

"You Dirty Bastards, Are You Fair Dinkum?" Police and Union Confrontation on the Wharf

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The policing of overt manifestations of industrial disorder such as police protection of strikebreakers is precarious, unpredictable and volatile for both police and strikers, especially if there is a lack of negotiation and protocol. The fatal shooting of a stevedore at Port Melbourne in November 1928 highlighted the dangers of confrontation between incensed workers and armed police. The case-study of the policing of the 1928 maritime dispute at Port Melbourne reveals a police hierarchy distant from working-class people and a Melburnian establishment supportive of any police actions against perceived union excesses that challenged "free labour" on the wharves. The powerful proponents of the maintenance of law and order – the Nationalist Government, Chief Commissioner Blamey and the daily newspapers - emphatically and successfully rejected all calls for an inquiry into the police shootings at Prince's Pier.

The traditional police response

Historically, police usually responded aggressively and forcefully when requested to act by employers to provide access to and egress from workplaces. During numerous industrial disputes in Australia, police escorted strikebreakers to the workplace, the most common scenario of violence between police and unionists. Rarely have the strikebreakers themselves been involved in the violence. Police batons, used especially to disperse crowds and restore police authority on the streets, have been a common feature in such disputes. The shearing-sheds, the wharves and the mines have been the workplaces most prone to violent recourse; workers in these fields have been the most disposed to resort to brute force to settle disputes (Sheridan, 1994: 263). Traditionally, these semi-skilled workplaces have been the reserve of masculine, working-class cultures, akin in some ways to traditional masculine police culture.

Although the perception presented by the state's ruling elites is that major strike activity challenges and undermines the fabric of democracy and the political and economic system, there has been no strike in Australia's history which has directly sought the overthrow of the government of the day by workers taking up arms. Deery (1995: 92) argues that challenges to the state through industrial struggles are "successful only in rare

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and exceptional circumstances". The state's determination to maintain power is best substantiated by Prime Minister Chifley's use of the military during the 1949 coal strike. Although miners could possibly "defeat" an individual employer, they were incapable of defeating the state. Even the 1912 Brisbane general strike, confined to one state, had no chance of affecting a social revolution (Murphy, 1975: 62). Strikes have traditionally been concerned with wages and conditions of work; today, strikes occur in relation to job security, occupational health and safety issues, managerial policies as well as the basic economic concerns of unions.

Police are not the cause of industrial grievance but they can play a significant role in the processes and procedures of some industrial disputation. The mass gathering of police and strikers is volatile, with potential for rapid escalation of trouble. The history of the policing of industrial disputes in Australia covers a motley and erratic pattern of intermittent violence and suppression. Although there has been no formulated policy of repression against strikers, whenever major conflict between worker and police has occurred on the industrial front, police actions have usually been swift, decisive, uncompromising and ruthless. In such dual-edged confrontations, weapons and guns have been brandished by police, shots fired, numerous arrests, allegations of police brutality, little if any accountability of police actions, and often the employment of special constables (Baker, 2001a: 200-222).

Criminologists White and Perrone (1997: 58) assert that police deployment to control industrial confrontations in the interests of employers has established police as partisan agents. Though not consistent throughout history, police actions at specific times and during specific conflicts have attempted to suppress picket activities, left-wing agitation and unemployment dissent. So often police anticipation of major trouble has resulted in the fulfilment of that expectation (Waddington, 1992: 17-18). The traditionalist police response to industrial disorder has been legalistic; law and order, manifest in police control, must be maintained at all costs. Perpetrators of offences must be arrested; their obstruction to order and passage suppressed.

