to be invited in or allowed in by an occupant of the property, or find an already open door or window.'⁶⁰ The police would only attend in the event of a possible breach of the peace. There were also a number of other legal restrictions relating to the conduct of bailiffs, the sorts of goods they could seize and the method by which they might be sold. In general then, it was relatively easy to confound any attempt to levy distress. But this in turn assumed that debtors were aware of their rights and bailiffs adhered to the relevant legal restrictions.

Bailiff-busting

The first bailiff visits in Ealing began in November 1990 and almost from the outset problems arose. According to the protestors, the council's initial tactic appeared to be to target about 15 or so people and then begin 'continually harassing them'.⁶¹ The Ealing Federation also alleged that letters from the council's bailiffs (Madagans) were threatening and misleading, as they stated that they could 'remove goods, even in your absence, with police in attendance if necessary'.⁶² In the event, of the 858 liability orders in the hands of the council's bailiffs, there was only one case of distraint (eg the seizure of goods) by 22 January 1991. But embarrassingly, even in this case the council was forced to backtrack and retrospectively grant benefit and return all goods seized.⁶³ Nevertheless, the successful use of distress under the rates led anti-poll tax protestors in Ealing and elsewhere to conclude that if unopposed, bailiffs could seriously undermine the civil disobedience campaign. But how was this to be achieved? Initially, in common with most English anti-poll tax campaigners, the Ealing protestors envisaged a collective response by the community to the bailiffs.⁶⁴ This sought to emulate tactics pursued by Scottish anti-poll tax unions which regularly boasted that by the middle of 1991, some eighteen months after the poll tax's introduction, 'not a single person has had their possessions taken away... The federation has mobilised people every time the Sheriffs have tried to visit a home. They have always retreated.'⁶⁵ Even though the claim was a little disingenuous - 'poindings' (eg forced entry followed by valuations of goods) had occurred, even if they were not followed up a warrant sale - the lesson seemed clear enough. Collective acts of protest would continue to make the tax unworkable.

So in Ealing, in late 1990 and early 1991 when the use of bailiffs for poll tax collection was very much at a formative stage, groups of protestors were mobilised to 'protect' non-payers. For example, in December 1990 members of Acton APTU 'barricaded' themselves in the home of a Mr and Mrs White, who had been warned of a forthcoming bailiff visit.⁶⁶ On this (as in numerous other) occasions, the bailiffs failed to attend. Such tactics were ultimately unsustainable given the small number of activists available during the day

relative to the total number of non-payers in the borough and the Ealing protestors were therefore keen to promote a form of 'community self-defence'. For example, one leaflet handed to people leaving liability order hearings in early 1991 claimed (original emphasis):

REMEMBER YOU ARE NOT ALONE. The Anti Poll Tax movement is at this moment building up a 'telephone tree' in your area of people prepared to turn up at a moments notice to beat the bailiffs. Bailiffs are scum. We'll make sure they know what local people think of them. We are canvassing now in your area to set up squads of BAILIFF BUSTERS^b... If we get a crowd of people there, they won't get up to their usual tricks... WE INTEND TO LOOK AFTER OUR OWN.

As the leaflet suggested, once a group of 'bailiff busters' had been recruited in a specific council estate or group of streets, it was hoped to utilise a 'telephone tree' as a sort of modern 'hue and cry'. So, for example, some anti-poll tax protestors circulated details of the make and registration number of cars used by various firms of bailiffs. People available in the day would pledge themselves to phoning three others if bailiffs were sighted, who would then phone two others, who would then phone one other. But as the Federation conceded, it would 'be A LOT OF WORK organising this' (original emphasis), not least in finding enough people willing to join the tree.⁶⁷

In the event, the idea ever took off and the protestors soon downgraded their ambitions, aiming to establish 'the minimum' of a local daytime telephone number 'to give people the confidence to carry on'.⁶⁸ The Ealing Federation, in common with most English and Welsh protestors, therefore tended to concentrate on circulating information regarding the various rights enjoyed by bailiffs, through the use of posters, leaflets and 'hotlines'. In particular, efforts were made to promote the pithy slogan: 'Don't let them in and they can't win!' which gained wide currency. This was confirmed by reports from the Audit Commission, which concluded that the bailiffs' general lack of success was

^b The name 'Bailiff Busters' was a play on the title of a popular US comedy film, 'Ghostbusters'.

largely 'due to defaulters being aware of their rights in relation to gaining access to premises'.⁶⁹

Some anti-poll tax campaigners also organised publicity stunts, such as occupations of bailiff's offices or by giving local councillors a taste of their own medicine by organising mock bailiff-style visits to their homes. For example, in March 1991 London campaigners threatened to call on every council leader at 6am claiming to be bailiffs – a tactic described by Margaret Hodge, Labour leader of Islington council as 'intimidation that symbolises the worst in politics'.⁷⁰ Martin Mallam, the leader of Ealing council's comments was a little more intemperate:⁷¹

I imagine I will be up at 6 am, but if these people do carry out the visits I only hope the magistrates, seeing their well publicised campaign, will treat them fairly when they appear before the courts for non-payment of their poll tax.

Although it does seem that a few individual activists did regularly phone local councillors, sometimes at unseasonable hours,⁷² the Ealing Federation as a whole never actively sought to apply unconventional direct pressure on the borough authorities on the assumption that this might serve only to antagonise them further.

A few protestors also sought to exploit legal loopholes, most notably through the drafting of 'bills of sale' – a legally binding written contract that legally transferred all an individual's possessions to 'a trusted' friend or family member for a nominal sum.⁷³ The theory here was that even if bailiffs secured entry to a person's home, their possessions would be 'owned' by someone else and there would therefore be no goods and chattels to seize. Clearly, such a scheme was far-fetched and fraught with legal pit-falls, but is nonetheless indicative of the serious light in which bailiffs were viewed. For it is hard to underestimate the sense of antipathy felt by many organised anti-poll tax campaigners towards bailiffs, who were variously described as a 'form of mass terror', 'thugs ransacking your home for property they can steal', 'cowards [who] targeted the

vulnerable' and so on.⁷⁴ Although the rhetoric was clearly aimed at discrediting distress as a form of debt collection, there may actually have been little need for such propaganda, as bailiff companies were so obviously unpopular anyway. This was particularly evident in inner-city areas. As members of the Certificated Bailiffs Association conceded 'You go to the first door and they spit at you. You go to the second and you are refused entry and abused. You go to the third and someone takes a swing at you... It's a tough old world out there but taxes have to be paid.'⁷⁵

It would be tedious (and largely pointless) to provide a blow by blow account of the relative success of the various bailiffs firms employed by Ealing council between November 1990 and 1 April 1993, but in general the evidence supports Mick Brook's analysis.

We thought they were going to be a major problem... But they were just ripping the council off, even in their own terms. They were charging £40 just to hand deliver a [threatening] letter as far as I could see. They were an extremely non-cost effective method of collection.

By January 1992 the council found that some two-thirds of defaulters had moved by the time bailiffs first visited.⁷⁶ In October 1992 the council's Finance Committee considered a detailed report on the service provided by bailiff companies which concluded that their efforts 'were disappointing and fell well short of expectations'.⁷⁷ Cash collection rates varied between 10-15% of all cases and even then, council staff had to support the bailiff companies by offering various sorts of time consuming administrative support. It seemed then that the bailiffs had been 'busted', but by whom? To a large extent, their failure reflected inevitable logistical problems, as only one thousand certified bailiffs in England and Wales sought to enforce millions of liability orders. However the question is also of direct relevance to any discussion of citizenship and the poll tax. For as we have seen, two broad (not necessarily mutually exclusive) explanations were advanced by anti-poll tax campaigners.

The first largely related to events in Scotland where ‘poinding’ was the ultimate sanction deployed by local authorities, and emphasised a spontaneous collective response by local communities, reminiscent of historical instances of working class resistance, such as the Glasgow Rent strikes of 1915.⁷⁸

Women in Lanarkshire towns keep lists of [sheriff’s] vehicle registration numbers in their kitchens. The bush telegraph begins to sing if the cars are spotted. Friends and neighbours are called. Children on bikes run to the families who don’t have phones. Before long a crowd has assembled to welcome the sheriffs.

There is little solid evidence of such widespread, spontaneous anti-bailiff activity in England and Wales, although some activists recorded instances of more limited mobilisations on specific council estates.⁷⁹ In general, much appears to have depended on the nature of the community involved. According to Burns, in the West Country village of Bishops Lydeard, on one ‘dramatic’ occasion a ‘large number of the tiny village’s population took the day off work... Barricades were constructed and every vehicle which tried to enter was stopped and asked its business’.⁸⁰ Many of these accounts cast anti-bailiff demonstrations as moments of ‘collective effervescence’, defined by Barker as ‘a sense of changed personal and collective identity, feelings of joy and well being, altered forms of public speech and ideas, a sense of self-empowerment, the de-legitimation of existing authority, and the creation of new informal and formal institutions and networks’.⁸¹ So for example, Sheridan associated the ‘poindings’ with return to a golden age of shared community.⁸²

Sometimes poindings were like gala days, with barbecues in summer and rolls and sausage in winter... Everybody [came] with a loaf, cheese or ham to help feed the masses. Local shops donated food... In winter we made a brazier from an oil drum and the local coalman often threw us sacks of fuel.

It is sometimes tempting to reach for a large pinch of salt when reading such accounts, which portray a highly romantic view of the meaning of ‘community’

in contemporary urban Britain. For any detailed accounts of anti-bailiff activities soon reveal the key role played by activists.⁸³ Sometimes these were local community activists, who had helped run food co-operatives, local community centres or tenants associations.⁸⁴ But in general, it is clear that established anti-poll tax campaigners, often from outside the area where a 'poining' or bailiff visit was scheduled, were pivotal in mobilising local popular opinion. While this does not necessarily invalidate any claims of community mobilisation, it does suggest that their spontaneity can easily be exaggerated.

Certainly the experience of the Ealing anti-poll tax protestors was altogether more mundane. As we have seen, the bulk of the Federation's efforts were directed at publicising one simple point: 'If you don't let them in, they can't win' and there is ample evidence that this information achieved widespread popular currency. However, this implied that non-payers, as *individuals*, held the key to defeating the bailiffs. So any attempt to transfer tactics fitted to the solidaristic culture of a Scottish housing scheme or a West Country village would fail to resonate in the curtain-twitching, ordered streets of an archetypal London suburb.

That is not to say that in defying bailiff letters and visits non-payers were acting in a wholly individualistic manner. For inevitably, as knowledge grew about the level of non-payment, people became aware that they 'were not alone'. In that sense, any act of defiance came to assume a greater significance, whatever the intentions of the people involved. Moreover, the organised protestors continued to offer more direct means of assistance. As one activist recalled:

I can remember one call where the Bailiffs were actually at the door! This woman phoned up and the Bailiffs were knocking at the door! She was saying "What should I do?" and I was kind of relaying to her what to say to the Bailiffs: "Just don't open the door, don't let them in!" And she got rid of them. This call went on for twenty minutes and it was unbelievable – like being on '999'^c or something!

^c A TV police docu-drama

So in Ealing at least, the bailiffs were 'busted' not by set-piece confrontations or dramatic demonstrations, but by a widespread individual *bloody awkwardness*. For angry councillors, the failure of bailiffs to significantly dent the levels of non-payment was yet more evidence of a burgeoning 'non-payment culture', which in turn encouraged them to consider more extreme measures, including imprisonment.

The ultimate sanction

Imprisonment for debt had been utilised under the rates as a final means of enforcement, but only sporadically. In the ten year period up to the poll tax's introduction some 4,000 people had been imprisoned for rates default, working out on average, as one per local authority per year.⁸⁵ This relatively low figure was partially explained by the legal framework, which assumed that imprisonment could only be initiated by local authorities as a 'last resort'. More specifically, before applying for committal, councils' had to show that all other stages of the recovery procedure had been exhausted, including attempts to 'levy distress' through the use of bailiffs.

The committal hearing itself was supposed to take the form of a detailed 'means enquiry', usually conducted by the court clerk who would question the defendants as to their ability to pay and establish their overall circumstances. The means enquiry was then used by the magistrates as the basis for any subsequent sentence. Here the magistrates enjoyed wide powers, including the right to imprison debtors for up to three months if the court believed they had been guilty of 'culpable neglect' or 'wilful refusal'. However, the court also had the right to set payment conditions and write off debts altogether. At any stage of this process, the debtor could halt proceedings by paying up, assuming they had the necessary wherewithal.

The 1988 Finance Act (and subsequent secondary legislation) did not allow the local authorities to 'legally remit or write-off a poll tax liability', suggesting that

in drafting the legislation the government may have suspected that some local authorities could have been tempted to play politics with their discretionary powers.⁸⁶ Thus, although only a minority of London local authorities had chosen to invoke the 'ultimate sanction' by the end of 1991 its use was, arguably, inherent in the recovery procedure. Nevertheless this system left local authorities very much in the driving seat. This was important, for the practise of jailing rate defaulters (or any other sort of debtor for that matter) had long been a source of controversy. For example, in 1969 the *Report of the Committee on the Enforcement of Judgement Debts* (Cmnd. 3909) advocated abolition of imprisonment for civil debt, other than for maintenance. By 1990 England and Wales were the only countries in Western Europe (including Scotland) that still applied the sanction.

There were certainly several powerful rational and moral arguments against the practise, most of which were taken up by the Ealing Federation, which sought to cast it as 'archaic', 'Dickensian' and ultimately, irrational. For example, the protestors noted that it hardly seemed in keeping with Tory principles of cost-efficiency to jail individuals for debt when the cost of their incarceration to the state (and thus ultimately the tax-payer) far exceeded the amount owed. Similarly, how could people repay a debt from prison? The Ealing Federation therefore produced posters noting that it cost '£200 a day to put a prisoner away', although this may have been probably an exaggeration, as the government claimed it cost £49 a day in a prison, but £220 in a police or court cell.⁸⁷ The protestors also sought to highlight their contention that almost by definition, only the poor would suffer. After all, how many people would willingly go to prison, even if they felt strongly about the poll tax? Thus at demonstrations, Federation supporters displayed placards reading 'Poverty is not a crime, why should people do the time?' and, tongue in cheek, urged the courts to 'Jail The Tories Not The Poores!'⁸⁸

Moreover, given the sheer numbers of non-payers in Ealing (and elsewhere), threatening individuals with imprisonment was easily likened to a perverse sort of lottery (original emphasis):⁸⁹

The council cannot possibly jail the 50,000 people who haven't paid in Ealing. THEY ARE PICKING ON A FEW PEOPLE TO TRY AND INTIMIDATE THE REST OF US INTO PAYING. We must all defend the unlucky few.

However, the campaigners also recognised that publicity about jailings posed its own dangers and were 'a bit leary about spreading alarm and despondency among non-payers by stressing the threat of prison'.⁹⁰

While it was easy to rail against the perceived injustices associated with jailing poll tax defaulters, it was less easy to persuade local councillors, as the ultimate decision-makers, to desist from the practice. The Federation therefore sought to apply two broad forms of pressure simultaneously. Firstly, attempts were made to mobilise public opinion. The tactics used, however, were not particularly innovative and initially centred around lobbies of council meetings, which may have only served to antagonise already hostile councillors. As ever, these had the potential to become rowdy. On 23 July, two days before Ealing's first committal hearing, 'more than 50 people burst into the council chamber, chanting and singing anti-poll tax slogans' as 'councillors promised to jail Ealing residents who refused to pay'.⁹¹ Again, on 17 August some 100 protestors gathered outside Ealing Town Hall, and heard speeches denouncing the jailing of Stephen Hynes', the first person to be imprisoned in the borough.⁹² Around 30 of them then dispersed throughout the local shopping centre to distribute the following leaflet, which is perhaps worth quoting at a little length.⁹³

GUILTY
– OF BEING POOR

Ealing Council has jailed Stephen Hynes for not paying the Poll Tax. He has committed no crime. Stephen has been unemployed since November and should really be entitled to a rebate. Instead he has been billed for the full Poll Tax and then jailed because he's too poor to afford it!

The Council has the discretion to start or not to start committal proceedings. Ealing Tory Council has decided to put the boot in. We know that at the end of the day, it will be people who just haven't got the money who will end up in jail.

They won't get any money off Stephen this way. Your 'debt' is cancelled once you are imprisoned. This callous and vindictive jailing is simply about persecuting the poor.

PROTEST!

Let your councillors know exactly what you think. There is a list of the real guilty ones on the back of this sheet...

The reverse of the leaflet then reproduced the home telephone numbers of all Ealing councillors, irrespective of party and asked readers to 'phone your councillor now!' Similarly, people were urged to use their existing membership of community groups as a means of exerting pressure: 'Whether you are a member of a trade union, tenants' association or just a concerned individual, let your local councillor know how you feel.'⁹⁴

The local media offered another means of influence and the Federation proved increasingly able to shape the local news agenda. For in contrast to the national coverage of the poll tax, which declined after the abolition announcement of March 1991, local reporting continued at a fairly high level. But 'whereas the national media readily subscribed to the view that anti-poll tax groups were stalking horses of the extreme left, such conspiracy theories were less evident in local reporting.'⁹⁵ This was potentially significant, as studies of local newspaper circulation in the period found that in some areas, the local paper was read by as much as 80% of the population.⁹⁶ In Ealing, the trend was reinforced by the existence of two rival 'free-sheets', delivered to every household in the borough, each claiming a circulation of over 100,000. But in a sense local press interest was probably inevitable, as difficulties arising from the tax were simply too manifest to ignore. These stories tended to highlight three main aspects of the poll tax as a 'problem': continued administrative 'chaos'; the impact non-payment on the local council; and most usefully for the organised protestors,

regular personal 'hard-luck' stories of vulnerable individual residents threatened with coercive recovery measures.

In this period several factors served to boost the credibility of the Federation amongst the local press, the most important of which was undoubtedly the government's decision to scrap the tax, apparently confirming that the protestors' had been right all along in characterising the system as fundamentally 'unjust' and 'unworkable'. For example, following the imprisonment of Steven Hynes, the News Editor of the *Ealing Gazette* indicated in a letter to the Federation that as 'the poll tax [is] discredited as a form of local taxation, I would be keen to write a follow up story from Stephen's [sic] point of view'.⁹⁷ The subsequent report cast Hynes in a highly favourable light.⁹⁸

Steven, who lives at home to care for his disabled mum, stopped working in November... but in court had no evidence showing that he was on unemployment benefit.

Such stories allowed the Federation to secure a platform for more overtly political comment, including a full page 'Viewpoint' article setting out the Federation's detailed criticisms of the councils' policy of jailing for debt⁹⁹ and quotes on most poll tax related stories. As the campaigners had ready access to 'inside information' from sympathetic council workers they could also sometimes offer journalists genuine 'scoops'. For example, a front-page article one of the borough's free-sheets prominently repeated Federation 'revelations' that 'the council was heading towards financial disaster'; that 'payment had dried up'; that 'the condition of the computer system is critical'; and that the council was 'still chasing rate arrears from the 1970s'.¹⁰⁰ Similarly, as individuals with hard-luck stories regularly approached the Federation it was relatively easy to feed the local press embarrassing examples of 'injustices'. For example, in June 1991 the protestors took up the case of Ken Purnell, a 68 year old South Ealing resident and pensioner, suffering from bronchial asthma and 'kept alive by a mini-ventilator', who had nevertheless been pursued for the full charge.¹⁰¹ Once informed of Purnell's position, the council quickly backtracked and retrospectively granted benefit. Nevertheless, such stories lent the protestors a

certain authority and perhaps chipped away at the legitimacy of the council's recovery efforts.

- However, all these overtly political activities largely failed to dent the council's resolve to jail those non-payers whom they believed to be 'wilful refusers'. As a result, the Federation increasingly concentrated on providing advice and direct legal assistance to all those threatened with imprisonment. As the dynamic of the anti-poll tax campaign shifted further and further towards individual case work, calls to 'clog up the courts' were replaced by attempts at advocacy and even the central issue of non-payment receded from the protestors' rhetoric. As Mick Brooks recalled (my emphasis):¹⁰²

If they came to us [beforehand] we would try and move heaven and earth to get a lawyer there... *There was no question of putting people up to suffer for our cause. Our aim was to keep people out of prison if at all humanly possible.*

The machine strides on

Ealing began its attempts to jail non-payers with the first committal hearing held at Acton Magistrates' court on July 25, 1991. Forty-nine were summonsed, but only nine turned up for court and in general, in Ealing, about 80% of those proceeded against failed to turn up unless arrested.¹⁰³ Given the gravity of the potential penalty, this low turn out surprised most activists, but was to prove fairly typical of cases in other London Petty Sessional Areas.¹⁰⁴ Of the nine defendants that did attend the hearing, two were immediately committed to prison. The first – a female Ealing council worker – avoided jail by paying her outstanding debt in full, although according to the protestors this 'left her with no money for the rest of the month' (see chapter four also).¹⁰⁵ As we have seen, the second, Stephen Hynes an unemployed warehouse worker, was jailed for 30 days – the first Ealing resident to be imprisoned for non-payment and only the second individual in London.

