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Three Major Industrial Disputes 1928-30, Rank-and-File Action and the Communist Party of Australia

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Doctor of Philosophy

March 2020

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Submitted in partial fulfilment of the requirements for the degree of Doctor of Philosophy.

Abstract

At the start of the Depression in Australia, workers in three industries waged determined struggles against significant cuts to their wages and conditions: waterside workers in 1928, timber workers in 1929, and coal miners of the NSW Northern District in 1929-30. Those three industrial battles, which all resulted in crushing defeats for the unions, shaped the industrial and political context of the ensuing years, but there have been few in-depth studies of them. A connection has often been drawn between the resistance of those workers, and the Communist Party of Australia (CPA)'s agitation. This thesis interrogates that assumption. It re-examines the waterside and timber strikes and coal lockout, investigating the activity of rank-and-file union members, the women who joined their struggles, and Communists.

It finds that in the two disputes that featured independent rank-and-file activity, the waterside strike and the coal lockout, Communists agitated but had little influence due to the small size of the party. In the waterside strike, the CPA nonetheless made a notable contribution by organising women, particularly the strikers' wives, to support the struggle. It later built on that activity in the timber strike. In the wharfies' and miners' unions, where branch autonomy persisted despite the union federation, rank-and-file militants were very capable of leading industrial action without the intervention of a party. The rank and file had their own minds. The limits of militants' ad-hoc organisation, however, became evident when the struggle in the coal industry escalated.

The fact that the CPA played only a minor role in the coal lockout contradicts much of the historiography of that dispute. This thesis builds on Jim Comerford's history, which challenged the myth that Communists were influential among locked-out miners, by showing how 1940s CPA histories shaped and distorted the subsequent historiography. It considers the party's efforts to organise among mineworkers prior to the industrial battle in the coal industry. Communists gained little ground on the coalfields, except in the NSW Western District, where miners were not locked out. However, the CPA-led Militant Minority Movement established itself as a potential pole of attraction for militant miners through the 1928 national Convention of the Miners' Federation. Given the party's lack of a sizeable presence on the Northern District coalfields, it did not exercise much influence during the lockout. But the CPA grew substantially there in the second half of the dispute, after a new federal Labor government failed to restart the mines and the unionists faced a hostile state government and police bullets while picketing. The miners' independent rank-and-file struggle, however, was co-ordinated by non-Communist militant lodge leaders.

In the timber strike, in which the rank and file did not act against their officials' advice, Communists were part of the strike leadership. CPA leader Jack Kavanagh played a prominent role in Sydney, organising daily picketing, while Communist women encouraged strikers' wives to organise hardship relief and protests. Despite the Comintern's introduction of its Class Against Class policy, the CPA did not oppose the union leaders, which was a factor in the party leadership being ousted in December 1929 for a new one obedient to the Comintern. While debunking overstatements of Communist influence, this thesis also challenges the prevailing idea that the Kavanagh-led CPA was disconnected from the working class, showing how the party was active in these major struggles.

Declaration

I, Phoebe Kelloway, declare that:

(i) this thesis comprises only my original work towards the Doctorate of Philosophy, except where indicated;

(ii) due acknowledgement has been made in the text to all other material used; and

(iii) this thesis is 126,019 words, exclusive of tables, maps, bibliographies and appendices, as approved by the Research Higher Degrees Committee.

Phoebe Kelloway, 6 March 2020

Signature redacted from final version for privacy reasons.

Acknowledgements

I could not have completed this thesis without the assistance of many people, and I take pleasure in thanking them here. First and foremost, thank you to my wonderful supervisors Sean Scalmer and Stuart Macintyre. They pointed me in the right direction, asked incisive questions, and consistently encouraged me throughout my candidature. Both have been generous with their time, providing thorough and constructive feedback on drafts, and good advice on matters large and small. I owe Sean and Stuart an enormous debt of gratitude for their capable guidance.

I would like to acknowledge the traditional owners of the lands on which I have worked. I began this thesis on Wurundjeri land, and finished it on Kaurna land. I also did research on the lands of the Ngunnawal, Gadigal, Darug, Yuggera and Turrbal peoples. Sovereignty of these lands was never ceded; they always were, and always will be, Aboriginal lands.

I am grateful that I had the opportunity to access archival records. Thank you to Jane Calvert, who as National President of the CFMEU Forestry, Furnishing, Building Products & Manufacturing Division gave me permission to access the Australian Timber Workers Union Victorian Branch records. Thank you to Paddy Crumlin, National Secretary of the MUA, for permission to access WWF records of 1928-29. I thank the SEARCH Foundation for permission to access the CPA archives at the State Library of NSW. Thank you also to Luba Grigorovitch, Victorian Branch Secretary of the RTBU, for permission to access Australian Railways Union Victorian branch records: as my research went in a different direction, I have not used them in my thesis, but I appreciate being able to consult them.

Archivists and librarians at several institutions cheerfully facilitated access to records, often in short time-frames, and gave me useful related advice. Thank you to University of Melbourne Archives staff, especially Katie Wood, who went out of her way to help me several times. I am grateful to archivists at the Noel Butlin Archives Centre, in particular Sarah Lethbridge who provided me with timely assistance on multiple occasions, as well as Rachel Armstrong, Catherine Ziegler, Margaret Avard, Helen Hopper and others. Thank you to National Archives of Australia staff, notably Darren Watson for recent assistance with tracking down membership figures for the Australian Timber Workers' Union. Thanks also to staff at the State Library of NSW, Queensland State Archives, State Library of Victoria, Fryer Library at the University of Queensland, NSW State Archives, and the Public Record Office Victoria (although I did not end up citing records consulted at the last three institutions I remain grateful for the assistance of archivists there).

Newspapers were important sources for this thesis, many of which I accessed through the National Library of Australia's digitisation project Trove. I would like to express my appreciation and gratitude to all the librarians, historians, IT staff and others who initiated that invaluable resource and keep it running – and to everyone whose efforts ensure that access to it remains free.

Thank you to State Library of Queensland staff, particularly Jacqui Burgin for arranging the digitisation of *Militant Worker* in response to my request for an inter-library loan. My thanks also to librarians at the University of Melbourne and the State Library of South Australia for handling other inter-library loan requests. Since re-locating to Adelaide I have used the libraries of the three main

universities, so I thank staff at the libraries of UniSA, Flinders University, and the University of Adelaide – the latter especially for filling numerous requests for items from the off-site Joint Store.

Nick Reich, Jack Mansell and Paul Kelloway did ad-hoc research assistant work for me, for which I would like to express my gratitude. They consulted library and archive records on my behalf on occasions when I was unable to travel to do so. The three of them undertook these jobs with professionalism, meeting tight deadlines. I have no hesitation in recommending Nick and Jack (to whom I am not related) for any role for which they choose to apply. I would give Paul the same reference, but as we are siblings it would not be of use to him; instead, I also thank him for moral support and encouragement, and giving me a good laugh when I needed it.

I was fortunate that my research was supported by an Australian Government Research Training Program (RTP) Scholarship (earlier known as the Australian Postgraduate Award). Funding from the University of Melbourne, through the Graduate Research in Arts Travel Scheme and the Research and Graduate Studies Funding Scheme, assisted my interstate travel for history conferences and research. I am especially grateful for the additional support of the Lloyd Robson Memorial Award in 2017, which enabled me to access archives in Brisbane and join in the Labour History conference.

Thank you to admin staff at the University of Melbourne, especially those at the School of Historical and Philosophical Studies and the Arts Graduate Research Team, who dealt patiently with multiple leave applications from me.

I appreciate the moral support of my admin team colleagues, and the interest they have shown in seeing me finish this thesis. Thank you Chenee, Brig, Cam, Dylan, Deb, Robyn, Andrew (although he's recently "jumped ship"), Jan, Andrea, Twyla and Oliver.

Earlier in my candidature Alex Dellios and Emily Fitzgerald were great office mates, my thanks to them and others in that University of Melbourne History postgraduate cohort for their collegiality, particularly André Brett, Shan Windscript, Pete Minard, Bronwyn Lowe and Susan Reidy.

Several socialist historians gave me encouragement, friendship, and many good discussions. Thank you Kyla Cassells, Katie Wood, Alexis Vassiley, Llanon Davis, Liz Ross, Lian Jenvey, and Janey Stone. Naomi Farmer and Jack Crawford also provided their opinions and feedback on a chapter section that I was unsure about, thank you both.

Numerous friends, comrades in Socialist Alternative, and housemates encouraged me throughout or at particular stages of this thesis: my thanks to all of them. Besides those already named, thank you Frances Lewis, Elene Whittle, Kate Yuille, Grace Hill (thanks for the pun times!), Cecilia Judge, Paul Coats, James Vigus, Heidi Claus, and Chloe Hallam. Special thanks to Brodie May and Edgar Daniel-Richards: I am very fortunate that they were willing to not only be supportive housemates, but to listen patiently for what added up to countless hours, give helpful suggestions and urge me on.

Thank you to all of my relatives who encouraged me, particularly Graham Anderson, Felicity Green, and their respective clans. Finally and above all, a big thank you to my mum, Karen Anderson. I am convinced that some of her self-assuredness and determination rubbed off on me and helped me finish. I am incredibly grateful for her unstinting support and encouragement throughout.

Abbreviations

ACSEF	Australasian Coal and Shale Employees' Federation
AWU	Australian Workers' Union
CC	Central Committee (of the CPA)
CE	Central Executive (of the CPA)
CEC	Central Executive Committee (of the CPA)
CFMEU	Construction Forestry Mining and Energy Union
CMUC	Combined Mining Unions Committee
Comintern	Communist International
CPA	Communist Party of Australia
CPs	Communist Parties
ECCI	Executive Committee of the Communist International
FCOM	Federal Committee of Management (of the WWF)
FEDFA	Federated Engine Drivers' & Firemen's Association
IFTU	International Federation of Trade Unions
IWW	Industrial Workers of the World
LCNSW	Labor Council of NSW
LDA	Labor Defence Army
LWM	Left Wing Movement
MLM	Minority Labour Movement
MMM	Militant Minority Movement
MUA	Maritime Union of Australia
MWG	Militant Women's Group
MWLU	Melbourne Wharf Labourers' Union
MWM	Militant Women's Movement
NCA	Northern Collieries' Association
OBU	One Big Union
OBU of U	One Big Union of Unemployed
P&C	Permanent and Casual Wharf Labourers' Union
PPSA	Port Phillip Stevedores' Association
QCE	Queensland Central Executive (of the ALP)
RILU	Red International of Labour Unions
THC	Trades Hall Council (Melbourne or Newcastle)
TUEL	Trade Union Educational League
TWA	*Transport Workers Act*
WCOC	Women's Central Organising Committee (of the ALP)
WWF	Waterside Workers' Federation

ARCHIVES

SLNSW	State Library of NSW
NAA	National Archives of Australia
NBAC	Noel Butlin Archives Centre
QSA	Queensland State Archives

PUBLICATION TITLES

BC	*Brisbane Courier*
CAR	*Commonwealth Arbitration Reports*
CESMR	*Cessnock Eagle and South Maitland Recorder* (NSW)
DG	*Daily Guardian* (Sydney)
DS	*Daily Standard* (Brisbane)
DTP	*Daily Telegraph Pictorial* (Sydney)
EN	*Evening News* (Sydney)
Inprecorr	*International Press Correspondence* (Vienna)
LC	*Labor Call* (Melbourne)
LD	*Labor Daily* (Sydney)
MDM	*Maitland Daily Mercury* (NSW)
MW	*Militant Worker* (Brisbane)
NMHMA	*Newcastle Morning Herald and Miners' Advocate*
NS	*Newcastle Sun*
NSWPD	*New South Wales Legislative Assembly Parliamentary Debates*
SMH	*Sydney Morning Herald*
WW	*Workers' Weekly* (Sydney)

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Introduction

This thesis examines the connections between the activities of Communists and rank-and-file unionists in the three major industrial battles – on the wharves, in timber, and coal mining – that marked the start of the 1930s Depression in Australia. These were defensive struggles on the part of the unionists; all were hard-fought against enormous odds and ended in crushing defeat, which shaped the industrial and political context of the ensuing years. Waterside and timber workers, in late 1928 and from early 1929 respectively, took strike action against revised industrial awards that seriously undermined their working conditions.[1] Miners in the NSW Northern District coalfields, which produced the lion's share of the nation's black coal output, were locked out from March 1929 until June 1930 for refusing to accept wage cuts and their employers' anti-union demands.[2] Each dispute involved notable activity by the union membership, which in the wharfies' and miners' cases was organised independently of the leadership and even against its advice. Contemporary observers and historians have commonly drawn a connection between Communist agitation and the workers' resistance.[3] Yet despite the importance of these industrial battles, there are few detailed historical studies of them, and the role of Communists in them has not previously been seriously interrogated. The aims of my thesis are twofold: to re-examine these three disputes with particular attention to rank-and-file activity, and to investigate Communists' involvement and the extent of their influence.

The three disputes affected major industries and were notable for their exceptional scale and duration. The waterside strike involved around 15,000 wharfies and disrupted shipping for six weeks: ports around the country ceased work, with Sydney the only notable exception. Up to 10,000 timber workers struck in February 1929, in a dispute that affected construction and lasted nine months in Sydney and five months in Victoria. It culminated in a lockout of 20,000 construction workers in Melbourne. Some 12,000 miners were locked out in the Newcastle and Hunter Valley coalfields, in a dispute that dragged on for fifteen months and raised the threat of severe shortages in the national energy supply.[4]

These disputes had an immediate political impact and longer-lasting industrial effects. The Nationalist-Country Party federal government responded to the waterside strike by hastily introducing new licensing provisions for waterside workers to restrict their union organisation,

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[1] Awards were the instruments through which industrial arbitration courts or tribunals set the minimum standards for wages and working conditions.
For comprehensive discussions of the conditions see E.R. Voigt and J.S. Garden, *The 1929 Lock-out in the Timber Industry*, (Sydney: Tomalin and Wigmore, Printers, 1930), 7-13; Miriam Dixson, "The Strike of Waterside Workers in Australian Ports, 1928, and the Lockout of Coal Miners on the Northern Coalfield of New South Wales, 1929-30" (MA thesis, University of Melbourne, 1957), 9-25; Rupert Lockwood, *Ship to Shore: A History of Melbourne's Waterfront and Its Union Struggles* (Sydney: Hale and Iremonger, 1990), 215-230.

[2] Miriam Dixson, "Stubborn Resistance," *Labour History*, no. 24 (January 1973), 128, 138-139.

[3] Dixson, "Strike and Lockout," 149-150, 192, 242; Robin Gollan, *The Coalminers of New South Wales: A History of the Union, 1860-1960* (Melbourne: Melbourne University Press, 1963), 191-194. Examples of contemporary views include: Editorial: "On the Brink," *Brisbane Courier*, 24 September 1928, 12; "Strike Tactics," *Sydney Morning Herald* (hereafter *SMH*), 23 March 1929, 17; "Owners' Warning," *SMH*, 8 June 1929, 15.

[4] The lockout did not cause major disruptions to the energy market because of an oversupply of coal resulting from excess capacity. For analysis of the underlying factors, see Donald Pierre Dingsdag, "The Restructuring of the NSW Coalmining Industry, 1903-1982" (PhD thesis, University of Wollongong, 1988), 134-217.

legislation that unionists dubbed the "Dog Collar Act."[5] Mass demonstrations in Sydney during the timber strike saw the Nationalist state government bring in new anti-union laws.[6] The coal lockout caused a political crisis for the federal Labor government and prompted extraordinary intervention by the state government.[7] The defeat of three strong unions shaped the national industrial landscape of the following years. It weakened union willingness to resist other cuts to wages and conditions, and thus paved the way for generalised attacks on working-class living standards as the Depression deepened. Most notably, there was no industrial resistance to the 10 per cent wage cut imposed by the Commonwealth Arbitration Court in early 1931, which affected about half of Australia's workforce.[8]

A feature of both the waterside strike and coal lockout was that union members took action independently of their national leadership, indeed against its advice. By contrast, in the timber workers' strike, unionists took a militant stand under the direction of their officials. Communists played a prominent part in the leadership of the timber strike, whereas they held no union leadership positions in the other two disputes. Contemporary commentators assumed that the Communist Party of Australia (CPA) influenced the waterside workers' and miners' rank and file to reject their union leaders' direction.[9] When wharfies across the country went on strike, they were defying the instructions of the Waterside Workers' Federation (WWF)'s Committee of Management, and its national Triennial Conference. Mining union leaders discouraged members organising in response to the lockout. At times when miners organised picketing to prevent the production of coal, their leaders intervened to end it, as Chapter Five will discuss. Meanwhile in Sydney, pickets of striking timber workers, examined in Chapter Three, were largely organised by CPA Central Executive Committee (CEC) leader Jack Kavanagh.[10] Throughout 1928-30, the CPA argued strongly that the working class needed to fight back against ruling class attacks; in the affected industries at least, workers did so. The press and employers alleged Communists were responsible for the unionists' militancy in all three struggles.[11] Similarly, historians have given the CPA much credit for miners' actions in defiance of their officials in the coal lockout.

The CPA was marginal to the labour movement at that time, however, both because it was small and because the Australian Labor Party (ALP) had hegemony. In December 1928, eight years

[5] Lockwood, *Ship to Shore*, 244-246; Cecil Edwards, *Bruce of Melbourne: Man of Two Worlds* (London: William Heinemann Ltd., 1965), 144-145.
[6] "The Bill Explained," *SMH*, 27 September 1929, 14; see Chapter Three.
[7] Jacqueline Dickenson, "Trust: Why and How Historians Should Study It," *Australian Journal of Politics and History* 54, no. 4 (2008), 512-521; Edgar Ross, *A History of the Miners' Federation of Australia* (Sydney: Australasian Coal and Shale Employees' Federation, 1970), 340-344.
[8] Colin Forster, "Wages and Wage Policy: Australia in the Depression, 1929–34," *Australian Economic History Review* 30, no. 1 (March 1990), 24-26; Peter Sheldon, "State-Level Basic Wages in Australia during the Depression, 1929–35: Institutions and Politics Over Markets," *Australian Economic History Review* 47, no. 3 (November 2007): 249-277; L.J. Louis, *Trade Unions and the Depression: A Study of Victoria, 1930-1932* (Canberra: Australian National University Press, 1968), 82-89.
[9] For example: Editorial: "Futile Revolt," *Brisbane Courier*, 25 September 1928, 14; Editorial: "Extension or Settlement?" *Sun* (Sydney), 10 June 1929, 8.
[10] The CPA's national leadership body initially called itself the Central Executive (CE). It used the name CEC sometimes in late 1928, and more consistently in 1929. With the election of the leadership for 1930, it became the Central Committee (CC). I shall use the terms the contemporary documents employed.
[11] *Ibid.*, "Timber Strike," *SMH*, 9 April 1929, 11. See the relevant thesis chapters for further sources.

after its foundation, the CPA had a membership of 250 to 300, concentrated in NSW.[12] They were spread across various industries; there was no significant number of Communists in any one union. By the end of 1926, the CPA had lost the allegiance of its only members with political clout, a group of Sydney trade union officials known as the Trades Hall Reds.[13] Despite that, it maintained a presence around Sydney Trades Hall: the Labor Council of NSW (LCNSW) employed Kavanagh as an organiser and Jack Ryan in the Labour Research Bureau, while other Communists were union delegates to the council.[14] There was a sharp incongruity, though, between the CPA's aspiration to lead the whole working class of Australia to socialism and its diminutive size and lack of influence. It was unable to lead the rank and file in a single industry, let alone the entire class. Yet Communists were accorded public prominence well beyond their actual strength. For conservatives, they were the bogeymen of the day as the Industrial Workers of the World (IWW) had been before them, blamed for any industrial unrest, whether they had contributed to it or not.[15] The party was not to remain on the union movement's fringes. CPA membership expanded roughly tenfold from its 1928 level in the early 1930s: by mid-1931 there were over 1,000 members, 18 months later around 1,900, and at the end of 1934 some 2,800.[16] It gained significant ground in 1934, when CPA members Bill Orr and Charlie Nelson became the national leaders of the Miners' Federation. By the eve of the Second World War, the party was an important player in the union movement, with Communists leading some of Australia's key trade unions, including the Miners' Federation and the WWF.

Communists largely took it for granted that they should be actively involved in the unions; they agreed with Karl Marx and Frederick Engels' insight that the working class has the power to fundamentally reshape society.[17] Insofar as the industrial practice of the 1920s CPA was guided by theory, key works of V.I. Lenin were the chief influence. Lenin's 1902 polemic against the economist current among Russian Social Democrats, *What is to be Done?*, outlined the differences between trade union politics and revolutionary politics, arguing that the latter had to go beyond the former.[18] Trade unionism was a product of capitalism, which opposed abuses of the wage-labour relationship, but did not seek to overturn it. Its politics confined the labour movement's horizons within capitalist limits; Lenin saw unionism as "the ideological enslavement of the workers by the bourgeoisie."[19]

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[12] Alastair Davidson, *The Communist Party of Australia: A Short History* (Stanford, California: Hoover Institution Press, 1969), 58; Stuart Macintyre, *The Reds: The Communist Party of Australia from Origins to Illegality* (Sydney: Allen and Unwin, 1998), 150.

[13] Macintyre, *Reds*, 79, 96, 111-113; Raymond Markey, *In Case of Oppression: The Life and Times of the Labor Council of New South Wales* (Sydney: Pluto Press, 1994), 230, 241-245.

[14] Labor Council of NSW, *Yearly Report and Balance Sheet for Year Ending December 31st, 1926* (Sydney: The Worker Trade Union Print, 1927), 67-70; Labor Council of NSW, *Yearly Report and Balance Sheet for Year Ending Decr. 31st, 1927* (Sydney: Tomalin & Wigmore, 1928), 78-82; Labor Council of NSW, *Yearly Report and Balance Sheet for Year Ending December 31st, 1928* (Sydney: Tomalin & Wigmore, 1929), 66-69; Labor Council of NSW, *Yearly Report and Balance Sheet for Year Ending December 31st, 1929* (Sydney: Tomalin & Wigmore, 1930), 45-48.

[15] Verity Burgmann, *Revolutionary Industrial Unionism: The Industrial Workers of the World in Australia* (Melbourne: Cambridge University Press, 1995), 159-180; Lockwood, *Ship to Shore*, 204-206.

[16] Davidson, *Short History*, 53, 61; Macintyre, *Reds*, 280-281.

[17] Karl Marx and Frederick Engels, *Manifesto of the Communist Party* (Moscow: Foreign Languages Publishing House, 1959), 50-61.

[18] V.I. Lenin, "What is to be Done?" in *Collected Works*, vol. 5, ed. Victor Jerome, trans. Joe Fineberg and George Hanna (Moscow: Progress Publishers, 1960), 347-529.

[19] *Ibid.*, 384.

Lenin argued that it was revolutionaries' responsibility to engage in political as well as economic struggles, contending that the working class would not spontaneously develop the politics to challenge the ruling class without the party's influence.[20] In addition, Lenin's *'Left-Wing' Communism: an Infantile Disorder* warned against sectarianism and abstention from non-revolutionary workers' organisations.[21] Revolutionaries in Australia were not prone to abstentionism; even the IWW, despite its critique of existing unions and aspiration to replace them with One Big Union, worked within them.[22] The 1920 pamphlet was therefore read as backing their longstanding practices.[23] Australian Communists were far more susceptible to economism (concentrating on wages and working conditions to the neglect of political issues): though they tried to resist this tendency, they found it hard to avoid.[24] Nonetheless, what Lenin advocated in *What is to be Done?* served the 1920s CPA as a model. It was active in economic struggles, including the 1928-30 disputes, and sought to raise workers' political consciousness, notably through its newspaper, *Workers' Weekly* (later *Tribune*).

CPA headquarters, and therefore its national leadership, was based in Sydney. Jock Garden was its most prominent leader in the early years: he was Secretary of the Labor Council when he helped to found the party, and most of the LCNSW executive, militants known as the Trades Hall Reds, joined it with him. Garden was instrumental in the LCNSW's affiliation in 1922 to the trade union arm of the Communist International (Comintern) and, as discussed in Chapter One, remained connected to the Comintern after he left the CPA in 1926.[25] Jack Kavanagh arrived in Sydney in 1925 as Garden was stepping back from the CPA, and quickly became the leading personality on the CPA executive. Kavanagh was of Irish origin, grew up in Liverpool, and staunchly opposed imperialism and racism after military service in the Boer War. After almost twenty years in Canada, where he was an industrial militant and became a leading Communist, Kavanagh migrated to Australia to start a new life with a woman who was married to another man.[26] Other CPA leaders when Kavanagh was at the helm included Esmonde Higgins, *Workers' Weekly* editor in 1928-30; Tom Wright, party secretary; Edna Nelson (later Ryan) who ran the Sydney office; and Jack Ryan. Less influential were Lance Sharkey and Bert Moxon, until they joined forces with leading Queensland Communist Jack Miles to depose most of the existing CEC at the close of 1929.[27] Other notable figures included some of the Lithgow Communists: the aforementioned Orr and Nelson (see Chapter Four), and Fred Airey, who was a young mineworker in the late 1920s. Airey received two years' training in Moscow, was given the name Jack Blake on his return in 1933, and became a CPA leader in Victoria.[28]

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[20] *Ibid.*, 373-440.
[21] V.I. Lenin, "'Left-Wing' Communism: an Infantile Disorder" in *Collected Works*, vol. 31, ed. and trans. Julius Katzer (Moscow: Progress Publishers, 1966), 17–118.
[22] Burgmann, *Revolutionary Industrial Unionism*, 148-180.
[23] Macintyre, *Reds*, 77.
[24] Ralph Gibson, *The People Stand Up* (Melbourne: Red Rooster Press, 1983), 43.
[25] Davidson, *Short History*, 9-12, 26-27, 34-36; Markey, *In Case of Oppression*, 228-232, 250-252; Frank Farrell, "Dealing with the Communists, 1923-36," in *Jack Lang*, ed. Heather Radi and Peter Spearritt (Sydney: Hale & Iremonger, 1977), 53-54, 60-61.
[26] Macintyre, *Reds*, 109-110; David Akers and Margaret Sampson, "Kavanagh, John Patrick Marcus (1879–1964)," *Australian Dictionary of Biography*, vol. 14 (Melbourne: Melbourne University Press, 1996), 600.
[27] Macintyre, *Reds*, 130-163.
[28] *Ibid.*, 115, 183, 284.

The early Depression industrial struggles in Australia coincided with years of profound change for the worldwide Communist movement, as Stalin consolidated power while an international economic downturn set in. There was a change in the political line and a tightening of control from Moscow. In July-September 1928, the Comintern's Sixth Congress adopted a new appraisal and a new line. In brief, it considered that the capitalist countries of the west were entering a profound crisis – the Third Period – in which revolution was imminent. In consequence, social democrats, as the final defenders of the existing order, were the main enemy of the working class. Hence it reversed its previous approach of seeking a united front with other working-class organisations in favour of what became known as the policy of Class Against Class, in which social democrats were denounced as "social fascists."[29] The CPA adapted its practices to fit the new line, but the process was uneven and complicated by Comintern instructions to its Australian affiliate that contradicted its line, as the thesis will show. A faction fight developed in the CPA over how to implement Class Against Class, particularly in relation to election policy. The outcome was a new Central Committee (CC), led by Miles, Moxon and Sharkey, taking over in December 1929. This new leadership, which proclaimed its obedience to Moscow, destroyed the party's previous culture of internal debate, imposing unquestioning obedience on all members. Similar arguments and transformations occurred in other Western Communist parties at this time.[30] Thus the CPA changed fundamentally between the start of the waterside strike and the end of the coal lockout. Yet its approach to strikes and lockouts was not substantially altered.

The CPA advocated industrial militancy: it appealed to the fighting spirit of the union rank and file as it sought to establish an alternative leadership to the mainly ALP-aligned trade union leaders. From the late 1920s the CPA tried a new tactic to gain influence among workers, discussed in Chapter One. It set up groups which were controlled by the party, but under a different name and open to non-party members, to try to organise working-class militants and push for increased industrial militancy. In a similar manner, the CPA established organisations to campaign around various political issues. The party later referred to these groups as "united front bodies," which became shortened to "fronts," a military metaphor of an extended line to confront the enemy.[31] The term subsequently acquired pejorative connotations; for example, historian Alastair Davidson described the "fronts" operating deceptively to conceal Communists' key role.[32] However, Communist leadership was not hidden in the groups concerned with industrial struggle, the Militant Minority Movement (MMM) being the main one in 1928-30. Therefore, I shall avoid the term "front" and use alternatives such as "auxiliary" or "adjunct" that do not connote deception. In addition to the MMM there was the Militant Women's Movement (MWM), which encouraged working-class women to take part in class struggle. Workers faced with cuts, and their families, responded positively to calls from the CPA and its auxiliaries for an industrial fightback. For instance, during the 1928 waterside strike the Queensland MMM's publication was well supported, despite its weak

[29] Kevin McDermott and Jeremy Agnew, *The Comintern: A History of International Communism from Lenin to Stalin* (New York: St Martin's Press, 1997), 68-119.
[30] Matthew Worley, ed., *In Search of Revolution: International Communist Parties in the Third Period* (London: I.B. Tauris, 2004).
[31] E.W. Campbell, *History of the Australian Labor Movement: A Marxist Interpretation* (Sydney: Current Book Distributors, 1945), 148.
[32] Davidson, *Short History*, 55-56.

organisation in that state.[33] In the timber strike, discussed in Chapter Three, the MWM successfully organised strikers' wives to support industrial militancy. The willingness of sections of the working class to fight back, however, did not readily translate into increased influence for the Communists.

In re-examining the 1928-30 industrial disputes, this thesis focuses on the activities of the rank and file. The aim is to find out what their action consisted of, how and why it took place, and who led it, especially where union members' activity was organised independently of their leaders. These questions were particularly relevant in the coal lockout, where there was sustained rank-and-file activity that was not organised by the full-time union officials. This thesis treats the workers involved as intelligent actors in the disputes, interrogating the notion that their determined resistance can be attributed to Communist agitation.

The three early Depression industrial battles in Australia are worth re-examining not only because of their scale and contemporary importance, but because although those circumstances were exceptional, they were not unique. The developing economic crisis was the root cause of the disputes. As in other economic crises, those who exercised power, including employers, Arbitration Court judges, and government ministers, expected the working class to pay for the downturn. The workers in those three major industries refused: already under pressure, they felt it was impossible to bear the cost. This set of circumstances – economic crisis and workers' collective refusal to pay for it – has occurred in other times and places, for example in Greece in 2015, and is bound to recur. The concentration on rank-and-file action in this thesis provides case studies of the dynamics of working class resistance and leadership in such circumstances.

At the core of the three disputes was the workers' determination to resist the attacks by withholding their labour power; within each one, unionists had various understandings of the situation and ideas about what to do next, and tactics were debated. Tensions emerged when union members wanted to fight but their leaders instructed them to do otherwise. Simultaneously, proponents of rival labour movement political currents competed for influence. Communists, coming mainly from outside the affected industries, wanted to direct or at least influence the workers to launch an industrial counter-attack that would challenge the priorities of the capitalist system. The CPA sought, furthermore, to convince them that capitalism, as an inherently exploitative system, was against their interests, could not meet their needs, and therefore should be overthrown. In contrast, union leaders who were aligned with the ALP generally led them in strategies that aimed to redress their grievances within the existing institutional structure. This thesis considers the actions of the workers in the three industries in response to the circumstances and those contrasting strategic approaches, and the extent to which Communists gained credibility as alternative leaders as a result of the disputes.

LITERATURE REVIEW

The literature that covers the terrain this thesis will traverse consists of histories of the CPA, and histories of the three early Depression industrial disputes, much of which is in histories of the

[33] Comrade Tripp's Report on Queensland, in "Report of All-In Conference of the Militant Minority Movement," Sydney 19-20 July 1929 (held at the National Library of Australia, BibID: 2935621).

industries concerned. I shall consider first the literature on the CPA, then the writings about each dispute. Detailed outlines of the most relevant works are provided, to investigate the extent to which the first party histories influenced subsequent literature.

The CPA's mid-1940s take on its own history established a set of ideas about the party between 1926 and 1930, including its participation in the labour movement. This interpretation was published in two booklets, by Lance Sharkey, one of the winners of the 1929 faction fight, and E.W. Campbell, written for party training schools.[34] Both vindicated the leadership of Miles and Sharkey, which controlled the CPA for decades, drawing a distinction between it and its predecessors. Sharkey and Campbell attacked both Jock Garden, the most prominent early CPA leader, and Kavanagh, the leading personality on the CPA executive for three years until December 1929. (Although the party leadership when Kavanagh was at the helm was a team endeavour, party historians nonetheless singled him out for criticism.) Writing in the context of the CPA pursuing a united front with the ALP, from a position of greater strength in the unions, the authors were especially concerned to distance the current party from its Third Period past. For the purposes of this thesis, their attacks on Kavanagh and depiction of the early months of the new leadership are of particular interest.

Sharkey and Campbell denigrated Kavanagh and his cohort primarily on the basis that they did not implement the Comintern's new line of Class Against Class.[35] The CPA official histories' accusations against the old leadership were concerned mainly with the party's parliamentary election policy, which was the key question in the culmination of the faction fight in late 1929. The Kavanagh leadership was labelled "opportunist" for advocating a vote for the Labor Party to defeat the conservative Bruce-Page government.[36] Some secondary points of their attacks are relevant to this thesis. The old Central Committee was accused of "drawing the Party away from the mass movement," a theme subsequently developed by W.J. Brown, historian of the Socialist Party of Australia, a pro-Moscow breakaway from the CPA.[37] A related claim was that Kavanagh fostered sectarianism.[38] Campbell also noted that Kavanagh was criticised "for cowardice in the Timberworkers' strike" in December 1930, in the lead-up to his expulsion.[39]

The CPA official historians wrote about the new leadership as loyally implementing Comintern policy and directing the CPA back to mass activity that "the Kavanaghites" had steered it away from.[40] To illustrate the necessity of Third Period policy and the party's new-found vigour, and to draw a contrast between the old and new leaderships, they pointed to the coal lockout, highlighting the CPA's efforts from January 1930. The heightened class struggle on the coalfields, and the fact that the Scullin Labor government had "cynically dishonoured" its election promise to end the lockout indicated the correctness of the Comintern line.[41] Before the election of the new CPA

[34] L.L. Sharkey, *An Outline History of the Australian Communist Party*, (Sydney: Australian Communist Party, 1944); Campbell, *Australian Labor Movement*.
[35] Sharkey, *Outline History*, 21; Campbell, *Australian Labor Movement*, 123-140.
[36] Campbell, *Australian Labor Movement*, 131.
[37] Sharkey, *Outline History*, 20; W.J. Brown, *The Communist Movement and Australia: An Historical Outline – 1890s to 1980s* (Sydney: Australian Labor Movement History Publications, 1986), 48-49.
[38] Campbell, *Australian Labor Movement*, 123-124.
[39] *Ibid.*, 140.
[40] *Ibid.*, 124, 138-141.
[41] Sharkey, *Outline History*, 23.

leadership, Sharkey stated, "the lock-out had been proceeding for nine months, without the semblance of action by the right wing C.C., other than material in the 'Workers' Weekly'."[42] Whereas the new CC immediately began to "act energetically" by sending organisers to the coalfields.[43] It had called for an "All Out" (general stoppage) in the mining industry and organised rank-and-file committees. In response to police brutality, the party and militant miners had organised a Workers' Defence Corps. However, the party's efforts for a general stoppage were "sabotaged" by reformist union leaders who forced the miners back to work on the owners' terms.[44] Nonetheless, it was argued, this campaign laid the basis for the CPA's influence on the coalfields and the election of Orr and Nelson as the Miners' Federation General Secretary and General President in the mid-30s. Sharkey all but blamed the miners' defeat on Kavanagh, claiming: "Had the right wing C.C. been removed earlier, the victory of the miners might have been secured."[45]

Numerous writers have examined the change in the CPA's leadership at the end of 1929 and debated its nature and meaning. Several aspects of the CPA's official narrative have been contested, although the related ideas about the party's trade union activity have remained largely unexamined. It is generally agreed that the 1929 leadership change marked a turning point for the CPA, the consolidation of Stalinist rule. Alastair Davidson, whose book *The Communist Party of Australia: A Short History* was the first academic history of the party, did not differ with Sharkey and Campbell in viewing the faction fight between the Kavanagh leadership and its opponents as a matter of fundamental differences.[46] Overall, Davidson considered that the CPA's ideas and practices, as the party adopted the Comintern's model, were essentially Russian imports, foreign and inappropriate to Australian conditions.[47] Jack Blake (a young Communist in 1929 and subsequently a long-serving party leader) disputed the idea that there were basic disagreements of principle between the leaderships of Kavanagh and company and Miles-Sharkey. He argued against attempts to portray Kavanagh as a Second Internationalist opposed to Comintern policies.[48] Blake's article remains a significant challenge to the 1940s CPA view of Kavanagh's leadership.

The concept of the Comintern as kingmaker was challenged by Peter Morrison, who argued against Davidson's analysis. He contended the CPA was not directed by Moscow, but that the faction opposing the status quo in 1929 took advantage of the new line for its own ends, using the Comintern as a chess piece.[49] Barbara Curthoys revisited the question of the Comintern's part in the CPA faction fight once the Comintern archives, unavailable to earlier historians, were opened. She found that Comintern intervention was the decisive factor in the defeat of the leadership team of Kavanagh, Wright, Ryan and others.[50]

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[42] *Ibid*.
[43] Sharkey, *Outline History*, 23; Campbell, *Australian Labor Movement*, 138.
[44] Sharkey, *Outline History*, 24; Campbell, *Australian Labor Movement*, 139.
[45] Sharkey, *Outline History*, 24.
[46] Davidson, *Short History*, 50-51.
[47] *Ibid.*, xi.
[48] J.D. Blake, "The Australian Communist Party and the Comintern in the Early 1930s," *Labour History*, no. 23 (November 1972), 38-39, 40-41, 44.
[49] Peter J. Morrison, "The Communist Party of Australia and the Australian Radical-Socialist Tradition, 1920-1939" (PhD thesis, University of Adelaide, 1975), 211-214.
[50] Barbara Curthoys, "The Communist Party and the Communist International (1927 – 1929)," *Labour History*, no. 64 (May 1993), 55, 66.

Frank Farrell identified that the mythologising of CPA history was started by the Miles-Sharkey leadership with Campbell's and Sharkey's histories, and highlighted two assumptions in much of the literature on the rise of the new leadership. The first was the idea of fundamental differences between the old and new leaderships over the Comintern's new line, which Blake had already challenged.[51] The second was the notion that Garden was only a fringe influence on Australian Communism after 1926, which Farrell himself challenged. He pointed out that the LCNSW stayed affiliated to the Comintern's trade union arm, the Red International of Labour Unions, until 1930. Farrell argued that the ties Garden retained to the Comintern, as LCNSW Secretary, meant that he remained an important figure in the Communist movement for four years after his break with the CPA.[52]

Since discussion of the rise of the new leadership centred on the extent and consequences of the Comintern's role, other aspects of the CPA's official history have been less subject to critical examination. The aspects of greatest relevance to this thesis are its view of the leadership of Kavanagh and his peers, and portrayal of CPA labour movement activity before and immediately after the leadership change. I shall explore below how subsequent histories of the CPA dealt with these aspects to see whether there is a pattern in the literature.

Alistair Davidson's history concurred with Sharkey and Campbell on these matters, and was important in legitimising their view because it was grounded in academic research and the author, while sympathetic, was not in the party. Davidson described the CPA under Kavanagh's leadership as increasingly focused on propaganda and educational activities, including party training classes that Kavanagh initiated.[53] He considered that the party suffered from this, stating that in those years it "had virtually no contact with the Australian working class" – an assessment that complements Sharkey's depiction of Kavanagh moving the party away from the masses.[54] Davidson stated that CPA members increasingly tended to "too much concentration on theory and too little on action."[55] Between 1926 and 1928, he claimed, "communist activity in the unions was limited mostly to distributing propaganda."[56] However, with Garden's co-operation, the CPA exerted influence in two notable matters: establishing the Australasian Council of Trade Unions (ACTU) and forming a Pan-Pacific trade union organisation.[57] Davidson implied by omission that the CPA was not involved in industrial struggles during Kavanagh's leadership. In focusing on NSW, he overlooked Queensland events, notably the 1927 South Johnstone sugar strike and state-wide railway lockout, and the waterside strike the following year. Davidson treated the early Depression industrial disputes and the CPA during those years separately, concentrating on the faction fight in relation to the latter.[58] He referred in passing to Kavanagh's prominence in the timber strike without looking into the CPA's involvement in it. Davidson noted that Kavanagh founded the Militant Minority Movement (MMM),

[51] Frank Farrell, "Explaining Communist History," *Labour History*, no. 32 (May 1977), 1-2, 4-5.
[52] *Ibid.*, 5-9.
[53] Davidson, *Short History*, 36-38.
[54] *Ibid.*, 38.
[55] *Ibid*.
[56] *Ibid.*, 35.
[57] *Ibid.*, 35-36. The ACTU later changed the "Australasian" in its name to "Australian."
[58] *Ibid.*, 43-44, 48-51.

but considered that "he neglected it."[59] He portrayed the CPA and the MMM as influential among miners, including during the coal lockout.[60]

In four books published since Davidson's *Short History*, the CPA was either the main subject, or figured prominently as part of a broader history of the labour movement. Robin Gollan's, which concentrated on the Second World War and the subsequent decade, treated the CPA up to 1930 only briefly.[61] Gollan endorsed Blake's view of the change of leadership.[62] Frank Farrell and Tom O'Lincoln both gave an assessment of the CPA under Kavanagh's leadership. The two agreed with the idea that the CPA in those years was preoccupied with theory and propaganda, and Farrell considered it to be sectarian.[63] He posited that Kavanagh's policy of promoting a party identity encouraged the "ultra-sectarians" who later deposed him.[64] O'Lincoln, however, questioned the charge of sectarianism, suggesting that later generations operating in more favourable circumstances may have perceived as sectarian an approach that was unavoidable at the time.[65] Both historians gave Kavanagh credit for consolidating the CPA in a difficult period.[66]

Farrell did not explore the CPA's industrial activity, as his main interest was labour movement ideology; O'Lincoln briefly outlined the party's efforts to organise an opposition in the trade unions between 1923 and the mid-1930s.[67] He mentioned a report to the MMM's mid-1929 conference that the Queensland section had successfully intervened in the 1928 waterside strike, despite its lack of strength there.[68] This is notable because prior histories of the CPA had overlooked its participation in that dispute. O'Lincoln did not deal directly with Communist involvement in the timber strike, but he argued that the three early Depression industrial battles changed the political climate and Kavanagh's approach was overly cautious.[69] However, he disagreed with Sharkey that the Kavanagh-led party's performance in the coal lockout was lacklustre; following Blake, O'Lincoln viewed the accusation as unfair. He considered that the new leadership was able to seize the opportunities that the industrial struggles of the period opened up for the CPA. In common with other historians, O'Lincoln wrote about the MMM as an important influence on the coalfields, as did Farrell.[70]

Stuart Macintyre's *The Reds* is a detailed study of the CPA from its foundation in 1920 until mid-1941. Macintyre investigated not only the machinations of the CPA and its relationship with Moscow, which was Davidson's main subject, but also the party's political culture and personnel. Macintyre avoided the one-dimensional characterisation of the CPA under Kavanagh as focused on

[59] *Ibid.*, 56.
[60] *Ibid.*, 57.
[61] Robin Gollan, *Revolutionaries and Reformists: Communism and the Australian Labour Movement 1920-1955* (Canberra: Australian National University Press, 1975), 21-23.
[62] *Ibid.*, 21.
[63] Frank Farrell, *International Socialism and Australian Labour: The Left in Australia 1919-1939* (Sydney: Hale and Iremonger, 1981), 67; Tom O'Lincoln, *Into the Mainstream: The Decline of Australian Communism* (Sydney: Stained Wattle Press, 1985), 34.
[64] Farrell, *International Socialism*, 70.
[65] O'Lincoln, *Into the Mainstream*, 34.
[66] *Ibid.*; Farrell, *International Socialism*, 66-67.
[67] O'Lincoln, *Into the Mainstream*, 42-45.
[68] *Ibid.*, 42.
[69] *Ibid.*, 35-36.
[70] *Ibid.*, 42; Farrell, *International Socialism*, 186, 188.

propaganda and education that the earlier histories articulated. He wrote about Kavanagh's efforts to raise the party's theoretical level by establishing Marxist theory classes, as one of the many ways that the CPA "renovated" its organisation in 1926-1927.[71] He identified a shift in the party's emphasis from education to training around 1928, which narrowed the range of reading material, whereas Australian Communists were earlier steeped in a rich and diverse intellectual culture.[72] He noted Kavanagh's emphasis on party building in the context of the CPA's December 1927 conference, where debate revolved around how the party should pursue the united front. For Kavanagh, the primary task was to build "a vanguard party of forthright agitators."[73]

Macintyre's accounts of the CPA's union activity included attention to the 1928-30 industrial disputes. He described the party's involvement in the waterside strike as restricted to propaganda because it lacked a presence in the industry except in some Queensland ports.[74] *The Reds* explored Communists' role in the 1929 timber strike to a greater extent than prior histories. Blake's aforementioned article referred briefly to it, noting ambivalence on the part of Kavanagh and Jack Ryan, who were both involved in the LCNSW. Blake stated that Kavanagh had to restrain Moxon, who wanted to provoke violence to advance the strike.[75] Another longstanding CPA leader, Ralph Gibson (who was overseas in 1929 and joined the party in 1932), opposed critics' portrayal of Kavanagh as defeatist or cowardly in the timber dispute in his 1980s history.[76] He also argued that it was wrong to view Kavanagh as part of a right-wing camp that wanted to tail the Labor Party. Macintyre's outline of the Communists' efforts in the timber strike concentrated on Sydney, including Kavanagh's key role as the Labor Council organiser. He noted the CPA's role in arranging a demonstration against a court-ordered ballot of the strikers, and mentioned both the MMM and MWM as "prominent auxiliaries."[77] Macintyre reflected on Kavanagh's "unenviable" position as an LCNSW officer leading a losing strike as Third Period ideas gained ground in the party.[78] Macintyre suggested that it was the coal lockout that completed the CPA's "shift to a clear oppositional industrial stance."[79] Similarly to others, he portrayed the party as influential in the Northern District.[80] Macintyre described how the new leadership applied the rigours of Third Period policies by sending defeated factional rivals to the coalfields as soon as it took charge. However, he failed to note the earlier visits of CPA organisers under Kavanagh's leadership.[81]

In addition to general histories of the CPA, there are numerous specialised histories that concentrate on specific aspects of the party or its work; studies of the CPA's industrial activity are particularly relevant to this thesis. Doug Jordan's PhD thesis, and the book based on it, explored the party's persistent efforts to bring politics into the unions from 1945 to 1960. He made a convincing case that the existing literature regarding that period, by concentrating on the Communists' industrial activity, had obscured their political efforts in the union sphere; his work redressed that

[71] Macintyre, *Reds*, 117-118.
[72] *Ibid.*, 122-124.
[73] *Ibid.*, 140, 138-141.
[74] *Ibid.*, 154.
[75] Blake, "Australian Communist Party and the Comintern," 42-43.
[76] Gibson, *People Stand Up*, 36.
[77] Macintyre, *Reds*, 155. He was right about the MWM, but wrong about the MMM.
[78] *Ibid.*, 155-156.
[79] *Ibid.*, 156.
[80] *Ibid.*, 156-157.
[81] *Ibid.*, 167-168.

shortfall.[82] For the literature concerning the 1920s, the reverse is the case: there has been greater attention to the CPA's political than its industrial activity. The party's agitation around non-industrial political issues (for example the "Hands Off China" campaign and opposing the execution of Sacco and Vanzetti in the USA) has been well documented, notably by Farrell.[83] By contrast, its industrial activity has been relatively neglected, as the treatment of the 1928 waterside strike in three history theses about the party's work in unions indicates.

Two theses about Communists in maritime unions and one about the CPA's union activity in Queensland, all of which examined the Third Period, overlooked the party's involvement in the 1928 strike. Craig Ryan and Christine Claridge made similar arguments about the reasons Communists gained influence from the early 1930s, looking at three unions (the WWF, Seamen's Union and Federated Ship Painters and Dockers') and the WWF Sydney branch respectively.[84] Ryan argued that the CPA had a realistic approach that contributed to its growing influence. He pointed to pragmatic measures Communists advocated, for example distribution of work to mitigate unemployment, as relevant to maritime workers' experiences.[85] Claridge contended that Communists acted as reformist militants rather than professional revolutionaries in their union activity, challenging the view that the CPA tried to subordinate the union movement to the party.[86] It seems both historians were unaware of the CPA's participation in the 1928 waterside strike. Ryan noted only its criticism of the Sydney WWF for continuing work.[87] Claridge rated the party's influence in that branch prior to 1930 as "almost non-existent," indicating she was unfamiliar with Dixson's thesis, discussed below.[88] Beris Penrose, in her investigation of Queensland Communists' union work in the Third Period, mentioned the party was heavily involved in the 1928 strike, especially in Brisbane.[89] Yet the material about the CPA's activity in her account of that dispute was limited.[90]

Histories concerning women's involvement in the CPA also inform this thesis, notably Joyce Stevens' *Taking the Revolution Home* and Audrey Johnson's *Bread & Roses*.[91] Neglect of Communist women in earlier histories prompted these books; Stevens' is part history and part memoirs of several women, while Johnson's is a series of narratives based largely on interviews of three women recalling their experiences. Both include accounts of the three early Depression industrial disputes not available elsewhere, in particular women's participation through the MWM. This thesis builds on

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[82] Douglas Jordan, *Conflict in the Unions: The Communist Party of Australia, Politics & the Trade Union Movement, 1945-60* (Sydney: Resistance Books, 2013), 5-20; Douglas Jordan, "Conflict in the Unions: The Communist Party of Australia, Politics and the Trade Union Movement, 1945-1960" (PhD thesis, Victoria University, 2011).

[83] Farrell, *International Socialism*, 107-125.

[84] Craig Thomas Ryan, "Ships and Sickles: The Communists and Three Australian Maritime Trade Unions, 1928–1945" (MA thesis, UNSW, 1986); Christine Sutherwood Claridge, "The Sussex Street Men: a Study of the Influence of the Communist Party of Australia on the Sydney Branch of the Waterside Workers' Federation of Australia, 1931-1948" (PhD thesis, University of Queensland, 1994).

[85] Ryan, "Ships and Sickles," 2-18.

[86] Claridge, "Sussex Street Men," 1-24.

[87] Ryan, "Ships and Sickles," 11.

[88] Claridge, "Sussex Street Men," 57-58.

[89] Beris Gene Penrose, "The Communist Party and Trade Union Work in Queensland in the Third Period" (PhD thesis, University of Queensland, 1993), 128.

[90] *Ibid.*, 110, 102-103.

[91] Joyce Stevens*, Taking the Revolution Home: Work among Women in the Communist Party of Australia 1920-1945* (Melbourne: Sybylla Co-operative Press, 1987); Audrey Johnson, *Bread & Roses: A Personal History of Three Militant Women and their Friends, 1902-1988* (Sydney: Left Book Club, 1990).

those works by investigating MWM activity alongside other aspects of the CPA's involvement in those struggles. It adds to the work of Macintyre and O'Lincoln, which treated women's activity within a broader framework.

The lack of attention in histories of the CPA to its involvement in the 1928-30 industrial struggles is mainly due to the party's weakness in those years; however, I contend it is also partly due to the CPA's 1940s narrative influencing the history writing. The CPA was influential in the union movement in its early years under Garden's leadership, and from the late 1930s, when Communists played a significant part in the revival of militant unionism. In the intervening years the party was small and its influence in the labour movement was seriously diminished when Garden and the Trades Hall Reds left it; hence its union activity in that period has not compelled historians' interest. Nonetheless, as the outline above indicates, party histories have fostered a perception that its involvement in the union movement was insignificant until Kavanagh's leadership was overturned. My thesis fills a gap in the literature and challenges this perception. In doing so, I do not wish to exaggerate the party's impact or claim it had an important influence. Instead, the chapters will show that although the party was small, it actively intervened in industrial struggles to the extent that its size allowed.

Paradoxically, given Communist involvement in the three 1928-30 industrial battles has been largely overlooked in histories of the CPA, the question of Communist influence is fairly prominent in the literature about two of these disputes. In histories of the waterside strike and coal lockout, both of which involved independent rank-and-file activity, interest in the Communists' role has somewhat obscured broader questions about rank-and-file activism. The timber strike, indeed the timber industry, has been less subject to historical enquiry. My thesis explores the place of Communists in these three disputes, and goes beyond that to investigate the dynamics of rank-and-file activity in them. It contributes to the literature by contesting the implicit assumption that such activism relied on Communist leadership.

Miriam Dixson was the first to conduct a serious investigation of the 1928-30 disputes. Her 1957 thesis remains the most comprehensive account of the waterside strike.[92] Dixson detailed the confused response from the WWF leadership to the Beeby Award, which represented a major attack on wharfies' conditions. She described the varying responses of union members, with those at some ports adamantly refusing to work under the new award while elsewhere they conceded; how the government reacted with repressive measures; the introduction of non-union labour; violent confrontations at some ports; and the unionists' eventual defeat. Dixson considered the nature of militancy in various ports: it was predominantly "spontaneous" and "anarchic," but in Queensland it had more orderly expression.[93] She outlined the influence of the left of the labour movement in Queensland ports, and explored the CPA's involvement in the dispute.[94] Dixson noted that the MMM had a presence in the WWF in Sydney as well as in some of the Queensland branches in 1928, but

[92] Miriam Dixson, "The Strike of Waterside Workers in Australian Ports, 1928, and the Lockout of Coal Miners on the Northern Coalfield of New South Wales, 1929-30" (MA thesis, University of Melbourne, 1957). Dixson's surname was Rechter when she submitted her thesis, but for the sake of consistency I shall use Dixson throughout.
[93] *Ibid.*, 48-49.
[94] *Ibid.*, 49-52.

the Sydney militants were less influential and unable to convince the majority to strike.[95] She described the MMM's agitation in the Queensland ports, including issuing a daily strike bulletin in Brisbane.[96] Dixson argued that the CPA/MMM gained influence in the WWF during the mid-1930s because it had advised an all-out from the start in 1928.[97] Her thesis did not include attention to the Melbourne CPA's activity or the MWM's involvement in the strike.

Rupert Lockwood, whose history of Melbourne waterfront unionism, *Ship to Shore*, included several chapters about the strike, opposed the idea the Communists were influential among waterside workers in 1928.[98] He pointed to the CPA's small size and the swift end to the strike in Sydney, the port with the greatest number of Communists waterfront workers, perhaps seven or eight. Noting the "red scare" material in the press about the strike, he described it as part of a broader effort to demonise the wharfies. Although Lockwood was a leading Communist who edited the WWF journal from the 1940s, he tended to downplay the party's influence and referred to the early CPA dismissively.[99] Lockwood explained wharfies' defiance of the union's national leadership mainly in terms of its inconsistent and contradictory decisions.[100] He also considered that provocation by the Prime Minister, Stanley Bruce, played a major role in the stoppage.[101] Margo Beasley's national history of the WWF gave a concise overview of the 1928 struggle but did not discuss who may have led strike action against the union's advice.[102] My chapter about the waterside strike builds on Dixson's material on the CPA's involvement, with particular attention to Queensland. Exploring the party's activities in that state indicates it had some influence among wharfies there, and challenges Lockwood's dismissive view of the 1920s Communists. My thesis also adds to the literature by taking account of the MWM's participation, which has otherwise been overlooked.

Regarding the 1929 timber strike, Dixson's 1963 article, a strident critique of the union leaders' strategy of confinement, remains the definitive account.[103] Dixson contrasted union leaders' words with their actions: while they argued the timber struggle concerned the whole labour movement, they restricted it to narrow terrain. She argued convincingly that the confinement strategy was bound to lose in the circumstances.[104] Dixson did not look at the CPA's involvement, except to mention Kavanagh's role in the LCNSW's Disputes Committee that ran the strike in NSW. His position on it was not explored, beyond noting that he accepted its strategy.[105] Subsequently, Diane van den Broek investigated women's strike support activity, arguing that it played a key role in sustaining the timber strike. She noted MWM participation, but downplayed its part (not giving it due credit for some initiatives), and did not mention its connection to the CPA.[106] Macintyre's history

[95] *Ibid.*, 51-52, 37-38, 47.
[96] *Ibid.*, 70-71, 57, 83.
[97] *Ibid.*, 113-114.
[98] Lockwood, *Ship to Shore*, 241-242.
[99] *Ibid.*, 18, 204-206, 341, 350-351.
[100] *Ibid.*, 233-237, 243-244, 246-247.
[101] *Ibid.*, 250-255.
[102] Margo Beasley, *Wharfies: A History of the Waterside Workers' Federation of Australia* (Sydney: Halstead Press, 1996), 77-88.
[103] Miriam Dixson, "The Timber Strike of 1929," *Historical Studies: Australia and New Zealand* 10, no. 40 (1963): 479-492.
[104] *Ibid.*, 479-480, 489-492.
[105] *Ibid.*, 481.
[106] Diane van den Broek, "Partners in Protest: The Case of the 1929 Timber Workers' Strike," *Labour & Industry* 7, no. 2 (December 1966), 145-146, 152-154, 157.

has been the only one to date that explored Kavanagh's part in the dispute and outlined some of the CPA's activity. The timber industry in Australia has not been subject to extensive historical investigation. There are no general histories of the national industry, the union, or its NSW or Victorian branches. The literature on the timber strike has concentrated on Sydney and not examined the dispute in regional NSW or Victoria. My thesis includes attention to Melbourne events, but does not consider developments outside the cities or fully investigate the Victorian arena. It contributes to the literature by expanding on existing accounts of Communist and MWM involvement.

Depictions of the CPA's role in the 1929-30 coal lockout are often misleading or plainly incorrect; the notion that Communists were influential among locked-out miners, which my thesis chapters will demonstrate to be a myth, is predominant in the literature. The CPA's subsequent success in contesting the leadership of the Miners' Federation seems to have encouraged this idea. Orr and Nelson were elected General Secretary and General President in late 1933 and mid-1934 respectively, whereas in other unions Communists did not achieve positions of national leadership until 1936 and later.[107] It is generally considered that the CPA's stance in the lockout contributed to Orr and Nelson subsequently winning the Federation leadership, a consensus that I do not seek to dispute.[108] However, it does not necessarily follow that the party was influential on the coalfields during that dispute. The myth has two main sources: the party histories discussed above and Dixson's thesis, which she wrote as a CPA member before turning towards Trotskyist circles and subsequently moving to the right.[109] Both appear to have influenced the two main historians of the miners and their union, especially Robin Gollan, who wrote the history of the NSW coalminers, and to a lesser extent Edgar Ross, whose book about the Federation also covered other states and the Broken Hill metal miners. Gollan acknowledged that he relied heavily on Dixson's thesis for his account of the 1929-1930 lockout.[110] He and Ross were both long-term CPA members, and would have been familiar with and influenced by party narratives, which Gollan perhaps did not question sufficiently in relation to this dispute (though he opposed the CPA's story of the 1949 strike).[111] It seems the histories of the lockout have been shaped by Communists, who did not participate in the events, overestimating party's role. This was probably a result of similar dynamics to those Tom Sheridan identified among 1940s Communists who, carried away by their opponents' rhetoric, came to believe they were more influential in that decade's strike waves than they actually had been.[112]

One significant history of the miners, Donald Dingsdag's thesis on the restructuring of NSW coalmining, did not support the idea that Communists were influential.[113] Dingsdag closely examined work practices and investigated class relations. Though he did not directly deal with the 1929-30 lockout, he explored the underlying factors that shaped the industry's crisis, which precipitated the lockout.[114] Dingsdag rejected the prevalent perception of NSW miners as militants, arguing that they

[107] Macintyre, *Reds*, 254-257, 329-338.
[108] Ross, *Miners' Federation*, 353; Gollan, *Coalminers*, 184, 191, 200.
[109] Miriam Dixson, interview by Edgar Waters, 19 December 1985, National Library of Australia (BibID: 588846).
[110] Gollan, *Coalminers*, 192.
[111] Gollan, *Revolutionaries and Reformists*, v; John Shields, "Edgar Argent Ross (1904-2001)," *Hummer* 3 no. 7 (Summer 2002), http://asslh.org.au/hummer/vol-3-no-7/edgar-argent-ross/
[112] Tom Sheridan, *Division of Labour: Industrial Relations in the Chifley Years, 1945-49* (Melbourne: Oxford University Press, 1989), 225-247.
[113] Dingsdag, "NSW Coalmining Industry."
[114] *Ibid.*, 134-217.

were divided among themselves, often collaborated with mine managers and pursued sectional interests.[115] As such, he was singularly unimpressed by suggestions that Communists were a major influence among them.

Dixson's history of the 1929-1930 coal lockout in five chapters of her thesis was a significant contribution to labour history at the time and remains an important work, but it contains some notable flaws. It is a thorough account of a long drawn-out and complex dispute, which defies easy summary. Dixson covered the developments in strategy on the employers' and the union sides, the responses of the state government and two successive federal governments, the inter-union wrangling over the conduct of and strategy in the dispute, a Royal Commission into the industry, the Commonwealth Arbitration Court's actions, and events on the coalfields. However, her thesis contains inaccuracies regarding details of events, which in some instances are significant. For example, she wrote that "daily mass pickets" took place at Rothbury after a major and violent confrontation there between unionists and police on 16 December 1929; this is not only incorrect (there were no mass pickets at that site thereafter) but also misleading.[116] She also conflated two separate (though concurrent) disputes involving members of the Federated Engine Drivers' & Firemen's Association (FEDFA) in September 1929, resulting in a confused account of events.[117] These minor shortfalls though do not undermine the thesis overall. Inaccuracies in detail are hard to avoid, particularly given the large volume of material Dixson dealt with.

A more serious weakness, given how influential Dixson's thesis became, was that it laid the basis for the mistaken idea that Communists were influential among miners, not only from early 1930 under the party's new leadership, but throughout the lockout. Dixson stated that the CPA played an important role in the dispute, with the MMM gaining influence as the lockout dragged on.[118] She connected the rank and file's increasingly active participation in the dispute with a growing receptiveness to MMM policy.[119] Dixson outlined the MMM's arguments for extending industrial action and for councils of action to take charge on the coalfields.[120] She depicted the councils of action as playing an important part in an upsurge of rank-and-file activity in mid-1929, referring to the MMM as influential in the councils of action.[121] Although Dixson's description of developments after Rothbury – including renewed picketing, the formation of Labor Defence Corps, and a surge of support for the all-out policy – did not refer directly to the MMM, it may reasonably be read as an account of growing support for its stance.[122] The link she made earlier between rank-and-file activism and support for MMM policy supports this reading. Moreover, Dixson concluded that the MMM on the coalfields provided a core around which "an alternative leadership could and did develop" during the lockout.[123]

Gollan reinforced Dixson's claim about the MMM being influential in the coal lockout; indeed, he asserted it in more strident terms. The MMM played "the most important part" in

[115] *Ibid.*, 7-14, 79-133, 173-177.
[116] Dixson, "Strike and Lockout," 210.
[117] *Ibid.*, 178-180. These events are discussed in Chapter Five.
[118] *Ibid.*, 115-116, 149-150, 192.
[119] *Ibid.*, 149-150.
[120] *Ibid.*, 142-145.
[121] *Ibid.*, 150, 160, 157-172.
[122] *Ibid.*, 205-207, 210-215.
[123] *Ibid.*, 242.

"providing a line of action for the rank and file"; its "influence amongst the miners increased greatly during the lock-out."[124] He also stated that during the dispute "a new leadership began to emerge, a Communist leadership, in the persons of Orr, Nelson, and others."[125] Gollan amplified the idea that the MMM was influential in his account of the June 1928 Second Convention of the Miners' Federation. He, and later Ross, both wrote about it as contest of ideas between the Federation's existing leadership and the MMM.[126] Ross depicted the MMM's impact during the lockout in more modest terms than Gollan. Ross considered the MMM led the "growing agitation for an 'all out' policy" which "won support as the struggle dragged on."[127] However, he did not give it all the credit, pointing to lodge officers Billy McBlane and Tommy O'Toole (unconnected with the MMM) as leading the local opposition to the Federation Central Executive's confinement policy.[128] Ross neither repeated nor contested Dixson's and Gollan's claims about the MMM's influence in the lockout, but his was not an academic history: he wrote it for the union as the editor of its newspaper.[129]

Jim Comerford's comprehensive history of the lockout is the only one to contest the idea that Communists were influential during the dispute.[130] Comerford, who entered the industry in 1927 and was later a longstanding Northern District president of the Miners' Federation, drew on personal recollections for the book: he was among those locked out, as an adolescent pit boy at Richmond Main. His history is wonderfully detailed, delving into social conditions on the coalfields as well as the events of the dispute. Comerford also explained how the Federation, with its highly democratic constitution, gave considerable power to lodges (its branches, based at each colliery) and district councils. He described the lodge committees of the Kurri Kurri-Weston area, where he lived, as a far more effective opposition to the national union leadership than the CPA/MMM.[131] Communists, he argued, only gained ground on the coalfields after the Scullin-Theodore federal Labor government failed the miners, which broke the hegemony that the ALP had previously enjoyed there.[132] During the lockout Comerford became associated with the CPA, joining the party not long afterwards; years later he cringed at the Third Period "muck" he was part of.[133] The lockout and his witnessing shootings at Rothbury were formative experiences for the young Jim. Later in life, he evidently saw it as important to tell the story of the lockout, publishing a fictionalised account of the Rothbury events in *Overland* and recalling his experiences in a few interviews before he wrote his book.[134]

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[124] Gollan, *Coalminers*, 193.
[125] *Ibid.*, 191.
[126] *Ibid.*, 183-187; Ross, *Miners' Federation*, 331-333.
[127] Ross, *Miners' Federation*, 339.
[128] *Ibid.*, 346.
[129] *Ibid.*, 336-344.
[130] Jim Comerford, *Lockout: The Northern New South Wales Coal Lockout 2nd March 1929 – 3rd June 1930*, (Sydney: Construction Forestry Mining and Energy Union [CFMEU] Mining and Energy, 2006), 193, 291.
[131] *Ibid.*, 6-7, 202-203, 215-216.
[132] *Ibid.*, 291-293.
[133] Fred Moore, Paddy Gorman and Ray Harrison, eds., *At the Coalface: The Human Face of Coal Miners and Their Communities: An Oral History of the Early Days* (Sydney: CFMEU Mining and Energy Division, 1998), 66; Andrew Metcalfe, *For Freedom and Dignity: Historical Agency and Class Structures in the Coalfields of NSW* (Sydney: Allen & Unwin, 1988), 154.
[134] Jim Comerford, "Rothbury 1929," *Overland*, no. 6 (February 1956), 3-4; Wendy Lowenstein, *Weevils in the Flour: An Oral Record of the 1930s Depression in Australia* (Melbourne: Scribe, 1981), 82-88; Lorena Allam, "Who Killed Norman Brown?" Hindsight, ABC Radio National, video, 28:44, filmed 1986, broadcast 12 May

My thesis adds to the literature on the 1929-30 lockout and Communist involvement in the coalmining industry. I begin with the CPA's efforts on the coalfields in the years prior to the lockout, building on Macintyre's history. My account shows, contrary to Davidson's assertions, that the party lacked strength among miners, except in the Lithgow area.[135] It includes attention to the Miners' Federation Second Convention debates, which disputes Gollan's and Ross's interpretation. Literature on the coal lockout, except Comerford's work, has given prominence to Communists and relatively little attention to rank-and-file activism. My two chapters about the lockout, which concentrate on four upsurges of rank-and-file activity that Dixson identified, contribute to redressing this neglect. In particular, I investigate who led activity that was largely carried out against the advice of the national union leadership. My thesis supports Comerford's view that the CPA/MMM was not influential during the lockout; instead, lodge officials led activity that has been attributed to the CPA. I examine not only the activity of Miners' Federation members, but also that of craft unionists, particularly FEDFA members (who played little part in Comerford's history), and coalfields women. Attention to FEDFA members' part in the dispute challenges the idea prevalent in much of the writing about mine workers of a dichotomy between militant miners and conservative craft unionists.

METHODOLOGY AND SOURCES

This thesis is centrally concerned with industrial mobilisation. Insofar as its main subject is three disputes involving all-male workforces, it appears to fit within the rubric of "classical" labour history, understood as primarily about the occupations, institutions and leaders of working-class men.[136] A substantial part of the thesis is a study of labour movement institutions (unions, trades and labour councils) and the CPA – a small institution in Australia, affiliated with a large institution of international importance, the Comintern. However, in keeping with the practice of labour history since the 1960s, I have used a wider lens. I foreground the rank and file, assessing the collective actions of ordinary union members as much as the directions of their leaders, and the interaction between them. The term "rank and file" is a military metaphor, which may be understood to imply a chain of command, but as the thesis will show, union members did not necessarily adhere to such discipline. Furthermore, I define the rank and file broadly, to include working-class women who were formally outside the unions engaged in these disputes, as well as their male relatives who were on strike or locked out.[137] I have not employed gender as an analytical category because I do not share

2013, http://www.abc.net.au/radionational/programs/hindsight/rothbury/4671642; Metcalfe, *For Freedom*, 149; Moore, Gorman and Harrison, *At the Coalface*, 43-71.

[135] Macintyre, *Reds*, 92, 114-117, 150; Davidson, *Short History*, 28, 57.

[136] Ross McKibbin, "Is it Still Possible to Write Labour History?" in *Challenges to Labour History*, ed. Terry Irving (Sydney: UNSW Press, 1994), 34.

[137] Regrettably, examining a major industrial dispute involving female workers was beyond the scope of this thesis, as no such dispute occurred in the timeframe it covers. There were significant strikes involving a large proportion of women employees, including in the textile and clothing sectors, later in the Depression. Most of them would merit further investigation. For a study of one of them, see Phoebe Kelloway, "Defying Industrial Trends and Resisting a Wage Cut: Melbourne and Launceston Textile Workers' Strike, 1932," *Labour History*, no. 107 (November 2014): 53-73.

the widespread feminist view that class typology inherently excludes women.[138] Instead, this thesis considers women's participation in the 1928-30 struggles as an important aspect of rank-and-file activity.

Concentrating on the union rank and file – members and their relatives – in industrial disputes that occurred about ninety years ago presents methodological challenges concerning concepts and sources. It would be mistaken to conceptualise the rank and file as a homogenous bloc: within each of the unions concerned, members differed on numerous criteria, including occupation, industrial experience, age, marital status, political views, religious affiliation, country of birth, etc. This thesis does not attempt to investigate questions of the ethnic or racial identities of those involved in the industrial disputes, or their affiliations with religious communities (the differentiation between Protestants and Catholics was a major socio-political dividing line of the era). However, three observations are worth noting here. At a time when most people in Australia were of British or Irish descent, some surnames in lists of names of a large number of participants indicate that workers of minority ethnicities were involved.[139] Patterns of chain migration from British to NSW coalmining towns shaped the communities subjected to the lockout and those dynamics, or connections between the industrial experiences of immigrant miners in their home country and Australia, may merit further investigation.[140] Evidence that Indigenous people played a part has not come to light, but it should not therefore be assumed that none participated in the disputes examined: people with Aboriginal heritage in the 1920s generally avoided identifying this if they could. The differences between union members notwithstanding, they acted collectively, and in this thesis they are generally considered as a cohort.

Records of the views of individuals involved as rank-and-file participants in these industrial disputes are limited; working-class people in the early twentieth century rarely created written records about their experiences. The few available are mainly oral histories, of the coal lockout more so than the two strikes.[141] These sources are informative, but memories and how they are narrated are shaped by subsequent influences and social context.[142] An interviewee's story may even be affected by influential histories of events in which she or he was involved. As the chances of my finding willing participants to interview were slim indeed, given the time that has elapsed since the events, I made use of existing interviews. This meant relying on responses to questions which were not necessarily those that I might have posed for this investigation. Given these limits, the motivations of the rank and file had to be discerned mainly from their actions. Records of the actions of ordinary unionists and their relatives are limited in other ways. There is an abundance of contemporary sources, but most of them are newspaper reports. Their main shortfall is that the purpose for which they were produced was not to provide an accurate and honest account of striking or locked-out workers' activities, but to sell the paper.