Police have not supported strikers involved in industrial action; police allegiance has been to the state, their employer. Brogden's sociological research of Liverpool police between the two world wars (1991: 155-160) highlights the paradoxical class position of police who were recruited from lower-class origins in order to perform the instructions of their so-called betters by imposing social order and regulation. Sworn allegiance to the Liverpool police organisation, rather than class origins, triumphed. Similarly, Swanton (1983: 3) argues that the antipathy between organised labour and police in Australia stems from the industrial conflict of the 1890s when "police became understandably viewed by militant unionists as class traitors". Sworn allegiance to the Crown and the law and an abhorrence of public disorder have been cultivated in Australian policing values. Historically, class and employee identification has been a limited concept for police who have been subject to both organisational dominance and the policing mandate of maintaining law and order. This is in spite of the fact that in the nineteenth

and much of the twentieth centuries, police recruits came from predominantly working class backgrounds; they were predominantly male, of large physique, skilled or semi-skilled with a basic education and poorly paid (Haldane, 1995: 112-113; McConville, 1983: 78-87).

Instances of clashes between police and strikers have been fewer in Australia than in France, Britain or the USA, but this negates neither the significance and intensity of the violence nor the police function in suppressing union unrest (Waddington, 1992: 107-111). Geary (1985) argues that there has been a linear de-escalation of violence between police and striking unionists in twentieth century Britain, a theory that was feasible until 1975 but subsequently discredited by paramilitary-style aggression and violence at Grunwick (1977), the miners' strike (1984-85) and Wapping (1987). Similarly, Taft and Ross (1979: 187-241) argue that violence in American labour-management relations was pervasive from the 1870s to the 1930s and that America experienced the "most frequent and bloody labour violence" of any industrial nation, but less frequent since World War Two, apart from the major coal-mining strikes of 1977. They ponder the paradox that violence in labour disputes persisted even though it seldom achieved fruitful results. Brecher (1997: 1) chronicles a far-less optimistic account of repeated and bloody repression of worker dissent "by company-sponsored violence, local police, state militias, and the US Army and National Guard".

Based on the autonomy of six separate state-supported police forces, the Australian framework cannot be depicted in terms of a linear pattern of decreasing violence between police and militant workers during the twentieth century. The 1890s and the 1920s are arguably the decades of greatest conflict between police and unions, although there were few serious incidents between police and pickets in Melbourne during the 1890 Maritime Strike (Haldane, 1995: 116-117). Prior to the introduction of compulsory conciliation and arbitration in 1904, there was a penchant for disputes to involve direct police and striker confrontation. The 1873 Clunes riot revealed the effectiveness of community opposition against a small belligerent contingent of police escorting Chinese strikebreakers; it also raised calls for effective and "intelligent and independent arbitrament" (*Age*, 11 December 1873). Most industrial disputations do not involve police intervention but when a major dispute becomes prolonged and reaches a stalemate, the ensuing clashes between police and picketers in Australia have often been intense and violent. The relationship between government and police has normally been close in such circumstances. As Finnane (1994) and Blackmur (1993) agree, Labor governments, as well as non-Labor, have utilised police forces to quash industrial upheaval, especially when their own employees, such as railway workers, have been involved.

P.A.J. Waddington (1994), who maintains that police have always had the power to act against picketers and that specific public order legislation basically represents a symbolic importance, stresses the peace-keeping role of police in controlling industrial confrontation but the number of instances when police and worker encounters become

violent should not be discounted. Police have often targeted ringleaders whom the media has labeled as potential trouble-makers and subversives. Such appellation has given police at times a licence to use selective and excessive force of dispersion and arrest to restore control and, simultaneously, intensify and aggravate the strikers' perception that they live in an unfair and uncaring society. An historical chronicle of police involvement in industrial disputation illustrates police propensity for an aggressive and legalistic approach to such "problems" as they perceived them. The wharves in the decade after the Great War resounded with police-unionist clashes, often the result of police protection of non-union labour. As always, police were resolutely determined to maintain their authority against any physical challenge.