The Ealing Federation was quick to suggest that 'even in terms of the poll tax legislation, this is a miscarriage of justice [as Hynes] has been unemployed and so he is entitled to a rebate'.¹⁰⁶ Moreover, the behaviour of council officials in court during the hearing suggested that the council was more interested in securing exemplary punishment than collecting revenue. This was particularly significant as defendants in poll tax cases were not entitled to legal aid and were therefore invariably without legal representation. As a result 'the council plays a large part in determining the procedures adopted by the court through its representatives suggestions'.¹⁰⁷ According to the Federation, the council's recovery officer, a Mr Keady was a 'disgrace', with the official 'pressing for prison' even though an offer of payment had been made. This last claim was strenuously contested by council officers who stated that Hynes had never offered any payment either before or during the court case.¹⁰⁸

In a sense, these various accusations and counter-accusations served to highlight the protestors' inability to directly influence events in court. However well prepared (or well intentioned), the Federation advisers were generally marginal to the proceedings and the campaign soon formally conceded that 'what we can do on the day when committals are being heard is limited', although supporters were encouraged to take detailed notes of the proceedings.¹⁰⁹ They therefore looked outside their own ranks for assistance, but again, these attempts to secure legally qualified representation for defendants only ever achieved patchy success.

Despite the existence of a loose national network of sympathetic barristers in the Poll Tax Legal Group and the Campaign Against Poll Tax Imprisonment (CAPTIVE), there were simply too many cases to cover. This in turn prompted complaints from CAPTIVE that defendants were, in effect, being denied a basic human right. Injustices were bound to arise, as defendants 'were facing hearings ill-equipped and ill-prepared' while 'procedures for obtaining bail pending appeal or judicial review [were] unclear and complex'.¹¹⁰ This claim was later confirmed by a judgement of the European Court of Human Rights (*Benham v UK, 1995*), which reaffirmed, under Article 6.3 of the Convention, that all defendants in poll tax cases should be entitled to legal representation.¹¹¹

Meanwhile, questions over detailed evidential matters tended to go unexplored during the hearings.

Similarly, as we have seen, Hynes' case, like so many others, involved disputed or outstanding benefit claims. This was potentially important, for although the court was empowered to continue to proceed while rebate applications were outstanding, common sense suggested that this was a good reason to adjourn proceedings. According to the protestors, most people summonsed for committal claimed that they had applied for rebates for the 1990/91 tax (original emphasis):¹¹²

We know that a very large number of rebate applications were not logged during the whole of 1990 because of software limitations etc. It is also common knowledge that many CCB claims went missing without any means of tracing them. It is therefore regrettable that Council officials in court (whether through ignorance or duplicity) deny point blank that rebate applications have been received.

But while council officials were prepared to accept that significant backlogs Housing Benefit/Community Charge did exist – approximately 12,000 cases in April 1991, shrinking to just over 8,000 by May 1992 – they maintained that rigorous checks were made to ensure that each person summonsed did not have an outstanding claim.¹¹³ Nevertheless, the Ealing protestors continued to claim that the council was not exhausting all other options before instituting committal proceedings, including the a minimum of three visits by bailiffs within the prescribed time laid down for executing distress warrants, as set out in the council's own guidelines.¹¹⁴

Other means of recovering poll tax debts were not initiated, including direct deductions from income support, although this was not particularly unusual and by the end of May 1991 only 58,000 people nationally were having arrears deducted from benefit.¹¹⁵ Similarly, by January 1992 no attempt had been made to institute an attachment of earnings order in Ealing, described by one official as 'administratively onerous' due to the problems of compiling accurate

information from the defaulters' employer.¹¹⁶ Ironically, given the flat rate nature of the poll tax, council officers also contended that such orders:¹¹⁷

are arbitrary in effect, since they take no account of the chargepayer's financial commitments... Given the economic recession and the downturn in the housing market, it is likely that a blanket attachment of earnings policy could lead to homeowners at the margin, being unable to pay their mortgage... and possibly lose their homes.

According to the Federation, these admissions added up 'to the disturbing fact that Ealing Tory council is flouting the law, which states clearly that jailing is a last resort'.¹¹⁸

Similar allegations surfaced in relation to the case of Maurice White, an unemployed brick-layer, who was jailed in September 1991 for three months. Again, the Federation claimed that the means enquiry was fundamentally flawed and failed to establish that White was due to start a job a week after the hearing. As usual, White's case also involved problems with outstanding housing/community charge benefit claims. White's family (and the Federation) also claimed that the council rejected an offer to pay half of the outstanding sum before the hearing.¹¹⁹ In the event, his wife Assumpta borrowed the £517.50 owed 'from friends' to secure his release.¹²⁰

All these allegations were rejected by the council, which instead publicly attacked the Federation for offering the White family 'detrimental advice' (see above). These comments, together with the fact that the family had publicly been identified as anti-poll tax supporters in a local press report concerning the use of bailiffs in late 1990, led some to suspect that the Whites may have been deliberately targeted. Whatever the truth of this – and there is no evidence to substantiate it – other London campaigners noted 'a worrying trend of councils picking on anti-poll tax activists to be jailed'.¹²¹ For example, in Barking three local activists, including the chair and treasurer of the borough Federation, received committals for the same day.

Of more pressing importance for the Ealing Federation was its mounting belief that the Acton court was using the threat of jail as ‘a form of hostage-taking’.¹²² For example, in the case of one (unnamed) man jailed for 28 days on 17 October, protestors claimed that:¹²³

the clerk of the court asked [the defendant] irrelevant questions about his father’s employment and how many members of his family had the use of a car – obviously trying to ascertain whether anyone would be in the position to come up with his payment should he be committed to prison.

In the event the man’s family did indeed pay up. At a national level, legal campaigners were also disturbed by the conduct of means enquiries at committal hearings. As Alan Murdie of CAPTIVE saw it, some ‘of the things that have been going on don’t fit into any concept of English justice. I haven’t seen one committal hearing where the magistrates have used the law properly. There is meant to be a proper means enquiry by the court before someone is sent to prison.’¹²⁴

The Acton benches robust sentencing policy also emerged as a major source of complaint. As Mick Brooks saw it: ‘It seemed that they only knew one sentence and that was the maximum of three months, every time, at least for the first while. I *think* they were told to cool it at some stage because they suddenly started issuing one month, two month [sentences].’ Certainly, in February 1992 alone there were 5 Ealing non-payers in prison¹²⁵ and by March, Acton Magistrates had jailed more people for non-payment than all other London boroughs put together. Similarly, although other London Petty Sessional Areas began increasingly to imprison debtors at the request of their respective councils, the Ealing bench retained its place as the court most likely to imprison, with 100 individuals committed according to the DoE figures for the 1991/2 tax year.¹²⁶

Clearly this was a relatively large figure, but does it necessarily show that both Ealing council and the Acton court were intent on *punishing* non-payers, rather

than enforcing debt recovery? By 20 October 1992, Ealing council officials claimed that committal proceedings had been taken against 1,428 residents, with 76 of these being immediately imprisoned. Leaving aside the fact that this estimate does not agree with the Department of the Environment's tally, it could be argued that the record does support the efficacy of the judgements. For where attendance was secured, either voluntarily or through coercion, payment was made in 90% of cases.¹²⁷ Of those sentenced, only three served their full term, with the rest discharging their debt or securing release part way through their sentence.¹²⁸ In that sense, the jailing policy could be cast as an effective means of securing unpaid poll tax in difficult cases.

Nevertheless such an approach was far removed from the Association of Metropolitan Authorities' advice on 'best practise' which assumed that whichever 'enforcement procedure an authority uses should depend as far as possible on the particular circumstances of the charge-payer'.¹²⁹ Problems therefore began to surface when some of these cases were put forward for Judicial Review. For example, on 16 January 1992, Osman ('Dino') Tossoum, an ex-council worker and unemployed musician, was jailed for three months.¹³⁰ However, on 13 February a lawyer organised by the Ealing Federation secured bail at the High Court and Tossoum was released. The judgement was partly based on the fact that Tossoum was in receipt of Income Support, but also cited an earlier High Court ruling which quashed the imprisonment of Stephen Benham, an unemployed and 'penniless' man of Poole, Dorset who had been found guilty of 'culpable neglect' because he had nine 'O' levels and could therefore have been expected to get a job.¹³¹

However, the case of the Farrar family seems to have acted as the most significant catalyst for change. In July 1992 Anthony, Linda, Tony and Kirk Farrar, residents of Northolt, all received jail sentences of three months each. Again, disputes over benefits surfaced during the hearing, as both the sons (Tony and Kirk) were unskilled labourers who had experienced bouts of unemployment during the 1990-91 tax year. In passing the maximum sentence, the court appeared surprisingly indifferent to the fact that a number of minors would effectively be left without parental supervision, or that Mrs Farrar was

caring for two of her nieces' children, who presumably would have had to be placed in care in her absence.¹³² This immediate family crisis was partially resolved when, following a collection by 'friends and neighbours' Linda (the mother) was released.

There is no evidence that the Farrars had any political intention to refuse to pay and as soon as the family could borrow the necessary wherewithal, secured the release of the remaining family members.¹³³ The father, Anthony, was first to be released after serving fourteen days in Pentonville. Meanwhile, Kirk, aged 18, as a minor served 31 days of his sentence at Feltham Young Offenders Institute, but became increasingly depressed and upset. The family therefore borrowed more money to clear his remaining debt. However, this proved impossible in the case of the remaining family member, Tony Farrar, whose release was only secured after the Ealing Federation, in conjunction with CAPTIVE, organised a judicial review on 28 September 1992. The High Court then ordered Farrar's release and reminded the Acton bench that imprisonment should only be used as 'the last resort in exceptional circumstances'.¹³⁴

The next committal hearing, attended by Hugo Charlton, a barrister from the Poll Tax Legal Group and the Revd. Paul Nicholson of CAPTIVE therefore saw 'a complete departure from normal proceedings' with 'not a single person jailed' and the cases of those present being adjourned indefinitely so long as they paid off between £5 - £15 a week.¹³⁵ However, hostility between the magistrates' bench and the organised protestors remained much in evidence. At the hearing, the chair of the magistrates, a Mrs Fraser, attempted to have both men arrested for contempt, but was apparently checked by the clerk who 'informed her it wasn't on'.¹³⁶

While the Ealing protestors were increasingly alarmed by the courts' apparent willingness to jail poll tax debtors, the proceedings were in some ways less controversial than those in other Petty Sessional Areas. For example, on 13 March 1992 the High Court ruled that Sittingbourne magistrates were wrong to imprison a 67 year old woman, Anne Ursell, without notifying her of the hearing. Mr Justice Schiemann, awarding Ursell all legal costs, noted that

although the local magistrates apparently 'believed she had nothing new to say' it was generally considered good practise to allow defendants the right to put their case before sentencing. He also cautioned both the local bench, and her local authority, against re-instituting proceedings, as 'this lady has already served half her sentence and is not getting any younger'.¹³⁷ Another case in Haringay, saw the jailing of a man who was apparently 'searched in court after he said he had no money on him. When £11 was found the magistrate decided to jail him.' However his mother paid to get him out on the same day.¹³⁸

If anything, concerns over the apparently punitive intent of some sentences grew *after* the tax's abolition. A study by Rona Epstein and Richard Wise found that by the year ending March 1994, 1,202 people served jail sentences for non-payment, compared to 704 in the 1991/2 tax year and only 10 in 1990/1.¹³⁹ Whereas the average sentence had been 27 days in 1992, it had risen to 32 days by 1994. The study backed up the protestors' contention that only the poorest and most vulnerable debtors would face jail. For example, of the 143 cases granted leave for judicial review, 56 people were on income support, 20 received other benefits, 19 had no income at all, 10 had serious physical disabilities, five suffered mental disability and 27 had serious illnesses ranging from epilepsy through to arthritis and asthma. Moreover, the High Court had declared magistrates' sentences as unlawful in nearly 100 of these cases – a success rate of 95% compared to an average judicial review success rate against magistrates of circa 15%. The study concluded that despite repeated admonishments from the High Court that magistrates' powers to jail was to enforce, not punish, they were 'continuing to make the same errors and continue in increasing numbers to punish the vulnerable'.

So far this discussion has raised a number of obvious legal and ethical questions regarding the conduct of the magistrates' courts and the general efficacy of jailing poll tax debtors. It will also have become obvious that the experience of committal hearings was highly emotive, especially for both protestors and 'ordinary' defendants alike. As one protestor put it

It was the most depressing experience. I think Gandhi was once asked what he thought about British civilisation and he said he “thought it would be a good idea”. Basically that’s what I think of British justice after seeing these poll tax committal proceedings.

In part this reflected the formal nature of the of the proceedings, which sometimes left defendants visibly fearful, trembling, stuttering replies and even crying in the dock.¹⁴⁰ Inevitably perhaps, the legal basis of much of the language used by key actors in the court also at times encouraged a mutual sense of incomprehension, as so many defendants obviously had enjoyed little education, or on occasion, did not use English as a first tongue. One protestor recalled that the ‘language the clerk of court used was quite comical. He’d be asking these working class [defendants] things like ‘How much is your monthly remuneration’ and they’d say ‘What?’¹⁴¹ But generally the course of the hearings had few, if any, light moments:¹⁴²

People were so demeaned. Because people had to prove they were unable to pay the clerk would ask questions like “Do you have a TV?” “Have you bought any clothes recently?” And I can remember a woman and her husband from Southall who were *so* humiliated. People who were trying to live a dignified normal life, having to explain their small, minor purchases, which to you or me would go unremarked... It sickened me, to see how the machine, the bureaucracy would stride on, casting people aside in its wake.

However, it is important not to lose sight of the political context in which the cases occurred and their wider implications for the meaning of active citizenship in the period. For while the evidence clearly suggests that the majority of those imprisoned were ‘can’t payers’, at least three Ealing residents did refuse to pay the tax on political grounds.

Three 'won't payers'

The first imprisonment of a principled 'won't-payer' in Ealing occurred on 14 November 1991, when Frank Matthews (aged 53) and his wife Sylvie (aged 49) of the South Acton estate were sentenced to 90 days each for 'wilfully refusing' to pay the poll tax. Instead, when asked if she could pay, Mrs Matthews replied 'I could, but I have no intention of doing so', as did her husband.¹⁴³ Each subsequently served their full sentences in Holloway and Pentonville prisons respectively. Ealing Council was keen to highlight the Matthews case as what they saw as a *prima facie* example of the deliberate defaulter. As Councillor Phillip Richardson put it:¹⁴⁴

Magistrates decided on hearing the evidence that both Mr and Mrs Matthews were able to pay the outstanding charge. They subsequently refused, so there is no alternative but to send them to prison.

In fact, as the protestors immediately sought to point out, there was clear evidence that the Matthews were in significant financial difficulties at the time. For example, both were unemployed and Sylvie therefore had no personal income or savings. The couple faced eviction from their council flat on release from prison in February 1992, owing over £4,000 in rent arrears.¹⁴⁵ The Federation therefore argued that instead of seeking a committal the council should 'at the very least' have sought to deduct a weekly sum from their benefit. Significantly, the couple did not contact any of the organised groups before the hearing and were therefore legally unrepresented. If they had sought assistance beforehand it is clear the Federation would have strenuously advised them that given their overall level of indebtedness and low income, a defence of 'can't pay' during the means enquiry should have been attempted.¹⁴⁶

However, the Matthews primary motivation in refusing to pay appears to have been a moral objection to the tax. For although neither could have been meaningfully described as an 'activist' they were clearly politically motivated. As Mrs Matthews saw it: 'The Poll Tax is immoral and unethical: money by threat and legal extortion. Why should the poor man be made to suffer? It's the

principle that matters here'.¹⁴⁷ But it was one thing to oppose the tax in principle and another to go to prison. Mrs Matthews explained her stance thus:¹⁴⁸

after saying right from the beginning that I would not pay Poll Tax, I felt that when the crunch came, I should have the courage of my convictions to say no. It is my own personal feeling that it is wrong and stating so publicly to the magistrate was my only way of making my opinion felt.

After the initial shock of imprisonment, both Mr and Mrs Matthews maintained a plucky air throughout, with Mrs Matthews likening conditions in Holloway to a 'Boarding School' and praising the prison staff, who were 'great' and 'understanding'.¹⁴⁹ Other prisoners gave Matthews a round of applause when she first entered the canteen. Meanwhile, Ealing anti-poll tax campaigners, in co-operation with the Matthew's family, attempted to secure their release through public campaigning. Activities included a letter writing campaign to all councillors, a petition and a lobby of a council meeting on 26 November 1991. Throughout the protestors sought to cast the jailing decision as grotesque ('This time they've gone too far') and flagged up their status as grandparents ('This woman deserves your support'). Following the couples' release on 13 February 1992 the Federation organised a St Valentines' day 'Welcome Home' party to celebrate, with all proceeds going to the Matthews.

Interestingly, there does appear to have been some tension between the Matthews' approach and that of the organised protestors. For example, the Federation originally hoped to highlight the effect of the Matthews' imprisonment on their grand children, one of whom had 'special needs', who couldn't 'possibly understand why granny and grand dad can't spend Christmas with them'.¹⁵⁰ But an over-emphasis on the personal aspects of the case was vetoed by the family, who judged it to be in 'bad taste'.¹⁵¹ Instead the couple saw their protest as very much an individual moral stand against a particular injustice. Nevertheless, the Matthews' personal situation came to dominate subsequent campaigning, with the couple regularly described by both the protestors and the local press alike as the 'poll tax grandparents'.¹⁵² However, it

would be misleading to exaggerate the importance of these differences in emphasis although a certain tension between the sort of individualistic protest favoured by the Matthews and the tactics and goals of the organised protestors remains evident. For example Mrs Matthews subsequently extended her 'heartfelt and deepest thanks' to the campaigners and 'the hundreds of people that have sent cards, letters, leaflets, notes etc.'¹⁵³

The individualistic character of the Matthew's protest is perhaps best appreciated when their experience is contrasted with that of Ealing's other 'won't payer'. In September 1991 Michael O'Connell (aged 27), a prominent Acton anti-poll-tax campaigner and a member of Militant, was summonsed to appear for a committal hearing.¹⁵⁴ At the time he was unemployed. Although there is no evidence to suggest that O'Connell was deliberately targeted by Ealing council from the outset he signalled his intention 'as a leader of the local campaign... to go all the way.' The protestors therefore consciously sought to use the threat of imprisonment as a means of highlighting the wider issue of poll tax jailings in the borough. Before the committal hearing, scheduled for 17 October 1991, a public meeting was held and (the by now familiar tactic) of lobbying a council meeting was employed to publicise the case.¹⁵⁵ Similarly, local trade union branches were approached for support, although only O'Connell's own union, MSF, offered meaningful support and his branch subsequently donated £500 to pay help his mortgage during the time he was in prison. On the day itself, a march was organised from Ealing Town Hall to the Acton court. Once there O'Connell addressed a crowd of about 50 protestors. After denouncing the effect of the poll tax on local residents, he then dramatically ripped up the summons, declaring that

I will never willingly pay my poll tax [and] I am going to make it as difficult as possible for them. What I'm not prepared to do is go into that court today where there is no justice whatsoever and listen to Tory magistrates and Tory court clerks implementing Tory laws.¹⁵⁶

He then got into a waiting car and 'sped off' to the 'cheers of the crowd'.¹⁵⁷ In his absence, the magistrates issued a warrant for his arrest. Unusually for poll

tax cases, the local police energetically sought to arrest him. Over the next two months they 'called round at six in the morning. They were banging on the windows, banging on the doors, shining torches inside and happened four or five times'. These unwelcome visitations finally prompted O'Connell to stay at a friend's flat. However, the authorities finally caught up with him in early January 1992 as he signed on for unemployment benefit. Again, most unusually in a case of civil debt, the police and Benefits Agency co-operated in the arrest, with officials deliberately delaying him for three quarters of an hour at the office. When he finally left he was arrested by a plain-clothes policeman and then taken straight down to a special sitting of Acton magistrates' court, where he was sentenced to 60 days imprisonment for 'wilful refusal' to pay. During this short period he received over 100 letters of support from members of the public and various political and anti-poll tax groups. After serving 30 days O'Connell's family paid the outstanding debt and he was released.

The protest – described by O'Connell as 'a bit of a stunt' - proved dramatic enough to attract regional media interest and a filmed report appeared on Thames News on the night of 17 October. However, paradoxically, the main local paper ignored the story and it was only reported in one of the local free-sheets. Interestingly, as O'Connell was an Irish citizen, his case aroused particular interest in Ireland. Some of this, such as extensive coverage in the *Irish Times* was welcome, others less so. For example, O'Connell's story was taken up by *Ulster*, the paper of the paramilitary Ulster Defence Association, which noted how it was 'funny how that squalid republic in the south can always find some malcontent to live in Britain [and] use our facilities but pay nothing.'¹⁵⁸ Rather menacingly, the UDA sent a copy of the magazine to his London address.

Clearly then, the protest at least partially achieved its goal of securing publicity, but it also proved controversial to some Ealing campaigners. For example, a sympathetic barrister had been arranged for the October hearing and when O'Connell failed to attend court the majority of Ealing activists, who had not been informed of the planned protest before-hand, were rather taken aback. While the Federation naturally continued to support his campaign, this failure in

communications led some activists to conclude that his action was very much a 'Militant thing'.