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[138] Marilyn Lake, "The Constitution of Political Subjectivity and the Writing of Labour History," in Irving, *Challenges to Labour History*: 75-87.
[139] For example: "Bias Charge Refuted," *Newcastle Morning Herald and Miners' Advocate*, 19 February 1930, 5.
[140] Comerford, *Lockout*, 182, 509; Metcalfe, *For Freedom*, 45.
[141] Moore, Gorman and Harrison, *At the Coalface*; Fred Moore, Paddy Gorman and Ray Harrison, eds., *Back at the Coalface: Volume 2 of the Australian Coal Miners Oral History* (Sydney: CFMEU Mining and Energy Division, 2007); Lowenstein, *Weevils in the Flour*; Stevens*, Taking the Revolution Home*.
[142] Lynn Abrams, "Memory as Both Source and Subject of Study: The Transformation of Oral History," in *Writing the History of Memory*, ed. Stefan Berger and Bill Niven (London: Bloomsbury, 2014): 89-109.

The rank and file have often been overlooked in histories of industrial disputes, despite being key actors. They are among those who have been subject to what E.P. Thompson famously called "the enormous condescension of posterity."[143] However, from the 1960s onwards, a generation of labour historians who rejected the institutional focus of "traditional" history broadened the scope of the field; *Labour History* added a subtitle, "A Journal of Labour and Social History," to reflect this in 1981.[144] The path-breaking work of these historians encompassed studies of unions that went beyond narrow institutional treatments, detailed investigations of work processes and workplace culture, and analysis of broader class relations.[145] The labour movement rank and file generally received greater attention than previously. This development was connected with a broader current of "history from below," which made ordinary people the central subjects, often with an interest in popular rebellion.[146] Historians who examined industrial disputes or episodes of labour unrest produced richly contextualised accounts of who the unionists and their opponents were and how they acted. Among the first such studies were David Brody's of the US 1919 steel strike, and James Hinton's investigation of independent rank-and-file organisation among British engineers during the First World War.[147] Likewise Douglas Blackmur analysed the 1946 meat industry and 1948 railway strikes in Queensland and the state Labor government's response.[148] More recent studies to take a similar approach include Louise Raw's and John Tully's on industrial disputes of London East End matchwomen and rubber workers respectively.[149] Academic interest in industrial disputation has reflected the fortunes of the labour movement; it peaked in the 1970s and declined thereafter. However, since the global financial crisis of 2007-08 it has arguably revived.[150] An aim of this thesis is to contribute to a renewal of investigations of industrial struggles. The main reason for union members often being neglected in histories is probably that it is easier to write about union leaders: their statements are documented in newspapers and arbitration court records, and their decisions, sometimes their deliberations, noted in minute books of union meetings. Members' views have rarely been recorded in these ways.[151] Theory is also a likely contributing factor: if a union is understood as a unified whole, there is no compelling reason to investigate

[143] E.P. Thompson, *The Making of the English Working Class* (Harmondsworth: Penguin Books, 1980 [1963]), 12.
[144] John Merritt, "Editorial," *Labour History*, no. 40 (May 1981), v-vi.
[145] For example: John Merritt, *The Making of the AWU* (Melbourne: Oxford University Press, 1986); Bradley Bowden, *Driving Force: The History of the Transport Workers' Union of Australia 1883-1992* (Sydney: Allen & Unwin, 1993); Raelene Frances, *The Politics of Work: Gender and Labour in Victoria 1880-1939* (Melbourne: Cambridge University Press, 1993); Raewyn Connell and Terry Irving, *Class Structure in Australian History: Documents, Narrative and Argument* (Melbourne: Longman Cheshire, 1980).
[146] For example: George Rudé, *The Crowd in History: A Study of Popular Disturbances in France and England, 1730-1848* (New York: Wiley, 1964).
[147] David Brody, *Labor in Crisis: The Steel Strike of 1919* (Philadelphia: J.B. Lippincott Company, 1965); James Hinton, *The First Shop Stewards' Movement* (London: George Allen and Unwin, 1973).
[148] Douglas Blackmur, *Strikes: Causes, Conduct & Consequences* (Sydney: The Federation Press, 1993).
[149] Louise Raw, *Striking a Light: The Bryant and May Matchwomen and their Place in Labour History* (London: Continuum, 2009); John Tully, *Silvertown: The Lost Story of a Strike that Shook London and Helped Launch the Modern Labor Movement* (London: Lawrence & Wishart, 2014).
[150] Sjaak van der Velden and Raquel Varela, "Introduction: Strikes and Social Conflicts," *International Labor and Working-Class History*, no. 83 (Spring 2013), 31-36; António Simões do Paço, Raquel Varela and Sjaak van der Velden, eds., *Strikes and Social Conflicts. Towards a Global History*, 2nd edition (Lisbon: International Association Strikes and Social Conflict, 2012).
[151] For an exception in arbitration court records, see Kelloway, "Textile Workers' Strike," 54-55, 62-67.

responses of different groups within it. Yet important divisions exist within unions, or more precisely, unions led by professional representatives.

My investigation of rank-and-file participation is informed by the concept that the members and the leaders of trade unions have distinct interests and act accordingly. Members sell their labour power for a living, whereas their leaders negotiate the terms of sale of that labour. Union leaders, specifically paid full-time officials, sometimes described as the union bureaucracy, constitute a distinct social category separate from the membership because of their social role.[152] Their main function is to negotiate members' pay and working conditions with employers. As the members' representatives, union leaders must advance or at least defend members' interests to keep their confidence, and ultimately their own positions, but they also maintain a balance between labour and capital. Union officials administer the organisation's apparatus and have an interest in preserving it, as it is the entity that employs them. In addition, union leaders' pay is typically much higher than their members'. Their lifestyle generally differs from those they represent due to their duties and higher remuneration, and hence they tend to become separated from members. The main concerns and motivations of union members and officials differ. Members tend to be more immediately concerned with their working conditions and wages, although historically some have been highly attached to their unions and fought to defend them. Officials, though not unconcerned with members' interests, ultimately consider the union's continuous and effective functioning of greatest importance. In times of intensified class conflict, union leaders tend to restrain workers' struggles, especially if the existing order is threatened.[153] Union officials, unlike their members, would not benefit if capitalist labour relations were overthrown, but would lose their position as intermediaries. This concept is derived largely from Marxist analysis; one critic called it the "Marxist theory of trade union bureaucracy."[154]

This theory of intra-union division is applicable to unions large enough to require paid specialist representatives, as the three unions that this thesis is most concerned with did by the late 1920s. Early trade unions, in Australia as in Britain, typically involved memberships small enough to allow their governance by meetings of the whole group, a model that Beatrice and Sidney Webb, historians of the British trade unions, described as "primitive democracy."[155] For unions that surpassed a certain size and organised across a wider geographical area, that model was untenable, and they developed representative democratic structures, with paid office-holders delegated responsibility for administering the organisation.[156] Most unions in Australia during the 1920s were small: 207 of 379 registered unions in 1928 had fewer than 500 members, including 97 unions with under 100 members, of which 52 had under 50 members.[157] Such unions could support only a limited apparatus (hardly a bureaucracy), perhaps paying one official, the secretary, but not necessarily on a full-time basis. However, the development of the Commonwealth Arbitration Court

[152] Tom Bramble, "Labour Movement Leadership," in *Class and Struggle in Australia*, ed. Rick Kuhn (Sydney: Pearson Longman, 2005), 74-78; Ralph Darlington and Martin Upchurch, "A Reappraisal of the Rank-and-File Versus Bureaucracy Debate," *Capital & Class* 36, no. 1 (2012): 77-95.
[153] Robert Bollard, "'Rank and Fileism' Revisited: Trade Union Bureaucracy and Australia's Great Strike," *Marxist Interventions*, no. 2 (2010), 41.
[154] John Kelly, *Trade Unions and Socialist Politics* (London: Verso, 1988), 77.
[155] Sidney Webb and Beatrice Webb, *Industrial Democracy* (New York: Augustus M. Kelley, 1965 [1920]), 3-37.
[156] *Ibid*., 14-71.
[157] Commonwealth Bureau of Census and Statistics, *Labour Report, 1928*, no. 19, 152. Australian Bureau of Statistics (ABS), https://www.abs.gov.au/AUSSTATS/abs@.nsf/DetailsPage/6101.01928?OpenDocument

encouraged unions to amalgamate across state lines in order to register with the court in an effort to obtain better wages and conditions, increasing the number of larger unions in the 1920s.[158] Among them were the Timber Workers' Union, with 27,804 members across five states at the end of 1926; the WWF, involving 20,185 wharfies in all six states (but not the Northern Territory) in 1927; and the Miners' Federation, with a national membership of 28,123 by 1929, covering NSW, Queensland, Victoria and Tasmania.[159] Many such unions had only a loose federal structure and the state-based constituent sections retained their importance; the national secretary was often a state official who filled the national office on a part-time basis. The three unions considered here all had paid full-time officials: the Timber Workers' Union at the state level, the WWF at the national level, and the Miners' Federation at both the district and national levels.

Decision-making structures and the degree of democracy varied between unions in 1920s Australia, but even in one of the most democratic, the highest level officials were removed to an extent from the membership. Scott Stephenson's innovative PhD thesis analysed the governance of two unions in NSW between 1910 and 1939, the Miners' Federation and the Australian Workers' Union (AWU); there are as yet no comparable histories of other unions.[160] In contrast to the notoriously oligarchic AWU, the Miners' Federation was highly democratic. Stephenson explored the basis for the Miners' Federation being one of the most democratic in interwar Australia in relation to seven key requirements identified by industrial relations scholars for trade union democracy.[161] It met six of those criteria fairly or very well: the rules were democratic, there was a strong occupational community, local autonomy, a high level of rank-and-file decision making, free communication, and internal opposition could organise freely. (There were limits to membership decision-making beyond those that Stephenson noted, as my thesis chapters concerning mining will show.) The requirement that the Federation fell short on was "equality of salary, status, skill and education between officials and members."[162] In 1921 and 1939, the Secretary's salary, excluding expenses, was about twice the earnings of the lowest-paid full-time miners. The President's salary in 1921 was on par with miners' income, but by 1939 it had more than doubled. Federation officials gained skills and education on the job that set them apart from most miners, although the union made efforts to limit the gap by educating members on important issues. Moreover, there was a significant gap in status between Federation members and the highest officials, who were part of the social elite of mining towns and often became powerful members of the Labor Party.[163]

The most compelling argument against the concept of union members and leaders having distinct interests is that a tendency to curtail workers' industrial struggle does not belong to union

[158] Malcolm Rimmer, "Unions and Arbitration," in *The New Province for Law and Order: 100 Years of Australian Industrial Conciliation and Arbitration*, ed. Joe Isaac and Stuart Macintyre (Melbourne: Cambridge University Press, 2004), 281-288.

[159] Roll of membership, Australian Timber Workers' Union, 29 June 1927, item 118 VIC FILE 2, series B2100 (Principal [Industrial] Registry), National Archives of Australia; Membership for Year Ending 31 December 1927, WWF Federal Office deposit 1, T62/37/5/9, Noel Butlin Archives Centre; F.R.E. Mauldon, *The Economics of Australian Coal* (Melbourne: Melbourne University Press, 1929), 87.
The figure for the Timber Workers' Union excludes its Queensland branch, as the award did not cover that state.

[160] Scott Stephenson, "Oligarchy Contested and Interconnected: The New South Wales Labor Party and the Trade Unions from 1910 to 1939" (PhD thesis, ANU, 2017).

[161] *Ibid*., 25-26, 131-199.

[162] *Ibid*., 26.

[163] *Ibid*., 161-164.

leaders alone, but is inherent to the practice of trade unionism. Richard Hyman argued this in a 1979 article, building on his earlier analysis of unions in *Industrial Relations: A Marxist Introduction*.[164] He observed that as shop stewards in Britain in the late 1970s were incorporated into formal industrial relations structures, they increasingly exercised a disciplinary function in the workplace, describing this trend as the "bureaucratisation of the rank and file."[165] Hyman, and more recently John McIlroy, explained this in Marxist terms, with reference to the contradictory nature of trade unions: their purpose is to make gains for workers within the framework of capitalist exploitation of labour, not to end that exploitation. Unions are constantly under pressure to accommodate existing power structures, a pressure which operates at all levels of trade unions. Members, as much as leaders, have an interest in compromising with employers and the state to ensure their organisation can continue to act as a bargaining agent. As Lenin argued, unions foster a reformist, rather than revolutionary, consciousness in their members.[166] However, downplaying to the point of denying the differences between union leaders and members does not promote an understanding of the dynamics of intra-union conflict, but impedes it. A divergence of interests was evident, as my thesis chapters will show, in the early Depression years, when many union members were not prepared to concede to employers' demands while their leaders were more willing to seek compromises.

As this thesis is about the CPA's intervention in the union movement, some comment is needed here to contextualise the role of political parties in union politics. The Australian labour movement, unlike its counterparts in some European countries, drew a distinction between industrial and political organisation. Unions aimed to organise workers in a given trade or sector regardless of their political or religious affiliation. State regulation of the labour market, a key component of which was recognition of unions through their registration with the arbitration court (at a state or federal level), strongly influenced industrial organisation.[167] Registration gave unions not only recognition but exclusive rights to represent workers in the field they covered.[168] Although the system did not eliminate demarcation disputes, for most workers it was obvious which union to join. Australia had remarkably high rates of union density between the First World War and the 1980s.[169] The proportion of unionists in the national workforce increased during the 1920s, reaching 58 per cent in 1927. While unionisation declined in the Depression, it grew again with economic recovery, with density surpassing its previous peak in the early 1950s.[170]

The ALP, which union leaders founded in the wake of the 1890s strike defeats, was (and remains) the primary party, virtually the sole party, of the labour movement. For decades it held the firm allegiance of class-conscious working-class voters. Reformism was the politics that dominated

[164] Richard Hyman, "The Politics of Workplace Trade Unionism: Recent Tendencies and Some Problems in Theory," *Capital & Class* 3, no. 2 (1979), 61; Richard Hyman, *Industrial Relations: A Marxist Introduction* (London: Macmillan, 1975), 64-93, 150-184. See also Richard Hyman, "Will the Real Richard Hyman Please Stand Up?" *Capital & Class* 36, no. 1 (2012), 156.
[165] Hyman, "Workplace Trade Unionism," 58, 57-62.
[166] *Ibid*., 60-63; John McIlroy, "Marxism and the Trade Unions: The Bureaucracy versus the Rank and File Debate Revisited," *Critique* 42, no. 4 (2014), 497-498, 509-518; Lenin, "What is to be Done?" 384.
[167] Stuart Macintyre and Richard Mitchell, "Introduction," in *Foundations of Arbitration: The Origins and Effects of State Compulsory Arbitration 1890-1914*, ed. Stuart Macintyre and Richard Mitchell (Melbourne: Oxford University Press, 1989), 1-21.
[168] Rimmer, "Unions and Arbitration," 281-282.
[169] *Ibid*., 278, 284, 291, 294, 297, 309-310.
[170] David Plowman, "Australian Trade Unions: Some Vital Statistics," in *Australian Labour Relations: Readings*, 3rd edition, ed. G.W. Ford, J.M. Hearn and R.D. Lansbury (Melbourne: Macmillan, 1980), 199.

the ALP from the outset; that is, it sought parliamentary representation to improve the condition of the working class through legislation that would not fundamentally challenge capitalist economic power.[171] Although in 1921 the ALP adopted the objective of socialisation of industry, it decided against including it on its platform (which specified reforms it intended to enact), relegating it to a future perennially beyond the horizon. Moreover, the objective was heavily qualified by a resolution, known as the Blackburn Declaration, that the party did not seek to abolish private ownership of instruments of production that were used "in a socially useful manner and without exploitation."[172] In practice, the ALP sought electoral support from middle class and country voters, necessary for achieving electoral majorities, and parliamentarians typically exercised predominant influence. Thus the party formulated policies to govern, which it promoted as universally beneficial for Australians, that is, not just for the working class. Nonetheless, union leaders could assert substantial control. For example, the AWU in alliance with the Trades Hall Reds impeded parliamentarians from controlling the NSW ALP executive between 1920 and 1923.[173]

In the ALP's early years, socialists with more radical, even revolutionary, ideas joined the party as a matter of course. However by 1924, when Communists were barred from membership, others espousing revolutionary transformation of society (even if unaffiliated to the CPA) were likewise excluded in practice, as they were deemed an electoral liability. Thereafter, the left wing of the ALP, including avowed socialists, did not contest its reformist politics. The ALP's hegemonic position in the labour movement was not seriously challenged by a party to its left, except briefly by the CPA in the 1940s.[174] Although the IWW earned a following of tens of thousands, much larger than its membership, through agitation against the First World War, its influence was still dwarfed by the ALP's.[175] The CPA's activity in the trade unions in the 1920s was therefore in a context where reformist politics dominated and the ALP was the only workers' party that really mattered.

The CPA aimed to gain leadership of the Australian labour movement in order to bring about socialism, following the Russian example, of which its 1920s leaders had a rudimentary understanding at best.[176] A number of the CPA's foundation members were already leading officials of their unions when the party was formed, the Trades Hall Reds. At first, Communists operated within the ALP, a strategy sometimes known as "boring from within," contesting its political direction and leadership positions.[177] In 1923 they won four positions on the ALP NSW Executive, and one on the Federal Executive.[178] Once excluded from the party, the CPA concentrated its efforts in the unions, shifting to a minority movement strategy (discussed in Chapter One) in the mid- to late-1920s. Under varying banners it tried to organise the labour movement's militant minority, to build Communists up as an alternative leadership and contest positions.

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[171] Tom Bramble and Rick Kuhn, *Labor's Conflict: Big Business, Workers and the Politics of Class* (Melbourne: Cambridge University Press, 2011), 6-42.
[172] Ian Turner, *Industrial Labour and Politics: The Dynamics of the Labour Movement in Eastern Australia, 1900-1921* (Canberra: Australian National University Press, 1965), 225, 217-226; Ross McMullin, *The Light on the Hill: The Australian Labor Party 1891-1991* (Melbourne: Oxford University Press, 1991), 126-127; Robert Cooksey, *Lang and Socialism: A Study in the Great Depression* (Canberra: ANU Press, 1971), 4-6.
[173] McMullin, *Light on the Hill*, 124-125, 127-129; Markey, *In Case of Oppression*, 238.
[174] Davidson, *Short History*, 82-84, 88-93.
[175] Burgmann, *Revolutionary Industrial Unionism*, 181-202.
[176] Davidson, *Short History*, 6-7, 9-10, 12; Macintyre, *Reds*, 48-49, 107-108.
[177] Macintyre, *Reds*, 77.
[178] Markey, *In Case of* Oppression, 238.

I began my research intending to write about the industrial politics of the Third Period, particularly CPA attempts to organise workers' struggles *after* the major disputes of 1928-30 until 1935. Initial investigation, however, disclosed that those disputes, and Communist involvement in them as the Third Period began, were more complex than had been appreciated. Delving into the source materials revealed that the CPA's role was different to the common understanding of it. A key aspect of my method was to look beyond party press and policy statements, which I have assessed critically, to reconstruct histories in the industries concerned from a range of sources.

The main sources for the thesis are newspapers, primarily their news reports, as these were the best records available for day-to-day developments. I used mainstream and labour movement papers. The mainstream press included major dailies and local newspapers. The former included pillars of the establishment, the *Sydney Morning Herald* and Melbourne's *The Age* and *The Argus*, which at times explicitly opposed labour militancy. Other large-circulation dailies such as Sydney's *Sun* and *Evening News* were aimed at a popular audience. They also ran editorial lines against union militancy, but the emphasis was on the drama of the events rather than the purported sober objectivity of the establishment press. Of the local newspapers, some were more significant, such as the liberal daily *Newcastle Morning Herald and Miners' Advocate*. Others were smaller, with a narrower focus on local events, and perhaps published only twice weekly like the *Cessnock Eagle and South Maitland Recorder*. I am fortunate that these sources were freely accessible through the National Library of Australia's digitisation project Trove; earlier writers would have had considerable difficulty using these papers to the same extent. Generally, these non-labour sources were useful for their reporting of events and publishing statements of important actors. However, in assessing their reports, the editors' interest in constructing narratives to discredits workers' militant activity must be taken into account.

The most important of the labour movement papers was the *Labor Daily*, based in Sydney and bankrolled by the Miners' Federation. It was aimed at the same audience as the *Evening News* or *Sun*, building a readership on the basis of its sports pages, but with an openly pro-Labor line. The paper was very influential for a working-class readership of up to 100,000.[179] The *Labor Daily* was useful for my study mainly because it expounded the views of the union leadership, the Miners' Federation's in particular. Its news reports tended to give incomplete accounts of events compared to other papers, and to omit material that might suggest workers disagreed with the union leaders' line. It also tended to overlook reporting on activities of oppositional labour movement groups like the CPA, but it published dissident letters. Another important source for my thesis was the CPA's *Workers' Weekly*. It was mainly a propaganda organ (that is, its core purpose was to argue the CPA's political line) rather than a newspaper, though its editors sought to fulfil both functions. *Workers' Weekly* was useful both for the CPA's arguments and reports of the party's activity. Though it tended to overstate the CPA's role in events, its reports at times provided an alternative perspective on events or extra information not documented elsewhere.

I have also drawn on a variety of other contemporary documents, from the labour movement and CPA, as well as from state entities. These include publications of unions and union peak bodies (such as the LCNSW). The published material includes pamphlets, such as LCNSW

[179] Martin Lyons and Lucy Taksa, *Australian Readers Remember: An Oral History of Reading, 1890-1930* (Melbourne: Oxford University Press, 1992), 73-77, 150.

pamphlets about the timber strike, roneoed bulletins of the CPA or one of its adjuncts (the MMM or MWM), and union or CPA leaflets. Most of these materials are of interest for this thesis mainly for the arguments they prosecute, though like the *Workers' Weekly*, occasionally they contain information that would otherwise be unavailable.

Unpublished documents allow further insights, for example into the motivations of the organisations that produced them. Many of those I accessed were not available to earlier writers; notably, Dixson did not have use of the CPA's records. There are two main collections of unpublished CPA papers: records the party kept itself, now controlled by the SEARCH Foundation and held at the State Library of NSW, and those collected by security agencies available through the National Archives. Records of the CPA's state branches (which it called districts), notably Queensland and Victoria, contain little material concerning the period I investigated. The documents of the party's conferences, though variable in terms of detail and quality, are good sources for information about the CPA's organisational strengths and weaknesses, and internal debates. Some reports are coloured by a determination to assess activity in relation to the Comintern's new line. CPA Central Executive minutes, though sparse, constitute an account of weekly developments.

Labor Council and union records, chiefly minutes of meetings of elected decision-making bodies, document important decisions but they do not usually record the debates that informed them. An exception to this is mining unions' papers (Miners' Federation and Combined Mining Unions' Committee, which convened at the Federation's offices), in which key discussion points were minuted. The records of proceedings of Conventions of the Miners' Federation, which are verbatim records of several days of debates, printed and bound for distribution to the lodges, are rich records of the union's discussions – even if the longwinded musings of some delegates do not necessarily reflect the sentiments of a wider segment of the rank and file.

Records produced by government entities that I have used include: *Commonwealth Arbitration Reports*, the Commonwealth and NSW *Hansard*, and unpublished Queensland police reports. The Commonwealth Arbitration Court's published reports are of significance because it set wages and conditions, and adjudicated inter-state industrial disputes. The official reports of parliamentary proceedings, traditionally called *Hansard* (but published with the title *Parliamentary Debates*), provide verbatim reports of debates and the outcomes of votes. Heckling or other interruptions, however, are not recorded, and in at least one instance the reliability of the NSW *Hansard* was questioned, on the grounds that politicians could amend the record, in the guise of correcting it, before publication.[180] Queensland police reports include records of speeches in a very different setting: street-corner meetings during the 1928 waterside strike. Although the short-hand reporters were undoubtedly listening for any phrases which might warrant charges, and were likely less interested in other material, these reports are useful since they contain information about one aspect of strike solidarity that the press ignored.

In addition, I have made use of personal recollections to supplement my main sources. These are mainly oral history records from interviews, and also Comerford's recollections which are interspersed throughout his history, *Lockout*. None of these accounts are contemporary; they were produced decades after the relevant events and are necessarily mediated by memory. Reminiscences unintentionally say as much about the context they are produced in as they do about

[180] "Weaver's Wobble," *Labor Daily* (Sydney), 24 December 1929, 5.

the main subject. However, their shortfalls and biases are not necessarily greater than contemporary sources. Oral history has the advantage of allowing for the views of those otherwise under-represented in history, including women and working-class men.[181] Personal recollections are useful sources for this thesis insofar as they include information and informed perspectives on events, particularly from women.

CHAPTER OUTLINE

The first and shortest of the six chapters provides background for the case studies that follow, outlining the CPA's approach to activity in the trade unions from its foundation until 1928. It explores the implications of the CPA's status as a Comintern affiliate and highlights the impact of expulsion from the ALP, both factors which pushed the fledgling party to adopt a minority movement strategy. Chapter Two examines the CPA's activity in the waterside workers' strike, particularly in Queensland. In its first effort to apply the minority movement approach in a major industrial dispute, the CPA's involvement was greater than most historians have appreciated, and the MWM gave active support. Chapter Three assesses the CPA's role in the timber strike, especially in Sydney. As Kavanagh was prominent in the Sydney strike leadership, the chapter examines its strategy. In that dispute, the CPA did not attempt to organise a left-wing opposition, which contributed to the Kavanagh-led party executive being ousted at the end of the year, despite the fact that it was obeying Comintern instructions. The third chapter, like the second, investigates the MWM's activity in the strike. It also delves into the question of the use of violence to deter scabs.

The second half of this thesis assesses rank-and-file activity and Communist organising efforts in the coal mining industry. There are two main reasons for giving greater attention to that industry and the lockout: firstly, to fully investigate the CPA's activity among coalminers given the established idea of their influence, and secondly, because the lockout involved more independent rank-and-file activity, and arguably more momentous events, than the other two disputes. Chapter Four considers CPA organising on the coalfields before the lockout in the context of the industry's decline, particularly its attempts to organise a minority movement. It includes an investigation of the CPA's relatively successful Lithgow group, and the debates at the Miners' Federation Second Convention and the MMM's influence there. Chapter Five provides an overview of the lockout events, and a summary of the strategy the union leaders pursued compared with the one the CPA advocated. It then examines the first two of four upsurges in rank-and-file activity, which took place before the election of the Scullin government (which marks a rough halfway point in the lockout). That chapter challenges the claims of Sharkey and others that the CPA's efforts on the coalfields were inadequate throughout 1929. Chapter Six concentrates on the third and fourth rank-and-file upsurges, including the contribution of the CPA, which at that time overturned its leadership to better adhere to the Comintern's Class Against Class line. It considers the extent to which the CPA's activity changed under the new leadership, in a context of significant local upheaval and party growth.

[181] Paul Thompson, "The Voice of the Past: Oral History," in *The Oral History Reader*, 2nd edition, ed. Robert Perks and Alistair Thomson (London: Routledge, 2006): 25-31.

Chapter One
From ALP faction to rank-and-file opposition

The CPA's Trade Union Activity from 1920 to 1928

This chapter considers the CPA's approach to trade union and industrial activity from its foundation to the beginnings of the Militant Minority Movement (MMM) in 1927-28, concentrating on the years 1924 to 1928. The CPA's approach changed substantially during those years. At the outset, the Party's activity in the industrial sphere consisted primarily of the union officials who led the CPA manoeuvring to gain influence in the ALP through the unions. This differed greatly from the Comintern's expectations, and the first part of the chapter investigates how the CPA took that approach. A change in the CPA's trade union activities was forced by the ALP's decision to exclude Communists from membership. While the CPA campaigned to have that decision overturned throughout 1924, at the same time it attempted to organise a left-wing opposition in the union movement. The Left Wing Movement, which was the CPA's first foray into that form of organising, is the subject of the second part of the chapter. The CPA's subsequent efforts to found other rank-and-file union groups are considered in the third part of the chapter. The MMM was the only one that became an effective organisation and the final part of the chapter examines its origins and considers how Comintern instructions created obstacles to its development.

CPA'S EARLY APPROACH TO TRADE UNION ACTIVITY AND COMINTERN INFLUENCE

The Communist approach to trade unions was established at the Second Congress of the Comintern in August 1920, before the CPA was founded.[1] In brief, Communists were to be active in the unions in order to win them over as a necessary part of winning the mass of workers, who could overthrow capitalism, to Communism. Subsequent Comintern Congresses confirmed and built on the Second Congress decisions.[2] The main debate on industrial activity in 1920 was whether Communists should work in existing unions dominated by reformists; Congress resolved, against the objections of British and American delegates, that they should do so.[3] This decision accorded with the expectations of Australian socialists, who were active in established trade unions as a matter of course. However, the early Australian Communists did not share the Comintern's concept of the purpose of this activity. Delegates to the Second Congress, whatever their differences, agreed their task was not simply to "capture the trade union bureaucracy," or replace the old union leaders with

[1] Communist International, *Workers of the World and Oppressed Peoples, Unite! Proceedings and Documents of the Second Congress, 1920*, ed. John Riddell, vol. 2 (New York: Pathfinder, 1991), 625-634.
[2] Communist International, *To the Masses: Proceedings of the Third Congress of the Communist International, 1921*, ed. John Riddell (Boston: Brill, 2015), 953-965; Communist International, *Toward the United Front: Proceedings of the Fourth Congress of the Communist International, 1922*, ed. John Riddell (Boston: Brill, 2012), 1199-1206; "Our Tactics in the Trade Union Movement," *International Press Correspondence* (Vienna), English edition (hereafter *Inprecorr*), vol. 4, no. 62 (29 August 1924), 665-667.
[3] Communist International, *Second Congress*, ed. Riddell, 590-625, 709-731.

Communists.[4] Rather, they aimed, in German delegate Jakob Walcher's words, "to win the minds of the masses in the unions."[5] This understanding was incorporated into the Third Congress resolutions:

> The main task of all Communists in the coming period consists of tenacious, vigorous, and stubborn effort to win the majority of workers in all trade unions. We must… take part actively in the unions' daily struggles, despite every obstacle, and thus work to win them to communism.[6]

The CPA's union activity though, in its first years under Jock Garden's leadership, was concentrated on trades and labour councils. As Alastair Davidson pointed out in his history of the CPA, the result was that it neglected activity in the unions, including among the rank and file; that is, it overlooked the masses to whom it should have appealed.[7] The CPA's aim was to gain influence in, and ultimately control of, the ALP. It took a "top-down" approach to winning over the working class, rather than the "bottom-up" one that the Comintern expected. The early CPA operated as a faction of the Labor Party. Garden considered its purpose was "to get Communists in control of all positions, and to do anything, and everything, to get them there."[8] Yet it largely failed to win union executive positions due to focusing on the labour councils. H.L. (Snowy) Denford was the only Communist to hold an important union position outside the Labor Council of NSW (LCNSW) when he became Sydney Branch Secretary of the Ironworkers' Association in 1924.[9] The CPA's divergence from the Comintern's approach was shaped by the composition of its leadership and, paradoxically, by Comintern decisions which its leaders, particularly Garden, in turn influenced. Misunderstanding on the CPA's part may have been a factor initially, as the early Australian Communists had little grasp of Bolshevik theories, due to their remoteness from Russia and lack of access to the literature.[10] Moreover, the party's main leader, Garden, was an opportunist who was far more interested in executing political intrigues than in engaging with Communist theory.[11]

At its outset the CPA was a small party dominated by a group of trade union leaders. It was formed, as Stuart Macintyre described, in October 1920 from small socialist organisations joining forces with a group of left-wing trade union officials who were attracted by the success of the Russian Revolution.[12] The latter were officials of the LCNSW: Jock Garden and his coterie, known as the "Trades Hall Reds." In 1919 they and other militant industrial leaders who hoped to establish the One Big Union (OBU) tried to gain control of the NSW ALP, but narrowly lost and broke with it.[13] As Macintyre has suggested, forming the CPA provided Garden with a new vehicle to pursue his ambitions in the ALP.[14] The CPA split shortly after its inaugural conference, with two rival parties

[4] *Ibid*., 607, 602-603, 614-615, 617-618.
[5] *Ibid*., 614.
[6] Communist International, *Third Congress*, ed. Riddell, 957.
[7] Alastair Davidson, *The Communist Party of Australia: A Short History* (Stanford, California: Hoover Institution Press, 1969), 27.
[8] Quoted in Stuart Macintyre, *The Reds: The Communist Party of Australia from Origins to Illegality* (Sydney: Allen and Unwin, 1998), 56.
[9] Davidson, *Short History*, 27-28.
[10] *Ibid*., 6-7, 9-10, 12.
[11] Macintyre, *Reds*, 81-82, 91; Davidson, *Short History*, 12.
[12] Macintyre, *Reds*, 12-27.
[13] Raymond Markey, *In Case of Oppression: The Life and Times of the Labor Council of New South Wales* (Sydney: Pluto Press, 1994), 228-230.
[14] Macintyre, *Reds*, 16-17, 80-82.

consumed by internecine competition until Comintern intervention forced them to unite. Their disputes were not settled until the end of 1922. Garden and the Trades Hall Reds emerged as dominant in the party leadership, largely through the good fortune of the Comintern's direction facilitating their manoeuvres to gain the advantage in the faction fight.[15] Furthermore, in late 1922 they disbanded the troublesome Sydney branch, which included a large number of their factional rivals.[16]

Although the CPA either failed to understand, or ignored, the Comintern's approach to trying to win the trade unions, its connection with the Comintern nonetheless shaped its trade union activity. Two developments of the early 1920s were particularly significant. The first did not have an immediate impact on the CPA's activity, but became important a few years later. This was the formation of an Australian section of the Red International of Labour Unions (RILU), which the Comintern set up as an international organisation of unions in favour of revolutionary struggle against capitalism, to rival the reformist International Federation of Trade Unions (IFTU), based in Amsterdam.[17] Jack Howie, a past president of the LCNSW and one of the Trades Hall Reds, who was one of three Australian delegates to the RILU's founding congress in Moscow in July 1921, was tasked with establishing its Australian section. He aimed to secure the affiliation of the union peak bodies to the RILU. In February 1922, the LCNSW voted to affiliate, but none of its interstate counterparts followed suit. The CPA touted this as a victory, but as Macintyre noted, the LCNSW's endorsement of the RILU did not imply the great revolutionary influence among NSW unions that the CPA claimed. Major unions were not members of the council, its delegates were typically elected at sparsely-attended meetings of the affiliated unions, and many delegates only attended sporadically.[18] Moreover, as the LCNSW was a voluntary association, its authority over affiliates was limited; it could not direct them.[19] Its affiliation to the RILU was consequential for the CPA, but not for NSW unions.

The second notable development was that at the end of 1922 the Executive Committee of the Communist International (ECCI) instructed the CPA to enter the ALP. This instruction was consistent with the earlier decision of the Comintern's Second Congress that the British Communist Party should seek affiliation with the Labour Party, as the two labour parties were similar in structure.[20] It was framed in terms of the Comintern's move to a United Front policy, which stipulated that Communists should engage in joint action with reformist parties since revolution was no longer an immediate possibility.[21] Garden's intervention at the Fourth Comintern Congress (November-December 1922) also influenced the ECCI's decision. He made wild claims about the CPA's influence, which no doubt aided his successful bid for election to the ECCI. Garden asserted that the CPA's membership was only 1,000, but its influence was far wider: it had cells in every trade union, led 400,000 workers, controlled the policy of the 120 unions affiliated to the LCNSW, was

[15] *Ibid*., 53-75.
[16] *Ibid*., 73-74.
[17] Communist International, *Third Congress*, ed. Riddell, 953-965; Kevin McDermott and Jeremy Agnew, *The Comintern: A History of International Communism from Lenin to Stalin* (New York: St Martin's Press, 1997), 34-35.
[18] Macintyre, *Reds*, 64, 79-80.
[19] Markey, *In Case of Oppression*, 85-89, 194-195.
[20] Communist International, *Second Congress*, ed. Riddell, 733-744, 760-761.
[21] "The Instructions from the Communist International," *Communist* (Sydney), 23 February 1923, 4; McDermott and Agnew, *Comintern*, 27-33.

directing the formation of an OBU, and exercised influence over the ALP.[22] He quoted an LCNSW resolution of conditional support for the ALP as an example of how the CPA influenced the masses.[23] As Macintyre pointed out, the figure of 400,000 represented an exaggeration of the total membership of affiliates to the LCNSW and the Brisbane Industrial Council. Garden's estimate of 1,000 CPA members was even further removed from reality (actual membership was less than 250), and his other claims were also fabrications.[24] Garden was not the first Australian Communist to give such a performance at a Comintern Congress: Bill Earsman made similarly overblown claims a year earlier, including stating that the CPA controlled 85 per cent of votes at the June 1921 All-Australian Trade Union Congress.[25] Comintern leader Grigory Zinoviev's approving comments, pointing to the CPA as an example of a party with influence beyond its numerical weight, indicate the Australians' claims were taken at face value.[26] The CPA endorsed the ECCI's directive at its December 1922 conference and proceeded to carry it out.[27]

The CPA's efforts in the ALP were not conducted with a view to winning over the mass of workers, but relied on manoeuvring in forums of trade union officials, along the lines the Trades Hall Reds had followed. Many Communists were already ALP members by late 1922: its rules did not bar them, and some earlier socialist organisations, such as the Victorian Socialist Party, had routinely worked within the ALP as ginger groups, attempting to radicalise it by "boring from within."[28] Once they had received the ECCI's instruction, all CPA members joined the Labor Party.[29] The CPA's trade union activity at this time was directed at using the unions to advance its fortunes in the ALP. The practice was exemplified at a conference of NSW unions in April 1923. Convened by the NSW ALP Executive, it assembled 160 delegates representing 100 trade unions to decide on a policy platform to present to the upcoming ALP conference. Snowy Denford (CPA General Secretary) credited the CPA Central Executive with initiating this conference, the largest in NSW for many years, reporting it was held because he and Howie called for it in conjunction with Miners' Federation leader Albert Willis.[30] The LCNSW encouraged all unions to attend, and it adopted a United Front resolution for the affiliation of all working class parties to the ALP (that is, approving the CPA's affiliation) by a large majority.[31] When the same resolution was considered at the subsequent NSW ALP conference, the votes were tied, and Willis used his casting vote as conference chair to decide in favour.[32]

The initial success was short-lived. At the 1923 ALP conference, Communists won important positions: Garden and three other Trades Hall Reds – J.J. Graves, Jack Beasley, and Jack Kilburn – were all elected to the NSW ALP Executive, while Howie was one of two NSW delegates elected to the Federal Executive.[33] However, the gains were undone less than a year later when Communists

[22] Communist International, *Fourth Congress*, ed. Riddell, 596-600.
[23] *Ibid.*, 599-600.
[24] Macintyre, *Reds*, 84.
[25] Communist International, *Third Congress*, ed. Riddell, 648-650.
[26] Communist International, *Fourth Congress*, ed. Riddell, 278-279.
[27] Macintyre, *Reds*, 86-87.
[28] Davidson, *Short History*, 5-6, 13.
[29] *Ibid*., 29.
[30] H.L. Denford, "Annual Report 1923," in Report of the Third Conference of the CPA (December 1923), MLMSS 5021 add-on 1936, box 1(76): I, CPA Records, State Library of NSW (SLNSW).
[31] Markey, *In Case of Oppression*, 237.
[32] Macintyre, *Reds*, 91.
[33] Markey, *In Case of Oppression*, 238.

were banned from the ALP. Labor Party powerbrokers increasingly realised that the Comintern's United Front policy was not the same as the traditional "boring from within" pursued by Australian socialists. Appreciating the Communists' hostile political intent (even if, as Davidson posited, the CPA leaders' intentions did not match the Comintern's), ALP politicians moved against them.[34] The NSW Executive resolved to exclude CPA members in October 1923, a decision backed by the state conference in April 1924, with the ensuing debate resolved at a federal level at the party's October conference, which confirmed the ban and extended it throughout Australia.[35] The CPA contested the expulsions, Garden and company intensifying their efforts to use the industrial wing of the movement to influence the ALP. They convened four union conferences in Sydney in as many months between June and September 1924 to try to pressure the party to reverse its decision.[36] They joined forces in this project with the notoriously corrupt Australian Workers' Union (AWU) leader John Bailey, who was also seeking readmission to the ALP; he had been expelled in 1923 for a scandal involving ballot boxes with sliding panels.[37] The Communists' efforts to have their exclusion overturned were ultimately unsuccessful.

LEFT WING MOVEMENT

At the same time as it manoeuvred to try to stay in the ALP, the CPA made its first foray into organising an industrial opposition movement by setting up the Left Wing Movement (LWM). Launching this organisation was connected with the CPA's fight against expulsion from the ALP; it probably hoped that the LWM would serve as an instrument to put pressure on Labor to readmit Communists. The CPA was also implementing Comintern trade union policy by means it had previously disregarded. The instructions that Solomon (Aleksandr) Lozovsky, leader of the RILU, gave to the British and the Americans at the Fourth Comintern Congress are relevant. He argued:

> Clearly, it would be quite harmful if, in Britain, the Party limited its attention to its small party cells. Here, the effort must be made to create a broad oppositional movement within the unions. Our Communist groups must be centres around which the oppositional forces gather and crystallise.[38]

Lozovsky considered the task for Communists in the United States "essentially similar."[39] Although he did not mention Australia, his argument was applicable to other Anglophone parties. Resolutions regarding trade unions at the Fifth Comintern Congress (June-July 1924) confirmed the previous conference's approach. It was insisted that Communists should fight for the unity of the trade union movement (a contradictory stance since the Comintern had founded the RILU), with splits blamed on

[34] Davidson, *Short History*, 29-31.
[35] Bede Nairn, *The 'Big Fella': Jack Lang and the Australian Labor Party 1891-1949* (Melbourne: Melbourne University Press, 1986), 62-63, 66-67.
[36] "Labour Ballots," *Sydney Morning Herald* (hereafter *SMH*), 23 June 1924, 11; "Industrialists," *SMH*, 14 July 1924, 10; "Industrialists," *SMH*, 11 August 1924, 10; "Labor at Loggerheads," *Sunday Times* (Sydney), 7 September 1924, 7. Bede Nairn, *'Big Fella'*, 71, 84.
[37] Ross McMullin, *The Light on the Hill: The Australian Labor Party 1891-1991* (Melbourne: Oxford University Press, 1991), 124-125, 128-129.
[38] Communist International, *Fourth Congress*, ed. Riddell, 543.
[39] *Ibid*.

the reformist IFTU.[40] The Fifth Congress, however, recognised that a left wing was emerging within the IFTU. It resolved that Communists should seek to do practical work with those leftists: "Communists and the trade union organizations they control must propose to the left wing of the Amsterdam International [IFTU] the formation of join committees of action…"[41] Although the Fifth Congress decisions were not published until August, the CPA's choice of name for the Left Wing Movement indicates the party was well informed of the Comintern's approach.

The CPA first attempted to found the LWM through a union conference co-convened with Bailey in Sydney on 21-22 June 1924. Conference chair and LCNSW President Jack Beasley raised the suggestion in his opening remarks, which reflected the inherent contradiction in the Comintern's approach:

> The present conference was to promote a united policy among the industrialists. It was a conference of the 'left wing' of the movement, and he hoped it would function, not in the interests of individuals, but of the rank and file.[42]

J.J. Graves (Stovemakers' Union delegate) stated more directly: "they should definitely declare themselves as the 'left wing' of the movement."[43] But other delegates would have opposed any such move. Cahill (Amalgamated Engineering Union) and Roberts (Storemen and Packers) spoke against Beasley's report, disputing that the conference aimed to promote unity in the unions. Since Bailey and his associates were part of the labour movement's right wing, it would have been surprising for any conference involving them to proclaim it constituted a Left Wing Movement.

Undeterred, the CPA proceeded with forming LWM groups in NSW mining centres. There were CPA groups in those centres, except for Lithgow, where there were Communist sympathisers who subsequently joined the party.[44] Norman Jeffrey arranged the first successful conference in Wollongong in July. It involved 40 militants, who agreed to form an organisation for united action, although they named it the South Coast Vigilant League, not the LWM.[45] Next, a united coalfields conference met on 26 July, assembling delegates from the Northern, Southern and Western NSW districts.[46] Conferences in Lithgow, Sydney and Newcastle followed. At the 17 August Lithgow conference, "about 30 representatives from the coal and subsidiary industries [decided] to form themselves into the Western District Left Wing Movement."[47] In Sydney on 23 August, a "large gathering" established the Central Branch of the LWM.[48] The Newcastle LWM was founded at a 6

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[40] *Ibid.*, 1199-1206; "Our Tactics…," *Inprecorr*, vol. 4, no. 62 (29 August 1924), 665-667.
[41] Jane Degras, ed., *The Communist International 1919-1943 Documents*, vol. 2 1923-1928 (London: Frank Cass and Co., 1971 [1960]), 131-132. (The English edition of *Inprecorr* instructed that joint committees be proposed to the Amsterdam International, whereas the German edition, Degras's source, specified that its left wing be approached.)
[42] "Labour Ballots Abolition Sought," *SMH*, 23 June 1924, 11.
[43] *Ibid.*
[44] The CPA called its units groups, rather than branches. "Communist Party Conference," *Workers' Weekly* (Sydney) (hereafter *WW)*, 9 January 1925, 3; "Press Fund," *WW*, 11 January 1924, 2; "Press Fund," *WW*, 15 February 1924, 4; "Notes from Lithgow," *WW*, 11 July 1924, 4; "Lithgow Propaganda," *WW*, 15 August 1924, 2; "Communists in District Assembly," *WW*, 27 February 1925, 3.
[45] "Militants in Action," *WW*, 18 July 1924, 1.
[46] "Soul of the Labor Movement," *WW*, 1 August 1924, 1.
[47] "Industrialists' Campaign," *SMH*, 19 August 1924, 10; "Lithgow Report," *WW*, 29 August 1924, 3.
[48] "The Communists," *Sunday Times*, 24 August 1924, 7; "The Left-Wing Movement," *WW*, 29 August 1924, 1.

September meeting convened by the Newcastle Workers' Club.[49] Finally, an "all-in" NSW conference was held in Sydney on 8-9 November to set up the LWM on a state-wide basis.[50] It seems the CPA did not try to form LWM groups in other states. These founding conferences were well supported by mining unionists, but they do not appear to have attracted militants concentrated in any other industry. Communist sympathisers, like CPA members, were evidently scattered across different industries in Sydney. The initial conferences were heralded with prominent coverage in *Workers' Weekly*, which expressed high hopes that militants would henceforth make gains through united action in the LWM.[51]

The LWM was explicitly revolutionary, with the first of seven sections in its program being "The Revolutionary Goal":

> At all times the Left Wing Movement shall emphasise its revolutionary aims. It shall carry on a ceaseless warfare against the bourgeois ideology and organisations. It shall seek to destroy the workers' faith in the capitalist system, and to turn their eyes towards the establishment of a Communist Society through the dictatorship of the proletariat.[52]

The last section concerned Marxist Education; the LWM pledged it would strive to popularise Marxist literature and foster Marxist study classes. The Employers' Federation president seized on reports of the Sydneysiders' August conference, which adopted this program, to argue the ALP was riddled with Communists who threatened to impose Russian-style tyranny in Australia.[53] The program's second section – Wages, Hours and Working Conditions – listed a series of "immediate demands." These were modified in November for more ambitious claims (including a six-hour day, instead of an eight-hour day) and to incorporate popular labour movement demands, such as: "Re-instatement of the 1917 railway and tramway strikers with full seniority rights and compensation."[54] The LWM's program also announced its aspirations for shop committees to be organised in all industries; industrial unionism (one union per industry); unorganised workers to be brought into unions; and the organisation of the unemployed to demand the full basic wage.

In launching the LWM, the CPA began to shift its orientation towards the union rank and file, looking to overseas examples as it did so. It argued in *Workers' Weekly* that militants' most important task was to build "a definite left wing rank and file movement," referring to LWM foundation conferences as rank-and-file meetings.[55] Furthermore, it started drawing a contrast between the rank and file and "radish" trade union officials – the derogatory epithet meaning they were "red on the outside, but when scraped become white" – remarkable statements, given the party's approach to that date.[56] It contended that "new forms of rank and file organisation" were needed to realise the LWM's program.[57] The CPA sought to emulate the efforts of Communists in other Anglophone countries in this direction. *Workers' Weekly* published an adapted version of a speech by US Communist James P. Cannon, which stressed the importance of "organis[ing] the rank

[49] "Successful Left Wing Conference," *WW*, 12 September 1924, 1.
[50] "The Left Wing Movement," *WW*, 14 November 1924, 3.
[51] "The Left-Wing Movement," *WW*, 29 August 1924, 1.
[52] *Ibid.*; "The Left Wing Programme," *WW*, 14 November 1924, 4.
[53] "Labour Left Wing," *SMH*, 27 August 1924, 14.
[54] "The Left Wing Programme," *WW*, 14 November 1924, 4.
[55] "'Closer Unity' Officialdom," *WW*, 15 August 1924, 4.
[56] "Notes from Lithgow," *WW*, 11 July 1924, 4.
[57] "The Left Wing Movement," *WW*, 31 October 1924, 2.

and file workers together with us on the basis of the class struggle."[58] The paper also pointed to the formation of the National Minority Movement in Britain as "an inspiring example."[59]

A report of an early meeting of the Newcastle LWM indicated conceptual difficulties with the new approach. When it considered the question of adopting the program of the Sydney LWM, some comrades expressed misgivings: although they themselves approved, they feared the rank and file of their unions would not. The author contended in response: "The backwardness of the mass is no excuse for the backwardness of the militants, who must put forward a fighting policy and work for it, despite the wishes of the mass."[60] How to appeal to the masses without tailing their backwardness was not self-evident.

The LWM was most active in Newcastle and Lithgow, where it was based on existing networks of militants, organised in the Workers' Club and Plebs League respectively. It created controversy in the Miners' Federation from the outset by raising questions about the constitution of the recently established *Labor Daily*, in which the Federation had invested considerable funds. The paper's memorandum of association (the legal basis of its incorporation) stipulated that it conduct its business for the interest and benefit of the ALP, but did not mention unions. Participants in the united coalfields LWM conference strongly disagreed with this, contending unionists should control *Labor Daily*'s policy, given they supported it financially. The conference resolved that delegates would recommend to their districts to withhold money from *Labor Daily* until an amended memorandum, which gave the unions who funded it control, was ratified.[61] The State Mine Lodge at Lithgow subsequently refused to endorse the levy for *Labor Daily*.[62] The NSW ALP Executive accused the LWM of misrepresenting the *Labor Daily*'s position and thereby harming the Party, since it was its official newspaper. *Workers' Weekly* countered that Willis should not hide the facts from the Federation's members; Willis accused the LWM of being ignorant of mining matters and depriving *Labor Daily* of thousands of pounds.[63] Militants maintained that they supported the paper, and would "swing in behind" it as soon as they were convinced that rank-and-file interests were safeguarded.[64] The LWM on the coalfields also agitated for district labour councils to be established or revived.[65] According to *Workers' Weekly*, which may have exaggerated its success, the LWM gained adherents in Lithgow after Willis visited and denounced it.[66] The CPA's paper also reported that by early November, the LWM had "managed to interest practically every miners' lodge" in the Western District, and started classes in working-class education.[67] The Newcastle LWM, which held regular meetings, endorsed the militant J.P. (Digger) Dunn for a Senate vacancy, gave speeches at

[58] "Our Aims and Tactics in the Trade Unions," *WW*, 19 September 1924, 1. Cannon addressed a conference of Workers' Party coal miners on 27 July 1924 in St Louis, Missouri. James P. Cannon, *Fighting for Socialism in the 'American Century'* (Sydney: Resistance Books, 2000), 89-97.
[59] "The Left Wing Movement," *WW*, 24 October 1924, 3.
[60] "News from Newcastle," *WW*, 26 September 1924, 4.
[61] "Soul of the Labor Movement," *WW*, 1 August 1924, 1.
[62] "Lithgow State Mine Lodge," *WW*, 15 August 1924, 3.
[63] "Shackled 'Labor Daily'," *WW*, 8 August 1924, 1; "Lithgow News," *WW*, 5 September 1924, 3.
[64] "Wollongong," *WW*, 15 August 1924, 4.
[65] "Militants in Action," WW, 18 July 1924, 1; "News from Newcastle," *WW*, 19 September 1924, 4.
[66] "Lithgow News," *WW*, 12 September 1924, 4.
[67] "The Left Wing Movement," *WW*, 14 November 1924, 3.

the Labor Day celebrations at the showground, and in late November merged with the Workers' Club.[68]

However, the LWM was a short-lived endeavour. *Workers' Weekly* had no reports on it in 1925; two items in a Newcastle paper indicated it continued to function there, but the last record of its activity was in March 1925.[69] There were already signs that the LWM faced difficulties at its inaugural (and, as it turned out, final) all-in NSW conference on 8-9 November 1924. Howie had to concede that it had attracted little interest in Sydney; the South Coast delegate reported similar circumstances there. Both put an optimistic spin on this: discontent was plentiful among unionists, they had only to harness it.[70] Attendance was reportedly low at the Newcastle LWM's 6 December meeting; an appeal was issued to its members to "buck up and help make it a healthy concern."[71] Yet, despite Davidson's claim to the contrary, it was not that the CPA leadership viewed it as a failure; quite the reverse.[72] At the close of 1924, Garden assessed the LWM as "one of the sound and reliable elements of our tactics that has stood and will stand the tests of events," arguing: "This work must be amplified and the work already done co-ordinated and followed up."[73] The CPA annual conference endorsed the party's efforts in the LWM to date and vowed to continue them, blaming the slow development of the LWM on "the unreadiness of militants to accustom themselves to organised effort."[74] The two main reasons that the LWM was discontinued were that it was of secondary importance to CPA leaders, and the party did not have the strength to sustain an auxiliary. In 1924, Garden and the rest of the Central Executive (CE) devoted greater energies to manoeuvring to remain in the ALP than to the LWM. Having failed to overturn their exclusion, the NSW state elections became the CPA's highest priority in 1925. Running their own candidates was a task "of such magnitude… that the whole energy of the CE was taken up with it" for five months, according to Tom Wright in December 1925.[75]

Moreover, the state of the CPA was such that even if the LWM had been accorded greater importance, it would not necessarily have lasted. During the mid-1920s, the "red scare" was in vogue: politicians, employer organisations, and the media all voiced concern over the CPA's supposed growth.[76] The reality did not match the scaremongering: the CPA in fact declined significantly during 1924 and 1925. Macintyre's history paints a convincing picture of a party in disarray during those years.[77] Entering the ALP had severely damaged the fledgling CPA. When forced to choose between the two parties, many Communists preferred to remain in the ALP

[68] "Left Wing Movement," *Newcastle Morning Herald and Miners' Advocate* (hereafter *NMHMA*), 21 October 1924, 5; "News from Newcastle," *WW*, 24 October 1924, 4; "Labour Day," *Maitland Weekly Mercury* (NSW), 8 November 1924, 16; "Newcastle Workers' Club," *NMHMA*, 21 November 1924, 8.
[69] "Labour Day Committee," *NMHMA*, 9 January 1925, 5; "Advertising," *NMHMA*, 28 March 1925, 16.
[70] "The Left Wing Movement," *WW*, 14 November 1924, 3.
[71] "Newcastle Rates," *WW*, 19 December 1924, 4.
[72] Davidson, *Short History*, 33.
[73] J.S. Garden, "Political Secretary's Report" [1924], in Report of the Fifth Conference of the CPA (December 1925), MLMSS 5021 add-on 1936, box 1(76): I, CPA Records, SLNSW.
[74] "Communist Party Conference," *WW*, 9 January 1925, 3.
[75] T. Wright, "Financial Secretary's Organisational Report," in Report of the Fifth Conference of the CPA (CPA Records, SLNSW).
[76] For example, see the Employers' Federation president's response to the Sydney LWM founding conference. "Labour Left Wing," *SMH*, 27 August 1924, 14.
[77] Macintyre, *Reds*, 96-99, 113-14.

branches that the CPA had instructed them to join.[78] The party's decline was compounded by its efforts in the NSW state elections, which produced derisory results for its six candidates.[79] At the end of 1924, though the CPA claimed a higher membership, it only had about 75 financial members. Most of the Trades Hall Reds left it that year (although Garden, who continued to manoeuvre in the ALP, did not break with the CPA until December 1926). By March 1925, the number of active members nationwide was as low as 40.[80] Beyond NSW and Queensland, CPA branches were prone to splits, and smaller branches tended not to last. The party struggled even on the coalfields.[81] A rift between the CPA and the Miners' Federation over the party's intervention in a 1923 lockout of Maitland miners was one factor.[82] However, the expulsion of Communists from the ALP may have been a more important factor, in view of the fact that three NSW Northern District coalfields groups were represented at the CPA's 1924 conference, whereas a year later there was only one.[83] Either way, in those circumstances the party was not capable of organising an auxiliary.

TRADE UNION RANK-AND-FILE GROUPS, 1924-1928

The shift in the CPA's approach to trade union activity is evident in its various efforts to establish rank-and-file groups of unionists after it set up the LWM, between late 1924 and 1928. These groups differed in their precise purposes; the common features were their links to the CPA and their orientation to the rank and file rather than trade union officialdom. The last and most important of these groups was the Militant Minority Movement (MMM), which operated in NSW (outside the Sydney metropolitan area) and in Queensland from 1928. Two other groups emerged beforehand in Queensland and NSW respectively, and there was also an attempt to establish one in Victoria (in those years the CPA had little to no presence in the other states and territories).[84] Although these groups were either short-lived or made little impact, the attempts to found them demonstrate the CPA's changed approach following its expulsion from the ALP.

The Brisbane CPA formed the Minority Labour Movement (MLM), modelled on the LWM, in November 1924.[85] An Ipswich branch of the organisation (which was sometimes referred to as the Labor Minority Movement) was founded in early December.[86] The MLM's program had points in common with the LWM: a revolutionary goal, a desire to advance working-class education in the interests of class struggle, a commitment to campaign for unions to affiliate to the RILU, for workshop committees, and ambitious "immediate demands" regarding wages, hours and working

[78] Davidson, *Short History*, 29, 31-34.
[79] *Ibid*., 32-33; Macintyre, *Reds*, 95-96.
[80] Macintyre, *Reds*, 94-98, 111.
[81] *Ibid*., 113-114.
[82] *Ibid*., 92; Davidson, *Short History*, 28.
[83] "Communist Party Conference," *WW*, 9 January 1925, 3; Report of the Fifth Conference of the CPA (CPA Records, SLNSW).
[84] Macintyre, *Reds*, 113-114, 119, 149-150.
[85] "Minority Labour," *Queensland Times* (Ipswich), 17 November 1924, 5; "At Last! A Step Forward," *Toiler* (Brisbane), 1 December 1924, 3.
[86] "Minority Labour Movement," *Queensland Times*, 8 December 1924, 4; "£6 a Week," *Western Star and Roma Advertiser* (Toowoomba, Qld), 4 February 1925, 6.

conditions.[87] As in NSW, those demands were subsequently reformulated in favour of bolder claims, including "a minimum wage of £6 a week, irrespective of sex," a 30-hour week, "full upkeep of children by the State until the earning age, and motherhood endowment."[88] The Queenslanders' program included two sections on matters their southern counterparts had not addressed: War, and Women in Industry. Campaigning against war preparations, in view of "the possibility of a big war in the near future in the Pacific, to decide which group of capitalists will exploit China," was a central concern of the MLM.[89] Its program pledged it would "strive to create a strong anti-war sentiment" among workers, so they would be able to take effective action if war broke out.[90] It also called for a Pan-Pacific workers' conference to be convened.[91] In mid-1925 the MLM declared its solidarity with striking Chinese workers, in a resolution which it circulated for endorsement to all Queensland ALP branches and unions, which warned workers against being stampeded into a new world war in the name of White Australia.[92] The fifth section of the MLM program stated that the co-operation of male and female workers was needed for the working-class movement to succeed, and that women being paid lower wages than men weakened the movement. It therefore demanded "equal pay for men and women."[93] A Mrs Edmonds was elected its treasurer.

The MLM intended both to involve the rank and file and operate within the Labor Party, indicating that although the CPA's strategy had changed, it was not totally transformed. When the MLM was formed, Communists had not yet been driven out of the Queensland ALP. While the party's federal conference had decided in October 1924 to exclude Communists, no action was taken to implement this in Queensland until February 1925.[94] The political contest over the anti-communist pledge that the Queensland Central Executive (QCE) introduced took place largely between late 1925 and mid-1926.[95] It was therefore not unreasonable that at its foundation the MLM resolved to agitate "in the unions, on the job, and in the ALP branches."[96] Likewise, the Ipswich branch declared it would conduct its political activities "inside the ALP," stating its object was "the cleansing of the Labour movement."[97] As Fred Paterson, the MLM's president (and subsequently Australia's first and only Communist MP) later contended, it was not a separate party, but "merely aimed at 'gingering-up' the ALP."[98] The Brisbane group, protesting in early March against the

[87] "At Last! A Step Forward," *Toiler*, 1 December 1924, 3; "The Left-Wing Movement," *WW*, 29 August 1924, 1.
[88] "£6 a Week," *Queensland Times*, 30 January 1925, 4.
[89] "At Last! A Step Forward," *Toiler*, 1 December 1924, 3.
[90] *Ibid.*
[91] "Queensland Militants," *WW*, 5 June 1925, 1.
[92] "Down With Imperialism," *WW*, 10 July 1925, 2.
[93] "At Last! A Step Forward," *Toiler*, 1 December 1924, 3.
[94] K.H. Kennedy, "The Anti-Communist Pledge Crisis," in *Labor in Power: The Labor Party and Governments in Queensland 1915-57*, ed. D.J. Murphy, R.B. Joyce and Colin A. Hughes (Brisbane: University of Queensland Press, 1980), 371.
[95] *Ibid*., 372-378.
[96] "At Last! A Step Forward," *Toiler*, 1 December 1924, 3.
[97] "Minority Labour Movement," *Queensland Times*, 8 December 1924, 4.
[98] "'Double-Headed Penny'," *Worker* (Brisbane), 28 April 1926, 9. The context was a court case between Paterson and the QCE, related to the contest for the seat of Port Curtis. Paterson was arguing that he should not have been ruled out of pre-selection on the basis of his past membership of the MLM. The QCE brought an injunction against Paterson to prevent him using the Gladstone ALP branch stamp when he ran as an independent candidate. The judge, who as Paterson's biographer contended was blatantly biased against him, ruled in the QCE's favour. Ross Fitzgerald, *The People's Champion. Fred Paterson: Australia's Only Communist Party Member of Parliament* (Brisbane: University of Queensland Press, 1997), 37-41.

exclusion of Communists from the ALP, identified itself as "a section of the Australian Labour party."[99] The MLM's rank-and-file orientation was evident in resolutions and discussion. An awkwardly-worded resolution from an early meeting is indicative: it would "urge the workers to force the leaders and officials of the ALP and trade unions to call a Pan-Pacific Conference."[100] J. McGuire, MLM vice-president, suggested in that its members should form study groups to learn industrial history and economy, "in the work shop, or wherever they might be."[101]

It seems that the MLM petered out after mid-1925, before efforts were made to reconstitute it in December, which were complicated by a separate move to create a breakaway Industrial Labor Party. In late December 1925, the QCE dealt with attempts to form a Minority Labor Movement. It pointed to a recent meeting at Brisbane's Trades Hall, and a letter circulated to unions signed by T. Morrison. The QCE considered these efforts originated from a single source: "enemies within the Labor Movement itself" who realised "they would no longer be tolerated within the ranks of organised Labor" – a thinly-veiled reference to the Communists.[102] It advised ALP branches and affiliated unions that:

> individuals prominent in the so-called 'Minority' Movement were no longer members of the Australian Labor Party, whatever may have been their previous connection with it. The 'Minority' Movement is entirely bogus, and is in every way antagonistic to the principles and methods of the Australian Labor Party.[103]

This second attempt to establish an MLM may have been connected to the CPA, as there was continuity in its stated aims. T. Morrison of Morningside (Brisbane), MLM Secretary, argued its case in a letter to the *Brisbane Courier*. He described it as a ginger group within the ALP, "with the object of cleaning up the Labour Party by getting rid of a lot of the reactionaries at present in charge, and insisting on the planks of the platform being placed on the Statute Book."[104] Complaining that representation at the Queensland ALP Convention was unfair (with branches given disproportionate weight compared with unions), he contended that "something must be done" to make its representatives "pull Labour's chariot out of the bog into which it has sunk."[105]

At the same time, a dispute between the QCE and prominent militant union leaders over the anti-communist pledge prompted a breakaway move. In November 1925, George Rymer and Tim Moroney, state leaders of the Australian Railways Union (ARU), neither of whom were Communists, were removed from the QCE for refusing to sign the pledge. William McCormack, the new Premier, and his associates were effectively using the pledge to drive militants out of the ALP. Their opponents contended that the federal conference resolution was not yet applicable in Queensland as it had not been endorsed by a state conference, and that the QCE had no authority to demand members sign such a pledge.[106] A group of about 50 ALP members, representing some 25 Brisbane unions and branches, met in early January to demand the QCE withdraw the pledge, threatening to

[99] "Minority Labour," *Queensland Times*, 3 March 1925, 4.
[100] "Minority Labour," *Queensland Times*, 17 November 1924, 5.
[101] *Ibid*.
[102] "'Minority' Labor Party," *Worker,* 31 December 1925, 14.
[103] *Ibid.*
[104] T. Morrison, letter to the editor, *Brisbane Courier* (hereafter *BC*), 1 January 1926, 13.
[105] *Ibid*.
[106] Kennedy, "Anti-Communist Pledge Crisis," 372-374.

form a new Labour Party if it did not do so. Even though Rymer and Moroney opposed their move to split, the discontented members followed through with their threat a week later, resolving to form an Industrial Labour Party and electing a three-member executive and a provisional committee of ten.[107] One of the latter was Mrs A. Edmonds, but no other names associated with the MLM were among the new party's officers. The CPA did not endorse this development: it issued a statement against building "a new reformist party," arguing that this would hold back the development of the class struggle, and that the QCE's expulsion of militants should be fought industrially.[108] The breakaway, predictably, was condemned by unions: the AWU convention was unanimous in declaring it bogus, and the Boot Trade Employees' Union asked the Trades and Labor Council to refuse to let it meet in Trades Hall.[109] The new party did not amount to much, but its launch scuttled any efforts the CPA may have made to revive or re-establish the MLM since the two were conflated by opponents, who referred to the breakaway as the Minority Labor Party.

Meanwhile, an attempt was made in Melbourne to form an opposition movement at a union conference in October 1925, called around the British seamen's strike. British seamen on overseas routes had begun unofficial strike action that September when shipowners reduced their wages from £11 to £10 per month, refusing to crew ships from ports in Australia, New Zealand and South Africa.[110] Strike committees were formed in various ports, and Joe Shelley, "propaganda secretary" of the Melbourne CPA, played a leading role in that city's committee, although he was not a seaman himself.[111] Shelley called a conference of the "left wing trade unions" on behalf of the CPA, in order, as his circular stated, "to co-ordinate the efforts of all militant workers engaged in assisting the British seamen who were on strike in Australia to defeat at one blow the clutching shipowners and the traitorous union leaders."[112] Despite the opposition of Melbourne Trades Hall Council (THC), which tried to have Shelley kicked off the strike committee, the conference convened on 10 October. Participants included a number of union officials and ALP members. There, it appears that Shelley and the Communists were outflanked, when:

> Miss Lewis (Victorian Labour party) and Mr. B. Payne (Trades Hall Council) both urged the immediate necessity for the establishment of a 'minority' trade union movement.
> Mr. J. McGill, who until recently was unemployment officer of the Trades Hall Council… [argued that] a real live 'minority' movement in Australia would regain for the union members a desire to fight for a better economic standard of living as against a fixed standard, which was the outcome of arbitration.[113]

This intervention wrecked the Communists' plans: a minority movement founded by the THC leadership would hardly have been a useful means of organising industrial opposition to the THC's conservative policies. The conference did not launch a new organisation, but was adjourned to a later date. It seems, however, that it never reconvened: the THC officials' manoeuvre was effective in preventing the CPA from setting up a Melbourne organisation of left-wing unionists.

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[107] "New Party Threat," *BC*, 9 January 1926, 5; "Labour Split," *BC*, 16 January 1926, 7.
[108] "No New Political Party," *WW*, 5 February 1926, 3.
[109] "Fifth Day," *Worker*, 28 January 1926, 12; "The 'Minority Labor' Party," *Worker*, 11 February 1926, 8.
[110] Rupert Lockwood, *Ship to Shore: A History of Melbourne's Waterfront and Its Union Struggles* (Sydney: Hale and Iremonger, 1990), 206-207.
[111] "Communist Leader," *SMH*, 8 October 1925, 11.
[112] "Shipping Strike," *Argus* (Melbourne), 12 October 1925, 13.
[113] *Ibid*.

In January 1926, the CPA formed a new rank-and-file group in Sydney, the Trade Union Educational League (TUEL). Davidson viewed this initiative as part of the CPA's emphasis on propaganda under the leadership of Jack Kavanagh (who came to the fore during 1925 as Garden stepped back to concentrate on his LCNSW role).[114] It differed from other such groups that the CPA founded insofar as it pitched its purpose as educational, as the name suggested, rather than oppositional. Its stated object was:

> Protecting the industrial movement against reactionary attacks of the Bruce Government, and to improve the understanding of the Australian workers in regard to their status in modern society, and bring about closer co-operation between all sections of the working class, nationally and internationally.[115]

The *Labor Daily* suspected that the real motive was to give the CPA "the nucleus of organisation for the securing of representation at the next ALP Conference."[116] Apart from issuing a summary of the Bruce Government's repressive amendments to the *Crimes Act*, it seems the TUEL contributed little to "the enlightenment of the workers."[117] Education, however, was not the main purpose. The CE report to the CPA's 1926 conference stated that its aim for the TUEL was "organising a left wing to extend the party's influence in the trade unions."[118] The name was borrowed from the US organisation, likewise set up by the Communists, with which it established correspondence.[119] The CPA started the TUEL quietly: *Workers' Weekly* contained no fanfare for its launch, in contrast with its promotion of the LWM, and did not report its activity until it had been operating for five months.[120] From mid-year there were efforts to set up TUEL groups in NSW coalfields towns.[121] As Davidson and Macintyre agreed, though, the TUEL made little impact.[122] The CPA CE admitted in December that its development was slow, concluding: "means must be found to draw into it many of the militants now holding aloof."[123]

The CPA decided that October to form a Mineworkers' Minority Movement, on the initiative of the Lithgow CPA group, which wished to emulate the British organisation.[124] Lithgow Group, in which Western District coalminers played a prominent part, suggested a conference between the CPA CE and members in the mining industry. It took place on 2 October 1926, with eight miners (one each from the Northern District and South Coast coalfields and the rest from the Western District), seven CE members, plus Norman Jeffery participating. The conference adopted Lithgow Group's proposal to start a Mineworkers' Minority Movement, and to that end:

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[114] Davidson, *Short History*, 37; Macintyre, *Reds*, 109-112.
[115] "Garden Left Out," *Labor Daily* (Sydney), 18 January 1926, 1.
[116] *Ibid*.
[117] "The Crimes Act," *Australian Worker* (Sydney), 24 March 1926, 8; "The Crimes Act and What it Means," *WW*, 31 March 1926, 2.
[118] CE Report, p.8, in Report of the Sixth Annual Conference of the CPA (December 1926), MLMSS 5021 add-on 1936, box 1(76): I, CPA Records, SLNSW.
[119] "The TUEL," *WW*, 25 June 1926, 3.
[120] "TUEL," *WW*, 11 June 1926, 1.
[121] *Ibid*.; "Militants! Forward!" *WW*, 11 June 1926, 4; "There's Room for Militants at Newcastle," *WW*, 12 November 1926, 3.
[122] Davidson, *Short History*, 37; Macintyre, *Reds*, 116.
[123] CE Report, p.8, in Report of the Sixth Annual Conference of the CPA (CPA Records, SLNSW).
[124] Macintyre, *Reds*, 117.