Policing the wharves: 1928 in earnest

With communist hysteria and paranoia gripping much of Australia's ruling elites during the Great War and the 1920s and 1930s, police were viewed as vital defenders of freedom and legitimate power. Governments of both conservative and labor persuasions, to varying degrees, were open and encouraging of police suppression of radical Marxist-Leninist influenced trade unions and their organisers. During a period of industrial unrest involving the Australian Seamen's Union in 1925, the Commonwealth Peace Officers, under the direct control of H.E. Jones, was formed with the principal design of deporting communist union officials, "Red" Tom Walsh and Jacob Johansen. Crawford (1987: 8-10) argues that political surveillance of left-wing organisations and dissidents was the Peace Officers reason for existence. Both commonwealth and state police saw their role as curbing and eliminating union excesses, particularly on the wharves and in the mines.

Beasley (1996: 47-53), who describes the bitter and divisive 1917 General Strike in which many strike leaders were arrested by police, argues that wharf violence was common. The Detheridge Royal Commission had endorsed the continuing existence of the labour bureau at the ports and protected preference to strikebreakers ("loyalists" or "volunteers", or "nationals" in Western Australia). At Fremantle wharf in 1919, the lumpers conducted large-scale picketing in opposition to the use of non-union labour and protected the unloading of the *Dimboola*. Barricades were erected on "Bloody Sunday". Police, on foot and mounted, confronted the lumpers at a number of strategic points. One group of police with rifles and fixed bayonets charged the crowd who were approaching the "nationals" erecting the barricades. Several revolver shots, source unknown, were fired. Confronted by a crowd of more than three thousand, the police retreated. Eventually a truce between rioters and police was proclaimed. The *Westralian Worker* assailed Premier Colebatch for the pitting of police against lumper: "It is a queer sort of law and order which erects barricades for blacklegs behind a wall of bayonets. The man who armed civil police with bayonets is a law breaker!" (Beasley, 1996: 54). A lumper named Tommy Edwards had been fatally wounded at Memorial Park during a melee with police; the police station was closed, and the "nationals" (compensated by

the government for loss of jobs) withdrew from the wharves. This is one of the few instances in Australian industrial history when police were unable to enforce their imprint of law and order. The 1873 Clunes riot and the 1888 clash between police and workers at Adamsom in the Hunter Valley, both occasions when police were escorting strikebreakers, were two rare colonial occasions when police were forced to a hasty retreat (Baker 2001c; Walker, 1986: 56-57).

In 1928 Chief Justice George Beeby of the Commonwealth Court of Conciliation and Arbitration imposed an award favourable to the industrial policy of the Federal Government which the Waterside Workers' Federation rejected. By 11 September, ninety ships around the major ports lay idle. The Federal Government of Prime Minister Bruce threatened to invoke the Bruce-Latham Crimes Act amendment of 1926, an anathema to maritime unions. Victorian Labor Premier E.J. Hogan promised that his government "would provide every Protection" to "volunteer" workers (Lockwood, 1990: 238). Allegations of dirty tricks abounded in relation to keeping the strike alive - allegations by unionists that *agents provocateurs* were hired to discredit the waterside workers and impede settlement of the strike (Lockwood, 1990: 253). Some conservative forces called for a paramilitary force to deal with waterfront strikers (Moore, 1987: 114-142). The illegal, private army of the Citizens' Defence Brigade was established in Adelaide to suppress waterside workers without fear of police or federal authority intervention.