Similarly, although Ealing Federation activists admired the commitment and courage displayed by both the Matthews and Michael O'Connell, some were concerned that such protests might actually prove counter-productive. For as we have seen, following the abolition announcement the context within which the Ealing campaigners were operating had changed radically. In particular, the focus of their efforts had shifted away from 'broad brush' protest and towards the defence of individuals threatened with jail. The key contention of the protestors here was that those people facing prison were largely unable to pay the tax. From this perspective there was a danger that those 'won't payers' openly thumbing their nose at the council and the legal system might undermine the wider argument for an amnesty.

The council certainly seems to have believed that there were positive virtues in highlighting cases of 'won't payers'. For example, in November 1991 the council issued summonses to liability orders to over 10,000 residents and enclosed a photo-copied article from the local paper reporting the jailing of Sylvie Matthews, headlined 'Poll tax protestors face Christmas in prison'.¹⁵⁹ However, the tactic backfired, provoking 'scores' of complainants according to the local paper, with one resident noting that 'it was like getting a letter from the Mafia'. Another letter to the local paper, from a Ms J Couzens concluded:¹⁶⁰

May I remind the council and the director of finance that we live in a mature democracy which demands a certain standard of them as servants of the public, not the masters.

But in justifying the tactic, Councillor Philip Richardson, Tory finance committee chairman, suggested that 'I don't think it's over the top or intimidating to tell people about the threat of prison. The situation is very serious and it's more important to safeguard our services than to safeguard the feelings of those who refuse to pay'. Whatever the truth of this, the council did not repeat the exercise.

On the other hand, it could well be argued that the publicity benefits of these high profile protests outweighed any potential costs, especially as the council had apparently shown itself immune to political pressure over the jailing policy and the court largely uninterested in legal argument. As Michael O'Connell saw it, such a protest could show 'a defiant picture. Someone who was willing to say, "I'm not the slightest bit frightened of being jailed". It was a dangerous and subversive message.' Thus the very act of going to prison served to expose the political bias of a supposedly impartial justice system and potentially give confidence to other non-payers. These protestors were, in effect, 'bearing witness' against an immoral law.

In any case, there was a sense that by 'taking it all the way' both the Matthews and Michael O'Connell were remaining consistent with their earlier vocal support for non-payment. For example, in a letter from prison written early in her sentence, Mrs Matthews implicitly contrasted her own willingness to face prison with the apparent unwillingness of most anti-poll tax protestors in Ealing and elsewhere to do the same.¹⁶¹

I would assume and hope that more people will have the courage of their convictions to say 'stop', enough is enough. I can also appreciate that there are extenuating circumstances for lots of people but all those who that do the shouting and writing about the Poll Tax should stand firm.

However, Michael O'Connell thought that any decision as to payment was largely contingent on individual circumstances, believing for example, that 'it would be ludicrous to lose your job by going to prison' over the poll tax. This in turn highlights a clear difference in purpose between activists like O'Connell and individualists like the Matthews. As Mr Matthews made clear:¹⁶²

our stand has been taken as individuals against an individual (personal) tax. We have taken individual (personal) action [and] I personally did

not expect the reaction that my wife and myself have had from the public.

But most Ealing protestors believed that such an approach tended to undermine the opportunity to turn 'the whole thing against the Tory council and the powers that be'.¹⁶³ Interestingly, Michael O'Connell agreed and was only prepared to countenance prison within the wider context of a political movement:

From a practical point of view, if you feel a law is bad, then to attack that law, to break it individually, without the weight of a movement [behind you] is stupid. There's no point. There are lots of laws that people disagree with, that are maybe not that morally correct. But you've got to have a campaign there. With the poll tax you had that.

General Election 1992

However, national developments, in the shape of a Conservative victory at the 1992 general election were soon to deal a mortal blow to the Ealing anti-poll tax campaign, which was in any case fast declining. Although, as Sanders suggests, it is sensible to assume that the 'poll tax furore had left a legacy of resentment amongst large sections of the electorate', the issue failed to play a decisive role in the campaign.¹⁶⁴ Certainly Labour efforts to re-ignite the controversy generally had little effect, despite its continued unpopularity¹⁶⁵ and Major was largely able to cast himself as 'the man who got rid of the poll tax'.¹⁶⁶ Thus a number of factors, including the personal shortcomings of the Labour leader, a late swing from Liberals to the Conservatives, concerns about Labour's tax proposals and the desire for a 'safe' response to the recession, combined to ensure a Tory victory.¹⁶⁷

The Ealing Anti-Poll Tax Federation played only a very limited role in the election, restricting its intervention to a poster campaign, which read (original relative point size):

**DON'T VOTE
POLL TAX!
DON'T
VOTE TORY**

No more poll tax jailings
No more bailiffs harassing the poor

Indeed, many of the remaining activists, despite their mounting concerns about the right-ward drift of the party, reverted to type and campaigned for Labour. But as both sitting Conservative MPs in the borough (Harry Greenaway and Sir George Young) were re-elected, there is little evidence to suggest Ealing voters heeded the Federation's advice 'not to forgive or forget!'¹⁶⁸ The experience in Scotland was a little more encouraging for the campaigners, where Tommy Sheridan, standing as a Scottish Militant Labour non-payment candidate, secured 20% of the vote in Pollock. Nevertheless the implications of the Conservative victory were of decisive and immediate importance for the campaign. Firstly and most obviously, there was now no realistic chance of securing an amnesty for non-payers - its sole remaining substantive political demand. But more significantly, in common with most British leftists, many Ealing anti-poll tax campaigners were rendered profoundly demoralised.

But in another sense the poll tax did play a decisive part in determining the result of the 1992 general election, as at least 700,000 individuals disappeared off the electoral roll, presumably in an effort to avoid registration.¹⁶⁹ On a moderate estimate this might have left the government with a majority of three, not 21. Reputedly, this happenstance prompted Margaret Thatcher to observe on election night that 'the poll tax worked after all'.¹⁷⁰ If Thatcher was referring here to Labour voters voluntarily going off the electoral roll, it appears that her previous lofty declaration that the poll tax was an attempt to 'turn dependants into citizens' was nothing more than cant. Whatever the truth of this, the tax certainly seems to have encouraged a significant number of poorer voters to

surrender their most important political right. But the general election result was also ironic in another way, as this most conventional of political events decisively cut the ground from under the civil disobedience campaign.

¹ David Sanders, 'Why the Conservative Party Won – Again', in Anthony King, *Britain at the Polls 1992*, pp174-175

² *The Independent* 27 April 1990

³ John Major, *The Autobiography*, Harper Collins, London, 1999, pp200-201 and Anthony Seldon, *Major: A Political Life*, Widenfield & Nicolson, London, 1997, p171

⁴ There is an ample literature about the 'high politics' of the review. See Seldon pp 169-181, D. Butler, A. Adonis and T. Travers, *Failure in British Government. The Politics of the Poll Tax*, Oxford University Press, Oxford, 1994, pp170-178, Nigel Lawson, *The View From No.11* Bantam, London, 1992, pp1004-1006.

⁵ *The Guardian* 13 March 1991

⁶ Margaret Thatcher, *The Downing Street Years*, Harper Collins, London 1993, p642

⁷ Shirley Letwin, *The Anatomy of Thatcherism*, Harper Collins, London, 1992, p197

⁸ *Ealing Gazette* 30 April 1993

⁹ *The Independent* 8 March 1991

¹⁰ Quoted in Lawson, p1004.

¹¹ Secretary's Report to EAPTF AGM, held 2 April 1991, p1

¹² *Ealing Informer* 4 March 1993

¹³ David Deacon and Peter Golding, *Taxation and Representation: The media, Political communication and the Poll Tax*, Acamedia Research Monograph, 1994

¹⁴ *Ibid.* p147.

¹⁵ *Ibid.* p197

¹⁶ *Poll Tax Focus*, LGIU, July 1991, pp2-3

¹⁷ Butler et al., p179

¹⁸ Seldon, p178

¹⁹ Secretary's Report to EAPTF AGM, held 2 April 1991, p1

²⁰ *London Fight The Poll Tax*, March, 1991, p1

²¹ Secretary's Report to EAPTF AGM, held 2 April 1991, p1

²² WE&HAPTC Newsletter, April 1991.

²³ See ABAPTF Bulletin April/May 1991, pp4-5.

²⁴ ALAPTA, Minutes 7 April 1991

²⁵ EAPTF leaflet, 1991

²⁶ Letter to EAPTF from R. Treacher, D. of E. 9 September 1991

²⁷ *Poll Tax Focus*, LGIU, February 1992.

²⁸ See Labour Party, *Conference Arrangements Committee Report*, 1991, p30-31.

²⁹ ALAPTA, Minutes 1 March 1992

³⁰ *Poll Tax Focus*, LGIU, July 1991, pp2-3

³¹ *Guardian* 3-10-91 and *London Fight The Poll Tax*, May 1992, p4

³² *London Fight The Poll Tax*, May 1992, p4

³³ Secretary's Report to EAPTF AGM, held 2 April 1991, p2

³⁴ EBC Finance Committee report, 19 December 1991

³⁵ Table adapted from *ibid.* p6

³⁶ *Ealing Gazette* 30 April 1993

³⁷ *Newsroom South East/BBC news report*, 29 June 1998

³⁸ LBE News Release 26 September 1991

³⁹ *Ealing Gazette* 4 October 1991

⁴⁰ Letter from D.Millican to EAPTF 17 July 1991

⁴¹ David Wilson & Chris Game, *Local Government in the UK*, Macmillan, Basingstoke, 1994, p178

⁴² *Ealing Voices*, April 1992

⁴³ Letter from M.Heseltine, D.of E. to Rev P Nicolson, 24 September 1991

⁴⁴ See M Ward & J Zebedee, *Guide to Housing Benefit and Community Charge Benefit*, SHAC/CPAG/IoH, 1989 for an exhaustive description of the system.

- ⁴⁵ Ibid
- ⁴⁶ Letter from Clyde Green, EBC Director of Finance to Cllr. J. Gallagher, 14 August 1991
- ⁴⁷ *Ealing Gazette* 4 October 1991
- ⁴⁸ Letter from J. Gallagher to C. Green, EBC Director of Finance, 5 August 1991
- ⁴⁹ Letter from John Cudmore to EAPTF, 19 July 1991
- ⁵⁰ D. of E. figures cited in ABAPTF Circular 18 December 1991. See also M. Reynolds *Uncollectable: The story of the Poll Tax Revolt*, Greater Manchester Anti-Poll Tax Federation, Manchester, 1992, pp147-164.
- ⁵¹ Letter from Cllr. G Bull, Leader of Council, to EAPTF, 11 December 1991
- ⁵² Association of Metropolitan Authorities, *Collecting the Community Charge: Choices for local authorities*, London, 1989, p32
- ⁵³ Letter from Cllr. Ian Green to EAPTF, 24 July 1991
- ⁵⁴ All information in this section derived from A Murdie & L Lucas, *To Pay or not to Pay?* Green Print, 1990, pp67-77 which sets out in detail the legal position of bailiffs and debtors.
- ⁵⁵ ABAPTF Bulletin, *Beating the Bailiffs*, London, 1990.
- ⁵⁶ Association of Metropolitan Authorities, *Collecting the Community Charge: Choices for Local Authorities*, London, 1989, p29
- ⁵⁷ LBE draft report on *Bailiff's Code of Conduct/Operational Guide*, prepared by C. Keady, Recovery Manager., p1
- ⁵⁸ Ibid. p2
- ⁵⁹ This paragraph based on Scottish Anti-Poll Tax Federation, *No Poll Tax Here*, Edinburgh 1989, p46-48
- ⁶⁰ Lucas & Murdie, p70
- ⁶¹ *London Fight The Poll Tax*, February 1991, p1
- ⁶² *Ealing Leader* 18 January 1991
- ⁶³ Written questions and answers from Cllr. J. Gallagher to LBE Finance Committee, 22 January 1991
- ⁶⁴ See Danny Burns, *Poll Tax Rebellion*, AK Press, Stirling, 1992, pp147-162 and Reynolds pp 91-101.
- ⁶⁵ ABAPTF Bulletin, *Beating the Bailiffs*, 1990
- ⁶⁶ *Ealing Gazette* 21 December 1990
- ⁶⁷ EAPTF model Telephone Tree and advice note, 1990.
- ⁶⁸ EAPTF Circular, February, 1991
- ⁶⁹ *Guardian* 15 May 91
- ⁷⁰ *Evening Standard* 4 March 1991
- ⁷¹ Ibid.
- ⁷² Private information
- ⁷³ Bill of Sale, together with advice note. Undated.
- ⁷⁴ Reynolds. pp93-94.
- ⁷⁵ *Poll Tax Law Review*, Autumn 1991, p3
- ⁷⁶ *Ealing Gazette* 3 January 1992
- ⁷⁷ EBC Finance Committee Report, 1 October 1992
- ⁷⁸ T. Sheridan & J. McAlpine, *A Time to Rage*, Polygon, Edinburgh, 1994, pp 153-154.
- ⁷⁹ Reynolds p95
- ⁸⁰ Burns, p156
- ⁸¹ Colin Barker, 'Empowerment and Resistance: 'Collective Effervescence' and other Accounts', in Paul Bagguley and Jeff Hearn, *Transforming Politics: Power and Resistance*, Macmillan, Basingstoke, 1999, p11.
- ⁸² Sheridan & McAlpine, p155
- ⁸³ See Burns pp154-156, for an account of a demonstration of a poinding in one Scottish village.
- ⁸⁴ Sheridan & McAlpine, p156
- ⁸⁵ Murdie & Lucas, p78
- ⁸⁶ Association of Metropolitan Authorities, *Collecting the Community Charge: Choices for Local Authorities*, London, 1989, p32
- ⁸⁷ *London Fight The Poll Tax*, February 1992, p4, citing unidentified DoE 'facts and figures'. The magazine also noted that a room in the Ritz Hotel was £190 a night.
- ⁸⁸ See *Ealing Gazette* 26 July 1991
- ⁸⁹ EAPTF leaflet, 1991
- ⁹⁰ EAPTF Circular 30 September 1991

- ⁹¹ *Ealing Gazette* 26 July 1991 and *London Fight The Poll Tax*, September 1991, p1
- ⁹² *Ealing Gazette* 23 August 1991
- ⁹³ ALAPTA, Minutes 1 September 1991
- ⁹⁴ EAPTF leaflet, 1991
- ⁹⁵ See D. Deacon & P. Golding, *Taxation and Representation: The Media, Political Communication and the Poll Tax*, Acamedia Research Monograph, 1994, p168. See also pp101-103 for the attitudes of the local media to non-payment campaigns.
- ⁹⁶ Bob Franklin, *Packaging Politics: Political Communications in Britain's Media Democracy*, Routledge, London, 1994, p110.
- ⁹⁷ Letter from M. Parkinson to EAPTF, 1 August 1991
- ⁹⁸ *Ealing Gazette*, undated press clipping but circa August 1991.
- ⁹⁹ See *Ealing Gazette* 27 September 1991
- ¹⁰⁰ See *Ealing Leader* 8 February 1991 and compare with EAPTF Press Release 10 December 1991 headed 'Six things the Council is not telling you about the Poll Tax which have been exclusively revealed to Federation officers by Council staff'.
- ¹⁰¹ *Ealing Gazette* 28 June 1991
- ¹⁰² Interview Mick Brooks
- ¹⁰³ EBC Finance Committee Report, 1 October 1992
- ¹⁰⁴ ALAPTA, Minutes 6 October 1991. for example, no defendants summonsed in neighbouring Harrow attended the first committal hearing.
- ¹⁰⁵ *London Fight The Poll Tax*, September 1991, p1
- ¹⁰⁶ EAPTF Circular 1 August 1991
- ¹⁰⁷ Open letter to all Ealing Councillors, EAPTF, 29 July 1991
- ¹⁰⁸ Letter from Tim Dauncey, Chief Officer Finance, to Cllr. Hilary Benn, 21 August 1991
- ¹⁰⁹ EAPTF Circular 12 August 1992
- ¹¹⁰ CAPTIVE – Campaign Against Poll Tax Imprisonment, *Policy Statement and Guidelines*, 30 April 1991
- ¹¹¹ Rona Epstein & Ian Wise, 'Poll Tax Committals and the European Court', in *Sollicitors Journal*, 16 May 1995, pp588-599.
- ¹¹² *The Poll Tax Jailings in Ealing – The Facts*, EAPTF, 1992, p2
- ¹¹³ EBC Finance Committee minutes, 2 July 1992
- ¹¹⁴ LBE draft report on *Bailiff's Code of Conduct/Operational Guide*, prepared by C. Keady, Recovery Manager., p3
- ¹¹⁵ *Poll Tax Focus*, LGIU, September 1991, p3
- ¹¹⁶ Letter from Tim Dauncey, LBE Chief Officer, to Cllr. J Gallagher, 6 January 1992
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- ¹¹⁸ EAPTF Press Release, 20-1-92. See also *Ealing Gazette* 31 January 1992 for subsequent story.
- ¹¹⁹ *The Poll Tax Jailings in Ealing – The Facts*, EAPTF, 1992, p3
- ¹²⁰ *Ealing Gazette* 27-9-91
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- ¹²³ *London Fight The Poll Tax*, December 1991, p3
- ¹²⁴ *The Guardian* 1 October 1993
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- ¹⁴¹ Interview Astra Seibe
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- ¹⁴⁴ *Ealing Gazette* 22 October 1991
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- ¹⁴⁹ Ibid.
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- ¹⁵¹ Interview Mick Brooks 5 August 1997
- ¹⁵² See for example, *Ealing Gazette* 10 January 1992
- ¹⁵³ Letter from S. Matthews to R.Murgatroyd, 20 February 1992
- ¹⁵⁴ I am grateful to Michael O’Connell for allowing me access to the substantial correspondence and other detailed written records he collected relating to his imprisonment. Unless otherwise stated, all information in this section is drawn from this material or from an interview conducted on 1 February 1999.
- ¹⁵⁵ EAPTF leaflet, 1991
- ¹⁵⁶ *Ealing Informer* 25 November 1991
- ¹⁵⁷ *Militant* 25 November 1991
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- ¹⁵⁹ *Ealing Gazette* 22 November 1991
- ¹⁶⁰ *Ealing Gazette*, undated press clipping, but circa November 1991
- ¹⁶¹ Letter from S Matthews to R Murgatroyd, 18 November 1992
- ¹⁶² Letter from F Matthews to M O’Connell 5 December 1991
- ¹⁶³ Interview Mick Brooks
- ¹⁶⁴ Sanders, p171
- ¹⁶⁵ See for example Nicholas Jones, *Election 92*, BBC, London 1992, p131
- ¹⁶⁶ Butler, p301
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- ¹⁶⁸ EAPTF press release, 31 March 1992
- ¹⁶⁹ I. S. McLean, ‘The Poll Tax and the Electoral Register’, in A. Heath (ed.), *Labour’s Last Chance?* Dartmouth, 1994
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Chapter Eight

The popular politics of the poll tax: an active citizenship of the left?

The fundamental duty of a citizen is to be public spirited. Tory policy means running the country for the benefit of a few. Socialist policy means running the country for the benefit of all. ¹

Silence is the door of consent

Poll Tax = Tax On The Poor

Pay No Poll Tax²

Introduction

This study has consistently argued that the defining characteristic of the poll tax was its *unpopularity*. This hostility was rooted in main three objections to the tax, namely that it cost more than the rates (for most), was seen as grossly unfair and represented a threat to local public services. As a result, a large majority of the British public consistently expressed their opposition to the poll tax in *principle*. This was significant, for as chapter one showed, the poll tax can best be understood as a conscious attempt by the Conservatives to implement the New Right's conception of the 'active citizen' as an economic, social and political player. By establishing a clearer link between voting and the payment of taxes, individual citizens would be encouraged to play a more responsible role in local civil society. The citizen/consumer would have a direct incentive to ensure value for money in local services and keep taxes low. This would also encourage active citizens to develop as altruistic individuals, willing to responsibly participate in political and social life and undertake acts of charity for their neighbours.

The New Right's conception of active citizenship was roundly condemned by the British left, which remained committed to the maintenance and extension of positive political and social rights, paid for by a system of progressive taxation.

The poll tax therefore came to assume a strong symbolic significance, as it so obviously violated what Marquand described as the 'inexplicit and imprecise ethic of communal responsibility for common needs' embodied by the welfare policies of the consensus years.³ However, this chapter will not explicitly address any further the left's conception of social citizenship, not least because the relative merits of liberal, Marxist and social democratic models of citizenship have been extensively debated elsewhere.⁴ In any case, the debate over the left's vision of social citizenship may actually be less important for the popular politics of the tax than its implications for *political citizenship*, that is the means by which active citizens seek to regulate political affairs and effect political change. For in practise, there was actually very little dissension within the left about *why* the poll tax should be opposed, but opinion varied hugely as to *how* it could be defeated. These tactical debates revealed obvious differences between the 'institutional' and 'radical' left's conception of the 'good' citizen.⁵

However, the implications potentially go beyond the organised British left. Given the near-universal character of the charge, citizens were forced to make a conscious political choice about a law which most of them opposed. In effect, there were four possible responses, namely to obey, to protest within the law, to engage in covert disobedience (that is disobey, but quietly) or engage in an act of open civil disobedience. As this study has shown, millions of citizens chose to either refuse to pay altogether, or more commonly resisted payment despite the various coercive measures employed by local authorities. So this chapter will also seek to explore the often ambiguous political meaning of poll tax non-payment. Finally, it concludes by considering the legacy of the poll tax protests for the British left's approach to citizenship in the 1990s.