> It was decided as a preparatory step to improve the organisation of the Party nuclei in the Mining Industry and to send an Organiser to the coalfields for this purpose. Comrade Orr was appointed Secretary to the Party Fraction in the Mining Industry.
>
> It was decided to hold a conference of members in the mining Industry at the time of the Annual Conference of the Party in Sydney.[125]

However, the proposed conference of Communist miners did not occur, and they did not found a Mineworkers' Minority Movement. The idea was probably shelved because by the end of 1926 the CPA lacked a presence on the Northern District, the most important of the coalfields.[126]

Early in 1927 the stated aims of the TUEL changed, and from late June the organisation metamorphosed into the Militant Minority Movement (MMM). The TUEL's "fundamental task" was described in January 1927 as the "co-ordination of the left wing in the Labor Movement."[127] In mid-1927, as the group began to advocate militant industrial policies, it was rebranded as "the TUEL (Militant Minority Movement)."[128] With its focus now on agitating in the unions, a TUEL group was founded in Broken Hill in August 1927, on the initiative of the local Miners' Federation.[129] By September, the TUEL's rhetoric was combative; education was referred to as part of its purpose, but the emphasis was on its policy:

> The formation of Industrial Unions by the amalgamation of the crafts; militant job committees, composed of all workers on the job; job action, and away with arbitration; no piece work; uniform conditions, shorter hours and higher wages; formation and recognition of an Unemployed Union; building up of Labor's Volunteer Army; Hands Off Workers' Russia; and the World for the Workers.[130]

Workers' Weekly urged all militant workers to join the TUEL "and become a member of that ginger group working in your Trade Union."[131] However, the CPA's attempt to reinvent the TUEL did not resolve its failure to inspire militants; even party members remained unenthusiastic about it. Late 1927 Sydney TUEL meetings failed "because of insufficient attendance."[132] Although 40 of its 100 adherents were also CPA members, only eight of them consistently attended meetings. Nonetheless, the party persisted with it. As Davidson noted, in March 1928 the initials TUEL were dropped from the group's name.[133] Kavanagh's report to the CPA conference in December 1928 explained that at the start of the year "it was decided that the TUEL be reorganised into the Militant Minority Movement."[134]

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[125] T. Wright, "October Report to Groups" in "CE Minutes 1926-30," MLMSS 5021 add-on 1936, box 3(76): II, CPA Records, SLNSW.
[126] See Chapter Four.
[127] "The Trade Union Educational League," *WW*, 14 January 1927, 3; Davidson, *Short History*, 37.
[128] "For Trade Union Unity," *WW*, 24 June 1927, 4.
[129] "WIU Meeting," *Barrier Miner* (Broken Hill, NSW), 3 August 1927, 3; "Personal," *Barrier Miner*, 12 August 1927, 2.
[130] "Trade Union Unity," *WW*, 2 September 1927, 1.
[131] *Ibid*.
[132] Report of the Seventh Annual Conference of the CPA (24-28 December 1927), p.70, MLMSS 5021 add-on 1936, box 1(76): I, CPA Records, SLNSW.
[133] Davidson, *Short History*, 37.
[134] J. Kavanagh, "Trade Union Report," p.3, CPA Eighth Annual Conference (December 1928) documents, in "[Communism]: Communism and anti-war movement," item SF42/321, series A467 (Attorney-General's Department, Central Office - Special correspondence files), National Archives of Australia (NAA).

THE EARLY MMM AND THE THIRD PERIOD

The TUEL's transformation into the MMM occurred around the time of a dramatic turnaround in Comintern strategy. Most of the CPA's experience until that point was during the period of the Comintern's United Front policy. That was based on the theory that worldwide capitalism, having survived the revolutionary upsurges that persisted after the world war (the first post-war period), had entered a second period of relative stability, in which revolution was not immediately possible. Communist Parties (CPs) were to work constructively with Social Democratic and Labour Parties towards concrete ends that would benefit the working class. The ultimate aim was not to unite with those parties, though, but to destroy them. Through such joint activity, it was argued, Social Democratic leaders would either be forced into conflict they did not desire with the capitalist class to advance the workers' agenda, or their failure to take the struggle forward would expose them and show workers their true, treacherous, nature. The contrast between the reformist leaders' shirking and the Communists' unremitting efforts as class combatants would convince numerous workers of the superiority of Communist politics and strengthen the CPs.[135]

The Comintern's strategy changed as Joseph Stalin consolidated his power in 1928, coinciding with the onset of a global economic downturn. The policy which replaced the United Front was characterised as "Class Against Class." The new assessment was that the second period had ended and a new period of crisis had begun, and a worldwide revolution was imminent, which would destroy the decaying capitalist system and usher in a Communist society. The urgent task of Communists in this third period was to convince the mass of workers to reject reformism because only the CPs could lead the working class revolution to victory. Labour and Social Democratic parties were among the array of tools that the capitalist class used to keep workers from taking power, along with Fascism. Reformists were no longer potential allies in the class struggle but were regarded as enemies, as bad as the fascists they purported to oppose. Accordingly, Communists branded them "social-fascists" and joint work became impossible. Stalin affirmed the new assessment, originally formulated by Nikolai Bukharin, at the Fifteenth Congress of the Communist Party of the Soviet Union in December 1927. The change of line was reinforced at the Comintern Congress the following July.[136] The CPA's leftward turn, evident in its reshaping of the TUEL and at its December 1927 conference, took place ahead of the Comintern's, as Macintyre pointed out.[137] The MMM was thus a product of both local changes and the Comintern's Class Against Class strategy.

At this stage, the LCNSW's affiliation to the RILU became significant. Garden, LCNSW Secretary, was expelled from the CPA in December 1926 but was allowed to stay on the RILU Executive. Not only was Garden the leader of a union peak body, he was also instrumental in the Comintern-linked Pan-Pacific Trade Union Secretariat, which connected Australian unionists with their Asian, notably Chinese, counterparts: he had helped establish it and was editor of its newspaper. Garden was important enough for the Comintern to continue an alliance with him, and

[135] McDermott and Agnew, *Comintern*, 27-33.
[136] *Ibid*., 68-119.
[137] Macintyre, *Reds*, 142-144.

the LCNSW therefore remained affiliated to the RILU, a connection it kept until 1931.[138] This situation greatly restricted the scope of any trade union agitation the CPA could conduct. The CPA was faced with contradictory expectations from the Comintern. On the one hand, the CPA was supposed to lead the left of the trade union movement by running an oppositional organisation, a task that Communists in Australia agreed with and took steps to fulfil. On the other hand, it was not meant to oppose the Australian arm of the RILU, a body to which most unions were affiliated in the state with the largest number of CPA members. The CPA was unimpressed by the LCNSW's revolutionary credentials, but it was under pressure not to oppose it. The Comintern's expectations shaped the MMM from the outset, and CPA leaders' disagreement was evident from late 1928.[139] Kavanagh reported to the CPA's December 1928 conference:

> The constitution and structure of the new organisation differed from the TUEL in that the MMM was organised in conformity with the formal affiliation of the NSW Labor Council to the RILU. This debarred the formation of Militant Minority Groups in the Sydney metropolitan area and restricted this work in the main to the districts outside of Sydney.
>
> … It is questionable whether the recognition of the formal affiliation of the NSW Labor Council should have [been] allowed to stand in the way of our organising a definite separate Militant Minority in the metropolitan area. It cannot now be denied that it is essential that a Minority Movement be built up in the metropolitan area, if necessary even in opposition to the Labor Council.[140]

The contradiction was only heightened by the third period policy. It remained a source of tension between the CPA and the Comintern for the following three years.

With unions connected with the LCNSW off limits, there were two broad areas in which it was possible for the MMM to organise: in NSW unions not affiliated to the Labor Council, and unions in other states. Fortunately for the CPA, one major union with traditions of industrial militancy was not an LCNSW affiliate: the Miners' Federation. The party's initial following on the coalfields had been decimated by its opposition to Federation leaders in the 1923 Maitland lockout and its expulsion from the ALP. Nonetheless, CPA branches in mining areas set up local MMM groups in the first half of 1928.[141] The Miners' Minority Movement first made an impact at the Miners' Federation Convention of June 1928; it agitated for the convention to adopt militant policies, as Chapter Four explores. In NSW, the MMM's activity was largely concentrated on the coalfields, and it was also active in the metalliferous mining town of Broken Hill.[142]

The CPA's next strongest centre after Sydney was Brisbane, where its membership increased from 14 in 1927 to 44 by the end of 1928 (while Sydney's declined to 80).[143] The political situation in Queensland differed from the rest of Australia because of the Labor Party's electoral success. By 1928, the ALP had governed Queensland continuously from 1915, and significant struggles had

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[138] *Ibid*., 111-112, 172; Davidson, *Short History*, 35-36.
[139] Macintyre, *Reds*, 148.
[140] Kavanagh, "Trade Union Report," p.3, CPA Eighth Annual Conference (December 1928) documents, in "[Communism]: Communism and anti-war movement," item SF42/321, series A467, NAA.
[141] "Militant Miners," *WW*, 10 February 1928, 1; "Minority Movement," *Cessnock Eagle and South Maitland Recorder* (NSW), 15 May 1928, 5.
[142] Edgar Ross, *A History of the Miners' Federation of Australia* (Sydney: Australasian Coal and Shale Employees' Federation, 1970), 338.
[143] Macintyre, *Reds*, 149.

erupted between the state Labor government and militant unions, particularly the ARU. Notably, the McCormack government incurred the wrath of the union movement for locking out all state railway employees in 1927.[144] The Queensland labour movement was polarised in the 1920s, with the AWU-state government alliance in conflict with the militant unions led by the ARU.[145] MMM groups were set up in Brisbane and Townsville in 1928. If there were any MMM groups outside Queensland and NSW in 1928, the CPA conference papers made no note of them.[146] The Brisbane MMM was active during the 1928 waterside workers' strike, discussed in Chapter Two.

CONCLUSION

The CPA's approach to trade union activity changed substantially between its foundation and the end of 1928. During its early years, the CPA was dominated by LCNSW officials: Jock Garden and the Trades Hall Reds. At that stage, the CPA's union activity was aimed at influencing and ultimately gaining control of the ALP, and consisted mainly of its officials' efforts to this end. This top-down approach was the opposite of what the Comintern expected, yet paradoxically it was shaped by Comintern decisions. When the ALP decided to ban Communists from its ranks, the CPA's response was to intensify its union manoeuvring in an unsuccessful attempt to reverse the decision, and to begin trying to organise an industrial opposition. The CPA formed the LWM in NSW with support from mining unionists, but that organisation was short-lived. So was the MLM it founded in Queensland later in 1924; efforts to revive it a year later were unsuccessful. They folded mainly because the CPA, which declined significantly in this period, was not in a position to support auxiliary groups. Furthermore, they were not treated as a high priority by CPA leaders. An attempt to form a similar organisation in Victoria was unsuccessful. The next rank-and-file organisation that the CPA founded, the TUEL, differed from the others in positioning itself as an educational group. In this form it made little impact; however, as the Party moved leftward it transformed it into the MMM, which advocated industrial militancy. It became the sort of organisation that the CPA's Lithgow Group had proposed about a year earlier when it made the case for industrially based Minority Movement groups. The next chapter looks at the waterside strike, in which the CPA agitated around a major strike through the MMM for the first time in Brisbane.

[144] E.M. Higgins, "Queensland Labor: Trade Unionists Versus Premiers," *Historical Studies, Australia and New Zealand* 9, no. 34 (May 1960): 140-155.
[145] Margaret Bridson Cribb, "Ideological Conflict: The 1927 and 1948 Strikes," in Murphy, Joyce and Hughes, *Labor in Power*, 382-396.
[146] Group reports, CPA Eighth Annual Conference (December 1928) documents, in "[Communism]: Communism and anti-war movement," item SF42/321, series A467, NAA.

Chapter Two
The Waterside Strike and Communist agitation among the rank and file

By late 1928, the Australian economy had been in recession for over a year and the shipping trade was declining. The Bruce-Page government was determined to help industry reduce production costs, which employers considered imperative to economic recovery.[1] Ultimately, that meant cutting wages and working conditions. The waterside workers' strike of 10 September to 19 October 1928 was triggered by a new industrial award that seriously undermined working conditions. Prime Minister Stanley Melbourne Bruce, who was closely connected with shipowners and whose biographer considered him obsessed with industrial relations, laid the basis for such cuts with anti-union amendments to legislation.[2] His government amended the *Crimes Act* in 1926 to allow a state of emergency to be proclaimed in case of industrial trouble on the waterfront. After Bruce's efforts to give the Commonwealth sole authority to regulate industrial relations (at the expense of state jurisdictions) failed, he made extensive amendments to the *Arbitration Act*. These gave the Arbitration Court greater powers to compel obedience. In addition, the government appointed four judges to it whom the unions considered were biased against them: George Beeby, George Dethridge, Edmund Drake-Brockman and Lionel Lukin.[3]

At the same time, the British banks, which had lent Australia large sums of money, were becoming increasingly concerned about the nation's economy. Their concerns were due to a downturn in Australian export revenue, needed to service the growing external public debt. They believed that the tariff and wage determination systems imposed unsustainably high labour costs on Australian producers. Bruce invited leading City of London bankers to visit Australia, hoping to allay their concerns. The resulting British Economic Mission arrived on 25 September 1928, in the middle of the strike.[4] It concluded, predictably, that arbitration had failed, and that judicial and government interference in industrial relations should be minimised.[5] The British Economic Mission advocated other methods of dealing with industrial disputes, such as joint industrial councils (as promoted by Sir Ludwig Mond in Britain). Employers' peak bodies agreed with its conclusions, passing resolutions in favour of abolishing compulsory arbitration. Most supported Bruce's new proposal, announced in

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[1] Rupert Lockwood, *Ship to Shore: A History of Melbourne's Waterfront and Its Union Struggles* (Sydney: Hale and Iremonger, 1990), 213-214; C.B. Schedvin, *Australia and the Great Depression: A Study of the Economic Development and Policy in the 1920s and 1930s* (Sydney: Sydney University Press, 1970), 49, 108-110.

[2] Lockwood, *Ship to Shore*, 202-204; Cecil Edwards, *Bruce of Melbourne: Man of Two Worlds* (London: William Heinemann Ltd., 1965), 121-126; Brian Fitzpatrick, *Short History of the Australian Labor Movement* (Melbourne: Macmillan, 1968), 194; Geoffrey Sawer, *Australian Federal Politics and Law, 1901–1929* (Melbourne: Melbourne University Press, 1956), 262, 267-270, 275-279.

[3] Jim Hagan, *History of the ACTU* (Melbourne: Longman Cheshire, 1981), 87-89.
Beeby had been a NSW Labor politician, but opposed the Labor Party from 1913. Bede Nairn, "Beeby, Sir George Stephenson (1869–1942)," *Australian Dictionary of Biography*, vol. 7 (Melbourne: Melbourne University Press, 1979), 243-246.

[4] "Peace in Industry," *Age* (Melbourne), 26 September 1928, 13.

[5] Hagan, *History of the ACTU*, 55; Dagmar Carboch, "The Fall of the Bruce-Page Government," in *Studies in Australian Politics*, ed. Henry Mayer (Melbourne: F.W. Cheshire, 1958), 191.

May 1929, to dismantle the Commonwealth arbitration system, although a substantial section of manufacturers opposed it.[6] Bruce's attempts to transform the industrial relations machinery ended in decisive electoral defeat in October 1929. Whatever their differences, the employers and government agreed with the British bankers that wage costs had to be curtailed; this was the broader context for the waterside strike and the two subsequent disputes.

This chapter provides an overview of the industrial context on the waterfront, the strike and continuing disputation on the wharves after it ended. The strike was characterised by branches of the Waterside Workers' Federation (WWF) acting independently of the national leadership. The chapter considers contemporary observers' allegations that Communist influence was behind the wharfies' defiance, and compares them with the reality of the CPA's modest role. A closer examination of Communist activity follows, taking account of the party's efforts to engage women in the wharfies' struggle, which provided a precedent for organising women's involvement in the timber strike, discussed in the next chapter. The CPA's stance on violence towards the scabs is considered, and the chapter concludes with an assessment of the party's line on the waterside strike.

INDUSTRIAL CONTEXT

Waterside workers of the 1920s occupied a central place in the Australian economy, since maritime transport was vital to it. The country was (and remains) dependent on international shipping to export primary produce and import many commodities. Coastal shipping remained the main means of transporting goods within and between states. Ships carried everything from passengers and mail to timber and coal, all of which went through the wharves. The men who loaded and unloaded the ships were generally not employed directly by the shipping companies, but by stevedoring companies contracted to carry out the work. The workforce consisted entirely of men, as wharf labourers had to be at least 18 years old, and women were not employed on the waterfront until the 1970s. In larger ports, stevedores who worked in the ships' holds were distinct from the other wharfies because their ability to stow cargo required considerable skill.[7] It was a disputatious industry, with shipowners keen to maximise their profits paying their workers as little as possible on the one hand, and wharfies successfully using their strategic advantage at particular times to win gains through strike action, on the other.[8]

The workers were employed on a casual basis (although wharfies drew a distinction between the union members, who did most of the work, and the casuals, who were hired at peak times when more labourers were required than could be supplied from the union ranks).[9] They were hired at a twice-daily pick-up: men assembled to seek work, and foremen came and selected gangs for each job, by calling out the men's names or simply by pointing. This hiring method was known as

[6] Carboch, "Fall of the Bruce-Page Government," 192, 133.
[7] Wendy Lowenstein and Tom Hills, *Under the Hook: Melbourne Waterside Workers Remember Working Lives and Class War: 1900-1998* (Melbourne: Bookworkers Press, 1998), 53-54.
[8] *Ibid.*, 8-11, 35; Tom Sheridan, "Australian Wharfies 1943–1967: Casual Attitudes, Militant Leadership and Workplace Change," *Journal of Industrial Relations* 36, no. 2 (1994), 260-261.
[9] Lockwood, *Ship to Shore*, 316-317; Lowenstein and Hills, *Under the Hook*, 36-37.

the bull system: the strongest, fastest men (the "bulls") received most of the work and the best jobs, and set a hard pace for the rest. Favouritism was characteristic of this system, and some labourers bribed foremen when work was scarce.[10] Once hired, waterside workers generally worked continuously until the cargo was loaded or discharged. Excessively long hours, including 24-hour shifts, were common. Tom Hills, retired wharfie and historian of the Melbourne WWF, estimated that the longest shift he ever worked was about 36 hours. 86 hours was said to be the record.[11] The work was exceptionally hard, with wharf labourers often lumping heavy sacks on their backs, as there was little mechanisation of Australian ports until after the Second World War. Winches powered by ships' boilers generally lifted the cargo, in slings hooked to the winches, from the wharf into the hold and vice versa. The cargo was manhandled on and off the slings. No protective equipment was provided for those working on dangerous or obnoxious cargoes, or in freezer holds.[12] Wharfies' income was uneven because the work was casual: in some weeks they earned more than other workers, but at other times little to nothing. The volume of work varied seasonally, particularly in small ports such as those in north Queensland, which were busy during the sugar season and quiet for the rest of the year.[13]

The principal waterfront union was the WWF, which was formed in 1902 through the federation of unions that had developed locally in various ports. By 1928, the WWF covered 47 ports across Australia and had over 20,000 members.[14] Over 1,500 wharfies worked each of the five major ports (Sydney, Melbourne, Port Adelaide, Brisbane and Fremantle); Sydney was the largest with 4,385 WWF members. It effectively regulated entry into the stevedoring industry through a union ticket; branch members voted on whether to accept a prospective member.[15] The WWF had secured its first national agreement with the shipowners in 1909, and an award of the Commonwealth Arbitration Court in 1914.[16] In Queensland, where state arbitration generally gave workers more favourable outcomes than the federal system, wharfies gained an award in 1921 that granted them better conditions than their southern counterparts, including preference to unionists.[17]

Although bound by federal agreements and awards, branches continued to exercise a high level of independence, winning local concessions at many ports. Local agreements or customs covered working conditions, including safety measures (such as load limits), and special rates (over-award payments) for particular cargoes.[18] Queensland sugar lumpers, for example, won "bee

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[10] Margo Beasley, *Wharfies: A History of the Waterside Workers' Federation of Australia* (Sydney: Halstead Press, 1996), 19-20, 30, 67; Lowenstein and Hills, *Under the Hook*, 36, 80-81; Lockwood, *Ship to Shore*, 300-302; Stuart Macintyre, *Militant: The Life and Times of Paddy Troy* (Sydney: George Allen & Unwin, 1984), 71-72.

[11] Lowenstein and Hills, *Under the Hook*, 87; Lockwood, *Ship to Shore*, 223.

[12] Beasley, *Wharfies*, 26-31, 76-77; Sheridan, "Australian Wharfies," 260, 263-265, 276-277.

[13] Lowenstein and Hills, *Under the Hook*, 10-11, 31-32, 36, 38-39; Beasley, *Wharfies*, 39; Lockwood, *Ship to Shore*, 218; Victor Williams, *The Years of Big Jim* (Perth: Lone Hand Press, 1975), 5.

[14] Membership for Year Ending 31 December 1927, item T62/37/5/9, Waterside Workers' Federation of Australia Federal Office deposit 1, Noel Butlin Archives Centre (NBAC), Australian National University.

[15] Beasley, *Wharfies*, 96; Williams, *Big Jim*, 3-4; Lowenstein and Hills, *Under the Hook*, 10, 32.

[16] Beasley, *Wharfies*, 34-40.

[17] *Ibid.*, 65-66; Lockwood, *Ship to Shore*, 218; Bradley Bowden and Cath Rafferty, "Independent Judgment: The History of the Queensland Industrial Relations Commission, 1916-2009," in Bradley Bowden et al. eds., *Work and Strife in Paradise: The History of Labour Relations in Queensland 1859 to 2009* (Sydney: The Federation Press, 2009), 57-58.

[18] Beasley, *Wharfies*, 35-36, 39-40, 45, 52, 61, 73; Lockwood, *Ship to Shore*, 215, 218-219, 229-230.

money," paid to compensate them for the stings they suffered.[19] Wharfies at some ports achieved concessions on the method of engagement. The pick-up occurred twice daily at most ports, 8am to 10am and 1pm to 3pm. This imposed unnecessary hardship on the labourers: the requirement to attend a second pick-up meant that those not offered work in the morning had to wait most of the day for the prospect of employment, with those who missed out paid not a penny for their time.[20] By 1928, a few WWF branches had won a daily pick-up: Port Adelaide, the Port Phillip Stevedores' Association (PPSA), Sydney, and some north Queensland branches.[21] In the mid-1920s, north Queensland wharfies managed to overturn the bull system at a number of ports, including Bowen, Lucinda Point and Innisfail. It was replaced by the rotary system, in which gangs were engaged on a basis that ensured equitable distribution of work. The Queensland WWF lost a late-1925 struggle, which centred on Cairns, to extend the rotary system; the few ports that subsequently regained it lost it in the 1928 strike.[22]

The WWF sought to regain preference of employment for its members. The Commonwealth Arbitration Court had granted that preference, contingent on working to the award, but wharfies' strike action in 1917 (as part of the Great Strike, which spread from railway workshops across multiple industries) constituted a breach of the award. Preference to unionists was lost for years, which had ramifications for the 1928 strike. In 1917, shipowners responded to the waterside workers' strike in Sydney by recruiting non-union labour; they set up scab labour bureaus for the purpose which served as new pick-up points. The scabs gained preference and organised themselves as the Permanent and Casual Wharf Labourers' Union (known as the P&C). The situation was similar in other major ports.[23] Fremantle lumpers (as waterside workers were known in Western Australia) won back preference in a spectacular battle in 1919.[24] Melbourne wharfies regained it more gradually the same year.[25] Scab labour remained a problem for the Sydney WWF branch until 1924, when it secured the closure of the non-union employment bureaus and absorbed most of those who had been engaged at them. However, Sydney wharfies refused to admit two members of the P&C, and another six refused to join the WWF. These eight isolated scabs seemed insignificant, but they kept the P&C alive and in the 1928 strike it expanded into other ports. This was a major problem for the WWF in the strike's aftermath because it was accorded preference ahead of the WWF.[26]

Waterside workers and their families formed close-knit communities in waterfront localities, along with others who gained their livelihoods in maritime transport, including seamen. Most, though not all, wharfies lived near the wharves. For example in Melbourne, PPSA members, who worked the large overseas ships, were concentrated in Port Melbourne and Williamstown, while Melbourne Wharf Labourers' Union (MWLU) members tended to live in the riverside suburbs of

[19] Lockwood, *Ship to Shore*, 218.
[20] *Ibid*., 224-225.
[21] Beasley, *Wharfies*, 63; Lockwood, *Ship to Shore*, 216, 225.
Melbourne had two WWF branches: the PPSA and the Melbourne Wharf Labourers' Union.
[22] Beasley, *Wharfies*, 65-72; Williams, *Big Jim*, 5-6.
[23] Beasley, *Wharfies*, 47-53.
[24] *Ibid.*, 54-58.
[25] Robert Bollard, "Fremantle in Slow Motion: Winning Back the Melbourne Waterfront, 1919," *Labour History*, no. 97 (November 2009): 123-136.
[26] Beasley, *Wharfies*, 64; Lowenstein and Hills, *Under the Hook*, 57, 63, 67, 78-82; Lockwood, *Ship to Shore*, 261.

Montague, South, North and West Melbourne, though some resided further afield.[27] These communities shared the vagaries of work dependent on the seasons, and members supported each other through the hard times. Sons often followed their fathers into the same occupation (as in mining towns, which waterfront communities resembled in many ways). As wharfies worked odd hours, often labouring through the night and having time off during the day, they tended to socialise with their workmates.[28] Waterside workers and their communities had very strong union traditions, and shared a fierce hatred of strike-breakers. No scab would dare to drink at the waterfront pubs the wharfies frequented, and most would not venture into places such as Port Melbourne. Any scab who did so was treated as a pariah at best, an enemy combatant at worst.[29]

AN OVERVIEW OF EVENTS

The dispute arose from a new Commonwealth Arbitration Court award for the waterside workers by Judge George Beeby, which constituted a significant attack on hard-won working conditions. It was made in response to the WWF's September 1927 log of claims and the employers' counter-claims.[30] A draft version was issued on 29 June 1928, sparking anger on the waterfront.[31] The WWF had numerous reasons for opposing it. Among the most important was the requirement that wharfies attend two pick-ups per day, denying the union's claim for the single pick-up and cancelling it in ports that had won it. This was a vindictive measure: the afternoon pick-up had become unnecessary since ships communicated with ports by radio. Another significant objection was to the provision for gangs of labourers to be transferred from one ship to another (instead of being paid off after finishing a ship's cargo): this would exacerbate the problems of favouritism and excessive working hours on the wharves. The WWF also opposed the elimination of local customs.[32] The Queensland section in particular objected to being brought under the federal award for the first time, because its members had better conditions under the 1921 state award. Although they would initially retain some of their advantages, they were to be immediately subject to the new award's harsh punitive clauses (like their interstate counterparts) – including penalties for various forms of industrial action. Furthermore, they expected their remaining gains to be reversed.[33] Wharfies around the country expressed strong opposition to the award in July, three Queensland branches (Brisbane, Townsville and Innisfail) holding stop-work meetings to do so.[34] The final version of the Beeby Award, which

[27] Lowenstein and Hills, *Under the Hook*, 9; Lockwood, *Ship to Shore*, 224-225.
[28] Lowenstein and Hills, *Under the Hook*, 14-32; Macintyre, *Militant*, 7-9, 72.
[29] Lowenstein and Hills, *Under the Hook*, 60-64, 67-68, 79-80; Lockwood, *Ship to Shore*, 272-275.
[30] Miriam Dixson, "The Strike of Waterside Workers in Australian Ports, 1928, and the Lockout of Coal Miners on the Northern Coalfield of New South Wales, 1929-30" (MA thesis, University of Melbourne, 1957), 11-13; Lockwood, *Ship to Shore*, 215-218; Beasley, *Wharfies*, 74-75.
[31] "Work on Water Front," *Age*, 30 June 1928, 22.
[32] "Wharfmen Resent the Beeby Award," *Labor Daily* (Sydney) (hereafter *LD*), 2 July 1928, 5; "New Wharf Award," *Argus* (Melbourne), 2 July 1928, 14; Editorial: "Beeby Award Means Slavery," *Workers' Weekly* (Sydney) (hereafter *WW*), 21 September 1928, 2; Dixson, "Strike and Lockout," 11-23; Lockwood, *Ship to Shore*, 218, 223-226, 229-230.
[33] "No Justification," *Brisbane Courier* (hereafter *BC*), 19 July 1928, 15; "Drastic Penalties," *BC*, 7 September 1928, 15; Dixson, "Strike and Lockout," 9-10, 29.
[34] "Waterside Judgment," *Age*, 9 July 1928, 10; "Many Objections," *News* (Adelaide), 16 July 1928, 9; "Waterside Workers," *West Australian* (Perth), 17 July 1928, 13; "Repudiated," *Sydney Morning Herald*

differed little from the draft, was handed down on 21 August, to come into effect on 10 September.[35]

Meanwhile, on 30 August, the Prime Minister called an election for 17 November.[36] This meant that the waterside workers' action was met with ambivalence from the broader labour movement. Many Australian Labor Party supporters believed they should not be on strike because industrial action would damage the ALP's chances.[37] Opposition leader James Scullin, though stating that he sympathised with the unionists' objection to clauses in the award, maintained that defying it, and thus the law, was not the way to have their grievances redressed.[38] The government made all the political capital it could of the disruption to the shipping trade.

Under pressure from branches around the country, the WWF's Federal Committee of Management (FCOM) brought its triennial All Ports Conference forward by a month to September, to decide, among other questions, the union's policy towards the award. Neither the FCOM nor the All Ports Conference, convened in Melbourne from 6 September, gave a decisive lead, despite the branches' clear opposition to the award. The All Ports Conference decided initially, on 7 September, to "repudiate" the award, and instructed members to work only under the conditions prevailing prior to 10 September.[39] But it did not declare a strike, instead seeking negotiations with the shipowners, which they refused. How to implement the conference's instruction was unclear, because shipowners would not offer work under any conditions other than the new award. Many branches struck from Monday 10 September, while Sydney wharfies attended the morning pick-up but not the afternoon one.[40]

Bruce threatened to invoke the anti-union provisions of the amended *Crimes Act*, which would result in stiff penalties for the WWF.[41] The two shipowners' associations, representing interstate and overseas shipping interests, joined forces to oppose the union and asked the Arbitration Court to rule that a strike existed in the industry. Beeby duly made the declaration on 13 September, clearing the way for shipowners to hire scabs without breaching the award.[42] They began to bring non-union labour onto the wharves that day, with clerks loading ships at Port Adelaide, and consignees permitted to unload their perishable cargoes in Hobart.[43] The All Ports Conference reversed its decision on 15 September, instructing members to work under the new

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(hereafter *SMH*), 19 July 1928, 12; "Urged Withdrawal," *Daily Standard* (Brisbane) (hereafter *DS*), 21 July 1928, 5; "Waterside Award," *BC*, 21 July 1928, 15; Dixson, "Strike and Lockout," 23-24.

[35] "Final Award," *BC*, 22 August 1928, 13; *Commonwealth Arbitration Reports* (hereafter *CAR*) 26 (1928), 866-955.

[36] "Federal Elections," *SMH*, 31 August 1928, 13.

[37] W. Wallis, "Federal Elections," *Labor Call* (Melbourne) (hereafter *LC*), 4 October 1928, 1.

[38] "The Waterside Workers' Trouble," *LC*, 11 October 1928, 9.

[39] "Waterside Workers," *Age*, 8 September 1928, 21; "Waterfront Crisis," *Argus*, 11 September 1928, 7-8; Triennial Conference Minutes, 7-11 September 1928, WWF historical records, held at the Maritime Union of Australia (MUA) office, Sydney.

[40] "Strike on the Waterfront," *SMH*, 11 September 1928, 11; Dixson, "Strike and Lockout," 26-30.

[41] "The Strike," *SMH*, 12 September 1928, 17-18.

[42] "Owners Apply to Court," *SMH*, 14 September 1928, 13; Dixson, "Strike and Lockout," 14.

[43] "Free Labour," *SMH*, 14 September 1928, 14; "Hobart," *SMH*, 14 September 1928, 14; Dixson, "Strike and Lockout," 33-35.

award.[44] Not all of the branches obeyed: as federation branches were used to exercising considerable autonomy, some ports stayed out on strike while others resumed.[45] The lack of leadership despite wharfies' opposition to the award had confused the position.[46] An additional factor was that WWF leaders who had made efforts to secure resumption were summonsed for inciting strike action, an act the labour movement considered provocation by the Bruce-Page government, with the union fined the maximum penalty of £1,000 as a result.[47]

The introduction of scab labour resulted in an extension, with seamen in some ports refusing to work ships that had been loaded by non-unionists. The Victorian branch of the Seamen's Union decided on 25 September that it would neither work with "free labour" nor take any ships to sea that scabs had worked.[48] The Brisbane seamen reached the same decision four days later, although tug-boat crews refused to comply with their union's instruction to cease work.[49] These Seamen's Union branches remained on strike almost as long as the watersiders: in Brisbane, they conceded to resume unconditionally on 17 October, just two days before the wharfies ended their strike, while the Victorian seamen returned only when the MWLU did.[50]

Some of the Queensland delegates to the All Ports conference had objected to its decision to order a resumption under the Beeby Award, stating publicly they would advise their own branches to continue striking.[51] Wharfies at most Queensland ports struck; at Brisbane and three northern ports – Innisfail, Lucinda Point and Bowen – they stayed on strike for the duration of the dispute.[52] Militant wharfies convened a state-wide WWF conference on 28 September to try to extend the strike to every Queensland port and to other sectors. However, four of the fourteen ports did not participate and ignored the conference's decision that all ports should cease work until shipowners reverted to the state award.[53] Given the unevenness of the wharfies' industrial action, militants' attempts to persuade other transport unions to join in were largely unsuccessful: only the seamen were willing to back them.[54]

The Bruce-Page government responded to the strike aggressively, quickly bringing in new legislation: the *Transport Workers Act* (*TWA*), known to unionists as the Dog Collar Act, was passed by parliament within a fortnight of the start of the strike, and signed into law on Monday 24

[44] "Calling Strike Off," *Age*, 17 September 1928, 9; Triennial Conference Minutes, 15 September 1928, WWF historical records, MUA office, Sydney.
[45] Dixson, "Strike and Lockout," 2-5; 43-45.
[46] *Ibid*., 31-32, 41.
[47] "Prosecution of Union," *Argus*, 19 September 1928, 7; "Inciting to Strike," *Age*, 24 September 1928, 9; Lockwood, *Ship to Shore*, 250-252.
[48] "Seamen Support Strikers," *Argus*, 26 September 1928, 9.
[49] "Waterside Trouble," *Telegraph* (Brisbane), 29 September 1928, 2; "The Seamen," *BC*, 1 October 1928, 13; "Will Not Strike," *BC*, 3 October 1928, 13.
[50] "Strike Collapsing," *BC*, 18 October 1928, 13; "Wharf Work Resumed," *Age*, 19 October 1928, 9.
[51] "Motion Opposed," *BC*, 17 September 1928, 15.
[52] Phoebe Kelloway, "Queensland Workers in the 1928 Waterside Strike," *Labour History*, no. 116 (May 2019), 97-103.
[53] "All Ports Conference," *Militant Worker* (Brisbane) (hereafter *MW*), special no. 2, 28 September 1928; "Leaders in Extremis," *BC*, 29 September 1928, 15; Kelloway, "Queensland Workers," 103-105.
[54] "'Will Carry On'," *BC*, 1 October 1928, 13; "Strikers' Dilemma," *BC*, 2 October 1928, 1; "Two More Unions Repudiate Watersiders in Brisbane," *BC*, 3 October 1928, 13.

September.[55] The Act, in force from 1 October, required all waterside workers at ports where it was brought into operation to hold a license to be eligible for work. This was an unprecedented measure that took control of entry into the industry away from the union, and as Richard Morris noted, "institutionalised volunteer labour."[56] It effectively reversed preference of employment, revoking it from the unionists (who had regained it in practice, but not legally) and giving it to the strike-breakers.[57] The *TWA* became a bigger issue than the award. Unionists considered it "fascist" legislation, and compared it to the unjust *Licensing Act* that sparked the Eureka rebellion.[58] At an Australian Council of Trade Unions (ACTU) conference convened to deal with the dispute, Labor Council of NSW (LCNSW) Secretary Jock Garden pushed for extension of the strike, proposing that no unionist "handle any goods handled by 'scabs'" and electricity and gas workers "hold themselves in readiness to take the necessary action."[59] Although the conference did not agree to the motion, this fuelled the allegations of a "Red threat."[60] Instead, the ACTU conference, declaring the *TWA* was "only equalled by Mussolini's worst laws," instructed unionists not to register under the Act.[61] The *TWA* prolonged the strike, as unionists believed it was designed to do.[62] For example, the Fremantle Lumpers' Union (the local WWF branch) had agreed to resume work under the Beeby Award, but refused to submit to licensing. Bruce insisted on enforcing it at that port, so work ceased there again after half a day.[63]

While unionists in many ports remained defiant, hundreds of scabs applied for licences. Even before the *TWA* began to operate, over 2,000 "volunteers" had registered with the shipowners in two major ports: 1,035 in Brisbane and 1,082 in Melbourne by 25 September.[64] With scabs increasingly displacing the unionists, it was becoming clear that hundreds of wharfies would not get their jobs back. One by one, branches voted to return to work and comply with the *TWA*. Brisbane and the two Melbourne branches were the last to concede defeat. The MWLU voted for resumption on 17 October, most taking out licenses the same day.[65] The Brisbane WWF and the PPSA both decided to end the strike on 19 October; members of each branch applied for licences together in a show of unity.[66]

The wharfies' decision to resume, however, was not the end of the story, because hundreds of them were denied any opportunity of re-employment. Violent confrontations had already taken

[55] "Protection of Workers," *Age*, 24 September 1928, 9; "The New Transport Act," *Age*, 25 September 1928, 11.
[56] Richard Morris, "The 1928 Marine Cooks' Strike and the Origins of the Transport Workers' Act," *The Great Circle* 21, no. 2 (1999), 117.
[57] Beeby's draft award included a preference to unionists clause, but he struck it out of the final version. *CAR* 26 (1928), 885-888, 911, 928.
[58] "Organised Workers Determined to Resist Licence to Work Regulations," *DS*, 28 September 1928, 4; "Propaganda," *Telegraph*, 2 October 1928, 9.
[59] "Unions' Conference," *Age*, 3 October 1928, 11.
[60] Editorial: "Union Leadership," *BC*, 4 October 1928, 14; Editorial: "The 'Red' Rule," *Argus*, 4 October 1928, 6.
[61] "ACTU Conference," *Age*, 5 October 1928, 9.
[62] "Waterside Trouble," *LC*, 4 October 1928, 7.
[63] "Union Secretary's Statement," *West Australian*, 29 September 1928, 20; "Waterside Trouble," *West Australian*, 1 October 1928, 13-14; "Fremantle Position," *West Australian*, 2 October 1928, 14.
[64] "Waterside Trouble," *Telegraph*, 25 September 1928, 9; "Seamen Involved in Strike," *Argus*, 26 September 1928, 9.
[65] "The Strike Ends," *Age*, 18 October 1928, 9.
[66] "End of Strike," *BC*, 20 October 1928, 17; "Stevedores Yield," *Age*, 20 October 1928, 21; "Wharves Busy," *Argus*, 22 October 1928, 7-8.

place between the wharfies and the strike-breakers when the latter were introduced, notably in Adelaide and Melbourne, and these recurred after the strike had ended. Police joined in on the strike-breakers' side. In Melbourne, one scab was thrown into the Bay on 1 November, and many others were hospitalised when they came off second-best in fights with unionists.[67] The lodgings of scabs and the homes of foremen and shipowners were bombed.[68] The chief results of the explosions were fright and sensation. Although the bombings only caused minor injuries, lengthy jail sentences were inflicted on one waterside worker and two other men, all wrongfully convicted.[69] The worst of the violence was meted out by the Hogan Labor government's police on 2 November. That morning, unionists attacked scabs on the train to Port Melbourne, and fighting continued on the wharves. There, police opened fire on a crowd of wharfies – when they were already retreating, according to waterside workers' eyewitness accounts.[70] Unknown numbers were shot, three of whom were admitted to hospital. One, Allan Whittaker (a Gallipoli veteran), died as a result almost three months later.[71] A fortnight after the shootings, Bruce's Nationalist government was re-elected.

THE CPA'S MINOR ROLE

The CPA played only a minor part in the waterside strike, but contemporaries overstated Communists' role, referring to them as instigators or leaders of the industrial action.[72] Major daily newspapers alleged that Communists fomented the trouble with the backing of federal Labor parliamentarians (to the horror of the latter).[73] This "Red scare" was useful for conservatives in the federal election, and politicians of the incumbent Bruce-Page Nationalist government took it up.[74] The right wing of the labour movement (some parliamentarians and the AWU's newspaper) also blamed the strike on Communist agitators, probably hoping to isolate the strikers, or at least to distance themselves from the industrial dislocation.[75]

Overestimation of Communist influence was part of a tendency among conservatives to conflate union militants and Communists, with the terms "extremist," "Red" and "Communist" used interchangeably. Thus industrial action was routinely blamed on the Reds in the 1920s. In particular, strikes affecting the shipping industry were blamed on Communists. Christine Claridge, in her thesis on the CPA's influence in the Sydney branch of the WWF, noted the fears of the Commonwealth Investigation Branch in the 1920s. It worried that the CPA planned to stage a revolution in Australia

[67] Dixson, "Strike and Lockout," 107; Lockwood, *Ship to Shore*, 270-273.
[68] Lockwood, *Ship to Shore*, 263-266.
[69] *Ibid*., 263, 266-269.
[70] "Waterside Trouble," *LC*, 8 November 1928, 9; Lowenstein and Hills, *Under the Hook*, 63-64.
[71] "Wharf Labourer's Death," *Argus*, 29 January 1929, 7, cf. "Allan Whittaker," *WW*, 22 February 1929, 4; Lockwood, *Ship to Shore*, 289-290.
[72] Editorial: "The Collapse of the Strike," *Daily Commercial News and Shipping List* (Sydney), 18 September 1928, 4; Editorial: "Futile Revolt," *BC*, 25 September 1928, 14; Editorial: "The 'Red' Rule," *Argus*, 4 October 1928, 6.
[73] Editorial: "On the Brink," *BC*, 24 September 1928, 12; Editorial: "Who Wields the Whip?" *Argus*, 27 September 1928, 6.
[74] Editorial: "Mr. Bruce's Speech," *BC*, 16 October 1928, 14; "Brisbane Division," *BC*, 19 October 1928, 15; "Bourke," *Argus*, 30 October 1928, 9; Editorial: "The Passion Play," *LD*, 10 October 1928, 4.
[75] "Plea for Patience," *Worker* (Brisbane), 3 October 1928, 19; "The Passing Show," *Worker*, 17 October 1928, 5; "Budget Debate," *Argus*, 18 October 1928, 8.

under Moscow's direction, and believed that Communists would spread their influence from the waterside workers throughout the Australian working class.[76] In 1925, Communists were held responsible for a British seamen's strike that tied up trade in Australian ports. The Seamen's Union of Australasia, under the leadership of Tom Walsh, who was a CPA foundation member but had left the party, supported the British strikers. The Bruce-Page government campaigned on a "Red scare" in the elections of that year, and won easily.[77] Communists were also blamed for recurring hold-ups on the Cairns waterfront in mid-1928, following a nation-wide marine cooks' dispute.[78] In mid-September, north Queensland WWF representatives who opposed resuming work were referred to as Communists.[79] Industrial militants played a leading role in all of these disputes, but only a small proportion of them would have been card-carrying Communists.

Exaggeration of the Communists' role in the late 1928 wharf labourers' strike is not tenable with hindsight, however, and so has not been replicated in histories of the strike. The CPA's histories written in the 1940s did not overstate the party's role, in contrast to their portrayal of its part in the coal lockout.[80] W.J. Brown, who left the Communist Party for the Socialist Party in 1970, claimed the CPA "was giving a lead to the maritime struggle" in 1928, but he is the exception.[81] A few facts point to the CPA's lack of influence: the party was small in 1928, it lacked a presence in ports where waterside workers took a militant stand, such as Port Adelaide and Fremantle, and in other major ports it had few, if any, wharf labourer members.[82]

Rupert Lockwood, in his history of the Melbourne WWF, rubbished the suggestion that Communists were influential on the waterfront in 1928, pointing to the lack of strike action in Sydney where CPA membership was largest, with "probably seven or eight" waterfront members.[83] Similarly, Claridge claimed it was "obvious" from Sydney WWF branch minutes that Communist influence there was "almost non-existent" during the 1920s because the CPA was hardly ever mentioned.[84] Miriam Dixson's MA thesis, however, which includes an account of differences of opinion within the Sydney branch, suggests otherwise. Dixson wrote about two militants among the six Sydney delegates to the 1928 Triennial conference in Melbourne, G. Marks and W. Coghlan, who tried to convince their branch to join the strike when they returned. Both were members of the Militant Minority Movement (MMM), which the CPA formed to organise union militants into an

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[76] Christine Sutherwood Claridge, "The Sussex Street Men: A Study of the Influence of the Communist Party of Australia on the Sydney Branch of the Waterside Workers' Federation of Australia, 1931-1948" (PhD thesis, University of Queensland, 1994), 33, 50-51, 55.
The Commonwealth Investigation Branch was part of the Attorney-General's Department; it conducted political surveillance.

[77] Lockwood, *Ship to Shore*, 204-207.

[78] "Strike Illegal," *BC*, 15 August 1928, 13; Editorial: "Waterside Issues," *BC*, 11 September 1928, 12.

[79] "Wharf Strike Ends," *Argus*, 17 September 1928, 7; "Motion Opposed," *BC*, 17 September 1928, 15.

[80] L.L. Sharkey, *An Outline History of the Australian Communist Party* (Sydney: Australian Communist Party, 1944), 20; E.W. Campbell, *History of the Australian Labor Movement: A Marxist Interpretation* (Sydney: Current Book Distributors, 1945), 126.

[81] W.J. Brown, *The Communist Movement and Australia: An Historical Outline – 1890s to 1980s* (Sydney: Australian Labor Movement History Publications, 1986), 37.

[82] Stuart Macintyre, *The Reds: The Communist Party of Australia from Origins to Illegality* (Sydney: Allen and Unwin, 1998), 149-151, 154; Group reports, CPA Eighth Annual Conference (December 1928) documents, in "[Communism]: Communism and anti-war movement," item SF42/321, series A467 (Attorney-General's Department, Central Office - Special correspondence files), National Archives of Australia (NAA).

[83] Lockwood, *Ship to Shore*, 242, 18, 241-242.

[84] Claridge, "Sussex Street Men," 57.

oppositional rank and file (discussed in Chapter One). As such, Marks and Coghlan were either Communists or willing to associate with them. Dixson stated the two had a "substantial following," pointing to July 1928 union election results: Marks ran for branch president and lost by only 387 votes, while Coghlan received 600 of the 4,000 votes cast for vigilance officer.[85] Thus it seems that Communists on the Sydney waterfront commanded some influence, though they lacked majority support.

As a minor player, the CPA's activity in the waterside strike consisted mainly of propaganda work – that is, making arguments to unionists to convince them of the party's favoured policies. It argued for the strike to be extended through a black-ban on goods handled by scabs, and for the union rank and file to take charge. The rest of this chapter examines the party's activity, considering its efforts in Melbourne, Sydney, Brisbane and North Queensland in turn. It pays particular attention to the strike in Queensland, where the party was most active, although not as influential as Dixson claimed.[86] The main published histories of the dispute overlooked Queensland as they concentrated on Melbourne, although my recent *Labour History* article examined events in that state.[87] The history of the Queensland WWF has yet to be written. The CPA had a group of about 40 members in Brisbane, where the strike was strong, and a presence on the waterfront in the state's northern ports.

COMMUNIST ACTIVITY

The CPA initially underestimated the possibility of concerted resistance to the Beeby Award. Although it was clear that WWF branches were against it, the CPA considered that the union's officials had become too dependent on arbitration to lead a fightback.[88] A report of its newspaper, *Workers' Weekly*, regarding the Triennial conference's decision to repudiate the award, demonstrated that the CPA was out of touch: "the implication is that a new award might be regarded as satisfactory," and the Arbitration Court would remain a fetter on the workers.[89] Apparently nothing less than total rejection of the arbitration system would satisfy the CPA.

From the end of the strike's second week, however, the CPA paid more attention to the dispute. It took the watersiders' struggle seriously once it was clear that despite the All Ports conference jettisoning its earlier repudiation and instructing WWF members to resume, the strike continued in most ports nonetheless. From that point, the party argued that the waterside workers' fight was a fight for the whole working class.[90] This included women: particularly in Brisbane, Communists made the case to working-class women that "this fight is your fight."[91] The CPA urged

[85] Dixson, "Strike and Lockout," 38, 47.
[86] Dixson, "Strike and Lockout," 49-52; Kelloway, "Queensland Workers," 86.
[87] Kelloway, "Queensland Workers," 83-86.
[88] "'What Use Is Arbitration?'" *WW*, 7 September 1928, 1.
[89] "Watersiders' Special Conference," *WW*, 14 September 1928, 1.
[90] Editorial: "Beeby Award Means Slavery," *WW*, 21 September 1928, 2; "Editorial," *MW*, no. 1, 23 September 1928; "All Together Against Attack on Watersiders," *WW*, 28 September 1928, 1; "Australian Workers Threatened From All Sides," *WW*, 5 October 1928, 1.
[91] "Watersiders Wives," *MW*, no. 5, 27 September 1928; "Brisbane Women," *WW*, 12 October 1928, 3.

unionists to unite behind the wharfies, and specifically to refuse to assist scabs in any way.[92] The Brisbane MMM argued that workers should refuse to handle cargo handled by the scabs, and that to do so was scabbing, regardless of the decision of the transport unions' officials not to declare a black-ban on those goods.[93] The Communists also opposed calls from Labor politicians and others to end the strike because of the federal election; it would be "suicidal" for watersiders to rely on electing a Labor government to redress their grievances.[94]

The CPA was moving, in late 1928, towards the Third Period position that rank-and-file leadership was necessary for the workers to successfully combat the attacks of the capitalist class, but the party did not take this stance definitively in the waterside strike. *Workers' Weekly*, produced by the CPA's national leadership in Sydney, frequently bemoaned the lack of a fighting lead from the union officials.[95] However, when labour movement bodies directing the strike took a militant stand, the paper displayed a cautious optimism.[96] At the same time, *Workers' Weekly* called for rank-and-file committees or councils of action to be formed to lead the struggle.[97] It was vague about the nature of these bodies, though, and did not emphasise this call as much as it did in the subsequent coal lockout (as Chapter Five will reveal). A Melbourne report, noting the spirited determination of the rank and file there, stated it would be "an advantage" if they took charge of the strike, but did not argue it was a necessity.[98] At the end of the strike, the CPA bitterly attacked the WWF leadership not only as unequal to the task, but treacherous.[99] The experience of this strike helped bring it closer to a Third Period stance.

The party's Brisbane group, which published its arguments under MMM auspices in a bulletin, *Militant Worker*, was closer to the Class Against Class position to begin with.[100] It put greater emphasis on the fighting spirit of the rank and file. Although the Queensland union officials overall took a more militant stand, particularly in the WWF and the Seamen's Union, it wrote that they had "almost without exception… fallen down on the job" and therefore "the workers must, to fight successfully, take control of their unions."[101] *Militant Worker* argued that reformist union leaders, because of their "large salaries," had "nothing in common with the rank and file," and they succumbed to state intimidation because "personal consideration superseded their obvious duty to their class."[102] It contended that the rank and file needed to "take control of their unions out of the

[92] "Australian Workers Threatened…," *WW*, 5 October 1928, 1; Editorial: "The Class Struggle," *WW*, 5 October 1928, 2.
[93] "Editorial," *MW*, no. 2, 24 September 1928.
[94] "Prepare for Struggle," *WW*, 5 October 1928, 3.
[95] Editorial: "Bruce's Leg-Iron Transport Act," *WW*, 28 September 1928, 2; "Melbourne Waterfront," *WW*, 5 October 1928, 1; "Australian Workers Threatened…," *WW*, 5 October 1928, 1.
[96] "Seamen and Waterside Fight 'Dog Licenses'," *WW*, 12 October 1928, 1; "Q'Land Congress Behind Watersiders," *WW*, 12 October 1928, 1.
[97] "Watersiders' Special Conference," *WW*, 14 September 1928, 1; Editorial: "Beeby Award Means Slavery," *WW*, 21 September 1928, 2; "Australian Workers Threatened…," *WW*, 5 October 1928, 1; Editorial: "The Waterside Lockout," *WW*, 12 October 1928, 2.
[98] "Melb. Stevedores," *WW*, 28 September 1928, 1.
[99] Editorial: "The Union Wreckers," *WW*, 26 October 1928, 2.
[100] *Militant Worker* (*MW*) is held at the State Library of Queensland (catalogue ID: RBF 331 067); some issues are held at the Queensland State Archives (QSA) in Police Commissioner's Office correspondence files (series 16865), particularly items ID316680 and ID316678.
[101] "Editorial," *MW*, no. 12, 8 October 1928.
[102] Editorial: "Intimidation," *MW*, no. 9, 3 October 1928.

hands of non-fighting officials."[103] But even the Brisbane CPA did not, in 1928, dismiss all trade union officials. When a conference of Queensland unions voted for militant policies, its report was upbeat.[104] Communists worked closely with the secretary of the Brisbane branch of the WWF, Andy Brown, and lauded him as "a proved fighter."[105] (Brown was perhaps the exception: a few months later he was expelled from the ALP for supporting a Communist-led front in the state elections.[106]) Both *Militant Worker* and *Workers' Weekly* were quick to denounce individual union leaders who undermined or failed to extend the strike.[107]

The CPA's activity in this dispute varied from port to port, primarily due to differences in how the strike unfolded, as well as differences between party groups in different ports. Its involvement consisted mainly of making the arguments outlined above, through speeches at street meetings as well as in print. The party took various initiatives in Melbourne, Sydney and Brisbane, which I shall now examine before considering its activity in north Queensland.

In Melbourne, the strike was strong and the CPA was marginal, but the party agitated around it nonetheless. The Communists' activity there consisted mainly of holding or participating in meetings and marches. Major daily newspapers noted a Communist presence at waterside workers' marches through the city to the Yarra Bank when the strike was waning. The *Argus* reported Communists marched with the strikers on 14 October, and disapproved of the "crudely worded" banner slogans.[108] A Brisbane correspondent observed "the Russian Soviet flag" led a later procession.[109] They reported that Jack Kavanagh, of the LCNSW, addressed the crowd, but did not note his Communist affiliation.[110] The Melbourne Group report to the CPA national conference in December 1928 indicated that it had concentrated its activity around the wharves, and had found an audience there. From September it held "propaganda meetings" on Friday nights "in different suburbs mostly all at Port Melbourne."[111] It reported that the waterfront dispute was a contributing factor in increasing its sales of *Workers' Weekly* from 59 dozen in August to 80 dozen (although they fell back to 76 dozen when the strike broke down and wharfies failed to get their old jobs back). A group of "30 or 40 militants in the Stevedores' Union" met with a leading member, Gil Bodsworth, on a weekly basis.[112] The Melbourne Communists were active enough to attract the authorities' attention, with police executing a Commonwealth warrant raiding the CPA's Melbourne office on 2 October.[113]

[103] Editorial: "All Ports Conference," *MW*, no. 6, 27 September 1928.
[104] "Q.T.U. Congress Gives Fighting Lead," *MW*, no. 11, 7 October 1928.
[105] "Andy Brown a Worthy Leader," *MW*, no. 5, 27 September 1928, 1.
[106] Brian J. Costar, "Labor, Politics and Unemployment: Queensland During the Great Depression" (PhD thesis, University of Queensland, 1981), 40-41.
[107] "Another Scab," *MW*, no. 3, 25 September 1928; "Bob Taylor, Scab Organiser," *MW*, no. 6, 27 September 1928; "Bob Taylor," *WW*, 12 October 1928, 4; "Another Rat," *MW*, no. 13, 14 October 1928; "'Safety First' Says Jacob Johnson," *WW*, 19 October 1928, 1.
[108] "'No Hope of Victory'," *Argus*, 15 October 1928, 7-8.
[109] "Nearing End," *Telegraph*, 17 October 1928, 9.
[110] "Strikers March," *Argus*, 17 October 1928, 7.
[111] Melbourne Group Report, CPA Eighth Annual Conference (December 1928) documents, in "[Communism]: Communism and anti-war movement," item SF42/321, series A467, NAA.
[112] *Ibid*.
[113] "Shock for Reds," *Sun* (Sydney), 3 October 1928, 14; G. Bodsworth, "Police Raid," *WW*, 12 October 1928, 2.

The CPA also agitated among waterside workers' wives through the Militant Women's Group (MWG). There were four MWGs by late 1928 – in Sydney, Melbourne, Brisbane, and Cessnock (NSW) – which together constituted the Militant Women's Movement of Australia (MWM). This organisation was effectively a women's adjunct to the CPA; in Sydney it consisted mainly of party members, although in Brisbane and Melbourne its leading activists were non-party women.[114] A number of stevedores' wives attended the Melbourne MWG meeting of 17 October, which carried a resolution calling "upon the Hogan government to immediately withdraw all police" from Port Melbourne, "as they tramp up and down all night flashing their torches in windows, frightening the children and setting the dogs howling."[115] Following the 14 October union demonstration, the MWG held a women's meeting at the Yarra Bank, with its members Mrs Barker and Mrs Baines speaking in support of the watersiders, which it rated a success.[116] Jennie Baines and other MWG women were most likely responsible for two protests of waterside workers' wives after the strike, in the wake of the 2 November shootings at Port Melbourne. That afternoon around 2pm, "a woman notorious in Yarra-bank demonstrations attempted to lead a score of women on to the pier"; police blocked the women's march, so they "returned to the roadway, where they were cheered by the unionists."[117] On 8 November, a group of about twenty women protested at the Victorian Parliament against the government's actions, disrupting proceedings by interjecting one at a time from the public gallery.[118] Though *Workers' Weekly* did not give the MWG credit for the action, a participant remembered that Baines was one of the leaders.[119] It appears the MWG did not organise strike relief.

The Melbourne Communists do not seem to have issued their own leaflets or broadsides (it is difficult to say definitively because the Melbourne Group's efforts were not well documented – *Workers' Weekly* barely reported them, almost certainly because the group rarely submitted reports).[120] Lockwood pointed to a lack of literature as evidence that Communists played no significant part in the strike, since they "were always busy pamphleteers."[121] The paucity of documentation and the lack of printed propaganda material were probably a result of the disorganised state of the Melbourne Group. Although it had 48 nominal members, almost half were in arrears on their dues by two months or more.[122] Moreover, CPA conference records indicate it

[114] "Report on Work Amongst Women in Australia," 12 April 1929, in CPA Central Executive Letters 1928 and Circulars, 1929, item 56, series A8911 (Correspondence files of the Commonwealth Investigation Service), NAA.
I shall use MWM when discussing the national organisation, and MWG when referring to a local group.
[115] "Militant Women's Protest," *Age*, 19 October 1928, 9.
[116] "Melbourne MWG," *WW*, 26 October 1928, 3; "The Militant Women's Movement and the Waterside Dispute," *Woman Worker* (Sydney) 1, no. 1, 7 November 1928, 4.
[117] "Riot at Port Melbourne," *Age*, 3 November 1928, 21.
The notorious woman was probably Jennie Baines.
[118] "Scene in Parliament," *Age*, 9 November 1928, 8.
[119] "Women Ejected from Parliament," *WW*, 16 November 1928, 3; Lowenstein and Hills, *Under the Hook*, 64-65.
[120] The group may have published leaflets of Jack London's "Definition of a Scab," discussed below.
[121] Lockwood, *Ship to Shore*, 242.
[122] Melbourne Group Report, CPA Eighth Annual Conference (December 1928) documents, in "[Communism]: Communism and anti-war movement," item SF42/321, series A467, NAA.

was wracked by internal discord, with personality clashes between two of its leaders, Bodsworth and Cecil Monson, hampering the group's activities.[123]

Sydney was where the CPA's headquarters was located and its membership was largest (it claimed about 80 members), but it had "only one or two Party members on the waterfront," and the WWF branch there did not strike in 1928.[124] Despite this, Sydney Communists took part in agitation around the dispute. CPA leaders Jack Kavanagh and Jack Ryan were LCNSW representatives to the ACTU's central strike committee in Melbourne. At least two influential Sydney watersiders, G. Marks and W. Coghlan, argued the party's line (whether they were members or associates). Dixson described how, while they were at the Triennial conference in Melbourne, three of their fellow Sydney delegates, unbeknownst to them, telegrammed the branch officials with instructions to accept the Beeby Award.[125] When Coghlan and Marks returned to Sydney, their fellow union members had already been working under the new award for several days and they were unable to convince them to strike. Thus the two were faced, in Dixson's words, "with a 'fait accompli'."[126] Press reports suggest that Communists were active in the Sydney WWF. Its branch meeting of 10 October reportedly ended in disarray because of Communists employing disruptive tactics and other watersiders responding angrily (newspapers differed about the precise cause of the dispute, but it was related to the strike and ended in fist-fights).[127] A mass meeting the next week ejected Communists and voted to discontinue weekly branch meetings in favour of monthly stop-work meetings, on the grounds that they had become "vehicles for the activities and propaganda of the extremists" whose views did not accord with those of the majority of members.[128] Reports of the two WWF meetings, however, did not name any of the Communists involved, so it is not certain that they were CPA members. Given the major dailies did not distinguish between Communists and other militants, they may have been militants unaligned with the party.

In published propaganda, the main effort of the CPA's Sydney-based national leadership was its newspaper. In addition, it published a leaflet addressed specifically to Sydney watersiders, headlined "Don't Work Black Ships." This flyer, a statement of the party's Central Executive Committee, was widely distributed around Sydney wharves on 27 September, and reprinted in *Workers' Weekly* the next day.[129] It implicitly accepted that the Sydney WWF branch had decided not to strike against the Beeby Award, concentrating instead on the issue of scab labour at other ports.

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[123] "Report of Committee appointed to enquire into condition of Melbourne Group," in Report of the Eighth Annual Conference of the CPA (December 1928), item N57/370, J. Normington Rawling collection, NBAC. Some documents from the CPA Eighth Annual Conference are held at the NAA (item SF42/321, series A467), but the full report of the conference is only held at NBAC.

[124] Sydney Group Report, CPA Eighth Annual Conference (December 1928) documents, in "[Communism]: Communism and anti-war movement," item SF42/321, series A467, NAA.
Though Sydney watersiders initially refused to attend the afternoon pick-up, they conceded on 13 September, agreeing to work under the new award; they had not ceased work. "Strike on the Waterfront," *SMH*, 11 September 1928, 11; "The Strike," *SMH*, 12 September 1928, 17-18; "The Waterside Strike," *SMH*, 13 September 1928, 11; "Award Conditions," *SMH*, 14 September 1928, 13; Dixson, "Strike and Lockout," 36-37.

[125] Dixson, "Strike and Lockout," 37.

[126] *Ibid.*, 47.

[127] "Fists Fly," *Sun*, 10 October 1928, 17; "The Strike," *SMH*, 11 October 1928, 11.

[128] "Reds Outed," *Sun*, 17 October 1928, 11; "Waterside Delegates," *SMH*, 18 October 1928, 11.

[129] "Don't Work Black Ships," in Communist Party of Australia leaflets, item N336/50, Jack Kavanagh collection deposit 2, NBAC; "Communists Active," *SMH*, 28 September 1928, 12; Editorial: "Don't Work Black Ships," *WW*, 28 September 1928, 2.

Appealing to union principles, it argued that WWF members had a "duty… not to scab upon your fellow unionists by working Black Ships," that is, ships that had been worked by non-union labour.[130] Union officials' instructions, it contended, were no excuse for "assisting the Ship Owners to Smash the Union in the other Ports."[131] The CPA argued in this leaflet for less than the extension it generally advocated, as it did not call for a total cessation of work. This indicated the party's tactical flexibility, a quality that Craig Ryan, whose thesis investigated Communists in three maritime unions, considered important in enabling them to gain influence in those unions subsequently.[132] In Ryan's view, the adaptability and pragmatism of the CPA's union activists (even in the Third Period) distinguished them from other militants.[133] However, the "Don't Work Black Ships" leaflet had no impact on the Sydney watersiders' actions. The fact that it persuaded no-one did not prevent Commonwealth authorities from prosecuting CPA leaders Tom Wright and Jack Kavanagh over it after the strike. They were convicted on charges of breaching the *Commonwealth Conciliation and Arbitration Act* by inciting strike action and fined a substantial sum: £25 plus £4/8/– court costs each.[134]

It was in Brisbane that the CPA was most energetic, although it seemed to lack any presence in the city's WWF branch. The Brisbane Communists' activity included publishing propaganda, addressing frequent open-air meetings, and organising a women's meeting and a relief committee through the MWG, in conjunction with the WWF. One CPA member was fired for industrial action in solidarity with the wharfies. In line with the rest of the party, Communists in Brisbane did not agitate around this dispute until the end of its second week, but from that point they threw themselves in with gusto.

The Brisbane CPA's earliest initiative was to publish three leaflets calling for extension, under the auspices of the Militant Minority Movement (MMM). One was a printed flyer, issued on 22 September and headed "Scabbery Under Arms," which argued for industrial action by workers in kindred industries to beat back scab labour. Contending that it was "no longer a question of the Beeby Award alone, but of the primitive rights of Workers to protect their living standards and to maintain their organisations," it urged:

> RAILWAYMEN, ROAD TRANSPORT WORKERS,
> STOREMEN AND PACKERS –
> Stand behind the Watersiders, and REFUSE TO
> HANDLE SCAB CARGO.
>
> SEAMEN, REFUSE STEAM TO SCABS!

[130] "Don't Work Black Ships," in CPA leaflets, item N336/50, Jack Kavanagh collection deposit 2, NBAC.
[131] *Ibid*.
[132] Craig Thomas Ryan, "Ships and Sickles: The Communists and Three Australian Maritime Trade Unions, 1928–1945" (MA thesis, UNSW, 1986), 1-2, 17-18.
[133] *Ibid.*, 18, 34-35. Ryan contrasted the CPA's approach with the uncompromising sectarianism of the earlier IWW and Jacob Johnson, who followed the tiny Socialist Party of Great Britain.
[134] "'Black' Ships," *Evening News* (Sydney), 3 December 1928, 10; "Strike Pamphlets," *SMH*, 4 December 1928, 13; "Workers' Weekly Attacked," *WW*, 7 December 1928, 1.

COOKS AND STEWARDS, Don't Feed Scabs![135]

The other two were typed and roneoed leaflets addressed to overseas seamen, British and French, which likewise appealed for solidarity action. The first reminded British crews that "the workers of Australia were solidly behind you" in the 1925 strike, and urged them to reciprocate by refusing to aid scab labour or work ships loaded with black cargo.[136] The second, in incorrect but sufficiently clear French, outlined that the watersiders were fighting against bosses who wanted to destroy unions and lower workers' living standards, and "fait appel a votre esprit de solidarites [sic]."[137]

From 23 September 1928, the Brisbane MMM issued a roneoed strike bulletin, *Militant Worker*, on almost a daily basis until the end of the dispute. Each bulletin consisted mainly of typed text, with a hand-drawn masthead and cartoons for some editions, and handwritten late-breaking news for others.[138] Produced on a diaphragm flat-bed duplicator in the CPA's Trades Hall office, *Militant Worker* served the dual functions of propaganda organ and news sheet.[139] Its inaugural issue declared that the MMM had decided to publish it because of the "treachery" of Brisbane's Labor paper, the *Daily Standard*, which was publishing "misleading" and "anti-working class" material to try "to bludgeon the watersiders back to work."[140] *Daily Standard* editorials urged conciliation in spite of the Bruce-Page government's provocations, and warned against "hopelessly undisciplined unionism," chiding the "militant malcontents."[141] The MMM pledged its strike bulletin would "tell the whole truth, and nothing but the truth."[142] Despite its small scale, it drew mainstream press attention in its first week, with the *Brisbane Courier* denouncing it as "fiercely inflammatory" and "treasonable."[143] The fact that the same paper acknowledged it later as its source for a report on the resolutions of a Queensland trade union congress indicates its value as a news bulletin.[144] Producing it would have been a major endeavour for a Communist group of less than 50 members, but to the Commonwealth authorities it was inconsequential. The Queensland Police Commissioner forwarded information about its publication to the Crown Solicitor to consider prosecution under the amended *Arbitration Act*.[145] However, the Attorney-General decided not to

[135] "Scabbery Under Arms," 22 September 1928, in "Strikes: waterside strike regarding Beeby Award – distribution of pamphlets, Brisbane," item ID316678, series 16865 (General Correspondence, Police Commissioner's Office), QSA.
[136] "To Overseas Seamen," 21 September 1928. Both flyers are held at the State Library of Queensland (catalogue ID: RBF 331 067, with *Militant Worker*).
[137] "Camarades," 23 September 1928. My translation: "call on your spirit of solidarities [sic]."
[138] Untitled cartoon, *MW*, no. 7, 29 September 1928; Cartoon: "The Dog License," *MW*, no. 8, 1 October 1928; Cartoon: "Back to Days of Serfdom," *MW*, no. 9, 3 October 1928; "Scabs Routed – Adelaide Wharfies Wake Up," *MW*, no. 6, 27 September 1928; Untitled, *MW*, special, 10 October 1928.
[139] Police report, 1 October 1928, in item ID316678, series 16865, QSA.
[140] "Editorial," *MW*, no. 1, 23 September 1928.
[141] Editorial: "A Testing Time," *DS*, 21 September 1928, 6; Editorial: "Forcing a False Issue," *DS*, 20 September 1928, 6.
[142] "Editorial," *MW*, no. 2, 24 September 1928.
[143] Editorial: "On the Brink," *BC*, 24 September 1928, 12; Editorial: "Treasonable Circulars," *BC*, 25 September 1928, 14; "One Week Ago," *MW*, no. 6, 27 September 1928.
[144] "Strikers Supported," *BC*, 8 October 1928, 13.
[145] Police report, 4 October 1928, in "Strikes: Strike Bulletin – 'The Militant Worker'," item ID316680, series 16865, QSA.

prosecute, due to "the evidence of publication being very meagre" and "considerable doubt whether this paper is 'printed'" within the meaning of the Act.[146]

At open-air meetings held in connection with the strike, Communists were as prominent as militant WWF officials. The union organised a number of meetings at the Brisbane Domain for strikers and their sympathisers, usually on Sunday afternoons.[147] The strike committee also arranged frequent evening street meetings about the dispute, in the city and working-class inner suburbs, from 23 September. CPA organiser Bert Moxon appeared on the platform on multiple occasions, as did Charles Collins, CPA member and locomotive fireman, who was later sacked for his stance in this dispute.[148] Fred Paterson was likewise a prominent speaker. He was publicly associated with the CPA but not an avowed party member (though he may have been a secret one).[149] Paterson was not a wharfie, but had gained a reputation as an effective orator for the militant wing of the labour movement, beginning with his activity around the 1925 railway strike.[150] He actively supported north Queensland watersiders' efforts to institute the rotary system and when the wharfies' Rotary Organisation ginger group merged with the MMM, he was an organiser for the waterside section and edited its paper.[151] Thus Paterson spoke as a representative of the WWF's Bowen branch.[152] Other CPA-affiliated speakers, who featured less frequently on meeting platforms but spoke more than once, included Mrs Besant (for the MWG), Albert Hulme and Bert Hurworth.[153] Communists distributed *Militant Worker* and "Scabbery Under Arms" at these meetings. Regulations that required organisers of street meetings to obtain permission from the police were strictly enforced during the dispute.[154] When the authorities denied permission for particular speakers, evidently the most militant (including Moxon and Paterson), to address these meetings from 5 October, the union called them off in protest against this attack on freedom of speech.[155] Two further meetings were

[146] Letter from Chambers McNab and Co. to Commissioner of Police, 7 November 1928, in item ID316678, series 16865, QSA.
Chambers and McNab, solicitors, were the Brisbane agents for the Federal Crown Solicitor.
[147] Police reports, in "Strikes: waterside workers strike regarding Beeby Award, meetings," item ID316659, "Strikes: Brisbane (part 1), waterside disputes," item ID316660, and "Strikes: Brisbane (part 2), waterside disputes," item ID316663, series 16865, QSA. Ross Fitzgerald, *Fred Paterson: Australia's Only Communist Party Member of Parliament* (Brisbane: University of Queensland Press, 1997), 49.
[148] Police reports, 27-30 September 1928, 2-3 October 1928, 5-7 October 1928, in item ID316660, series 16865, QSA; Police reports, 23-24 September 1928, 1 October 1928, 3 October 1928, 8 October 1928, in item ID316659, series 16865, QSA; "Mass Meeting," *BC*, 24 September 1928, 16; "Public Meeting at Stadium," *BC*, 6 October 1928, 17; "The ARU," *BC*, 8 October 1928, 13; "Mass Meeting," *Telegraph*, 15 October 1928, 9; "Brisbane Railwaymen Involved," *MW*, no. 8, 1 October 1928.
[149] Fitzgerald, *Fred Paterson*, 37-39, 45-46; cf. Diane Menghetti, *The Red North: The Popular Front in North Queensland* (Townsville: James Cook University of North Queensland, 1981), 18.
[150] Fitzgerald, *Fred Paterson*, 33-35, 42.
[151] "Transport Militants," *WW*, 25 May 1928, 3; B. Besant, "Form Propaganda Body," *WW*, 17 August 1928, 2; "TWPO Joins Minority Movement," *WW*, 11 January 1929, 5; "Paddington Left-Wing Candidate," *WW*, 25 January 1929, 1.
[152] "Marking Time," *BC*, 27 September 1928, 15.
[153] Police reports, 23-24 September 1928, 1 October 1928, 8 October 1928, in item ID316659, series 16865, QSA; Police reports, 28-29 September 1928, 7 October 1928, in item ID316660, series 16865, QSA; "In the Domain," *Telegraph*, 24 September 1928, 9; "Marking Time," *BC*, 27 September 1928, 15; "The ARU," *BC*, 8 October 1928, 13.
[154] "Street Meetings," *BC*, 26 September 1928, 19.
[155] "Extremists Banned," *BC*, 6 October 1928, 17; "Permits for Street Meetings," *DS*, 6 October 1928, 1.

held at the Domain, which was not subject to the same rules, so speakers included the men banned from addressing street meetings.[156]

As soon as Brisbane CPA members involved themselves in the strike, they began agitating among the waterside workers' wives as well as the men. In conjunction with the WWF, Communists arranged a women's meeting about the strike under the auspices of the MWG. To promote it, they distributed flyers at the watersiders' meetings, urging them to pass the information on to their wives and daughters and encourage them to attend.[157] The 28 September meeting at Trades Hall reportedly attracted a good turnout (though reports did not quantify it).[158] The women heard speeches from MWG president Mrs Ridsdale and organiser Mrs Besant, Mr Murphy of the WWF and Moxon for the CPA, who argued for "a solid front on the part of the women, as well as the men" in this struggle.[159] It was an engaged audience: "Many questions were asked, and the women expressed themselves on many points. Unbounded determination was expressed to help in every way to win."[160] The meeting formed a Militant Women's Committee of support, which was constituted as a sub-committee of the WWF's distress committee.[161] Two Brisbane MWG leaders had already been co-opted onto the latter, when the group offered to help organise relief.[162] To raise funds, the Militant Women's Committee organised a coin evening on 13 October at the residence of a Mrs Wilson. Her New Farm address was published in *Daily Standard* notices promoting the event, which raised £6/15/3.[163] The MWG was involved in collecting and distributing relief provisions.[164] Through its weekly political meetings, the group continued its main activity of educating women in the class struggle, connecting this with the waterside strike for its duration.[165] The Brisbane MWG's activity did not extend beyond propaganda in support of the strike and participation in relief work; unlike its Melbourne counterpart, it did not engage in demonstrations.