Victoria Police had to manage the legacy of the 1923 Melbourne police strike as many strike-breaking volunteers had remained as permanent constables after the 636 strikers were never reinstated. During 1928, physical violence on the docks escalated against "strikebreakers" when unionists realised that victory could not be attained by traditional methods. A series of bombings shook Melbourne in October 1928 (Lockwood, 1990: 270-274). Bombs, described by the *Age* (5 November 1928) as the "introduction of exotic forms of violence", exploded at boarding houses, private residences, strikebreakers' homes and a shipping company director's house (Beasley, 1996: 88). The Nationalist Opposition demanded greater efforts "to maintain law and order" and demanded "a reward for the apprehension of the scoundrels who committed the bomb outrages" (*VPD [LA]* 2 October 1928, vol.177: 1908). The Hogan ministry responded with a £250 reward; the Opposition sought £1000. In their fight against what they regarded as police-guarded and incompetent stevedoring "volunteers", the waterside strikers saw themselves pitted against the Bruce Government, the powerful and influential shipowners, politicians, judges, the daily press and the police. Street riots, bombings, stonings, stabbings, police batonings and bashings, even killings of "scabs" presented Melbourne in turmoil. The Hogan Government brought 150 extra police from the country who were stationed at the waterfront to protect the volunteers, but this was insufficient for Nationalist and Country Party politicians, the press and the shipowners, who advocated 1923-style special constables (*VPD [LA]* 30 October 1928, vol.177: 2553; Lockwood, 1990: 270-274). The "volunteers" were afraid to leave the police-protected compound. The Port Phillip stevedores' spokesman in parliament, MLA J.L. Murphy,

admitted that Italians were being "knocked about" by the stevedores not because of their nationality but "because they are taking the places of unionists" (*Age*, 5 November 1928).

Police have always viewed industrial disorder as a realm they must win in order to preserve law and order. Police reinforcements carried guns as well as batons; the British ships' officers had revolvers. The Melbourne wharf reached flashpoint at the beginning of November 1928. 1200 picketers viewed police-guarded "volunteers" (about 4000 had registered around Australian ports) perform their jobs. The sheer physical presence of picketers at the Graham Street railway gates prevented carters from unloading goods on the wharves. The picketing represented a significant, definite and defined political act in the bitter and polarised dispute between employer and worker. In the early morning of 2 November, special trains transporting volunteers from Flinders Street to Station Pier, Port Melbourne, were blocked by sleepers and metal bars and objects; strikebreakers were thrown onto the railway lines. Shipowners attempted to bring the volunteers to Prince's Pier in barges but they were fired upon at Newport. 2000 incensed unionists awaited at Prince's Pier. The union men had come to the "pick-up" to be engaged for the day but not a single unionist was employed. About 150 stevedores, contrary to union leaders' pleas, broke a police line about fifty strong (which was used to separate the strikebreakers from the strikers) and stormed Station Pier as they rushed towards the P & O liner, *Chitral*. The strikers, "bent on using physical violence", were approaching the volunteers at work at the cargo slings (*Age*, 3 November 1928). According to the *Labor Call* (8 November 1928: 9) "the crowd simply, by weight of numbers, brushed the police aside". Police authority and reputation, based on winning any physical confrontation and maintaining control, are tested when police, as a unified and regimented force, encounter mass dissent; the police reaction and retaliation at Port Melbourne was swift and resolute. The *Age* (3 November 1928: 21) conveyed the brutality of the riot: "Batons whirled; the leader of the rabble retired with his mouth and teeth badly battered as the result of a powerful blow from a baton wielded by a fourteen stone constable, and the fight opened".

James Morris, a respected unionist, persuaded the strikers to leave the pier to avoid clashes but Sub-Inspector Mossop called him "a bloody bastard . . . struck him time and time again". Most watersiders had alighted from the pier when the police "viciously attacked the stragglers with batons and boots" (*Labor Call* 8 November 1928: 9). Morris praised "the actions of the whole of the Police Force I saw with the exception of the Inspector, who lost control of himself and used bad generalship . . . (he) thrashed me through the gates in front of the whole of the crowd" (affidavit, *VPD [LA]*, 12 December 1928, vol.178: 3271-3372). The *Age* (3 November 1928: 21) described "a mob on the run" when "the police redrew their batons and belaboured the men bringing up the rear of the fast-retreating crowd". Some of the crowd started to throw stones and some police retaliated by firing into the crowd. Joseph Goddard, the President of the Port Phillip Stevedores' Association, declared that "Inspector Mossop . . . lost complete control of himself, and told the men to draw their guns and fire" upon the trade unionists (affidavit, *VPD [LA]*, 12 December 1928, vol.178: 3372). Mossop's own action as police

commander on the spot was deliberate and calculated: "... the sub-inspector, kneeling a yard in front of his men, emptied his revolver" (*Age*, 3 November 1928: 21). Approximately twenty police fired revolvers but "at least four-fifths of them fired over the heads of the men" (*VPD [LA]*, 12 December 1928, vol.178: 3375). The *Age* estimated that one hundred bullets were fired by the constables. The stevedores went "berserk" and showered the police with blue metal. The *Labor Call*, 8 November 1928, made a salient point that, "not until the crowd was in full retreat did the police deliberately take aim with the intention of killing. It was an act of sheer revenge."