Political citizenship - the institutional left

The purpose of this section is to discuss the institutional left's conception of active citizenship and consider its implications for the popular politics of the poll tax. Firstly, I will seek to briefly outline the dominant characteristics of the 'good' left-wing institutional citizen and discuss why this sort of activism

became increasingly problematic in the 1980s, prompting both the Labour leadership and a majority of rank and file activists to reassess and limit the boundaries of activism. I shall argue that this shift cannot simply be seen as a decisive *rejection* of previous models of left wing citizenship, although this impulse was certainly present. But instead it came to involve a subtler process of *re-emphasis*, as the relative importance of key assumptions that had helped define the 'good' citizen for most of the post-war era were reordered under the impact of Thatcherism. Finally, I shall seek to assess the implications of this shifting notion of activism for the course of the poll tax crisis and ask how far it helped encourage the anti-poll tax movement's decidedly radical and popular character?

The left-wing citizen – some dominant characteristics

Any comprehensive discussion of the mainstream British left's conception of active citizenship could easily fill several books, let alone a few paragraphs. So what follows is necessarily crude, but the following general points broadly hold true. Firstly most British leftists started from the assumption that the establishment of political rights, the universal franchise and trade union immunities under the law rendered illegal or violent political activity largely redundant and positively undesirable. As with any general rule, there were exceptions, including 'illegal' strikes undertaken in the face of Tory trade union restrictions in the 1970s, or violent conflicts with Fascists and racists. But in general the rules of the game were well understood: any party that aspired to government must ultimately uphold and constructively work within the existing political system.

Indeed, as labour became progressively incorporated into the political and industrial system throughout the twentieth century the institutional character of the movement became more pronounced. Labour's forward march in local and national encouraged more people to serve in parliament and on local councils. Simultaneously, in industry the trade union movement became more established and large numbers of people served as branch officers and shop stewards. Although the Labour Party and trade unions remained autonomous, they

believed themselves to be part of the same Labour movement. This increased activity was in part seen as a natural corollary of the creation of a welfare state. According to Crosland the 'passive' state had given way to the 'active' state, or at least the 'ultimately responsible' state.⁶ But such a state needed active citizens, willing to accept a measure of 'ultimate responsibility' in order to build the New Jerusalem. An active citizenship of the left then, served to not only promote the Labour movement, but also facilitate social cohesion, progress and democracy through the democratic institutions of society.

Consequently, most of the sorts of assumptions regarding the rights, duties and responsibilities of citizens espoused by the mainstream British left were little different from those of other political traditions. The 'good' citizen obeyed the law, paid taxes, served the state at times of national emergency, participated in the political process and as far as possible, sought to be economically active. However, a distinctive 'labourist' tradition of citizenship, built upon a strong sense of class-consciousness and the labour movement as an independent political and social actor, also developed.⁷ So left-wing active citizenship increasingly equated with Labour party and trade union activism. Of course, there were other sources of identity and other means of participation for the mainstream left, including the peace movement, co-ops, friendly societies, self-help groups and workers educational associations, but if anything, these tended to be a bridge into the party.

A number of dominant characteristics therefore informed the work of the majority of left-wing active citizens in the post war era:

- *Idealism* - The socialist citizen seeks to promote broad principles and values, including a sense of fair play, the virtues of the public over the private, the collective over the market, a belief in social justice, equality and democracy.
- *Optimism and efficacy* - The actions of individual citizens and collective organisations can change the world for the better.
- *Realism* - Nevertheless idealism and optimism must always be tempered by realism. For politics is ultimately defined by what is possible within the existing economic system and democratic structures. In that sense, activism

must always be directed towards gradualist reform rather than revolution. Anything else is mere posturing.

- *Institutionalism* – It follows that the overwhelming imperative of the active citizen is to ensure that labour can take power, in order to shape existing state institutions and policies in the interests of the working class, the poor and the vulnerable.
- *Responsibility* - However, labour is not simply a sectional interest. Public service should benefit the whole national community.
- *Unity and loyalty* – Meaningful change can only be secured if the institutions of the labour movement are united and strong. The national leadership must therefore be trusted to act as the final arbiters of policy formation, presentation and implementation.
- *Independence and tolerance* – Nevertheless, the grass roots must act as the ‘conscience’ of the movement, check the behaviour of its elected representatives and ensure that basic principles are upheld through debate and participation. The movement should therefore be a ‘broad church’ that encompasses most swathes of leftist opinion.

Behind these broadly altruistic qualities lurked another, rarely voiced impulse for some members:

- *Personal ambition* – the labour movement as a source of individual advancement, wealth and power.

This model of citizenship tended to appeal to certain social groups. For most of the twentieth century a majority of grass roots activists were drawn from the ‘respectable’ working class. But in the post-war era this social composition gradually shifted and by the late 1980s public sector workers, such as teachers, social workers, local government officials came to predominate.⁸ However, as Drucker pointed out, this ‘newer generation’ of activists and Labour leaders were usually ‘the children of working people. They are often very conscious that their grammar school, provincial university education sets them apart from their own people. For this reason, they are the more determined to demonstrate the purity of their socialist faith’.⁹

The impact of Thatcherism

The politics of the 1980s profoundly challenged this model of citizenship, but it had already begun to fray at the edges, as many party and trade union activists grew exasperated with the perceived failure of Labour in power. A majority therefore demanded the right to influence, or even determine policy, elect the leadership and establish mandatory reselection of MPs. Others sought to broaden the focus of activism away from a narrow 'class' based politics and towards the wider 'community' by addressing the concerns of women, minority ethnic communities and tenants groups, fuelling the rise of a more politicised urban 'municipal left'.¹⁰ Single-issue campaigns like CND enjoyed a resurgence and directly influenced policy formation. These developments often sat uneasily with many of the labour movement's traditional assumptions regarding the proper purpose and limits of activism and the divisions were to be further exacerbated by the cumulative impact of Thatcherism.

A number of factors undermined the institutional left's sense of *optimism* and *efficacy* in the 1980s. Firstly, the power and influence of trade unions at both a national and local level eroded membership and rank and file activism also declined. The defeat of the Miners' Strike (1984-5) seemed to graphically illustrate the limits of militant trade unionism in the face of mass unemployment and the sustained hostility of the central state. So by the end of the 1980s the trade unions felt compelled to adopt a defensive posture of 'new realism'. The government also made a determined effort to limit the powers and fiscal independence of local authorities, culminating in the abolition of the GLC and the introduction of a poll tax. Some left-wing councils undertook 'illegal' strategies of resistance in the mid-1980s. However, these were easily seen off and most Labour councillors abandoned the idea that local government could serve as an institutional base from which to challenge Thatcherism. Instead, they too adopted a defensive posture through the 'dented shield' strategy, concentrating on efficient service provision and delivery, within tight financial constraints and with efforts to attract private investment to their areas.

Of course, all these developments were only possible because the Conservative Party won successive general elections after 1979. These defeats prompted the Labour leadership to abandon the party's more 'left-wing' policies, including re-nationalisation, support for Keynesian style economic management and nuclear disarmament, in a bid to capture the 'centre ground' of British politics. But surveys and internal elections consistently showed that the majority rank and file opinion remained much further to the left.¹¹ This gap between the policy aspirations of the majority of members and their leaders tended to act as a disincentive to activism, although this was tempered by an increasing willingness on the part of many members to modify their principles in order to secure the re-election of a Labour government.

Overall, party membership and levels of individual activity declined, especially after the 1987 general election, when 'literally tens of thousands of Party members across the country abandoned any personal involvement with politics'.¹² Of course there probably never had been a 'golden age' of mass, active local Labour parties, firmly rooted in their local communities and the party had experienced problems in recruiting, motivating and retaining activists before the 1980s. But by the time of the 1992 general election it appeared to many that Labour's grass-roots were looking distinctly poorly.¹³

Attendance at Party meetings of all kinds was sparser than anyone could remember. Achieving a quorum had become a major problem. And finding volunteers to take on the wide variety of tasks to maintain an effective local political machine was nearly impossible... People who wanted to play an active critical part in local or national politics, or who wanted the benefits of unrestricted political debate decided they had better things to do with their time and money than give them to the Labour Party.

Certainly the national leadership grew increasingly sceptical about the benefits of rank and file activism, which was seen as 'extreme', divisive and in the final analysis, electorally damaging. Indeed, Kinnock tended to define his leadership in terms of internal party conflicts over Militant, picket line violence during the

miners' strike, the 'loony left' controversy in local government and the anti-poll tax protests.¹⁴ The end of the 1980s saw hundreds of expulsions, including prominent anti-poll tax campaigners, like Dave Nellist MP, Terry Fields MP and Tommy Sheridan of the Scottish Federation. Simultaneously, a media dominated strategy of political communication was developed, which effectively appealed to the electorate over the heads of activists.¹⁵ Whatever the virtues of this as an electoral strategy, it again tended to encourage a sense of disempowerment at the grass-roots.¹⁶

The continued relevance of traditions and identities that had been fundamental for most left-wing active citizens were also challenged. In particular, the notion that class was now 'unequal to the task of explaining our present reality' became commonplace.¹⁷ The point was most vigorously promoted by what Hirst dubbed the 'Young Turks' of *Marxism Today*,¹⁸ who suggested that 'Thatcherism' had triumphed as a distinctive hegemonic project.¹⁹ In these 'new times' affluent workers were alienated by old fashioned class-based notions of collective action and provision. Now people defined themselves according to other points of reference, such as race, gender, consumerism or ideology. To many it seemed that the labour and trade union movement was left clutching vainly at the coat-tails of a confusing and ever shifting reality. Such a condition was hardly favourable terrain from which to build or maintain a distinctive 'socialist' model of active citizenship. As Sennett put it, the 'old habit of Marxism was to treat confusion as a kind of false consciousness; in our circumstances it is an accurate reflection of reality'.²⁰

Many of these themes were questionable on both theoretical and empirical grounds and some commentators on the left bemoaned the way class had slipped from the centre of political discourse. As Chomsky quipped, 'class' was fast becoming 'the unmentionable five-letter word'.²¹ According, to one, by no means radical study of class, this was best seen as a *deliberate* strategy by the political elite which:²²

for reasons of fear and self interest is struggling to eliminate class from the realm of respectable debate. It is doing so by two sleights of mind.

The first is the use of the term 'underclass' to denote a minority isolated from the mainstream majority. The second is the transformation of this mainstream into a 'classless' society, defined by consumerism, mobility and meritocracy, operating on that quintessential British arena: the level playing field.

Nevertheless, the mainstream left assumed that a 'class-based' citizenship was an insufficient base upon which to build as there was no longer a homogenous working class interest in modern society (if there ever had been). As a result, such an appeal could never succeed electorally.²³ Nor could the left successfully renew itself as a coalition of interests, as each disparate interest group would resist being subsumed into a single programme. Instead, Labour theorists increasingly favoured a vaguer sort of citizenship, based on a framework of 'rights and responsibilities' within an overwhelmingly market society. I will return to this point in the conclusion, which considers some of the legacies of the poll tax.

So the cumulative effect of Thatcherism compelled the institutional left to reassess its model of citizenship. Some characteristics became less pronounced, especially an emphasis on a distinctive 'socialist', solidaristic sense of idealism. Successive electoral and extra-Parliamentary defeats, together with the Conservative government's efforts to increase the power of the centre at the expense of local government also damaged the left's sense of optimism and efficacy. So while the traditional emphasis on institutionalism remained intact, it was compromised by a growing sense of impotence. And as Dummett observed, for 'citizens to feel like active citizens, there must be useful activities to pursue and to some degree control'.²⁴ The internal party battles of the 1970s and 1980s also strained the movement's traditional sense of tolerance to breaking point. A more narrow conception of unity came to predominate, that tended to see almost all internal debate and dissension as intrinsically damaging. In this schema the radical left were cast as 'entrists', 'wreckers' and conspirators'. Appeals to a particular brand of 'realism' also became more common: the old emphasis on the necessity of gaining power was amplified and in the process seemed to

become somehow qualitatively different. Power, it appeared, was no longer a means to an end, but an end in itself.

The poll tax and the institutional left

How far then, did this shifting conception of active citizenship play itself out in the poll tax crisis? It is often difficult to convincingly match broad political trends with particular events and this is compounded in this case by the marked reluctance of many Labour leaders to discuss non-payment, the most interesting feature of the crisis, either at the time or later. Nevertheless, the connections between the institutional lefts' model of political citizenship seem relatively straightforward and can be illustrated by looking at two main areas, namely the *significance* (or meaning) ascribed to the poll tax as a particular policy; and secondly the *tactics* that were deployed to oppose it.

As we saw in Chapter Three, the criticisms levelled against the poll tax by the mainstream left were broadly the same as those made by the Anti-Poll Tax Federation. Both accused the tax of being 'unworkable', 'a threat to civil liberties', an attack on the independence of local government and 'unfair'. However, there was a clear difference of emphasis in the rhetoric deployed by the two sides, with Labour and the trade unions initially tending to high-light the perceived threat to their own institutional position or the living standards of their members, rather than the question of social justice. For example, concerns about 'civil liberties' predominated, which when stripped of their rhetoric, tended to equate with the suspicion that millions of working class voters would not register to vote in order to avoid payment. Similarly, the movement seemed quite ready to accept that the poll tax would do exactly as the Conservatives hoped and encourage voters to support low spending (Tory) candidates on 'rational' grounds. As one Labour activist cynically recalled (original emphasis):²⁵

Margaret Thatcher made an uncharacteristic but ultimately fatal mistake with the poll tax. She allowed it to cost people more money. If it had cost people *less* money it would have been hugely popular. Council house

sales, privatisations, tax cuts – these had all been a way of giving people free money and people had consistently thought the idea of free money was an excellent one.

Taxation was certainly a sensitive subject for the institutional left by the end of the 1980s and many concluded that while the electorate might favour higher taxes as a means to better public services in principle, they would not actually vote for them. So pessimism (or ‘realism’, depending on your point of view) replaced optimism as a defining feature of the left’s citizenship.

A similar point could be made in relation to tactics. As we saw in Chapter Four, despite some early wobbles in Scotland, the Labour Party, trade unions and leftist voluntary organisations, adopted (and consistently maintained) a clear position regarding the proper means by which citizens should oppose the poll tax. This assumed that the tax should be defeated through legal means and that any public protest against the tax was only relevant in so far as it encouraged the return of a Labour government. Consequently, the Labour and trade union movement called no major public demonstrations, actively opposed the organised anti-poll movement, expelled its supporters and rejected all forms of civil disobedience, including non-payment, non-compliance (by local authorities) or non-collection (by council workers). In Chapter Four I outlined in some detail a number of more immediate political issues and problems that informed this stance both at a local and national level and it will be sufficient to just outline the main points here.

Given the capacity of the poll tax to emasculate local government’s independence it did seem puzzling that Labour authorities should so readily agree to implement the tax? However, neither they, nor the movement’s rank and file ever seriously challenged this position for a number of reasons. Firstly, and most obviously, most mainstream leftwing activists, especially those serving as elected representatives, did not consider it appropriate (or desirable) to act as some sort of radical vanguard willing to mobilise popular opinion through illegal means, like mass non-payment or non-compliance. That was not their job and would leave them vulnerable to surcharge and disqualification from office.

In any case, attempts to resist the government's rate-capping legislation in the mid-1980s had proven a failure. Instead, they sought to 'make the best of things' pending the election of a Labour government by protecting the fabric of local government, maintaining services and by trying to ensure that any political flak caused by the poll tax was directed at the Tories.

It seemed axiomatic then, that non-payment should be opposed as it would further reduce the capacity of local authorities to deliver services. All Labour groups, like Ealing, therefore sought to collect the tax as 'effectively as possible'. Anything less would damage the wider community, who would have to make up the shortfalls in income. Indeed, by the time of the 1992 general election, two-thirds of all jailings had been initiated by Labour councils. So in practice, the Labour party's public position on the enforcement of the tax was indistinguishable from that of the Conservatives. The limited campaign against the poll tax mounted by the party was also revealing in other ways. For example, in establishing a Poll Tax Forum based on a coalition of other 'respectable' institutional actors like local authorities, trade unions, leading churchmen and voluntary groups, the Labour party (like the anti-poll tax movement itself) sought to mobilise a 'moral community' against the tax. But this was almost by definition a very limited, elitist sort of 'community', that showed no coresponding interest in mobilising popular opinion.

Nevertheless, a significant minority of Labour party members *did* support non-payment in principle (and presumably in practice). But most did so as individuals, not as part of the organised anti-poll tax movement. So there was only a limited transfer of activism between the official movement and the protest campaign. Again this was wholly in keeping with the traditional model of citizenship favoured by the institutional left, which allowed individuals to exercise their conscience, but in a way that protected the organisations of the Labour movement from charges of irresponsibility.

While the strategy pursued by the institutional left was undoubtedly 'safe' it is hard see it as a success. Certainly the electorate did *not* show its appreciation for the labour movement's 'responsible' stance in the 1992 general election

(although it could be argued that things would have been much worse if the party had still been perceived as radical). Nor did this sort of campaigning represent any immediate threat to the tax itself, although this was hardly surprising given that its purpose was not to force abolition. Nevertheless this failure to prevent implementation prompted many commentators, including Butler et al, to conclude that the response of the all the institutional parties, including the Liberal Democrats and the Scottish Nationalist Party was generally inadequate and had actually served to 'build walls' between the political class and popular opinion.²⁶ For example, surely anti-Conservative forces could have suspended hostilities and organised a united campaign over this one single issue? This could have included lawful extra-parliamentary protests, such as mass demonstrations? At the least, such a strategy would have prevented the radical left emerging as the leadership of the anti-poll tax movement and at best would might have forced the Conservatives to retreat over the issue.

However, this analysis does the institutional left a disservice. For whatever their shortcomings over the poll tax, their response was based upon *actual* experience of radical political and industrial movements. Given the depth of popular anger against the tax, manifest in Scotland as early as 1988 in the Govan bye-election, it was obvious to all who wished to see that the poll tax was likely to provoke an authentically 'popular' protest movement. Such a movement could not easily be managed, as the Labour and trade union leadership knew full well. In that sense, the institutional left's response was actually a sensible attempt to keep control of events and so uphold the British 'way of politics' in difficult and unusual circumstances. Just how unusual the poll tax crisis could prove to be, will become obvious when we consider the sort of political citizenship promoted by the radical left.

Political Citizenship - The Radical Left

Earlier some dominant characteristics embodied by the institutional left were identified and it was asked how far they informed its response to the poll tax? It

would therefore be satisfying (and neat) to simply repeat the exercise in relation to the radical left. But, unfortunately, life is rarely so straightforward. For unlike the institutional left, which by virtue of its traditions and social and political position tended to espouse a relatively cohesive model of citizenship, the radical left's ideology and political practise was far more diverse. This heterogeneity was becoming more marked as the rise of so-called New Social Movements acted as an alternative pole of attraction for many British radicals. Moreover, the anti-poll tax movement encompassed a broad range of traditions, organisations and interests, including the Labour Left, most varieties of the Marxist left, anarchists, libertarians, Greens, animal rights activists, trade unionist, community and tenants' activists and most importantly of all, individuals with little or no past record of activity. Any attempt to claim that this broad coalition of protest shared some easily definable 'dominant characteristics' is likely to be problematic.

Take, for example, the question of leadership. Almost all sections of the radical left had long been suspicious of leaders, claiming that experience had shown their propensity to 'sell out' for personal gain and prestige once elected to office. But there the similarities ended. Groups from the Leninist tradition, like the Militant, stressed the continued importance of the revolutionary vanguard and in practice their members unquestioningly supported both their party and its leaders. Greens and anarchists on the other hand, consciously sought to diffuse power by promoting non-hierarchical, informal modes of political participation and many favoured the rotation of leadership positions. Meanwhile, the Labour Left combined scepticism towards their leaders with an intense loyalty to certain individuals, such as Tony Benn or Ken Livingstone, who were seen as somehow more representative of the grassroots. The trick here was not to dispense with leadership *per se*, but to establish functional, democratic lines of accountability within the labour movement's existing structures.

Nevertheless, the anti-poll tax movement did seem to embody a number of qualities, which meaningfully differentiated it from the institutional left. Considered together, these add up to an alternative political *approach*, rather than a distinctive and coherent model of citizenship and actually built upon

traditions that had long been evident within the 'official' labour movement, such as a sense of idealism, optimism, efficacy and the advantages of unity and collective organisation. There was also a strong belief in the personal and political virtues of *activism*: although this could sometimes lead to exclusiveness, as activists were often expected to 'earn' a position of respect through consistent work on behalf of the cause. However other characteristics tended to be 'new' – such as a willingness to pursue illegal political tactics. In the case of the poll tax at least, this was to prove incompatible with any sustained desire to work within institutions to change the world for the better and instead, emphasised the potential of popular mobilisation and protest.

Optimism and realism

The anti-poll tax movement was therefore consistently *optimistic* about the ability of 'ordinary people', acting collectively in a form of 'people's power', to sink the tax. In part this reflected a conscious rejection of the Kinnockite notion of 'new realism', but it also sprang from personal experience. As one Ealing protestor, Michael O'Connell recalled:²⁷

The theory at the time was 'post-Fordism'. 'New realism'. There were no big industries anymore and therefore the unions were dead and finished... and Thatcher was going to reign for decades. That was the way they were talking. But I [got involved] in setting up a union branch in my company, amongst people that I consider to be, like myself, mainly from a middle class background. Some people were highly qualified, there were some Cambridge graduates there. And the secretaries joined. We all joined together... But it led me to the conclusion that these things are possible and that all these experts in the media were wrong. We could do [something about] the poll tax!