One Brisbane Communist, Charles Sweeney Collins, was fired from the railways service for a solitary action in solidarity with the watersiders. Collins, born in Charleville, Queensland, was about 35 years old at the time of the strike, and had apparently been politicised by the First World War.[166] He had served in the 4th Railway Unit and was deployed to France during 1917-1918. In speeches at open-air meetings during the strike, Collins's preferred theme was war. He was sorry he had taken part in "the blood bath in France," fighting under that "emblem of slavery," the Union Jack, against

[156] "Mass Meeting," *Telegraph*, 8 October 1928, 9; "Mass Meeting," *Telegraph*, 15 October 1928, 9; "Waterside Trouble," *Telegraph*, 3 October 1928, 2.
[157] "The Militant Women's Movement…," *Woman Worker* 1, no. 1, 7 November 1928, 4.
[158] *Ibid*., "Mass Meeting of Women," *MW*, special no. 2, 28 September 1928; "Militant Women," *DS*, 2 October 1928, 2; "Waterside Trouble," *WW*, 5 October 1928, 2.
[159] "Waterside Trouble," *WW*, 5 October 1928, 2.
[160] "Militant Women," *DS*, 2 October 1928, 2.
[161] "Distress Relief," *DS*, 28 September 1928, 4; "Measures for Relief," *DS*, 9 October 1928, 2; "Waterside Distress Fund," *DS*, 3 November 1928, 8.
[162] "Militant Women's Group Activities," *DS*, 26 September 1928, 2.
[163] "Measures for Relief," *DS*, 9 October 1928, 2; "Tea Time Talk," *DS*, 12 October 1928, 2; "Tea Time Talk," *DS*, 16 October 1928, 2; Brisbane Women," *WW*, 19 October 1928, 3.
[164] "Inquiry Corner," *DS*, 3 October 1928, 2; "Measures for Relief," *DS*, 9 October 1928, 2; "Women's Committee," *DS*, 11 October 1928, 2; "The Militant Women's Movement…," *Woman Worker* 1, no. 1, 7 November 1928, 4.
[165] "Militant Women's Brisbane Group," *DS*, 3 September 1928, 2; "Militant Women's Brisbane Group," *DS*, 15 September 1928, 4; "Waterside Trouble," *WW*, 5 October 1928, 2.
[166] "Collins Charles Sweeney : SERN 1434…," item COLLINS C S, series B2455 (First Australian Imperial Force Personnel Dossiers, 1914-1920), NAA.

his fellow workers "for the benefit of the capitalists."[167] He called for workers, particularly the returned soldiers, to turn the guns on the bosses and fight under the Red flag. When someone at one meeting heckled, "Where are you going to get the arms?" Collins replied: "Take them, there are plenty at Enoggera," referring to Brisbane's army barracks.[168] However, a more level-headed Communist may have advised him to tone it down; at a subsequent meeting, Collins remarked that he had heard he would be arrested for "inciting the workers, but," he continued, "I might incite them later as we are not ready for it yet."[169] On 1 October, Collins was working a train that was scheduled to take a cargo of meat from Redbank to the wharves, where it would be loaded onto ships by scabs. He refused to stoke the engine for the trip, but no other railway workers acted with him. Collins was instantly suspended and dismissed later that day.[170] The following night, he addressed a mass meeting of the Brisbane Australian Railways Union (ARU), of which he was the North Brisbane sub-branch president, appealing for members to join the waterside workers' industrial action. But with ARU State Secretary Tim Moroney advising against it, the meeting voted overwhelmingly not to do so.[171]

The CPA in north Queensland had its base among waterside workers prior to the 1928 strike (except in Townsville, where its strength was in the railways).[172] However, records of Communist activity in northern ports in connection with the strike are lacking. *Workers' Weekly* did not report CPA strike activities in northern Queensland. Neither did the party's internal documents, which noted only the impact of victimisation in the wake of the strike.[173] Northern CPA groups were decimated, since their most active members could not find work and were forced to move elsewhere. The Lucinda Point Communists faced severe victimisation, with all but one party member compelled to leave the district by mid-November.[174] In Cairns, where the group was as large as 30 members at the start of the year, only two remained on the waterfront by December.[175] Press reports contain no reliable material regarding CPA activities during the strike, partly because of conservatives' tendency to consider all militants as Communists, and partly due to paranoia about the "Red menace." Newspapers published allegations of Cairns Communists sustaining strike action by means of a secret fund with a balance of around £700, but the story lacks credibility.[176]

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[167] Police report, 30 September 1928, in item ID316660, series 16865, QSA; Police reports, 23-24 September 1928, in item ID316659, series 16865, QSA.
[168] Police report, 24 September 1928, in item ID316659, series 16865, QSA.
[169] Police report, 8 October 1928, in item ID316659, series 16865, QSA.
[170] "Brisbane Railwaymen Involved," *MW*, no. 8, 1 October 1928; "Fireman Sacked," *BC*, 2 October 1928, 15; Police report, 2 October 1928, in item ID316660, series 16865, QSA; Police report, 19 October 1928, in "Strikes: waterside workers strike regarding Beeby Award – interference with railway transit," item ID316697, series 16865, QSA.
[171] Police report, 3 October 1928, in item ID316660, series 16865, QSA.
[172] E. Tripp, Townsville Group Report, CPA Eighth Annual Conference (December 1928) documents, in "[Communism]: Communism and anti-war movement," item SF42/321, series A467, NAA.
[173] E. Tripp, Northern State [Queensland] Executive report, in *ibid*.
[174] Minutes of Presidium meeting, 12 November 1928, "CE Minutes 1926-30," MLMSS 5021 add-on 1936, box 3(76): II, CPA Records, State Library of NSW.
[175] Cairns Group Report, CPA Eighth Annual Conference (December 1928) documents, in "[Communism]: Communism and anti-war movement," item SF42/321, series A467, NAA.
[176] "Who Finances Members?" *Cairns Post* (Qld), 18 September 1928, 5; "Foreign Agitators," *WW*, 28 September 1928, 4.

Communist influence may have been a factor in two small-scale extensions of the strike in north Queensland, though it is impossible to be sure. Bowen railway workers, all but one ARU members, were drawn into industrial action before Collins refused to work the meat train in Brisbane. Eighteen railwaymen in total were dismissed for refusing duty, all except Collins at Bowen.[177] With the Bowen watersiders on strike, farmers began loading sugar at that port from Friday 21 September.[178] Some Bowen ARU members wanted to declare the wharf black, but a mass meeting of the branch decided against it. From Monday 24 September, railway workers were instructed to move sugar from the station to the jetty. Eleven men refused that day and were immediately sacked, while others obeyed the instructions.[179] More railwaymen were subsequently ordered to do either the same work or related duties (such as maintenance work on the engine of the train used on that run). Those who would not were dismissed.[180] The ARU made a compelling case that the men who were given these instructions were handpicked because they were known to sympathise with the watersiders' cause. Railways management, which flouted the regulations and usual procedures in selecting them, expected them to refuse. The ARU accused the state Labor government of trying to provoke an extension in order to destroy their union, which is entirely plausible in view of its actions in the lockout the year before.[181]

None of the railway workers in Bowen were CPA members, but some of the watersiders probably were. The party found a good audience there: J.B. Miles, visiting earlier in September to promote his candidacy in the state election, noted that *Workers' Weekly* circulation in Bowen was "proportionately greater than in any other Queensland centre."[182] The Bowen railway workers' action, disregarding union discipline but refusing to assist scab labour in any way on principle, was precisely what the CPA advocated.[183] A resolution of the party conference suggests that it felt some responsibility for the Bowen men's predicament. While it admired their spirit, the conference considered that party members "or sympathisers and workers generally should not be unnecessarily exposed to victimisation."[184] Instead, on the first comrade being dismissed, the union should have held a stop-work meeting to try to get him reinstated. Failing that, the rest should have continued work so they could keep campaigning for their victimised co-worker's reinstatement, and to bring their union behind the one on strike. (The position outlined in the resolution represented an advance on the line the CPA had advocated; these were pragmatic guidelines, in contrast with the party's earlier simplistic stance.) However, it is unlikely that Communists were the only militant influence in Bowen, even if theirs was the only revolutionary organisation. In particular, the ideas of the Industrial Workers of the World (IWW) probably persisted, as they did in many places, even if

[177] "The Case for the Bowen Railwaymen," *Townsville Daily Bulletin* (Qld), 30 October 1928, 11.
[178] "Farmers Loading," *BC*, 22 September 1928, 17.
[179] "Bowen Railwaymen Dismissed for Refusing to Carry Out Instructions," *DS*, 24 September 1928, 1; "Duty Refused," *BC*, 25 September 1928, 15; "11 Men Dismissed," *BC*, 25 September 1928, 15.
[180] "The Railwaymen," *BC*, 26 September 1928, 15; "Three More," *BC*, 27 September 1928, 15.
[181] "The Case for the Bowen Railwaymen," *Townsville Daily Bulletin*, 30 October 1928, 11; Editorial: "Departmental Agent Provocateurs," *Advocate* (Brisbane), 15 November 1928, 12; Kelloway, "Queensland Workers," 105-107.
[182] "J.B. Miles in Bowen," *WW*, 21 September 1928, 1.
[183] "Editorial," *MW*, no. 2, 24 September 1928; "Class Appeal to Railwaymen!" *MW*, special, 2 October 1928; "Australian Workers Threatened…," *WW*, 5 October 1928, 1; Editorial: "The Class Struggle," *WW*, 5 October 1928, 2.
[184] "Resolution on Comrade Collins' Case in Waterside Strike," in Report of the Eighth Annual Conference of the CPA (December 1928), item N57/370, J. Normington Rawling collection, NBAC.

they did not find organisational expression. A mix of various radical and left-wing influences made up the Red North, as the northern part of Queensland was then known.[185]

In the second extension, 24 of the crew of the steamer *SS Fiona*, berthed at Lucinda Point, refused duty because farmers were loading the ship instead of unionised wharfies. Initially, seventeen firemen had refused to supply steam for the winches on 28 September, and farmers took over their work. A further seven of the seamen refused to work on the *Fiona* on 2 October. Within two days, all of them had been arrested and taken to Ingham to face court. All were convicted, most of them under the *Crimes Act*, of whom fifteen were sentenced to one month's imprisonment, and seven were fined £10 (in default 7 days' imprisonment). The remaining two were convicted under the *Navigation Act*, and fined £3 (or 48 hours' imprisonment) and £1 (or 24 hours' imprisonment) respectively.[186] Police reported that waterside workers had spoken with members of the *Fiona* crew for about 45 minutes the day before some of them ceased work.[187] Given there were Communists among Lucinda Point watersiders, they may have included CPA members. The wharfies probably knew that the crew were likely to be receptive to their arguments: thirteen of *Fiona*'s crew had been fined in September for refusing to sail the ship to Cairns, ten of whom were among those jailed in October.[188] The sentenced men, en route to prison, were welcomed as heroes by Townsville unionists – a crowd gathered there at short notice and sang the "Red Flag" as their train arrived.[189]

THE CPA AND VIOLENCE

Violence towards the strike-breakers was a significant matter during and especially after the strike, and as it was typically blamed on labour movement extremists it is worth briefly considering the CPA's position. Though the party made its contempt for scabs clear, it did not publicly advocate physically attacking them, either in print or in speeches.[190] This is unsurprising as doing so would have invited prosecution. However, a *Workers' Weekly* editorial of late September was implicitly critical of the WWF for not leading a fight against the scabs.[191] A Melbourne CPA member, McEvoy, was arrested and charged over distributing leaflets of Jack London's "Definition of a Scab."[192] This poetical polemic, also known as "Ode to a Scab," describes scabs as absolutely the lowest of the low; authorities probably regarded its distribution as incitement.

There were only scattered instances of assaults on strike-breakers in Brisbane, where the CPA was most active, and available records do not indicate that Communists were among the

[185] Menghetti, *Red North*, 9-14.
[186] Police report, 6 October 1928, in "Strikes: seamen refusing duty, Lucinda Point," item ID316699, series 16865, QSA; "Quiet at Cairns," *Telegraph*, 1 October 1928, 2; "17 Arrests," *BC*, 4 October 1928, 17; "Fiona Case," *BC*, 5 October 1928, 17.
[187] Police report, 29 September 1928, in "Strikes: Townsville (part 1), waterside disputes," item ID316662, series 16865, QSA.
[188] "Refused Duty," *BC*, 11 September 1928, 14.
[189] "Prisoners Cheered," *BC*, 8 October 1928, 15; "Crowds Cheer Fiona Seamen," *WW*, 19 October 1928, 3.
[190] "The 'Free' Laborer," *WW*, 12 October 1928, 1; "Canberra Notes," *MW*, no. 5, 27 September 1928.
[191] Editorial: "Bruce's Leg-Iron Transport Act," *WW*, 28 September 1928, 2.
[192] "Hogan Serves Boss," *WW*, 5 October 1928, 3.

assailants.[193] By contrast, crowds of unionists in Melbourne attacked the scabs on a few occasions, and Communists almost certainly participated. There is anecdotal evidence of their involvement when unionists clashed with scabs and the police outside Melbourne's Customs House, where licenses were issued, on 1 October. The *Argus* reported that constables chased a wharf labourer named W. Hardiman through the city's streets in the aftermath when he ran away with a police baton. As the police caught up to him, Hardiman ran into a pub, "stood with baton upraised, and […] called out, 'Help me. I am a Communist. I am fighting for a cause.'"[194] He was arrested there, although he "struggled violently," and was charged with being "in unlawful possession of a police baton" and resisting arrest.[195]

Though CPA members were not averse to fisticuffs, there is no evidence linking them to the bomb blasts in Melbourne. *Workers' Weekly*, unlike other labour papers, did not publish Labor Party and trade union statements condemning the bombings.[196] However, in common with others, it speculated that shipowners, desiring an excuse for a crackdown on the unionists, were behind the explosions.[197] No bombings took place in Brisbane, but authorities fanned fears of the prospect of unionists using bombs to deter scabs. Police reports indicate that one man attempted to buy chemicals to make explosives on 3 October.[198] Premier McCormack reportedly told a trade union deputation on 8 October that the ingredients for high explosives had been purchased from city chemists, though police files do not include a record of this.[199] A sensation was made of a small quantity of gelignite being stolen from Brisbane City Council by a sewerage works employee, Ernest Ryan. The police prosecutor alleged that two striking watersiders had approached Ryan, an AWU representative, on behalf of WWF leader Andy Brown, asking for explosives to "put the wind up scabs."[200] It is more likely that Ryan intended to use the gelignite, left over after a day's work, to clear some tree stumps. The magistrate believed the prosecution, though, and fined him £10. Both the Brisbane CPA organiser Bert Moxon and MMM secretary Bob Besant repudiated any suggestion that they approved of bombings.[201]

[193] Police reports, 1-6 October 1928, in item ID316660, series 16865, QSA; Police reports, 9 October, 24-26 October, in item ID316663, series 16865, QSA.
[194] "Constable Injured," *Argus*, 2 October 1928, 7.
[195] *Ibid*.
[196] "The Bomb Outrage," *LC*, 4 October 1928, 1.
[197] Editorial: "Was it a Frame-Up?" *LD*, 10 October 1928, 4; "Beware!" *WW*, 12 October 1928, 1; "McCormack Aids Bomb Scare," *WW*, 12 October 1928, 1; "Beware! Of the 'Frame-Up'," *MW*, no. 13, 14 October 1928; Don Cameron, "Victorian Notes & News," *Australian Worker* (Sydney), 17 October 1928, 13; "Anarchy!" *WW*, 26 October 1928, 4.
[198] Police reports, 3 October 1928, in "Strikes: sale of chemicals for manufacture of explosives, also magazines broken into, Brisbane," item ID316694, series 16865, QSA.
[199] Item ID316694, series 16865, QSA; "High Explosive," *BC*, 11 October 1928, 15; "Chemicals for Explosives," *Telegraph*, 11 October 1928, 9.
[200] "Serious Allegations By the Police," *DS*, 16 October 1928, 1; "Took Gelignite," *BC*, 17 October 1928, 17.
[201] "Chemicals for Explosives," *Telegraph*, 10 October 1928, 9; "McCormack Aids Bomb Scare," *WW*, 12 October 1928, 1; "'Truth' and Truth," *MW*, no. 13, 14 October 1928.

CONCLUSION

The CPA's involvement in the waterside strike consisted largely of propaganda, which had little impact because of the small size of the party and the fact that very few of its members were wharfies in major ports. Nonetheless, an assessment is needed of the extent to which the line of action that the CPA advocated would have helped or hindered the watersiders if it had been taken up.

Arguably the greatest problem for the unionists in this strike was the lack of unity within the WWF. The fact that some ports, notably Sydney, remained at work, while others conceded early, undermined the industrial action of the rest. However, given the economic situation, even a solid national strike by wharf labourers alone would probably not have been enough to defeat the Beeby Award. With unemployment increasing, there was a vast pool of potential scabs available to the shipowners – and hundreds did indeed enrol at major ports where they were called for. The strike-breakers, with police protection, were too numerous for the unionists to be able to keep them off the wharves by force. Therefore, an extension of the strike to other industrially powerful sectors would probably have been necessary for the waterside unionists to have a hope of winning. Thus the main argument that the CPA advanced was for action that could have improved the prospects of a union victory. If the strike had been extended, there is no guarantee it would have succeeded, given that waterside workers faced an aggressive federal government with the active backing of most state governments, but it might have stood a better chance. It is far less likely that rank-and-file control, which the party also advocated (if tentatively outside Queensland), would have helped the strikers win. Though the WWF leadership failed the test, and members in many ports were determined to fight, there was no basis for an alternative leadership from the rank and file that could have co-ordinated industrial action. Without this, any rank-and-file body supplanting the union officials would have confronted the same dilemma of the watersiders' uneven response to the shipowners' and government attacks.

Although the CPA was too numerically insignificant to influence large numbers in the waterside strike, its efforts would have raised its profile among waterfront unionists, particularly in Brisbane. Among those determined to fight against the Beeby Award's attacks, it most likely made a positive impression. The party tried to contribute constructively to the strike. In Sydney, where its appeal to wharfies not to work black ships represented a compromise on its call for a general waterfront cessation and extension to other industries, the party showed it could be tactically flexible. The Brisbane CPA and its adjuncts, particularly the MWG, worked with WWF officials and made a modest contribution. The MWG aided the struggle with initiatives to rally women in support of the striking watersiders and through relief efforts. In addition, Charles Collins's solidarity action, which cost him his job, demonstrated to other unionists that Communists meant what they said. His stance was industrially futile, but symbolically important. Numerous waterfront unionists who took a militant stance in 1928 joined the CPA in subsequent years. For many of them, the strike was a formative experience.[202] The fact that Communists shared their attitudes then probably contributed to their decision to join.

[202] Tom Hills was one of them, although he was not a wharfie in 1928. Lowenstein and Hills, *Under the Hook*, 68, 73.

During the waterside strike there was an implicit tension between the CPA's practical activities, which involved co-operating with union officials, and its highly critical stance towards most of them as it moved towards the Class Against Class line. This contradiction became more apparent in the timber strike, and the culmination of a faction fight in the party afterwards, discussed in the next chapter. The CPA's involvement in the timber strike differed from the other two disputes insofar as Communists were part of the leadership. Its approach to the coal lockout, however, was very similar to the waterside strike, as Chapters Five and Six will show. The MWM's efforts organising strike support in 1928, through relief work in Brisbane and protest action in Melbourne, set a precedent for its subsequent activities, particularly in the timber strike. The CPA's activity in all three disputes demonstrated, contrary to the claims of Kavanagh's later detractors, that even in the late 1920s it did not confine itself to propaganda. Party groups took part in industrial struggles to the extent that they could in view of their small size.

Chapter Three
The 1929 Timber Strike:
Communists within the leadership

In the first half of 1929, as the Australian economy drifted into Depression, employers and their apologists continued to press for cuts to wages and working conditions to effect economic recovery.[1] Workers in the key industries of timber and coal mining, however, determinedly resisted efforts to increase their hours and reduce their pay. Following the defeat of the waterside workers, whose struggle against the Beeby Award was examined in Chapter Two, major disputes unfolded in both industries in 1929. This chapter investigates the timber strike, while the lockout of NSW Northern District coalminers (which began at the same time but continued into 1930) is the subject of Chapters Five and Six.

The timber strike differed from the other two disputes that this thesis examines in two notable ways: independent rank-and-file activity did not feature, and some Communists were part of the strike leadership. In the waterside strike and the coal lockout, the CPA did not have members in leadership positions. It took an oppositional stance towards the union leadership, orienting to the rank and file. In the timber strike, however, members were embedded in the official strike committees and the CPA did not encourage initiative from the strikers (though it incited their wives' activism). They were active in picketing the timber mills and yards, as their union directed. Timber workers' wives and other working-class women supported the strike by various means, while the broader labour movement was involved in fundraising efforts to finance relief pay. As in the two other industrial battles, timber workers' determined resistance was attributed to Communist influence. This chapter considers whether, and to what extent, Communists made an impact on the strike.

The chapter starts with an overview of the strike and then turns to the role the CPA played, contrasting press portrayals of it leading the strike with the efforts of its Sydney and Melbourne groups. The strike support activities of the Communist-led Militant Women's Movement (MWM) are considered next. An investigation of the strategy and key tactics of the Sydney strike leadership, in which Communists figured prominently, follows. Finally, the chapter examines how differing assessments of the CPA's part in the strike factored into the party's faction fight, culminating with its Ninth Conference in December 1929.

STRIKE SUMMARY

Like the wharfies, the timber workers took industrial action in response to cuts to their working conditions made by the Commonwealth Arbitration Court. They objected to two decisions: a ruling by the Full Bench that the industry's standard hours be increased from 44 to 48 per week from 1

[1] C.B. Schedvin, *Australia and the Great Depression: A Study of the Economic Development and Policy in the 1920s and 1930s* (Sydney: Sydney University Press, 1970), 108-116.

January 1929, and a revised award, handed down by Judge Lionel Lukin on 23 January 1929.[2] The Timber Industry Award covered all states except Queensland, where the industry operated under its own state award with a 44-hour week.[3] It regulated logging, sawmills and timber yards, which encompassed numerous large workplaces in cities, as well as operations in the bush. Timber was a major industry in Australia in 1929, although it was beginning to decline with innovations in construction using steel instead of timber, and changes in the market worldwide.[4] The award encoded the wages and conditions for some 27,800 members of the Australian Timber Workers' Union (ATWU).[5] Besides confirming the longer working week, the Lukin Award (which amended the 1923 Webb Award) constituted an attack on timber workers on several additional grounds. Unionists objected to measures that reduced industry base rates at a time of increasing living costs; reduced margins for skill; increased the permitted ratio of juvenile to adult labour, thereby allowing for men to be displaced by boys; cut boys' wages substantially; and allowed employers to introduce systems of payment by results (through the "butty gang" system, piecework and so on) without guaranteeing a minimum base rate.[6] The matter of working hours, however, was the main focus for union opposition.[7]

The hours ruling had a direct impact not only on ATWU members, but on all workers in timber mills and yards in the cities under a "mixed industry" award clause, including members of the Amalgamated Society of Carpenters and Joiners, the Coach Builders, Carters and Divers, the Furnishing Trades Unions, and the Federated Engine Drivers' & Firemen's Association.[8] City timber mills and yards had worked a 44-hour week for eight years, from 1921.[9] Timber workers, like many others covered by Commonwealth awards, gained the shorter working week in line with Justice Higgins' late 1920 ruling that a 44-hour week should be standard throughout industry. This included bush timber workers, but a subsequent ruling forced them back to the 48-hour week in 1923. Most workers who had gained the 44-hour standard lost it within two years; city timber workers were the exception in retaining it.[10] Consequently, the Lukin Award was considered not only an attack on timber workers, but on all workers who wanted shorter hours. The labour movement saw the timber dispute as a fight for the whole working class, and gave the strikers substantial financial support.

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[2] *Commonwealth Arbitration Reports* (hereafter *CAR*) 27 (1929), 396-415; *ibid.*, 577-755. Industrial awards set the minimum standards for wages and working conditions.

[3] This award, unlike Beeby's award for the waterside workers, was not extended to Queensland.

[4] J. Kavanagh, "Economic Factors in the Timber Lock-out," *Workers' Weekly* (Sydney) (hereafter *WW*), 5 April 1929, 4.

[5] Roll of membership, Australian Timber Workers' Union, 29 June 1927, item 118 VIC FILE 2, series B2100 (Principal [Industrial] Registry), National Archives of Australia (NAA).
The membership figure is from December 1926, the closest available. It includes members of the WA branch, which seceded from the federal union in 1928. It excludes the Queensland branch, as the award did not cover that state.

[6] "The Timber Industry," *Age* (Melbourne), 17 January 1929, 9; E.R. Voigt and J.S. Garden, *The 1929 Lock-out in the Timber Industry* (Sydney: Tomalin and Wigmore, Printers, 1930), 7-13.

[7] "Arbitration Court Passes Death Sentence on Timber Workers and their Union," *Timber Worker* (Melbourne) 17, no. 1 (29 January 1929), 1.

[8] "Timber Dispute," *Age*, 6 January 1929, 11.

[9] "The Timber Industry," *Age*, 17 January 1929, 9.

[10] Miriam Dixson, "The Timber Strike of 1929," *Historical Studies: Australia and New Zealand* 10, no. 40 (1963), 479-480.

The dispute began in the first week of 1929, when Sydney workers refused to work the extra four hours per week. In early February, up to 10,000 stopped work in four of the five states the award covered: New South Wales, Victoria, Tasmania and South Australia.[11] In Western Australia, where the state branch of Timber Workers' Union had broken away, strike action was threatened but never carried out.[12] The strike was short-lived in Tasmania and SA; in both states, unionists conceded to work under the Lukin Award by mid-February.[13] Their counterparts in NSW and Victoria were more determined: in Sydney and Melbourne they worked no more than 44 hours, and picketed the mills when they were locked out as a result. (Many in the labour movement considered the dispute a lockout, not a strike, but since it began with partial strike action, I shall generally refer to it as a strike.[14]) They remained out for months, refusing to concede. Timber workers in regional centres, notably Geelong and Newcastle, and in rural Victoria likewise persisted in prolonged industrial action: their resistance would merit investigation, but is beyond the scope of this thesis.

The strikers' tenacity and the support of the union movement were not enough to beat the Lukin Award. Factors that gave the employers the advantage included the legally enforceable nature of the award, the anti-union stance of the Bruce government, and economic circumstances. However, the poor strategy of the strike leaders was a major factor in the outcome. As Miriam Dixson has argued, their "strategy of 'confinement'," inappropriate in the circumstances, limited the strike.[15] Its main feature was that multiple mills, whose owners were prepared to operate on the union's terms, were declared "white" and exempted from industrial action. The dispute ended in Victoria in late June, after Melbourne employers extended it, but dragged on until mid-October in NSW. The outcome was a total defeat for the timber workers, which was a major blow to the labour movement.

The following summary of the strike's main developments builds on Dixson's account, which concentrated on Sydney.[16] Most of the timber industry there had operated a five-day week. When the 48-hour week came into effect on 1 January 1929, Sydney workers responded by refusing to work the new Saturday morning shift.[17] Thus from Saturday 5 January they were effectively striking for four hours weekly. In most other cities, including Melbourne, Adelaide and Newcastle, timber mills already operated six days a week. Unionists there initially worked the longer week "under protest."[18] Once the Australian Council of Trade Unions (ACTU) resolved that they should do no more than 44 hours, they reverted to their former 8am start time, instead of 7.30, and either took an hour's lunch break or finished earlier.[19] The timber merchants decided to bide their time until the Lukin Award was handed down on 23 January, docking their employees four hours' pay in the

[11] "Timber Trade Dispute," *Age*, 6 February 1929, 11; "The Timber Dispute," *Age*, 9 February 1929, 24.
[12] "Western Australia," *Sydney Morning Herald* (hereafter *SMH*), 27 February 1929, 17; "Local Mills to Work," *West Australian* (Perth), 2 March 1929, 19; Dixson, "Timber Strike," 481.
[13] Dixson, "Timber Strike," 481.
[14] For example, Mary Wright in Audrey Johnson, *Bread & Roses: A Personal History of Three Militant Women and their Friends 1902-1988* (Sydney: Left Book Club, 1990), 19.
[15] Dixson, "Timber Strike," 479-480, 489-490.
[16] *Ibid*., 479-492.
[17] "Timber Workers," *SMH*, 7 January 1929, 12.
[18] "Timber Dispute," *Age*, 7 January 1929, 11.
[19] "Timber Workers," *SMH*, 17 January 1929, 11; "Timber Trade Dispute," *Age*, 22 January 1929, 9; "Dispute at Newcastle," *SMH*, 22 January 1929, 11.

meantime rather than forcing a showdown.[20] In failing to challenge this, as Dixson contended, the union leaders displayed weakness.[21]

Employers resolved to enforce the Lukin Award from Thursday 31 January. Around 2,500 workers (members of the Timber Workers' and Carpenters and Joiners Unions) at more than 100 mills were locked out that morning in Melbourne when they refused to work before 8am.[22] The following day, the Carters and Drivers and Engine Drivers and Firemen, about 500 in number, withdrew from Melbourne mills.[23] On Monday 4 February, another 2,500 workers from around 60 yards in Sydney were locked out for not working the previous Saturday.[24] Judge Lukin declared that there was a strike in the timber industry in NSW and Victoria, except in the bush.[25] That week, however, workers also began to strike at a large number of Victorian bush mills. By Tuesday 5 February, their action had closed about 75 per cent of them, amounting to 1,800 out of work.[26] Meanwhile, workers in Sydney and Melbourne began picketing.[27] Sydney merchants advertised for "volunteer" labourers, whom they started at the mills from Monday 18 February.[28] Melbourne employers took a more cautious stance at this stage, using "loyal" labour if they could.[29] Timber from mills or yards where workers were on strike was declared "black" in Melbourne, as was all timber on the wharves.[30] This meant that unionised carters would not handle it, and other industries were affected, notably building trades. A permit system was set up to allow "white" timber to be transported.[31]

With no sign of the strike drawing to a close, union leaders faced legal sanctions. Three ATWU officials – W.J. King (Federal President), William Scanlon (Victorian Branch Secretary) and P. Eames (Victorian Branch organiser) – were charged with breaching the amended *Conciliation and Arbitration Act*, as was E.J. Holloway, Secretary of the Melbourne Trades Hall Council.[32] They were found guilty on 1 March and the union fined £1,000.[33] Holloway was convicted of an additional offence over a speech he made, encouraging workers to strike, and fined £50.[34] In May, Jock Garden and two other members of the Labor Council of NSW (LCNSW) Disputes Committee, Mick Ryan and Charlie Reeve, were sentenced to one month's jail for taking part "in a procession 'other than a funeral'" without police permission over a strike rally.[35] Other unionists, five men and one woman,

[20] "The Timber Dispute," *Age*, 23 January 1929, 11.
[21] Dixson, "Timber Strike," 482.
[22] "Timber Trade Dispute," *Age*, 1 February 1929, 9-10.
[23] "Timber Trade Dispute," *Age*, 2 February 1929, 21-22.
[24] "Timber Workers' Strike," *SMH*, 4 February 1929, 11; "Timber Strike May Extend," *SMH*, 5 February 1929, 11.
[25] *CAR* 27 (1929), 756-759.
[26] "Timber Trade Dispute," *Age*, 6 February 1929, 11.
[27] "Timber Trade Dispute," *Age*, 5 February 1929, 9; "Unions Alarmed," *SMH*, 6 February 1929, 17.
[28] "Free Labour Sought," *SMH*, 13 February 1929, 17; "Timber Strike Development," *SMH*, 19 February 1929, 11.
[29] "Employers' Position," *Age*, 7 February 1929, 10.
[30] "Timber Trade Dispute," *Age*, 5 February 1929, 9; "Permits Withdrawn," *Age*, 18 February 1929, 9.
[31] "Strike's Effect," *Argus* (Melbourne), 15 February 1929, 7; "Strike Policy," *Age*, 23 February 1929, 22.
[32] "Timber Workers' Strike," *Age*, 25 February 1929, 9.
[33] "Timber Trade Dispute," *Age*, 2 March 1929, 23.
[34] "Timber Trade Dispute," *Age*, 8 March 1929, 11.
[35] "J.S. Garden Goes to Gaol," *SMH*, 21 May 1929, 11.

faced jail terms of shorter duration, either on the same charge or for collecting money at the Domain.[36]

In late February, Judge Lukin ordered a secret ballot of the timber workers on whether they would agree to return to work under the new award.[37] Sydney strikers responded by publicly burning their ballot papers and an effigy of Lukin on the evening of 27 March: about 3,000 marched through the city, with a crowd of thousands more supporting them.[38] A rally of up to 5,000 people took place simultaneously in Melbourne.[39] This impressive display was a highlight of the unionists' campaign but, as Dixson contended, it was not matched by industrial strength.

By that time, the timber industry in NSW had restarted, albeit at a reduced capacity.[40] The Sydney Disputes Committee, under rank and file pressure for an "all-out" policy, introduced a "zone system" in April.[41] This tactic, which consisted of bringing restricted sections of the building industry into the dispute, was an attempt at a halfway house between confinement and extension. It was soon abandoned because rank-and-file unionists pushed beyond the intended limits.[42] Sydney employers now considered that they had sufficient scab labourers, but they lacked skilled hands. So on 24 April, Lukin ordered 38 skilled machinists to return to work in an attempt to restore the industry.[43] Twenty-four openly defied the injunction, with others evading the law by going away "'rabbiting' and 'fishing'."[44]

In Melbourne, the unionists' united front fractured, as a rank-and-file conference of members of the Carpenters and Joiners and Builders Labourers unions resolved on 28 April to try to reach a settlement. It called on the city's Lord Mayor to bring timber merchants and union representatives together to that end. They duly met, but their conference broke down without a result.[45] The employers then seized the initiative, shutting down both the "white" timber mills and large sections of the building industry, so that by mid-May around 17,000 Victorian unionists were locked out or had ceased work because of the timber dispute.[46]

Union leaders had made deals with individual timber merchants from early in the strike, permitting their mills to reopen with union labour in return for minor concessions. They did so in the vain hope that this would pressure the rest into surrender.[47] In June, the LCNSW Disputes Committee reached an agreement with a major firm, A.C. Ingham and Co., by making extraordinary concessions: it agreed unionists would work the 48-hour week, under the Lukin Award, pending

[36] *Ibid*.
[37] *CAR* 27 (1929), 839-849.
[38] "Riotous Demonstration," *SMH*, 28 March 1929, 15; "Arbitration in the Fire," *WW*, 5 April 1929, 1. The fire, however, was staged: the ballot papers were collected in a sack, which was surreptitiously replaced with another which was set alight, so the ballots were not actually burned. Dixson, "Timber Strike," 484.
[39] "Torchlight March Through Melbourne," *WW*, 5 April 1929, 1.
[40] Dixson, "Timber Strike," 484-485.
[41] "Timber Workers," *SMH*, 5 April 1929, 13.
[42] Dixson, "Timber Strike," 485.
[43] "Must Resume," *SMH*, 25 April 1929, 9.
[44] "Timber Strikers," *SMH*, 9 May 1929, 11.
[45] "Timber Strike," *Argus*, 29 April 1929, 7; "Timber Workers' Strike," *Age*, 8 May 1929, 11.
[46] "Timber Trade Strike," *Age*, 30 April 1929, 11; "Timber Trade Strike," *Age*, 16 May 1929, 9. A month later it was stated that nearly 20,000 were idle. "Strike's Wide Effects," *Argus*, 14 June 1929, 8.
[47] Dixson, "Timber Strike," 482-483.

further negotiations.[48] The sole gain apparent for the union was that Ingham's dismissed the scabs, yet Sydney union officials brazenly proclaimed this deal a victory, initially stating that they could not disclose the terms and later asserting that the men resumed under the 44-hour week and the Webb Award.[49] Victorian union leaders justifiably saw this deal as evidence that the strike was at its end in NSW. Having faced an extensive lockout for almost two months, Melbourne unionists conceded defeat.[50] They returned to work on the employers' terms from 25 June, although many found their former bosses refused to re-engage them, with 700 still unemployed one month later.[51]

Despite the Ingham's deal, the LCNSW Disputes Committee did not intend to end the strike, instead launching a new "mass picket" tactic on 18 July. Over 1,000 strikers concentrated on picketing Hudson's in Glebe that day (instead of being spread out across multiple sites picketing their own workplaces), and achieved the desired effect.[52] Shortly afterwards, seven union leaders were arrested and charged with conspiracy to "unlawfully molest, intimidate, and assault" scabs at a mass picket.[53] The Disputes Committee suspended mass picketing in response (although it was resumed on 13 August).[54] The court proceedings attracted substantial attention over the following months (the hearing extended over two weeks) until the seven were acquitted at the end of October.[55]

On 29 July, the Timber Merchants' Association withdrew its longstanding offer to negotiate terms of settlement with the union, stating that it considered the strike over as the mills were working again.[56] The timber workers made no apparent gains by staying out for the subsequent two and a half months. As early as June, some Communists argued privately that the strike was no longer winnable and should be called off (but they did not persuade the majority of the CPA leadership of that view).[57] A fortnight before the 12 October federal election, Disputes Committee Chairman (and CPA Chairman) Jack Kavanagh told a timber workers' mass meeting that in his opinion they could not regain the 44-hour week, and they should return to work to save their union. Other Disputes Committee members convinced them to hold out until after the election, because surrendering at that juncture would damage the Labor Party's federal election campaign. Once the outcome – a

[48] "Reinstated," *SMH*, 17 June 1929, 11; "The Resumption," *SMH*, 18 June 1929, 11.
[49] Voigt and Garden, *1929 Lock-out*, 28, 36. Communists took the same line. Editorial: "Mass Picketing and Continued Financial Support Will Win NSW Timber Fight," *WW*, 5 July 1929, 2.
[50] Voigt and Garden, *1929 Lock-out*, 28-29; T. Le Huray, "Melbourne Surrender," *WW*, 5 July 1929, 1-2; Dixson, "Timber Strike," 486.
[51] "Getting Back to Work," *Age*, 26 June 1929, 11; "Timber Trade," *Argus*, 25 July 1929, 9.
[52] "Exciting Scenes," *SMH*, 19 July 1929, 13.
[53] "Arrested," *SMH*, 23 July 1929, 11. Those arrested were: Jock Garden (LCNSW Secretary), J. Culbert (ATWU Secretary), W. Terry (ATWU organiser), Jack Kavanagh (LCNSW Disputes Committee Chairman), Charlie Reeve and Mick Ryan (Disputes Committee members), and E.W. Paton (CPA member).
[54] "Mass Picketing," *SMH*, 25 July 1929, 11; "Mass Picketing," *SMH*, 14 August 1929, 16.
[55] "Acquitted," *SMH*, 31 October 1929, 12.
[56] "'Strike Over'," *SMH*, 30 July 1929, 11.
[57] Bert Moxon and Lance Sharkey, "Minority CEC Report," in Minutes of the Ninth Annual Conference of the CPA (December 1929) (hereafter CPA Ninth Conference Minutes), p.14, MLMSS 5021 add-on 1936, box 1(76): I, CPA Records, State Library of NSW (SLNSW). By the end of 1929 the CPA's national leadership body, previously known as the Central Executive, was called the Central Executive Committee.

landslide to Labor – was clear, the strike was officially ended.[58] NSW timber workers resumed, like their Victorian counterparts, on the employers' terms.[59]

THE CPA'S ROLE

Newspapers and employer representatives alleged that Communists were leading the timber strike in Sydney, but this distorts the role they played. By the late 1920s, blaming industrial action on Communist influence was a well-worn trope; conservatives used it to try to discredit the unions and any workers on strike.[60] The Secretary of the Sydney and Suburban Timber Merchants' Association, Frederick Huntley Corke, constantly peddled this notion. For example, he suggested that workers were being deceived about the award's implications "in the interests of Communism" and raised the spectre of "Communist control of industry."[61] Corke even blamed industrial action interstate on Sydney militants' influence, stating: "There would have been practically no trouble in Melbourne or Adelaide concerning the restoration of the 48-hour week… if it had not been for the agitation of extremists in Sydney."[62] Melbourne newspapers republished allegations that Communists directed the strike in Sydney, but did not usually try to claim that they decisively influenced local events.[63]

As the strike continued, the accusations escalated. The press attributed responsibility for the ballot-burning demonstration, very probably correctly, to the Communists.[64] After that, the strikers' opponents made more strident statements about Communist leadership than they had before. Corke claimed "the timber workers are only tools in the hands of the Communist party."[65] NSW Nationalist Premier Thomas Bavin asserted: "Communist forces are directing the industrial and political Labor movement."[66] In May, the *Sydney Morning Herald (SMH)* discussed "Communist 'strike managers'" and "Communist control" of the strike committee.[67] As the dispute wore on,

[58] Voigt and Garden, *1929 Lock-out*, 38-39.
[59] "Timber Strike," *SMH*, 17 October 1929, 11.
[60] Rupert Lockwood, *Ship to Shore: A History of Melbourne's Waterfront and Its Union Struggles* (Sydney: Hale and Iremonger, 1990), 204-206.
[61] "Employers' Claim," *SMH*, 7 March 1929, 11; "Strike Tactics," *SMH*, 23 March 1929, 17.
[62] "Hope of Settling Dispute," *SMH*, 28 January 1929, 11.
[63] For example: "Volunteer Labor in Sydney," *Age*, 19 February 1929, 10; "Communist Influence," *Argus*, 30 March 1929, 20. However, employers in one instance accused a visiting Sydney Communist of interference: "Master Builders' Position," *Age*, 30 May 1929, 9-10.
[64] "Timber-Workers," *SMH*, 4 April 1929, 11; "Ballot Papers," *SMH*, 22 March 1929, 13. The claim that Kavanagh and Reeve opposed the proposal (Voigt and Garden, *1929 Lock-out*, 25) is implausible and not supported by LCNSW minutes.
[65] "Timber Strike," *SMH*, 9 April 1929, 11.
[66] "Police State That J.S. Garden Did Not Break Faith," *Evening News* (Sydney) (hereafter *EN*), 28 March 1929, 13. See also "Terrorist Tactics," *SMH* 29 March 1929, 9; "Larkin' About Lukin," *Sunday Times* (Sydney), 31 March 1929, 4.
[67] Editorial: "Timber Strike Warnings," *SMH*, 15 May 1929, 14; "Communist Control," *SMH*, 8 May 1929, 15; "Growing Revolt," *SMH*, 14 May 1929, 11.

Corke and the *SMH* increasingly portrayed the Communists as exercising tyrannical control, and smeared them as foreigners and violent thugs.[68]

The idea of Communist control was lent credulity by the fact that a number of leftists were on the LCNSW Disputes Committee, which managed Sydney strike. Moreover, from mid-February Jack Kavanagh became the Disputes Committee chairman and thus its spokesperson.[69] Most of the active members of the Disputes Committee were allied with NSW Labor leader Jack Lang, including Jock Garden, H.L. Denford, Emil Voigt, and ATWU officials J. Culbert, MLC and W. Terry.[70] To their left, besides Kavanagh, were Charlie Reeve of the IWW and Michael P. (Mick) Ryan. The latter was active in the ALP, and reputed to be a Communist; perhaps he was not a CPA member then, but he was by 1931.[71] Garden was still considered a Communist although he had broken with the party. His enemies could point to the fact that he was "an executive member of the Red International."[72] Leading CPA members Bert Moxon and Lance Sharkey estimated at the end of the year that workers considered the strike leadership

> as a revolutionary one, owing to the number of so-called Reds (Ryan, Reeve, Gardent [sic – Garden], etc.) on the disputes committee and largely as a Communist one due to the prominence of Comrade Kavanagh and later, Comrade Paton, in the dispute.[73]

In reality, the CPA was not in control, but merely represented on the strike leadership in the two main centres. In Melbourne, Gilbert William (Gil) Bodsworth, a CPA member, was Vice-President of the ATWU Victorian Branch, and a regular writer for its monthly journal, the *Timber Worker*. Kavanagh and Bodsworth worked constructively with the other union officials in the timber dispute. They neither differentiated themselves from the rest of the leadership, nor exercised disproportionate influence. Though Kavanagh's position gave him considerable public prominence, it did not give him extra weight on the Disputes Committee. Rather, as Dixson assessed, he accepted the strategy of the rest of the committee for the dispute, despite differing substantially with them on political issues.[74] As part of the strike leadership, they shared responsibility for its successes and failures; the Sydney leadership's efforts are examined below.

The CPA's support for the official leadership of a strike in 1929 was remarkable in view of the Comintern's Class Against Class policy, discussed in Chapter One. Yet party members' participation in the Sydney Disputes Committee was consistent with Comintern instructions. The Comintern directed its Australian affiliate not to oppose the LCNSW because of its link to the Red International of Labour Unions (RILU), calling it "a question of tactical manoeuvring," although they "knew of Garden's character."[75] However, no comparable exception was made for the Melbourne Trades Hall Council, or any Victorian union. The new line did not preclude Communists from holding official positions in

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[68] "Strike Tactics," *SMH*, 23 March 1929, 17; Editorial: "Apaches of Sydney," *SMH*, 6 May 1929, 10; "Assaults," *SMH*, 7 May 1929, 11; Editorial: "Incitement to Violence," *SMH*, 8 May 1929, 14; Editorial: "Timber Strike Waning," *SMH*, 5 June 1929, 14; "Volunteer Timber Worker," *SMH*, 31 July 1929, 13.
[69] "Mr. Corke's Statement," *SMH*, 13 February 1929, 17.
[70] Dixson, "Timber Strike," 481.
[71] "Labor Party," *SMH*, 1 April 1929, 8; "Angry Communist," *SMH*, 10 April 1929, 17; Stuart Macintyre, *The Reds: The Communist Party of Australia from Origins to Illegality* (Sydney: Allen and Unwin, 1998), 210.
[72] That is, the RILU (see Chapter One). "Communist Control," *SMH*, 8 May 1929, 15.
[73] Moxon and Sharkey, "Minority CEC Report," in CPA Ninth Conference Minutes, 13 (CPA Records, SLNSW).
[74] Dixson, "Timber Strike," 481.
[75] Tom Wright in reply, discussion of CEC reports, CPA Ninth Conference Minutes, 63 (CPA Records, SLNSW).

their union, but it required them to sharply oppose reformist union leaders; Bodsworth did not do so. He was active on the ATWU Victorian Branch executive for several years, from at least 1927 into the mid-30s, and became its president in 1934.[76] It is possible that Bodsworth did not understand the demands of Communist policy, but it is more likely that his commitment as a union executive member was more important to him than following the party's new line. Bodsworth acting contrary to Comintern policy contributed to, and may have been a major cause of, tensions in the CPA's Melbourne Group, discussed below.

The CPA devoted considerable time and energy to the timber workers' strike. In the meeting minutes of the CPA Central Executive Committee (CEC), its national leadership body, the timber dispute featured consistently throughout 1929; it was an item of discussion at practically every weekly meeting until the end of October.[77] The timber workers' struggle featured prominently in *Workers' Weekly* throughout the dispute. The party's efforts in Sydney and Melbourne must be assessed separately because of differences in circumstances and documentation. Since the CPA was largest in Sydney (with around 80 of its 250-300 members), the CEC and party press based there, records about its activities there are better than for other places.[78] Additionally, the Sydney daily press reported Communist activities more than Melbourne newspapers did. Evidence from a few sources thus allows for a fairly clear picture of the party's Sydney strike activity, whereas records of its Melbourne efforts are comparatively sparse.

The Sydney Group of the CPA supported the strike in various ways. The two most important aspects were Kavanagh's role on the Disputes Committee, and activity conducted through the Militant Women's Group (MWG), including but not limited to relief work. Apart from that, Sydney Communists promoted the timber workers' case in *Workers' Weekly*, contributed to fundraising efforts, and participated in protest meetings, marches and picketing. A few members were active on the Labor Council, including Moxon, who took responsibility for producing a weekly LCNSW strike bulletin, *Picket Line*, from mid-June.[79] At street demonstrations, the CPA enjoyed some prominence; at the ballot-burning protest, "the Communist party's band, playing revolutionary airs, headed the procession."[80] One Communist, Edward Wallace Paton, described as a "prominent member" of the Ironworkers' Union, gained notoriety overnight when he was charged with conspiracy in connection with the mass picketing, along with six leading Disputes Committee members.[81] However, such publicity did not reflect the Communists' weight among Sydney strikers. In fact, as CPA leaders noted, "not one member was working in the Timber Industry in Sydney."[82] Thus the party lacked a notable presence on picket lines, although its members – men and women – joined in picketing,

[76] "Melbourne Group Report," in Report of the Seventh Annual Conference of the CPA (24-28 December 1927), p.31, MLMSS 5021 add-on 1936, box 1(76): I, CPA Records, SLNSW; Committee of Management and Executive Minutes, 1929-1935, Australian Timber Workers' Union No. 2 Victorian Branch Records, 1984.0060, University of Melbourne Archives.
[77] Minutes of meetings, January-October 1929, "CE Minutes 1926-30," MLMSS 5021 add-on 1936, box 3(76): II, CPA Records, SLNSW. Unfortunately, the minute-taker's style was sparse, so the nature of these discussions is unknown.
[78] Macintyre, *Reds*, 149-150.
[79] Moxon and Sharkey, "Minority CEC Report," in CPA Ninth Conference Minutes, 14 (CPA Records, SLNSW).
[80] "Riotous Demonstration," *SMH*, 28 March 1929, 15.
[81] "Arrested," *SMH*, 23 July 1929, 11.
[82] Wright in discussion of CEC reports, CPA Ninth Conference Minutes, 62 (CPA Records, SLNSW). See also "Central Executive Committee's Report," *ibid*., 7.

some of whom were arrested.[83] The Sydney CPA held only one publicly advertised meeting about the timber strike: a lecture by Kavanagh and Norman Jeffery on "The Timber Workers' Dispute and Industrial Peace" in February.[84]

In Melbourne, Gil Bodsworth and the MWG contributed to the union's strike activities, but whether, or to what extent, the rest of the Melbourne CPA Group supported these efforts is unclear. The Melbourne MWG, whose activities are discussed below, worked closely with the ATWU Victorian Branch executive, a relationship Bodsworth must have facilitated. Without wishing to disparage Bodsworth, it appears he played an unremarkable role as a militant official; his actions in any case are not sufficiently well documented to warrant a separate discussion. Even less was recorded about the timber strike activity of Melbourne Communists other than Bodsworth and the MWG. However, it is evident that the Melbourne Group was divided as the strike proceeded, and I contend that different approaches to the industrial dispute were a factor in the group's conflict. While Bodsworth and the MWG co-operated with the union leadership, other CPA members, notably Cecil A. Monson, pursued a Class Against Class approach. It is unknown whether most of the Melbourne Group shared the MWG's stance, Monson's, or was evenly split.

CPA archival documents show there was serious conflict in the Melbourne Group, but do not reveal the basis of the disagreement.[85] The CEC resolved in early March to suspend three comrades – Bodsworth, Monson and T. MacDaid – from membership for six months, and to ask them "to remove to another State before reinstatement."[86] These three were most likely the chief antagonists. Further information is not available about MacDaid's 1929 activities, or his stance regarding the timber dispute. At the CPA's December 1929 conference, where a faction fight culminated, delegates were primarily concerned with assessing the CEC's performance; the Melbourne Group's activity was not scrutinised and conflict within it not discussed. However, Sharkey and Moxon accused it of making "the amazing mistake of boosting the reformist leaders" who then betrayed the strike.[87] They were most likely referring to the actions of Bodsworth and the MWG. The conference minutes also include disagreements between Melbourne Communists (represented by Varty and Molloy) and the Sydney-based leadership over the messages conveyed by their strike leaflets and posters, but the substance of the argument is unclear.[88]

Despite the MWG's and Bodsworth's work, Melbourne Communists faced hostility from the wider labour movement because others in the group took an antagonistic stance towards trade union officials, as newspaper reports and CPA conference minutes indicate. Cecil Monson (an Amalgamated Society of Carpenters and Joiners member) was assaulted as a result of following the Class Against Class policy. Six men, reportedly carters and drivers, attacked him at Trades Hall on May Day.[89] They hid in the ATWU office when some officials came to help him. Varty told the CPA

[83] "Three Weeks Gaol," *WW*, 23 August 1929, 3; "Timber Workers," *SMH*, 26 August 1929, 12; "Police Fail to Frame Woman Militant," *WW*, 13 September 1929, 2; Johnson, *Bread & Roses*, 23.
[84] Meeting notice, *WW*, 15 February 1929, 1.
[85] Minutes of Presidium meetings of 11 February 1929, 4 March 1929, 11 March 1929, and CEC meetings of 24 March 1929, 2 June 1929, "CE Minutes 1926-30" (CPA Records, SLNSW).
[86] Minutes of Presidium meeting, 4 March 1929, "CE Minutes 1926-30" (CPA Records, SLNSW).
[87] Moxon and Sharkey, "Minority CEC Report," in CPA Ninth Conference Minutes, 15 (CPA Records, SLNSW).
[88] Discussion of CEC reports, *ibid.*, 39 (Higgins), 47 (Molloy), 49 (Varty), 50 (Sharkey).
[89] "Cowardly Assault," *Age*, 2 May 1929, 10; "Timber Strike," *Argus*, 2 May 1929, 7. The *Age* report records Monson's first name incorrectly (as Clarence).

conference that they were "the flying squad… acting under instructions of the Central Strike Committee."[90] Monson was beaten unconsciousness and had to be taken to hospital by ambulance. He described himself at the time as part of "the executive of the strike picket committee" and "could not state why he had been singled out for such violent treatment."[91] But the press surmised:

> Monson had apparently incurred the displeasure of some workers because of his association with the 'rank and file' movement of the building trade unions, which prevailed upon the Lord Mayor… to intervene in the dispute. On the previous day he attended the meeting in the courtyard at the Trades Hall, and attempts were made to pull him off the platform.[92]

Monson was not responsible for the resolution to seek a settlement (someone called H. Smith was); he surely disagreed with it, but was blamed for it anyway, presumably because he was among those who convened the rank-and-file conference.[93] He was not the only Melbourne Communist attacked; Molloy stated that "a lot of our comrades were batoned" by other unionists.[94] He considered the Labor Party responsible for the hostility towards them.

It seems the intention of convening the late April rank-and-file conference was to implement the Comintern's new line. Varty later said its purpose was "to fight against reactionary leadership, and to demand strike pay from the Carpenters' Union which had plenty of funds at that time."[95] Varty may have meant strike pay for the timber workers; if not, he had confused the sequence of events. By April, the carpenters had secured strike pay from their union. It had, however, taken until one month into the lockout before their federal council was willing to release its funds for that purpose. Until then, they "had been the butt and ridicule of all other unions, as we had had to accept meal tickets which others paid for, although our society possesses funds far in excess of those who had been feeding us."[96] The question of strike pay was probably not the only problem that Carpenters' and Joiners' members had with their union officials. *Workers' Weekly* reports indicate that dissatisfaction with the federal council was considerable, with a faction fight in Victoria and an active ginger group in NSW that was making gains.[97] The Melbourne rank-and-file conference was probably called on the basis of such discontent, but a right-wing sentiment favouring compromise with the bosses won over those assembled. Those Melbourne Communists who tried the Class Against Class approach miscalculated, and Monson bore the brunt of that mistake.

Except for that experiment in Melbourne, the CPA's efforts in the timber workers' strike in both cities generally complemented the official leadership. The party did not otherwise try to organise independent rank-and-file activity to oppose the union officials' direction. Contrary to the assertions of Barbara Curthoys and Stuart Macintyre, the Militant Minority Movement (MMM) was

[90] Varty in discussion of CEC reports, CPA Ninth Conference Minutes, 49 (CPA Records, SLNSW).
[91] "Cowardly Assault," *Age*, 2 May 1929, 10.
[92] *Ibid.*
[93] "Melb. Disturbance," *Labor Daily* (Sydney) (hereafter *LD*), 1 May 1929, 5.
[94] Molloy in discussion of CEC reports, CPA Ninth Conference Minutes, 47 (CPA Records, SLNSW).
[95] Varty in discussion of CEC reports, *ibid*., 49. Although Varty referred to it as a meeting called in June, his other remarks show he was talking about the late April rank-and-file meeting.
[96] "Carpenters' Federal Council Hampers Timber Fight," *WW*, 29 March 1929, 4.
[97] "Carpenters Form Strike Committee," *WW*, 1 March 1929, 2; E.J. Docker, "Carpenters Fight for State Autonomy," *WW*, 15 March 1929, 3.

not active in the timber dispute.[98] In Sydney, the CPA did not use it because it supported the LCNSW's leadership, in line with the Comintern's instruction. On one occasion in Sydney, CPA member Dave Williams and perhaps another Communist agitated against the Disputes Committee on the picket lines, but this was an isolated incident and CPA leaders admonished them for it.[99] No evidence has come to light that the Melbourne comrades who favoured the new line tried to organise under the MMM banner. The CPA's timber strike activity is considered further below. Firstly, its MWG endeavours in Sydney and Melbourne are examined. A critical assessment of the Sydney Disputes Committee's leadership follows, which pays particular attention to Kavanagh's part in it. A comparable analysis of the Melbourne leadership would be worthwhile, but is beyond the scope of this study.

MILITANT WOMEN'S MOVEMENT

The CPA encouraged working-class women, especially timber workers' wives, to take an active part in strike support activities. From 1927 to 1929, Communists' main efforts to organise among women were conducted through Militant Women's Groups. Sydney's women Communists formed the first MWG in early 1927. By the end of the following year it joined with three other groups to constitute the Militant Women's Movement (MWM).[100] The MWM pretended not to be Communist-controlled, as the party had found in Sydney that it could not attract women to meetings in Communist Hall.[101] However, its activities were promoted in *Workers' Weekly*, and mainstream newspapers routinely identified the MWM as Communist. Sydney MWG members were predominantly young, and the vast majority were CPA members (as Mary Lamm discovered to her surprise when she too joined the party), whereas in Melbourne most were middle-aged with families and the leading activists were non-party women.[102] In both cities, the MWG threw itself into strike support activity from the start of the dispute, and gained a significant public profile. Most of their activity throughout 1929 revolved around the timber dispute (while their counterparts on the coalfields were active in the miners' lock-out). They raised funds, and collected and distributed food and other essentials to timber workers' families, but they did not limit themselves to relief work: their efforts included dissuading scabs, public speaking, and initiating their own rowdy protest actions. The MWM's strike support activity both influenced, and encountered opposition from, the Labor Party.

When the strikers were locked out, the MWM convened women's meetings to discuss how to support them and organise relief for their families. The Melbourne MWG, which co-operated closely with the ATWU executive, attracted 150 people to a February meeting of timber workers'

[98] Macintyre, *Reds*, 155; Barbara Curthoys, "The Communist Party and the Communist International (1927-1929)," *Labour History*, no. 64 (May 1993), 61. Both historians, in fairness, refer to it only in passing.
[99] Discussion of CEC reports, CPA Ninth Conference Minutes, 36 (Williams), 39 (Higgins) (CPA Records, SLNSW).
[100] "Report on Work Amongst Women in Australia," 12 April 1929, in CPA Central Executive Letters 1928 and Circulars, 1929, item 56, series A8911 (Correspondence files of the Commonwealth Investigation Service), NAA.
[101] Hetty Ross (aka Weitzel), "Militant Women's Group Report," in Report of the Seventh Annual Conference of the CPA, 50 (CPA Records, SLNSW).
[102] "Report on Work Amongst Women…," 12 April 1929, in item 56, series A8911, NAA; Johnson, *Bread & Roses*, 20. Lamm later became Mary Wright.

wives.[103] Its Sydney counterpart formed an action committee, which began meeting weekly at Trades Hall. It contacted the Disputes Committee on 13 February, proposing to set up suburban relief depots. With the LCNSW's permission, it formed relief committees in several suburbs.[104] *Workers' Weekly* reported the activities of the MWG-led groups in Annandale, Newtown, Pyrmont, Redfern, and Glebe, which was especially active.[105] These groups collected money, food and other essentials (such as baby clothes), solicited donations from shopkeepers, and distributed goods. They raised further funds through social events such as dances. The MWM aimed not to merely collect and distribute relief on behalf of timber workers' wives, but to encourage the recipients' participation in this work. Ten weeks into the lockout, it considered its efforts successful: "we can truthfully say we have brought these women into active participation in the struggle as far as Sydney is concerned."[106] Women in other Sydney suburbs (Bankstown, Belmore and Hurstville) also organised their own relief; they were in contact with the MWG, which may have inspired their activity.[107] In addition, Sydney's MWG carried out collections in other suburbs and around factories. The Melbourne MWG could not make such claims about organising suburban relief committees, but it was similarly active in collecting donations and fundraising. For example, it raffled off "a lady's wristlet watch" and was proud to secure donations of six complete baby outfits for strikers' infants from major firms.[108]

The Sydney MWG significantly contributed to sustaining the strike by its relief work, not so much through the material aid it distributed, but by prompting the ALP to follow suit. Once the Labor Party became involved, its branches organised most of the relief.[109] This amounted to approximately £1's worth of food per week, which supplemented the strike pay of £2 weekly for married men and £1 for single men (financed mainly by levies on members of other unions).[110] NSW ALP branches had never previously been mobilised to support an industrial struggle, and it is doubtful that they would have undertaken such a relief effort had the MWG not initiated it. An internal CPA report in April outlined that the MWG and strikers' wives operated relief committees for seven weeks before the ALP instructed its branches to set up their own depots. It noted that some elements of the Labor Party, including one or two branches, worked with the MWG at the outset, acting under its direction to establish relief committees. But the ALP "lost considerable prestige" through its initial inaction; upstaged by 20 or so MWG activists, it was "forced to come in."[111] The LCNSW's 1930 history of the dispute did not explicitly acknowledge that the MWG started the relief depots, but indicated the importance of the small group's contribution by noting its

[103] "Melbourne Women," *WW*, 22 February 1929, 2; "ACTU 'Unable to Learn,'" *Argus*, 12 February 1929, 8.
[104] "Women Back Timber Men," *WW*, 15 February 1929, 2; "Women Organise," *WW*, 22 February 1929, 2.
[105] "With the Timber Workers' Wives," *WW*, 1 March 1929, 1; "Women in Timber Struggle," *WW*, 8 March 1929, 1; "Relief Committee at Work," *WW*, 8 March 1929, 2; "A Women's Committee at Work," 22 March 1929, 1; "Timber Women in the Fight," *WW*, 12 April 1929, 2; "With the Timber Workers' Wives," *WW*, 19 April 1929, 1; "Sydney Timber Struggle," *WW*, 10 May 1929, 2; "Timber Workers' Wives," *WW*, 23 August 1929, 2; "Timber Workers' Dance," *WW*, 30 August 1929, 2.
[106] "Report on Work Amongst Women…," 12 April 1929, in item 56, series A8911, NAA.
[107] "Timber Women in the Fight," *WW*, 12 April 1929, 2; "With the Timber Workers' Wives," *WW*, 19 April 1929, 1.
[108] "Women Gaoled for Part in Timber Fight," *WW*, 26 April 1929, 1; "Women in the Timber Fight," *WW*, 14 June 1929, 2; "Militant Women," *WW*, 26 July 1929, 3.
[109] Johnson, *Bread & Roses*, 21-22.
[110] Voigt and Garden, *1929 Lock-out*, 18-20. For the types and quantities of goods the relief depots provided, see *ibid.*, 21-22 and "Timber Workers' Wives," *WW*, 23 August 1929, 2.
[111] "Report on Work Amongst Women…," 12 April 1929, in item 56, series A8911, NAA.

efforts. It mentioned that the MWG offered the timber workers assistance before the ALP did, although, by omitting any reference to the delay in Labor's involvement, implied that their relief activities began around the same time.[112]

The MWM's work of fundraising, and collecting and distributing food to those in need may seem like charity, but there were crucial differences: first and foremost, its efforts were to support a strike. The women involved were taking sides in what they saw as a class war.[113] Furthermore, they used a Communist organising method in that they aimed to foster the self-activity of those in the front lines of the workers' struggle, the striking timbermen and their families. A Sydney MWG decision reflected that approach: only the wives of strikers who did picket duty would be eligible for relief, and they must come to a central place to obtain it. The first condition was consistent with the Disputes Committee policy that only picketers were eligible for strike pay. The rationale for the second condition was that "it encourages recipients of relief to be active and brings them into contact with their active fellow women on the relief committees."[114] In addition, the MWM approached relief work with a characteristic defiance.

The MWM women's defiant attitude was evident in Melbourne when they successfully persuaded shopkeepers in the suburb of Prahran not only to accept union vouchers that they had previously refused, but also to donate to the relief fund.[115] Their Sydney comrades displayed the same spirit, dismaying an *SMH* writer, who bemoaned:

> A policy of intimidation against small grocers and other storekeepers in industrial suburbs, to force them to contribute to the support of the strikers' families, under the threat of a boycott, has… been put into operation.[116]

This was largely, if not exclusively, the work of the MWG. The Glebe Relief Committee showed irreverent defiance in a fundraising dance, which featured a "Timber bosses' Coffin."[117] Eager participants hammered nails into it, for a penny a turn.

The MWM also aided the strike by organising women to speak publicly in support of it. Female speakers broadcast their message on the radio, and addressed crowds at city protest meetings and marches, and union meetings in regional Victoria. In Sydney, the Trades Hall radio station 2KY gave the MWG air time. Broadcast guides indicate it had a weekly spot on Monday evenings, from late January until early July.[118] The MWG at least played a part in, and perhaps initiated, arrangements for women to go on the air daily to make their case for the strike and talk about their own activities for its duration.[119] The MWM also organised women speakers for protest

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[112] Voigt and Garden, *1929 Lock-out*, 19.
[113] "Women Raid 'Peace' Conference," *WW*, 1 March 1929, 4.
[114] "Timber Women," *WW*, 22 March 1929, 1.
[115] "Rats in Melbourne…" *WW*, 1 March 1929, 3.
[116] "Strike Tactics," *SMH*, 23 March 1929, 17.
[117] "Timber Workers' Dance," *WW*, 30 August 1929, 2.
[118] Broadcast guides in *SMH*: 28 January 1929, 8; 4 February 1929, 7; 11 February 1929, 7; 18 February 1929, 6; 4 March 1929, 7; 11 March 1929, 8; 18 March 1929, 8; 25 March 1929, 10; 8 April 1929, 6; 15 April 1929, 7; 22 April 1929, 6; 29 April 1929, 7; 6 May 1929, 7; 13 May 1929, 8; 20 May 1929, 8; 27 May 1929, 8; 17 June 1929, 6; 24 June 1929, 7; 1 July 1929, 8.
[119] "With the Timber Workers' Wives," *WW*, 19 April 1929, 1; Voigt and Garden, *1929 Lock-out*, 35-36; "Report on Work Amongst Women…," 12 April 1929, in item 56, series A8911, NAA.

marches and meetings, in Sydney and Melbourne.[120] Some were seasoned activists, such as Edna Nelson (later Edna Ryan), who addressed a mass meeting in the Sydney Town Hall on behalf of the MWG.[121] Others made their first foray into public speaking, like the "two women who had never got up on a stump before in their lives – the wife and daughter of timber-workers – [who] were enthusiastically received" at a demonstration on International Women's Day in Sydney's Belmore Park.[122] Melbourne MWG members toured regional Victoria with ATWU officials. They addressed union meetings in Geelong, and in small logging towns: Powelltown, Erica, Rubicon and Alexandra.[123]

MWM members actively opposed strike-breaking. In March, the MWM-linked Glebe Relief Committee was informed that a local shopkeeper was lending his car to a timber merchant to transport scabs. The women of the committee picketed his shop, and succeeded in having him withdraw the car.[124] The *SMH* described it as a case of intimidation by "female Communist organisers."[125] At a subsequent Glebe Relief Committee meeting, five of the twenty women present "volunteered to go and persuade the wife of a scab to get her husband to stop."[126] One Sydney MWG member, Grace Peebles, refused to accept a delivery of timber to the household where she was employed as a domestic servant. She chased the carter off the premises, with the help of "a good fox terrier."[127]

Numerous working-class women displayed vehement contempt for the scabs. Many Glebe residents near Hudson's large mill did so without leaving their front gates: one woman threw her washing-up water over the scabs going to Hudson's on several mornings, and others leaned over fences to spit at them as they left the yard.[128] Doris Flanagan and Sarah Peninton were both convicted of offensive behaviour and given 12-month good behaviour bonds for yelling abuse at scabs passing their Bridge Road homes on 16 August. In court both denied making a habit of standing out the front of their homes to do so, but they almost certainly had.[129] Peninton, an active member of the Glebe ALP branch in the 1920s and 30s, was involved in strike relief (probably alongside Communists) and joined in picketing. A playground along Bayview Street, Glebe was named after her in 1951.[130]

Some of those women picketed the timber yards, among whom MWM adherents were enthusiastic participants. The extent of women's picket line activity prior to the start of mass

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[120] "Militant Women," *WW*, 25 January 1929, 1; "Women Back Timber Men," *WW*, 15 February 1929, 2, "Melbourne Women's Meeting," *WW*, 15 February 1929, 4; "Huge Sydney Rally," *WW*, 22 February 1929, 2; "Women in Timber Struggle," *WW*, 8 March 1929, 1; "Women's Rally," *WW*, 15 March 1929, 1; "Timber Workers Welcome Gaoled Militant Women," *WW*, 17 May 1929, 2; "Militant Women," *WW*, 26 July 1929, 3.
[121] "Huge Sydney Rally," *WW*, 22 February 1929, 2.
[122] "Women's Rally," *WW*, 15 March 1929, 1.
[123] "Melbourne Women," *WW*, 22 March 1929, 1; "Bush Workers Solid," *WW*, 15 February 1929, 2; "Militant Women Stir Buse Centres," *WW*, 24 May 1929, 4; "In the Back Blocks," *WW*, 31 May 1929, 1; "The Timber Trouble," *Alexandra and Yea Standard and Yarck, Gobur, Thornton and Acheron Express* (Vic.), 24 May 1929, 3.
[124] "Relief Committee Brings Pressure on Shopkeeper," *WW*, 8 March 1929, 2; "A Women's Committee at Work," *WW*, 22 March 1929, 1.
[125] "Strike Tactics," *SMH*, 23 March 1929, 17.
[126] "A Women's Committee at Work," *WW*, 22 March 1929, 1.
[127] "Scab Timber Carter Meets Militant Woman," *WW*, 8 March 1929, 3; Johnson, *Bread & Roses*, 31-32.
[128] Johnson, *Bread & Roses*, 23; "Conspiracy Alleged," *Australian Worker* (Sydney), 28 August 1929, 18.
[129] "Thumb to Nose," *Sun* (Sydney), 3 September 1929, 17; "Timber Strike Cases," *SMH*, 4 September 1929, 11.
[130] Resolution of Council, 23 April 1951, Sydney Municipal Council Minutes 1951, p.178, City of Sydney Archives. Thanks to Laila Ellmoos for providing me with information about Peninton.

picketing in Sydney is not entirely clear, but the dearth of reports noting it indicates women's participation was uncommon. However, lots of women joined Sydney's mass pickets from late July. Many brought their children with them, including Mary Lamm, who took her daughter in her pram.[131] They jeered at the scabs, and on one occasion a woman brought a large cork with needles sticking out of it, attacking four strike-breakers with it.[132] Those who picketed were probably a minority of the women who made their objection to strike-breaking clear; when female picketers were present, activists were at the forefront. One Sydney scab told a court that women "were just as prominent as the men, and in some cases were more prominent."[133] In the same case, Police Inspector MacKay, shown a photo of the picketing crowd with a woman at the front, remarked: "She is always there, and she's always making trouble. She's a bad woman."[134] There were a few people he could have been referring to. Many of these activists, maybe most, were Communists and part of the MWM. Others, such as Betsy Matthias, who was a picket captain in Bankstown, had no affiliation to the CPA.[135]

Contemporary documents recorded MWM members' involvement in only two instances of picketing, where scuffles resulted in arrests. The first was in the Melbourne suburb of Caulfield on 19 February, when six women were arrested. It seems the Melbourne MWG was keen to join the fray, declaring early in the strike that it was ready to "do picket duty and deal 'justly' with scabs."[136] Its Sydney counterpart did not make any similar declaration, although the MWG-led committee of timber workers' wives volunteered to do picket duty to allow the men to vote in the secret ballot.[137] In the second instance, two Sydney MWG members were arrested outside Hudson's, where around 1,000 picketers gathered on 24 August.