The question remains as to whether the police employment of force was merely functional, to disperse the crowd, or whether it conveyed a salutary disciplinary message, designed to teach unionists a lesson about the nature of power and class authority in 1928 Melbourne. Marxist criminologist Steve Uglow (1988) cites the 25 Gordon rioters and the 30 Luddites hanged, 100 miners killed or wounded at Hexham in 1761 and the miners shot at Tonypany in 1910 and Llanelli in 1911 as examples of the "military solution", but which also may have been given to teach dissenters the power of established authority in Britain. Using force to disperse a surging crowd without intending to arrest any of them is a feature of twentieth century public order policing. The baton-charge and the use of mounted officers have been utilised to intimidate picketers to disperse; such force differs significantly from general police duties aimed at arrests and convictions.

The account of the wharf shootings by the avowed anti-unionist Chief Commissioner Blamey, who remained a militia officer throughout his police commission (1925-1936), was accepted by government and press: "The shooting was fully justified. There must be no half measures" (quoted in *Labor Call*, 8 November 1928). Rather than investigate Mossop's actions, Blamey commended his sub-inspector's tactics when "hopelessly outnumbered . . . he had reluctantly been compelled to order the men to use their revolvers" (*Age*, 3 November 1928: 21). Since many constables had been struck by stones and since grave fears had been held for the volunteers at the other end of the pier, the tenacious and belligerent Blamey felt the police had been "quite justified". Blamey reportedly warned that police would "employ no half-measures in dealing with similar attacks, should the occasion arise". The minority Hogan Government placed full control in the hands of the police commissioner: "Cabinet had been entirely guided by the Commissioner in dealing with the situation from the very beginning of the shipping trouble" (*Age*, 5 November 1928: 10). The Government, like the police department, refused to investigate the shooting. Prime Minister Bruce, advocating the maintenance of law as the "principal duty", warned that "mob rule and violence should not prevail" (*Age*, 3 November 1928).

The daily press supported police actions. The *Age* editorial of 5 November lampooned mob lawlessness and acclaimed police authority: "The deed (police shooting) is one of the utmost gravity, but it is not done in defiance of the law: it was done to uphold the law". Despite its enlightened and reformist tradition, the *Age* sought no questioning or

inquiry of police actions: "The duty of the public is to stand by the police and to trust in the police". The paper ridiculed the mob disorder and praised the "drastic but needful step" taken by Mossop. Police had to act decisively, otherwise "the police force is to be regarded as a farce" (Age editorial, 5 November 1928). By contrast, the *Labor Call* vilified the police as "Blamey's Cosacks" and castigated the "press mercenaries" (8 November 1928: 9).

Police had carried firearms to the wharf to protect the volunteer stevedores if they were attacked. The firearms were a symbol of police power and intent: a potentially inflammatory sign to the unionists. Union leaders blamed Mossop's loss of control for ordering the shootings. His cold-blooded taunt of "Look after your dead and we'll look after ours" added to his vilification by unionists. The *Labor Call* described Mossop as a "Fascist leader" but most police deliberately ignored Mossop by firing over the heads of the crowd. Mossop claimed that his order was to fire into the air, and then the ground. Allan Whittaker, a former Gallipoli veteran, and two wounded watersiders had been shot in the back while two constables were seriously injured from flying blue metal. A fellow stevedore, Jim Nagel, who intended to throw scabs "into the river", gave this vivid account of Whittaker's shooting:

There was a chap by the name of Whittaker, he was walking on the right-hand side of the waterfront. He got shot right through the back of his neck. The bullet came out through his mouth. I saw Whittaker fall and I turned round and said, "*You dirty bastards, are you fair dinkum?*" And I saw the constable go like that with his revolver - shoot off his arm, and I got shot right through my arm. (Quoted in Lowenstein and Hills, 1982: 64)

Whittaker later died on 29 January 1929 as a result of a bullet wound to the neck inflicted by police. The coroner condoned police action in firing into the surging crowd. Although fatalities have been few in clashes between police and strikers in Australia [Edwards at Fremantle (1919), Norman Brown as victim of a ricocheted bullet at Rothbury mine (1929), and a picketer at a Queensland sugar mill (1927)], Whittaker's death indicates the potentially unpredictable, indiscriminate and explosive nature of police involvement in industrial disputation. Institutional police historian Haldane (1995: 208) although referring to the shooting of the four unarmed stevedores, does not mention that one was shot fatally. Police use of force in any crowd control situation invokes potential and unpredictable risk. Close physical contact between police and strikers demands self-control and discipline from both parties. Today, general operational duties police, who encounter public protests on the street, are unarmed for their own safety and that of the general public, as well as to avoid heightening tensions.

The Trades Hall's *Labor Call* perceived the shootings as the ultimate weapon of the moneyed and propertied class. The Bruce Government, "the armed dictator on the waterfront", had ignored the Arbitration Court awards, reduced wages, increased unemployment, intimidated union leaders, extended industrial strife - "and now the shooting of outraged waterside workers in cold blood by the police". The working class

tragedy in Australia consists of being legislated against "in every conceivable way"; "plundered and starved" by the bosses of industry; and thirdly, "because of resistance, shot and batoned by Money Power in control of the police". For the radical *Labor Call*, "Money Power" expected all without question to comply: parliament, the judiciary, the pulpit, the press, the military and the police (*Labor Call*, 8 November 1928).

The Port Phillip Stevedores' Association requested a full-scale inquiry, while the ACTU unsuccessfully demanded an independent inquiry on the basis that Mossop struck a union official who had managed to calm the situation but then saw police shoot unionists. On 8 November, the opposition submitted a "no confidence" motion against the minority Labor Government on the grounds that it had failed to take "decisive" action to crush the strike. The Country Party demanded more police (Lowenstein and Hills, 1982: 64). After the demise of the Hogan ministry, the McPherson Nationalist Government assumed power on 22 November and bluntly rejected all calls for an inquiry (Wright, 1992: 154-155). Chief Secretary Dr Stanley Argyle, who had successfully propositioned Blamey to accept the police commissionership in 1925, refused Labor Opposition calls for an inquiry into the police shootings:

I am satisfied that the police did not act improperly on the occasion, but were compelled to resort to the use of firearms to maintain law and order. I am, therefore, of opinion that no good purpose would be served by holding an inquiry into the action of the police. (VPD [LA], 11 December 1928, vol.178: 3299)

Dr Argyle gave a passionate defence of armed police duty and order maintenance against an "example of savagery":

It was the proclaimed intention of the mob to attack the bureau labourers. Had the police failed to fire on the mob, which was already attacking them with missiles, and thus failed to protect the bureau labourers, they would have failed in their duty. (VPD [LA] 12 December 1928, vol.178: 3377).