This up-beat view was typical. For one striking point of consensus that emerged from interviews with Ealing activists was that this was a fight they believed could be won. Jim Ward linked this to the 'class' nature of the tax.²⁸

I thought it was important to get involved because I saw [the poll tax] as another attempt at shifting wealth to the wealthy and making large sections of the working class pay more for less services. Principally, the fact that it was not linked to ability to pay... had to be fought. It generated the chance of widespread collective action against the continuing onslaught of wealth shifting through the 80s.

Others rejected the suggestion that 'Thatcherism' had in any real sense triumphed and pointed to the contingent nature of the social and political changes enacted by Conservative governments in the 1980s. As Rachel Jones saw it, class was also an issue:²⁹

We'd been through the boom and now we were heading into the bust. Rapidly. I think [the poll tax] was a class issue as much as anything else. There was a general mood of economic dissatisfaction among people who'd been sold this ideal - things like the right to buy - things that gave working class people the *feeling* that they were getting access to things that had been the privilege of the middle class previously. And suddenly they started to realise it was a bit of an emperor's new clothes situation.

This implied in turn that a more determined response from opposition forces, particularly from Labour, the traditional party of protest, could have successfully mobilised its working class supporters. That this did not occur, according to Mick Brooks, was largely because.³⁰

the national labour movement, the TUC and the Labour Party... were running like whipped dogs from what they saw as this hugely hegemonic movement of Thatcherism at the time. [But] the fact is that Thatcher was very dependent on luck and her luck ran out on this one.

However, the protestors' did not simply rely on class as a mobilising force. For they assumed that the universal nature of the charge would enable them to mobilise a 'moral community' that would cut across traditional class, gender, ethnic geographical and political lines (see chapter three). Poll tax non-payment

offered a standard around which this 'moral community' could rally and ultimately secure a speedy victory. So in a sense, the radical left's feeling of efficacy was actually contingent upon the particular (and peculiar) nature of the poll tax, which by any realistic calculation, offered a unique opportunity to mobilise popular opinion. For the government had not simply miscalculated by allowing it to cost more than the rates. Nor did the obvious 'unfairness' of the tax necessarily mean it was doomed. The Conservative's real error was abandoning their customary 'salami tactic' of tackling individual interest or social groups separately. Such hubris must inevitably be punished.

The virtues of activism

Almost all sections of the radical left believed that a successful anti-poll tax movement was unlikely to somehow spontaneously arise and would instead require collective organisation, led and co-ordinated by experienced activists. So, as we saw in Chapter Two, the protest campaign in Ealing (and elsewhere) was kick-started by the Labour Left, public sector trade unionists and sections of the revolutionary left, of which Militant was the most important. Interestingly, they initially directed much of their efforts at winning over the labour movement to a policy of non-implementation and non-collection. This stress on the importance of existing institutions as a focus of struggle was in tune with the traditional notion of labour as an independent political and social actor, capable of challenging the state. Similarly, the *means* by which they sought to win the argument were also conventional and centred largely on attempts to shift policy by passing resolutions at meetings and conferences, combined with the odd public lobby or demonstration. Given the dominant mood of the official labour movement at the time, it is not hard to see why they failed. As a result, non-payment emerged almost by default as the favoured tactic.

Support for mass non-payment radically altered the nature of the campaign which, as we saw in Chapter Two, stood in stark contrast to the British left's traditionally bureaucratic organisational approach. There was nothing particularly new about this, as radical single-issue pressure groups and protest campaigns had been a growing force in British politics since the 1970s. Indeed,

the anti-poll tax campaign shared many of the characteristics associated with such organisations. For example, it was primarily *local*, based on autonomous networks of activists who operated largely separately from the national or regional federations. It also tended to be *non-hierarchical*, based on loose decision making structures geared towards expressive action, rather than policy debates. As a result, the movement proved socially and politically *diverse*. Again, all these attributes tended to reflect the simplicity of the poll tax as an issue and the practical imperatives of the non-payment campaign, rather than any considered or radical redefinition of the left's favoured *modus operandi*.

The protestors' also continued to favour 'old fashioned' means of political communication that had been utilised by active citizens since the advent of mass democracy. These included such hardy perennials as the leaflet, the street stall or the public meeting, together with more innovative methods, such as telephone 'hotlines'. All this set the movement apart from the media dominated approach favoured by the mainstream political parties in the period and to an extent underlined its 'popular' character. For the protestors hoped that their message would reach millions through word of mouth within community and family networks. Hence the appeal printed on leaflets outlining the practical implications of non-payment, asking readers to 'photo-copy this and pass it on to your friends, family, neighbours and colleagues'. There is compelling evidence that attempts to mobilise this *popular* level of political discourse had some success, especially in relation to the legal rights of entry enjoyed by bailiffs (see chapter seven).

However, this information giving-role also highlighted a certain tension about what the movement was actually for. As one Ealing protestor recalled:³¹

What we were trying to do was convince everyone we met and would spend time lots of time discussing with them. They would then go and discuss with others. That *must* have happened because we were too small to have had such influence... But there were two approaches. [One assumed] that we were an advice body... the other that we were a

political movement. They were two distinct things. We weren't a citizen's advice bureaux.

But as the detailed account of campaign contained in chapters six and seven shows, things were rarely so clear-cut. As the movement sought to defend those people faced with coercive sanctions, the emphasis shifted away from propaganda and the campaign became a highly politicised *support group* for non-payers, especially those threatened with prison. These were invariably poor people to whom the poll tax was just one debt among many. Again, this sort of advocacy was not particularly new and was quite similar to the 'case work' traditionally undertaken by trade union representatives and local councillors.

Ironically, this sort of voluntary work might also be equated the New Right's rhetoric about 'active citizenship', which envisaged individuals helping out their neighbours in time of trouble. Needless to say, that was not how the local authorities saw it. For it is worth emphasising that the ensuing drama was primarily played out at a local level, with all the key decisions regarding the implementation and enforcement of the tax taken by local councillors and lay magistrates. So the non-payment campaign actually pitted local active citizen against active citizen. Certainly, the authorities pooh-poohed the idea that the protestors were actually providing meaningful help to non-payers and instead accused them of 'misleading' and 'using' ordinary people in pursuit of their own 'extreme' political agenda.

However, as we saw in chapters six and seven, the protestors were well aware that opposition to the poll tax as a single issue did not necessarily equate with support for the wider politics of the radical left. Even so they believed that in practice, there was little difference of purpose between themselves and the many 'ordinary' people galvanised by the poll tax.³²

I think people sometimes differentiate between politicians who are seen as people who attach themselves in a parasitic manner to genuine causes and other individuals who are swept wholeheartedly into these causes. That is a false distinction in my opinion. Most politicians start with the

perception that the world is an unjust place and they want to make it better.

Moreover, the protestors' various attempts to defend non-payers in local magistrates' courts revealed a strong sense of personal responsibility.³³

If I'd realised at the beginning how greatly I was going to become involved I might have thought twice about it. But I found that once I got involved, seeing at first hand the conditions that people were living in, particularly when I was doing the case work side of it, made me feel there was a moral imperative to continue. Because frankly, if people like me and you and others didn't actually do what we were doing these people were going to find themselves in jail.'

This sense of responsibility underlined the point that mass non-payment as a tactic had obvious costs, as well as benefits. But the protestors continued to believe that their advocacy of civil disobedience was justified as a reasonable response to a particularly unjust law. In contrast to so many of the campaigns waged against government policy by the institutional left in the 1980s it seemed to get results (see chapter six). Without mass non-payment, they argued, the anti-poll tax movement would have been just one in a long series of left-wing single issue protest campaigns; perhaps a little more successful than most, perhaps supported by a broader social and political base than normal, but ultimately incapable of reversing a 'flagship' policy. Whatever the truth of this, it is clear non-payment remained at the very heart of the popular politics of the poll tax. However, as I seek to show in the next section, the meaning of non-payment was often more ambiguous and less overtly political than most protestors were wont to claim.

The active citizen and poll tax non-payment

It is important to emphasise from the outset that the majority of citizens *did* pay up fairly promptly, or at an early stage in the recovery procedure. However, some 20% of residents in urban areas and 10% in rural areas did not. So by the

end of 1991 alone, 8,023,621 liability orders had been issued, with some 23,558 court hours expended on the poll tax and 195,845 individuals turning up to court to contest their cases.³⁴ These figures actually understate the problem, as many people simply disappeared and therefore failed to register in the official statistics. Ostensibly then, poll tax non-payers violated two obvious duties traditionally associated with citizenship, namely a duty to obey the law and a duty to contribute to the state, through taxation. Indeed, some people went even further and surrendered their most important political 'right' by failing to register to vote in order to evade the tax.

Given the sheer scale of non-payment it is safe to assume that no single explanation could possibly explain poll tax non-payment as a social and political phenomenon and a simple typology of non-payers reveals five possible motivations:

- *Frustrated conformists* - willing to pay but unable to do so due to administrative/billing problems
- *Freeloaders* - motivated by a selfish, 'rational' desire to avoid payment
- *Opportunists* - if so many others are getting away with it, why shouldn't they?
- *Can't payers* - a simple inability to pay due to economic circumstances.
- *Won't payers* - refusal to pay as a political or ethical act

Clearly the relative importance of each for this discussion varies considerably, but all are of at least *some* relevance to the wider question of active citizenship and each therefore deserves separate consideration.

Frustrated conformists

It is hard to exaggerate the administrative chaos that accompanied the introduction of the tax. Cheques were lost, computer systems broke down, children, pets and dead people were billed and benefit applications frequently disappeared. This last problem was particularly acute for pensioners, most of whom expected to receive a rebate. As a result, many law abiding individuals,

who declared themselves perfectly willing to pay in principle delayed stumping up the cash until the council 'sorted out the mess' and sent them a 'correct' bill. However, the existence of even a considerable body of 'frustrated conformists' probably has small bearing on any notion of citizenship, other than that the poll tax disappointed a reasonable expectation that the state should display at least a *minimal* level of competence. In that sense, the 'unworkability' of the tax probably did much to undermine its legitimacy among otherwise conservative residents.

Freeloaders

The growth of non-payment as a phenomenon can be seen as an opportunistic attempt to 'free-load', to receive valuable public goods without payment. Such an individualistic (or selfish?) response might fit well with the more extreme varieties of neo-liberal theory, which tend to assume that everyone is a rational 'utility maximiser', even if that means violating quite fundamental duties of citizenship. As Bellamy put it: ³⁵

the modern liberal tendency to argue on individualistic grounds that stress the moral autonomy of agents and their inalienable right to pursue their own good in their own way... has potentially undermined any philosophical basis for a distinctly political obligation to obey the law.

Certainly, poll tax freeloaders were displaying scant loyalty to the law, or for that matter, much respect for state authority.

A number of factors may logically have encouraged a desire to 'freeload' in relation to the tax. Firstly, the dominant political discourse of the 1980's tended to be openly hostile to taxes *per se*, which were increasingly cast as a burden on productive citizens and a check on entrepreneurship. This was particularly evident in the case of local government, which was routinely accused of promoting 'loony leftism' on the rates and generally wasting tax-payers money. In this context, the poll tax, as a personal 'charge' for local services may actually have encouraged a feeling that it was acceptable to withhold payment.

After all, if the relationship between the local state and citizen is defined in terms of the customer/provider, then it is wholly logical for individuals to approach state services in the same way as they might a tin of beans in their local supermarket. Did these citizen/consumers simply conclude that the poll tax was not 'value for money' given the level of services they received and decide not to 'buy'? If so, the actual mechanics of the tax (people move about, houses don't) aided any attempt to avoid payment, as did the sheer administrative chaos that accompanied its introduction.

Opportunists

There is ample evidence of a bandwagon effect. For example, non-payment levels tended to grow in its second year of existence and by the end of June 1991 over a third of the population had paid nothing for 1991/2 tax year, compared to less than a quarter at a similar stage in 1990/1.³⁶ According to one statistical study, a distinctive 'neighbourhood effect' (eg the idea that high levels of non-payment in particular areas would encourage others not to pay), became more pronounced in 1992-93, the final year of poll tax collection.³⁷ But this only goes so far in helping us to understand *why* people chose to become 'opportunistic' non-payers.

On one level the bandwagon effect raises a number of intriguing questions regarding the sources from which ordinary people receive information. As we saw in chapters six and seven, non-payment tended to be largely absent from media reports about the poll tax, which tended to focus on 'elite' political concerns, such as the effect of the tax in undermining Thatcher's leadership position. Supporters of the non-payment campaign rarely appeared in the national media, and more significantly perhaps, neither did any information regarding the legal consequences of non-payment. However, the local press was far more likely to report the issue, especially as it became clear that local authorities were facing a very serious cash-shortfall.

The anti-poll tax movement therefore emerged as the only significant provider of detailed information on the legal implications of non-payment. This may have

been particularly important in the case of ‘opportunists’, who probably tended to be more conscious of the possible costs of non-payment. As numbers grew, then so did confidence and knowledge about the less-than-dire personal consequences of non-payment. As one Ealing protestor recalled: ‘There was a lot of word of mouth going on and in fact, some of the later callers would say ‘Oh, I talked to my sister and she called you and so on...’³⁸ In that sense the progressive growth in the number of non-payers may be indicative of a ‘popular’ level of discourse, transmitted through family, friends, work-colleagues and neighbours.

However, it is less clear that this discourse was overtly ‘political’ except in one important sense. Almost by definition, the dominant norms and values of any liberal democracy are, supposedly, shared by the majority of its citizens. The existence of a bandwagon effect suggests that shifts in popular discourse may, in certain situations, prove capable of modifying existing conceptions of what constitutes the actions of the ‘good’ citizen? Obviously, this should not be exaggerated in the case of the poll tax, as only a minority failed to pay, but it does suggest that dominant norms and values regarding the payment of taxes may have been suspended on this occasion. Hence the frequently voiced complaint among Ealing’s local authority finance officers that the poll tax had encouraged ‘a developing non-payment culture among a significant cross section of the community’.³⁹

Can’t payers

Despite their advocacy of non-payment as a political act, most protestors tended to work on the assumption that millions of people would not be able to afford the tax. This conviction was reinforced by actual experience of the liability and committal hearings and from the day-to-day public enquiries fielded by activists. As one Ealing protestor, who co-ordinated the Ealing Federation’s anti-poll tax hotline recalled:⁴⁰

the majority of people who phoned were people who genuinely could not pay. It was very rarely people who were on principle not paying... It was

mainly working class people who were on benefits or low wages who simply did not know what to do and were very, very frightened. So a lot of it was [about] reassuring people. But there came a point when things reached a sort of critical mass.

This perception was in line with detailed studies of the likely implications of the poll tax for the poor, which from an early stage concluded that it would disproportionately disadvantage pensioners, people on benefits, students, the disabled and low paid workers.⁴¹ In particular, it was claimed that the increasing tendency for social security benefits to be means tested would tend 'to act in concert with the poll tax' and ensure that the 'near poor' were not eligible for rebates and 'the very poorest will slip through the net of protection'.⁴² This also accords with the experience in Ealing, outlined in chapters six and seven, which showed that problems with benefits were a significant factor in encouraging non-payment. However, there were others, including the sudden loss of employment following onset of recession in the early 1990s^a, large-scale mortgage default and a noticeable rise in 'multiple debt'.⁴³ Again, this last problem tended to exacerbate non-payment, as individuals threatened with coercive measures under the poll tax found themselves in a spiral of debt, of which the tax was but one.

What were the implications of all this for any discussion of citizenship and the poll tax? On an obvious level it questions how far non-payment can be seen as a conscious political act. But that does not necessarily diminish the wider political significance of a considerable body of 'can't payers'. For if a law is so cast as to render even a minority of those asked to obey it unable to do so, it is not simply a bad law, but a discriminatory attack on the poor who become, in effect, a sort of second-class citizen. So far from dragging the 'underclass back into the ranks of responsible society' as Thatcher claimed she intended (see chapter one), the poll tax actually served to diminish social cohesion and worsen the economic position and self-respect of millions of Britain's poorest citizens.

^a In Ealing unemployment ran at 11.1% according to the D. of E. count, or 15.3% according to the Unemployment Unit index in October 1992

Won't payers

In assessing whether any act of civil disobedience is justified in a liberal democracy the political theorist LJ MacFarlane suggested that people should apply four questions:⁴⁴

- What cause does the disobedience serve?
- Why does this cause demand rejection of obligation to the state and its laws?
- Do the means further the cause?
- Do the consequences justify the protest, does the end justify the means?

It seems to me that this is a useful approach that (hopefully) will reveal the political meaning of non-payment for 'won't payers'. The rest of this section is therefore structured around MacFarlane's schema.

What cause did the disobedience serve?

Ostensibly, its purpose was very narrow: to secure the repeal of an 'unjust' tax by making it 'unworkable' and individual citizens from all political traditions and none were asked to unite around this single tactic. In part, this was a purely *defensive* reaction to a law that immediately threatened the living standards of 'ordinary' people and the public services they used. However, as we saw in chapters one and three, the poll tax was widely perceived to be an unusually ideological measure. Consequently, opposition to the poll tax encompassed a number of other discontents. In particular, it served to galvanise an evident fear among large swathes of public opinion that the tax (and the Prime Minister with which it was so closely associated) was increasingly 'extreme' and had gone 'too far'. There was therefore a moral imperative to resist the tax.

Why did this cause demand rejection of obligation to the state and laws?

Ultimately, non-payment was based on moral opposition to the tax and/or the government that introduced it. However, as an action, it also implicitly questioned the legitimacy of the state. Certainly the British political system was

increasingly criticised in the period, across a surprisingly wide range of political opinion.⁴⁵ In part this reflected the nature of Britain's 'majoritarian' democracy, which according to Lijphart tends to encourage social and political cleavages at times of rising social and political tension.⁴⁶ Other problem areas included a first past the post electoral system that routinely allowed a minority of adult citizens to select the government of the day, an 'over-mighty' Executive unchecked by a powerful second chamber or a written constitution, and a unitary state that allowed no meaningful devolution of power within the UK. Evidence from attitudinal surveys also revealed a growing disrespect, even contempt for the political class which was widely perceived to put its own interests over those of the country. Policy convergence between the main political parties may also have tended to reduce incentives for participation, although one possible expression of this – low voter turnout – was restricted to local government elections at this stage, rather than national polls. Many critics of the poll tax therefore sought explain its shortcomings in terms of the wider failings of the existing political system, which they argued, allowed governments to pass 'bad' laws which did not accord with the norms and values held by the majority of citizens.⁴⁷

However, there is no convincing evidence that the poll tax crisis either reflected, or provoked a systemic legitimacy crisis in Britain and the mass of the public remained committed to the principles of liberal democracy. But did this hold true for the radical left, who could be expected to be most disaffected by the neo-liberal, centralising thrust of government policy in the 1980s and more cynical about the capacity of the existing system to secure change? Common sense does suggest that there was a direct relationship between poll tax non-payment and the left's wider sense of political frustration. After all, a key claim made by the anti-poll tax movement was that it actually embodied the popular will over the tax far better than the institutional parties?

But again, things were not so clear-cut in practice. For whatever their concerns about the limits of liberal democracy, there was little to suggest that the radical left had come to reject participation in the electoral system wholesale. So support for civil disobedience as a form of citizenship is best seen as a specific

response to a specific issue, rather than part of a routine defiance of state authority. In part this reflected the fact that notwithstanding Labour's 'modernisation' project, the organised labour movement remained a powerful pole of attraction for many anti-poll tax activists. In that sense, most protestors drawn from a socialist tradition interviewed for this study tended to see the non-payment-campaign as wholly untypical of their previous political experience.⁴⁸

This ended up as a campaign of the citizenry, which is extremely unusual. I know of no other co-ordinated national revolt of local government tax payers. *A priori* you would tend to take the position that such a campaign could not succeed. I mean, if you were just sitting in your study and thinking about things in 1924 or something, you would rule out not paying local tax as a legitimate form of class struggle. But you'd have been wrong.

However, given the broad-based nature of the campaign, such an orientation towards labour was by no means universal. As another Ealing protestor recalled:⁴⁹

Although I'm member of the Green Party, the anti-poll tax campaign showed me that if people get together, you don't need to be in a political party to bring about change. I was acting as an individual member of the local community against the poll tax, rather than as a Green Party member.

Others shared this perception of the movement as a model of community based politics upon which the radical left could build in the future. Such a citizenship would bypass a political system, which merely served to 'co-opt our struggles into [the] party system' and so turned 'victories into bureaucracy':⁵⁰

It is time for activists involved in single issue community based campaigns, such as the Poll Tax, to use their experience in the wider community struggle, for example defending and if necessary creating services – such as community controlled centres, taking control of

housing and other resources, defending sections of our community under attack, providing counter information.

The problem with this strategy was that it seemed to assume a state of permanent revolution, in which sections of the community would perpetually 'struggle' with the state authorities. In the process they would create autonomous, popular institutions or centres of power. Clearly this was never a realistic possibility in the early 1990s.