On 19 February, around fifteen women, MWG members and timber-workers' wives, took the train to Caulfield to picket Chitty's Mill. There they argued with a plainclothes policeman, initially thinking him a scab. He arrested Sarah Barker, Melbourne MWG President, for using insulting language. A fight ensued between him and the women, "some of whom hit him on the head with umbrellas."[138] Barker escaped thanks to "the interference of the other five women" (although a month later she was subpoenaed and charged).[139] Four constables meted out rough treatment to arrest those five: Mae Adie, Mary Dwyer, Eileen Egan, May Hayles, and Mary Wilson (MWG Secretary). One policeman knocked Dwyer "into the gutter, and her hat fell off, so he put her on her feet by lifting her up by the hair."[140] Adie was badly beaten: she needed an x-ray to ensure she had no broken ribs, and by early May was "still under [medical] treatment."[141] Nonetheless, the five

[131] Johnson, *Bread & Roses*, 23.
[132] "Strike Leaders," *SMH*, 27 August 1929, 12.
[133] "Strike Leaders," *SMH*, 31 August 1929, 17.
[134] "The Evidence," *SMH*, 21 August 1929, 15.
[135] Johnson, *Bread & Roses*, 5; Verity Burgmann, "Matthias, Elizabeth (Betsy) (1882–1963)," *Australian Dictionary of Biography*, vol. 10 (Melbourne: Melbourne University Press, 1986), 449. Matthias was associated with the syndicalist left in the First World War and later turned towards the ALP.
[136] "Melbourne Women's Meeting," *WW*, 15 February 1929, 4.
[137] "Women in Timber Struggle," *WW*, 8 March 1929, 1. This was prior to the decision to boycott the ballot.
[138] "Strikers Restless," *Argus*, 20 February 1929, 7.
[139] "Strike Extension," *Argus*, 26 March 1929, 7.
[140] "Melbourne Women," *WW*, 8 March 1929, 1.
[141] "Women in Timber Fight," *WW*, 10 May 1929, 4.

women "continued to resist arrest" on the way to the police station.[142] All were charged with offensive behaviour and obstructing police, except Adie whose second charge was assaulting a police officer.[143]

The women's fighting spirit shines through in mainstream newspaper accounts of this incident, despite press interest in portraying them as behaving "violently" (discrediting them for breaching gender norms and the strike by association).[144] By contrast, *Workers' Weekly* avoided describing MWM members attacking police officers or scabs. Its reports concerning the Caulfield incident highlighted police mistreatment of the women, with one exception. The following short report does not name the place but describes that incident:

> Melbourne. Fifteen women, wives of locked-out timber workers, becoming disgusted with the officiousness of some of the plain clothes police, set to and nearly ripped a constable's clothes off. A crowd of about 500 gathered and cheered the women, and not one of them made any effort to rescue the copper. – Gatekeeper.[145]

The writer approved of these women's actions, but the MWM connection was not identified. The CPA was probably concerned to protect the group from being seen as disreputable, or the intention may have been to suggest the indignation extended beyond the MWM.

The Melbourne MWG members maintained a defiant attitude. *Workers' Weekly* celebrated their stance, despite its ambivalence concerning their initial actions. Four of the six women arrested refused to pay the fines imposed on them, a common practice among unionists.[146] As a result, three were jailed: Barker and Wilson served two weeks, and Adie later served six.[147] The CPA paper reported that MWG leaders Wilson and Barker received "tremendous applause" at a mass meeting of strikers shortly after their release. Barker made the case there that "workers would never get anywhere if they were afraid of gaol."[148] *Workers' Weekly* heralded Adie and Egan's defiance, counting them among "the countless heroes of the working-class movement."[149] Adie stood firm although she had five children to care for, and was still suffering the effects of her injuries. The court did not take this into account in sentencing her, ignoring her medical certificate.[150] Egan refused to be intimidated at the prospect of imprisonment, despite being pregnant and due to give birth to her first child within a fortnight. Through her impressive stance, Egan won reprieve: her fine was waived since the authorities were unwilling to jail her.[151]

The incident in Sydney was less well documented, but it seems that outspoken Communist and MWG leader Joyce Barrington caused a disturbance amidst a crowd of 1,000 strikers as they faced off scabs exiting Hudson's. She was arrested for threatening a scab, then:

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[142] "Strikers Restless," *Argus*, 20 February 1929, 7.
[143] "Strikers' Apathy," *Argus*, 21 February 1929, 8.
[144] "Strikers Restless," *Argus*, 20 February 1929, 7.
[145] "Women Act on Copper," *WW*, 1 March 1929, 2.
[146] "Women Gaoled for Part in Timber Fight," *WW*, 26 April 1929, 1.
[147] "Melbourne Women," *WW*, 8 March 1929, 1; "Women in Timber Fight," *WW*, 10 May 1929, 4; "Timber Workers Welcome Gaoled Militant Women," *WW*, 17 May 1929, 2; "Five Thousand March," *WW*, 24 May 1929, 4.
[148] "Timber Workers Welcome…," *WW*, 17 May 1929, 2.
[149] "Women in Timber Fight," *WW*, 10 May 1929, 4.
[150] *Ibid.*; "Strike Extension," *Argus*, 26 March 1929, 7.
[151] "Women in Timber Fight," *WW*, 10 May 1929, 4.

> The pickets surged in, in an endeavour apparently to oppose the arrest of the young woman. For a few minutes there was much excitement and jostling, the police drawing their batons, and using them freely on the timber-workers.[152]

Four men were arrested, on charges ranging from insulting language to assaulting police. So was Grace Peebles, charged with offensive behaviour. Barrington faced charges of threatening behaviour and assaulting a strike-breaker, with a second assault charge added later.[153] *Workers' Weekly* failed to mention the arrests or the scuffle. It instead gave an account of how local children joined in the mass picketing at Hudson's that Saturday, forming a noisy band with kerosene tins and garbage bin lids as instruments.[154] It referred to these events only to report that Peebles successfully defended herself against the charge, without mentioning Barrington, who pleaded guilty to assault and accepted a 12-month good behaviour bond at the same court session.[155] This notable omission suggests CPA leaders disagreed with Barrington's actions; they probably wanted members to be more cautious at pickets since some faced conspiracy charges.

The Sydney MWG led two disruptive protests around the timber dispute, which drew considerable media attention. On 20 February, about sixty women marched on Town Hall in an attempt to get a hearing at the government-convened Industrial Peace Conference. Their intention was to communicate the resolution of a meeting they had just held, that workers' representatives should not engage in sham peace negotiations with the bosses until the latter stopped attacking the timber workers. When their demands to see at least one of the union delegates (Garden or Charles Crofts) were ignored, they barged into the in-camera session. Six of them succeeded in pushing past attendants and entered the gallery, disrupting proceedings. When police were called, they left rather than risking arrest, re-joining the others. The women marched out of the Hall singing "Solidarity Forever," having made their opposition to the conference clear.[156] Newspapers sensationalised their action with headlines such as: "Amazing Scene at Town Hall – Police Eject Angry Amazons."[157] The protest contributed to pressure on the LCNSW not to participate; it decided to withdraw its delegates two days later.[158] On 8 May, twenty to thirty women organised by the MWG, mainly timber workers' wives, stormed into the office of F.H. Corke, Secretary of the Timber Merchants' Association. Earlier that afternoon, their meeting had resolved to take him to task over his statements to the press that the men wished to return to work. They "upbraided him" for his role in the dispute, asking "How would you like to work for 48 hours in a timber yard?" and "Why do you

[152] "Timber Workers," *SMH*, 26 August 1929, 12.
[153] *Ibid.*; "Women Defendants," *EN*, 3 September 1929, 9.
[154] "Workers' Children Do Their Bit," *WW*, 30 August 1929, 1.
[155] "Police Fail to Frame Woman Militant," *WW*, 13 September 1929, 2; "Glebe Riot," *EN*, 5 September 1929, 11.
[156] "Screaming Strikers' Wives Raid Peace Conference," *EN*, 20 February 1929, 9; "Industrial Peace Conference Breaks Down," *Australian Worker*, 27 February 1929, 15; "Women Raid 'Peace' Conference," *WW*, 1 March 1929, 4; Joyce Stevens, *Taking the Revolution Home: Work Among Women in the Communist Party of Australia: 1920-1945* (Melbourne: Sybylla Co-Operative Press, 1987), 128-129.
[157] "Screaming Strikers' Wives…," *EN*, 20 February 1929, 9.
[158] Minutes of General meeting, Labor Council of NSW, 21-22 February 1929 (call no. A3844), Records of the Labor Council of New South Wales, May 1871-May 1935, SLNSW.

not give your men a decent living wage?"[159] Having made their support for the strike clear to a "very pale and shaky" Corke, they left the building before police arrived.[160]

The MWG also played a prominent part in a third rowdy protest in Sydney. On 19 March, an organised contingent disrupted a public meeting of Adela Pankhurst Walsh's group, the Industrial Peace Association. The aim of the women-only meeting was to convince timber workers' wives that the strike action should end. Those counteracting it, with ATWU support, included ALP activists, but the press identified MWG members, "all of whom are Communists," as the "ringleaders."[161] The militants dominated the event from the outset, making enough noise to prevent any speeches, and soon succeeded in wrecking it.[162]

Although ALP activists worked at times with the MWM, the party moved to counteract its influence. At the start of the lockout, the Sydney MWG approached the ALP Women's Central Organising Committee (WCOC) to propose joint relief activity, but the WCOC was dismissive, rebuffing two appeals.[163] In Melbourne in February, women from the ALP, notably Muriel Heagney and May Francis, confronted the MWG over its fundraising efforts. Heagney questioned "what 'authority' the Group had for collecting on behalf of the workers in their fight."[164] However, their attack backfired when ATWU Victorian Secretary Billy Scanlon was brought in; he defended the MWG as having played a constructive role. When the Sydney ALP began organising relief, it directed its branches to establish their own depots, not to co-operate with existing MWG-led committees.[165] In May, Sydney Labor activists led by NSW ALP Executive member Kate Dwyer set up a Women's Vanguard Association.[166] The name suggests it was initiated as a rival to the MWG. The ALP was probably concerned by that stage that the MWG influenced women well beyond its own small ranks, and perceived the potential for the CPA to recruit talented women from it. A mid-May meeting of the Women's Vanguard attracted timber workers' wives, and considered the matter of a Mrs Houghton being fined for collecting strike relief funds. According to the *SMH*, it condemned the Disputes Committee for double standards: rank-and-file unionists served jail sentences for taking action to support the strike while Garden and other leaders were bailed; Dwyer, however, denied this.[167] Her organisation did not concentrate on the timber strike, though; it mainly lobbied for various reforms, for example to the court system.[168] Sydney ALP members did not all agree with the party's oppositional approach to the MWG; despite its disapproval, some members continued their

[159] "Timber Strikers," *SMH*, 9 May 1929, 11.
[160] "Women Invade Timber Combine's Office," *WW*, 17 May 1929, 2. Johnson, *Bread & Roses*, 21; Stevens, *Taking the Revolution Home*, 127-128.
[161] "Women's Rally," *SMH*, 20 March 1929, 17.
[162] "Industrial Peace Ladies Thud," *WW*, 29 March 1929, 2; Adela Pankhurst Walsh, letter to the editor, *SMH*, 22 March 1929, 7.
[163] "Women in Timber Struggle," *WW*, 8 March 1929, 1; "Report on Work Amongst Women…," 12 April 1929, in item 56, series A8911, NAA.
[164] "Rats in Melbourne…" *WW*, 1 March 1929, 3.
[165] "Report on Work Amongst Women…," 12 April 1929, in item 56, series A8911, NAA.
[166] "Reforms Wanted," *LD*, 2 May 1929, 7; "A Losing Fight," *SMH*, 23 May 1929, 11 cf. "Granny, You're Slipping!" *LD*, 28 May 1929, 7. Dwyer denied it was a new group, but there seem to be no reports of it before 2 May.
[167] "Doing Fine Work," *LD*, 13 May 1929, 7; "A Losing Fight," *SMH*, 23 May 1929, 11; "Granny, You're Slipping!" *LD*, 28 May 1929, 7.
[168] "Family Courts," *LD*, 25 May 1929, 7.

activity with the MWG on relief committees.[169] Nonetheless, the MWM regretted at the end of the strike that it had been unable to form united front committees with ALP women.[170]

SYDNEY STRIKE LEADERSHIP STRATEGY

OVERALL STRATEGY

A major reason for the timber strike's failure was that, as Miriam Dixson has argued convincingly, its leaders pursued a strategy ill suited to the circumstances, which she termed the "strategy of confinement."[171] As part of the strike leadership, the CPA was partly responsible for this. It was not a case of poor execution of the chosen strategy. Labour movement and conservative historians alike have generally accepted Voigt and Garden's narrative that the strike was organised exceptionally well.[172] The confinement strategy was well executed, but it was bound to lose. The following analysis of how the timber dispute was led in Sydney, which highlights the CPA's part in it, builds on Dixson's analysis. It concentrates on Sydney, because Communist activity in the Sydney strike leadership was better documented than its work in Melbourne.

Dixson contended that the strategy of confinement was bound to fail in a period of severe economic downturn.[173] Confining the dispute to the timber industry, and within that confining it to only those mills declared "black," was a losing strategy in view of the industry's contraction.[174] Although there were some divisions between the timber merchants, relying on exploiting those divisions was mistaken. The main effect of securing agreements with individual firms was to allow the timber industry to continue operating, thereby undermining the strike. The fact that output was restricted by the strike did not harm the industry, because of reduced demand for timber.[175] The opposite strategy of extending the strike over a broader industrial front may not have secured victory, but given the timber workers had the support of the broader labour movement, it would have been more likely to achieve something better than the total defeat which was the result.[176]

The desire to avoid breaking laws exercised considerable influence on the strike leaders, including the CPA, and it may have shaped their choice of strategy. Their primary concern was surely, as Dixson identified, to avoid draining union finances.[177] Their anxiety to act within the bounds of legality was probably a close second. It certainly affected the union's first move in the dispute, the Saturday morning strike.[178] An early February lead article in *Workers' Weekly* suggests

[169] "Report on Work Amongst Women…," 12 April 1929, in item 56, series A8911, NAA.
[170] Johnson, *Bread & Roses*, 24.
[171] Dixson, "Timber Strike," 479-480, 489-490.
[172] Dagmar Carboch, "The Fall of the Bruce-Page Government," in *Studies in Australian Politics*, ed. Henry Mayer (Melbourne: F.W. Cheshire, 1958), 131; Brian Fitzpatrick, *Short History of the Australian Labor Movement* (Melbourne: Macmillan, 1968), 198; Jim Hagan, *History of the ACTU* (Melbourne: Longman Cheshire, 1981), 91-92.
[173] Dixson, "Timber Strike," 489-490.
[174] *Ibid*., 487-488.
[175] *Ibid*., 482-483.
[176] *Ibid*., 490-492.
[177] *Ibid*., 491.
[178] *Ibid*., 482.

that a strategy of extension (and picketing to keep out scabs) may have been ruled out because of its illegality:

> If the workers… dare to suggest that the strike should be extended or that 'scabs' should be prevented from entering the yards where the lock-out exists, they and their unions are subject to all penalties provided for in the Act…
>
> In countries not quite so free and democratic as this workers have been on strike and have won those strikes by diligent and effective picketing. To advocate that line of action here is against the law, but that does not alter the fact that it has been done elsewhere with success.
>
> We also know of strikes which have been won by the sympathetic action of workers in other industries who have refused to handle material which had been produced by non-union labor… many things can be learned from other countries. There is nothing like study for broadening the mind.[179]

The tongue-in-cheek tone does not conceal the editors' caution. Although the passage quoted encouraged readers to consider those tactics, the CPA at that point was not prepared to publish explicit arguments that Bruce's laws should be defied. The party was probably more than usually cautious to avoid breaking laws given the prosecution of Kavanagh and Tom Wright over the "Don't Work Black Ships" leaflet (discussed in Chapter Two). It was made clear to them that their printery would be shut down if they did not pay the fines.[180] Moreover, it supported the Disputes Committee policy. If avoiding legal penalties was a decisive factor in choosing the strategy, then it was a mistaken calculation. ATWU officials were convicted of breaching the *Arbitration Act* in March, and the union fined the maximum penalty of £1,000, despite their precautions. Open defiance of these repressive laws may have been a better policy, as Dixson suggested.[181]

A significant element of the confinement strategy consisted of making efforts to divide, or exploit existing divisions among, the timber merchants. As noted, unionists continued working at the "white" mills. The union leaders made deals to resume production with those firms that disagreed with the stance of the merchants' association (informally known as the timber combine). The concessions they gained were very minor. The CPA supported these efforts, regularly publishing material that pointed to divisions among the bosses, including dissenting views of those not affiliated to the combine.[182] Its wholehearted backing of this policy was most evident in relation to the agreement with A.C. Ingham and Co. In mid-June, the Sydney Disputes Committee made a deal with Ingham's for strikers to return to work there – under Lukin Award terms – in return for the company's promise to investigate whether it could work a 44-hour week.[183] *Workers Weekly* heralded the deal with the headline: "Sydney Bosses Weakening – Ingham Sacks His Scabs."[184] In line with the Disputes Committee's approach, it initially stated it could not divulge the conditions agreed, and later denied outright that the Ingham's men were working 48 hours.[185] It described the deal as a defection from the combine.[186] Furthermore, Melbourne Communists defended the agreement;

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[179] "Timber Workers Resist Their Bosses' Attack," *WW*, 8 February 1929, 1.
[180] "Party Officials on Trial," *WW*, 11 January 1929, 2.
[181] Dixson, "Timber Strike," 482, 491-492.
[182] "Save the Industry!" *WW*, 15 February 1929, 4; "Timber Workers' Fight is a Class Fight," *WW*, 22 March 1929, 1; "In the Timber Fight," *WW*, 29 March 1929, 1.
[183] See note 48.
[184] "Sydney Bosses Weakening," *WW*, 21 June 1929, 1.
[185] *Ibid*.; Editorial: "Mass Picketing…," *WW*, 5 July 1929, 2.
[186] Editorial: "Boss Papers Squeal," *WW*, 19 July 1929, 2; "Timber Workers' Frame-up," *WW*, 15 November 1929, 2.

bricklayer T. Le Huray argued against Victorian ALP Executive member Don Cameron for "misrepresenting the Ingham settlement as a defeat."[187]

Securing sufficient finances was a necessary part of the strike leaders' role, and in this they were successful. The labour movement responded generously to the Disputes Committee's appeal for financial support. NSW unions resolved to levy their members from 8 February, "1/– per week in the case of adult males and –/6 per week of females on all members who are working."[188] Such levies, notably from the metal trades unions, were the main means of funding the strike. Unions that did not levy members sought voluntary contributions, and collection boxes were circulated at sporting and cultural events and pubs.[189] The ALP newspaper *Labor Daily* ran a "bob-in" fund to which it constantly urged readers to contribute.[190] Similarly, *Workers' Weekly* repeatedly reiterated the importance of raising strike funds.[191] Union support provided strikers with weekly relief payments of £2 for married men and £1 for single men throughout the dispute, which for some months were increased to £2/10/– and £1/5/– respectively.[192] This was regarded as exceptionally high for strike pay; average weekly wages were around £5 for a male adult, but many working-class families had to survive on much less than £3 per week.[193] Levies and donations sustained them for most of the dispute, although contributions declined towards the end, when the timber workers' cause was overshadowed by Labor's election campaign. To maintain the relief pay, several unions lent the strike fund money, and "the whole of the Trust Funds of the Labor Council were mortgaged."[194] Unionists' total donations to the NSW strike fund exceeded £120,000 – an enormous sum at the time. In 1929, £120,000 was enough to build a new five-story block for a hospital, with beds for 110 additional patients and accommodation for 70 more nurses.[195]

However, as Dixson contended, the labour movement's support would probably have been more effective at the industrial level. The strike leadership prepared well for a long dispute, but a better strategy would have been to escalate it to achieve a swift resolution, because a drawn-out stalemate (which it became) was highly unlikely to end in the union's favour. To do so would have been something of a high-stakes gamble, but it would have given the timber workers a better chance at victory. The CPA did not advocate this alternative. An industry-wide strike would have been a more effective means of exacerbating tensions between the timber merchants: if those who preferred to concede to the union were equally affected by the cessation, they would have argued the case with their hard-line counterparts. Which position the employers would have decided is, however, unknown. A solid strike across the timber industry would have also quickly affected building construction and increased the pressure to resolve the dispute. As Dixson suggested, had

[187] T. Le Huray, "Melbourne Surrender," *WW*, 5 July 1929, 1.
[188] "Levy Proposed," *SMH*, 8 February 1929, 13.
[189] Voigt and Garden, *1929 Lock-out*, 18-19.
[190] For example: "Ten Pounds," *LD*, 16 February 1929, 5; "'Bob-In' Fund," *LD*, 13 April 1929, 6; "'Bob-In' Fund," *LD*, 3 August 1929, 4.
[191] For example: "The Fight in Sydney," *WW*, 22 February 1929, 1; "Cash Pours In," *WW*, 1 March 1929, 1; "More Money for Timber Fighters," *WW*, 5 April 1929, 1; Editorial: "No Slackening…," *WW*, 28 June 1929, 2.
[192] Voigt and Garden, *1929 Lock-out*, 19.
[193] *Official Year Book of the Commonwealth of Australia*, no. 23 (1930): 375, ABS, https://www.abs.gov.au/AUSSTATS/abs@.nsf/DetailsPage/1301.01930?OpenDocument; Johnson, *Bread & Roses*, 21-22.
[194] Voigt and Garden, *1929 Lock-out*, 38.
[195] "£120,000 Work," *EN*, 14 August 1929, 10.

the dispute been rapidly extended across industries, high union morale at the start could have given the strikers the advantage. If the whole labour movement were inspired then financing the dispute (or obtaining goods in kind) would have been easier.[196] A widespread strike would have been a political crisis as much as an industrial one, which may have prompted government intervention in the unions' favour. There was also a possibility of repression, but that would have been risky for any government as it may have backfired by prompting increased disputation.

Extension was no panacea – indeed, an extended front could disadvantage the unionists – and an important factor was which side took the initiative. The employers in Melbourne (where the union leadership followed a similar strategy to Sydney's) seizing the initiative to extend the dispute through a building industry lockout spelled disaster for the strikers. The employers' extension created further pressure on the ATWU to concede, since thousands more unionists were thrown out of work in consequence of the timber workers' industrial action. Yet if the union leadership had been bold enough to promulgate an extension – or if the strikers had been able to do so on their own initiative – it may well have worked in their favour. Either way, a strike across multiple industries could not have lasted long, and a shorter dispute would have given the timber workers better odds: their employers were far better placed to endure a long dispute than they were.

EFFORTS TO SHUT DOWN "BLACK" MILLS

The most obvious tactic to try to shut down the "black" mills was to picket them. The Disputes Committee made picketing systematic and obligatory, with Kavanagh playing an important part in organising it. Pickets were set up early: some mills were picketed from Saturday 2 February, and a meeting of 2,000 members decided on Monday 4 February to picket all idle mills.[197] A picket committee, which was "elected by the shop committees and shop delegates," controlled the pickets.[198] It acted as an intermediary between the strike committee and picket captains, who were in charge at each yard. Strikers started picket duty at 6.45am, and were organised into shifts at most of the larger yards. Daily reports were provided to the picket committee.[199] There were "strict rules against boozing": any striker who refused to obey orders or was found drunk on duty would have his strike pay stopped.[200] This picket system, already well organised, was tightened in subsequent weeks. Kavanagh announced to a 28 February Labor Council meeting that "pickets were being reorganised on military lines."[201] This involved the strikers alternating on a rostered basis, which allowed them days off, and "sentries" being appointed from among the picketers on duty to keep watch.[202] Kavanagh reasoned that "the employers were conducting a ruthless war," so workers should apply "the discipline and system learned in the army" to this industrial dispute.[203] The use of military language reflected how the CPA saw the timber dispute as part of a larger class war.

[196] Dixson, "Timber Strike," 491-492.
[197] "Gloomy Outlook," *SMH*, 4 February 1929, 11; "Other Workers Affected," *SMH*, 5 February 1929, 11.
[198] "Picketing Wins," *WW*, 22 February 1929, 1.
[199] Voigt and Garden, *1929 Lock-out*, 15-17.
[200] "Picketing Wins," *WW*, 22 February 1929, 1.
[201] "The Pickets," *SMH*, 1 March 1929, 13.
[202] *Ibid*.
[203] "Timber Workers' Dispute," *Australian Worker*, 6 March 1929, 8.

Communists were "delighted" by this move, greeting it with cheers.[204] Kavanagh's contribution, informed by his experience as a union militant in Canada, improved the organisation of pickets .[205]

Picketing was effectively made compulsory for Sydney strikers with the Disputes Committee's decision that performing picket duty was a pre-requisite for receiving strike pay (which probably came into effect for the second payment on 22 February).[206] This policy would have ensured that the picket lines remained at the maximum possible strength, a sensible measure to bolster the strike. Trades Hall moderates, however, were alarmed by this and other new "imported methods," which they blamed on Kavanagh.[207] Some of the workers probably also disagreed with it because of the aspect of compulsion. *Workers' Weekly* justified it somewhat defensively, calling it "necessary so as to discipline men who previously had had no experience in picket work."[208] It contended that workers were not in the habit of picketing during a strike, relying instead on officials to resolve disputes through the Arbitration Court. Although the CPA may have overstated the case, the inexperience of the timber workers, who had not been on strike since 1917, may have caused the Disputes Committee concern.[209] The pickets must have also contributed to the timber workers' group cohesion, which helped sustain the prolonged strike action. Despite the positives, this regimented picketing system kept the strike committee strictly in control, leaving little room for rank-and-file initiative.

Moreover, if picketing was intended to disrupt the mills' operations by dissuading strike-breakers, it failed to achieve that objective. The pickets were not meant to form physical barriers at mill entrances to prevent scabs from working; instead, strikers picketed in an effort to change their minds. Although picket lines could not have blocked all points of entry, because many yards were on the waterfront, which allowed employers to bring scabs in by launches, they did not attempt to close roadway entrances; the idea was to stay within the bounds of legality. Picketers were instructed to try to talk to "all volunteers," and to do so "reasonably, so as to avoid conflict with the police."[210] This did not rule out implicit threats, and no doubt at times scabs were explicitly threatened, but the aim was to impress upon them that those watching were "marking them for ostracism from the society of decent human beings."[211] Dixson estimated the picketing "was probably ineffective as early as February or March and certainly ineffective after mid-April."[212] Data collated from picket captains' reports confirms this: on 18 May, they counted 805 scabs working across 45 yards; by mid-August, the scabs' numbers exceeded 1,100.[213] *Workers' Weekly* admitted in late May that "the present system gives the employers too much scope for organised strike-breaking."[214] Counting the

[204] "The Pickets," *SMH*, 1 March 1929, 13.
[205] Macintyre, *Reds*, 109.
[206] Voigt and Garden, *1929 Lock-out*, 16; "Strike Instructions," *SMH*, 22 February 1929, 13.
[207] "Strike Tactics," *SMH*, 23 March 1929, 17. He was also blamed for "intensive organisation of the strikers' wives," flying pickets, and sabotage.
[208] "Picketing Wins," *WW*, 22 February 1929, 1.
[209] "Timber Workers," *SMH*, 8 January 1929, 9.
[210] "Other Workers Affected," *SMH*, 5 February 1929, 11.
[211] "Timber Workers' New Offensive," *WW*, 31 May 1929, 2.
[212] Dixson, "Timber Strike," 483.
[213] "Records of work, May 1929 – August 1929," in Union records, 1906-1929, MLMSS 2074 add-on 1877, box 118, Labor Council of New South Wales further records, 1906-1982, SLNSW.
[214] "For Speedy Timber Victory," *WW*, 24 May 1929, 4.

number of scabs entering each day must have been demoralising. In the strike's aftermath, Edna Nelson argued that it lost because the pickets did not prevent scabbing:

> That is the big lesson… from the epoch-making timber workers' struggle – by hook or by crook to keep out the scabs… Picketing does not mean being there to see how many scabs go in the job, it means being there to keep them out.[215]

However, in terms of dissuading the scabs, the picketing is best understood as being only the public-facing aspect; the more serious aspect, carefully kept away from the timber yards, was physical force. There was a pattern to violent attacks on the scabs, which points to it being a co-ordinated operation; indeed, it seems that the assaults were as well organised as the picketing. Although the unionists' opponents, to their frustration, were neither able to discover who led it nor to prove the strike leadership responsible, it is sufficiently clear that it had at least the tacit approval of the Disputes Committee. There were numerous instances of scabs being physically attacked throughout the dispute, beginning in mid-February.[216] It is not possible to include a comprehensive analysis of such activity, because there are so many cases. According to an employers' newspaper, 83 assaults had occurred in NSW by the end of June, "of which 40 were serious"; that is, about 20 attacks per month.[217] A magistrate, sentencing a striker for two counts of assault in mid-August, bemoaned: "Every week I have a case similar to this."[218] I shall outline the typical pattern, consider who carried out the assaults, and assess the strike leadership's role in them.

Typically, a lone scab was assaulted by a group of men on a quiet street, on his way home from the timber yard. The assailants either followed the scab from the mill, or waited near his residence, often using cars.[219] Other attacks occurred when strike-breakers were on their way to work.[220] In some instances, a number of scabs were attacked at once.[221] Sometimes strike-breakers were attacked on trams, and on at least one occasion at a train station.[222] Most of these assaults took place within roughly a five-kilometre radius of the timber yards, except for a few cases in which the victim lived further afield.[223] Generally, the assailants tried to knock the scab to the ground, and then kick him. They did not usually use weapons, although there were instances in which they used iron bars, heavy wooden planks, and in one case a sandbag.[224] A striker reportedly threatened a scab with a revolver on one occasion, but this was an exceptional incident.[225] Some of the strike-breakers

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[215] Edna Nelson, "Why Timbermen Lost," *WW*, 8 November 1929, 2.
[216] See for example: "Timber Workers," *SMH*, 13 February 1929, 18; "Angry Strikers," *SMH*, 16 February 1929, 17; "Strike Pickets," *SMH*, 20 February 1929, 23; "Strike Pickets," *SMH*, 21 February 1929, 11.
[217] "The Industrial Situation," *Construction and Local Government Journal* (Sydney), 26 June 1929, 19.
[218] "Assaults on Workers," *SMH*, 17 August 1929, 9.
[219] "Iron Bars," *EN*, 19 March 1929, 10; "Four to One," *EN*, 9 April 1929, 5; "Sydney a City of Dreadful Night," *EN*, 25 June 1929, 10; "Numerous Assaults," *SMH*, 23 February 1929, 17; Editorial: "Apaches of Sydney," *SMH*, 6 May 1929, 10; "Basher Gang," *SMH*, 14 June 1929, 11; "Thugs Traffic in Violence," *Truth* (Sydney), 14 April 1929, 16.
[220] "Brutal Assault," *SMH*, 1 May 1929, 17; "Attack on Timber Workers," *SMH*, 7 May 1929, 9.
[221] "Timber Workers," *SMH*, 13 February 1929, 18; "Mob Assault," *SMH*, 22 February 1929, 13; "Position in Sydney," *SMH*, 7 March 1929, 11; "Assaults," *SMH*, 7 May 1929, 11.
[222] "Position in Sydney," *SMH*, 7 March 1929, 11; "Assaults on Workers," *SMH*, 17 August 1929, 9; "Gaol for Savagery," *EN*, 8 May 1929, 13.
[223] For the exceptions, see: "Iron Bars," *EN*, 19 March 1929, 10; "Man Charged with Inciting," *SMH*, 20 March 1929, 17.
[224] "Gaol for Savagery," *EN*, 8 May 1929, 13.
[225] "'Pistol Threat'," *EN*, 28 February 1929, 14.

suffered serious injuries, while others who were attacked escaped unharmed, or with only scratches and a fright. Many were treated at hospital, some taken there unconscious.[226] The graver injuries included: a wound over the eye needing several stitches; "a fractured nose, fractured pelvis, and severe abrasions to the shoulder"; a broken nose and fractured rib; several broken ribs; a fractured skull.[227]

Other attempts to deter scabs through violence involved throwing missiles at moving vehicles. In one instance at Parramatta, strikers threw "a fusillade of stones" and blue metal at strike-breakers in a lorry driving them away from a yard.[228] At Leichhardt, three cars taking strike-breakers and management to Bell and Frazer's were met with "a barrage of bottles, stones, and whole bricks."[229] Several scabs' houses (and some others mistaken as such) were attacked in May, and another in October.[230] Attackers threw stones with firecrackers known as "Chinese basket bombs" attached through the windows, or bricks and blue metal.[231] The typical result was broken windows, frightened residents, and in some instances fires.

It should be recognised that the violence was not one-sided or all directed at the scabs; quite the contrary. To draw on the concepts sociologist Andrew Metcalfe used in analysing class structure on the NSW coalfields, the entire framework of industrial relations was one of violence towards unionised workers, with power concentrated in the hands of employers and the state.[232] The timber workers were resisting the Lukin Award, which imposed a violent degradation of working conditions, and they and their families were subject to the violence of their employers denying them the right to earn a living by locking them out. Additionally, on an interpersonal level, Sydney strikers were confronted with gunfire from their opponents ("loyal" workers, mill managers, and police) on at least three occasions.[233] A party of Melbourne strikers who raided a mill were likewise shot at; one suffered a bullet wound and had to be carried away.[234] An LCNSW delegate reported that police had beaten up timber workers arrested for assault while they were handcuffed.[235] Those who attacked scabs may have also been injured in the confrontations, but they would likely have avoided seeking medical treatment for fear of prosecution, and their injuries would not normally have been brought to journalists' attention.

Labour movement officials routinely denied that unionists were responsible for the attacks on scabs, and contested employers' claims that they were perpetrated by an organised gang.[236]

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[226] "Strikers Quarrel," *SMH*, 20 April 1929, 18.
[227] "Timber Workers," *SMH*, 13 February 1929, 18; "Brutal Attack," *SMH*, 19 February 1929, 11; "Numerous Assaults," *SMH*, 23 February 1929, 17; "Assaults," *SMH*, 7 May 1929, 11.
[228] "Mob Attack," *EN*, 27 February 1929, 9.
[229] "Revolver Shots Beat Off Mass Attack by Timber Strikers," *EN*, 2 May 1929, 5.
[230] "Strike Outrages," *SMH*, 22 May 1929, 19; "House Stoned," *SMH*, 23 May 1929, 11; "Stones Thrown," *SMH*, 25 May 1929, 21; "Houses Stoned," *SMH*, 28 May 1929, 11; "Bombs Thrown," *EN*, 28 May 1929, 12; "Basher Gang," *SMH*, 4 October 1929, 11.
[231] "Strike Outrages," *SMH*, 22 May 1929, 19.
[232] Andrew Metcalfe, *For Freedom and Dignity: Historical Agency and Class Structures in the Coalfields of NSW* (Sydney: Allen & Unwin, 1988), 139-160.
[233] "Revolver Shots Beat…," *EN*, 2 May 1929, 5; "Gaol for Terrorists," *EN*, 10 May 1929, 11; "Basher Gang," *SMH*, 14 June 1929, 11.
[234] "Timber Hostilities," *WW*, 15 March 1929, 2; "Swift Raid," *SMH*, 7 March 1929, 11.
[235] "Labour Council's Protest," *SMH*, 10 May 1929, 11.
[236] "Rockdale Crime," *SMH*, 19 March 1929, 11; Voigt and Garden, *1929 Lock-out*, 27.

However, there is ample evidence from a combination of different sources that some ATWU members assaulted strike-breakers, and that a tightly-organised gang of unionists carried out many of the assaults. As newspapers reported, several strikers were convicted for attacking scabs, with many sentenced to months-long terms of imprisonment with hard labour. The union movement saw those sentences as excessive. Whereas the usual penalty for assault was between 14 days and one month, six-month prison terms were imposed on some strikers; the LCNSW protested this "unjust severity."[237] A few received even longer sentences. Timber workers Charles Hopner and William Moore, aged 26 and 25 respectively, were both sentenced to twelve months with hard labour. Hopner was convicted of "aiding and abetting in the commission of a felony" for driving four assailants, who he refused to name, to and from the site of one attack. Moore's sentence was for assault occasioning actual bodily harm.[238] A 27-year-old sawyer, James Brewer Cable, received the longest sentence: 18 months for assaulting a police constable and occasioning actual bodily harm. The six-month sentence he had received earlier for assault in company no doubt counted against him, as did his past as a professional boxer, although he probably would have received a lesser sentence had he assaulted a strike-breaker instead of a policeman.[239]

A "flying squad" – or "basher gang" as detractors called it – certainly operated to attack scabs, although little more can be stated definitively about it. The identities of the men involved were a closely guarded secret, as Dixson noted, and the participants were very loyal to the union movement.[240] Although the Timber Merchants' Association offered substantial rewards – between £50 and £250 – for information leading to convictions in assault cases, they failed to obtain evidence about a "basher gang."[241] However, various historical sources give evidence of its organisation. The Disputes Committee announced in mid-February that it was setting up "a 'flying picket,' which will… be rushed in motor cars to centres where trouble is reported."[242] Later, union leaders were careful not to suggest that their fleet of motor vehicles was to rapidly deploy picketers. Instead, they insisted, the cars and bikes were used for communication between pickets and the Disputes Committee, collecting relief funds, and distributing *Labor Daily* and strike pay to the picketers.[243] Communists, on the other hand, commended the flying squad after the strike. Sydney member Dave Williams, for example, stated: "Leading elements amongst the strikers formed themselves into shock troops [which]… did excellent work."[244] Similarly, Moxon and Sharkey noted approvingly that: "Minority elements amongst the strikers dealt determinedly with scabs."[245] In addition, Mary Wright

[237] "Labour Council's Protest," *SMH*, 10 May 1929, 11; "Police and Court Savagery," *WW*, 17 May 1929, 2.
[238] "Man Charged with Inciting," *SMH*, 20 March 1929, 17; "Quarter Sessions," *SMH*, 13 June 1929, 8; "Court of Criminal Appeal," *SMH*, 3 August 1929, 9; "Basher Gang," *SMH*, 13 August 1929, 6; "'Basher Gangster,'" *SMH*, 15 August 1929, 12.
[239] "Timber Worker," *SMH*, 8 June 1929, 19; "Timber-Worker," *SMH*, 15 June 1929, 17; "Gaol for Terrorists," *EN*, 10 May 1929, 11.
[240] Dixson, "Timber Strike," 487, note 44.
[241] "'Pistol Threat'," *EN*, 28 February 1929, 14; "Four to One," *EN*, 9 April 1929, 5; "Timber Workers' Strike," *SMH*, 16 March 1929, 17; "Thugs Traffic in Violence," *Truth*, 14 April 1929, 16.
[242] "Mr. Corke's Statement," *SMH*, 13 February 1929, 17.
[243] Voigt and Garden, *1929 Lock-out*, 17.
[244] D. Williams, "Lessons of the Timber Strike," *WW*, 29 November 1929, 3.
[245] Moxon and Sharkey, "Minority CEC Report," in CPA Ninth Conference Minutes, 13-15 (CPA Records, SLNSW).

(formerly Lamm) remembered in the 1980s "a 'flying squad' among the pickets" of the 1929 timber strike, whose role was to beat up scabs who could not otherwise be dissuaded.[246]

The record of who precisely led the flying squad is understandably limited, but it almost certainly operated under the strike leadership's authority. According to Mary Wright, Mick Ryan was in charge.[247] It is possible that Reeve also played a leading role. During the hearing for conspiracy charges against seven unionists, sensational allegations were raised that he instructed a group of men to break the scabs' bones.[248] The witness who gave this testimony, however, was considered unreliable due to his dubious character and because the room where he swore Reeve had given the instructions bore no resemblance to his description.[249] The conspiracy trial shows the unionists kept their secrets well: although seven leaders, including Reeve and Mick Ryan, faced court on charges of conspiring to assault scabs, they were all acquitted.[250]

Unintended, but unavoidable, consequences of violently attacking scabs included bad press and prosecutions in the criminal court. A risk associated with generating negative publicity was that the strikers would lose public support. Yet, as Voigt and Garden contended, they continued to enjoy public sympathy despite the press propaganda against them, including reports about assaults on strike-breakers.[251] Although timber workers probably lost sympathy in some quarters on account of the attacks, the impact was negligible. The labour movement's support, measured in donations to the strike fund, did not diminish as a result. A graver consequence was that the newspapers' reaction contributed to a political atmosphere in which repressive measures against the strike were more likely. The repeated calls for a restoration of law and order in editorial and news columns partly explain the unusually harsh sentences handed down to strikers for assaults. However, labour's opponents were already on the offensive before the timber strike: Bruce's amendments to the Arbitration and Crimes Acts, the *Transport Workers' Act* that targeted the unionised wharfies and, indeed, Lukin's award, all demonstrate this. In this context, attacks on scabs probably did not worsen the situation for the union as a whole. A few union members, though – those sentenced to lengthy jail terms – bore a disproportionate part of the burden of this tactic. They, and those unfortunate people unconnected with the dispute whose homes were mistakenly attacked, were the worst off, apart from the injured scabs. Overall, physically attacking the scabs was a potentially useful tactic despite its costs.

However, it was not as strong a deterrent as some had hoped. Leading Communist Jack Ryan admitted as much to the party conference: "We did rely too much on the effectiveness of the basher gang."[252] The systematic assaulting of scabs prevented some strike breaking, but only to a limited extent. A threefold deterrent effect was presumably intended: scaring off potential strike-breakers, deterring those engaged from further scabbing, and preventing some of them from continuing through injury. While it is not possible to measure the first, newspaper reports show that some injured strike-breakers were incapable of resuming work afterwards, and include anecdotes

[246] Mary Wright, quoted in Johnson, *Bread & Roses*, 23. Curiously, she said she did not think that the flying squad actually beat them up, but she added, "they might have exchanged punches."
[247] Johnson, *Bread & Roses*, 23.
[248] "Basher Gang," *SMH*, 30 August 1929, 11; "Conspiracy Charge," *SMH*, 26 October 1929, 21.
[249] "Union Leaders," *SMH*, 29 October 1929, 12.
[250] "Acquitted," *SMH*, 31 October 1929, 12.
[251] Voigt and Garden, *1929 Lock-out*, 27.
[252] Ryan in discussion of CEC reports, CPA Ninth Conference Minutes, 48 (CPA Records, SLNSW).

indicating others were deterred. [253] For example, after seven scabs from Langdon and Langdon were assaulted on a tram, fifteen absented themselves from that mill "because of attacks made upon them and for other reasons."[254] Yet ultimately, it was insufficiently effective: the risk of serious injury was not enough to deter hundreds of strike-breakers. High rates of unemployment proved a powerful incentive to scab.

An additional means of disrupting the "black" mills' operations was surreptitious property damage. The *SMH* claimed in March that "sabotage is more in evidence in this strike than in past industrial disputes in Australia."[255] Instances of property damage in Sydney included attempts to scuttle the boats that one firm used to transport strike-breakers.[256] Another proprietor found several timber-laden punts set adrift on Parramatta River in an effort to sink them, one of which showed signs that someone had tried to drill holes in it.[257] More dramatically, steel spikes were "driven into logs lying at Darling Harbour" in order to destroy mill machinery. Premier Bavin brought a number of such spikes to Parliament as props, referring to cases of sabotage to argue for a series of repressive legislative measures. He detailed an incident from mid-August:

> One tramway dog spike had been placed in a log, which was operated by a bandsaw, 56ft long by 12in wide, moving at the rate of 10,000 feet a minute. During the process of cutting the saw was smashed to pieces. Large pieces were hurled in all directions, and one man narrowly escaped being killed.[258]

Bavin complained that police could not determine who was responsible. A leaflet distributed among timber workers before the lockout started indicates that the strike leaders were not averse to these methods.

> If machines go wrong, don't get anxious; they are not your machines. If the work is not perfect, don't be sorry; you don't own the timber. If jobs are kept waiting, don't get excited; the bosses have plenty of leisure.[259]

An official who read it out to a meeting of 1,000 timber workers "disclaimed all knowledge of its origin," but commented "it is good advice."[260]

Mass picketing was another way to try to shut down the "black" mills, a tactic that the Sydney strikers copied from locked-out miners after the timber workers' defeat in Victoria.[261] The mass pickets differed from ordinary pickets in that strikers were concentrated at one major yard, instead of being spread out across a number of sites.[262] They were similar insofar as they did not aim to blockade the yards. Concentrating large numbers of strikers on one yard seemed to be an

[253] "Position in Sydney," *SMH*, 7 March 1929, 11; "An Amazingly Brutal Assault," *Truth*, 14 April 1929, 16; "Assault Charge," *EN*, 2 May 1929, 13.
[254] "Position in Sydney," *SMH*, 7 March 1929, 11. Witness statements in the conspiracy case concerning mass picketing, discussed below, also indicate that intimidation tactics were effective to some extent.
[255] "Strike Tactics," *SMH*, 23 March 1929 17.
[256] "Thugs Traffic in Violence," *Truth*, 14 April 1929, 16.
[257] "Revolver Shots Beat…," *EN*, 2 May 1929, 5.
[258] "State Parliament," *SMH*, 27 September 1929, 12; "The Bill Explained," *SMH*, 27 September 1929, 14.
[259] "Mills Idle," *SMH*, 1 February 1929, 13; "'Fight and Fight Solidly,'" *WW*, 1 February 1929, 1. It was circulated in Melbourne too.
[260] "Mills Idle," *SMH*, 1 February 1929, 13.
[261] Editorial: "Mass Picketing…," *WW*, 5 July 1929, 2.
[262] "Timber Tactics," *EN*, 3 July 1929, 5.

intimidation tactic, and was certainly interpreted as such by the strike's opponents.[263] Yet there was a parallel intention to reason with the strike-breakers. Picketers were instructed to use "moral suasion," and they "pointed out the results of 'blacklegging' on the families of those who were fighting to maintain the standards of the workers" to the scabs.[264] The CPA strongly advocated the mass picket tactic. Initially, it contended that it would benefit strikers by breaking the monotony of continual picketing at the same yard, and draw renewed attention to the timber workers, making people appreciate the crisis situation in the industry.[265] The party later amplified its claims: mass picketing was timber workers' "trump card" and "best weapon"; it would be a decisive factor in winning the dispute.[266]

Strikers first tried this tactic on Monday 10 June: picketers from six yards assembled outside Hudson's in Glebe, holding an "effective demonstration," and police were "rushed up in droves" in response.[267] However, it was an isolated incident, and it was not called a mass picket. In July, strikers decided to intensify their efforts by introducing a mass picketing system.[268] Gathering in front of Hudson's, the largest mill in Sydney, from Wednesday 17 July, their numbers grew on successive days and crowds of supporters joined them.[269] Estimates of how many participated on the first few days varied: between 300 and 900 picketers on 17 July; 1,000 or more on 18 July; and 1,500 to 2,000 on 19 July.[270] They were accompanied by crowds of between 2,000 people on 17 July and 5,000 two days later. Supporters, including whole families (Mary's Lamm's among them), came from the neighbourhood and beyond to join in.[271] They aimed to keep returning "until every one of Hudson's scabs come[s] out," and then turn their attention to other sites.[272] Mass picketing continued irregularly throughout July and August, often mobilising impressive crowds. Saturday 27 July was the largest, involving 6,000 to 8,000 people.[273] Saturday 17 August saw an estimated 2,000 picketers, with a 4,000-strong crowd.[274] Strikers numbering about 1,000 rallied on at least three other occasions: Tuesday 23 July, Tuesday 13 August, and Saturday 24 August.[275]

Concentrating hundreds, even thousands, of picketers and their supporters together raised the temperature in the dispute. Police officers repeatedly described the mass picketing crowds as "excited": "excitement ran very high"; they were "in a very highly excited and dangerous condition";

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[263] "The New Picketing," *SMH*, 7 August 1929, 15; "Mass Picketing," *SMH*, 28 August 1929, 16; "The Bill Explained," *SMH*, 27 September 1929, 14.
[264] "Exciting Scenes," *SMH*, 19 July 1929, 13; "Timber War," *LD*, 18 July 1929, 6.
[265] Editorial: "Mass Picketing…," *WW*, 5 July 1929, 2.
[266] Editorial: "Mass Picketing is Timber Men's Trump Card," *WW*, 12 July 1929, 2; Editorial: "The 44 Hour Week Fight," *WW*, 23 August 1929, 2; Editorial: "Mass Picketing and Cash…," *WW*, 30 August 1929, 2.
[267] "Timber Struggle's Eighteenth Week," *WW*, 14 June 1929, 1.
[268] Editorial: "Mass Picketing…," *WW*, 5 July 1929, 2.
[269] "Exciting Scenes," *SMH*, 19 July 1929, 13; Voigt and Garden, *1929 Lock-out*, 30-31.
[270] "Timber War," *LD*, 18 July 1929, 6; "Exciting Scenes," *SMH*, 19 July 1929, 13; "Mass Pickets," *SMH*, 20 July 1929, 15; "Strike Leaders," *SMH*, 23 August 1929, 12; "Conspiracy Alleged," *Australian Worker*, 28 August 1929, 18.
[271] Johnson, *Bread & Roses*, 22-23.
[272] "Sydney Workers," *WW*, 26 July 1929, 1.
[273] "Timber Dispute," *EN*, 27 July 1929, 6; "The Timber Fight," *WW*, 2 August 1929, 6.
[274] "Police Savagely Attacked by Pickets," *Truth*, 18 August 1929, 1; "Cabinet Acts," *SMH*, 19 August 1929, 11.
[275] "Timber Yards," *SMH*, 24 July 1929, 15; "Mass Picketing," *SMH*, 14 August 1929, 16; "Timberworkers' Dispute," *Australian Worker*, 28 August 1929, 14.

and "in an excited state."[276] Yet these crowds were not out of control. On 18 July picketers jostled the strike-breakers, with some using "their knees and boots to advantage when the police were not watching," and on 18 and 19 July a few stones were thrown, but that was the extent of the unruliness.[277] The "wholesale violence" or rioting that was feared did not eventuate; press reports claimed that the police presence prevented it.[278] However, the Disputes Committee's insistence that it was "peaceful picketing" probably influenced the strikers more.[279] Their trade union organisation, as Metcalfe wrote about the Miners' Federation, demanded discipline.[280] Legal sanctions, on the other hand, proved an insufficient deterrent for some, as one magistrate sentencing a striker for assault complained: "The fact that other men have been sent to prison seems to have no influence."[281] Overall, strikers at mass pickets acted in a disciplined manner, at times reminiscent of an army unit, as they "formed fours in military style" or "lined the kerbstone in military fashion."[282] Their leaders' actions aided this impression, with both Garden and Kavanagh reportedly "march[ing] up and down in front of the men, after the fashion of a company sergeant-major."[283]

The mass pickets had three main effects: they boosted the strikers' morale, scared the scabs, and posed a challenge to public order for the authorities. Union leaders and the CPA noted the positive impact that mass picketing had – Voigt and Garden stated it "induced new life" in the strikers – and at least one *SMH* report suggested there was enjoyment in the crowd.[284] The mass pickets frightened the scabs, although they were loathe to admit it, but not enough to decisively reduce their numbers. One strike-breaker, who testified in court that he had left Hudson's "over the back fence" and never returned just after mass picketing started, replied to a question about whether he was scared with the words: "It was good enough for me to leave."[285] Another, when pressed, admitted he feared personal violence. A third attested: "I know of quite a lot indirectly, and I know some personally, who did not return to work" because of mass pickets.[286] LCNSW officials considered the picketing successful on 19 July, stating that between 20 and 40 strike-breakers had deserted Hudson's.[287] Edna Nelson later claimed that their numbers of approximately 200 had been "reduced by half at once" after the first mass picket.[288] However, she also noted, in an analysis consistent with contemporary reports, that:

[276] "Strike Leaders," *SMH*, 23 August 1929, 12; "Conspiracy Alleged," *Australian Worker*, 28 August 1929, 18; "Strike Leaders," *SMH*, 3 September 1929, 16.
[277] "Exciting Scenes," *SMH*, 19 July 1929, 13; "Mass Pickets," *SMH*, 20 July 1929, 15; "Strike Leaders," *SMH*, 23 August 1929, 12.
[278] "Exciting Scenes," *SMH*, 19 July 1929, 13; "Mass Pickets," *SMH*, 20 July 1929, 15.
[279] "Exciting Scenes," *SMH*, 19 July 1929, 13.
[280] Metcalfe, *For Freedom*, 164, 171-172.
[281] "'Black and Tans,'" *WW*, 2 August 1929, 6.
[282] "Exciting Scenes," *SMH*, 19 July 1929, 13; "Cabinet Acts," *SMH*, 19 August 1929, 11.
[283] "Strike Leaders," *SMH*, 23 August 1929, 12.
[284] Voigt and Garden, *1929 Lock-out*, 31; "Arrest of Workers' Leaders," *WW*, 9 August 1929, 3; "More Power to Picketing," *WW*, 16 August 1929, 2; "Mass Pickets," *SMH*, 20 July 1929, 15; Dixson, "Timber Strike," 487.
[285] "The Evidence," *SMH*, 30 August 1929, 11.
[286] "Strike Leaders," *SMH*, 29 August 1929, 12.
[287] "Mass Pickets," *SMH*, 20 July 1929, 15.
[288] Edna Nelson, "Why Timbermen Lost," *WW*, 8 November 1929, 2.

> …the mass picketing ceased to be effective… and gradually fell off in size. The pickets advertised the fact that they intended to be peaceful, so much so that, with plenty of police protection, the scabs ceased to fear them and gradually the numbers of scabs increased.[289]

That authorities were alarmed by mass pickets is evident in the number of police deployed, the conspiracy charges against seven unionists, and the state government outlawing mass picketing. Hundreds of police were sent to the timber yards during mass picketing. On one occasion, Garden "counted 318 police on duty in the strike area."[290] Reference was made in a parliamentary debate to 400 policemen being deployed, at a cost of £7,000.[291] Although it is doubtful that was "nearly every policeman in the Sydney Metropolitan area," as *Workers' Weekly* claimed, it exceeded one-tenth of the NSW police force.[292] Yet a detective-sergeant considered their numbers "not nearly sufficient," indicating he was not confident they could control the situation.[293] Labour movement opinion considered them over-zealous. Unionists reported provocation by the police.[294] Labor Council delegates voiced protest at the "viciousness and officiousness" of police at the mass pickets.[295] On two occasions, police used batons against the crowds.[296]

Viewing the large crowds of unionists facing off with scabs as a threat to public order, state authorities responded with repressive measures. Police raided Trades Hall in July and charged six union leaders plus Paton with conspiring to "unlawfully molest, intimidate, and assault" strike-breakers as a direct result of the mass pickets.[297] The unusually lengthy court proceedings they were subjected to amounted to state repression: partly to intimidate, partly to waste the defendants' time. A non-labour paper remarked that the eleven-day hearing would "no doubt establish a record so far as police courts are concerned."[298] A lack of credible evidence against the defendants ultimately resulted in their acquittal, after the strike had finished.[299] The CPA suggested that the purpose of the police raid and charges was to intimidate the strikers into ceasing mass picketing, believing the tactic would bring the strikers victory, but they over-estimated its importance.[300] However, the huge crowds provided the state with the pretext to try to derail the industrial action by disrupting its leadership and finances. The Disputes Committee responded defensively and gave

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[289] *Ibid.*; "Mass Picketing," *SMH*, 14 August 1929, 16; "Mass Picketing," *SMH*, 20 August 1929, 11; "Mass Picketing," *SMH*, 2 September 1929, 11.
[290] "Strike Leaders," *SMH*, 23 August 1929, 12.
[291] "State Session," *SMH*, 16 October 1929, 16.
[292] "To Ban Mass Picketing," *WW*, 27 September 1929, 2.
The 1933 census counted 3,687 NSW police. *Census of the Commonwealth of Australia* (1933): 1188, ABS, https://www.abs.gov.au/AUSSTATS/abs@.nsf/DetailsPage/2110.01933?OpenDocument.
[293] "Strike Leaders," *SMH*, 23 August 1929, 12.
[294] "Mass Picketing Proves Effective," *WW*, 26 July 1929, 1; "'Black and Tans,'" *WW*, 2 August 1929, 6; "Timber Dispute," *EN*, 27 July 1929, 6; "Timberworkers' Dispute," *Australian Worker*, 21 August 1929, 16.
[295] "Labour Council," *SMH*, 16 August 1929, 11.
[296] "Timberworkers' Dispute," *Australian Worker*, 21 August 1929, 16; "Timber Workers," *SMH*, 26 August 1929, 12.
[297] "Arrested," *SMH*, 23 July 1929, 11; Voigt and Garden, *1929 Lock-out*, 31-32.
[298] "'You'll Be Dead,'" *EN*, 2 September 1929, 7. The hearing, as defence counsel Dr Evatt pointed out, was not to determine the guilt or innocence of the defendants, but to decide whether they should be committed to trial ("Strike Leaders," *SMH*, 4 September 1929, 16).
[299] "Acquitted," *SMH*, 31 October 1929, 12.
[300] "Mass Picketing Proves Effective," *WW*, 26 July 1929, 1.

up the tactic, twice suspending then resuming mass picketing before dropping it entirely.[301] The NSW government, determined to prevent it recurring, made mass picketing illegal. Although coal miners had used mass pickets earlier, the law was changed because timber workers adopted the practice. Introducing the legislation, Premier Bavin said it was "designed to deal with a form of intimidation… which was brought into very strong relief during the timber strike."[302] He continued to refer to the timber dispute in that speech, but did not mention the coal lockout.

The three major tactics employed to close the "black" mills down were ultimately ineffective, insofar as those mills were able to resume operations. Ordinary pickets, which did not attempt to physically bar the strike-breakers, were insufficient to stop scab labour. Mass picketing, with the same aim but on a larger scale, was likewise insufficient to deter the scabs. Nevertheless, the picketing had positive effects. The ordinary pickets, by bringing the strikers together on a daily basis, helped to build and sustain group cohesion. The mass pickets did so too, with the added benefit of large numbers, not only of strikers but also community supporters, gathering together. The flying squad's activities would not have had a comparably beneficial impact on the unionists. Members of the squad, a small group or groups carrying out secretive and illegal activity, must have formed strong bonds with each other, but it separated them from the other strikers. In the circumstances of the Depression, violent attacks on strike-breakers were an insufficient deterrent; timber merchants found hundreds willing to scab. Intermittent acts of sabotage made useful propaganda for the unionists' opponents, but otherwise had little impact.

THE TIMBER DISPUTE IN THE CPA FACTION FIGHT

The CPA's part in the leadership of the timber strike was a matter of controversy within the party at the end of 1929, as a faction fight culminated. The contending sides battled it out through *Workers' Weekly* and at the party's Ninth Conference. The result was Kavanagh and most of the existing CEC were deposed, with the new CEC proclaiming its loyalty to the Comintern. In this context, the significant efforts of CPA members, and their substantial contribution to sustaining the strike, were largely unappreciated. Conference delegates' discussion of the timber dispute concentrated on the actions of the CEC majority, and Kavanagh in particular. Most of them sided with the opposition to the existing leadership, led by the self-described CEC minority, Bert Moxon and Lance Sharkey. Many delegates' assessment was harshly critical, but although elements of the criticism were unreasonable, some of it was apt. There was little discussion of members' role in the dispute in Melbourne, and the minutes did not record any mention of conflict within the Melbourne Group.

The faction fight was primarily over the question of what stance the CPA should take in relation to the ALP in elections. Other historians have analysed it in detail, so only a brief summary is necessary here.[303] In mid-1928, the Executive Committee of the Communist International (ECCI)

[301] "Mass Picketing," *SMH*, 25 July 1929, 11; "Mass Picketing," *SMH*, 14 August 1929, 16; "Strike Leaders Charged," *SMH*, 20 August 1929, 11; "Timber Workers," *SMH*, 26 August 1929, 12; "All Quiet," *Sun*, 7 September 1929, 3.
[302] "The Bill Explained," *SMH*, 27 September 1929, 14.
[303] Curthoys, "Communist Party," 54-69; Macintyre, *Reds*, 145-152, 159-163. See also: Alastair Davidson, *The Communist Party of Australia: A Short History* (Stanford, California: Hoover Institution Press, 1969), 50-52.

recommended a procedure for the imminent Queensland state elections, following consultation with Queensland CPA members who visited Moscow. It involved organising support for some left-wing ALP candidates, opposing the McCormack Labor government, and standing Communist candidates in three or four constituencies.[304] The CPA endorsed the recommendations and implemented the policy, with unimpressive electoral results.[305] There was some debate as to whether the "Queensland resolution" should apply to federal elections. When Bruce called a snap election for October 1929, the CEC decided against running its own candidates (due to insufficient time and resources) and called for a vote for Labor to defeat Bruce. Moxon and Sharkey subsequently disagreed with this approach, arguing that the CPA should oppose Labor and the Nationalists alike, and stand some candidates. They accused Kavanagh and the rest of the CEC of right-wing deviation, and called on the ECCI to intervene in the argument. The ECCI supported Moxon and Sharkey, instructing the CPA to change its course, which it did not do. On this basis, Ninth Conference delegates voted to replace the existing CEC with a new team led by Moxon, Sharkey and their supporters, in what is widely acknowledged as a turning point for the CPA.

Moxon and Sharkey devoted part of their "Minority CEC Report" to criticising the conduct of the timber strike.[306] They contended that the CEC had "failed in its main objectives namely to bring about a better industrial organisation and fetch the men themselves under the revolutionary influence of the Communist Party."[307] They argued that the CEC had underestimated what would be needed to win the fight from the start. This point was apt; the strike leadership as a whole had indeed underestimated the situation. Sharkey and Moxon criticised various aspects of the strike's conduct, including the fact that it was not extended. Two of their major contentions, which a number of conference delegates took up, were that Kavanagh and the CEC had tailed the reformist Garden and the Disputes Committee, and that they had failed to lead the strikers to take more militant action.[308] Dave Williams had raised these criticisms prior to the conference.[309] Moxon and Sharkey noted that they and Andy Barras had argued in June that the strike could not succeed, but did not convince the rest of the CEC. Their report did not outline an alternative strategy that might have won. Instead, invoking the Comintern's authority to strengthen their case, Moxon and Sharkey simply asserted:

> Our fundamental failure was that we did not realise the necessity for new line tactics in Industrial fights, their transformation into mass political struggle against the continued rule of capitalism…[310]

Criticism was also raised over the lack of rank-and-file control. In his report on the trade union question, Ted Docker (a Sydney carpenter who was elected to the new CEC at that conference)

[304] Curthoys, "Communist Party," 58.
[305] Macintyre, *Reds*, 159; Curthoys, "Communist Party," 61.
[306] Moxon and Sharkey, "Minority CEC Report," in CPA Ninth Conference Minutes, 13-15 (CPA Records, SLNSW).
[307] *Ibid*., 13.
[308] *Ibid*., 14-15; discussion of CEC reports, *ibid*., 36-37 (Williams), 41 (McCowley), 58-59 (Docker, Shelley), 60 (Hitchen).
[309] D. Williams, "Lessons of the Timber Strike," *WW*, 29 November 1929, 3.
[310] Moxon and Sharkey, "Minority CEC Report," in CPA Ninth Conference Minutes, 15 (CPA Records, SLNSW).

argued that among the "greatest mistakes" of the timber dispute was that a rank-and-file committee was not formed, leaving "sole control" with the Disputes Committee.[311]

Two instances of Kavanagh's conduct at demonstrations were raised to support the claims that he followed a reformist line and discouraged militant action by the timber workers. The first was at a march of 2,000 strikers to the Arbitration Court at Darlinghurst (Sydney) on Monday 22 April. They were protesting against court action against 38 of their number, skilled timber workers, who were served with injunctions ordering them to resume work. These men defied the order, risking £100 fines or three months' imprisonment.[312] The strikers began to march from the court towards Hudson's, apparently intending to attack the scabs and drive them from the yard, but Garden and Kavanagh dissuaded them, redirecting the march to Trades Hall.[313] Kavanagh's opponents deplored his stance. Even Jeffery, who was among the CEC majority and otherwise defended Kavanagh, remarked: "I considered that was a golden opportunity lost."[314] The second instance, for which he was likewise condemned, was in August during the mass picketing. Kavanagh implicitly opposed using physical force against the strike-breakers when he advised the crowd to keep their tempers and treat them with "silent contempt."[315]

Members of the CEC majority, notably Esmonde Higgins and Tom Wright, conceded that there was some truth to the accusations that they had tailed Garden and the Disputes Committee. Higgins had thought there was a chance of saving the 44-hour week, but by December considered that he had been mistaken, stating:

> The industry is on the bum and we over-estimated the possibilities of getting some knockback of the bosses' terms and that allowed us to refrain from opposing the disputes committee.[316]

Wright admitted: "We were too much affected with the relationship of Comrade Kavanagh to the Disputes Committee."[317] Docker considered that when Kavanagh joined the LCNSW,

> he became the lamb and was torn up by Comrade Garden. Comrade Kavanagh went definitely to the right because on all questions before that he took up 'left' attitude. He has got to be withdrawn from the Labor Council.[318]

Wright agreed Kavanagh should be taken off the LCNSW, adding that he was himself probably the most responsible for sending Kavanagh onto it.[319]

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[311] T. Docker, "Work in the Militant Minority Movement," *ibid.*, 90b.
[312] "Timber Workers," *SMH*, 23 April 1929, 11; "Dramatic Timber Move," *EN*, 18 April 1929, 13; "Must Resume," *SMH*, 25 April 1929, 9; "Timber Strikers," *SMH*, 9 May 1929, 11.
[313] Moxon and Sharkey, "Minority CEC Report," in CPA Ninth Conference Minutes, 14 (CPA Records, SLNSW); D. Williams, "Lessons of the Timber Strike," *WW*, 29 November 1929, 3.
[314] Jeffery in discussion of CEC reports, CPA Ninth Conference Minutes, 44 (CPA Records, SLNSW).
[315] "One Arrest," *Sun*, 31 August 1929, 7; Moxon and Sharkey, "Minority CEC Report," in CPA Ninth Conference Minutes, 14 (CPA Records, SLNSW); Loughran in discussion of CEC reports, *ibid*., 57. Jeffery considered this criticism unreasonable (*ibid*., 44).
[316] Higgins in discussion of CEC reports, CPA Ninth Conference Minutes, 39 (CPA Records, SLNSW).
[317] Wright in reply, discussion of CEC reports, *ibid.*, 63.
[318] Docker in discussion of CEC reports, *ibid*., 58.
[319] Wright in reply, discussion of CEC reports, *ibid.*, 62-63.

Kavanagh defended his position and sought to turn the attack back onto his opponents. He showed that he had not invariably followed the Disputes Committee's line, describing how he went against it in addressing a strikers' meeting two weeks before the elections:

> I told the Timberworkers the truth. It is useless for you to keep on with the idea that you are going to get [the] 44 hour week. You have got to fight like hell to get back as an organisation.[320]

Kavanagh highlighted his contribution: he had developed an analysis of the crisis in the timber industry, and had organised the mass picketing along with Jeffery and a few others. He noted that a rank-and-file strike committee was elected, but apart from one member they knew nothing about strikes.[321] Regarding his late August comments:

> I did tell the Timberworkers to treat the scabs with silent contempt. We were then being tried for conspiracy… Do you imagine that when being tried, I was going to tell them to attack the police? What were others [i.e. other Communists] doing when they were down on the picket line? Why were they not giving a lead?[322]

Kavanagh recognised that mistakes had been made, but argued responsibility lay not only with the CEC but the party as a whole, pointing out that the Sydney Group was not being similarly attacked.[323]

In keeping with a sentiment increasingly in favour of the new Class Against Class policy, CPA conference delegates questioned why the CEC had not tried to encourage the strikers to attack the scabs *en masse*. The CEC Minority considered that, from June, intensifying the mass pickets (by which it seemed to mean escalating them into physical confrontations between strikers and non-unionists) was "the last chance of rooting out the scabs."[324] It regretted that picketers' militancy had not increased "to the pitch where they would be prepared to storm the timber mills."[325] Delegates discussed that more than the strategic alternative of industrial extension, although the latter would have been far more likely to achieve success. The idea of openly advocating violence raised the question of legality. Some thought it was a problem that, in Williams' words, "no illegal strike leaflets" were issued.[326] Joe Shelley stated that proposals to do so were rejected both on the Disputes Committee and within the CPA:

> One member of the Sydney Group offered to get up a leaflet and distribute it, on certain lines. The reply received was that anyone who does that was asking for jail. There are times when leaders of disputes have to be prepared for that. Members of the Party should have been encouraged and instructed to do it.[327]

Some delegates seemed to believe that the only missing element to move a majority of strikers to physically attack the scabs, in defiance of criminal as well as industrial law, was propaganda or agitation encouraging them to do so. This was utterly fanciful: had the CEC's ultra-left critics tried to lead such attacks, they almost certainly would have failed to bring enough strikers with them. If large

[320] Kavanagh in discussion of CEC reports, *ibid.*, 34.
[321] Kavanagh in discussion of Trade Union question, *ibid.*, 91.
[322] Kavanagh in discussion of CEC reports, *ibid.*, 34.
[323] *Ibid.*, 35.
[324] Moxon and Sharkey, "Minority CEC Report," in *ibid*., 14.
[325] *Ibid*.
[326] Williams in discussion of CEC reports, *ibid.*, 36.
[327] Shelley in discussion of CEC reports, *ibid.*, 59.

numbers had followed, the police probably would have opened fire on them and ended any further such efforts. It was an ill-conceived notion with zero chance of strengthening the strike.

However, the opponents of the CEC majority had not attempted to lead attacks. There was a disjunction between what they suggested in hindsight at their conference, and what they had been prepared to do during the dispute. Concerns about legality were common to both sides of the factional divide, as criticism of the *Picket Line* indicates. Moxon claimed credit for the strike bulletin: it was only published because he volunteered to do the work, whereas Kavanagh had insisted it would be impossible to issue one.[328] None of his comrades commended his efforts, though. Williams called it "a belated milk and water sheet of little value in strengthening the morale of the men."[329] Anne Isaacs was equally scathing: "'The Picket Line' was futile. Legal paper. All that was to be said, would not be said. Most part of it was just pleasant literature."[330] Alternatively, if Moxon and his co-thinkers were not overly concerned about breaking laws, perhaps they were uncertain that large numbers of strikers would follow if they called for attacks on the scabs. Either way, criticism for a lack of material advocating illegal acts was not directed at them.