Police are depicted as the bulwark against anarchy and mob rule. The Chief Secretary claimed that police fired to protect the free labourers on Prince's Pier, but ex-Premier Hogan queried whether any free labourers were actually there (VPD [LA] 12 December 1928, vol.178: 3379). The Labor Opposition argued that the refusal to hold an inquiry was "unprecedented" and that Dr Argyle was acting as "both judge and jury in the case" (VPD [LA] 12 December 1928, vol.178: 3370). Labor MLA Murphy for Port Melbourne produced three statutory declarations from eye-witnesses to the shootings which condemned the role of Inspector Mossop who "unfortunately lost his head", but generally not the constables, for the injuries and fracas (VPD [LA], 12 December 1928, vol.178: 3271). The Labor Party call for an inquiry focused on the direct role of Mossop. Part of the rationale for an inquiry was that "men in the Police Force will be lying under the stigma that they attempted to take life when really the only man responsible for the whole thing was the sub-inspector in charge at Port Melbourne" (VPD [LA], 12 December 1928, vol.178: 3273). During the previous 1917 industrial ferment, police had controlled "the excited crowds without resorting to shooting", but not so in 1928. Concern was raised about Blamey's public opposition to any form of inquiry: "If the

Chief Commissioner of Police is satisfied that the right and proper attitude was taken by the officer in charge of the police at that time, why should he fear a public inquiry?" (VPD [LA], 12 December 1928, vol.178: 3274). Despite the contrary opinions, there was no investigation to ascertain the truth of what precipitated the shootings and riot - whether it was caused by police firing their revolvers to protect the free labourers or whether it was provoked by the caning of Morris by Inspector Mossop?

The police department, the Chief Commissioner and the Inspector-in-charge were never held to account for the shooting. The lack of both internal and external inquiries establish an inertia if government (in this case, both state and federal) and police hierarchies, are steadfast in protecting police actions, which are alleged to have been excessive in the handling of industrial disputes. This inertia is fortified if official inaction is buttressed by the mainstream media.

Opposing forces of police and strikers clashed at various ports over the contentious employment of the free volunteers or non-union labour. Port Adelaide witnessed the riot of 28 September 1928. By the next day (unlike Victoria where Blamey claimed his men showed that they could handle the situation), 2000 Special Constables were organised to prevent disorder and resist violence on the waterfront. Like Victoria, South Australian police were under a military Commissioner, Brigadier General R.L. Leane. In January 1929, various clashes occurred between wood, stone and bottle-throwing wharfies and baton-wielding and mounted police, on one occasion (18 January) led by Leane himself. Allegations abounded of the too frequent use of the baton "by some younger policemen". The Port Adelaide Trades and Labour Council claimed that "a baton should only be used as a last resource, and the Commissioner of Police, is not under law, an infallible authority to deprive citizens of their rights" (quoted in Budd, 1990: 142). By contrast, former South Australian Chief Superintendent Budd (1990: 142-143) described the Port Adelaide mobs as vicious, violent and undisciplined.

Blamey and Leane were both battle-hardened, pragmatic soldiers whose policing philosophy with working-class dissenters, especially if perceived communist-inspired connections, was to stand, resist, suppress, prevail - then talk (Budd, 1990: 137-144). Both the police and the military institutions celebrated coercive powers, the male culture and brotherhood, the "code" of loyalty, and the void of public scrutiny and regulation (McCulloch, 2001: 15-31). The appointment of experienced military commanders as police commissioners enhanced the inherent links between the two organisations. Finnane (1994: 37) asserts that, during the turbulent early decades of the twentieth century, police commissioners, prone to determine what constituted acceptable social order, were inevitably involved in defining the police role in management of industrial disputation and "some commissioners at least were only too ready to engage". Blamey did not so much engage in political debate over industrial unrest but rather he championed his anti-union philosophy both within and outside the force and gave his officers unquestioned support in repressing strike activity. According to Hetherington (1973: 63), Labor politicians viewed Blamey as "an arch-disciple of reaction, an adherent of the Establishment aligned with the bosses against the workers". McCulloch (2001: 45)

states categorically that Blamey, while Chief Commissioner of Police, simultaneously headed the secret, pseudo-fascist White Army in Victoria towards the end of the twenties. Cathcart (1988) discusses rumours about his dual role identity while modern biographer Horner (1998: 97) argues that there is still no conclusive evidence that Blamey was the organisational head of the White Army's predecessor. Both Blamey and Leane received full government support, which meant that the actions of their men received no official scrutiny. The major union losses and port closures of 1890, 1917 and 1928 had dire consequences for the unions; police legalistic policy and paramilitary strategy remained intact.