Indeed, while the non-payment tactic may have been suited to the poll tax, there was little evidence that it might be usefully transferred to other areas of social life. For example, an attempt by some Scottish campaigners to widen the non-payment campaign and encourage citizens to refuse to pay water charges failed to secure widespread popular support.⁵¹ However, while non-payment as a form of civil disobedience was of limited relevance, many on the left sought to apply illegal tactics to an increasing number of issues, including animal rights protests, peace protests, roads protests, campaigns against the arms trade and so on. I will return to these important issues in the conclusion of the chapter.

Did the means further the cause?

As we saw in chapter seven, the radical left claimed that poll tax non-payment undertaken as a conscious political act, defeated the poll tax and there does not seem much point in belabouring the point, except to say that for them at least, the means clearly *did* further the cause. However, this interpretation has received few supporters within the British political class, the media or academics, either at the time or since. Instead, such accounts tend to explain the remarkable fact that the tax was repealed after only a year of operation in England and Wales as a consequence of election results and to a lesser extent, power struggles within the Conservative Party. Thus the episode could be cited as evidence of the system's flexibility and the capacity of the political class to *eventually* reflect public opinion. Butler et al's comments are typical of this tendency and are therefore worth quoting at a little length:⁵²

Non-payment as a campaign by the Anti-Poll Tax Federation and others was but one aspect of the mass agitation, and on its own played a fairly insignificant role in the downfall of the tax. A Glaswegian [eg Tommy Sheridan] who stood from goal as a non-payer in Pollock in the 1992 general election polled 20 per cent of the vote, but such isolated demonstrations were more than outweighed by the enfeeblement of the Labour leadership produced by having to wrestle with the issue of non-payment among party activists. However, if non-payment as a campaign was of limited consequence, non-payment as a fact in inner city areas undoubtedly helped undermine the poll tax. A first principle of taxation is that should be collectable with broad consent. Ultimately the poll tax was not. That sealed its fate.

Leaving aside the rather dubious proposition that it is possible to judge the relationship between the organised protestors and the bulk of non-payers on the basis of a single general election result, the message seems clear enough.

Most protestors freely acknowledged that non-payment was *not* an organised campaign in the sense of a disciplined body of opinion, united under a single leadership. This became immediately obvious in March 1991, when activists debated whether to carry on non-payment after government signalled its intention to abolish the charge and concluded that:⁵³

The millions of people who took the decision not to pay were not “acting under instructions” from the Anti-Poll Tax Federations. We are therefore in no position to call off the campaign even if we wanted to. It is a simple fact that non-payment will go on as long as the Poll Tax remains in force...

Nevertheless, the radical left believed that the existence of a vociferous anti-poll tax movement was decisive. Firstly, while more people would probably have defaulted than under the rates, the total figure would have been smaller. Moreover, non-payment would also have been devoid of political significance. So the claim that non-payment in inner-cities (or anywhere else for that matter)

could not be meaningfully linked with activities of the protestors was, they argued, merely a self-serving attempt by the establishment to rewrite history – an obvious case of ‘they would say that wouldn’t they?’ Any greater acknowledgement would endorse the virtues of civil disobedience as a means of securing political change and challenge conventional stereotypes of the radical left as extremists and ‘loonies’, whose ideas had no significant popular resonance.

The protestors therefore flagged up their role in encouraging individuals to make that first, decisive step and withhold payment on 1 April 1990 and then later, to continue to resist coercive measures undertaken by the council. After all, normally law-abiding people would be extremely reluctant to break long established habits acquired under the rates and risk sanctions unless they were aware that they ‘would not be alone’. Many must also have had at least a basic understanding of the likely legal consequences. In that sense, the protestors’ sustained efforts to disseminate detailed information on the practical implications of non-payment to every household in their area and the provision of direct assistance in the form of advice and help at court, was of real significance.

So whatever else they may have achieved, the protestors were sure that their campaign had succeeded in *politicising* non-payment. Certainly the evidence outlined in chapters six and seven suggests that not only did the protestors tend to see it as part of a wider, vaguely defined ‘movement’ against the tax, but so did the authorities. As a result, the phenomenon assumed a certain symbolic significance, irrespective of the real motives of the individuals involved. However, this process of politicisation could cut both ways and efforts to aid non-payers in committal hearings were undoubtedly hampered by a perception among local councillors, magistrates and others associated with the enforcement of the tax, that most people summoned before the bench tended to be a case of ‘won’t pay’ rather than ‘can’t pay’.

Did the consequences justify the protest, did the end justify the means?

Assuming that the civil disobedience campaign *did* force the government to abandon the tax, then the ends clearly justified the means. As two Ealing protestors, Jude Sutherland and Gill Reavey saw it:⁵⁴

direct action is sometimes the only way to achieve change, and I see no problem in encouraging people to break a law that is morally wrong. When I was on the [anti-poll tax] union's information stall people would sometimes say that there was no point in not paying as they would just get into trouble and nothing would change. But we used to refer them to the Suffragette movement and that women would not have won the right to vote if it hadn't been for the law-breaking campaign.

Nevertheless, the non-payment campaign did have a number of consequences for both local government and individual citizens. For example, high levels of non-collection forced councils to raise the overall rate of the charge for the law-abiding majority, even if this rise was obscured by direct subsidies by government and Lamont's £140 across the board reduction of 1991.

However, alarmist predictions that non-payment would compel local councils to make drastic cuts in services made by Conservative and Labour politicians proved unfounded. Although conditions varied across the country, local government maintained its long-term share of GDP and council spending actually rose in the period. Again losses from the poll tax were offset by increased government subsidies, ultimately paid for by a rises in another regressive form of taxation – Value Added Tax. So if one intention of the campaign had to been to encourage the idea that taxes should be more fully linked to ability to pay, it was a failure. Nor did the non-payment campaign do anything to defend the independent tax raising powers of local government, as the government retained its capping powers under the new council tax and ensured that only some 30% of local revenue was raised locally.

There were other deeply ironic (or unfortunate) consequences from a left-wing perspective. For example, nearly a million people disappeared off the electoral register and their failure to vote directly contributed to the Conservatives' 1992 general election victory. More intangibly, mass non-payment may have served to undermine the rule of law and the expectation that citizens should pay their taxes. This was certainly an ambiguous outcome for the left. After all, many of the proponents of the non-payment campaign were also vociferously calling for a reassertion of social citizenship rights and better state provision, all of which would ultimately have to be paid for via higher taxation for the wealthy. In that sense, respect for the law may actually serve as a progressive force and protect the weak and vulnerable from the irresponsibility of the rich and powerful. Was then non-payment a case of the radical Left having its cake and eating it?

No protestor would have accepted the charge. Without an alliance of 'can't payers' and 'won't payers' the poor would effectively have been left to deal with the tax as best they could. For all the individual injustices encountered during committal hearings, the protestors believed that the politicisation of non-payment tended to limit the authorities' room for manoeuvre. For example, less people were jailed for poll tax non-payment than the rates. In any case, most of the radical left tended to consider pious pronouncements about the sanctity of the law made by politicians as deeply hypocritical. After all, tax avoidance was (allegedly) commonplace among British business and the government seemed happy to turn a blind eye to offshore tax havens and other loopholes.⁵⁵ As one delegate to the Labour Party's 1990 Annual Conference fulminated:⁵⁶

Working class people are the most law-abiding section of the community, unlike the casino cowboys of the City, plundering state assets for graft and corruption and Tory ministers who can hold down three or four jobs while millions do not have one.

Similarly, the authorities' vigorous response to poll tax non-payment did nothing to blunt the belief that the law was generally class-biased. As one protestor recalled:⁵⁷

At about the same time as the poll tax the supermarkets were actually breaking the criminal law by opening on Sunday and managed to get it changed. But then these were organisations run by the rich and powerful.

A number of other factors also served to limit the personal consequences of non-payment for individual 'won't payers'. Firstly, the recovery procedure became hopelessly truncated or simply broke down all together under the weight of numbers. Secondly, non-payment of the poll tax was a *civil*, rather than a criminal offence and the status of non-payers was therefore that of a debtor.⁵⁸ This was obviously significant, as few people would relish the prospect of acquiring a criminal record, however deep-felt their opposition to the tax. Thirdly, assuming you had the necessary wherewithal, anyone could end their protest by simply paying up, with little or no other personal cost to themselves. Unless the non-payer chose to tell others, nobody else need know. In the event, most 'won't payers' therefore tended to hold out to at least the bailiff stage of the recovery procedure, confident in the knowledge that the council's bark was definitely worse than its bite. 'Won't payers' could look therefore forward to next year's bill with a certain degree of wry equanimity, as the whole dreary process started all over again.

In this respect, the vast majority of activists were no different from the wider body of non-payers in Ealing and elsewhere, who almost inevitably paid up when faced with the ultimate sanction of imprisonment. As we saw in chapter seven, while some fifty thousand people had liability orders served against them in Ealing in 1990-91, only three individuals actually went to prison as an overtly political act. And even then, two of these had large debts and could just as easily be characterised as 'can't payers'. So while it is right to describe poll tax non-payment as an act of civil disobedience, experience was to show that it was actually a rather mild and relatively low-cost one. It may therefore be better to see the mass non-payment campaign as a peculiarly British form of civil disobedience, a display of 'bloody mindedness' on the part of millions of individuals rather than a militant, concerted movement.

So perhaps the government only had itself to blame. The poll tax offered every citizen an opportunity, if they had the nerve or the inclination, to put two fingers up either at the tax itself, the government, or both at the same time. Moreover, this chance to meaningfully express dissent literally popped through their letterbox and could be activated simply by 'sitting at home and doing nothing'.⁵⁹ A rather sedate act of active citizenship perhaps, but a conscious political act nevertheless.

Conclusion

The dominant concept of citizenship within liberal democracies is predicated upon a sense of belonging. Political rights enjoyed by citizens allow them to meaningfully participate and shape society, in an orderly and democratic manner. But this in turn implies, even demands that citizens obey laws that they might not happen to agree with and generally act in accordance with the established norms and values that govern social and political life. However, as this study has shown, such verities are often challenged, subverted or disregarded altogether by citizens, as they struggle to find solutions to the problems that confront them. The poll tax was definitely a 'problem' for most British people, let alone the Left.

The poll tax crisis therefore served to high-light at least two broad models of left-wing citizenship. Put crudely, one worked on the assumption that change could and should be secured by working constructively within the institutions of the existing political system. The other, frustrated by the apparent failure of those institutions to effect change or reflect what it perceived to be the dominant values of society, sought to mobilise people's power. The purpose of this conclusion is therefore to ask how these two broad models of citizenship are related to each other and in the process, identify some of the implications of the poll tax crisis for the British left at the end of the twentieth century.

It is certainly tempting to see a direct relationship between shifts in the political practice of the institutional left in the 1980s and the growth in support for an

anti-poll tax movement willing to use illegal means of protest and civil disobedience. After all, the growth of 'New Realism' in the Labour movement would presumably have prompted some existing (or potential activists) to consider more radical alternatives. As Tony Benn (and many others on the left) saw it during the high-tide of anti-poll tax agitation in the Spring of 1990:⁶⁰

The poll tax revolt may mark a welcome return to the belief that we have the right to be participants in shaping our own future and regain the power that ought to be ours, as of right, and that it is not about what someone else will do for us when they are in power. This view of the meaning of democracy is unlikely to be confined to those who live under foreign dictatorships and may soon be seen to be as necessary here, where British feudalism has imposed its own unacceptable limits on our freedom.

However, support for direct action in the early 1990s, even among the radical left, had definite limits, with for example, few believing that political violence or the routine defiance of the law was a viable mode of political participation. So although poll tax non-payment as a tactic enjoyed considerable popular support, this was wholly contingent upon a particular historical circumstance and the peculiar characteristics of the tax. Once the tax was repealed, the agitation dissipated with remarkable speed, prompting some activists in Ealing and elsewhere to conclude that their experiences had no long term implication for British politics. However, others were not so sure:⁶¹

It's obviously quite easy to look at the situation now in 1997. You know, you occasionally meet people who were active in local anti-poll tax unions and they say "hello", and that's it. Then you think right, that's it, they're back to living their own lives. Nothings changed fundamentally. I think that would be wrong, because there has been a huge change. That was a real education for people in the school of hard knocks. And that kind of experience is not lost. You know, you learn to ride a bike and then you don't ride a bike for the

next ten years. But the next time you get on one you can ride it again.

In fact this tends to underestimate the extent to which left-wing citizens have been willing to engage in direct action (or at least support those who do) in the 1990s. For example, attacks on GM crops, attempts to physically stop road-building and a new militant temper at 'anti-capitalist' demonstrations, including physical attacks on property owned by the state and corporations have emerged as more common forms of political action. Similarly, despite the obvious practical problems posed by any non-payment campaign, attempts have been made to withhold the payment of university tuition fees, which draw directly upon the poll tax protest for inspiration.⁶² Other radicals have encouraged people to use their power as consumers, by boycotting GM food. According to one activist, 'people have refused to be passive citizens and instead have become active citizens: refusing to buy GM food in the shop; removing GM plants from the fields; and supporting organic food and ecological alternatives'.⁶³

In themselves such protests cannot credibly be cast as a decisive rejection of liberal democracy and all its works. But they have occurred at a time when large sections of the public, particularly the young, appear to be disengaging with the electoral process, established political parties and interest groups. For example, turnout at the 1997 general election was the lowest since the Second World War and only 40% of young people bothered to vote. Voter turn-out at local, regional and European elections since 1997 has declined further. Similarly, activism and membership of the institutional political parties remains limited, with only one person in fifty belonging to any party. This is obviously important, for political parties are essential to the British model of liberal democracy.

As a result the institutional left undertook a concerted attempt to re-energise and reshape the internal structures of the Labour Party in the 1990s. As Tony Blair put it:⁶⁴

We must build a programme for government which embodies our belief and principles in strong communities and responsible citizens... That is why I am so passionate in the belief that we need a mass-membership party, reaching into every community, to be the driving force for achieving government.

By the time of the 1997 general election Labour claimed that it had 410,000 members, 220,000 of which had joined since Blair became leader in 1994.⁶⁵ However, this growth in membership has been accompanied by a concerted drive to flag up the importance of the leader, changes in the role and system of appointment to the party's National Executive Committee and the introduction of plebiscitary forms of internal participation. According to Mandelson and Liddle, the aim of these cumulative changes was to ensure that 'this new party will not, as in the past, be a source of trouble for the Labour government but will instead be Prime Minister Blair's strongest ally.'⁶⁶

Similarly, the government has undertaken a series of measures aimed at 're-legitimising' the institutional political system. Firstly, the party has recognised the problem of growing cynicism by deliberately seeking not to promise more than it can deliver within what it claims are the constraints of a globalised market economy. Secondly, various devolution measures have aimed to decentralise power, although the extent to which this will actually occur under the new arrangements should not be exaggerated.⁶⁷ Leading New Labour politicians have also sought to reaffirm a culture of 'civic patriotism' and emphasised the duties and obligations that accompany citizenship rights, including interestingly, appeals to give to charity and to get involved in local voluntary organisations:⁶⁸

Call it community, call it civic patriotism, call it the giving age, or call it the new active citizenship, call it the great British society – it is Britain becoming Britain again.

Such patriotic rhetoric sits fairly easily with that employed by the British New Right at the time of the poll tax crisis. And like Thatcher before them, the

institutional Left has promoted social policies that seem to implicitly assume a direct link between economic activism and political activism, such as the welfare to work scheme.

This drive to encourage responsible citizenship has come to involve a mixture of exhortation and coercion. For example, the Crick Report has sought to reintroduce a form of 'civics' in the curriculum, described by David Blunkett as an attempt to aid the 'development of young people who accept responsibility for themselves and towards society as a whole'.⁶⁹ At the same time, changes to public order legislation and the criminal justice system are proposed, that according to the government's critics from the left, will potentially outlaw most types of direct action. Whether these various attempts to boost the legitimacy of the political system actually succeed remains to be seen. However, the very fact that they have been attempted at all suggests that the poll tax protests might best be seen as part of a rising tide of 'sod them' politics, described by one contemporary politician as 'an ill wind we would do well to understand'.⁷⁰

¹ 'Licinius', *Vote Labour? Why?*, Gollancz, London 1945, pp74-5

² Graffiti painted on wall of Benefit Agency office, Halifax, West Yorkshire, 1990.

³ David Marquand, *The Unprincipled Society*, Jonathan Cape, London, p28

⁴ Much of this literature was identified in Chapter One, but for a pithy summary of the debate at the time of the poll tax crisis see Raymond Plant and Norman Barry, *Citizenship and Rights in Thatcher's Britain: Two Views*, Institute of Economic Affairs, London, 1990

⁵ The 'institutional left' is defined here as the Labour Party and trade unions, leftist voluntary organisations and Labour councillors in the local authorities. The 'radical left', who tended to support the organised anti-poll tax movement, refers to the Labour Left, various Socialist and Marxist groups, left-wing trade union activists, Greens, single issue campaigners, 'community' activists and a section of the tenants' association movement. A number of other labels were routinely bandied around in the period in an attempt to identify different gradations of left opinion. These included 'loony left', 'ultra left', 'extreme left', 'hard left', 'principled left', 'soft left', 'centre left', 'moderate left', 'mainstream left', 'sensible left' 'Labour right', 'new-realists' (and 'new defeatists'!) and so on. Each term tended to be used either as a form of justification or abuse and so remains laden with historical baggage. I have therefore sought to adopt a terminology which is intended to be value-free, descriptive and limited, in the sense that it refers to the possible tactical responses of the left to the poll tax.

⁶ Anthony Crosland, *The Future of Socialism*, Jonathan Cape, London, 1956, p30. See also James Hinton, *Engineering Democracy in 1940s Britain*, Edward Elgar Ltd, Aldershot, 1994.

⁷ However, for the Labour Left the efficacy of parliament had to be judged on how far it had helped the labour movement change the economic and social basis of capitalist society. See for example Aneurin Bevan, *In Place of Fear*, Quartet, London, 1978, p52 - 'The Socialist dare not invoke the authority of Parliament in meeting economic difficulties unless he is prepared to exhaust its possibilities. If he does not, if he acts nervelessly, without vigour, ingenuity and self-confidence, then it is upon him and his that the consequences will alight. He will have played his last card and lost, and in the loss, parliamentary institutions may be engulfed'.

- ⁸ Patrick Seyd and Paul Whiteley, *Labour's Grass Roots: The Politics of Party Membership*, Clarendon Press, Oxford, 1992, pp32-34. Seyd and Whiteley's survey found that school teachers and lecturers comprised the largest occupational groups, although 70% of members in non-manual occupations considered themselves to be working class.
- ⁹ H M Drucker, *The Influence of the Trade Unions on the Ethos of the Labour Party*, in B Pimlott and C Cook (eds.), *Trade Unions in British Politics*, Longman, Essex, 1982, p270
- ¹⁰ See Stewart Lansley, Sue Goss & Christian Wolmar, *Councils in Conflict: The Rise and Fall of the Municipal Left*, Macmillan, Basingstoke pp1-21
- ¹¹ Seyd & Whiteley pp118-145
- ¹² Richard Heffernan and Mike Marqusee, *Defeat from the Jaws of Victory: Inside Kinnock's Labour Party*, Verso, London, 1992, p94
- ¹³ Ibid p235 and p332.
- ¹⁴ This was symbolised by his attack on Militant at the party's 1985 conference, a supposedly heroic episode that was celebrated in the 1987 general election broadcasts (twice)
- ¹⁵ Described in Phillip Gould, *The Unfinished Revolution: How the Modernisers saved the Labour Party*, Little, Brown & Co., London, 1998
- ¹⁶ For example, the Labour Party's Communication and Campaigns Directorate produced only three leaflets for local Labour Parties to give out to the public between 1990-91
- ¹⁷ Patrick Joyce (ed.), *Class*, Oxford University Press, Oxford, 1995, pp3-20
- ¹⁸ Paul Hirst, *After Thatcher*, Collins, London, 1989, p30.
- ¹⁹ See Stuart Hall & Martin Jaques (eds), *The Politics of Thatcherism*, Lawrence & Wishart, London, 1983 & Stuart Hall & Martin Jaques (eds), *New Times: The changing face of politics in the 1990s*, Lawrence & Wishart, London, 1989
- ²⁰ Richard Sennett, *The Corrosion of Character*, Norton, New York, 1998, p146-8. However, he also suggests that 'a regime which provides human beings no deep reasons to care about one another cannot long preserve its legitimacy'
- ²¹ Noam Chomsky, *The Prosperous Few and the Restless Many*, Odonian Press, Berkeley, California, 1993, pp 66-69
- ²² Andrew Adonis & Stephen Pollard, *A Class Act*, Hamish Hamilton, London, 1997, p ix, & pp 103-130
- ²³ Plant and Barry, pp 6-7
- ²⁴ Ann Dummett, *Citizenship and national Identity*, in Robert Hazell (ed), *Constitutional Futures: A History of the Next Ten Years*, Oxford University Press, Oxford, 1999, p218
- ²⁵ John O'Farrell, *Things Can Only Get Better*, Doubleday, 1998, p210. Comic autobiographies are not normally sound references for a scholarly thesis. However, I have assumed here that court jesters are often granted a license to voice unpleasant truths that their masters would never dare utter in public.
- ²⁶ David Butler, Andrew Adonis and Tony Travers, *Failure in British Government: The Politics of the Poll Tax*. Oxford University Press, Oxford, 1994, p259
- ²⁷ Interview Michael O'Connell 1 February 1999
- ²⁸ Letter to the author, 14 April 1999
- ²⁹ Interview Rachel Jones 19 February 1999
- ³⁰ Interview Mick Brooks 5 August 1997
- ³¹ Interview Mike O'Connell 1 February 1999
- ³² Interview Mick Brooks 5 August 1997
- ³³ Interview Rachel Jones
- ³⁴ ABAPTF Circular 18 December 1991, p2
- ³⁵ Richard Bellamy, 'The Anti-Poll Tax Campaign and Liberal Concepts of Political Obligation', in *Government & Opposition* Vol. 29, Number 1, 1994, p23
- ³⁶ Geoff Holgate, 'Community Charge Collection – Downward Spiral to 1993', in *Justice of the Peace*, Vol 156, pp248-251 & 265-267
- ³⁷ Timothy Besley, Ian Preston and Michael Ridge, *Fiscal Anarchy in the UK: Modelling poll tax non-compliance*, Institute of Fiscal Studies, London, 1993
- ³⁸ Interview Rachel Jones
- ³⁹ LBE, minutes of full council, 20 October 1992, p5
- ⁴⁰ Interview Rachel Jones
- ⁴¹ Carey Oppenheim, *A Tax on all the People: The Poll Tax*, CPAG, London, 1987, pp33-43
- ⁴² Peter Esam and Carey Oppenheim, *A Charge on the Community: The Poll Tax benefits and the Poor*, CPAG & LGIU, London 1989

⁴³ Carey Oppenheim, *Poverty – The Facts*, CPAG, London, 1993

⁴⁴ L.J. MacFarlane, *Political Disobedience*, Macmillan, London, 1971. See also H.A. Bedau (ed.), *Civil Disobedience in Focus*, Routledge, London, 1991. The general question of civil disobedience has prompted a large academic literature, but given the highly focussed nature of this discussion, it did not seem particularly useful to rehearse the various arguments it contains here.