Kavanagh's opponents, in pointing to his activity on the Disputes Committee as evidence of "right deviation," conveniently overlooked the crucial factor of the LCNSW's affiliation to the RILU.[331] Sharkey and Moxon were disingenuous when they invoked a failure to apply the Comintern's new line in their criticism of the party's intervention in the timber dispute; they were familiar with the dilemma posed by the peak body of NSW unions being linked to the Comintern. When Class Against Class became the policy, the CPA was faced with a contradiction. Whereas the new line required the party to ruthlessly criticise and organise against reformist trade union leaders, the Comintern told it to "stand behind the Labor Council," and not to organise opposition to Garden.[332] Yet when the CEC followed this instruction, the opposition used it against them. Two conference delegates agreed the CPA had been mistaken to follow the Disputes Committee's lead, but considered the Comintern was at least partly to blame. Barras complained "the RILU ties our hands."[333] McCowley, who was on the LCNSW, thought that the CEC took its direction from a visiting Comintern representative known as Pan (for his responsibility for *Pan Pacific Worker*). He believed that Pan and Garden had reached a compromise around March.[334] Leaving aside the Comintern's intervention, it would not have been possible for the CPA to apply new line tactics in the timber dispute. Jack Ryan, Wright and leading Brisbane member J.B. Miles all argued that these tactics could not have been fully implemented. They noted that the CPA was not excluded from the central leadership of the strike, and in any case the party's lack of members in the industry would have prevented it forming rank-and-file committees.[335]

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[328] Moxon and Sharkey, "Minority CEC Report," in *ibid*., 14.
[329] D. Williams, "Lessons of the Timber Strike," *WW*, 29 November 1929, 3.
[330] Isaacs in discussion of CEC reports, CPA Ninth Conference Minutes, 44 (CPA Records, SLNSW).
[331] Moxon and Sharkey, "Minority CEC Report," in *ibid*., 18.
[332] Walker in discussion of CEC reports, *ibid.*, 42-43; Wright in reply, discussion of CEC reports, *ibid.*, 63.
[333] Barras in discussion of CEC reports, *ibid.*, 55.
[334] McCowley in discussion of CEC reports, *ibid.*, 41. Although Jack Ryan denied that any such compromise had been made (*ibid.*, 48), the charge is plausible.
[335] Wright in reply, discussion of CEC reports, *ibid.*, 62-63; discussion of CEC reports, *ibid.*, 48 (Ryan), 51 (Miles).

CONCLUSION

The charge that Kavanagh and the CEC majority shared responsibility for leading the strikers in a losing strategy was warranted, and the same may be stated of Bodsworth and his cohort in Melbourne. However, had a different strategy been adopted, Kavanagh and Bodsworth's co-operation with their respective strike committees would have benefitted the unionists; the Class Against Class attitude would probably not have permitted that. Nonetheless, criticism of those leading Communists in particular for not opposing the confinement strategy is justified. The CPA's support for the union leaders' chosen strategy contributed to the strike being unnecessarily prolonged and ultimately failing. Barras, Moxon and Sharkey were probably right in June when they argued the strike was not winnable.

Yet, there were positives to the CPA's intervention in the dispute, especially its efforts through the MWM. The Sydney MWG made a material contribution to sustaining the strike by initiating relief committees that the ALP, which could organise on a much larger scale, emulated. It engaged with timber strikers' wives and successfully encouraged many to play an active role in the struggle, through organising relief and by other means. In both cities, the MWM actively opposed strike-breaking, at times joining in picketing. The women involved in the MWM put forward political arguments in support of the strike, speaking out on the radio, at demonstrations and in meetings. They organised protests to challenge the discourse of the employers' side, from various "industrial peace" efforts through to Corke's assertions that the men wanted to return to work. The solidarity they showed the strikers must have boosted their confidence.

In addition, Sydney Communists, and Kavanagh in particular, deserve credit for much of what the Disputes Committee did well. They were probably responsible for the successful ballot-burning protest in March. The mass picketing tactic was most likely adopted at their behest, and the mass pickets were organised by Kavanagh and a small number of others. In both cases, these public protests by the strikers received significant community support, and lifted the strikers' morale. At the start of the dispute, Kavanagh's input was important in organising the pickets systematically, including making picketing compulsory.

However, the Disputes Committee did not encourage rank-and-file initiative; the regimented nature of the picketing, and the clandestine operation of a minority of picketers in the flying squad, left little room for this. The lively and sometimes creative efforts by the strikers' wives, inspired by the MWM, stood in contrast with the lack of independent action by the timber workers themselves. Although the systematic picketing helped promote group cohesion and contributed to the strikers' steadfastness over many months, they were organised on a very top-down basis. This was the opposite of the approach the CPA took in other disputes, in which it encouraged the rank and file not only to take a militant industrial stance, but to assert control in opposition to the official leadership. Division among the Melbourne Communists, and Bodsworth being on the ATWU executive, meant little was done to encourage an oppositional rank and file. It does not appear that Bodsworth and his cohort did anything to foster rank-and-file initiative, except perhaps among the strikers' wives. Their opponents' attempt to lead an oppositional movement among building workers failed. In Sydney, it was a combination of two factors – Kavanagh's position on the strike committee, and the Comintern's instruction not to oppose the LCNSW – which meant the CPA did not take the same approach as it did in the other two major industrial battles, despite the Class Against Class line.

Chapter Four
NSW coalmining and Communists in the lead-up to the lockout

The context for the coal lockout was more complex and therefore warrants greater attention than that of the other two disputes. The coal industry was as disputatious as the waterfront, and there were similar tensions in the principal union between national leadership and desire for local autonomy. The greater complexity of mining operations had implications for industrial relations. The CPA had a modest presence on the coalfields before the dispute began, and was making efforts to organise a left-wing opposition among miners through the Militant Minority Movement (MMM), which it had not attempted among wharfies before their strike. Like the other two industries, the coal industry was affected by the developing global economic crisis, but it was in a worse position than the timber industry due to factors discussed below. This chapter investigates the background to the 1929-30 lockout, with particular attention to Communist organising. It outlines the industrial context, including the state of the Miners' Federation, before considering the CPA on the coalfields and the extent of its influence. The last sections examine 1928 debates on how to resolve the industry's crisis and the Miners' Federation's Second Convention, especially the MMM's intervention.

INDUSTRIAL CONTEXT

Coal was a vital commodity, essential to economic activity and rivalled in its versatility only by iron.[1] It was necessary for much industrial production, and used extensively to generate power and as a fuel for transport and domestic purposes. Mining required processes and conditions that set it apart from other industries. All black coal mining in Australia was underground work: dirty, demanding and dangerous.[2] Hazards included coal dust, gas build-ups, fires, explosions, and collapsing roofs or walls.[3] Miners were subject to much higher rates of accidental death, injury and illness than workers in other industries.[4] Most mines were in isolated locations, and mining was often the only industry in the towns built up around them, fostering close-knit communities whose lives were dominated by the pit.[5] Even in larger towns, mining communities remained relatively isolated; one observer noted mineworkers' houses grouped together in "contiguous blocks."[6] The Australian coal industry was

[1] F.R.E. Mauldon, *The Economics of Australian Coal* (Melbourne: Melbourne University Press, 1929), 145 (footnote 1). My outline of the coal industry's crisis draws substantially on Mauldon's study.
[2] Open-cut black coal mining was exceptional in the 1920s; China's Fushun province mines were the world's first to employ the method. Mauldon, *Australian Coal*, 130-131.
[3] A.G.L. Shaw and G.R. Bruns, *The Australian Coal Industry* (Melbourne: Melbourne University Press, 1947), 118-128.
[4] Andrew Metcalfe, *For Freedom and Dignity: Historical Agency and Class Structures in the Coalfields of NSW* (Sydney: Allen and Unwin, 1988), 60-64; Shaw and Bruns, *Coal Industry*, 118-125.
[5] Robin Gollan, *The Coalminers of New South Wales: A History of the Union, 1860-1960* (London: Cambridge University Press, 1963), 1-2; Metcalfe, *For Freedom*, 21-46.
[6] Mauldon, *Australian Coal*, 160.

marked by industrial unrest; miners struck more frequently than workers in other sectors. This was a characteristic the Australian industry shared with its counterparts in other countries.[7] Many miners had migrated from British coalfields, bringing traditions of industrial militancy with them.[8] Notable episodes of industrial action by NSW miners earlier in the twentieth century included a strike in 1909, several during the First World War, and another by Barrier metalliferous miners in 1919-20.[9]

Most of Australia's coal mining was concentrated in NSW, which by the late 1920s produced 83 per cent of the national black coal output, and supplied all other states.[10] Smaller mining industries operated in Queensland, Victoria, Western Australia and Tasmania.[11] Coal was mined in three main areas in NSW, all close to Sydney and named for their location in relation to the city. The Northern District was consistently the largest producer; its output in 1927 comprised 7,145,000 tons out of a total NSW production of 11,126,000 tons.[12] In the nineteenth century it consisted mainly of mines around Newcastle, but by 1914, the Maitland-Cessnock fields had overtaken them.[13] The Southern District (the Illawarra region, around Wollongong and to its north) ranked second in output. The State Mine, which supplied public utilities, notably the railways, was located at Lithgow, the Western District's centre.[14]

Operating a large mine was more complicated than a similar-sized factory because of the engineering involved.[15] Coal mining methods, which changed little in Australia between the 1860s and 1940s, required numerous categories of workers.[16] These included underground and surface workers; some maintained the mine in working order, while others extracted and moved the coal. A wide range of skill and specialisation was represented among mineworkers, from labourers with no recognised skills to various craftsmen. The colliers, who hewed coal from the face, needed a combination of expertise and hard manual labour, but their skills were not formally recognised.[17] While most mineworkers earned wages, colliers were paid on a contract basis for the coal they extracted rather than the hours they worked. The wheelers (who worked closely with colliers, wheeling coal away from the face) were also usually contract workers.[18]

Colliers exercised a high degree of occupational control and their traditions shaped the industry. Their pre-eminence among mineworkers is indicated by the fact that the term "miner" – which strictly speaking means collier – was commonly used to refer to all mineworkers.[19] Over

[7] Shaw and Bruns, *Coal Industry*, 136-140.
[8] Although the idea that miners were inherently militant has been debunked, the fact remains there were strong currents of industrial militancy among British and Australian miners. Mauldon, *Australian Coal*, 157-163, cf. Dick Geary, "The Myth of the Radical Miner," in *Towards a Comparative History of Coalfield Societies*, ed. Stefan Berger, Andy Croll and Norman LaPorte (Aldershot, Hampshire, UK: Ashgate, 2005), 43-64.
[9] Edgar Ross, *A History of the Miners' Federation of Australia* (Sydney: Australasian Coal and Shale Employees' Federation, 1970), 171-193, 253-256, 273-275, 283-294, 299-301; Gollan, *Coalminers*, 127-133, 146-156.
[10] Mauldon, *Australian Coal*, 20.
[11] *Ibid.*, 22-27.
[12] *Ibid.*, 20 (footnote 30); Gollan, *Coalminers*, 10.
[13] Gollan, *Coalminers*, 114.
[14] *Ibid.*, 3.
[15] Mauldon, *Australian Coal*, 38.
[16] Gollan, *Coalminers*, 18-19, 20-22; Mauldon, *Australian Coal*, 163, 166-167.
[17] Metcalfe, *For Freedom*, 167-169.
[18] Gollan, *Coalminers*, 20-21; Mauldon, *Australian Coal*, 163-164, 167-168.
[19] In line with the source material and current usage, I use the terms "miner" and "mineworker" as synonyms; distinguishing between colliers and other mineworkers is generally unnecessary in this thesis.

several generations, colliers had established a myriad of work practices designed to ensure equality of opportunity, since varying physical conditions of a seam affected the difficulty or ease of winning coal from each working place, and thus their income. These traditions, largely imported to Australia from Britain, lent complexity to the organisation of work in the pits.[20] Colliers were generally older and more experienced than other mineworkers. Adolescents started in roles such as trapper (opening and shutting ventilation doors) or wheeler, serving an unofficial apprenticeship and gaining the necessary experience working underground before they could start on the coal.[21] Seniority was as important as solidarity among mineworkers, and colliers' interests predominated in the Miners' Federation, which organised most of the workforce.[22]

The Federation, which organised all mineworkers without formally recognised skills, had around 28,000 members Australia-wide in 1929. It aspired to be the sole mining industry union, but mineworkers in occupational categories recognised as skilled organised in separate craft unions.[23] Five notable craft unions had a few hundred members each in the industry, three of which were specific to mining: the Colliery Mechanics' Association, the Deputies and Shotfirers' Association, and the Collieries' Staff Association. The Federated Engine Drivers' & Firemen's Association (FEDFA) and the Amalgamated Engineering Union were large unions with members across various industries.[24]

From 1916, industrial relations in the coal industry were regulated at the Commonwealth level. The government intervened that year in response to a major strike, setting up a tribunal to grant the union's demands. Prior to that, wages boards set up under state legislation operated in the Southern and Western districts, but in the North they were unsuccessful and industrial relations was largely chaotic. Arrangements similar to the wartime tribunal continued under the *Industrial Peace Act* of 1920, giving the coal industry arbitration machinery separate from the Commonwealth Arbitration Court. The Act provided for tribunals of employer and union representatives with an independent chair. Four were established – for miners, engine-drivers and firemen, engineers, and workers in the coke industry – with Charles Hibble, a barrister, chairing each. The first, known as the Coal Tribunal or the Hibble Tribunal, was the most important.[25]

THE COAL INDUSTRY'S CRISIS

By 1928 the Australian coal industry was in a state of crisis, the root causes of which were excess capacity combined with the high price of the product in a sheltered domestic market dominated by the largest Northern District owners. Excess capacity, which arises where an industry has the capacity to produce more output than can profitably be sold, is a normal state of affairs in coal

[20] Gollan, *Coalminers*, 22-25; Mauldon, *Australian Coal*, 164-166.
[21] Fred Moore, Paddy Gorman and Ray Harrison, eds., *Back at the Coalface: Volume 2 of the Australian Coal Miners Oral History* (Sydney: Construction Forestry Mining and Energy Union [CFMEU] Mining and Energy Division, 2007), 24-26, 35; Donald Pierre Dingsdag, "The Restructuring of the NSW Coalmining Industry, 1903-1982" (PhD thesis, University of Wollongong, 1988), 102.
[22] Shaw and Bruns, *Coal Industry*, 136, 152; Metcalfe, *For Freedom*, 167, 170-173; Gollan, *Coalminers*, 25; Dingsdag, "Restructuring of NSW Coalmining," 99-105.
[23] Mauldon, *Australian Coal*, 87; Gollan, *Coalminers*, 25-26.
[24] Gollan *Coalminers*, 25-26; Mauldon, *Australian Coal*, 86-87. Additional craft unions included a Colliery Officials union, the Blacksmiths' Society, and Electrical Trades Union, but they do not figure in the history of the 1929-30 lockout.
[25] Gollan *Coalminers*, 120-121, 134, 169-170.

mining.[26] It causes intermittency, because mine owners prefer to reduce operations rather than close a pit, due to the capital-intensive nature of the industry and the high costs of maintaining a non-operational mine for future production.[27] Long-term overcapacity resulted in what Robin Gollan, historian of the NSW coalminers, described as "a state of permanent crisis" in the industry after the First World War.[28] The extent of excess capacity by 1927 was such that the economist F.R.E. Mauldon estimated that just three-quarters of the mines could have met the demand.[29] Indeed, of the 241 collieries then operating in Australia, 43 produced 69.9 per cent of the national output, with 39 in NSW alone producing 62 per cent.[30] The Miners' Federation likewise recognised the problem, estimating in January 1928 that there were 10,000 more workers than necessary in the industry.[31]

The high price of Australian coal brought the crisis to a head. By 1928, NSW coal was among the most expensive in the world, whereas in 1913 it had been among the cheapest.[32] Within Australia, coal was expensive compared to other goods: from 1921 to 1928 coal prices rose, whereas in general commodity prices fell.[33] This situation arose because a small number of mine owners, organised in the Northern Collieries' Association (NCA), effectively set prices. The aggregate output of its twenty members – whose 40 Northern District mines produced nearly 86 per cent of the district's total tonnage – was large enough for it to dominate the market, allowing it to operate as an oligopoly.[34] The price of coal from other districts followed the price set in Newcastle. The domestic market was sheltered by distance, so its producers were not under the same competitive pressures as their counterparts elsewhere.

Mine operators faced little pressure to strive for greater efficiency due to the lack of competition until the late 1920s, so their investment in modern mining machinery was limited and they missed out on potential productivity improvements.[35] The cost of new plant, which bore an import tariff of 40 per cent, and union resistance to mechanisation were factors deterring them.[36] Coal-cutting machines were concentrated where production was concentrated, on the Maitland field, but machine-cut coal comprised only 20 per cent of the NSW output by 1927. That percentage represented a decline from 30 per cent in 1911, in contrast to a worldwide trend towards mechanisation.[37] Owners were not under pressure to reduce their profits to moderate the coal price,

[26] Mauldon, *Australian Coal*, 154.
[27] *Ibid.*, 154-155; Shaw and Bruns, *Coal Industry*, 61-63.
[28] Gollan, *Coalminers*, 157.
[29] Mauldon, *Australian Coal*, 149-151.
[30] *Ibid.*, 149, 151.
[31] Gollan, *Coalminers*, 183. Cf. Mauldon, *Australian Coal*, 156. Mauldon estimated there were 5,000 excess workers.
[32] Mauldon, *Australian Coal*, 211.
[33] *Ibid.*, 212.
[34] *Ibid.*, 79, 155, 208-209.
[35] However, as Dingsdag explained, mechanisation did not necessarily increase efficiency. Dingsdag, "Restructuring of NSW Coalmining," 135-136, 146-165.
[36] Mauldon, *Australian Coal*, 41-42; "Coal Conference," *Newcastle Morning Herald and Miners' Advocate* (hereafter *NMHMA*), 25 February 1928, 4; "Reduce Wages," *Sydney Morning Herald* (hereafter *SMH*), 4 May 1928, 11.
[37] Gollan, *Coalminers*, 114-115, Mauldon, *Australian Coal*, 40-41.

either. Profits reached record heights in 1921, with at least some companies still enjoying "handsome" profits even amidst the distress of 1928.[38]

Furthermore, Australian mine owners dealt with production cost increases between 1916 and 1927 by repeatedly raising the coal price. They were able to grant concessions to their workforce and, as it was both strongly unionised and restive, they often did so. Each time hewing or day wage rates rose, they increased the price of Newcastle coal.[39] The labour movement suspected that the price rises exceeded the extra wage costs. In 1929, a Labor Member of Parliament Ted Theodore (later Treasurer in Scullin's government) quoted the Labour Department Secretary to highlight the contrast between wage and coal price increases granted by the tribunal following the 1916 strike:

> The number of coal-miners was 15,000. Their aggregate wages were £2,600,000. The 15 per cent. increase amounted to £390,000. Over 9,000,000 tons of coal are used in Australia each year. Three shillings per ton on that would amount to £1,350,000. The difference between these sums in favour of the coal-owners is £960,000.[40]

Other cost increases, such as railway freight charges, were also passed on to the consumer.[41]

Slackness of trade, which had become acute by 1928, was largely due to the loss of export markets. Before the First World War, 30 per cent or more of Australian output was exported, but by 1927 export sales had fallen by more than half, to less than 13 per cent.[42] The war caused a dramatic decline in Australia's coal exports, which did not fully recover afterwards, and fell again from 1921.[43] Domestic sales did not make up the difference. The underlying reasons for export losses were increased competition and a relative decline in demand.[44] In the 1920s, more producers competed in markets of the Asia-Pacific region to which Australia exported coal, and countries which had relied on imports increasingly developed their own resources.[45] Other factors contributing to reduced export sales were decreased demand for bunker coal (as oil fuel displaced coal in shipping worldwide) and more efficient use of coal, or its substitution, in industrial production.[46] In discussions of export losses, mine owners emphasised the high price of the Australian product and frequent stoppages, and blamed the miners for both. However, these were only two of the contributing factors. Furthermore, wage costs and mineworkers' industrial dissidence were not the sole determinants of either the price level or the irregularities in deliveries of coal from Australia.

The worldwide trends were reflected in Australian markets. The high price set in Newcastle encouraged other states, which relied on NSW coal, to increase their own black coal production or use of substitutes (notably hydro-electric power or brown coal in Victoria).[47] An extreme case

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[38] Shaw and Bruns, *Coal Industry*, 61-62; Mauldon, *Australian Coal*, 200.
[39] Mauldon, *Australian Coal*, 209-211; Dingsdag, "Restructuring of NSW Coalmining," 135-142.
[40] Commonwealth of Australia, *Parliamentary Debates: House of Representatives Official Hansard*, 21 February 1929, 478-479 (cited in Shaw and Bruns, *Coal Industry*, 141). See also Mauldon, *Australian Coal*, 82.
[41] Mauldon, *Australian Coal*, 211, 196.
[42] *Ibid*., 122.
[43] Gollan, *Coalminers*, 137; Mauldon, *Australian Coal*, 125.
[44] Mauldon, *Australian Coal*, 136-137.
[45] *Ibid.*, 128-140.
[46] *Ibid*., 131-137, 120-123. The same factors reduced demand within Australia. *Ibid*., 101-121.
[47] *Ibid.*, 98-99, 109-112, 145-147.

illustrates the general trend: in June 1928, South Australia's Premier complained that his state, lacking its own mines, had been "unmercifully fleeced" by NSW producers and threatened to import coal from Britain instead.[48] Other Australian states also wished to ensure continuity of supplies, since deliveries of NSW coal were subject to disruption from industrial conflict in mining and shipping and weather conditions. Increased coal mining outside NSW added to Australia's excess capacity, and the rise of domestic competitors had an adverse effect on the Northern District in particular.[49]

Moreover, the onset of industrial depression brought a relative decrease in consumption, compounding the industry's problems. The demand for coal varied with the level of industrial activity: for example, sales of NSW coal peaked in the booms of 1920-21 and 1924-25, and fell with the recessions that followed.[50] The decline that culminated in the Great Depression began to affect Australia's coal trade from 1925 as New Zealand (the largest importer of Australian coal) entered a recession and reduced its purchases.[51] Other markets, both domestic and external, also contracted. The Australian coal industry thus entered the Depression in a particularly bad state. The rises in coal sales earlier in the 1920s had not improved its condition; intermittency of employment was an ongoing problem, so mineworkers did not share in the relief that the 1924 boom allowed to some in other industries.[52] The Depression affected the Australian industry more severely than its overseas counterparts because, as A.G.L. Shaw and G.R. Bruns expressed it, the effects of two slumps came at once.[53] In other countries, the end of the post-war boom forced substantial cost and price reductions. Australia's isolation delayed but did not allow it to escape this adjustment, and by 1928 local producers faced competition for domestic markets from Britain.

For miners, the onset of the Depression meant there were fewer jobs, and those employed faced chronic intermittency. There was a net loss of over 3,000 mining jobs in NSW in a year: 24,500 mineworkers were employed in 1927, but only 21,400 in 1928.[54] The number of days worked declined dramatically. In 1922, coal mines operated for 200 days on average (out of 274 workdays in a year). In 1928 they worked for an average of 168 days.[55] At a local level, by 1 March 1928, Southern District miners' representative J. Sweeney explained that of eleven collieries operating in the district, only two were "working reasonable time," while the rest were "dwindling."[56] Four of them had operated as follows for the first two months of the year:

Colliery	**Men Employed**	**Total Days Worked**
Bulli	320	13
Mt Pleasant	332	13
Mt Keira	264	16
Mt Kembla	254	18

[48] "Cost of Coal," *Advertiser* (Adelaide), 29 June 1928, 16.
[49] Mauldon, *Australian Coal*, 149, 108-109, 104.
[50] *Ibid.*, 103.
[51] *Ibid.*, 125-127.
[52] Gollan, *Coalminers*, 157-158.
[53] Shaw and Bruns, *Coal Industry*, 58.
[54] Ross, *Miners' Federation*, 326.
[55] *Ibid.*, 325; Gollan, *Coalminers*, 157.
[56] "Why Our Overseas Trade Was Lost," *Labor Daily* (Sydney) (hereafter *LD*), 2 March 1928, 5.

Sweeney added that the past few years had not been much better for those mines. *Labor Daily* reported in the same month that the desperation due to lack of work among miners in that district was such that groups of men now stated openly "that they will forcibly seize food and clothing" if conditions did not quickly improve.[57] The situation for Northern District miners was even worse. Unemployment was rife and distress was widespread throughout the coalfields.

THE MINERS' FEDERATION

The crisis in the industry was apparent in the Miners' Federation. Coalminers had formed a national union in July 1915, the Australasian Coal and Shale Employees' Federation, otherwise known as the Miners' Federation, or simply the Federation.[58] At its foundation it united the three NSW districts, Queensland, Victoria and Tasmania. The silver-lead mineworkers of Broken Hill affiliated to the Federation in June 1917 (metalliferous miners elsewhere were covered by the Australian Workers' Union).[59] The membership in 1929 was:[60]

District	Membership
Northern	14,128
Southern	4,280
Western	2,083
Barrier (aka Broken Hill)	3,314
Queensland	2,556
Victoria and Tasmania	1,762
Total	**28,123**

The districts united all the colliery-based branches, known as lodges, in the area. In earlier years, each district was a separate union. The Federation's constitution allowed the districts a substantial degree of autonomy. When the Federation adopted a new constitution from January 1921, changing its name to the Workers' Industrial Union of Australia (Mining Department), it gave the Central Council greater powers, notably control over financing disputes, but district autonomy continued.[61]

By the end of the 1920s, the Federation was fractious and faced persistent financial difficulties. The problems stemmed from endemic intermittency, which was the root cause of frequent sectional strikes. Small-scale stoppages, usually over minor matters, were often provoked by management using what unionists referred to as "irritation tactics."[62] This was one means by which managers could cease production when a temporary closure suited them: provoking a strike allowed them to blame it on the men, and longer stoppages drained union funds. Other "petty" stoppages were instigated by unruly younger mineworkers, who sometimes just wished to enjoy the sunshine.[63] Miners were more inclined to strike in response to management provocations because of

[57] "Ominous Rumblings," *LD*, 6 March 1928, 6.
[58] Ross, *Miners' Federation*, 257-258.
[59] *Ibid.*, 298.
[60] Mauldon, *Australian Coal*, 87. The approximately 500 WA miners were in a separate union.
[61] Gollan, *Coalminers*, 166; Scott Stephenson, "Oligarchy Contested and Interconnected: The New South Wales Labor Party and the Trade Unions from 1910 to 1939" (PhD thesis, ANU, 2017), 173-186.
[62] "More Irritation Tactics?" *LD*, 10 January 1928, 6; "The Miners Only Hope!" *Workers' Weekly* (Sydney) (hereafter *WW*), 4 February 1927, 2.
[63] Metcalfe, *For Freedom*, 78-81; Jim Comerford, *Lockout: The Northern New South Wales Coal Lockout 2nd March 1929 – 3rd June 1930* (Sydney: CFMEU Mining and Energy, 2006), 49-50.

intermittency: as Gollan noted, they knew they would work short time either way.[64] Prevalent intermittency gave miners a financial incentive to strike: delegates to the Federation's Second Convention spoke of men calculating they would not lose money by striking and some instances where men on victimised pay received more than others who were working.[65]

Recurrent sectional stoppages strained the finances of the Federation and caused internal tensions. The union gave relief payments to members who took strike action – provided the cessation was authorised – and those locked out or unemployed. It usually financed this through levies on members. However, with thousands of members only receiving intermittent work, and with frequent small-scale strikes, its ability to disburse strike pay was limited. By late 1922 the Federation's Central Council refused many applications for unemployment relief and strike pay because it lacked the funds.[66] It began to investigate reducing the level of strike pay in January 1928.[67]

Widespread unauthorised stoppages were a problem for the Federation throughout the 1920s.[68] It had determined a procedure to authorise strikes in 1920, when the Central Executive (which consisted of the General Secretary and General President) took control of finances. A dispute had to be negotiated locally first. District officials were called in if that was unsuccessful. If they failed to resolve it, the officials referred it to the Central Executive, which decided whether or not to authorise strike action.[69] Although relief pay was not granted for unauthorised strikes, that was not a sufficient deterrent. Thus in May 1923 the Central Council resolved that stopping work without authorisation, except over a safety matter, was an offence against the union.[70] Members and lodges undertaking unauthorised stoppages could hence be subject to sanctions, including fines, from the union.

Tensions arose both from the refusal and provision of strike payments. Members and their officials at a lodge, district and national level might all interpret the Federation's rules differently, and so disagree about whether a dispute was conducted in line with them, and whether strike pay was therefore owed. The levies imposed to finance relief payments also created tension. Many miners in districts where fewer disputes occurred, notably Queensland, came to resent paying levies to support miners elsewhere, particularly the disputatious NSW Northern District.[71] At times a significant proportion of members refused to comply: for example in late 1923, hundreds of Queensland miners refused to pay the levy for locked-out Maitland miners.[72]

Inter-district rivalry brought into question the policy and structure of the Federation, and even threatened its unity. The extent of disunity was evident in various threats of, and moves towards, district secession during the 1920s, although they were not pursued. Queensland

[64] Gollan, *Coalminers*, 181.
[65] *Report of Second Miners' Convention* (Sydney: Australasian Coal and Shale Employees' Federation, 1928), 57, 95-96.
[66] Gollan, *Coalminers*, 174.
[67] *Ibid.*, 183; Ross, *Miners' Federation*, 331.
[68] Gollan, *Coalminers*, 181.
[69] *Ibid.*, 166.
[70] *Ibid.*, 173.
[71] Ross, *Miners' Federation*, 328.
[72] Gollan, *Coalminers*, 174-175.

threatened more than once to secede over the imposition of levies.[73] The Northern District made a more serious move to secede in 1925.[74] Then in September 1926 it proposed the Federation be restructured and the Central Council relocated to Newcastle, which was seen correctly as a take-over bid.[75] To address the Federation's problems, the Central Council decided in April 1928 to convene a national Convention, which met that June. Its debates are examined below; suffice it to note that its decisions did not resolve the issues. Internal divisions left the Federation ill-placed to meet the industry's crisis.

THE CPA IN THE MINING INDUSTRY

The Communist Party aspired to lead the militant mineworkers and had good reason to expect to be able to build a base among them. It wanted to lead coalminers because of their strategically important position: coal was essential to other industries. The Comintern executive advised the CPA to concentrate its efforts in "the most important branches of industry."[76] In December 1927, the party listed as one of its seven key tasks: "Special attention to Party organisations in coalfields especially in NSW."[77] Miners were industrially assertive, and furthermore, revolutionary socialist ideas were popular among them.

The longstanding popularity of radical left-wing ideology co-existed with support for the ALP in mining communities. In the 1890s, the Australian Socialist League, which propagated a militant socialism derived from Marx and other revolutionary thinkers, had substantial support from Newcastle miners.[78] The Industrial Workers of the World (IWW), which emphasised class war, gained widespread ideological adherence on mining fields before and during the First World War.[79] Miners voted by a two to one majority – six to one on the Barrier – to constitute their union as the first branch of the One Big Union (OBU) in October 1919 and incorporate the IWW preamble into its constitution.[80] Leading coalfields militants, including Thomas (Bondy) Hoare, organised in the syndicalist Socialist Labour Party in the first decades of the twentieth century, but it collapsed in the early 1920s.[81] The Miners' Federation was closely connected to the ALP, with Albert Willis and Jack Baddeley key personalities in strengthening these ties in the 1920s. Both men were founding leaders of the Federation, Secretary and President respectively, with militant credentials from their role in strikes of 1916 and 1917 (Willis was jailed on conspiracy charges in the latter).[82] Baddeley was elected to the NSW Legislative Assembly in 1922 and became the Secretary for Mines and Minister

[73] Ross, *Miners' Federation*, 328.
[74] Gollan, *Coalminers*, 175.
[75] *Ibid.*, 183.
[76] Organisation Department of the ECCI to CC of CPA, 29 August 1927, in *Our Unswerving Loyalty: A documentary survey of relations between the Communist Party of Australia and Moscow, 1920-1940*, ed. David W. Lovell and Kevin Windle (Canberra: ANU Press, 2008), 229.
[77] Organisation Bureau motion, "Tasks," in Minutes, p.56, Report of the Seventh Annual Conference of the CPA (24-28 December 1927), MLMSS 5021 add-on 1936, box 1(76): I, CPA Records, State Library of NSW (SLNSW).
[78] Gollan, *Coalminers*, 121-122.
[79] *Ibid.*, 122-124; Ross, *Miners' Federation*, 158-162, 303-304.
[80] Gollan, *Coalminers*, 163-166; Ross, *Miners' Federation*, 303-306.
[81] Gollan, *Coalminers*, 176; Tony Laffan, *Good Work at Westy: The Socialist Labor Party on the Northern Coalfields 1901-1922* (Singleton, NSW: Toiler Editions, 1996).
[82] Ross, *Miners' Federation*, 257-260; Gollan, *Coalminers*, 146-148, 152-153.

of Labour and Industry in Lang's 1925-27 government. Willis, a leading advocate of the OBU in the post-war years, backed Lang in fighting against both the Labor Right faction and Communists while he was Federation Secretary, before being appointed to the Legislative Council in 1925.[83] Under his leadership, the Federation committed to providing the principal financial support for the *Labor Daily*. Many miners supported the ALP in the parliamentary sphere while espousing more radical sentiments. For example, as Gollan noted, Northern District miners, soon after adopting the IWW preamble in 1907, voted two to one in favour of Labor Party affiliation.[84]

Yet by 1927 the CPA's presence in mining areas was weak, except in Lithgow. In the party's early years, it had some groups (later known as branches) on the NSW coalfields, concentrated in the Northern District. However, they did not last, as CPA conference records indicate.[85] Five groups were represented at the December 1923 CPA conference: Newcastle, Cessnock, Kurri Kurri, West Maitland (all Northern District) and Wollongong (Southern District).[86] A sixth group, Greta (also Northern District), had folded before the conference convened. Two years later, they were reduced to two, Newcastle and Wollongong.[87] By December 1926, the Newcastle group was defunct: of five or six coalfields groups in 1923, only the Wollongong (otherwise known as South Coast) group remained.[88] Meanwhile, a CPA group formed at Lithgow, and joined in party conferences from 1925. The Wollongong group collapsed in 1927, leaving Lithgow as the only group based in any mining area to be represented at the Seventh CPA Conference.[89] Three CPA groups were founded in Queensland mining towns (Collinsville, Scottville and Mount Mulligan) during a 1927 organising tour by Bert Moxon, but the extent to which they functioned is unclear.[90] These Queensland groups were not in locations of comparable industrial significance to the NSW Northern District, so the party's gains there were not enough to offset its losses in NSW.

There are a number of reasons for the collapse of the early CPA's coalfields groups, and the party's failure to grow in most mining areas in the mid-1920s. Although the Russian Revolution inspired some coalminers to form Communist groups, they were soon confronted by an unimpressive CPA. It would have quickly become apparent to them that the CPA was not capable of leading the working class in Australia to take state power. By contrast, the Labor Party offered the possibility of implementing reforms in miners' interests. The influence of leaders such as Willis, who came from a socialist background, was important: they provided a plausible case that they would shift the ALP to the left. The persistence of syndicalist ideology, despite its lack of organisational expression, probably meant that a cohort of militants did not wish to belong to a political party. Another factor was the CPA's intervention into the 1923 lockout of Maitland miners.[91] While

[83] Gollan, *Coalminers*, 176, 180; Frank Farrell, "Willis, Albert Charles (1876–1954)," *Australian Dictionary of Biography*, vol. 12 (Melbourne: Melbourne University Press, 1990), 509-511.
[84] Gollan, *Coalminers*, 125.
[85] See Appendix 1.
[86] Report of the Third Conference of the CPA (December 1923), MLMSS 5021 add-on 1936, box 1(76): I, CPA Records, SLNSW.
[87] Report of the Fifth Conference of the CPA (December 1925), MLMSS 5021 add-on 1936, box 1(76): I, CPA Records, SLNSW.
[88] Report of the Sixth Annual Conference of the CPA (December 1926), MLMSS 5021 add-on 1936, box 1(76): I, CPA Records, SLNSW.
[89] Minutes, p.1, Report of the Seventh Annual Conference of the CPA (CPA Records, SLNSW).
[90] Bert Moxon, "Organiser's Report," in *ibid*., 25-27.
[91] Gollan, *Coalminers*, 173-174.

Federation leaders aimed to limit the dispute, the CPA called for an all-out strike and accused them of betrayal.[92] Some of the Communists levelling the accusation were Labor Council of NSW (LCNSW) leaders; the Federation disaffiliated from the Council as a result.[93] Most miners would have resented outsiders attacking their leaders. Furthermore, Communist journalist Bill Thomas was embroiled in a bribery scandal that tarnished the party. However, a greater factor in its decline on the coalfields was the Communists' expulsion from the ALP. Four Northern District CPA groups survived the 1923 events, three of which were represented at the party's 1924 conference.[94] It was not until 1925, when the impact of the exclusion of Communists from the ALP was fully realised, that the original four had been reduced to one.

In addition, the parlous state of the coal industry during the 1920s posed extra challenges for militants, exacerbating the problem of victimisation and causing disunity. The CPA's Greta group disintegrated because most of its members had to leave the area when the mine management dismissed them.[95] While the CPA argued in 1927 that miners should wage a united fight for shorter hours and a minimum wage, the Federation was increasingly fractious. Even the militants were, in the words of a leading CPA miner, "victims of the general trend towards parochialism and local isolated action."[96] These circumstances were not insurmountable, however, as Lithgow's relative success indicates.

THE CPA LITHGOW GROUP

By the time the lockout started, Lithgow was the CPA's most established coalfields group. Communists were active and influential in the local labour movement, and provided much of the impetus and energy for the party's activity amongst miners.

In the Western District, of which Lithgow was the main centre, industrial relations were less volatile than in other NSW districts.[97] Although unemployment and intermittency were growing problems in the 1920s, both were less severe than elsewhere: NSW Railways Department contracts required continuous output, enabling the district's collieries to provide regular employment.[98] Important mines near the town included the Lithgow Valley Colliery, State Mine, and the Vale of Clwydd. Hoskins Steelworks and the small arms factory were the other major employers in Lithgow in the late 1920s. By the mid-1920s there was an Italian community in Lithgow, significant enough for the LCNSW to send an Italian organiser there in 1926, and to lead the May Day march the following year.[99]

The leadership of Charlie Nelson and Bill Orr was a key factor in the Lithgow CPA group's relative success. Orr and Nelson became the first Communists in Australia to lead a major union at

[92] Stuart Macintyre, *The Reds: The Communist Party of Australia from Origins to Illegality* (Sydney: Allen and Unwin, 1998), 92; Alastair Davidson, *The Communist Party of Australia: A Short History* (Stanford, California: Hoover Institution Press, 1969), 28.
[93] Raymond Markey, *In Case of Oppression: The Life and Times of the Labor Council of New South Wales* (Sydney: Pluto Press, 1994), 207.
[94] "Communist Party Conference," *WW*, 9 January 1925, 3.
[95] West Maitland Group Report, in Report of the Third Conference of the CPA (CPA Records, SLNSW).
[96] C. Nelson, "Miners Convention," *WW*, 7 October 1927, 3.
[97] Gollan, *Coalminers*, 130, 134.
[98] *Ibid.*, 178-179; *Second Miners' Convention*, 101-102, 120; Mauldon, *Australian Coal*, 22, 59-62, 94-95.
[99] CE Report, p.8, in Report of the Sixth Annual Conference of the CPA (CPA Records, SLNSW); "May Day," *WW*, 13 May 1927, 3.

the national level when they were elected Federation General Secretary and General President in late 1933 and mid-1934 respectively.[100] Both were from Scotland and entered the coalmining industry there as children. Nelson started mining work as a 13-year-old, before moving to NSW in 1914. During the war, he was active in the IWW and the anti-conscription campaign. He organised for the OBU at the Newnes coal-shale mines and in Sydney. In 1925 he began working at Lithgow's State Mine, and became its lodge president four years later.[101] Orr, who was a few years younger than Nelson, first worked in a mine at the age of nine. He migrated to NSW after a brief period of military service in the First World War. Orr soon found work in coalmining at Lithgow, where he joined Nelson's Marxist study circle.[102] Both contributed to *Workers' Weekly* regularly in the mid-1920s, writing mainly about the mining industry.

The Lithgow Group in 1927-28 was made up mainly of ironworkers but led by miners. CPA conference reports show that the group had 21 members in 1927, of whom 10 were Italians and 11 English-speakers. Four of them were miners, and the other 17 ironworkers, making it an all-male group.[103] *Workers' Weekly* articles from Lithgow indicate that besides Orr and Nelson, the other two mineworkers were Jock Lindop and Alfred Airey (who assumed the name Jack Blake on his return from training in the USSR in 1933 and became a leading Communist).[104] The Italians were probably all employed at Hoskins Steelworks. By the end of 1928, Lithgow group's membership had fallen to 12. Orr explained this with reference to the closure of blast furnaces, noting "none of the Italians are now active in the Group, most of them have left the District."[105]

Lithgow Communists were active in the labour movement and justifiably claimed to have some influence in it in 1927. Orr and Nelson both contested positions in the Miners' Federation district elections. Nelson came third in a six-person contest for district president, with 427 out of a record-high 1943 votes cast (of a potential of just over 2000). Orr, running for Central Councillor, received 77 of the 1251 votes to come sixth of eight candidates.[106] Airey's report to the CPA conference exaggerated their results, and excused Orr's lower vote as being due to "sabotage by the scrutineers" in his own lodge.[107] Though Orr's result was unimpressive, Nelson's was respectable. Moreover, three years after the expulsion of Communists from the Labor Party, Lithgow CPA members commanded enough respect locally to remain involved in the ALP's Hartley District Assembly. A move to eject Nelson from that body for being an avowed Communist failed, with thirteen of the eighteen delegates opposing it.[108] Vale of Clwydd and Zigzag lodges insisted that Orr

[100] Macintyre, *Reds*, 254-257, 329-338.
[101] Don Dingsdag, "Nelson, Charles (1896–1948)," *Australian Dictionary of Biography*, vol. 10 (Melbourne: Melbourne University Press, 1986), 675-676.
[102] Don Dingsdag, "Orr, William (1900–1954)," *Australian Dictionary of Biography*, vol. 11 (Melbourne: Melbourne University Press, 1988), 98-99.
[103] "Lithgow Group Report," in Minutes, p.36, Report of the Seventh Annual Conference of the CPA (CPA Records, SLNSW).
[104] Macintyre, *Reds*, 115, 176, 284.
[105] W. Orr, Lithgow Group Report, CPA Eighth Annual Conference (December 1928) documents, in "[Communism]: Communism and anti-war movement," item SF42/321, series A467 (Attorney-General's Department, Central Office - Special correspondence files), National Archives of Australia (NAA).
[106] "Western Miners' Ballot," *Lithgow Mercury* (NSW), 23 December 1927, 4.
[107] "Lithgow Group Report," in Minutes, p.37, Report of the Seventh Annual Conference of the CPA (CPA Records, SLNSW).
[108] "The Political Cauldron," *Lithgow Mercury*, 1 June 1927, 2.

and Lindop respectively were their chosen representatives, despite their CPA membership.[109] By backing these Communists, the Hartley Assembly risked incurring sanctions from the ALP.

The Lithgow Group's labour movement activity stood out as exceptional in the CPA; at the 1927 party conference, its leaders generally commended Lithgow comrades' efforts. For example, Esmonde Higgins considered Lithgow was "further along the lines of mass work than any other group in the Party," and argued its work needed more careful attention from the whole party.[110] Lithgow members argued that their group should be represented on the CPA Central Executive (CE). Their bid was not successful, but an arrangement was reached that Orr could attend occasional CE meetings.[111] Jack Kavanagh recognised the Lithgow Group's union movement work, but, unlike other party leaders, criticised its approach:

> Lithgow members […] are engaged to the extent that they are unable to build up their Communist organisation: Activities are lost in trade Union and ALP work. Some of the activity of members must be dropped in order that the Communist Group can be first well consolidated […] more attention should be paid to the building up of the Communist Party…[112]

The Lithgow Group's initiative was important to the CPA's endeavours to organise among mineworkers. As discussed in Chapter One, it was in response to Lithgow members' proposal that the party first moved to form a Mineworkers' Minority Movement in October 1926, although the project was then abandoned for more than a year. When the CPA renewed its efforts to organise a Militant Minority Movement (MMM) in early 1928, the Lithgow Group spearheaded MMM activity across the Western District. Orr reported that the Miners' MM held regular district-wide meetings throughout 1928, but because of travel difficulties they had decided to concentrate on building local MMM groups.[113] Lithgow Communists, despite the decline in their group's membership, founded and helped develop a new party group in neighbouring Kandos.

1927: THE CPA FRUSTRATED

At the beginning of 1927, the Communist Party had recently resolved to organise a Mineworkers' Minority Movement, but despite its efforts, its organisation went backwards on the coalfields that year. The CE reported in December:

> Every effort during the term to organise the Coal Mining Industry was without success, Lithgow being the only Group that retained contact. Several efforts have been made by CE to organise Militants in the Northern Coal Fields but have failed.[114]

Lithgow Group, whose members convened weekly miners' nucleus meetings early in the year, blamed the CE: it held that "lack of co-operation on the part of the Executive" was behind the failure

[109] "Vale Miners' Disclaimer," *Lithgow Mercury*, 14 July 1927, 6; "Miners and Communists," *Lithgow Mercury*, 4 August 1927, 3.
[110] Higgins in discussion of Lithgow Group Report, in Minutes, p.38, Report of the Seventh Annual Conference of the CPA (CPA Records, SLNSW).
[111] Election of Officers, *ibid.*, 60.
[112] Kavanagh in discussion of Lithgow Group Report, *ibid.*, 39.
[113] W. Orr, Lithgow Group Report, CPA Eighth Annual Conference (December 1928) documents, in "[Communism]: Communism and anti-war movement," item SF42/321, series A467, NAA.
[114] "Report of the Central Executive for Year Ending Dec. 1927," p.3, Report of the Seventh Annual Conference of the CPA (CPA Records, SLNSW).

of attempts to establish "some definite form of organisation" of CPA members in coalmining.[115] However, internal disorganisation was not the main reason for its lack of success. There were more important factors at work that made the miners less inclined to respond positively to the CPA.

Firstly, a vote against an all-out strike in February 1927 undoubtedly demoralised the militants. A general coalminers' strike seemed possible when a Newcastle conference between the Northern miners' representatives and proprietors failed. The Federation's Northern District officials arranged the conference in an attempt to have multiple grievances resolved, but the owners offered virtually nothing. In response, the Northern District Delegate Board demanded on 8 February that the Central Council convene aggregate meetings to put the question of an industry-wide strike to the rank and file, declaring that it would act unilaterally if the Council did not do so. It also directed Northern District miners to cease work until the aggregate meetings.[116] On Thursday 9 February, with all Northern collieries idle, the Central Council agreed that meetings would be held the next Monday. It resolved the following day to recommend an all-out strike for a national minimum wage of £5/10/– per week for coalmine workers, a five-day week, and an enquiry into the industry's economic position and the proprietors' profits.[117] *Workers' Weekly* supported the strike proposal, but contended it "does not go far enough."[118] It argued miners should also fight for a six-hour day, emphasising that only reduced hours could eliminate intermittency.

At aggregate meetings, convened on Monday 14 February in Victoria and all the NSW districts, the strike resolution was rejected. Although a few miners' meetings strongly supported strike action, the majority in all districts, including the Northern, voted against it.[119] At a large meeting in Cessnock, which opposed the motion by a ten to one majority, the Delegate Board was "hotly criticised for having ordered a stoppage of work without consulting the rank and file."[120] Work resumed at most Northern collieries on Monday 21 February.[121] When the outcome of the vote was clear, the CPA urged the militants not to be discouraged, but to get organised for a fighting campaign through the Trade Union Educational League (TUEL); militant miners were unmoved.[122] The Northern District Executive accused three Central Councillors (Bainbridge, Biggars and B. Rees) of subverting the Council's resolution and contributing to its defeat.[123] *Workers' Weekly* reported that Southern District officials stoked sentiments of sectional rivalry against the Northern miners to defeat the measure.[124] Such behaviour by some officials may have contributed to militant miners' demoralisation.

Another factor impeding militant miners and Communists co-operating was their different attitudes to Labor governments. Most miners expected the state Labor government to defend their

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[115] "Lithgow Group Report," in Minutes, p.36, *ibid*.
[116] T. Hoare, A. Teece and W. Brennan, *General Conference and Delegate Board's Decision* (Sydney: Labor Daily Ltd. Printers, n.d. [1927]), 5-6, item N57/1518, J. Normington Rawling collection, Noel Butlin Archives Centre (NBAC), ANU; "No Further Work," *Newcastle Sun* (hereafter *NS*), 8 February 1927, 5.
[117] Hoare, Teece and Brennan, *General Conference*, 13; "Council's Resolution," *NMHMA*, 11 February 1927, 6.
[118] "The Mining Crisis," *WW*, 18 February 1927, 1.
[119] "Miners Divided," *NS*, 14 February 1927, 7; "Coal Trouble," *NMHMA*, 15 February 1927, 4; "Coal Trouble," *NMHMA*, 16 February 1927, 6; Ross, *Miners' Federation*, 329.
[120] "Coal Mining Trouble," *Australian Worker* (Sydney), 16 February 1927, 14.
[121] "Three Idle," *NS*, 21 February 1927, 5.
[122] "Miners Reject the Struggle," *WW*, 18 February 1927, 1. See Chapter One for a discussion of the TUEL.
[123] Hoare, Teece and Brennan, *General Conference*, 13-15.
[124] "Miners Leaders Sow Dissension," *WW*, 4 March 1927, 3.

interests, whereas the CPA considered the ALP a class collaborationist party that did not fight capitalism but acted "as a brake upon the development of the Labor Movement."[125] Miners' expectations were well founded in view of the Lang government's record of enacting reforms. Since mid-1925 it had introduced widows' pensions, child endowment, improvements to the *Workmen's Compensation Act*, and the 44-hour week. Moreover, it had implemented Miners' Federation policy, mandating important safety measures through the *Mines Rescue Act* 1925, and sanitary facilities through the *Coal Mines Regulation (Amendment) Act* 1926.[126] The CPA contended that only a mass revolutionary party could end exploitation and was disdainful towards such reforms, not recognising their importance to workers. The fact that their difference in perspectives was an obstacle to organising together was evident in the failure of a proposed joint May Day leaflet:

> In March communications were received from a militant group on the northern coalfield suggesting co-operating with the party in the production of a May Day pamphlet. A draft was drawn up by the Bureau but was not accepted by the Northern comrades.[127]

The CPA's approach was perhaps less than collaborative. The militants' differing views were evident in their Northern Coalfields May Day Council leaflet. It included material the Communists would have supported, such as criticism of the arbitration system, and statements that "militant action is wanted" and "the strike… is our only bargaining lever."[128] However, the Northern militants also cautioned that strikes "nowadays, must be used with great discretion, judgment and determination to be successful" and affirmed: "While we do not look to Parliaments for our emancipation, they can assist to remove obstacles from the workers' highway on the toilsome march to Freedom."[129]

The fact that the CPA lost contact with coalfields militants prevented *Workers' Weekly* from covering mining industry issues and events, compounding the party's difficulties. In early 1927, each edition included one or more articles about coalmining, many written by miners. But after the 18 March 1927 edition, its coverage of mining practically ceased. For close to six months, *Workers' Weekly* printed barely half a dozen articles concerned with the industry. It did not resume regular coverage of Australian mining until 23 September. In most districts, few militant mineworkers were in touch with the CPA. The Western District Communists wrote little about mining: for much of 1927 Lithgow Group was occupied with recurring disputes in the local steelworks. The lack of column inches devoted to mining was probably a major reason for miners' lack of interest in *Workers' Weekly*. A frustrated Alf Baker, who was charged with managing the paper, reported to the CPA's 1927 conference:

> In NSW activity throughout the Northern Coalfields with two exceptions has ceased in connection with sales of the 'Workers' Weekly'.

[125] "Non-Militant Militants," *WW*, 22 April 1927, 2; "Two Reformist Parties or One," *WW*, 27 May 1927, 1.
[126] Gollan, *Coalminers*, 180.
[127] Report on Agitprop, in Report of the Seventh Annual Conference of the CPA (CPA Records, SLNSW).
[128] The Northern Coalfields May Day Council, *Our May Day Message* (Sydney: Labor Daily Ltd. Printers, 1927), p.3, item N57/1907/18, J. Normington Rawling collection, NBAC.
[129] *Ibid*.

> The reason as given by all of them being, that it is difficult to give copies of the 'Workers' Weekly' away free. I have endeavoured to force at least 6 copies of each issue on several of the Northern Comrades but with no good results.[130]

Yet the dejected tone of discussion at the CPA conference in relation to its coalfields activity concealed the fact that the situation was changing in its favour. Miners' attitudes shifted in late 1927, in a way that made them more inclined to work with Communists. When Lang lost the October 1927 election and Thomas Bavin's conservative government took over in NSW, more miners were open to pursuing militant industrial action to resolve their grievances. They did not expect an anti-labour state government to solve the industry's crisis in their interests. Even before the election, miners' attitudes may have been changing, as a Miners' Federation Central Council decision in September 1927 to serve a general log of claims on the owners indicated. Southern and Western officials voted with their Northern counterparts in favour of united strike action for a £5/10/– minimum wage and a thirty-hour week.[131] Although the NSW districts did not move towards industrial action, with Queensland and Victoria opposed, it suggests increasing numbers of NSW miners wanted an all-out struggle. The reasons behind this shift in sentiment before the election are unclear, but these circumstances provided a basis for the CPA's efforts on the coalfields to meet with some success in 1928.

EARLY 1928: MODEST GAINS FOR THE CPA

From late 1927, the CPA's renewed effort to appeal to militant miners was evident in *Workers' Weekly*. From late September, it urged miners to get organised to meet the bosses' impending attack, advocating a fight around the Federation's claims of a minimum weekly wage of £5/10/– and a thirty hour week.[132] It also called for the Federation to return to the militant principles of its IWW-inspired preamble.[133] *Workers' Weekly* content indicates that the CPA was re-establishing connections with some coalfields militants in late 1927, as it published articles by miners other than the four Lithgow Communists.[134]

The CPA began suggesting a conference of militant miners from October 1927. Charlie Nelson argued the Federation needed a Convention to address various problems, particularly internal dissension caused by sectional stoppages, and proposed "an all-in Militants' Conference before the Convention to formulate a policy."[135] *Workers' Weekly* reiterated the suggestion a month later, arguing a general coalminers' strike could not succeed unless militants formulated a policy to lead it.[136] By February 1928, the CPA was confident there was sufficient interest to organise a

[130] "Business Manager's Report," in Minutes, p.9, Report of the Seventh Annual Conference of the CPA (CPA Records, SLNSW).
[131] Ross, *Miners' Federation*, 331.
[132] W. Orr, "The Coming Crisis," *WW*, 23 September 1927, 3; "Miners Fight Back," *WW*, 28 October 1927, 1; W. Orr, "Miners Menaced," *WW*, 2 December 1927, 1; "Miners' Danger," *WW*, 16 December 1927, 1; A. Airey, "Attack on Miners Preparing," *WW*, 13 January 1928, 4; "Miners, The Attack Must Be Met," *WW*, 3 February 1928, 1.
[133] "Facts For Coal Miners," *WW*, 28 October 1927, 1.
[134] Bert Sargent, "Miners Locked Out," *WW*, 30 September 1927, 4; D. Hilton, "Baddeley Gathers Information," *WW*, 30 September 1927, 4; "Rot About Russia," *WW*, 21 October 1927, 2 (article credited to "HS," West Maitland); "Wheelers Unite," *WW*, 25 November 1927, 3 (from a Cessnock worker correspondent); D. Hilton, "Why Army Stunts?" *WW*, 16 December 1927, 2.
[135] C. Nelson, "Miners' Convention," *WW*, 7 October 1927, 3.
[136] "Miners!" *WW*, 4 November 1927, 2.

conference; Orr called for it to convene on 25 February.[137] Subsequently the date was pushed back a week, to a payday Saturday.[138] Each edition of *Workers' Weekly* in the lead-up to the conference urged readers to attend, and promoted the CPA's programme as the only solution to the problems in the mining industry.[139]

On 3 March 1928, the conference of "the Mineworkers' Section of the Militant Minority Movement" met at Sydney's Trades Hall.[140] Attendance showed the CPA was making modest gains among miners: 30 delegates assembled, from the three NSW coalfields districts and Broken Hill. The conference's main business was to decide on a policy and program to lead the miners. It adopted as its "immediate demands":

1) The establishment of a 6-hour day and a 5-day week.
2) A National Minimum Weekly Wage of £5/10/.
3) Abolition of the Contract System.
4) Abolition of the Coal Tribunal.
5) Abolition of District Agreements and the establishment of a National Agreement.
6) The Socialisation of Industry.[141]

While the first three demands were already Miners' Federation policy, the program reflected CPA priorities. The party particularly emphasised points 1, 2, 4 and 5 prior to the conference.[142] The Federation had claimed the 30-hour week and national minimum wage since 1920, but without making serious efforts to achieve them, either through direct action or the Coal Tribunal.[143] The demand to abolish the contract system, although Federation policy, was contentious: the system's opponents argued that it bred individualism and undermined safety standards, but a significant proportion of members wanted to keep it.[144] Abolishing the Coal Tribunal was a demand that many militants, who generally saw arbitration courts as serving the owners' interests, agreed with. The CPA called for a national agreement over district ones because it favoured centralisation, not only for miners but in labour movement organisations generally. Socialisation of industry was an aim that a wide range of unionists professed, but few thought of as an immediate demand.

The conference also agreed on a series of organisational measures to advocate in the Federation to achieve those demands. They were a mixture of common sense, OBU ideology, and Communist preoccupations. Among the more practical was a proposal for a new procedure for industrial disputes: districts should finance their own strikes for the first six weeks, after which the Central Council should take over, and strike pay would start from the third week of a dispute. The intention was to allow Central Council to concentrate on the general situation rather than dealing

[137] Advertising, *WW*, 3 February 1928, 4.
[138] Advertising, *WW*, 10 February 1928, 1.
[139] "A Program For Miners," *WW*, 10 February 1928, 1; "A Militant Policy For Miners," *WW*, 17 February 1928, 1; Editorial, "The Militant Miners' Task," *WW*, 17 February 1928, 4; "Miners Leaders," *WW*, 24 February 1928, 4; "Militant Policy Will Save Miners," *WW*, 2 March 1928, 1.
[140] "Militant Miners Work Out Policy," *WW*, 9 March 1928, 1.
[141] *Ibid*.
[142] "A Program For Miners," *WW*, 10 February 1928, 1; "A Militant Policy For Miners," *WW*, 17 February 1928, 1.
[143] Federation President Dan Rees told the June 1928 Convention that since members were satisfied with substantial wage increases in 1920, the Tribunal "never went any further into [it]... There was no evidence called on that at all, and no argument." *Second Miners' Convention*, 102.
[144] Gollan, *Coalminers*, 170-171.

with relatively minor disputes.[145] The militants' aspiration for a single industrial union was evident in the conference's proposal for unity committees to be formed at each colliery, to consist of "one delegate from each technical section of employed in and about the mine."[146] The idea was to unite craft union and Federation members at a local level to strengthen their industrial position and pave the way for union amalgamations. Resolutions concerning representation embraced Communists' preferred organisational measures: the conference called for Central Council members to be elected by open (rather than secret) ballot in mass meetings, and for Councillors to be subject to recall by the members who elected them. It also proposed that the Federation's constitution include provisions allowing for districts to participate in forming local labour councils, and for affiliation to state labour councils and the ACTU. The CPA was an enthusiastic proponent of labour councils in the mid- to late-1920s. It advocated that local labour councils be established "in every industrial suburb" in the belief that such bodies could be strategically important in a general strike or other major struggle.[147] While many of the CPA's favoured proposals were supported by other militants, enthusiasm for local labour councils was peculiar to the Communists.

The 3 March 1928 conference marked a change in the CPA's efforts to organise militant unionists generally, not just in mining. As discussed in Chapter One, between mid-1927 and February 1928, the TUEL metamorphosed into the MMM. The March 1928 conference functioned as the MMM's launch as a new organisation. The only indication of activity under MMM auspices beforehand were reports of a Mineworkers' MM branch forming in the Western District and submitting proposals to a Federation committee on reorganisation.[148] The CPA intended the 3 March meeting to spark organising under the MMM banner in mining districts and beyond, and confidently predicted the organisation's rapid growth. The conference agreed that "an organiser should tour the mining districts" to build the MMM, and resolved to reconvene in three months' time.[149] By then, it "expected that… the Miners' Section will be able to report a big increase in [its] membership."[150] *Workers' Weekly* forecast "an All-Australian conference" of the MMM, and led an edition in late March with a call to "Build the Militant Minority Movement," publishing its preamble and objects on the front page.[151] Jack Kavanagh began describing himself as the president of the MMM at the same time.[152]

The next meeting of the Mineworkers' MMM section was brought forward to 12 May, in response to the Federation Central Council's decision to hold a Convention in June. It would be the second national Convention of the Miners' Federation; the first convened in 1925. Notices were circulated throughout the districts encouraging members to submit resolutions for discussion, stating that business must reach the Federation's central office by 6 June to be included.[153] The MMM therefore met earlier than initially planned, to enable it to draw up a program to submit to the Convention.

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[145] "Militant Miners Work Out Policy," *WW*, 9 March 1928, 1.
[146] *Ibid*.
[147] Report on the Trade Union Movement, in Report of the Sixth Annual Conference of the CPA (CPA Records, SLNSW); A. Airey, "Attack on Miners Preparing," *WW*, 13 January 1928, 4.
[148] "Militant Miners," *WW*, 10 February 1928, 1; "A Militant Policy For Miners," *WW*, 17 February 1928, 1.
[149] "Militant Miners Work Out Policy," *WW*, 9 March 1928, 1.
[150] *Ibid.*
[151] *Ibid.*; "Build the Militant Minority Movement," *WW*, 30 March 1928, 1.
[152] J. Kavanagh, "Miners' Leaders Fall Down on Job," *WW*, 30 March 1928, 4.
[153] *Second Miners' Convention*, 63.

Meanwhile, the CPA used May Day as an opportunity for further engagement with the coalfields militants. By the end of May, it could claim a measure of organisational success in Cessnock. Jack Kavanagh visited the town in late April to present a talk, as MMM President, on the mining situation. He found a receptive audience, with a Cessnock Mineworkers' MM group formed as a result.[154] Several Sydney-based CPA leaders toured the NSW Northern coalfields to give speeches at the May Day celebrations, visiting five centres: Newcastle, Cessnock, Kurri Kurri, Greta and Belmont. *Workers' Weekly* reported that the Communist speakers were well received, and generated further interest in the MMM, at least in Cessnock, Newcastle and Greta (the audience response at Kurri and Belmont was not noted).[155] Two leading Communist women, Jean Thomson and Edna Nelson, spoke on behalf of both the CPA and the Sydney Militant Women's Group (MWG). They met with an "eager response" in Cessnock and Kurri, which both had active Women's Co-operative Guilds.[156] Cessnock women decided to form their own MWG, and did so within a fortnight.[157]

The 12 May Miners' MMM conference again involved participants from all NSW mining centres, but it is unlikely attendance was larger than on 3 March, as the numbers were not reported. The conference was highly critical of the Federation's leaders, accusing them of failure in the face of the crisis; it considered them "incapable of rallying the membership for any form of struggle."[158] *Workers' Weekly* asserted brazenly that the CPA and MMM were the only organisations that had provided a "true analysis" of the coalfields situation over the past three years, and both had "fully justified their right to offer advice to members of the unions in the mining industry."[159]

The main recommendations of the 12 May conference were for profound restructure of the Federation. The MMM decided on seven policies to take to the Convention. Its resolutions on organisational matters differed markedly from the somewhat innocuous changes it proposed in March: two months later, delegates considered "drastic re-organisation" necessary.[160] The conference proposed, firstly, that the districts and Central Council be abolished. Lodges would be formed into local area groups instead of districts, with the Council replaced by an "administrative body" consisting of "the General Secretary and five organisers, elected by the whole membership."[161] Secondly, it advocated that the Federation's governing body be an annual Convention. In the existing structure, the Central Council had a dual role as both administrative and governing body.[162] The MMM's third proposal was that the Federation withdraw from the Coal Tribunal to negotiate directly with the employers; that is, for a strategy of direct action instead of arbitration (as adopted on 3 March). The other four measures the MMM agreed to advocate at the Convention were similar to its earlier resolutions. Two were to control the Federation's officials, with limits on the terms of office of salaried full-time officials and provision for any officials to be recalled from office. The remaining two resolutions sought closer unity with other unions: that pit

[154] "News From Cessnock District," *WW*, 4 May 1928, 3.
[155] "Communist Propaganda Welcomed," *WW*, 11 May 1928, 2; "Minority Movement," *WW*, 11 May 1928, 1; "May Day Celebrations," *WW*, 11 May 1928, 1; "Belmont's Celebration," *WW*, 11 May 1928, 1.
[156] "Cessnock Next," *WW*, 11 May 1928, 2.
[157] *Ibid*.; "Militant Women's Group Formed," *WW*, 25 May 1928, 2.
[158] "Militant Miners Give Lead," *WW*, 18 May 1928, 1.
[159] *Ibid*.
[160] *Ibid*.
[161] *Ibid*.
[162] *Second Miners' Convention*, 51-52.

committees be set up at every mine, and that groups of lodges be allowed to form local labour councils.[163] Additionally, it aimed to press for discussion of the existing Federation policies for a 30-hour week with a minimum wage of £5/10/–, and the abolition of the contract system. Before examining the subsequent Miners' Federation Convention, I shall turn to the wider context of the first half of 1928.

DEBATES CONCERNING THE INDUSTRY'S CRISIS, 1928

In the first few months of 1928, the situation in the coal industry worsened, prompting state government intervention and debate on how to ameliorate it. Slackness of trade, combined with numerous disputes, meant that intermittency was prevalent on the Northern fields.[164] Moreover, major collieries ceased their operations, including two owned by Caledonian Collieries Ltd.: Aberdare South was closed from the start of the year, leaving 400 unemployed, and Aberdare Central shut in February, affecting 640 men. Both remained closed at the end of June.[165] Miners' Federation Northern Treasurer Arthur Teece estimated at the end of March that 3,000 mineworkers were idle in his district alone.[166] E.H. Farrar, the Minister for Labour and Industry of Bavin's new Nationalist state government, convened a conference "to discuss the economic situation in the coal-mining industry" in response.[167] Bringing together mine owners' and workers' representatives of all districts, it met from late February. The specific issues it was intended to address were the loss of export trade and high levels of unemployment on the coalfields, particularly the Northern District, which posed a challenge to the government because of the demands on state resources.[168] The *Sydney Morning Herald* anticipated the main discussions would concern how to reduce the price of coal, arrange federal government assistance to regain export markets, and develop a more effective conciliation system to prevent frequent stoppages.[169]

Coal owners argued for state assistance to help the industry recapture export trade, but did not yet campaign publicly for wage cuts, although that was their ultimate intention. The NCA led the owners' lobbying. It called for decreases in state charges related to transporting coal, particularly rail freight rates but also wharf craneage charges, and for a bounty (or subsidy) on coal produced for export.[170] The NCA contended that state charges drove up the price of coal and that their overseas competitors received state subsidies, so they should be similarly supported. Two statements in the first half of 1928 revealed the owners envisaged major cuts to wages and working conditions. In late March, during an Industrial Commission hearing on the award for colliery staff employees, NCA chairman Charles M. McDonald argued:

[163] "Militant Miners Give Lead," *WW*, 18 May 1928, 1; "Militant Miners Work Out Policy," *WW*, 9 March 1928, 1.
[164] "Employment in Newcastle," *NMHMA*, 1 February 1928, 6; "Newcastle Employment," *NMHMA*, 1 March 1928, 4.
[165] "Employment in Newcastle," *NMHMA*, 2 July 1928, 4.
[166] "Industrial Matters," *NMHMA*, 2 April 1928, 4.
[167] "Proposed Conference," *SMH*, 10 February 1928, 11.
[168] "Depression," *SMH*, 14 February 1928, 11; "Coalmines," *SMH*, 15 February 1928, 15; "Coalmines," *SMH*, 16 February 1928, 11.
[169] "Depression," *SMH*, 14 February 1928, 11.
[170] "The Coal Trade," *SMH*, 18 February 1928, 21.

> There must be readjustment of wages and conditions in the coalmining industry if it is going to live at all… the coal industry of Australia is the only one in the world that has not realised that we have to get back to pre-war conditions in order to compete in the world's markets.[171]

This would reduce wages by fifty per cent or more. McDonald tried, unconvincingly, to distance himself from these words later, claiming he could not state definitely whether a readjustment in the industry would result in wage cuts.[172] Yet, days afterwards, reports emerged that the coal baron John Brown had similarly told employee representatives at Richmond Main that the industry would have to revert to 1914 wages and conditions.[173] Brown, who owned two of the Northern District's largest collieries, Richmond Main and Pelaw Main, was widely reviled as one of the wealthiest men in Australia.[174] Interviewed by the *Sydney Morning Herald*, Brown reiterated that miners must soon accept lower hewing rates or lose their jobs, but avoided referring to 1914 rates.[175] Brown, however, was out of step with the rest of the owners, who were biding their time: they were not ready to battle the Miners' Federation at that stage.

Miners' Federation leaders proposed various measures to respond to the industry's crisis. Proposals that Northern District officials Teece and Bondy Hoare took to the Farrar conference concentrated on alleviating mineworkers' conditions and making the owners bear the costs of fixing the problems. Measures they advocated included a guaranteed minimum weekly wage, even if less than full-time hours were worked, and a ceiling on profits.[176] They called for a Royal Commission into the industry, mainly to investigate profits but also to expose corrupt practices. The Northern leaders presumably calculated that if the extent of profits were public knowledge, a reduction in the coal price would have to come from the owners' wealth, not their members' wages. Federal leaders, on the other hand, sought to stabilise the industry by ensuring its profits. General Secretary D.J. Davies and his predecessor Willis proposed establishing a coal pool (a single agency for all coal sales to replace private selling agencies) and developing coal by-products, such as chemicals and dyes.[177] Willis also argued that no new mining leases should be granted to private enterprise; further development of coal resources should be under state control.[178] Davies advocated closing obsolete mines and diverting surplus labour to other industries.[179] Implementing such measures may have improved the industry's management, but would not have been enough to resolve the crisis.

Federation leaders also proposed adopting the collective contract, a profit-sharing scheme. Collective contracts were agreed at two collieries in 1928: Catamaran, Tasmania in February, and Balmain in Sydney in October.[180] Collective contracting varied standard mining practice in two main ways: owners paid for coal delivered "to the hoppers" (at the colliery's railway siding, ready for sale), instead of skip-loads of coal brought to the surface, and employees held shares in the company as

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[171] "Employer's Statement," *SMH*, 30 March 1928, 13; "Killing Coal Industry," *NMHMA*, 30 March 1928, 6.
[172] "'Re-Adjustment'," *NS*, 30 April 1928, 5.
[173] "Industrial Matters," *NMHMA*, 4 May 1928, 6; "John Brown's 'Bomb'," *NS*, 3 May 1928, 7.
[174] Dagmar Carboch, "The Fall of the Bruce-Page Government," in *Studies in Australian Politics*, ed. Henry Mayer (Melbourne: F.W. Cheshire, 1958), 135-136; Comerford, *Lockout*, 45-47, 119-121.
[175] "Reduce Wages," *SMH*, 4 May 1928, 11.
[176] "Miners' Wages," *NS*, 2 March 1928, 5; "Why Our Overseas Trade Was Lost," *LD*, 2 March 1928, 5.
[177] "Why Our Overseas Trade Was Lost," *LD*, 2 March 1928, 5; "Coal Conference," *NMHMA*, 2 March 1928, 6.
[178] "ALP Conference," *SMH*, 12 April 1928, 12.
[179] "'Should Be Closed'," *LD*, 6 March 1928, 6.
[180] "Catamaran Mine," *Mercury* (Hobart), 3 February 1928, 7; "Sydney Collieries, Ltd.," *SMH*, 10 October 1928, 17.

working partners.[181] Proponents of the scheme, such as Willis, argued that it encouraged a co-operative approach, which would reduce stoppages and improve industrial relations.[182] Union movement critics likened it to piece-work and productivity bonuses, speed-up measures which were detrimental to workers.[183] However, some left-wing mining unionists were attracted to the idea, because the collective contract negotiated at Catamaran handed management of the colliery to the mineworkers (company officials retained responsibility for marketing and selling the coal).[184] Hoare shared Willis and Davies's view that this was a step towards workers' control of the industry.[185]

In reality, collective contracts were a means of reopening mines that had closed because they were insufficiently profitable, pushing the burden of making them commercially viable onto the workforce.[186] Owners' representatives at the Farrar conference would not entertain the idea of introducing the scheme at other collieries.[187] Subsequent events justified the criticism from some unionists. The Federation's Southern District Delegate Board opposed the collective contract proposed for Balmain mine because it eroded conditions and posed unacceptable safety risks. It tried to veto it on that basis, instructing the Balmain Lodge to discontinue its negotiations. The lodge was expelled from the district when it ignored that advice (although it was allowed to remain in the Federation as the Central Council disagreed with the Board).[188] Catamaran miners abandoned the agreement negotiated by the Federation for another that conceded sub-standard conditions and lower returns. It was a measure of the desperation of Catamaran and Balmain miners that they accepted these contracts.