The source and prevention of violent encounters

Grant and Wallace (1991: 1123), from their study of violent strikes in Ontario from 1958 to 1968, stress the need to research "the role of the counter strategies" such as police in determining the sources of violence (not just the strikers). The authors illustrate that there has been "no rigorous, quantitative study of strike violence in advanced industrial countries in the post-World War II era". They refer to the highly legalistic approach of Canadian employers to labor-management conflicts and their willingness to use the legally sanctioned coercion of police to escort strikebreakers across picket lines to maintain plant productivity (*ibid.*, 1125). Repressive legislation at times, such as the Bruce-Latham Transport Workers' Act of 1928 which gave preference to strikebreakers, may have heightened the fury of police-picket clashes but it has been the employment of strikebreakers, dependent on public police protection, which has commonly occasioned violence between police and workers as occurred at Prince's Pier.

Police and union capacity to negotiate and compromise can limit the chances of violence. Police eagerness to show their political masters their capacity to smash picket lines, especially by escorting strikebreakers, can escalate an already volatile situation. Police command, aware of prevailing political or industrial climates, value their operational independence from governmental direction but they also know implicitly when they have a strong mandate to act directly. Employers have customarily relied on the apparatus of the state to assist their plants to remain open and to protect staff and strikebreakers. Remote communities have been prepared to support strikers in their battles, often by financial and emotional support, at times by physical presence and action (Baker, 2001b).

Worker violence, even if a valid cause, erodes public sympathy and support just as police coercion can do. Unions may be generally accepted for safeguarding employees' economic and working conditions but they are vilified if industrial action turns violent. Unlike 1928 and especially since the advent of mobile television cameras, police and unionists have appreciated the value of avoiding physical confrontations, thereby

preventing injury to one's members and avoiding negative publicity. Modern-day police legitimacy depends on willing community consent; union success is tied to public opinion and support.

Conclusion

Historically, police during bitter industrial strife have not been in the middle, as neutral arbiters of the law, but in accord with employer and/or government demands for decisive, legalistic and aggressive police action. As salaried guardians of the state and professional law enforcers, police have generally sought to establish their perceived order by fulfilling employer demands. Given a more clearly-defined independence from government and a greater diversity of responses, police reaction and law enforcement need not have always been so measured, so doctrinaire and so confrontational as in 1928. The conservative press has generally supported police actions against overt signs of industrial unrest and, at times, has "criminalised" the militant union agitator. Whenever government and press condoned police coercion against strikers, there ensued little, if any, internal or external scrutiny of either individual or collective police actions by state authorities.

Despite early exceptions, police have usually "won" the major violent confrontations with picketers in Australian history, including contests on the wharves. There remains a resolute and determined approach by modern police authorities to control major industrial turmoil, either by persuasion or coercion. The policing of the 1998 national waterfront dispute presents a more discriminatory and non-confrontational approach by police than many historical cases of policing industrial discord (Baker, 1999). The authority to use force remains, as it did in 1928, but that force today must be reasonable in the circumstances.

General Blamey's unconditional support for Inspector Mossop's leadership not only affected public order at Port Melbourne but also enhanced union perception that policing, despite its advocacy of neutrality, enforced a rigid law and order that supported employers' requests to the detriment of workers. The very ingredients lacking during the 1928 dispute were apparent in the communication and protocol between the Victoria Police and the Maritime Union of Australia in 1998 - policing independence from government; developed police-union protocols and liaison officers; willingness to negotiate and compromise; an omnipresent electronic media; and both police and union leadership determined to avoid violence (Baker, 1999). These were safety valves that were missing in the volatile industrial cauldron of 1928 Port Melbourne. Nevertheless, the police function remains constant as one of control; today, compromise between police and union leadership may occur, but the workers still remain the ones to be policed.

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