⁴⁵ Again, space restrictions do not allow me to explore the academic and popular literature regarding political legitimacy in Britain. This literature has three main strands. Firstly, there is a distinctive ‘crisis’ literature which burgeoned in the late 1980s and 1990s and tended to explain the perceived failings of the social and economic system in terms of Britain’s system of governance. See for example, David Marquand, op cit.; Will Hutton, *The State We’re In*, Jonathon Cape, London, 1995; Andrew Marr, *Ruling Britannia* Penguin, Harmondsworth, 1996; Paul Hirst, op cit.; Simon Jenkins, *Accountable to None*, Hamish Hamilton, London, 1995; Anthony Barnett, *This Time*, Vintage, London, 1997 and so on.

The second strand has attempted to measure contemporary legitimization problems through survey data and political participation studies. See various *British Social Attitude* reports, Dartmouth, Aldershot; R. Dalton, *Citizen Politics in Western Democracies*, Chatham House, New Jersey, 1990; Parry, G. Moyser, G and Day, N, *Political Participation and Democracy in Britain*, Cambridge, 1992; Klingemann, H & Fuchs, D (eds), *Citizens and the State* Oxford University Press, Oxford, 1995; A. Marsh, *Political Action in Europe and the USA*, Macmillan, London, 1990.

Finally, the following works dealing with the theory of legitimacy proved particularly useful: David Beetham, *The Legitimation of Power* Macmillan, Basingstoke, 1991; J.G. Merquior, *Rousseau and Weber: Two studies in the Theory of Legitimacy* Routledge and Kegan Paul, London, 1980 and Max Weber, *Politics as a Vocation*, in William Connolly (ed.) *Legitimacy and the State* New York University Press, New York, 1984.

⁴⁶ A. Ljiphart, *Democracies*, Yale University Press, New Haven, 1984

⁴⁷ This was certainly the main contention of Butler et al’s argument

⁴⁸ Interview Mick Brooks

⁴⁹ Interview Astra Seibe 22-10-97

⁵⁰ *London Fight The Poll Tax*, May 1992, p1

⁵¹ Tommy Sheridan & Joan MacAlpine, *A Time to Rage*, Polygon, Edinburgh, 1994.

⁵² Butler et al p298

⁵³ Resolution passed at EAPTF 1991 AGM, undated circular.

⁵⁴ Interview Jude Sutherland and Gill Reavey 23 March 1999

⁵⁵ Such ‘irresponsibility’ was not confined to Tory politicians and within months of a Labour government taking office one cabinet minister, Geoffrey Robinson, was accused of actively avoiding British taxes through the establishment of off-shore accounts. See *The Observer* 7 December 1997

⁵⁶ Labour Party, Annual Conference Report, 1990, p250

⁵⁷ Interview Mick Brooks

⁵⁸ Interview Gill Reavey & Jude Sutherland

⁵⁹ Paul Bagguley, ‘The moral economy of anti-poll tax protest’, in Barker, C and Kennedy, P (eds.) *To Make Another World: Studies in Protest and Collective Action*, Avebury, London, 1996, p13.

⁶⁰ *The Independent* 28 march 1990

⁶¹ Interview with Mick Brooks 5 August 1997

⁶² One leaflet produced by the National Non-payment Collective (1999) suggested that ‘We will beat Labour in the same way that we beat Thatcher and the Poll Tax.’

⁶³ Melanie Jarman of Genetix Snowball, in *Red Pepper*, December 1999/January 2000.

⁶⁴ Tony Blair *New Britain: My Vision of a Young Country*, Fourth Estate, London 1996 p23.

⁶⁵ Paul Anderson & Nyta Mann, *Safety First*, Granta, London, 1997, p377

⁶⁶ Peter Mandelson and Roger Liddle, *The Blair Revolution*, Faber and Faber, London, 1996, pp211-231

⁶⁷ See Robert Hazell (ed.), for a comprehensive discussion.

⁶⁸ Gordon Brown in *The Independent*, 10 February 2000

⁶⁹ Advisory Group on Citizenship, *Education for citizenship and the teaching of democracy in schools*, DfEE, 1998

⁷⁰ Andrew Phillips, *The Observer* 7 May 2000

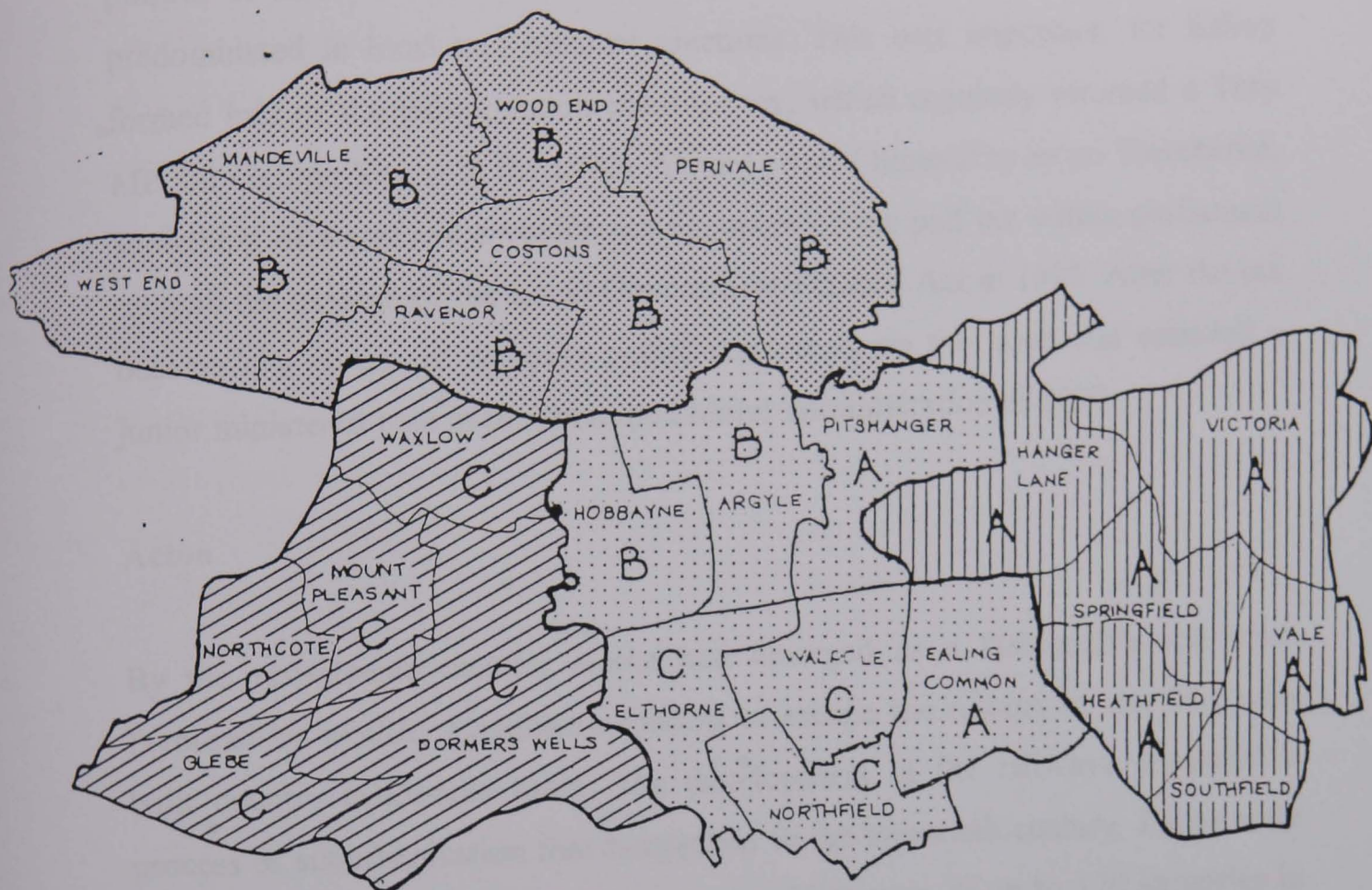
Appendix 1

The Queen of the Suburbs

The London Borough of Ealing began to shift from a predominantly rural area whose chief industry was farming and market gardening for the London market, to an industrial suburb from the mid-nineteenth century onwards.¹ Transport was the key and the borough has traditionally been well served by railways, the Grand Junction Canal (which encircles it) and the presence of several major roads, including the Western Avenue and the Uxbridge Road. So the London Borough of Ealing, like most London suburbs, is an essentially modern entity that owes little to tradition and much to rapid industrialisation and the actions of national politicians and policy-makers. The borough, as it now exists, was formally created during the 1965 reorganisation of local government, as an amalgam of three different municipal borough councils, which had themselves progressively incorporated a number of long standing Middlesex settlements, villages and towns. The legacy of these settlements still informs the four administrative districts within the borough, namely Southall, Greenford, Acton and Ealing (see map). Each area has more or less avoided being totally submerged under the rising tide of industrial and housing development in the twentieth century and so continues to act as a certain locus of identity.

Ealing

Ealing was incorporated as a borough in 1901 and later incorporated the Urban districts of Hanwell, Greenford, Perivale, West Twyford (all 1926) and Northolt (1928). The present administrative district is more limited, covering three areas grouped around the Uxbridge Road, namely Ealing, West Ealing and Hanwell. As elsewhere in the borough, private housing sits alongside deprived council estates in Hanwell and West Ealing. The steady rise in the price of property in the central Ealing area in recent decades, together with the building of a new shopping centre in Ealing Broadway, has tended to exacerbate social division and encourage the process of gentrification. But in the late 1980s Ealing Broadway







London Borough of Ealing — Administrative Units 1983

Parliamentary Constituencies:

- A. Ealing Acton (Conservative)
- B. Ealing North (Conservative)
- C. Ealing Southall (Labour)

Districts:

-  Ealing
-  Acton
-  Greenford
-  Southall

Wards: The 24 wards are named after people and places (farms, common fields etc) in the Borough's past

Taken from Kate McEwan, *Ealing Walkabout: Journeys into the History of a London Borough*, Pulse Publications, Warrington, 1984

and its environs contained a larger number of private rented dwellings and could broadly be described as 'bedsit land'.

So the district remains, in general, the most affluent part of the borough. The politics of the area has tended to reflect this fact and the Conservative Party predominated in local and national elections. This was important, for Ealing formed half of the Ealing-Acton constituency, which regularly returned a Tory MP, Sir George Young in the 1980s. Young proved himself to be no Thatcherite, something of a wet and a vociferous opponent of the poll tax within parliament up until the passage of the Local Government Finance Act in 1988. After the tax became law he ceased to make public statements on the issue and received a junior ministerial post in the revamped Major administration of 1990.

Acton

By the seventeenth century Acton had emerged as a fashionable spa town favoured by wealthy Londoners seeking to escape the rigours of city life, who built country residences there. The development of the railways prompted a process of suburbanisation that burgeoned in the twentieth century. Large scale industries also developed, including the establishment of up to 170 laundries in the South Acton area by the 1890s, which became known as 'soapsud island'. Reflecting a rapid growth of population and light industry after 1914, the Municipal Borough of Acton was created in 1921 to co-ordinate public services. The council pushed through a number of housing developments in the post-war era and cleared slums in South Acton, East Acton and the Vale. However, the South Acton estate soon reverted back to its former state of deprivation. These areas served as a base for the local Labour Party. On the other hand, other parts of Acton prospered as high quality, tree-lined suburban private housing was built in West Acton and Bedford Park throughout the twentieth century.

Southall

By 1936, when the municipal borough of Southall was created, the predominantly industrial character of the town was well established. Major industries included light engineering, mass-food production and railway yards,

although all these had significantly declined or left the area altogether by the late 1980s. However, the adverse economic effects of these changes have been mitigated somewhat by the presence of a large Asian community, which rapidly established new mercantilist traditions. Nevertheless, Southall remains one of the most economically deprived areas in the borough. Minority ethnic communities comprise some fifty percent of the local population, with Sikhs and Indians the largest group, followed by a smaller number of Pakistanis and Somalis.

So the question of ethnicity has perhaps inevitably shaped the politics of Southall in recent decades. Although racism has led to some tensions between the various minority ethnic communities, it has also soured relations between some white working class residents and their Black and Asian neighbours. Tensions broke out in the late 1970s and early 1980s when a number of attempts by Fascist groups to meet in Southall provoked riots and demonstrations organised by a coalition of Asian community groups and the socialist and trade union left. In 1979, Blair Peach, a member of the Socialist Workers Party, was bludgeoned to death by police officers at a 1979 anti-racist demonstration.² His death continues to mobilise the local left, is still commemorated by anniversary marches and a Southall school is named after him. As a result, whatever support the Far Right may have been able to muster in the borough was effectively driven off the streets and organised Fascist groups have ceased to play any significant role in Ealing ever since. Conversely, the disturbances prompted the creation of a number of Asian community groups and strengthened others, some of which received official funding. By the late 1980s the Indian Workers' Association (IWA), the Southall Monitoring Group and Southall Black sisters continued to act as a political force on the left.

The main political party in the area – the Labour Party – was also transformed in the 1980s through the recruitment of a large number of Asian members. This growth was not simply a reflection of traditional electoral support among minority ethnic communities for the Labour Party, as the Southall CLP experienced a number of internal disputes as different groups of Asian

councillors jockeyed for position and personal prestige. Similarly, the late 1980s saw a determined attempt by some Asian members and the Labour Left to force the reselection or resignation of the longstanding and aged Labour MP Sid Bydwell, and replace him with a younger candidate drawn from the Asian community. After a bitter internal power struggle that prompted some allegations of impropriety, Piara Khabra, an elderly local businessman, President of the IWA and ex-defector to the SDP eventually secured the nomination and was later elected MP in the 1992 general election. Khabra was (allegedly) selected after promising to serve for only one term, but has since refused to step down, to the considerable annoyance of his rivals within the party.

Greenford and Northolt

Northolt and Greenford largely retained their rural character up until the Second World War. However, rapid population growth and economic development in the post-war era decisively transformed the area, which can be seen as the archetypal suburban sprawl. A mixture of private housing built in the 1930s and 1950s, large council estates, factories, warehouses and even some green spaces around Hanger Hill (rather optimistically designated Ealing's 'Nature Reserve') sit uneasily alongside each other. Wide and busy through-roads also serve to disrupt the cohesion of the area and in lieu of any obvious natural geographical centre, the main shopping street, Greenford Broadway, serves as the focus for community and commercial life.

The ethnic mix in Greenford and Northolt is predominantly, but by no means exclusively, white. In the late 1980s there was some political controversy among white residents about proposals to build a Mosque in the area, an issue subsequently taken up by the local Conservative MP Harry Greenway. But in general, ethnicity has not featured strongly as an issue. The Ealing North constituency operated a two party system in the 1980s, with the Conservative Party consistently winning parliamentary elections, and Labour councillors returned in most working class areas. The 1997 general election saw Greenway replaced by a veteran Labour councillor, Steve Pound, as MP for Ealing North.

Ealing in 1991 – some facts and figures

On 21 April 1991 the nineteenth national census was conducted throughout Britain. It became immediately apparent that the poll tax had served to distort some its findings, especially in terms of the number of people participating. For example, while the census found that 275,257 people were resident in Ealing, a drop of 5.7% since 1981, the council continued to claim that the borough had a population of 290,000.³ Nevertheless, the exercise revealed a number of useful facts and figures that cast some light on the borough's social and economic position at the time of the poll tax crisis.⁴

Firstly, 65% of residents were economically active compared to a national average of 61%. Of these, 67.6% were in full-time employment, 10.3% part-time, 10.2% self-employed and 11% unemployed. The proportion of households with an economically active head were classified according to occupation as follows:

Occupation		Ealing*	Average for England and Wales
Professional	I	8.1%	7.0%
Managerial & technical	II	37.9%	32.2%
Skilled non-manual	III (N)	18.0%	14.2%
Skilled manual	III (M)	20.0%	27.7%
Partly skilled	IV	11.3%	14.1%
Unskilled	V	4.7%	4.8%

* based on 10% sample (6,700 households)

Clearly, Ealing contained a relatively larger number of residents in higher status occupational groups. But as we have seen, residents in some areas also experienced a considerable degree of poverty and the unemployment rate was higher than the official national average. According to a measure of 'multiple stress' based on a combination of economic, social and housing measures, wards in Southall and Acton were the most deprived, followed by Northolt/Greenford and then Ealing.

The census' findings on dwelling type and housing tenure also emphasise the lack of uniformity in the borough – scarcely surprising as so much development has occurred either through large-scale public housing projects in the 1930s and 1950s, or speculative projects by private firms.

Dwelling type	Ealing	Outer London	Greater London
Detached house	3.2%	7.9%	5.1%
Semi-detached house	18.8%	25.6%	16.7%
Terraced house	35.2%	33.6%	16.7%
Purpose-built flat	29.2%	25.3%	34.5%
Converted, or partly converted accommodation	12.8%	7.2%	13.3%
Shared dwellings	0.8%	0.5%	0.7%

Of these, 63.8% were owner occupied, 15.8% rented from the council and 20.4% privately rented. Average household size was 2.5.

However, the borough's most unusual characteristic was probably its heterogeneous ethnic mix. In addition to a large minority ethnic community drawn from Commonwealth countries, for historical reasons there was also large Irish and Polish communities which were subsumed under the general category of 'white' in the census.

Ethnic group	Ealing	Greater London
White	67%	80.0%
Black	7%	8.0%
Indian	16%	5.2%
Pakistani/Bangladeshi	3%	2.6%
Chinese	1%	0.8%
Others	6%	3.4%

The Queen of the Suburbs?

There is often a tendency for people to see their own locality as somehow 'extraordinary or wholly distinct from other places. In the case of Ealing, such a temptation should be resisted. True, the borough had a larger than usual Asian community, than in other London boroughs and tended to have a larger proportion of residents in higher status occupations than the national average, but the statistics can easily belie the sheer ordinariness of the place. For Ealing was and remains a typical suburb, criss-crossed by orderly car-lined streets and estates, delineated by railway lines and well stocked High Streets, punctuated by the occasional park. Many of its residents are in-comers, drawn to London from other parts of the UK or other countries and continents by a wish to see themselves and their children 'get on'.

Such a diverse social, ethnic and economic mix contains much potential for conflict and the people of Ealing, like other suburbs, have unconsciously (and perhaps sensibly) developed strategies to minimise the personal impact of difference and dissension. This is a polite world, where chat about house-prices, pets, children and schools sits (sometimes uneasily) alongside the weather. For obvious reasons political and religious controversy is steadfastly downplayed, a threat to whatever social-glue binds suburban society. For many residents it can also be an anonymous, *lonely* place, shorn of solid community ties as even the potential of work as a strong source of social identity is dissipated in the hours spent swaying on the overcrowded commuter trains into central London. But sometimes an issue like the poll tax prompts private and political passions to rise, the laminated calm becomes disturbed, and the suburb twitches in its sleep.

¹ Unfortunately no decent modern history of Ealing exists. However, Kate McEwan, *Ealing Walkabout: Journeys into the History of a London Borough*, Pulse Publications, Warrington, 1984, sets out the history of the borough and provides a comprehensive bibliography

² See National Council of Civil Liberties, *Southall 23 April 1979: The Report of the Unofficial Committee of Enquiry*, London, 1980

³ London Borough of Ealing, *Ealing Borough Guide*, 1991

⁴ The following information comes from a summary of the census results, London Borough of Ealing, *This is Ealing*, Central Policy Unit, 1991 and subsidiary publications

Appendix 2

The Subject as Object

The slogans we ought to raise are surely these:

Every man his own methodologist!