Before June 1928, mining union leaders also began preparing for a major confrontation with the owners, although the desire to fight the battle that seemed inevitable was uneven among them and their members. Recognising that McDonald's statements foreshadowed a wage reduction drive, Hoare proposed that a central governing authority be formed to direct the unions' resistance.[189] Craft union officials responded positively, and representatives of all mining industry unions met on 8 May.[190] They pledged "to stand solidly together, and fight as one body any attempted reduction in wages or alteration in conditions."[191] It seemed probable when the meeting adjourned that they would form a joint committee. However, FEDFA organiser (and former CPA member) Hugh Sutherland then issued a statement indicating he wanted to avoid a major coalfields strike. If employers pursued their wage cut plans, he stated, "I am afraid that Australia will face one of the biggest crises that have [sic] ever occurred in its industrial history."[192] When the combined unions' meeting resumed later that month, it did not create a committee to direct the fight. Instead, it

[181] "Collective Contracting," *Evening News* (Sydney), 29 February 1928, 8.
[182] *Ibid.*; *Second Miners' Convention*, 118-119; Ross, *Miners' Federation*, 333.
[183] "Collective Contracts," *Barrier Miner* (Broken Hill, NSW), 28 February 1928, 1; "Men as Masters," *NS*, 4 August 1928, 3.
[184] "Catamaran Mine," *Mercury* (Hobart), 3 February 1928, 7; "Balmain Mine," *SMH*, 4 August 1928, 16.
[185] "Miners to Control," *LD*, 4 February 1928, 5; "To Save the Coal Industry," *LD*, 3 March 1928, 5.
[186] "Tasmanian Notes," *Age* (Melbourne), 9 February 1928, 7; "Balmain Coal Mine," *Australian Worker*, 12 September 1928, 6.
[187] "Miners' Wages," *NS*, 2 March 1928, 5; "To Save the Coal Industry," *LD*, 3 March 1928, 5.
[188] "Illawarra Miners," *South Coast Times and Wollongong Argus* (NSW), 7 September 1928, 18; "Balmain Coal Mine," *Australian Worker*, 12 September 1928, 6; Ross, *Miners' Federation*, 334.
[189] "To Defend Wages," *NS*, 28 April 1928, 3.
[190] "'Re-Adjustment,'" *NS*, 30 April 1928, 5; "Defending Wages," *NS*, 4 May 1928, 5.
[191] "Coal Mining Industry," *NMHMA*, 9 May 1928, 6.
[192] "Industrial Matters," *NMHMA*, 14 May 1928, 4.

decided to ask Farrar to reassemble the conference between the industry parties as soon as possible, "to avert what might develop into a national calamity."[193] Yet another resolution on the same day suggested the opposite intent, reiterating its earlier pledge to stand united and resist.

The mining union leaders also decided to convene joint aggregate meetings of all mineworkers throughout coalfields centres to discuss the industry's problems. These meetings, held in late May and early June, were unprecedented for bringing together representatives of all the unions on the same platform. All of them carried resolutions declaring that they would stand together and fight any attempt to cut their wages or conditions, and protesting against Bruce's proposed anti-union amendments to the *Commonwealth Conciliation and Arbitration Act*.[194] Northern District officials booked the largest available venues in each centre, but attendance varied.[195] The turnout was poor at Wallsend, Kurri Kurri, and West Maitland. However, the Cessnock meeting had a "fair attendance," and the Adamstown and Abermain meetings were large.[196] This indicated that mineworkers' desire to fight the anticipated cuts was uneven. The May meetings of combined unions' representatives, and the aggregate meetings of their members, provided a basis for the later formation of the Combined Mining Unions' Committee.

MINERS' FEDERATION SECOND CONVENTION

The Second Convention of the Miners' Federation, called to address the union's crisis, began on 12 June and met for fifteen days, ending on the 28th. There were three parts to the agenda, based on resolutions submitted by lodges and districts: the structure of the Federation, its policy, and its finances. The central policy question was arbitration or direct action, while finance primarily concerned strike pay. Edgar Ross and Robin Gollan both described the June 1928 national Convention as a contest between supporters of the Federation's leadership and a left-wing group around the MMM: it was "the first clear-cut contest between [their] ideas" and revealed "two trends in the union."[197] However, their accounts overstate the importance of the MMM's intervention. Their analysis was predicated on reading backwards from subsequent events; both historians referred to the lockout in discussing the Convention. Federation leaders had the Convention proceedings transcribed verbatim, printed and distributed to lodges to allow all members to follow the debates, leaving a valuable historical record.[198] The proceedings reveal that the MMM was sufficiently co-ordinated to have an impact but lacked an identifiable caucus.

All seven policies that the MMM had decided on 12 May were on the agenda, indicating its influence, despite the fact that as an extraneous body it could not submit them directly. Miners who supported the MMM proposed these policies to their lodges, which submitted items of business for the Convention. Lodge resolutions were considered expressions of members' will; more accurately,

[193] "Industrial Matters," *NMHMA*, 19 May 1928, 5.
[194] "Southern Miners," *NMHMA*, 28 May 1928, 4; "Miners' Wages," *NS*, 28 May 1928, 9; "Industrial Matters," *NMHMA*, 29 May 1928, 5; "Mining Industry," *NMHMA*, 4 June 1928, 4; "Mining Industry," *NMHMA*, 11 June 1928, 5.
[195] "No Wage Cuts," *NS*, 29 May 1928, 5.
[196] "Mining Industry," *NMHMA*, 4 June 1928, 4.
[197] Ross, *Miners' Federation*, 331; Gollan, *Coalminers*, 187.
[198] *Second Miners' Convention*.

they reflected the views of the majority of those who attended lodge meetings. The MMM's influence, at least among miners active in their lodges, was evident insofar as most of its proposals were submitted by more than one lodge. For example, at least five lodges submitted proposals for abolition of the districts: an unnamed Western District lodge, Aberdare and Aberdare South, Cessnock and Kembla lodges.[199]

The Convention's 47 delegates included about a dozen who supported MMM policies to a greater or lesser extent. Some were politically aligned to the MMM, while others were independent but agreed on particular questions. The former included Lithgow's Charlie Nelson, and R. (Bob) Evans, who argued for MMM polices during the Convention and subsequently at Kurri Kurri.[200] The latter included Northern District President Bondy Hoare, and Joe Turner, a miner of 42 years' experience, who both supported the MMM's proposal to abolish the districts.[201] The line between these two groups is blurred, since none of the delegates declared their MMM affiliation, and militant mineworkers shared a common language of class struggle. In 1928, the MMM was porous; it did not have a membership structure. Delegates who agreed with its policies did not consistently work together to advocate them; they did not form a caucus. MMM motions received greatest support from the Northern District delegation, which was dominated by militants. Of its 18 delegates, 14 voted in favour of a direct action policy, several of whom also sided with the MMM on other matters.[202] Two of the five Western District delegates also supported MMM resolutions: besides Nelson, R. Wilson favoured direct action and moved a motion to limit officials' terms of office.[203] The Broken Hill delegation sided with the MMM and other militants in the policy debate.

A number of the delegates who supported MMM policy were less than adept at advancing their case; some appeared not to understand meeting procedure. For example, A. Johnson weighed in on the first debate to advocate the abolition of the districts, stating that he supported the amendment. However, the amendment under discussion would have strengthened district organisation. Johnson must have been embarrassed when General Secretary Davies pointed out his mistake.[204] The speeches of others were unconvincing because they consisted mainly of sloganeering. For example, J. Jack and D. Martin spoke in favour of direct action over arbitration but did not substantiate their arguments with examples or develop them further.[205] In fairness, their opponents did not always make sophisticated arguments either. Evans and Nelson responded capably to opposing arguments, but they were exceptional; other delegates speaking for MMM policies did not generally attempt to do so.[206] This was the MMM's first foray into any union conference; some of its supporters probably lacked experience in such debates, but contributed as best they could. Despite this disadvantage, the MMM made a substantial impact on the Convention's debates.

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[199] *Ibid.*, 61, 69, 76.
[200] *Ibid.*, 71-72, 87-88, 96-97, 246; "Aggregate Meeting at Kurri," *WW*, 28 September 1928, 3.
[201] *Second Miners' Convention*, 29-30, 36, 65, 72-73.
[202] In addition to those already mentioned: J. Davidson, J. Jack, A. Johnson, D. Martin, W. Neilson, R. Prideaux and G. Perris.
[203] *Second Miners' Convention*, 103-104, 223-224.
[204] *Ibid.*, 27, 34.
[205] *Ibid.*, 93, 100-101.
[206] *Ibid.*, 66-67, 71-72, 86, 96-97, 252.

The first major debate of the Convention, on the Federation's structure, was fought not over "two opposing propositions," as Gollan wrote, but along three lines.[207] Gollan's account indicates the debate was whether to adopt the MMM's reorganisation proposal (abolish the districts, establish area groups, and replace the Central Council with the General Secretary plus five organisers) or keeping the existing form of organisation. However, this is an oversimplification. Many delegates reasoned that resolving the Federation's crisis required structural change, but they disagreed on what kind, resulting in "a bewildering array of motions."[208] The third main proposition was to replace the Central Council with a council of two executive officers from each district. The two opposing reorganisation proposals attracted roughly equal support before the Convention: at least five lodges favoured abolishing the districts, and at least as many submitted proposals to strengthen the district structure.[209] Both proposals for fundamental restructure were rejected: abolition of the districts was lost by 14 to 32, while the motion to turn the Central Council into a body comprised solely of district officials was defeated by an even greater margin, 5 to 42.[210] However, districts were strengthened with a decision that henceforth each district president would be a member of Council.[211] The MMM's proposal for an annual Convention to become the Federation's governing body was successful, attracting support from delegates who otherwise tended to oppose the MMM.[212]

The other major debate was arbitration versus direct action, with the direct action proposal carried by a narrow margin: 15,452 to 12,923 on a card vote, after it had failed on a show of hands.[213] This debate was polarised, unlike the first, but the left wing was not grouped around the MMM, as Gollan suggested.[214] Instead, the left in this debate was a loose coalition with a shared disdain for the arbitration system. The Northern District leadership favoured direct action: Aberdare South lodge considered breaking with arbitration was "the recommendation of the Northern District Board" (following its 1927 call for a general strike).[215] The delegation from Broken Hill, where miners were not part of the arbitration system, supported direct action based on their experience of winning major gains through strikes.[216] The MMM, therefore, could not take credit for the Convention's vote for a direct action policy; indeed, it did not try to. *Workers' Weekly* heralded the decision as "a sign of the gradual awakening of the miners."[217] Another policy decision, made on the Convention's final day, gave the Central Executive approval to negotiate collective contract agreements. [218]

Contrary to Gollan's assessment, the direct action decision was not merely symbolic: implementing it would have involved withdrawing from the Coal Tribunal.[219] But two factors

[207] Gollan, *Coalminers*, 184.
[208] "Miners' Convention," *NMHMA*, 30 June 1928, 4.
[209] *Second Miners' Convention*, 51, 55, 61, 69, 76, 127. Other lodges may have also submitted resolutions for either proposal, it is unclear because the agenda paper is not available.
[210] *Ibid.*, 51, 70, 75.
[211] *Ibid.*, 140.
[212] *Ibid.*, 51-55.
[213] *Ibid.*, 113. Each delegate had a card noting the number of members they represented; a card vote counted delegates' votes on that basis.
[214] Gollan, *Coalminers*, 184.
[215] *Second Miners' Convention*, 81, 88.
[216] *Ibid.*, 96.
[217] "Convention Helps Miners to Move Forward," *WW*, 29 June 1928, 1.
[218] *Second Miners' Convention*, 272-275.
[219] Gollan, *Coalminers*, 187.

prevented this vote resulting in swift and substantial change. Convention decisions were subject to ratification by the Federation's membership, and the necessary ballot was long delayed. However, the plebiscite eventually returned a majority of 5,118 in favour of direct action.[220] The more significant problem was the ambiguity of the resolution: if the intent was clear, the text was not. The motion did not specify that the Federation would withdraw from the arbitration system, but simply: "That the policy of this organisation shall be conciliation, reserving the right at any time to use direct action when conciliation has failed."[221] The lack of precision was probably simply because those who drafted the resolution were not professionals or Labor politicians, but mineworkers. Ultimately, the Federation remained registered with the Coal Tribunal because its executive officers opposed withdrawing. They were the ones who needed to file the paperwork, not the members nor the Convention delegates who favoured a direct action policy. Their inaction demonstrated that even in the Miners' Federation, one of the most democratic unions, democratic control by the members had limits.[222]

The Convention's decisions regarding strike pay and authorisation were its most important practical outcomes. It resolved that no strike pay would be granted for the first fortnight of a dispute, reversing a decision of the 1925 Convention that granted strike payments from the first day, provided the dispute lasted more than two weeks.[223] It reduced the scale of relief, fixing the maximum rate of strike pay at £1/4/– a week for single men (previously £1/10/–) and £1/10/– for married men, plus 5/– for each child under 16 years of age (previously £1/16/– plus 6/– for each child). The Convention also resolved that strike payments could be issued as food relief if Council deemed it necessary. A related decision was for the Federation to invest funds in the Wholesale Co-operative Society and encourage members to join local co-operatives, whose stores would then be expected to provide relief during a major lockout or strike.[224] These resolutions gave the Federation a better basis to manage its finances. In an effort to achieve greater union discipline, the Convention decided that the Central Council was the only body that could sanction a strike (except in cases of unsafe conditions), and that no lodge or district could raise appeals for financial support without the Central Council's authorisation.[225]

The MMM did not enjoy any great success with the other measures it advocated. It failed in its bid to put the policies of the minimum wage of £5/10/–, the 30-hour week, and the abolition of the contract system on the agenda. The Convention rejected its proposals to limit the terms of paid officials, and to introduce recall provisions.[226] A resolution in favour of pit committees was carried unanimously, but it distorted the MMM's original proposal beyond recognition. The MMM's aim was to encourage rank-and-file initiative and greater co-operation between members of different mining unions. This intention was trumped by bureaucratic concern: the resolution adopted instructed the Central Council to bring about the establishment of pit committees as quickly as possible.[227] *Workers' Weekly* omitted this decision from its reports. The MMM's proposal for lodges to join in

[220] "New Methods," *Sun* (Sydney), 4 December 1928, 19.
[221] *Second Miners' Convention*, 83, 113. Although conciliation is a form of arbitration, the term "conciliation" was used here as a synonym for direct negotiation with the owners.
[222] Stephenson, "Oligarchy Contested," 131-167.
[223] "Strike Pay Reduced," *LD*, 26 June 1928, 5; *Second Miners' Convention*, 11.
[224] "Co-Operative Society," *LD*, 27 June 1928, 4.
[225] "Miners' New Management," *LD*, 22 June 1928, 1.
[226] *Second Miners' Convention*, 224-225.
[227] *Ibid.*, 246-248.

local labour councils caused sharp controversy on the second-last day of the Convention. Nelson argued that it would be a step towards industrial unity. Willis strongly opposed it, contrasting labour councils dominated by small, conservative unions with the OBU that the Federation aspired to found, and insinuating that behind the measure was a nefarious plot to subject the Federation to Communist control. The Federation opposed re-affiliating to the LCNSW because it did not want to submit to discipline from a cohort of conservative craft unions that it saw as less important than itself. This motion was lost: 18 to 28 on a show of hands and 13,137 to 14,473 on a card vote.[228]

Overall, the MMM's intervention into the Convention was moderately successful. If it were assessed simply on the basis of whether or not the policies it advanced were endorsed, it would have to be judged a failure: only two of the seven were carried. However, the MMM's arguments had resonated on the coalfields sufficiently to contribute to shaping the Convention's agenda. Its two successful policies were among the Convention's most significant decisions. Though the direct action policy did not belong to the MMM alone, the annual Convention proposal was its initiative. The annual Convention was a short-lived practice: the first one in 1930, in very different circumstances, was also the last. This does not negate the importance of the decision in 1928: a group which had been active on the coalfields for only a few months successfully argued for a significant change to the Federation's constitution. Although many proponents of MMM policies were unconvincing speakers, they were active participants throughout the Convention, making their presence felt in major debates. The MMM emerged as a potential pole of attraction for militant mineworkers.

The CPA's assessment of the Convention considered only the questions of structure and policy, overlooking the resolutions on finance. It rated the decisions to make an annual Convention the governing body and for direct action instead of the Coal Tribunal as "the only two… which are of any real assistance in strengthening the Miners' Federation."[229] It criticised the decision to make district presidents members of Council as "a step backward."[230] Disregarding the significant decisions on finance and control of strikes gave a distorted view of the outcomes, reflecting the party's preoccupation with matters of union structure. *Workers' Weekly* used the Convention's positive results to argue for a better organised MMM:

> Convention has shown that the militants, getting together as an organised force, can do a great deal to fit the Federation for struggle.
> **How much more could have been done by a stronger organisation, based on well-established militant groups in all parts of the coalfields!**[231]

Its main analysis of the Convention was published before the party learnt of the decision empowering Federation leaders to negotiate collective contracts. Orr denounced this as "a calamity, more than offsetting the good work of the Convention."[232] He probably overstated the importance

[228] *Ibid.*, 249-252.
[229] "Convention Helps Miners…," *WW*, 29 June 1928, 1.
[230] *Ibid.*
[231] *Ibid*. Emphasis in the original.
[232] W. Orr, "Collective Contracts Would Smash Miners' Federation," *WW*, 6 July 1928, 1.

of the decision, but the CPA saw it as a matter of principle. The party henceforth opposed collective contracts more sharply than it had earlier.[233]

As Ross and Gollan both commented, the Convention did not resolve the deep divisions it revealed over the Federation's strategic direction and policy.[234] Ross considered, however, that its decisions had a "stabilising effect… in regard to stoppages and the union's control over them."[235] The *Newcastle Morning Herald and Miners' Advocate* considered, similarly, that the Convention had "done a good deal towards stabilising the Miners' Federation."[236] The decisions that produced that effect were those concerning sanctioning strikes and strike pay, and the minor changes recommended to the Federation's constitution. Bringing the district presidents on to the Central Council would have reduced problems that delegates identified: Council's work was often impeded by its ignorance of matters that district officers were familiar with, and its decisions undermined when one or more districts disagreed.[237] Making an annual Convention the governing body would allow the Federation's membership an opportunity to review its leaders' decisions, and potentially reduce discontent. However, a Convention is only meaningful if its decisions are implemented. Not only were major divisions left unresolved after the Convention, but Federation leaders did not implement the direct action strategy. That resolution was thwarted despite being approved by the membership plebiscite. Thus the Convention revealed not only internal divisions, but also the limits to democratic control of the Federation.

CONCLUSION

Although the CPA lacked a presence in most mining centres in the mid-1920s, on the eve of the Northern District lockout it made connections with militant mineworkers through the MMM. A key factor in the CPA's increasing organising on the coalfields was that its leading Lithgow members, miners Nelson and Orr, pressed the party to devote greater attention to the industry and led its efforts in it. Other factors were the coalminers' strategically important position, with a major industrial dispute clearly imminent as the economic situation worsened, and the party's project to organise a left-wing opposition in the unions. Although the CPA's attempts to build a presence in coalmining were largely unsuccessful in 1927, its fortunes changed when Labor lost the NSW elections and conservatives formed government. With no prospect of gaining improvements through parliament, militant miners were more interested in working with the Communists. By mid-1928 the MMM had positioned itself as a potential leader of the Federation's left wing, mainly through its intervention into the Second Convention. Thus the CPA had improved its position on the coalfields prior to the mineworkers' industrial battle of 1929-30. However, as the next chapter explores, the party remained weak in the Northern District.

[233] W. Orr, "Willis Betrays Miners' Federation," *WW*, 13 July 1928, 1; J. Kavanagh, "Miners' Leaders Fall…," *WW*, 30 March 1928, 4.
[234] Gollan, *Coalminers*, 187; Ross, *Miners' Federation*, 333.
[235] Ross, *Miners' Federation*, 333.
[236] "Miners' Convention," *NMHMA*, 30 June 1928, 4.
[237] *Second Miners' Convention*, 28, 33-34, 66-68, 137, 139.

Chapter Five
Confinement policy questioned: the first half of the coal lockout

March-October 1929

The lockout of NSW Northern District coalminers from 2 March 1929 to 3 June 1930 involved four waves of rank-and-file activity independent of the union leaders. Those upsurges are the main subject of this chapter and the next. The lockout shared similarities with the waterside strike: the rebellion of the members of a union that had strong traditions of local autonomy and was largely blamed on Communists, although they were not responsible. It was closer to the timber strike in its longevity and the difficulties of providing sustenance to members and their families. It differed from both insofar as the dispute was initiated by the employers (although all three disputes were defensive for the unionists) and confined to a single district. As in the waterside strike, the CPA agitated for the escalation and extension of the dispute, but though mineworkers at times did what the party advocated, it remained marginal to events. Not until the final months did the CPA build a substantial presence in the Northern District. The lockout was also a major factor in the October 1929 federal election, which brought Labor into office in a landslide. The election marked a rough halfway point in the dispute. This chapter deals with the first half of the lockout, including the rank-and-file upsurges of May-June and September-October 1929, while Chapter Six investigates the upsurges of December 1929 and January-February 1930.

Miners' Federation members led three of the four waves of rank-and-file struggle, but Federated Engine Drivers' & Firemen's Association (FEDFA) members were at the forefront of the September-October 1929 one, which histories of the lockout have not adequately considered. Robin Gollan and Edgar Ross both overlooked the engine-drivers' role, but both writers treated the lockout within histories of the Federation spanning several decades, which by definition were less concerned with the activities of craft union members.[1] Miriam Dixson included an account of the FEDFA members' September-October activities in her unpublished MA thesis, which was a reasonable overview but contained numerous inaccuracies in detail.[2] Those events were confined to one paragraph in her 1973 journal article about the lockout, which repeated earlier errors.[3] Dixson, Gollan and Ross all discussed independent rank-and-file activity primarily in terms of the upsurges led by the miners. Jim Comerford did take account of the September-October coalfields events in his book, and explained Kurri area miners' responses, but he implied that the FEDFA members' action

[1] Robin Gollan, *The Coalminers of New South Wales: A History of the Union, 1860-1960* (London: Cambridge University Press, 1963), 188-197; Edgar Ross, *A History of the Miners' Federation of Australia* (Sydney: Australasian Coal and Shale Employees' Federation, 1970), 336-344.
[2] Miriam Dixson, "The Strike of Waterside Workers in Australian Ports, 1928, and the Lockout of Coal Miners on the Northern Coalfield of New South Wales, 1929-30" (MA thesis, University of Melbourne, 1957), 178-183.
[3] Miriam Dixson, "Stubborn Resistance," *Labour History*, no. 24 (1973), 136.

was directed by their leaders, a view I will contest.[4] It is also mistaken regarding an important combined mining unions' decision, which distorts the picture.[5] By critically re-examining the September-October events, this chapter contributes to an understanding of coalfields rank-and-file activism and the inter-union dynamics of the lockout more broadly.

The chapter begins with an overview of the whole lockout. Next, it considers the debate on union policy in the dispute. The two main possibilities were the defensive strategy that the Miners' Federation Central Executive pursued, or a union offensive. The latter could have involved an industry-wide stoppage, withdrawing all labour from the locked-out mines, or some combination of the two. Leading rank-and-file militants and the CPA favoured an offensive strategy, but differed on the best approach. I then investigate the first two waves of rank-and-file struggle, why they developed and who led them. I shall show that militant lodge officials in the Kurri area led the May-June 1929 actions that are often attributed to the CPA. In September-October, militant activity was led by the FEDFA rank and file, not their leaders.

OVERVIEW OF EVENTS

On Friday 15 February, Northern Collieries' Association (NCA) mines issued two weeks' notice of dismissal to their employees (except for deputies, engine-drivers and pump-hands).[6] The notices did not come as a surprise since union representatives had recently rejected wage cuts that the owners, led by the NCA, had been urging for months. As explained in the previous chapter, the Australian coal industry was suffering a long-term decline. Collieries were losing trade, work was increasingly intermittent and mines were shutting down, trends that were all exacerbated in the last months of 1928. The crisis was particularly acute in the Northern District. Coal owners and others argued that recovery depended on reducing the selling price of Newcastle coal (the basis of prices for other districts) to recapture lost trade.[7] Everyone agreed that Australian coal was too costly, but opinions differed on how to cut the price.

In September 1928, NSW Premier Thomas Bavin announced a proposal to reduce the Newcastle coal price by 4/– per ton (the standard price was then 25/–).[8] The state government would contribute 2/– if the owners' and mineworkers' sides each bore a cut of 1/–. The state government rebate would apply to Northern District coal for one year; meanwhile, the government would hold an inquiry into coal production costs, to identify where savings could be made when the rebate ended. In addition, Bavin secured a federal government pledge that it would contribute a bounty of 1/– a ton on coal sold outside NSW (to other Australian states as well as overseas), which would reduce the export coal price by a total of 5/–. By the end of the month, the owners agreed to

[4] Jim Comerford, *Lockout: The Northern New South Wales Coal Lockout 2nd March 1929 – 3rd June 1930* (Sydney: Construction Forestry Mining and Energy Union [CFMEU] Mining and Energy, 2006), 276-278, 297-302.
[5] *Ibid.*, 299.
[6] "Coal Miners Dismissed," *Sydney Morning Herald* (hereafter *SMH*), 16 February 1929, 17.
[7] Whether or not a price cut could have significantly increased sales is not the main question; some on the union side argued it could not, but the debate was over how to reduce the cost of coal.
[8] "Ministry's Proposals," *SMH*, 15 September 1928, 17.

Bavin's proposal; the combined mining unions rejected it, but agreed to continue discussions with the government on the means of price reductions.[9]

There was a stark contrast between the unions' public statements that month and the opinions leaders expressed behind closed doors. The combined mining unions' meeting of 24-25 September resolved unanimously that they would not agree to wage cuts or longer hours. They stated publicly that they would urge members to "put up a struggle against any attempt at lowering the standard of the workers in the industry."[10] However, the rough minutes of that meeting reveal that several representatives advocated accepting Bavin's plan, notably Thomas (Bondy) Hoare, President of the Miners' Federation's Northern District, known as a militant. Arguing that Bavin's proposal included "a searching enquiry into the industry" as the unions desired, he suggested it would be unwise to strike in view of "the disorganised state of our forces."[11] Hoare wanted to "strike a bargain" with the Premier.[12] Another Northern District representative, D. Martin (who supported direct action at the 1928 Convention), favoured accepting the proposal to avoid greater wage cuts. He argued its provision to cut higher-paid mineworkers' earnings and leave the lower-paid unaffected was consistent with union policy. A Colliery Mechanics' delegate, Moran, expressed the delegates' shared pessimism: there "would have to be a reduction, whether we liked it or not."[13]

The combined unions' leaders did not agree to Bavin's proposal, not out of determination to resist wage cuts, but because the scheme would only apply to the Northern District. They were concerned about how the Southern and Western districts would be affected.[14] They anticipated the proposed rebate would give the Northern owners a competitive edge, and that the other districts would implement the same wage cuts, but would be left behind nonetheless.[15] This would not resolve the crisis of intermittency and unemployment; it would only shift the burden to the Southern and Western districts. Newspaper reports suggest that this concern was the main subject at a meeting between Bavin and Miners' Federation representatives once the unions had rejected his plan. The Premier indicated he would prepare a scheme to assist the Southern and Western districts too. Federation officials decided, according to Bavin, to "hold their rejection in abeyance" pending further conferences.[16]

Negotiations stalled in November 1928 while Bavin prepared further proposals to submit to the Southern and Western coal owners.[17] Discussions were further postponed for the annual election of Miners' Federation Northern District officials, which the unions may have used as a pretext for delay.[18] The incumbent executive officers were all re-elected, as was widely expected:

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[9] "Rejected," *SMH*, 26 September 1928, 17; "Coal Scheme," *SMH*, 27 September 1928, 11; "Coal Industry," *SMH*, 28 September 1928, 11.
[10] "Rejected," *SMH*, 26 September 1928, 17; Rough minutes, combined mining unions meeting, 25 September 1928, item E204/2/1, Australasian Coal and Shale Employees' Federation (ACSEF) deposit 1, Noel Butlin Archives Centre (NBAC), ANU.
[11] Rough minutes, combined mining unions meeting, 24 September 1928, item E204/2/1, ACSEF deposit 1, NBAC.
[12] *Ibid.*
[13] *Ibid.*
[14] *Ibid*.
[15] "Coal Industry," *SMH*, 28 September 1928, 11.
[16] "Coal Scheme," *SMH*, 3 October 1928, 16.
[17] "Coal Industry," *SMH*, 3 November 1928, 18.
[18] "Price of Coal," *SMH*, 1 December 1928, 18; "State Session," *SMH*, 5 December 1928, 18.

Hoare the president, Arthur Teece the treasurer, and Dave McNeill the secretary.[19] The federal leaders – General President Dan Rees and General Secretary D.J. (Dai) Davies – were likewise re-elected.[20] Once the results of the Northern District ballot were declared in mid-January, another conference was convened.[21] At this conference, the union representatives finally declared they would not consider any wage reduction.[22] Rees stated that Bavin's scheme would reduce miners' contract rates by 12.5 per cent, and other mineworkers' wages by 1/– per day. The Central Council of the Miners' Federation confirmed it opposed the wage cuts on 5 February.[23] It had seemed likely in late 1928 that the union leaders would concede. They probably decided to reject the cuts in January 1929 because they appreciated their members strongly opposed accepting any reduction. In the closing months of 1928, the mineworkers' leaders observed how, in the waterside workers' strike, a union fared when its leadership made concessions that large sections of members refused to accept. Calculating that they could not avoid a dispute, they decided to lead it and so refused to compromise. The owners responded by taking unlawful direct action, bypassing the Coal Tribunal, to lock their employees out.

There was quiet on the coalfields during the 14-day notice period; leaders' instructions that members were not to cease work before the notices expired met with no significant opposition. Miners' Federation and Colliery Mechanics' Association leaders instructed members not to stop work except under their direction.[24] They warned members not to be "stampeded" into striking, arguing that that would play into the owners' hands. *Labor Daily*, which was largely financed by the Federation, contended that strike action would "alienate public support, which at present is solidly behind [the mineworkers]."[25] Union leaders also wished to avoid jeopardising negotiations over a forthcoming Royal Commission into the coal industry, which Prime Minister Stanley Bruce announced on 21 February. Its personnel and terms of reference had yet to be decided.[26] Newspapers noted Militant Minority Movement (MMM) agitation, publishing a few sensationalist reports of militants preparing for a general strike. However, it was generally recognised that the MMM had very little support among miners, most of whom had faith in their executive officers. Though it had initiated a council of action at Cessnock (to oppose the Bruce government's various anti-union measures), that body would not oppose Miners' Federation policy.[27] Craft union officials were concerned nonetheless, prompting a combined mining unions' conference to express its "alarm" at councils of action being set up, declaring it would consider action by "self-constituted bodies… as an act of disloyalty."[28]

[19] "Industrial News," *Newcastle Morning Herald and Miners' Advocate* (hereafter *NMHMA*), 12 January 1929, 7; "Miners' Officials," *Newcastle Sun* (hereafter *NS*), 11 January 1929, 4.
[20] "President & Secretary Re-Elected," *Labor Daily* (Sydney) (hereafter *LD*), 8 December 1928, 11.
[21] "Coal Industry," *NMHMA*, 15 January 1929, 4.
[22] "The Coal Industry," *NMHMA*, 23 January 1929, 6.
[23] "The Coal Crisis," *NMHMA*, 6 February 1929, 6.
[24] Minutes of Miners' Federation Annual meeting, 14 February 1929, item E165/2/3, ACSEF Edgar Ross collection, NBAC; "Thousands of Miners Dismissed," *LD*, 16 February 1929, 1; "Miners Get Notice," *LD*, 16 February 1929, 5.
[25] "Owners' Suspected Tactics," *LD*, 18 February 1929, 5.
[26] "Royal Commission Will Probe Coal Industry," *LD*, 22 February 1929, 1; Ross, *Miners' Federation*, 337.
[27] "Militant Propaganda," *SMH*, 23 February 1929, 17; "Militant Miners," *NS*, 23 February 1929, 3; "Militants' Answer," *LD*, 25 February 1929, 1.
[28] "Ominous Warning," *LD*, 25 February 1929, 5; "Coal Industry," *SMH*, 25 February 1929, 11.

On 2 March 1929, most employees of 28 NCA mines were locked out: about 12,000 in total – 8,000 from mines on the South Maitland coalfields – out of a Northern District mining workforce of approximately 17,000. The aggregate output of those mines was estimated at 30,000 to 40,000 tons of coal per day. Two NCA mines did not participate in the lockout but continued working: New Greta and Wallarah, with estimated daily outputs of 700 and 1,200 tons respectively.[29] BHP, which was not part of the NCA, locked out its John Darling colliery employees one week later.[30] Mineworkers obeyed their lodge officials' instructions not to demonstrate on Friday 1 March; they left the pits and collected their pay as if it were a normal payday. Many went fishing, an "exodus" towards Lake Macquarie starting that afternoon.[31] In March, the first of a series of fruitless conferences between the unions and the coal owners began: all failed to resolve the dispute because the NCA refused to reopen the mines unless workers accepted reduced rates, while union leaders insisted resumption must be on pre-stoppage terms.[32]

The unions had formed the Combined Mining Unions Committee (CMUC) before the lockout to coordinate their policy. It included the Miners' Federation, FEDFA, the Colliery Mechanics' Association, the Amalgamated Engineering Union, and three of the four Deputies and Shotfirers' Associations operating in NSW – those for the South Maitland, Newcastle, and Southern District. The Collieries' Staff Association was invited to join the committee but refused to participate. The Western District Deputies also declined.[33] Attendance at the meetings varied, but usually half the delegates represented the Miners' Federation, and half the craft unions.[34] The CMUC decided on 7 March not to extend the dispute beyond the bounds the NCA set.[35] Coal mining operations in other districts, and at Northern collieries that did not belong to the NCA, known as unassociated mines, therefore continued unimpeded. The implications of this policy are analysed below. Miners' Federation members were levied 12.5 per cent from 28 March to support their locked-out comrades.[36]

Production ground to a halt at the major mines on the Northern coalfields where the lockout was in force from 2 March, but operations at the NCA collieries did not cease entirely. Maintenance workers, known as safety men, were generally not issued with notices and so were expected to remain at work, in line with CMUC policy, and perform their usual tasks. The office staff, whose association remained aloof from the other unions, were not locked out either. Conflict arose at the start of the lockout at mines where managers instructed safety men to fill slack coal, that is, to shovel it into skips or railway wagons so it could be sold.[37] In the strictly defined demarcation of

[29] "Notices Expire," *NS*, 1 March 1929, 5; "Thousands of Miners Dismissed," *LD*, 16 February 1929, 1; "'We Will Not Be Stampeded'," *LD*, 16 February 1929, 5.
[30] "John Darling Notices," *NS*, 9 March 1929, 3.
[31] "Silently Left," *LD*, 2 March 1929, 1; "12,000 Men Leave the Mines," *SMH*, 2 March 1929, 17.
[32] Gollan, *Coalminers*, 189-190.
[33] Comerford, *Lockout*, 23-24, 113; Dixson, "Strike and Lockout," 136-137.
[34] Minutes, Combined Mining Unions Committee (CMUC), May 1928, item E165/2/3, and 25-27 June 1929, item E165/3/4, ACSEF Edgar Ross collection, NBAC; Rough minutes, CMUC, September-October 1928, December 1929-March 1930, item E204/2/1, and April-December 1929, item E204/2/2, ACSEF deposit 1, NBAC.
[35] "Ready for Duty," *LD*, 8 March 1929, 5.
[36] Minutes, Miners' Federation Central Council meeting, 21-23 March 1929, item E165/2/3, ACSEF Edgar Ross collection, NBAC.
[37] Slack coal, also known as small coal, was routinely discarded in the production process in earlier decades, but technological advances had made it marketable.

duties at large mines, filling coal was a miners' task. Scores of craft unionists refused to comply, as doing so would have been scabbing on their locked-out workmates. Deputies at Aberdare, Aberdare Extended, Hebburn No. 1 and Hebburn No. 2 were all dismissed in the first days of the lockout as a result.[38] Industrial quiescence prevailed for the following two months, as locked-out mineworkers concentrated on survival.[39]

Unionists called for the Northern owners to be prosecuted for breaking the Coal Tribunal's award. The lockout was illegal, they contended, because its purpose was to force the mineworkers to accept wages below the industry award, which set the legal minimum. The owners had not applied to the tribunal to vary wage rates, but took direct action. If trade unions were punished for breaching the award, the owners should be too.[40] Absurdly, the owners denied their intention was to force down wages.[41] They and their apologists argued they had acted lawfully by giving employees 14 days' notice, and that any business owner was legally entitled to close down an unsuccessful enterprise.[42] However, their contentions were never tested in court. On 22 March, the federal Attorney-General John Latham announced that prominent coal baron John Brown would be prosecuted over the lockout.[43] But on 8 April, Bruce announced his government would not put Brown on trial because it would hinder negotiations to resolve the dispute.[44] The contrast with the treatment of the Timber Workers' Union, which was fined £1,000 for its strike action, could not have been more stark.[45] The blatant double standard angered unionists: as Davies commented, it was "One law for the rich, and another for the poor."[46] The illegality of the owners' action, as Dixson noted, did not prevent the state government from actively assisting them.[47]

[38] "Deputies Dismissed," *SMH*, 4 March 1929, 11; "Deputies Are Dismissed," *LD*, 4 March 1929, 5; "Deputies Sacked," *LD*, 5 March 1929, 1.
[39] Dixson, "Stubborn Resistance," 131.
[40] Editorial: "Will Bruce Do His Duty?" *LD*, 6 March 1929, 4.
[41] "Thousands of Miners Dismissed," *LD*, 16 February 1929, 1.
[42] "Owners' Decision," *SMH*, 16 February 1929, 17; "Legal Difficulties," *SMH*, 15 March 1929, 13.
[43] "The Coal Crisis," *NMHMA*, 23 March 1929, 5; "'John Brown – How Do You Plead?'" *LD*, 23 March 1929, 1.
[44] "The Coal Crisis," *NMHMA*, 9 April 1929, 5.
[45] "Timber Trade Dispute," *Age* (Melbourne), 2 March 1929, 23.
[46] D.J. Davies, *A Review of Coal Question, Preceding and During Lockout on Northern Coal Fields 1929* (Sydney: Labor Daily Limited, n.d. [April 1929]), 12.
[47] Dixson, "Strike and Lockout," 243.

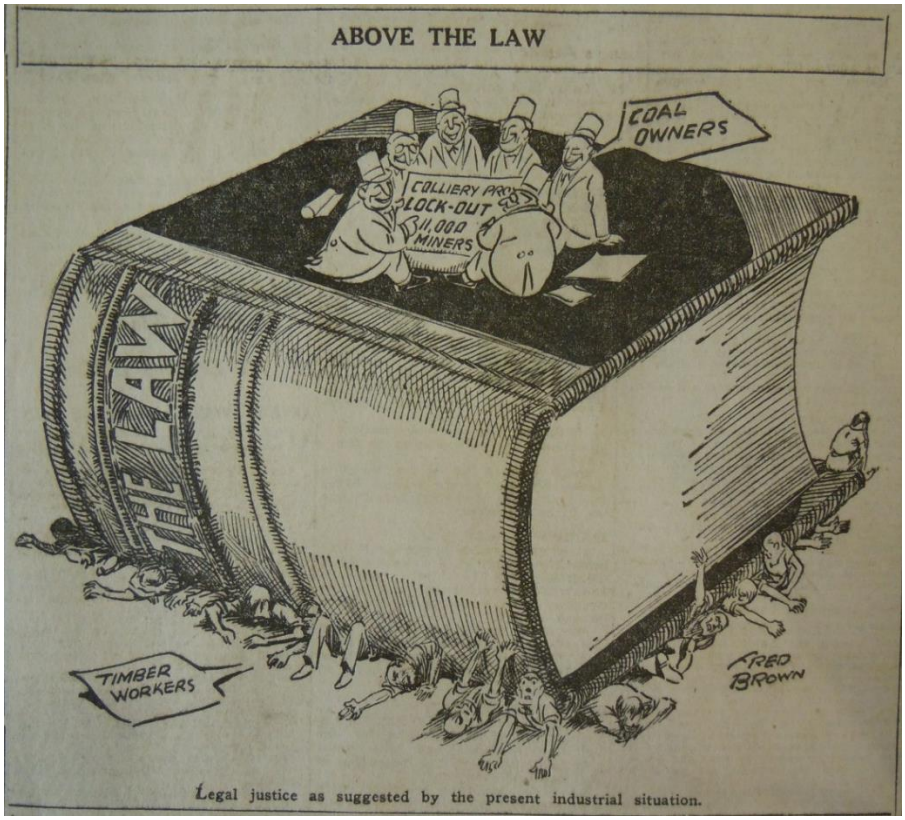

Image 1: "Above the Law," *Labor Daily*, 13 March 1929, 4.

In late May, the locked-out mineworkers stirred into activity on the Maitland fields over concerns that some of the remaining employees were doing miners' work – that is, scabbing – instead of adhering to CMUC policy. Lodge delegates called for a change to the policy, starting with the withdrawal of safety men.[48] A council of action was re-formed at Cessnock (the earlier one had folded).[49] Public demonstrations were held, in which women played an active part.[50] Miners then began picketing to enforce CMUC policy. Mass pickets, which involved hundreds marching on a mine, took place for about two weeks in June.[51] The largest was at Richmond Main on 10 June, with 3,000 participating.[52] Hebburn No. 2 miners picketed that colliery non-stop for two days.[53] FEDFA leaders opposed the picketing, threatening to withdraw their members from all NSW coal mines unless it stopped.[54] The Miners' Federation Central Council repudiated self-appointed bodies such as

[48] "Safety Men," *NMHMA*, 24 May 1929, 5; "Miners Call for Militant Policy," *Workers' Weekly* (Sydney) (hereafter *WW*), 31 May 1929, 1.
[49] "Council of Action," *Cessnock Eagle and South Maitland Recorder* (NSW) (hereafter *CESMR*), 31 May 1929, 9; "Cessnock Forms," *WW*, 7 June 1929, 1.
[50] "Big Demonstrations on Coalfields by Hebburn Miners," *NS*, 6 June 1929, 7; "Miners' Wives Will Fight Wage Cut," *WW*, 7 June 1929, 3; "Women Lead," *WW*, 14 June 1929, 1; "Solidarity Impresses Hebburn Scabs," *WW*, 14 June 1929, 1.
[51] "Hebburn Picketing," *NMHMA*, 7 June 1929, 9; "Combined Meeting" and "Hebburn Collieries," *NMHMA*, 8 June 1929, 9; "Massed Picketing," *NMHMA,* 11 June 1929, 5; "Hebburn Collieries," *NMHMA*, 13 June 1929, 7; "Mass Picketing," *NMHMA*, 14 June 1929, 9; "Picketing Collieries," *NHMHA*, 15 June 1929, 9; "'Steam Navvy'," *Maitland Daily Mercury* (NSW) (hereafter *MDM*), 17 June 1929, 5. See also *CESMR* and *WW*.
[52] "Massed Picketing," *NMHMA,* 11 June 1929, 5.
[53] "Continuous Picketing," *NMHMA*, 18 June 1929, 7; "Coal Crisis," *NMHMA*, 19 June 1929, 8; "Picketing," *NMHMA*, 20 June 1929, 5; "Hebburn No. 2," *NMHMA*, 21 June 1929, 9; "Picketing Suspended," *NMHMA*, 21 June 1929, 9.
[54] "New Development," *NMHMA*, 8 June 1929, 9.

the Council of Action, again warning miners not to be stampeded into a general strike.[55] Miners were not immediately convinced to cease picketing, but Federation leaders, with Labor parliamentarians' assistance, soon brought them into line.[56] The CMUC appointed a Committee of Control to take charge of any picketing, which halted most of it, appeasing the FEDFA leaders.[57]

Meanwhile, the Royal Commission into the industry began on 10 June, chaired by former NSW Supreme Court judge Colin G.W. Davidson.[58] It decided on 27 June that evidence about the coal owners' production costs and profits would be heard in camera. The unions' accountant was not allowed to examine the owners' books.[59] The CMUC debated whether to continue participating. It decided in favour, but stated it was no longer bound by its earlier undertaking to accept wage cuts if profits were proved to be less than 2/– per ton.[60] In September, when the Commission released its interim report, miners rejected the findings, arguing profits were higher than it estimated.[61] The Federation nonetheless maintained its representation at the Commission until early December, when it withdrew in protest against "glaring bias," but by then, as the hearings had almost ended, its stance was mainly symbolic.[62]

On 13 September, a FEDFA sub-branch extended the dispute by withdrawing its members from the privately owned South Maitland Railways. Repercussions of this development extended into November. The railway company had dismissed 24 FEDFA members a day earlier for refusing to haul Paxton coal, which the Committee of Control had declared black because office staff were handling it.[63] This solidarity strike action brought to a standstill not only the railway lines but also a number of unassociated mines that relied on them to transport their coal. The affected collieries had around 700 employees and produced an aggregate daily output of 1,400 tons of coal.[64] Within days, the South Maitland Railways company decided to reinstate the sacked men but also to shut down its operations, including passenger services, for the duration of the mining lockout.[65] A few NCA mines held controlling shares in the company, which did not resume its services until late May 1930.[66] The unassociated mines, forced to find alternative means of transporting their output, contracted lorry drivers from 19 September.[67] Thus the FEDFA men were locked out for adhering to a CMUC black-ban and lorry drivers usurped their work. The CMUC deferred dealing with the issue, angering FEDFA officials and members alike. However, the South Maitland Railway workers' situation receded into

[55] "No Extension," *NMHMA*, 15 June 1929, 9.
[56] Dixson, "Stubborn Resistance," 135.
[57] Minutes, CMUC meeting, 26 June 1929, item E165/3/4, ACSEF Edgar Ross collection, NBAC.
[58] "The Coal Commission," *NMHMA*, 11 June 1929, 4.
[59] "Inspection of Books," *NMHMA*, 28 June 1929, 9; "Owners' Demand for Secrecy Granted," *LD*, 28 June 1929, 5.
[60] Minutes, CMUC meeting, 27 June 1929, item E165/3/4, ACSEF Edgar Ross collection, NBAC; "Peace Proposals Fail," *NMHMA*, 14 June 1929, 9; "No Longer Bound," *NMHMA*, 29 June 1929, 9.
[61] "Miners' Protest," *NMHMA*, 24 September 1929, 5; Dixson, "Strike and Lockout," 184-185.
[62] "Miners Withdraw," *LD*, 10 December 1929, 1; "The Commission," *NMHMA*, 10 December 1929, 9; "Coal Commission," *NMHMA*, 11 December 1929, 10; Dixson, "Strike and Lockout," 198.
[63] "Stanford Merthyr No. 2," *NMHMA*, 10 September 1929, 6; "Coalfield Railway," *NMHMA*, 13 September 1929, 6; "Coal Crisis," *NMHMA*, 14 September 1929, 9.
[64] "Unassociated Mines Thrown Idle," *LD*, 14 September 1929, 1.
[65] "Coal Hauled," *NMHMA*, 17 September 1929, 7.
[66] "South Maitland Railways," *MDM*, 28 May 1930, 5; "Started," *NS*, 31 May 1930, 6; "'General Debacle'," *NS*, 13 September 1929, 5; Comerford, *Lockout*, 277.
[67] "Coal Transport," *NMHMA*, 20 September 1929, 8.

the background for a month as coalfields unionists devoted themselves enthusiastically to Labor's federal election campaign.[68]

By mid-October, Maitland FEDFA members, fed up with CMUC neglect, decided to take action by declaring all coal destined for transport by motor lorry black. This decision came into effect from 11pm on Sunday 20 October, throwing four of the five mines concerned idle.[69] The Miners' Federation instructed its members at those mines to continue working regardless of the engine-drivers' action.[70] Miners were far from happy about this, but soon complied.[71] The Colliery Mechanics' Association, however, withdrew its members from the mines affected on 25 October and the Deputies followed suit a week later.[72] When the CMUC finally addressed the matter in mid-November, it declared all the mines that had displaced FEDFA members black.[73] However, in an astounding show of arrogance, the Miners' Federation refused to abide by the decision. Determined to avoid any extension, it claimed "no working-class principle [was] being violated" by its members continuing work at those mines.[74] FEDFA broke away from the CMUC as a direct result.[75]

A federal election campaign began at the same time as the South Maitland strike and lockout, as Bruce called an election at one month's notice for 12 October.[76] E.G. Theodore, soon to be Treasurer, attended the Miners' Federation Central Council meeting on 24 September, asking for campaign funds. He promised an ALP government's "first action" would be to get the mines reopened on pre-lockout terms. The Federation contributed £1,000 to Labor's election campaign.[77] The main election issue was Bruce's proposal, widely recognised as an attack on workers' rights, to abolish the Commonwealth arbitration system. The Northern District coal lockout also featured prominently. ALP candidates used the lockout and their party's pledge to resolve it without wage cuts as a talking point throughout the campaign.[78] Labor won in a landslide, but the new Scullin government failed to end the lockout. Labor ministers began by organising a conference between the Northern coal owners and the CMUC, which failed as all earlier ones had. Next, a compulsory conference of the Coal Tribunal was convened. Its chairman, Hibble, was expected to rule in the miners' favour and order a resumption on pre-stoppage terms before the hearing could take place. Instead, Hibble advocated wage cuts as the only solution to the crisis; that conference also ended in a deadlock.[79]

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[68] Comerford, *Lockout*, 281, 285-287.
[69] "Five Mines May," *LD*, 11 October 1929, 9; "To Cease Work?" *LD*, 21 October 1929, 5; "Enginemen Withdraw," *LD*, 22 October 1929, 5.
[70] "Mines to Carry On," *LD*, 22 October 1929, 6.
[71] "Three Working," *NS*, 23 October 1929, 5; "Ayrfield Mines," *NMHMA*, 25 October 1929, 9; "Working Again," *NS*, 25 October 1929, 5.
[72] "Mechanics to Come Out," *LD*, 25 October 1929, 5; "Ayrfield and Glen Ayr," *NMHMA*, 1 November 1929, 7.
[73] "Unassociated Pits," *SMH*, 16 November 1929, 17; Rough minutes, CMUC meeting, 15 November 1929, item E204/2/2, ACSEF deposit 1, NBAC.
[74] Minutes, Miners' Federation Central Council meeting, 19 November 1929 and 22 November 1929, item E165/2/3, ACSEF Edgar Ross collection, NBAC.
[75] "Unassociated Pits," *NMHMA*, 22 November 1929, 9.
[76] "General Election," *SMH*, 14 September 1929, 17.
[77] Minutes, Miners' Federation Central Council meeting, 24 September 1929, item E165/2/3, ACSEF Edgar Ross collection, NBAC.
[78] Dixson, "Strike and Lockout," 185-186; Ross, *Miners' Federation*, 339; Jacqueline Dickenson, "Trust: Why and How Historians Should Study It," *Australian Journal of Politics and History* 54, no. 4 (2008), 513-516.
[79] Gollan, *Coalminers*, 190; Ross, *Miners' Federation*, 339; Dixson, "Strike and Lockout," 186-188.

The Scullin government's failure provided an opening for the Bavin government to go on the offensive against the mineworkers. Bavin announced on 15 November that Rothbury colliery would be reopened under state government control and operated at the lower wage rates the Northern coal owners demanded.[80] The unstated, but nonetheless clear, implication was that scabs would be brought into the mine. On 18 November, the CMUC threatened to call a nation-wide mining strike if Bavin implemented this plan. This was a bluff, designed to prompt federal government intervention or deter Bavin, which achieved neither.[81] The union leaders reasoned that compromising on wage reductions was better than allowing scabs into the mines, so entered new talks with the owners, ready to concede. Within days, the CMUC agreed to the "November Compromise" terms, which involved a slight back-down by the owners on the question of wage cuts, and major concessions from the unions. The reduction in wages was 9d. per ton instead of 1/–: the 12.5 per cent cut to contract rates remained, but daily wage rates would be cut by 6d. instead of 1/–. The unions agreed not to question managers' right to dismiss employees, to avoid petty stoppages, and to abolish the "darg" (a traditional daily output limit).[82]

Anger at the November Compromise and the threat of scabs being introduced sparked a resurgence of rank-and-file activity on the coalfields. Miners decisively rejected the settlement terms at large aggregate meetings held in early December.[83] South Maitland miners were particularly angry at the proposed concessions, with Federation leaders facing a hostile reception at meetings there. By contrast, craft unionists (except for the engineers) overwhelmingly accepted the compromise terms.[84] As Bavin proceeded with his plan to reopen Rothbury, miners organised against it while craft union members prepared to return to work. The NSW government, which claimed it had engaged enough non-unionists to fully replace the Federation members (roughly 200), aimed to restart production at Rothbury on 18 December.[85] FEDFA organiser Hugh Sutherland led the union's Rothbury members to sign on to resume. FEDFA had reached an agreement that members' wages would not be reduced. Its leaders justified their stance with reference to the lack of solidarity from the Miners' Federation in the South Maitland Railways dispute.[86] The locked-out miners, though, were more determined than ever to resist. As Dixson identified, the main question was no longer the wage cut but union organisation: with the November Compromise terms, the owners aimed to destroy union militancy.[87] A conference of Northern District lodge representatives, held 11-13 December, decided to extend the dispute beyond NSW, to prepare for an industry-wide stoppage and to organise mass picketing, starting at Rothbury.[88]

[80] "Northern Collieries," *NMHMA*, 16 November 1929, 9.
[81] "Proposed General Strike," *NMHMA*, 19 November 1929, 7; Dixson, "Strike and Lockout," 187-190.
[82] "Terms of Peace," *NMHMA*, 30 November 1929, 9. See Appendix 2 for a discussion of the terms.
[83] "Rejected," *NMHMA*, 6 December 1929, 9; "Turned Down," *NMHMA*, 7 December 1929, 9; "Terms of Settlement," *NMHMA*, 9 December 1929, 7; "At Branxton," *NMHMA*, 10 December 1929, 7; "Paxton Meeting," *NMHMA*, 10 December 1929, 9.
[84] "Deputies' Association," *NMHMA*, 6 December 1929, 10; "Aggregate Meetings," *NMHMA*, 10 December 1929, 7; "Rothbury Mine," *NMHMA*, 11 December 1929, 7; Comerford, *Lockout*, 322.
[85] "On Wednesday," *NMHMA*, 12 December 1929, 13; "The Enrolment," *NMHMA*, 13 December 1929, 9.
[86] "The Engine-Drivers," *NMHMA*, 13 December 1929, 9; "Volunteers," *NMHMA*, 14 December 1929, 9; Dixson, "Strike and Lockout," 200-201.
[87] Dixson, "Stubborn Resistance," 138-139.
[88] "New Policy," *NMHMA*, 13 December 1929, 9; "Picketing," *NMHMA*, 14 December 1929, 9.

The events of 16 December 1929 would become infamous in Australian industrial history. Around 5,000 miners converged on Rothbury at dawn, with no precise plan and without Federation leaders.[89] Hundreds of men, ignoring police orders and the advice of moderates (notably Jack Baddeley MLA), crossed the fence onto the colliery property to try to reach the scabs. Police attacked the picketers, mainly with batons, and miners fought back, including with sticks and stones. Police then opened fire; this forced the crowd to retreat, but it did not disperse. Picketers faced police bullets twice more that morning. In the second instance, some attempted to rip up the mine's railway and police shot at them as they chased them away. The final occasion was during a clash when a car arrived at the colliery entrance: miners mistakenly believed the hated NSW Minister of Mines, Reginald Weaver, was a passenger. In that third instance, police gunfire killed a 29-year-old miner, Norman Brown. It also injured dozens of other miners, six of whom were hospitalised including two critically wounded. The police did not escape uninjured: one lost a tooth and another needed six stitches to his scalp, but none suffered bullet wounds because they held all the weapons.

The Rothbury shootings reverberated across the country, with unionists everywhere protesting against the actions of the NSW government and its police. A demonstration in Sydney the following evening of over 20,000 people voted for a one-day general strike (though this was not carried out, it indicates the mood). It was subjected to its own share of police repression, with the crowd and bystanders baton-charged and beaten up.[90] Miners stopped work on 17 December throughout NSW, at most Queensland collieries, and at Wonthaggi (the State Coal Mine of Victoria), with a number of lodges staying out for longer.[91] Scullin appealed to Bavin not to proceed with reopening Rothbury, but he refused to delay.[92]

With the Maitland coalfields flooded with police, tensions reached fever pitch. Miners held further mass pickets, particularly in January, after giving craft unionists a week's notice to cease work.[93] The most notable was the Ashtonfields feint of 10 January 1930. Thousands of miners – up to 9,000 from the South Maitland fields and thousands from Newcastle – marched towards Rothbury that morning. This manoeuvre successfully fooled the police, allowing the Newcastle miners to attack the real target: the scab workforce at the small Ashtonfields colliery.[94] Northern miners also challenged the Federation's lockout policy, agitating for an all-out.[95] The picketing resulted in FEDFA withdrawing its members from Northern District mines, an extension that lasted three weeks.[96] The police behaved like an occupying army, which miners and their wives resisted. Unionists declared a black-ban on any business that served police or scabs and women picketed the offending shops to enforce it.[97] In January, returned soldiers among the miners formed Labor Defence Army units,

[89] "Bloodshed – Fierce Riots at Rothbury," *NS*, 16 December 1929, 1; "Rothbury Clash," *NMHMA*, 17 December 1929, 7; Comerford, *Lockout*, 325-341.
[90] "Furious Baton Charge," *LD*, 18 December 1929, 1-3; "Rothbury Fighting," *SMH*, 18 December 1929, 15.
[91] "All Mines," *LD*, 17 December 1929, 1; "Dispute Extends," *NMHMA*, 17 December 1929, 7; "Davies Sums Up," *LD*, 18 December 1929, 3; "Some Western Pits Idle," *NMHMA*, 21 December 1929, 9; "Trouble in South," *NMHMA*, 21 December 1929, 9; "Unassociated Mines," *NMHMA*, 21 December 1929, 9.
[92] "Compulsory Conference," *NMHMA*, 17 December 1929, 7; "Censure," *NMHMA*, 18 December 1929, 7.
[93] "Cessnock Conference," *NMHMA*, 3 January 1930, 5.
[94] "March Diverted," *NMHMA*, 11 January 1930, 9.
[95] Discussed in Chapter Six.
[96] "'Cease at Once'," *NMHMA*, 15 January 1930, 7; "May Resume Work," *NMHMA*, 5 February 1930, 7.
[97] "Conference of Lodges," *CESMR*, 20 December 1929, 7; "Miners' Wives," *NS*, 13 January 1930, 9; "In the Line," *Sun* (Sydney), 16 January 1930, 14.

which performed parade-ground drills, although members lacked weapons.[98] The upsurge of rank-and-file activity declined, however, in mid-January and ended by early February.

Meanwhile, Commonwealth Arbitration Court proceedings failed to end the lockout. The owners refused to accept Judge Beeby's proposals at a 17 December compulsory conference, so the dispute was referred to the Arbitration Court.[99] On 19 December, Beeby made an interim award ordering a return to work on pre-lockout conditions pending a full hearing.[100] The NCA and the Bavin government challenged the decision in the High Court. They argued the Commonwealth court had no jurisdiction in the dispute, contending that the strikes outside NSW were staged to allow the court's intervention. The majority of High Court judges accepted this argument (with Justice Isaac Isaacs dissenting) and Beeby's ruling was overturned on 22 January 1930.[101] The Arbitration Court considered the miners' case a second time in response to the Federation's log of claims, lodged on 8 January. Beeby made the same ruling as before, the NCA and NSW government challenged it again on the same basis, with exactly the same result from the High Court on 3 March 1930.[102] All of the legal means that the Federation had pursued in an attempt to resolve the dispute were thus exhausted.[103]

Yet Federation officials were reluctant to persuade members to return to work, and the miners themselves stubbornly resisted conceding defeat for another three months, despite increasing pressure. The Bavin government restricted food relief to the Northern coalfields in the early months of 1930, exacerbating hardship. Hundreds of locked-out miners were denied relief from mid-January on the grounds that they were engaging in unlawful activities (picketing and unauthorised drilling). More were denied it in February for refusing to lift union boycotts.[104] Bavin escalated the pressure the following month as the NCA moved to reopen its mines, hoping to convince Federation members to resume on its terms.[105] From late March, all miners (including those unemployed before the lockout) were refused sustenance unless they had applied for work at the NCA mines.[106] Meanwhile, the Third Miners' Federation Convention convened from 18 March to 1 April. It did not agree to recommend resumption, but decided to call aggregate meetings to put the position before the men, with each speaker to give "his personal point of view."[107] At the early April aggregate meetings most miners again rejected the owners' terms, with eight of the ten

[98] "Diggers," *LD*, 8 January 1930, 1; "Another 350," *LD*, 9 January 1930, 1; "At Drill," *NS*, 14 January 1930, 5.
[99] "New Proposals," *NMHMA*, 18 December 1929, 7; "Rejected by Owners," *NMHMA*, 19 December 1929, 7.
[100] "Interim Award," *NMHMA*, 20 December 1929, 9.
[101] "'Bad in Law'," *NMHMA*, 23 January 1930, 7.
[102] "Compulsory Conference," *NMHMA*, 9 January 1930, 7; "Interim Award," *NMHMA*, 24 January 1930, 9; "Award Invalid," *NMHMA*, 4 March 1930, 5.
[103] Dixson, "Stubborn Resistance," 141-142.
[104] "250 Men Refused Relief," *CESMR*, 17 January 1930, 3; "No Relief," *LD*, 6 February 1930, 5.
[105] "Support for Miners," *NMHMA*, 12 March 1930, 7; "Call for Labour," *NMHMA*, 13 March 1930, 7.
[106] "No Dole!" *NS*, 24 March 1930, 5; "Relief Refused," *NMHMA*, 3 April 1930, 7.
[107] "Convention Will Leave Miners to Decide for Themselves," *LD*, 2 April 1930, 5. Comerford wrote that the Convention recommended acceptance of the owners' terms, citing card vote figures, but he was mistaken (Comerford, *Lockout*, 415). The vote he referred to was on a motion to hold aggregate meetings in North and let the men decide the position. *Report of Third Miners' Convention Held at Sydney Trades Hall 18th March, 1930* (Sydney: Australasian Coal and Shale Employees' Federation, 1930), 226.

Northern centres opposed.[108] However, by the end of April, the Mechanics, Maitland Deputies and FEDFA had all agreed to concede defeat.[109]

On 3 May, the Miners' Federation Central Council decided to recommend resumption "in order to prevent a debacle" which would "mean not only reduced wages but also victimisation."[110] The resumption terms were based on the November Compromise, with one important difference: the owners gave a public "no victimisation" guarantee, clearly stating that employees would return in order of seniority.[111] This significantly weakened the clause that unions would not question managers' right to dismiss employees. Federation leaders argued members should accept the owners' terms to keep their organisation intact.[112] Voting on whether to resume took place at lodge meetings on 15 May, with a decisive majority in favour, although some lodges were opposed.[113] The return to work began in the last days of May, with a full resumption on Tuesday 3 June.[114] Resumption was delayed by two main factors: disagreement within the Federation regarding whether members who had worked at other mines should retain their seniority, and miners' insistence that they would not restart while scabs were still in Rothbury and the small Northumberland colliery.[115]

The lockout was a defeat for the miners but, as Comerford persuasively argued, not a disastrous one.[116] Although the miners were forced to concede a wage cut, the owners had to retreat on the question of seniority, which was important for strong union organisation. Besides retaining seniority, which Comerford emphasised, the Federation also succeeded in reversing the incursion of scab labour, whereas on the waterfront and in the timber mills many union members were replaced by scabs by the end of the strike. Those two key factors meant the Federation, unlike the timber and waterside workers' unions, did not collapse because of the prolonged dispute.

THE CPA EARLY IN THE LOCKOUT

The CPA had grown on the coalfields through its efforts in the MMM, but its organisation in the Northern District when the lockout started was minimal. By the end of 1928, the party had five groups on the NSW coalfields – Cessnock (in the North), Bulli and Kembla (Southern District), Lithgow and Kandos (Western District) – plus Broken Hill, the silver-lead mining town.[117] The only

[108] "Miners Will Fight On," *LD*, 10 April 1930, 5; "Aggregate Meetings," *NMHMA*, 8 April 1930, 5; "Many Miners Dismayed," *NMHMA*, 9 April 1930, 7.
[109] "Colliery Mechanics," *NMHMA*, 14 April 1930, 7; "'Last Phase'," *NMHMA*, 24 April 1930, 8; "Conference To-Day," *NMHMA*, 1 May 1930, 7.
[110] Minutes, Special meeting of Miners' Federation Central Council, 3 May 1930, item N144/1, ACSEF deposit 2, NBAC.
[111] "'No Victimisation'," *NS*, 5 May 1930, 6.
[112] "The Terms," *NMHMA*, 14 May 1930, 7; "Officials Cheered," *NMHMA*, 15 May 1930, 8.
[113] "Accepted," *NMHMA*, 16 May 1930, 9.
[114] "All Mines at Work," *NMHMA*, 4 June 1930, 7.
[115] "Rothbury Issue," *NMHMA*, 27 May 1930, 6; "On Monday," *NMHMA*, 29 May 1930, 7; "South Maitland Mines," *NMHMA*, 2 June 1930, 5; Dixson, "Strike and Lockout," 234-238.
[116] Comerford, *Lockout*, 479-484.
[117] Report of the Eighth Annual Conference of the CPA (December 1928), item N57/370, J. Normington Rawling collection, NBAC.

one that had existed a year earlier was Lithgow. The new Cessnock Group, which consisted of only six men in December 1928, was unable to rise to the challenge at the start of the lockout. Three of the Cessnock Communists were employed at the same mine, while the others had experienced a "long period of unemployment."[118] The group told the party's eighth annual conference that its work revolved around the lodges and the MMM. However, one of the CPA's difficulties in the lockout was that the "actual number of miners in the Party was very low," as Norman Jeffery noted at the following conference.[119] Embarrassingly for the CPA, two of its three Cessnock miners "proved to be squibs" – that is, they shirked the fight.[120] One of them, J. Davies, was the group secretary. Whereas the party argued the locked-out miners should organise councils of action and picketing, Davies, along with many other miners, took up the *Labor Daily*'s suggestion and left at the start to go fishing at Lake Macquarie.[121] The CPA expelled both men.[122] The group secretary's failure indicated the Cessnock Communists' weakness.

The group was subsequently reconstituted by Jack Kavanagh, but its fortunes did not improve much. Jim Given, an older shiftman, was appointed its secretary.[123] Given briefly gained notoriety in late May for telling two visiting state ministers he did not think they had really come to help the unemployed, but were only on a "joy ride."[124] Unfortunately, Cessnock Mayor David Hunter, a useful ally for the CPA, was blamed for the insult to the ministers. The right-wing press campaigned against him for associating with Communists.[125] At the start of May, as Andy Barras and Edna Nelson reported, the Cessnock CPA included "only one member of the Miners Federation."[126] The group was discontented with party headquarters sending information via a politically friendly family of non-party members "owing to them having the 'phone."[127] Personality differences between two non-member associates had an adverse effect on the group, and it neglected to send reports to *Workers' Weekly*. Yet despite its weaknesses, the Cessnock CPA gained a few members in the lockout's early months: two were recruited in April, and in May a woman member joined the CPA from the Militant Women's Group, while another person was nominated for party membership.

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[118] J. Davies, "Cessnock Group Report," CPA Eighth Annual Conference (December 1928) documents, in "[Communism]: Communism and anti-war movement," item SF42/321, series A467 (Attorney-General's Department, Central Office - Special correspondence files), National Archives of Australia (NAA).
[119] Norman Jeffery in discussion of CEC reports, Minutes of the Ninth Annual Conference of the CPA (December 1929) (hereafter CPA Ninth Conference Minutes), p.44, MLMSS 5021 add-on 1936, box 1(76): I, CPA Records, State Library of NSW (SLNSW).
[120] Andy Barras in discussion of CEC reports, *Ibid.*, 55.
[121] Editorial: "All Out of the Mines," *WW*, 22 February 1929, 2; "Silently Left," *LD*, 2 March 1929, 1; Jeffery in discussion of CEC reports, CPA Ninth Conference Minutes, 44 (his name is noted as J. Davis, elsewhere it is Davies).
[122] Minutes of Presidium meeting, 22 April 1929 and "CPA and the New South Wales Coal Lock-Out" [CPA CEC letter to Comintern], 25 May 1930, "CE Minutes 1926-30," MLMSS 5021 add-on 1936, box 3(76): II, CPA Records, SLNSW.
[123] Minutes of Presidium meetings, 1 April 1929, 22 April 1929, "CE Minutes 1926-30" (CPA Records, SLNSW); Wendy Lowenstein, *Weevils in the Flour: An Oral Record of the 1930s Depression in Australia* (Melbourne: Scribe, 1981), 80.
[124] "Visit of Cabinet Ministers," *CESMR*, 21 May 1929, 1; "Better than Australia," *MDM*, 21 May 1929, 6.
[125] "Council of Action," *CESMR*, 31 May 1929, 9; "Mayor Denounced," *WW*, 7 June 1929, 3.
[126] A. Barras and E. Nelson, "Report on Cessnock and Kurri," 7 May 1929, "CE Minutes 1926-30" (CPA Records, SLNSW).
[127] *Ibid.*

Since the CPA had more than its Cessnock group, it was able to make a modest intervention in the lockout. In particular, publishing its arguments in a regular weekly paper probably gave the party a standing it would otherwise have lacked. Although *Workers' Weekly* did not enjoy a large circulation on the Northern coalfields, mineworkers likely read it at their Schools of Arts, which were run by the lodges and stocked a wide range of literature.[128] From September 1928, a second publication also carried the CPA's line: the four-page, roneoed bulletin *Miners' Voice*. This was the Mineworkers' Minority Movement's official organ, launched after its efforts in the Federation's Second Convention (discussed in the previous chapter) showed it could attract militants. The fact that well-respected Western District miners Bill Orr and Charlie Nelson contributed to these publications would have bolstered the Communists' credibility in the North.[129] Jim Comerford remembered that the issue of the safety men was one that "the CP/MMM constantly kept before the miners."[130] The party press must have been its main means of doing so. Although Cessnock was relatively close to Sydney, the CPA's centre could offer little assistance to the Northern coalfields Communists because its resources were taken up with the timber strike until October. The CPA's Cessnock group was not in a position to lead the struggle or exercise much influence, but the party's publications nonetheless made it a factor in lockout politics.

UNIONISTS' DEBATE OVER STRATEGY

In broad terms there were two possible strategies for the unions faced with the lockout – defensive and offensive – both of which had their proponents. These two contrasting approaches and the logic behind them are considered below. Miners' Federation General Secretary Dai Davies and General President Dan Rees favoured a defensive strategy and this became CMUC policy. Militant lodge officials, many miners and the CPA wanted a union offensive, but there were differences between them over the best strategy. An offensive strategy would involve industrial extension, for which there were two main possibilities: withdrawing all labour (in particular, maintenance workers) from the locked-out mines, and extending the stoppage to other mines. Many militants favoured an industry-wide strike (at least within NSW, if not across Australia), a policy known as the "all-out," or general strike (meaning a general strike of the coal mining industry), while the CPA advocated withdrawing the safety men.