Methodologists! Get to work! ¹

The introduction of this thesis sought to alert the reader to a methodological problem, namely the author's own involvement with the object of study. Between 1989-1993 I was a committed anti-poll tax activist, although my primary motivation was to promote socialist ideas in general, rather than protest about a single-issue. I undertook a number of formal roles within the Ealing Federation serving as chairperson and as a member of the its organising committee. I also attended numerous meetings and events organised by London-based and national anti-poll tax organisations. As a participant in the formal decision making structures of the Federation and on an ad hoc basis in response to day-to-day developments, I made strategic decisions about the direction of the local campaign. So I was a participant not a participant observer, seeking to secure political goals, not gather data. At no time did I expect to be looking back at these experiences in a structured way (let alone undertaking a doctoral thesis around them). I kept no log or diary, accumulated no systematic collection of contemporary documents (although luckily others did), and maintained no relationships with fellow participants with a view to future research possibilities other than those dictated by friendship or shared political concerns.

This may only be an extreme manifestation of a problem common to any work of contemporary history, as the contemporary historian invariably lives through the events they describe. Other historians might well ask 'problem, what problem?' After all, an increasingly influential body of theory in historical studies (and social studies generally) suggests that any work of history cannot ultimately be seen as an objective record of the past, but instead an interpretation of the past derived from current prejudice and experience. The importance of subjectivity and relativism in human affairs and human discourse are emphasised and as a result it is assumed that

historical sources do not embody 'facts' and are not therefore an accurate reflection of social and political reality. Historians who claim to be objective actually promote a false unity by compiling disparate 'facts' into a coherent narrative. Such coherence was absent from the past (just as it is in the present). In short, it is claimed that historians 'do not reflect the past – they signify and construct it: meaning is in the eye of the beholder'.² No means of research can be convincingly seen as wholly 'scientific' or 'value free' and the 'time when science was thought to involve the steady accumulation of knowledge through a neutral medium of observation has long since gone'.³

It is not my purpose here to directly engage with these claims in any sustained manner, but it is necessary to note that this study has been written on the assumption that good history, like good social research, is always based on sound evidence.⁴ True, all evidence is problematic, but an awareness of the bias contained within the document and a genuine desire to record events, can mitigate against the problem. It is therefore possible to meaningfully claim that any account or arguments proffered are firmly rooted in the historical record. In that sense some form of positivism must continue to serve as a gauge by which the researcher and the wider academic (and non-academic) community judge the value of a research project. Such an approach may be imperfect and may well be subject to fierce theoretical criticism, but at the end of the day it is the best on offer. Certainly, in this case at least, anything less would be blinkered, insufferably arrogant and reduce contemporary historical research to the status of autobiography, polemic or even fiction.

The aim of this appendix is therefore to draw up an honest balance sheet of the strengths and weaknesses of this researcher's direct personal involvement with the object of study, so that the reader can make up his/her own mind about its claims to objectivity. It also asks whether an alternative methodological approach, based on attitudinal surveys and official data may have been preferable to the qualitative approach ultimately adopted, that utilised sources long familiar to the historian, such as written records, autobiography and oral history? By way of a conclusion, a rough 'code of practise' is proposed.

The problem baldly stated

Most obviously, there is the danger of systematic bias, of viewing a complex historical episode through the narrow lens of personal experience. Certain events and themes may become exaggerated. Others may be downplayed or ignored altogether, as the researcher enters a bizarre state of denial in which essential knowledge and values, the sum of ones own life, are conveniently abandoned in an effort to conform to an abstract ideal of scientific objectivity or an orthodox academic discourse. On the other hand, a creeping sense of nostalgia may gradually blunt the spirit of critical enquiry and any commitment to objectivity. There are more insidious dangers as well. In studying the actions of men and women who you once knew (or in some cases still know well), the researcher/acquaintance/friend will inevitably be wary of giving offence and so leave some verities unchallenged. The actions and motivations of other political actors, council officials and lay magistrates who were in a real sense 'enemies' in the past must now be viewed objectively and fairly.

Direct personal experience and emotional engagement with the subject may also compromise the usefulness of sources, which in other hands, might have been taken for granted. Take, for example, the primary written evidence that has served as the staple source for this study. Put bluntly, when some of these same documents refer to that researcher by name, or even worse, were actually written by the researcher, albeit ten years ago, what hope academic detachment? Of course some political scientists would suggest that this is merely a more extreme manifestation of a problem inherent in all studies that rely on observation (participant or otherwise). For 'unlike other methods of social research, eg the interview and the experiment [?], observation does not fulfil to the same extent the demand for a strict method because the distortion of perception by the observing subject can only be reduced to an insufficient degree'.⁵ All this tends to suggest that those researchers who have been intimately involved with their area of study will be hard-pressed to undertake unbiased research, especially if they rely on qualitative, rather than quantitative methods.

Quantity or quality?

Would then, a quantitative approach be preferable? In part, any answer to this question ultimately depends on the relative merits ascribed by the researcher to quantifiable and qualitative evidence, as well as the practicality of gathering such sources. Traditionally many historians have tended to be suspicious of an exclusive reliance on quantifiable data, such as official statistics, Royal Commissions reports, Parliamentary Papers and from the 1930s onwards, mass observation or public opinion surveys and so on. For while such records remain a primary source, they are 'at a stage removed from the individuals with whom they deal' and 'necessarily represent a bias, one way or the other, of the investigator who decided what questions were to be asked and framed them in his own way; witnesses were led – sometimes consciously, more often unconsciously – to make responses to particular selected questions which were the most important to the observer but not necessarily to the witness'.⁶ Similar objections would equally apply to oral history and to the mass of surveys undertaken by social scientists, commentators and government officials since 1945, although most historians would probably be leary of wholeheartedly endorsing Hobsbawm's contention that:⁷

modern social science has pursued a model of scientism and technical manipulation which systematically, and deliberately, neglects human, and above all historical, experience. The fashionable model of analysis and prediction is to feed all available current data into some notional or real super-computer and let it produce the answers. Plain human experience and understanding does not lend itself to that.

In any case, there are overwhelming practical and theoretical impediments to any study of the popular politics of the poll tax predominantly based on survey work. Unlike political parties and formally organised interest groups, the anti-poll tax movement did not generate large amounts of the sort of data that can be subjected to quantitative analysis, such as membership figures, trade union affiliations and so on. Nor did it possess a definable population with a significant degree of institutional or social continuity, allowing regularities to be established over time through mass surveys. While the success of political parties can largely be set against their

electoral performance, popular protest movements generally do not offer such obvious criteria for measurement. Indeed, the anti-poll tax campaign proved unusually short-lived, aiming to repeal a particular law and it rapidly waned once that grievance was removed.

The spontaneity, short life-span and limited aims of the anti-poll tax movement would not sit easily with any methodology that assumes 'causation is a matter of regularities in relationships between events, and that without models of regularities we are left with allegedly inferior narratives'.⁸ While quantitative evidence, from whatever source, can go some way to indicating the *extent* of a particular political phenomenon – for example, we roughly know how many people disappeared off the electoral roll and how many liability orders were issued against non-payers - it is generally an insufficient basis on which to formulate theories about the *meaning* ascribed to social and political events. In particular, it would be unlikely to tell us much about the complex and intangible relationship formed between local anti-poll tax protestors, other political and institutional actors and the wider public. And yet this relationship remains central to the broader questions of political participation and the duties and rights that were expected of active citizens in the period.

How might such a relationship be measured in quantifiable terms? Opinion polls and surveys of political attitudes and public participation have typically been employed by political scientists to assess levels of popular support for contemporary protest movements. Political action studies of the 1970's even attempted, in the true scientific tradition, to predict the attributes and 'protest potential' of their subjects. Although this evidence is extremely valuable, it cannot be applied directly to a particular political issue or crisis. Nevertheless, given the scale of anti-poll tax protest and non-payment, which as the study shows involved millions, a quantitative approach would seem tempting.

But where would the data come from? Again, practical problems arise, as it is doubtful that the results of a survey gathered this late in the day would be accurate or particularly illuminating, even assuming the hard-pressed researcher possessed the resources to undertake such an exercise. A number of general problems could be expected to come into play, including the vagaries of popular memory and the

existence of highly mobile populations in urban areas. But more importantly *the* key issue in the study – poll tax non-payment - remains a dangerous subject and common sense suggests that many respondents would be unlikely to admit in the semi-official atmosphere of a structured interview that they still owe substantial amounts of money to their local council, let alone put it in writing in a questionnaire. The stigma associated with tax avoidance, even one as unpopular as the poll tax will also inevitably affect the results.

So it seems then, there is little scope for a thoroughly quantitative analysis of the popular politics of the poll tax. As a result, there is no obvious methodological ‘instant’ solution that might be applied to nullify the problem of the author’s direct personal involvement in the object of study.

Some possible benefits

On the other hand it is not at all clear that personal experience must, *per se*, hinder efforts to provide a convincing account of the recent past. Indeed, social scientists using the method of participant observation have strenuously argued that far from being a source of weakness, personal involvement can encourage a strong sense of empathy, or *verstehen*.⁹

There is no necessary conflict between personal, subjective interests or values and the scientific goal of truth ... Personal interests hold potential for new insights and creativity inspired by emotional and intellectual identification with the topic of study ... Rather than deny personal interests and values, the method of participant observation requires an awareness of how these thoughts and feelings influence research. By reporting personal interests and values, other people are able to evaluate further the influence of values.

However, such ‘insights’ cannot convincingly stand-alone and require more substantial support in the form of ‘hard’ evidence. The validity of the study therefore stands or falls on the qualitative sources (or as Plummer puts it ‘documents of life’) that it deploys.¹⁰

These sources tend to be *local* – does this exacerbate the problem of bias? On one level, all historical studies, even those purporting to look at issues from a national (or international) perspective are ultimately ‘local’. For example, Butler et al’s account of the ‘high’ politics of the poll tax is largely derived from sources that reflect the concerns of a relatively narrow group of elite politicians, journalists and academics clustered around the ‘Whitehall village’. However, their experiences, decisions and actions were arguably more important than those undertaken by local actors simply because they had more power and so shaped events more decisively. Nevertheless, the ensuing drama was played out locally and ultimately the poll tax failed as a national policy because it failed to secure popular legitimacy and so proved difficult to enforce at a local level. Clearly, in the case of the poll tax at least, the national and local experience is inextricably linked.

However, local history remains, well... local. It cannot be assumed that the experience of the poll tax crisis in Ealing was representative of the South West, Scotland or even other London boroughs. In order to gain a more complete picture it would be undeniably better to set detailed local study against local study in a systematic way. Unfortunately, the literature surrounding the poll tax crisis remains limited and those local accounts that do survive were invariably undertaken by activists with a clear polemical intent. In any case, while the poll tax was a parochial issue, it expressed itself in remarkably uniform way across England and Wales. In part this reflected the role of a nationally orientated mass media, national political parties and the relative simplicity of the issue. But it also stemmed from the nature of the legislation itself, which as chapters six and seven showed left little scope for local discretion on the part of the relevant authorities. In that sense the experience of the tax in Ealing was probably little different from that of other urban areas in England and Wales. However, the same claim could not be made for Scotland, which operated a different recovery procedure and where the anti-poll tax cause soon became embroiled with the wider question of Scottish nationalism.

Studies of local radical protest movements perhaps inevitably tend to rely on specific forms of evidence. In Ealing, as in other areas, the borough-wide federation and local anti-poll tax unions used written documents as the primary means of communicating

with the public. Routine organisational records, such as correspondence, circulars, minutes and newsletters that show how decision-making structures operated and why certain tactics were pursued also survived. In particular, the Ealing Federation's legal work led to the production of a plethora of detailed records, including internal reports of court cases, training material for court advisers, material from day schools and legal notes. Naturally, general problems of accuracy, factionalism and personality apply as equally to these records as they would to those of any other political organisation. But they also differ markedly from those left by, say, trade unions, which reflect a high degree of institutional continuity. Instead, they tend to be more *ad hoc*, less comprehensive and widely dispersed among a range of sources. It follows that empathy with the ideology and modus operandi of the participants may be more than usually important.

Previous engagement with the object of study may also allow the researcher to locate and utilise local sources that would otherwise have been lost or remain hoarded in wardrobes, cupboards and under beds. This was certainly true in the case of this study, but even then, a number of people only agreed to make their papers available on the condition that they would ultimately be deposited in a reputable archive, while others loaned them. In the meantime the documentary evidence remains in the author's filing cabinet and is therefore not verifiable, in the same way as a Cabinet minute lodged at the Public Records Office. This, rather than any natural predilection towards pedantry on the part of the author (hopefully!) explains the large number of endnotes and references that appear at the bottom of each chapter.

The study has also utilised qualitative interviews. But, from an early stage it soon became apparent that detailed memories had already grown hazy and any claims made by interviewees have been cross-checked against written evidence as far as possible. As a result written sources have generally tended to predominate and oral evidence has most usually been used for illustrative rather than descriptive purposes. In part this reflects the general limitations of oral history, which have been discussed elsewhere.¹¹ But in any case, the oral evidence gathered for the study should not be seen as conventional oral history, in the sense that A.J.P. Taylor pungently dismissed it:¹²

'In this matter I am an almost total sceptic ... Old men drooling about their youth: no!'

For many of the women and men interviewed retained a strong feeling of political efficacy and a desire to change the world. Their testimony therefore often reflects ongoing political commitment and this in turn shaped the meaning they ascribe to their experiences. Similarly, the issue of the poll tax remained surprisingly controversial among mainstream political actors such as local MPs and councillors, few of whom agreed to be interviewed. This presumably reflects the fact that the tax remains a problematic issue for both main parties, although Conservative politicians seem particularly keen to move on from the entire episode. But many Labour councillors also remain uneasy, for while they are happy to verbally denounce the poll tax in principle, in Ealing and elsewhere they have continued their attempts to recover poll tax revenue from defaulters.

Conclusion

This brief discussion has probably raised more questions than it has answered. If anything it has served to confirm C. Wright Mills suggestion that an undue preoccupation with methodological issues should not be allowed to get in the way of actual research – approaches will vary according to the subject under consideration and the questions asked. In general, the methodology employed in this study has tended to be eclectic as it sought to bridge the gap between 'popular' opinion on the poll tax and the actions of much smaller groups of active citizens within a highly specific milieu. So evidence from political autobiographies, pamphlets, leaflets and qualitative interviews with participants, sits alongside survey data gathered by political scientists, secondary sources, official records and press reports. Such an approach seems to bear out the rather bland point that the complexity of human experience is reflected in a correspondingly diverse range of sources, and that there should be no methodological absolutes.

It has also suggested that individual researchers are capable of transcending their own personal experience and of consistently applying a meticulous and critical approach to historical evidence, although that does not necessarily mean that they always succeed

- Avoid entering a 'state of denial': acknowledge my own personal history and build it into the research plan.
- Make a deliberate and sustained effort to empathise with the views of people and institutions to which I was hostile as an anti-poll tax campaigner.
- Ensure that all viewpoints are fairly represented in the text, through the use of direct quotation if possible, so that the reader can make her/his own mind up.
- Meticulously record the sources used in the study in detailed footnotes and rigorously compare any conclusions drawn from them with authoritative secondary sources.
- Aim to place all the primary evidence collected in a reputable archive.

Hopefully, these good intentions are reflected in the final results.

¹ C. Wright Mills, *The Sociological Imagination* Oxford University Press, Oxford, 1969, p123

² Raphael Samuel (ed.), *People's History and Socialist Theory*, Routledge & Kegan Paul, London, 1981, p xliv

³ Ibid. p8

⁴ See Keith Windschuttle, *The Killing of History*, Free Press, Paddington, Australia, 1996 for a lively discussion and a passionate defence of traditional history. But see also Gareth Stedman Jones, *Languages of Class: Studies in English Working Class History 1832–1982*, Cambridge University Press, Cambridge, 1983. Stedman Jones explains his project as to treat class as a 'discursive rather than an ontological reality, the central effort being to explain languages of class from the nature of politics rather than the character of politics from the nature of class'. Similarly, he suggests that it is misleading to try to 'decode' political language to discover material interests that supposedly lie at its root because 'it is the discursive structure of political language which conceives and defines interest in the first place.'

⁵ J. Friedrichs and H. Ludtke, *Participant Observation. Theory and Practise*, Saxon House, London, 1975, p3

⁶ John Burnett, *Useful Toil*, Third Edition, Penguin, Harmondsworth, 1984, p10

⁷ Eric Hobsbawm, 'To see the future look at the past', in *The Guardian*, 7-6-97

⁸ A. Sayer, *Method in Social Sciences: A Realist Approach*, Routledge, London, 1992, p2

⁹ D. Jorgensen, *Participant Observation. A Methodology for Human Studies*, Sage, London, 1989, p27

¹⁰ See Ken Plummer, *Documents of Life: An introduction to the Problems and Literature of a Humanistic Method*, Allen & Unwin, London, 1983 for an interesting discussion

¹¹ Paul Thompson, *The Voice of the Past*, Second Edition, Oxford University Press, Oxford, 1988

¹² R Perks, *Oral History*, The Historical Association, London, 1992, p8

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In addition to a number of autobiographies and pamphlets listed in the bibliography below, the following primary sources have been consulted:

All Britain Anti-Poll Tax Federation

Leaflets, newsletters, posters, press releases, publicity material, conference agendas, and reports.

All London Anti-Poll Tax Activists

Minutes and circulars.

All London Anti-Poll Tax Federation

Internal papers, leaflets and newsletters.

Conservative Party

Newsletters, leaflets, manifesto & briefings prepared by Central Office.

Class War/anarchist groups

Miscellaneous pamphlets, newspapers & leaflets.

Dyfed Poll Tax Opposition

Legal Briefings and advice notes for anti-poll tax activists.

Ealing Against the Poll Tax Campaign

Minutes, leaflets, posters, correspondence and accounts.

Ealing Anti-Poll Tax Federation

Minutes of committee, correspondence, accounts, reports relating to the work of the committee & internal organisation, circulars, newsletters, leaflets, posters, press releases, press cuttings, membership lists, papers re: court campaign including material for Day Schools, reports of court cases and appeals.

Ealing Anti-Poll Tax Unions

Assorted leaflets, newsletters, circular and posters (circa 1990-1992) for the following local groups:

Hanwell/West Ealing APTU

Southall Against the Poll Tax

Acton APTU's

Ealing Central APTU

Northolt/Greenford APTU

Ealing Hospital APTU

Estate based groups

Ealing Fightback

Circulars & leaflets

Green Party

National Conference Reports, press cuttings, leaflets, and newsletters.

Labour Party

Leaflets, internal papers & publications – see select bibliography below.

London Against the Poll Tax

Newsletters, papers (1988 – 1989)

London borough campaigns

Papers, leaflets and press cuttings, relating to anti-poll tax campaigns in the following

London Boroughs:

Barking & Dagenham

Brent

Camden

Hackney

Hammersmith & Fulham

Haringey

Harrow

Hillingdon

Hounslow

Lambeth

Lewisham

Newham

Tower Hamlets

Southwark

Wandsworth

London Borough of Ealing

Council minutes, official publications, examples of various letters/bills used by bailiff companies, specimen bills, press releases.

Militant Tendency

Pamphlets. Internal papers, discussion documents, leaflets and posters.

Miscellaneous English Anti-Poll Tax Groups

Leaflets, press cuttings.

National Association of Local Government Officers

Various papers from Ealing NALGO branch. Written records and tapes of NALGO Conference 1990.

North West Anti-Poll Tax Forum

Various papers relating to activists' conferences.

Personal papers

Personal papers relating to, or held by the author, Mick Brooks, Astra Seibe, Oliver New, Michael O'Connell & Kevin Carling.

Poll Tax Legal Group

Legal Briefings and advice notes for anti-poll tax activists (1990-1993) and national campaigning material

Scottish Anti-Poll Tax Federation

Papers, leaflets, pamphlets, newsletters.

Trafalgar Square Defence Campaign

Newsletters, leaflets, conference papers, reports and correspondence.

3. Interviews

Extended interviews were conducted with the following people:

Mick Brooks, Ruth Blunt, Kevin Carling, Cllr. John Cudmore, Francois Fajolle, John Green, Melanie Griffiths, Rachel Jones, Aryn Jumani, Chris Morey, Oliver New, Michael O'Connell, Gill Reavey, Yvonne Say, Astra Seibe, Jude Sutherland, Eve Turner, Kevin Vaness, Jim Ward, Tony Ward.

In addition, one sitting magistrate and an ex-magistrate talked off the record.

3. Magazines, newspapers and professional journals

Class War

Ealing Gazette (including Ealing & Acton Gazette, Northolt/Greenford Gazette & Ealing Southall Gazette)

Ealing Guardian

Ealing Informer

Ealing Leader

Ealing Recorder

Evening Standard

Independent

Independent on Sunday

Justice of the Peace

Guardian

Militant

Daily Mirror

Independent

Legal Action

London Fight the Poll Tax

New Law Journal

New Socialist

New Statesman & Society

Poll Tax Focus

Poll Tax Law Review

Public Service

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Scottish Trade Union Review

Spare Rib

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The People

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