DEFENSIVE STRATEGY OF THE MINERS' FEDERATION LEADERS

The defensive strategy that the CMUC pursued throughout the lockout had both an industrial and a political aspect. On the industrial level, the mineworkers' unions adhered to a confinement policy, to use Dixson's term – that is, they kept "the fight confined to the associated coal-owners."[131] The

[128] Comerford, *Lockout*, 228, 272-273, 515; Andrew Metcalfe, *For Freedom and Dignity: Historical Agency and Class Structures in the Coalfields of NSW* (Sydney: Allen and Unwin, 1988), 106.
[129] For example: "The AWUism of the Miners' Officials," *Miners' Voice* (Sydney), no. 2, 22 September 1928, 2 (a letter from Nelson to Miners' Federation Secretary Davies); W. Orr, "Now for a Fighting Stand," *WW*, 26 April 1929, 2; W. Orr, "Lithgow & Wallerawang Aggregate Meetings," *Miners' Voice*, no. 7, May 1929, 4; W. Orr, "Miners Betrayed," *WW*, 1 November 1929, 2.
[130] Comerford, *Lockout*, 112.
[131] "Mine Workers," *LD*, 2 March 1929, 1; Dixson, "Stubborn Resistance," 136. Contemporary sources did not call it a confinement policy, but referred to it simply as the CMUC policy.

CMUC decided on 7 March that all members of the unions involved who were not served with dismissal notices should remain at work. This included craft union members at the locked-out mines, and mineworkers at all other mines in the Northern and other districts. The former were instructed "to fulfil only their ordinary duties" and "strictly not to do any tasks that were previously performed by the men now locked out."[132] This put them in a potentially difficult position with conflicting demands of management and union leaders. In some cases, following managers' orders would have involved clear violations of CMUC policy, for example filling slack coal so it could be sold. Other cases were more ambiguous, such as handling coal to maintain the boilers, which were essential for mine maintenance. Disobeying a manager's instruction would likely result in dismissal, while acting against the union could mean exclusion from it and being ostracised as a scab. The CMUC endorsed the colliery mechanics' and Federation Northern District's refusal to fill slack coal at grass at the locked-out mines. It told union members "not to assist in any way the handling or transport of any coal produced or filled by any labor other than that supplied by the combined unions."[133] The CMUC declared the locked-out men were prepared to resume on the existing award wages and conditions. Anticipating a long drawn-out struggle, the Miners' Federation Central Council decided on 22 March to levy its working members 12.5 per cent of earnings to support those locked out.[134] From early April, the Federation issued relief dockets (redeemable for groceries) to its locked-out members.[135]

On the political level, the union leaders attempted to resolve the lockout on favourable terms through negotiation or various constitutional means (a Royal Commission, electing a Labor government or industrial arbitration). As Gollan noted, the CMUC used every opportunity for negotiation or conciliation to press for the mines to be reopened on pre-lockout terms before further negotiations.[136] In making this demand, the unions mirrored the owners' stance in strikes: they typically made resumption on the pre-existing terms a prerequisite to opening negotiations, and arbitration tribunals usually backed them. At the same time, union leaders tried to have the dispute resolved through the state apparatus, concentrating on different institutions in turn. In the lockout's first three months, Miners' Federation leaders lobbied the federal government for a Royal Commission into the coal industry (which they had advocated for at least a year).[137] They believed an inquiry would reveal the extent of profits and the industry's inefficiencies, and thus enable them to show that a lower sale price for coal could be achieved without wage reductions. Federation leaders enlisted the services of an accountant, E.S. Miller, who knew the industry well. They were counting on his expertise to prove their contention.[138] Their hopes in the Commission were dashed when it denied the unionists access to evidence regarding mine company operating costs and profits.[139] Subsequent efforts, relying on the Labor Party, then arbitration proceedings, produced equally disappointing results.

[132] "Ready for Duty," *LD*, 8 March 1929, 5.
[133] *Ibid.*
[134] "Barrage of Blarney is Proving Ineffective," *LD*, 5 March 1929, 1; "Twelve Per Cent. Levy," *LD*, 23 March 1929, 5.
[135] "Relief for Miners," *NMHMA*, 9 April 1929, 4.
[136] Gollan, *Coalminers*, 189.
[137] "Why Our Overseas Trade Was Lost," *LD*, 2 March 1928, 5; "The Miners Get Notice," *LD*, 16 February 1929, 5; *LD* news columns March-May 1929.
[138] Davies, *Coal Question*, 4-6.
[139] "Inspection of Books," *NMHMA*, 28 June 1929, 9.

There were two main interrelated concerns underlying the union leaders' defensive strategy: finances and maintaining what they believed was an advantage by acting lawfully. Federation leaders considered the owners had made a tactical blunder in attempting to force their employees to accept a wage cut without reference to the Coal Tribunal. As noted, unionists argued the coal owners were breaking the law by defying the award.[140] Federation leaders believed they had public opinion on their side because the owners' action was illegal, but if they extended the dispute they would lose public sympathy since such strike action would be equally unlawful. Furthermore, if mineworkers struck, they would face the full force of repressive anti-union laws, including hefty fines, and hostile state and federal governments, just as the waterside and timber workers had.[141]

Moreover, since union leaders expected a prolonged industrial battle, they had to ensure that members and their families had sufficient means to survive. If they lacked necessities, resistance would crumble. With 12,000 miners locked out plus their dependents, estimated at "30,000 or more," this was a significant challenge that would strain the Federation's financial resources.[142] The employers' chosen tactic gave the union one advantage over a strike: miners could claim state government food relief because they had been dismissed. Although some were ineligible based on other criteria, most received it and the state sustenance was worth roughly the same amount as the Federation dockets.[143] Mineworkers who took solidarity strike action evidently could not apply for state unemployment relief. While Federation members at the unassociated Northern mines and in other districts stayed at work, the levy provided a modest scale of victimised pay, disbursed as dockets, for those locked out.[144] Federation leaders and the *Labor Daily* told working members they had a duty to support their locked-out comrades through the levy.[145] By implication, it was their duty to keep working. *Labor Daily*, largely financed by the Federation, later argued that a general strike would bring a disastrous defeat: the locked-out miners would be deprived of relief, strikers would have no means to support themselves, and within "eight or ten weeks the mineworkers would be starved into submission."[146]

While the Miners' Federation Central Executive favoured, and successfully imposed, the defensive strategy throughout the lockout, there were variations and challenges to it on the CMUC and the Federation's governing body. On 27 April 1929, the Miners' Federation Central Council voted 8 to 6 (against Rees and Davies' advice) to recommend to the CMUC that safety men be withdrawn from the locked-out mines.[147] This resolution, withheld from the press, was rejected by the CMUC (12 for, 14 against) at its early May meeting.[148] From later that month, FEDFA organiser Sutherland publicly opposed the confinement policy, advocating a state-wide strike. However, for most of the dispute FEDFA's leaders were more militant in words than in actions. Their threat in June to

[140] Editorial: "Will Bruce Do His Duty?" *LD*, 6 March 1929, 4.
[141] "'Loyalty' the Watchword," *LD*, 16 March 1929, 8; Editorial: "Miners, Beware!" *LD*, 11 June 1929, 4.
[142] "One Month of Agony!" *LD*, 3 April 1929, 5.
[143] See Appendix 3.
[144] "Miners to be Fed," *LD*, 6 March 1929, 1; Davies, *Coal Question*, 8.
[145] "Will Stand or Fall Together," *LD*, 5 March 1929, 1; "The Call Goes Forth," *LD*, 28 March 1929, 5; Ross, *Miners' Federation*, 312.
[146] "Mineworkers, Every Action Must Be Weighed," *LD*, 11 June 1929, 4.
[147] Minutes, Special meeting of Miners' Federation Central Council, 25-27 April 1929, item E165/2/3, ACSEF Edgar Ross collection, NBAC.
[148] Rough minutes, CMUC meeting, 8-10 May 1929, item E204/2/2, ACSEF deposit 1, NBAC.

withdraw all members from NSW mines achieved the desired effect of bringing picketing to an end. FEDFA did not attempt to implement an extension before January 1930 (examined in the next chapter), and when it did so it was not state-wide but confined to the Northern District. The CMUC apparently departed from its defensive strategy in November 1929: responding to Bavin's announcement that three mines would be reopened on the owners' terms, it threatened a nationwide mining strike.[149] That threat, however, was an unsuccessful bluff, intended to facilitate federal government intervention. After the police attacked mineworkers at Rothbury, Miners' Federation leaders encouraged strike action at the Wonthaggi State Coal Mine in Victoria, with Davies telegramming the lodge to ensure it was aware of the police shootings.[150] This was a variation of the confined front policy, but consistent with the defensive strategy. The aim of extending the dispute interstate was to allow the Commonwealth Arbitration Court to rule on it, while protest strike action within NSW was discouraged.

OFFENSIVE STRATEGY

From the start of the lockout, proponents of a combative union policy proposed two distinct extension strategies, but contemporary sources and historians have generally conflated them. Withdrawing the safety men from the locked-out mines was one proposal, which the CPA championed from the outset and for most of 1929. The other was to extend the dispute throughout the industry – the all-out – a proposal that some militant lodge officials argued for in the early days of the lockout. Although these measures were not necessarily mutually exclusive, they were advanced as competing proposals. Sutherland and Hoare, both claiming they favoured extension, clashed publicly over which means was best in late May.[151] Their claims seem disingenuous as they were under pressure from discontented members, and each advocated the proposal that would leave the other union responsible for extending the dispute. However, in the lockout's early days, genuine proponents of each proposal argued their respective cases. The fact that two distinct strategies were advocated from the outset has been obscured, mainly because the lodge officials who advocated the all-out did so in closed forums, hiding disagreement within the union from public view. This facilitated major daily newspapers' conflation of the two. In addition, the CPA's publications introduced ambiguity. At the start of the lockout, the party referred to the all-out as a potential second phase of escalation. It also made wide use of the term "all-out," which was generally understood to mean an industry-wide stoppage. *Workers Weekly* at times employed the term to refer to a restricted extension. It argued, for example: "'All out of the mines' is the only effective answer" to the lockout, by which it meant "let the engine drivers, pump-men and deputies give 14 days' notice."[152]

Most newspapers, failing to distinguish between the two extension proposals, attributed agitation for an all-out to Communists. *Labor Daily* was keen to quash any dissent against the mining unions' leadership. It warned mineworkers against "councils of action, militant minorities, and such-like organisations" which might divide their ranks, arguing "the utmost loyalty" to their elected

[149] "Proposed General Strike," *NMHMA*, 19 November 1929, 7.
[150] "Dispute Extends," *NMHMA*, 17 December 1929, 7; "Conclusion Expected To-Day," *NMHMA*, 3 January 1930, 5.
[151] "Safety Men," *NMHMA*, 24 May 1929, 5.
[152] Editorial: "All Out of the Mines," *WW*, 22 February 1929, 2.

leaders was "imperative."[153] The paper also cautioned them against a general strike: that was what the coal barons wanted.[154] It gave the impression that an industry-wide strike was the Communist demand. In June, *Labor Daily* accused Communists from outside the mining industry of disruptive interference, stating or implying that they wanted an all-out.[155] Likewise, major daily newspapers wrote about the CPA-controlled MMM favouring or making preparations for a general strike.[156]

Similarly, histories of the lockout have not identified differences between proponents of extension. Dixson outlined the MMM's proposals at the start of the dispute, but overlooked the arguments for an all-out.[157] Gollan and Ross, in their concise accounts, did not specify what the opponents of confinement advocated (neither did Dixson in her article).[158] Both wrote about the debate over policy in the early months of the lockout as revolving around the question of the safety men; agitation for an all-out is not part of the picture. All three writers gave the MMM most of the credit for leading opposition to the official policy. Ross noted the role that others (Hoare and some lodge officials) played, but conflated the two strands of extension.[159] Comerford wrote about both withdrawing the safety men and "an immediate general strike" as measures that the CPA/MMM advocated from the outset.[160]

Proponents of the all-out included militant lodge officials, whose part in the strategy debate has been overlooked, and Communist miners who opposed their party's line. Lodge officials, elected to manage the affairs of the lodge, were leaders among the miners' rank and file, generally dedicated unionists and often influential. Notably, Bill McBlane and Tommy O'Toole, secretaries of Richmond Main and Pelaw Main lodges respectively, acknowledged as outstanding leaders and highly influential in the Kurri Kurri area, advocated the industry-wide strike.[161] Their arguments are unknown, but the fact that they argued for an all-out at a lodge secretaries' meeting in March was noted in late May by Federation representatives incredulous at Sutherland's declaration in favour of an all-out. They recalled that Sutherland "ridiculed" McBlane and O'Toole two months earlier.[162] Communist miners, particularly Bill Orr and Jack Hitchen (of Bulli, Southern District), also supported the all-out at the outset. CPA archival documents show that they and the Lithgow Group argued for the party to change its line to call for an immediate general mining strike.[163] Hitchen contended in *Workers' Weekly* that "a strike of the whole industry" was "essential."[164] Although prominent proponents of the all-out did not advocate it publicly, their opposition to the Federation and CMUC leadership's defensive strategy was more significant than the CPA's agitation for the withdrawal of

[153] "Ominous Warning," *LD*, 25 February 1929, 5; "Best Left Alone," *LD*, 25 February 1929, 1; "How Coal Industry Has Been Blighted," *LD*, 25 February 1929, 1; "Sixteen Thousand Mine Workers Are Locked Out," *LD*, 2 March 1929, 1; "'Loyalty' the Watchword," *LD*, 16 March 1929, 8.
[154] "Tory Trouble Makers," *LD*, 2 March 1929, 1.
[155] Editorial: "Miners, Beware!" *LD*, 11 June 1929, 4; "Shifting His Ground," *LD*, 8 June 1929, 6.
[156] For example: "Plans, Now," *Sun*, 20 February 1929, 15; "Coal Industry," *SMH*, 25 February 1929, 11.
[157] Dixson, "Strike and Lockout," 143.
[158] Gollan, *Coalminers*, 192-193; Ross, *Miners' Federation*, 337; Dixson, "Stubborn Resistance."
[159] Dixson, "Strike and Lockout," 149-150; Gollan, *Coalminers*, 192-193; Ross, *Miners' Federation*, 337-338, 346.
[160] Comerford, *Lockout*, 103, 106.
[161] Ross, *Miners' Federation*, 346; Metcalfe, *For Freedom*, 189; Comerford, *Lockout*, 69, 100, 216.
[162] "Coal Unions' Control," *NS*, 31 May 1929, 5; Comerford, *Lockout*, 183.
[163] Minutes of Presidium meeting, 18 March 1929 and Central Committee meeting, 24 March 1929, "CE Minutes 1926-30" (CPA Records, SLNSW); Bert Moxon and Lance Sharkey, "Minority CEC Report," in CPA Ninth Conference Minutes, 15; discussion of CEC reports, *ibid*., 44 (Jeffery), 53 (Orr), 60-61 (Hitchen).
[164] J. Hitchen, "Miners' Convention," *WW*, 15 March 1929, 2.

safety men. CPA/MMM arguments were magnified by their publications, but they exercised no great influence on the coalfields, whereas McBlane and O'Toole did. *Labor Daily*'s calls for unity and loyalty to the union leaders were probably aimed at disciplining the latter more than countering the Communists.

THE CPA'S ARGUMENTS

At the start of the lockout, the CPA argued for withdrawing the safety men (not for an industry-wide strike), although its position subsequently changed. From when dismissal notices were issued until mid-September, the CPA and MMM advocated that mineworkers organise themselves to take an active part in the dispute, especially by picketing the mines; that safety men be withdrawn from the locked-out pits; and that miners in all districts organise local councils of action, to prepare for an industry-wide stoppage if necessary.[165] This was not a call for an immediate all-out. Indeed, as the new line CPA Central Committee (CC) later complained, the party not only did not argue for a general mining strike "but actually repudiated it."[166] It cited an early July statement of the then-CEC replying to *Labor Daily*'s attacks:

> Unable to refute the logic of the demand that the maintenance men be withdrawn from the locked-out mines, the 'Labor Daily' has camouflaged the issue by inferring that the demand was for an immediate general stoppage of work in the industry.[167]

The party favoured withdrawing the safety men in the belief that doing so would threaten the owners with ruin; the absence of maintenance workers would risk significant property damage such as flooding which would be expensive for the owners. *Workers' Weekly* contended that this threat was "the strongest weapon at [the mineworkers'] disposal," advising them not to worry about the bosses' property since they displayed such little concern for their lives.[168]

From 27 September 1929, the CPA's line changed in response to the threat that scabs would be brought into the mines. It urged miners to make "immediate preparations" for "a general stoppage in the industry" at the first move towards reopening the mines with scab labour.[169] However, it was cautious in its call for an all-out, particularly after the CMUC announced it would declare a national coalmining strike if Bavin implemented his plan to reopen some mines. In a lengthy statement, the CPA described "rapid extension of the dispute" as "absolutely necessary" to win, but added: "we warn the rank and file that the struggle will not necessarily be short and sharp."[170] It further cautioned mineworkers to "go into the general stoppage with their eyes open."[171] Despite its change of line, the CPA continued to argue that the safety men should have

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[165] Editorial: "All Out of the Mines," *WW*, 22 February 1929, 2; Editorial: "'To Starve Labor Into Submission'," *WW*, 8 March 1929, 2; "Withdraw Safety Men From Locked-out Pits," *WW*, 15 March 1929, 1; "Policy for Miners," *WW*, 5 April 1929, 2; "Mining Bureaucrats' Sham Fight," *WW*, 20 September 1929, 2; "The Miners Must Fight," *Miners' Voice*, no. 5, March 1929, 1; "The Miners' Will to Win," *Miners' Voice*, no. 9, 21 June 1929, 1.

[166] "CPA and the New South Wales Coal Lock-Out" [CPA CEC letter to Comintern], 25 May 1930, "CE Minutes 1926-30" (CPA Records, SLNSW).

[167] "Fifth Month of Coal Lock-Out," *WW*, 5 July 1929, 1.

[168] Editorial: "Withdraw the Safety Men," *WW*, 12 April 1929, 2; Editorial: "All Out of the Mines," *WW*, 22 February 1929, 2; "Withdraw Safety Men…," *WW*, 15 March 1929, 1.

[169] "To Hell With Coal Commission's Report," *WW*, 27 September 1929, 1.

[170] "Miners, All Together," *WW*, 22 November 1929, 2.

[171] *Ibid.*

been withdrawn at the start.[172] Once the November Compromise was announced, however, it argued more stridently for an all-out: "Every mine in every State must be brought to a standstill."[173] The party grew more forthright in its call for a general mining strike after the Rothbury shootings, and further emphasised it once the new CC took control.[174]

Throughout the lockout, the CPA urged the miners to adopt its organisational proposals, which it perhaps considered more important than its favoured industrial strategies. The party believed alternative structures were a necessary prerequisite for the rank and file to take charge of the fight. It advocated councils of action and strike committees, at local, district and state levels.[175] *Workers' Weekly* articles emphasised the need for "strike machinery," as it sometimes described it, as much as a fighting policy.[176] Though the exact prescription varied, this machinery was a shibboleth that the CPA insisted on under the Kavanagh leadership and the Moxon-Miles-Sharkey executive alike. This shibboleth was misplaced in the Miners' Federation. As Comerford argued, since the Federation's structures were very democratic and had been tested in practice over many years, it was highly unlikely that miners would agree that they needed another form of organisation.[177] The party connected its alternative structures idea with arguments that mineworkers (indeed, workers in general) could rely only on their industrial strength and that the rank and file must control the unions' direction. On that basis, it also opposed union efforts that depended on other bodies to act on members' behalf. *Workers' Weekly* disputed the Royal Commission's impartiality, arguing that it was a tool of the class-biased Bruce government.[178] Communist publications mocked the notion that "the new Messiah, Miller" would save them with accountancy figures.[179] Later, the CPA argued mineworkers could not rely on the Labor government or the arbitration system to end the lockout in their favour, and that Federation leaders were putting their faith in them to avoid the fight.[180]

The CPA's attitude to the union leaders shifted during the lockout as it moved towards a Class Against Class stance in line with the Sixth Comintern Congress. When the notices were issued, *Workers' Weekly* contended: "The Federation leadership will do nothing to prepare for the struggle."[181] However, in the early months of the lockout the CPA had not fully adopted the new line, as an MMM statement of 24 May indicates:

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[172] "To Hell With…," *WW*, 27 September 1929, 1; "Committee's Action," *NMHMA*, 27 November 1929, 7; "A Program for Miners," *WW*, 6 December 1929, 1.
[173] "A Program for Miners," *WW*, 6 December 1929, 1.
[174] "Rank and File Leadership to Widen Struggle," *WW*, 20 December 1929, 1; "Miners Can't Rely on Court," *WW*, 27 December 1929, 1; "Only 'ALL OUT' Will Defeat Coal Bosses," *WW*, 10 January 1930, 1; "Extend and Intensify the Fight," *WW*, 17 January 1930, 1.
[175] Editorial: "The Miners' Fight is On," *WW*, 15 February 1929, 2; "A Program for Miners," *WW*, 6 December 1929, 1.
[176] "Policy for Miners," *WW*, 5 April 1929, 2; "Northern Miners Aroused," *WW*, 31 May 1929, 2; W. Orr, "Call to Mining Militants," *WW*, 8 November 1929, 2; "Miners, All Together," *WW*, 22 November 1929, 2; "Extend and Intensify the Fight," *WW*, 17 January 1930, 1; "Locked-Out Miners, Take Control!" *WW*, 21 February 1930, 1.
[177] Comerford, *Lockout*, 57-58.
[178] "Coal Crisis – Rank and File Must Act," *WW*, 17 May 1929, 4.
[179] "Miners' Crisis," *Miners' Voice*, no. 7, May 1929, 1; "Against the Coal Bosses Offensive," *WW*, 10 May 1929, 2; "Miners Starve," *WW*, 19 July 1929, 2.
[180] "Organised Struggle Can Defeat Coal Bosses," *WW*, 11 October 1929, 2; "No Compromise," *WW*, 1 November 1929, 2; "Miners Can't Rely on Court," *WW*, 27 December 1929, 1.
[181] Editorial: "The Miners' Fight is On," *WW*, 15 February 1929, 2.

> We will support to the utmost those Federation officers – if there are any – who will lead the miners on the only policy which will bring victory – viz., determined active struggle against the bosses' offensive.[182]

The following week it commended Hoare for advocating a militant policy as a "welcome contrast" to the stance of Davies, Rees, and the craft union officials.[183] By September 1929, the CPA argued that the mining union leaders had failed to lead the fight, so the rank and file must take action themselves to extend the dispute.[184] *Workers' Weekly* varied this theme when the MMM contested the Federation elections; it called for a change of leadership.[185] From January 1930, with the new CPA leaders keen proponents of Third Period policies, the new line came into force. The mineworkers' "official leadership" was "incapable" of leading the fight, because their "whole function" was "to stifle the will to struggle."[186] By April 1930, the party described Federation leaders as "social fascist."[187]

APPRAISAL OF STRATEGIES

Before examining the first two upsurges of rank-and-file activity, an assessment of the strategies available to the mining unions is needed. The defensive strategy may be judged on its results. The main effect of its industrial confinement component was that production of coal was maintained. Mines in other districts, and unassociated Northern collieries, supplied the required output. Those mines not only continued to operate, but thrived: whereas intermittency had become the norm, they worked full time, and even overtime, to redress the shortfall.[188] As the quality of coal varies between seams, the substitute product did not always meet the desired standard. At one stage, gas was rationed in Sydney because the Western District coal substituted for the regular supply was less suited to gas production, creating a sudden shortage.[189] That instance, however, was exceptional; overall, coal consumers were not greatly inconvenienced.[190] The confined front meant there was no substantial shortage and therefore no pressure on NCA owners to reopen their mines. Levying the miners who stayed at work was important for providing the means to maintain the locked-out miners and their families, but the fact that the former continued to win coal also entrenched the lockout. Thus the Federation leaders' policy made their expectation of a lengthy dispute a self-fulfilling prophecy. As Dixson commented, they had "accepted the battle plan chosen by their enemy."[191]

In addition, mineworkers did not gain much advantage by staying on the right side of the law and cultivating favourable public opinion. Although the fact they were dismissed (rather than on strike) made them eligible for state relief, that was revoked when the Bavin government found it politically expedient to do so. As many unionists concluded in 1929, a blatant double standard

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[182] "Miners, Fight and Win," *WW*, 24 May 1929, 4.
[183] "Northern Miners Aroused," *WW*, 31 May 1929, 2.
[184] "Mining Bureaucrats' Sham Fight," *WW*, 20 September 1929, 2.
[185] "Organised Struggle…," *WW*, 11 October 1929, 2; W. Orr, "Miners Betrayed," *WW*, 1 November 1929, 2.
[186] "Only 'ALL OUT'…," *WW*, 10 January 1930, 1.
[187] "Coal Commission Conspiracy," *WW*, 4 April 1930, 1; "Social-Fascist Davies," *WW*, 11 April 1930.
[188] Editorial: "Miners, Beware!" *LD*, 11 June 1929, 4.
[189] "Sydney Rushes to Purchase Tinned Goods and Openers," *LD*, 11 June 1929, 1; "'Gas Position Will Be Brighter in a Few Days' – Gas Manager," *LD*, 12 June 1929, 5.
[190] Dixson, "Stubborn Resistance," 131.
[191] *Ibid.*

applied: the law was framed to be enforced against them, not their employers. Unlike the Timber Workers' Union leaders, no mine owner ever faced court to answer charges of breaking industrial law. Political decisions meant their claims that they acted lawfully were not tested. It is unclear what benefit mining union leaders believed public sympathy would bring, but their concern to maintain it is evident in *Labor Daily* articles.[192] Mining unions did not make public appeals for relief funds until late into the dispute; perhaps they wanted favourable public opinion to help elect a Labor government. Some lodge officials were unimpressed, arguing in June that public sympathy was no use to them in any fight.[193] Federation leaders and the CMUC did not attempt to beat the owners' offensive industrially. All their efforts to end the lockout on favourable terms by other means failed. In terms of the outcome of the dispute, there were two measures of success for the Federation, which allowed it to survive. One was that miners returned to work together. Federation leaders succeeded in securing a majority in favour of resumption when no other option was left, although many members were still reluctant to concede. The other was that mineworkers returned with their seniority rights intact; the owners probably backed down on this because of the tenacity of the rank and file.

Neither of the two possible strategies for a union offensive was properly tested. The possible effectiveness of withdrawing the safety men, however, may be deduced from the events. Although for most of the lockout there was no serious effort to secure the withdrawal of all labour from any mine, in the upheavals of January 1930 (discussed in the next chapter) operations ceased entirely at many Northern District mines. It was then evident that withdrawing the safety men was not as big a threat to most mine owners as its proponents supposed. In the case of a few mines in the Wallsend area, there was concern that with the pumps stopped, flooding might cause permanent damage.[194] While there was a risk of those mines being rendered unworkable, there were no such worries for most of the mines affected. Some months earlier, the *Newcastle Sun* recorded the dismissive response of unnamed owners to fears of flooding or explosions if the safety men were called out; these concerns "were termed 'fictions in the brains of uninformed miners'."[195] They stated that modern equipment gave the mines adequate protection. It was estimated that BHP's new John Darling mine, one of the best equipped, would remain fairly safe for two or three months.[196] Leading militants and Communist mineworkers must have understood this, and so did not support the proposal to withdraw the safety men. Thus it seems highly unlikely that doing so at the start of the lockout would have had the effect that the CPA anticipated; it is doubtful miners could have reversed the owners' attack with a strategy reliant on that measure.

The all-out was never tested, so whether it could have succeeded must remain conjecture, but informed speculation is possible based on what occurred. Since allowing production to continue meant there was little pressure on the owners to end the lockout, it is reasonable to suppose that if an industry-wide stoppage had occurred – ceasing coal production – that would have forced a resolution. An all-out is probably the only strategy that could have won, if it had been implemented

[192] See for example "Sixteen Thousand…," *LD*, 2 March 1929, 1; "'Kicked Out' Not 'Walked Out'," *LD*, 4 March 1929, 5; Editorial: "Miners and Wages," *LD*, 5 March 1929, 4; "What About the 'Figures'?" *LD*, 5 March 1929, 5; "Don't Blame the Miners," *LD*, 11 June 1929, 1.
[193] "Combined Meeting," *NMHMA*, 13 June 1929, 7.
[194] "Permanent Closure," *NMHMA*, 14 January 1930, 5; "Newcastle Field," *NS*, 16 January 1930, 7.
[195] "To Stop In," *NS*, 27 May 1929, 6.
[196] "Newcastle Field," *NS*, 16 January 1930, 7.

early. Instead, the dispute was allowed to settle into a stalemate. It is likely that the Federation's membership would have adhered to an industry-wide strike decision, given their majority support for direct action in late 1928.[197] They would not have had recourse to the same relief provisions, but if the strike were short there would have been less need for relief, and if it were longer workers in other industries may have assisted.

Escalation to force the issue would have been risky, and might have produced a range of possible results. On the union side, if miners had refused to allow any more coal to be produced, this would have shown other workers their will to wage a serious fight, and might well have inspired solidarity strikes, for example, by railway workers refusing to haul coal. Solidarity action could have compounded the effect of cessation of production, rapidly producing a crisis. Even without such action, restricting the coal supply through an all-out would have threatened to bring all industry to a standstill. This would have created a political as much as an industrial crisis and would certainly have resulted in state intervention, of which there were various potential forms. Large-scale repression to force the miners to concede was one, which would probably require the use of strike-breakers. However, since scab labour is ineffective for winning coal in the short term, the government or courts may have ruled in the miners' favour. That would have depended on the quantity of coal in reserve: the more rapidly the coal stocks dwindled, the greater the miners' industrial power. On this front though, the miners were poorly placed. By early 1929 there was an oversupply of coal, with industry slowing down because of the depression. An all-out might have failed, but it would have given the mineworkers their best chance.

The CPA was remembered favourably as the group that advocated the all-out. Its arguments for a fighting industrial strategy contributed to its growth on the coalfields in the following months and years until Orr and Nelson were elected Federation Secretary and President. As most mineworkers approved of direct action methods, the party won credibility for persistently arguing for an offensive strategy. Since that was not adopted, the CPA, and indeed the militant lodge leaders who advocated the all-out, avoided the consequences of being held responsible for a failed strategy and the union's defeat. The fact that the party eventually won respect for its arguments, however, does not mean that it was able to lead rank-and-file activity during the lockout, as examining the upsurges in struggle will show.

MAY-JUNE 1929

The South Maitland miners' activity in May-June 1929, which was the first time mineworkers took independent action in the dispute, was attributed to CPA influence. The party took some of the credit, with *Workers' Weekly* commenting after a combined meeting of lodge officials called for safety men to be withdrawn: "we have the somewhat belated yet vital acceptance of the MMM demand."[198] As mass picketing began, NCA Chairman Charles McDonald issued a statement warning mineworkers that a Communist attempt to "secure control of the industrial situation" posed a "very grave danger" to them, cautioning them not to be misled.[199] FEDFA organiser Sutherland accused

[197] "New Methods," *Sun*, 4 December 1928, 19.
[198] "Northern Miners Aroused," *WW*, 31 May 1929, 2.
[199] "Owners' Warning," *SMH*, 8 June 1929, 15.

the Miners' Federation Northern District of "acquiescing" to MMM policy.[200] Sydney daily papers referred to the rank and file, or a section of them, as "dominated by the Red element."[201] An editorial in *Labor Daily* attacked prominent CPA members for interfering in the miners' affairs.[202] Dixson stated that councils of action "initiated or helped initiate 'mass pickets'" in June, and elsewhere pointed to MMM influence in those councils, bolstering the idea of Communist responsibility for the picketing activity.[203] Yet although miners formed a council of action and started mass picketing the mines, as the CPA advocated, the party's influence was limited, as an examination of the events will illustrate.

Concern about scabbing prompted South Maitland miners to act in May: they tried to change the unions' policy, and picketed to stop other workers doing the locked-out miners' duties. From late April, there were reports of slack coal being filled at Stanford Merthyr No. 2 (colloquially known as Paxton for its proximity to that town).[204] Members of the Collieries' Staff Association there persisted in filling small coal, against their union's instruction.[205] (This led the Federation Central Council to approve Hoare's motion on 27 April to recommend to the CMUC that safety men be withdrawn, a move that failed.[206]) On 1 May, a 40-wagon trainload of slack coal from Paxton was freighted through Cessnock.[207] The problem was not confined to one colliery: lodge officials reported scabbing at Elrington, 50 full wagons of small coal awaiting transport at Abermain No. 2, and up to 200 tons of coal per week being produced at one of the Hebburn mines (near Weston).[208] Miners of the two Hebburn lodges took the initiative and began picketing Hebburn No. 2 colliery. This was likely a small-scale action to start with, probably consisting of lodge officials keeping watch and trying to convince staff not to do miners' work. The date it started is unclear as it received little press coverage, but it may have begun as early as 7 May.[209] The Collieries' Staff Association Secretary, George Batey, protested against this action on 20 May on behalf of his Hebburn members.[210] A mass meeting of both Hebburn lodges provided the impetus for a lodge executives' meeting on 23 May, which criticised CMUC policy.[211] Hebburn miners were militants, as their actions demonstrated, but there was no apparent CPA or MMM presence in those lodges. Writing about the Kurri and Weston lodge leaders, Comerford noted there was not "a single member of [the] CP/MMM among them."[212] Thus the ferment on the South Maitland coalfields in May-June was started not by Communist agitation, but by the response of two militant lodges to the problem of scabbing.

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[200] "General Coal Strike," *SMH*, 10 June 1929, 11.
[201] "Mr. Brown's Collieries," *SMH*, 10 June 1929, 11. See also editorial: "Extension or Settlement?" *Sun*, 10 June 1929, 8; "Inside Story Told of Vital Union Moves in Coal Hold-Up," *Daily Guardian* (Sydney), 12 June 1929, 11.
[202] Editorial: "Miners, Beware!" *LD*, 11 June 1929, 4.
[203] Dixson, "Stubborn Resistance," 134; Dixson, "Strike and Lockout," 144-145, 150, 160.
[204] "Slack Coal," *NS*, 26 April 1929, 5; "Miners Are Solid," *LD*, 27 April 1929, 5.
[205] "'Must Cease'," *NS*, 29 April 1929, 5; "Filling Slack Coal," *LD*, 30 April 1929, 5; "Slack Coal," *MDM*, 2 May 1929, 2; "Still Filling Slack," *LD*, 3 May 1929, 5.
[206] Minutes, Special meeting of Miners' Federation Central Council, 25-27 April 1929, item E165/2/3, ACSEF Edgar Ross collection, NBAC.
[207] "Some Coal Coming to Market," *CESMR*, 3 May 1929, 8; Comerford, *Lockout*, 161.
[208] "'Picket Mines'," *NS*, 23 May 1929, 7; "Safety Men," *NMHMA*, 24 May 1929, 5; "The Coal Crisis," *CESMR*, 24 May 1929, 6; "Miners Call for Militant Policy," *WW*, 31 May 1929, 1.
[209] "Picketing," *CESMR*, 14 May 1929, 4.
[210] "Collieries' Staffs," *NMHMA*, 21 May 1929, 4.
[211] "Miners Call for Militant Policy," *WW*, 31 May 1929, 1.
[212] Comerford, *Lockout*, 215.

On 23 May, executive officials of most of the South Maitland lodges (20 or more) convened with CMUC representatives and debated policy for nearly seven hours.[213] The meeting was notable for the resolution adopted, and for Sutherland and Hoare's statements in favour of extension. Lodge officials wanted to put pressure on the CMUC to change its policy, as many of them considered it the root cause of the scabbing. Sutherland opposed arguments from some lodge officials that safety men should be withdrawn, contending it would be useless to do so while the unassociated mines were working. Sutherland claimed he had been in favour of an industry-wide strike from the start, declaring "when the miners were prepared to put up a real fight, his organisation would be solidly behind them."[214] Federation representatives expressed disbelief, telling Sutherland his statement to the meeting contradicted his previous position. As historians agree, his declaration and FEDFA's subsequent threat to precipitate a state-wide stoppage were manoeuvres designed to deflect the pressure on them back onto the Miners' Federation. FEDFA was well aware that the Federation was determined to avoid any extension.[215] Hoare, similarly, spoke in favour of withdrawing the safety men, claiming he had advocated that policy from the outset. Though he opposed a general stoppage he hedged his bets, saying it might be necessary to take that step in future.[216] At the meeting's conclusion, the lodge executives, noting problems with the CMUC policy, resolved: "we suggest the present policy be revised… and that the withdrawal of the safety men would be a step in the right direction."[217]

The CPA lacked influence among lodge officials; as discussed, its presence in the Northern District was weak. There were only two Communist-aligned lodge executive officers in the entire district at that stage, neither of whom were party members. John Teerman, Elrington lodge secretary and Cessnock resident, wrote occasionally for *Workers' Weekly* in March-April 1929.[218] Alf Johnson, Abermain No. 2 lodge president, had argued for the MMM's positions in the 1928 Convention, and in 1929 gave lectures for the Cessnock MMM.[219] Unfortunately for the Cessnock Communists, the two men did not get along. An early May 1929 report to the CPA CEC noted that "differences between Johnson and Teerman," although "entirely outside of the [Cessnock] Party Group," had "a damaging effect" on it because it was "not strong enough to disregard outsiders."[220] Although Johnson moved the resolution of the 23 May lodge executives' meeting, it would be mistaken to interpret that meeting's outcome as evidence of strong MMM or CPA influence.[221]

The CPA initiated a council of action at Cessnock in late May, but this was a modest achievement at best. The *Workers' Weekly* report of its founding meeting indicated it had only lukewarm support. About 65 people attended, including "officials of nine miners' lodges and other

[213] "Safety Men," *NMHMA*, 24 May 1929, 5.
[214] *Ibid.*; "Miners' Attempt to Force Crisis on Coalfields," *Daily Guardian*, 24 May 1929, 1; "Miners Call for Militant Policy," *WW*, 31 May 1929, 1.
[215] Dixson, "Strike and Lockout," 156-157; Gollan, *Coalminers*, 192; Ross, *Miners' Federation*, 337; Comerford, *Lockout*, 211.
[216] See also "'Withdraw Them'," *LD*, 30 May 1929, 6.
[217] "Safety Men," *NMHMA*, 24 May 1929, 5.
[218] J.N. Teerman, "Miners, No More Sacrifices!" *WW*, 22 March 1929, 4; J.N. Teerman, "Miners' Boys Sent," *WW*, 5 April 1929, 3; J.N. Teerman, "Organise Miners' Forces," *WW*, 26 April 1929, 2.
[219] "Militant Minority Movement," *CESMR*, 10 May 1929, 5; "Militant Minority Movement," *CESMR*, 17 May 1929, 9.
[220] Barras and Nelson, "Report on Cessnock and Kurri," 7 May 1929, "CE Minutes 1926-30" (CPA Records, SLNSW).
[221] "The Coal Crisis," *CESMR*, 24 May 1929, 6; "Miners Call for Militant Policy," *WW*, 31 May 1929, 1.

mineworkers' unions" and rank-and-file members; 44 were in favour of establishing it and 21 against.[222] The purpose of the Cessnock Council of Action was understood to be organising picketing, relief and entertainment and providing information.[223] *Workers' Weekly* reports give the impression that it was a very active body, working closely with the Militant Women's Group to organise relief, fundraising concerts and demonstrations, and issuing its own roneoed *Lock-out Bulletin* from 14 June.[224] However, its activities barely rated a mention in coalfields newspapers. The highly systematic organisation portrayed in its bulletin, which the *Newcastle Sun* picked up, was most likely a sketch of what the Council of Action aspired to, rather than a description of how it actually operated.[225] Its picketing efforts, discussed below, were unimpressive. CPA archival documents indicate it folded after picketing ended.[226] *Workers' Weekly* referred to other councils of action too, at Weston and Kurri.[227] No such bodies actually functioned though, even if meetings had decided to form them. Of the very few references to them in other papers, the most notable is the chairman of Hebburn No. 2 stating that he was unaware of any council of action operating in Weston.[228] Comerford, replying to other writers who suggested otherwise, insisted that Cessnock was the only mining centre that had a council of action.[229]

The Cessnock Council of Action, in its May-June iteration, lacked a broad base and so was generally perceived as a Communist endeavour. The CPA tacitly admitted as much in reporting its formation, noting lodge officers' disinclination to serve on it:

> Nominations were called for; one after another, all the lodge officials were nominated, but nearly all declined (so they can't say that the 'reds' did not give them a chance to get on to the council of action!).[230]

Its narrow base was evident in the published list of sub-committee leaders appointed at its first meeting, which noted their affiliation:[231]

Relief	Teerman
Transport	Carroll (OBU of U)[232]
Information	Lake (CPA)
Propaganda	McCall (MMM)
Picket	Burke (MMM), Fletcher (CPA)
Prisoners' Aid	Johnson (MMM)

[222] "Cessnock Forms," *WW*, 7 June 1929, 1.
[223] "Council of Action," *CESMR*, 31 May 1929, 9; "Council of Action," *NMHMA*, 30 May 1929, 5.
[224] "Women Lead," *WW*, 14 June 1929, 1; "Council of Action," *WW*, 21 June 1929, 2.
[225] "Council of Action," *NS*, 17 June 1929, 5.
[226] Minutes of Central Committee meeting, 12 August 1929 and "CPA and the New South Wales Coal Lock-Out" [CPA CEC letter to Comintern], 25 May 1930, "CE Minutes 1926-30" (CPA Records, SLNSW).
[227] "Miners Throw Off Apathy," *WW*, 14 June 1929, 2; "Councils of Action Meet," *WW*, 21 June 1929, 1; "War Declared on MMM," *WW*, 21 June 1929, 2; "Mass Picketing," *WW*, 21 June 1929, 2.
[228] "The Coal Crisis," *CESMR*, 21 June 1929, 1.
[229] Comerford, *Lockout*, 181.
[230] "Cessnock Forms," *WW*, 7 June 1929, 1.
[231] "Council's First," *WW*, 7 June 1929, 1.
[232] One Big Union of Unemployed, which was connected with the CPA.

Comerford described the Council of Action as broadly based, but his evidence (the involvement of the Co-operative Society and Labor personalities including Jack Baddeley) related to the group that had operated earlier in the year under the same name.[233] While the earlier iteration of the Cessnock Council of Action inspired wider labour movement participation, the mid-1929 one did not. Indeed, as Comerford noted, the three main Cessnock area lodges (Aberdare, Aberdare Central and Aberdare Extended) played no role in it.[234] Nonetheless, militant lodge leaders defended the Communists' activity in it. For example Jack Logan, secretary of Hebburn No. 2 lodge, told a meeting of the three Aberdare lodges:

> Most of you people […] think the Council of Action is comprised of Reds, Bolsheviks and Communists. I am not a member of the Communist or the Militant Minority, but if a member of the Militant party is game to put up a fight for something the worker is entitled to, then I say that Communist or no Communist he has nothing to be ashamed of.[235]

Mass picketing, which began a week after the Cessnock Council of Action was formed and was often assumed to be its work, was in fact organised by lodge officials. Picketing was geographically concentrated on the other end of the South Maitland coalfields from Cessnock, at the Kurri-Weston end, where the CPA had no presence. The number of participants needed to designate a picket as a mass picket was not clearly defined at the time, but I shall take any event with 100 or more people picketing to be a mass picket. Most of the June picketing was at the Hebburn mines, near Weston. It began on a large scale after 5 June, when FEDFA members at both collieries withdrew, refusing to handle coal hewed by anyone other than miners. This was a remarkable solidarity action, which vindicated the Hebburn miners' firm stance and undoubtedly boosted their confidence.[236]

Hebburn miners then led the mass picketing, beginning the next day when around 300 assembled at Hebburn No. 1 and 400-500 at Hebburn No. 2. There were mass pickets three times over the following week at Hebburn No. 1, involving between 100 and 300 picketers on 7, 12 and 14 June. Meanwhile, about 60 men picketed Hebburn No. 2 each day from 11 to 14 June.[237] On Monday 10 June, four lodges joined forces for the mineworkers' largest show of strength: a mass picket of up to 3,000 men who marched to Richmond Main, via other Kurri area collieries.[238] The next week, Hebburn No. 2 miners decided to picket continuously, that is, 24 hours a day, in three shifts. Lodge officers considered daytime pickets were no longer effective because work was being done overnight. They stressed that they had nothing against the craft unionists, whose organisations were part of the CMUC, but objected to scabbing by Collieries' Staff Association members.[239] Continuous

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[233] Comerford, *Lockout*, 111-112, 123-124, 181.
[234] *Ibid.*, 182.
[235] "The Coal Crisis," *CESMR*, 21 June 1929, 1.
[236] "Lights Withdrawn," *NMHMA*, 6 June 1929, 5; "Enginedrivers and Firemen," *CESMR*, 7 June 1929, 9; Comerford, *Lockout*, 182-183.
[237] "Hebburn Picketing," *NMHMA*, 7 June 1929, 9; "Hebburn Miners Picket," *CESMR*, 7 June 1929, 10; "Hebburn Collieries," *NMHMA*, 8 June 1929, 9; "Hebburn No. 1 [sic. No. 2] Picketed," *NMHMA*, 12 June 1929, 7; "Hebburn Collieries," *NMHMA*, 13 June 1929, 7; "Collieries Picketed," *NMHMA*, 14 June 1929, 9; "Picketing Collieries," *NHMHA*, 15 June 1929, 9; "Solidarity Impresses Hebburn Scabs," *WW*, 14 June 1929, 1.
[238] "Massed Picketing," *NMHMA,* 11 June 1929, 5; "Coalmining Crisis," *CESMR*, 14 June 1929, 10; "Kurri Men's," *WW*, 14 June 1929, 1.
[239] "Continuous Picketing," *NMHMA*, 18 June 1929, 7.

picketing began at 7am on 18 June, and involved a presence of about 120 men at approaches to the colliery at all times, until the picketers withdrew at midday on 20 June.[240]

The Cessnock Council of Action was responsible only for smaller pickets, which received little press attention. On 4 June, picketing attributed to its activity reportedly took place at Elrington, and possibly at Paxton.[241] A *Workers' Weekly* report, dated 6 June, mentioned Elrington colliery was being picketed daily, but no further information is available; by that stage, those pickets were overshadowed by events at Hebburn.[242] Picketing at Abermain No. 2 on 13 June, and at Paxton "on a small scale" on 17 June (and perhaps also on other days), may have been organised by the Council of Action; however, reports are not definitive and it is just as likely that lodge officials were responsible.[243]

The sole mass picket on the Cessnock end of the coalfields in June 1929 took place not because of Council of Action efforts, but on the initiative of militant lodge officials visiting from the Kurri-Weston end. The fact that it took their intervention for mass picketing to take place demonstrates how marginal the Cessnock Council of Action was to events. Bellbird, Paxton, Kalingo, and Pelton lodges convened a combined meeting on 12 June to hear from Kurri-Weston end lodge officers, who urged the miners to follow their example and picket to prevent coal being filled.[244] The meeting decided to mass picket Paxton colliery the next day, and 200-400 people did so.[245] The turnout was unimpressive, as the combined membership of the four lodges was approximately 1,000. Mineworkers disagreed with a newspaper reporter's view that the low attendance showed their lodges were apathetic, arguing the picket had been arranged too hastily and not enough members knew about it. This was unconvincing: the picket indicated that Cessnock area miners were less engaged than their Kurri-Weston counterparts. The visitors observed as much at the 12 June meeting, expressing surprise at the low turnout of both members and lodge officials. Jack Logan, Hebburn No. 2 lodge secretary, noted the "apathy amongst the lodges on the Cessnock end of the field."[246] Jim Erskine, treasurer of Hebburn No. 1 lodge, remarked: "We thought you were organised, but we find that the reverse is the case. Why, from what I can see, some of your lodges haven't even got a secretary."[247] The disengagement they identified may partly explain how the CPA was able to start a council of action at Cessnock. Although it was able to co-ordinate some relief, it did not have enough influence to organise mass picketing. A mass picket of Paxton was not attempted again.

The Kurri-Weston end lodge officials' second attempt to kick-start mass picketing on the Cessnock end, a week later, provides further evidence of their central role. A few days before they addressed a combined meeting of the three Aberdare lodges on 19 June, the Federation's Central Council moved to reassert its control. It warned miners not to be "stampeded" into a general strike,

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[240] "Coal Crisis," *NMHMA*, 19 June 1929, 8; "Picketing," *NMHMA*, 20 June 1929, 5; "Hebburn No. 2," *NMHMA*, 21 June 1929, 9; "Three Shift Picketing," *WW*, 21 June 1929, 1; "Picketing Suspended," *NMHMA*, 21 June 1929, 9.
[241] "Picketed," *NS*, 4 June 1929, 5; "Miners' Ultimatum," *SMH*, 5 June 1929, 15.
[242] "Women Lead," *WW*, 14 June 1929, 1.
[243] "Collieries Picketed," *NMHMA*, 14 June 1929, 9; "'Steam Navvy'," *MDM*, 17 June 1929, 5.
[244] "Combined Meeting," *NMHMA*, 13 June 1929, 7; "Scheme for Mass Picketing," *CESMR*, 14 June 1929, 1.
[245] "Mass Picketing," *NMHMA*, 14 June 1929, 9; "Mass Picketing at Paxton," *CESMR*, 14 June 1929, 2; "Mass Picketing," *WW*, 21 June 1929, 2; Comerford, *Lockout*, 197-199.
[246] "Scheme for Mass Picketing," *CESMR*, 14 June 1929, 1.
[247] *Ibid.*

and repudiated any "so-called Council of Action," instructing members "not to recognise any such irregular or self-appointed body."[248] The clear implication was that it wanted picketing to cease.[249] Coalfields militants, however, were unconvinced; Hebburn No. 2 miners started continuous picketing after the Central Council's statement.[250] For those leading the pickets, the lack of activity on the Cessnock end was a problem. Hence they tried to convince the large Aberdare lodges to join them.[251] The visitors faced an unfriendly crowd: Aberdare lodge members resented men from the other end of the field coming in to try to tell them what to do, and appeared suspicious about their motives given the Central Council's warnings.[252] The audience assumed they were advocating a council of action. Hebburn officials explained that their picketing did not depend on any such body. Jack Mills, Hebburn No. 2 chairman, said there was no council of action operating; each lodge looked after its own affairs. Logan told them "we ourselves had moved in the matter three or four weeks before the Council of Action representatives came down to Weston."[253]

The aim of the pickets in June, including the mass pickets, was to enforce CMUC policy, not, as the CPA advocated, to force the safety men to withdraw. Lodge officials consistently stated that their aim was to convince those working at the NCA mines not to do miners' work, particularly filling coal. For example, Hebburn No. 1 secretary George Perris said:

> It was not their intention to interfere with the men who were only carrying out their legitimate work – the only people they were concerned about were those men who were doing the work of the miners by the handling and filling of the coal.
>
> At the Hebburn No. 1 colliery the men had given their word of honor to refrain from doing this work and, Mr. Perris said, they had no reason to believe that they were doing otherwise.[254]

Tom Burke, an MMM member from Pelton and the picketers' spokesperson at the Paxton mass picket, articulated the same aim. He asked the men "to keep order, and refrain from doing anything violent."[255] Moreover, it was evident in the way the picketing was conducted that this was not only the stated purpose but the actual purpose. All reports indicate the pickets were disciplined. Picketers spoke to everyone approaching the mine, and all those who gave an undertaking not to do miners' duties were allowed to proceed. While some turned back and others decided to withdraw, picketers did not block anyone from entering the colliery. Their main activity initially was talking to the men who were not locked out to persuade them to do only their own duties, and later keeping watch to ensure they kept their word.[256]

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[248] "No Extension," *NMHMA*, 15 June 1929, 9; "Miners, Beware!" *LD*, 15 June 1929, 1; "Screwing Up Organisation," *LD*, 15 June 1929, 5.

[249] Although neither the CMUC nor the Federation made a resolution in those precise terms; their decisions were framed in terms of reasserting central control. Rough minutes, CMUC meeting, 12-13 June 1929, item E204/2/2, ACSEF deposit 1, NBAC; Minutes, Miners' Federation Central Council meeting, 14-15 June 1929, item E165/2/3, ACSEF Edgar Ross collection, NBAC.

[250] "Coal Crisis," *NMHMA*, 19 June 1929, 8.

[251] Comerford, *Lockout*, 199-202.

[252] "The Coal Crisis," *CESMR*, 21 June 1929, 1; "Aberdare Men," *NS*, 19 June 1929, 5.

[253] "The Coal Crisis," *CESMR*, 21 June 1929, 1.

[254] "Determined Attempt to Prevent," *CESMR*, 18 June 1929, 5. See also "Hebburn Collieries," *NMHMA*, 8 June 1929, 9; "Combined Meeting," *NMHMA*, 13 June 1929, 7.

[255] "Mass Picketing at Paxton," *CESMR*, 14 June 1929, 2; "Mass Picketing," *NMHMA*, 14 June 1929, 9.

[256] "Mass Pickets," *LD*, 7 June 1929, 5; "Hebburn Collieries," *NMHMA*, 8 June 1929, 9; "Massed Picketing," *NMHMA*, 11 June 1929, 5; "Hebburn No. 2," *NMHMA*, 11 June 1929, 5; "Hebburn No. 1," *NMHMA*, 12 June

Although complaints of intimidation were raised, this was not a key characteristic of the pickets. George Batey, Collieries' Staff Association Secretary, accused the miners of threatening staff and their families.[257] *Newcastle Morning Herald* reported that some of the picketers threatened "to give recalcitrants a bath in the colliery dam."[258] However, those picketing the locked-out mines were not accused of any actual acts of violence. No arrests were made; on the contrary, as *Labor Daily* highlighted, the police commended the orderly conduct of the pickets.[259] The most violent incident of the June picketing was when a sergeant, either drunk or suffering a "nervous breakdown," attacked picketers outside Hebburn No. 2 around 3am, hitting one of them with a stick.[260] Indeed, the picketing was so mild-mannered that Perris began questioning its effectiveness:

> Nothing had been achieved by the picketing in the past. They would say 'Good morning,' and the officials would say 'Good morning,' and they would be allowed to pass on. It appeared as though the time would come when all the approaches would have to be stopped.[261]

It might seem inconsistent for South Maitland lodge officials to advocate a change in CMUC policy, but limit the pickets' aim to enforcing that policy. However, their approach was that of disciplined trade unionists. They sought to change a policy they disagreed with by appealing to the body that set it to alter it, without defying it at a local level. The lodge membership likewise adhered to union discipline, carrying out the picketing according to their officials' instructions. The CPA lacked the influence to convince either lodge officials or members to break discipline and picket to block the safety men from the mines. Coalfields militants, particularly the Hebburn lodge officials, initially resisted pressure from the CMUC and Federation leadership to discontinue picketing. A Weston meeting representing all South Maitland lodges asked the CMUC to send representatives to explain the position.[262] Proponents of mass picketing contended that it had been successful, and stressed that it was not against craft union members but staff – that is, it was consistent with CMUC policy.[263] However, even the Hebburn officials came into line within days, calling off their picketers following a CMUC representative's appeal. Hebburn members obeyed the instruction to suspend picketing pending a lodge meeting to decide the matter.[264] The swift ending of the action further illustrates the CPA's lack of influence: mineworkers ignored its calls to continue despite CMUC pressure.

In summary, the CPA was not nearly as influential on the South Maitland coalfields in May-June 1929 as it appeared from further afield. Although it argued for the safety men's withdrawal, it

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1929, 7; "Hebburn Collieries," *NMHMA*, 13 June 1929, 7; "Mass Picketing," *NMHMA*, 14 June 1929, 9; "Collieries Picketed," *NMHMA*, 14 June 1929, 9; "Coal Crisis," *NMHMA*, 19 June 1929, 8.

[257] "Mass Picketing," *NMHMA*, 10 June 1929, 6; "Intimidation," *NMHMA*, 18 June 1929, 7.

[258] "Hebburn Collieries," *NMHMA*, 8 June 1929, 9.

[259] "Police Revolver Practice," *LD*, 13 June 1929, 5; "Question of Massed Picketing," *NMHMA*, 17 June 1929, 5. Hoare faced assault charges arising from picketing Ashtonfields, but this was an unrelated incident at an unassociated mine which did not involve any craft union members. "Ashtonfields Colliery," *NMHMA*, 5 June 1929, 6; "Ashtonfields Colliery," *NMHMA*, 8 June 1929, 10; "Ashtonfields Trouble," *MDM*, 24 June 1929, 4-5.

[260] "What Was Wrong with the Sergeant?" *LD*, 21 June 1929, 1; "A Clash," *NMHMA*, 21 June 1929, 9.

[261] "Continuous Picketing," *NMHMA*, 18 June 1929, 7.

[262] "Coalfields Militants Reply to the Combined Unions' Ultimatum," *NS*, 15 June 1929, 3; "Question of Massed Picketing," *NMHMA*, 17 June 1929, 5.

[263] "Continuous Picketing," *NMHMA*, 18 June 1929, 7; "Lodges in Favor," *LD*, 21 June 1929, 1.

[264] "Picketing Suspended," *NMHMA*, 21 June 1929, 9; "Hebburn No. 2," *NMHMA*, 21 June 1929, 9; "Hebburn Collieries," *NMHMA*, 25 June 1929, 5.

was not behind the resolution of the 23 May lodge officials' meeting calling on the CMUC to change its policy. Only two Northern District lodge officials were associated with the party, and personality differences between them hampered its work. The Cessnock Council of Action was a CPA initiative, but it was not a weighty organisation. Though it could co-ordinate relief activities and a bulletin, it was unable to organise a mass picket. The party's efforts to institute other councils of action were unsuccessful; it founded others, but only Cessnock's functioned. Contrary to what has been assumed, the Council of Action was not responsible for picketing. Instead, pickets were organised by lodges and led by militant lodge officials. The geographical concentration of picketing and the way it was conducted show the CPA lacked influence. The most extensive picketing was where the CPA had no presence, on the Kurri-Weston end of the field, whereas little picketing took place near Cessnock, where the party had a modest presence. At the only mass picketing event at the Cessnock end, the turnout was underwhelming. The purpose of picketing in June was to persuade those still working at the locked-out mines to refrain from doing miners' duties. Picketers did not attempt to keep the safety men out as the CPA urged, reflecting the fact that lodge officials were in charge. The partial overlap between the party's favoured strategy and the militant lodge officials' actions – their efforts to change the confinement policy and the picketing – was a result of them responding to the problem of scabbing in the locked-out collieries.

FEDFA EXTENSION, SEPTEMBER-OCTOBER 1929

When FEDFA members took the initiative in September and again in October, their actions brought out differences between the Miners' Federation executive officials and membership, and showed that the CPA was marginal to coalfields events. As noted, engine-drivers and firemen on the Maitland fields took action first in solidarity with the miners by adhering to the black-ban on Paxton coal, and secondly in their own defence by withdrawing FEDFA members from the mines that had displaced the South Maitland Railways men. The closure of the South Maitland Railway lines affected six notable unassociated mines – Greta Main, Millfield Greta, Ayrfield Nos. 1 and 2, Hillend, and Glen Ayr – plus a few smaller ones (three "12 light pits" according to Comerford, that is mines with twelve or less people working underground).[265] Greta Main closed down until the railway company resumed operations in late May 1930, reopening under the new name of Maitland Main.[266] The other five restarted a few days later, using lorries to transport the coal.[267] Miners' Federation leaders implicitly approved this arrangement, stating they would not prevent owners who had not moved to reduce wages from getting their coal to market.[268] Although they did not say so, it was apparent that they were not prepared to lose the income of the levy paid by the 350-400 members working at those five mines.[269] Miners, however, at least in the Kurri area, felt that the FEDFA members were right to

[265] "Unassociated Mines Thrown Idle," *LD*, 14 September 1929, 1; Comerford, *Lockout*, 277.
[266] "Maitland Main Colliery," *NMHMA*, 29 May 1930, 7.
[267] "Coal Transport," *NMHMA*, 20 September 1929, 8; "Coal Transport," *NMHMA*, 27 September 1929, 7.
[268] "Miners' View," *NMHMA*, 22 October 1929, 5.
[269] *Labor Daily* came close to making this explicit: Editorial: "They Bite the Hand," *LD*, 14 September 1929, 4. "'General Debacle'," *NS*, 13 September 1929, 5; "Millfield-Greta," *NMHMA*, 22 October 1929, 5; Comerford, *Lockout*, 277, 297.

refuse to handle Paxton coal, and therefore their opposition to lorry drivers taking their work should be supported.[270]

The Miners' Federation suspected that FEDFA executive officers orchestrated the extension: Hoare suggested a hidden "master mind" was behind the sub-branches' moves.[271] These suspicions were not unreasonable in view of two factors: FEDFA's earlier general strike threats and its manoeuvres in a dispute at South Teralba, a small unassociated pit on the Newcastle field. In mid-September, Sutherland asked the Federation to withdraw its members from South Teralba, where the fireman had been sacked and FEDFA had withdrawn the engine-driver, citing concerns over the safety of the boiler. Federation leaders declined, arguing that if they did so, FEDFA could easily use the precedent to create an industry-wide strike; Sutherland could call his members out of any other unassociated mine on similar grounds.[272] Although Sutherland was no longer calling for an all-out, but advocating that the unions compromise, miners' leaders suspected him of cynically trying to precipitate a general strike.[273] FEDFA took the question to the CMUC, threatening to withdraw all members from the other unassociated collieries if miners were not withdrawn from South Teralba, and received the other craft unions' support.[274] The CMUC resolved that all labour be withdrawn until the FEDFA men were reinstated and the boiler inspected, and the Federation complied.[275] The dispute was satisfactorily resolved by 5 October. Federation leaders were probably correct to suspect FEDFA of "some ulterior motive," especially as the concerns over the boiler may have been fabricated.[276] Although in May-June, FEDFA's calls for a state-wide all-out were bluff, by mid-September circumstances had changed. The lockout had by then been in force for over six months, and FEDFA leaders were likely keen for it to end at the earliest possible date. As *Labor Daily* suggested in late October, they probably had "a get-it-over-at-all-costs attitude," assuming their members would resume with their conditions intact.[277]

However, contrary to the insinuations of Hoare and the *Labor Daily*, the evidence points to the South Maitland extension being a genuinely rank-and-file initiative.[278] As Dixson noted, it was not unusual for FEDFA members to differ with their officials, although they were less inclined to do so than the miners.[279] The initial September decision not to handle coal from Paxton was taken by the FEDFA sub-branch at West Maitland, without input from union executive officials.[280] Sutherland was reportedly present at the sub-branch's subsequent meeting that decided to withdraw all members from the South Maitland Railways in response to the dismissals.[281] He distanced himself

[270] Comerford, *Lockout*, 299-300.
[271] "Is Not Yet," *LD*, 11 October 1929, 9.
[272] "Miners' Federation," *NHMHA*, 14 September 1929, 9; "General Strike is Not Wanted," *LD*, 16 September 1929, 5.
[273] "A Compromise," *NMHMA*, 30 July 1929, 5; "Compromise," *SMH*, 7 September 1929, 17; "'General Debacle'," *NS*, 13 September 1929, 5.
[274] "Coal Position," *NMHMA*, 1 October 1929, 5; Rough minutes, CMUC meeting, 27-30 September 1929, item E204/2/2, ACSEF deposit 1, NBAC.
[275] "South Teralba," *NMHMA*, 3 October 1929, 7.
[276] "Industrial News," *NMHMA*, 5 October 1929, 13; "South Teralba," *NMHMA*, 2 October 1929, 7-8.
[277] "Flouted After So Long," *LD*, 21 October 1929, 1.
[278] "Not Even Mentioned," *LD*, 16 September 1929, 5; "Is Not Yet," *LD*, 11 October 1929, 9; "Flouted After So Long," *LD*, 21 October 1929, 1; "'Miners Will Work'," *NS*, 21 October 1929, 5.
[279] Dixson, "Strike and Lockout," 179.
[280] "S.M. Railways," *NS*, 7 September 1929, 4; "Stanford Merthyr No. 2," *NMHMA*, 10 September 1929, 6.
[281] "General Strike," *SMH*, 13 September 1929, 11.

from the strike move the following day, indicating the decision was taken against his advice. Sutherland stated that members had taken the railway company's bait, and commented on their earlier resolution not to haul Paxton coal: "If I had been on the job last week, the present position would not have been created."[282] In addition, FEDFA's executive had difficulty responding to members' withdrawal because the President was away in Perth at the time.[283] The rank-and-file leaders of FEDFA members' militant action are not so readily identifiable as their miner counterparts, partly because their meetings were held in camera. Officials of the leading sub-branches, whose initiative it may have been, were G. Crawford and E. Quayle (West Maitland sub-branch secretary and president), W. Phee and W.J. Carruthers (Cessnock sub-branch secretary and vice-president).[284]

The engine-drivers' next move was decided between the Cessnock and Kurri Kurri FEDFA sub-branches. Cessnock members had lost patience with the CMUC's inaction by Thursday 10 October, and voted to withdraw members from the pits using motor lorry transport that Sunday night (the day after the federal election).[285] The subsequent resolution of the Kurri sub-branch, which felt the CMUC should be given a week's grace to respond, convinced the Cessnock engine-drivers to postpone the action, if reluctantly.[286] That negotiation between the sub-branches, which decided the timing of their withdrawal on 20 October, suggests FEDFA's response to the South Maitland lockout was not centrally co-ordinated. FEDFA officials denied that the union executive was responsible. W.J. Carruthers insisted that: "The rank and file in Cessnock and Maitland took the initiative. Mr. Sutherland was not consulted until a later stage."[287] FEDFA General Secretary J. Atkins similarly stated that the men had decided on the withdrawal themselves, with no executive officers present. Sutherland did not attend so as not to influence the meeting.[288] Although the extension was not the FEDFA executive's decision, the fact that it refrained from intervening to prevent it indicates its tacit approval. FEDFA leaders probably wanted the dispute to end as soon as possible, and were not overly concerned about how it would finish. Therefore the executive left South Maitland members to their own devices, allowing it to disclaim responsibility.

Rank and file mineworkers, including Miners' Federation members, supported the FEDFA members' withdrawal from the unassociated pits using motor lorry transport, whereas Federation leaders were determined that those mines continue to operate. As noted, the Federation instructed its members to keep working despite the engine-drivers' strike.[289] Conflict soon emerged between Miners' Federation members and executives. The engine-drivers' and firemen's action brought operations to a standstill at four of the five affected mines on Monday 21 October.[290] Solidarity action kept three of those mines idle for longer: Hillend miners stayed out the following day, and Ayrfield Nos. 1 and 2 miners did not restart until the Friday.[291] Although there are conflicting reports

[282] "Extension Likely," *SMH*, 14 September 1929, 17.
[283] "Enginemen," *LD*, 17 September 1929, 1.
[284] "S.M. Railways," *NS*, 7 September 1929, 4; "Five Mines May," *LD*, 11 October 1929, 9.
[285] "Five Mines May," *LD*, 11 October 1929, 9; "Unassociated Pits," *NMHMA*, 11 October 1929, 11.
[286] "Coal Hold-Up," *LD*, 12 October 1929, 6; "Unassociated Pits," *NMHMA*, 12 October 1929, 9; "Will Stop," *NS*, 18 October 1929, 5.
[287] "At Cessnock," *NMHMA*, 14 October 1929, 7.
[288] "'No Hand in It'," *NS*, 21 October 1929, 5; "The Withdrawal," *NMHMA*, 22 October 1929, 5.
[289] "Mines to Carry On," *LD*, 22 October 1929, 6.
[290] "Enginemen Withdraw," *LD*, 22 October 1929, 5; "Millfield-Greta," *NMHMA*, 22 October 1929, 5.
[291] "Millfield Working," *NS*, 22 October 1929, 7; "Working Again," *NS*, 25 October 1929, 5.

of why the Ayrfield mines remained idle for four days, solidarity action by the miners accounted for at least part of the shut-down. *Newcastle Sun* reported that Ayrfield miners were willing to work on the Tuesday but could not start because there was no-one to operate the engine.[292] However, *Newcastle Morning Herald* reports of meetings on the Thursday indicate many were unwilling to resume, and did so only reluctantly under threats from Hoare.[293]

Federation members beyond the mines affected also demonstrated their support of the FEDFA members' action. Comerford recalled that most Kurri miners felt that the engine-drivers deserved credit for their stance in refusing to handle Paxton coal, sympathised with their outrage that they had been displaced, and disagreed with how the CMUC and Federation executives had treated them.[294] This sympathy was first evident at a combined lodges' meeting of Richmond Main, Pelaw Main and Stanford Merthyr on 23 October, convened to discuss the transportation of coal by lorry. Hoare and the Northern Executive refused to attend, but officials from the Colliery Mechanics' and Deputies' unions and Atkins and Sutherland of FEDFA were present. The meeting instructed the three lodge secretaries to write to Davies, calling on him to convene a CMUC meeting to deal with the question, and resolved that "in the meantime, all unions be withdrawn from unassociated collieries on the South Maitland coalfield."[295] Although the meeting had no power to order a withdrawal, these lodges were among the most influential, so the resolution carried some weight. Not only was it "very heartening to the engine-drivers" but it prompted the Colliery Mechanics' Association to withdraw from the five mines affected, and the deputies at both Ayrfield mines to stand down, anticipating their union's instruction by one week.[296]

Nonetheless, Miners' Federation leaders soon reasserted their control, enforcing their instruction for members to remain at work. This order was understood to mean that Federation members would replace the FEDFA men.[297] It is unclear whether any in fact did so, but either way, the continuing operation of those collieries without the striking FEDFA members depended on miners collaborating with management to replace them. In most cases, this probably involved miners agreeing to work with managers or staff performing the engine-drivers' and firemen's duties. This was tantamount to supporting a scab operation. Sutherland directly accused the miners of "scabbing" on the engine-drivers.[298] There was one reported case of miners providing scab labour directly: a Mines Department inspector found on a visit to Glen Ayr "miners doing the work of deputies" on the day they withdrew.[299] A stoppage of nearly a fortnight followed at that mine, when miners refused to work with newly-hired deputies, who were almost certainly non-unionists. Management advertised for all classes of labour, apparently attempting to replace its entire workforce with scabs, before reaching an agreement with the Federation.[300] Comerford recalled that

[292] "Millfield Working," *NS*, 22 October 1929, 7.
[293] "Ayrfield Mines," *NMHMA*, 25 October 1929, 9; "Alleged Threat," *NMHMA*, 25 October 1929, 9.
[294] Comerford, *Lockout*, 300-301.
[295] "Unassociated Pits," *NMHMA*, 24 October 1929, 6; "Unassociated Pits," *NMHMA*, 23 October 1929, 7.
[296] "Unassociated Pits," *NMHMA*, 25 October 1929, 9; "Mechanics to Come Out," *LD*, 25 October 1929, 5; "Ayrfield Mines," *NMHMA*, 25 October 1929, 9; "Ayrfield and Glen Ayr," *NMHMA*, 1 November 1929, 7.
[297] "Coal Position," *NMHMA*, 21 October 1929, 7; "Strike," *SMH*, 21 October 1929, 11.
[298] "The Northern Miners," *NMHMA*, 12 November 1929, 7.
[299] "Glen Ayr Idle," *NMHMA*, 1 November 1929, 7.
[300] "Glen Ayr Colliery," *NMHMA*, 2 November 1929, 10; "'Black' or 'White'?" *NS*, 7 November 1929, 7; "Glen Ayr," *NMHMA*, 7 November 1929, 7; "The Mines," *NMHMA*, 11 November 1929, 7; "Dispute Settled," *NS*, 13 November 1929, 5.

Rees, Davies and Hoare had trouble getting members to work with the "new recruits" who displaced their fellow unionists, and that FEDFA members considered them "scabs who were being protected by the top executives of the Miners' Federation."[301] Miners who were reluctant to resume were reportedly told that if they continued to defy the order they would be replaced by unemployed Federation members, of whom there were hundreds.[302] Faced with this ultimatum, they complied. Hoare and Teece also secured a vote of confidence in the Federation's Central Executive from a combined meeting of the Aberdare lodges.[303]

The Federation leadership's orders caused deep discontent among members, but that did not change them. Miners could not continue to overtly defy their officials' instructions without risking their livelihoods, but two one-day stoppages after work resumed, although ostensibly unrelated, perhaps reflected their discontent. Operations were halted at Glen Ayr over a wheelers' grievance, and at Millfield-Greta with miners refusing to perform other duties when their working places were not ready.[304] Ayrfield and Glen Ayr miners reportedly told J. Llewellyn, FEDFA Kurri sub-branch secretary: "We know we are scabbing, but we are acting under instructions from our executive, and we don't want to lose our jobs."[305] Comerford remembered miners expressing their anger at the FEDFA members' situation at another combined meeting of the Richmond Main, Pelaw Main and Stanford Merthyr lodges, held 10-11 November, this time with Federation officials in attendance.[306] Rees and Teece revealed the distance between the executives and members on that occasion by referring to the question dismissively as a minor matter.[307] Yet as much as many rank-and-file miners disagreed, there was little they could do. Andrew Metcalfe theorised that the Miners' Federation, like other groups, maintained its cohesion through a combination of solidarity and terror (in the sense Jean-Paul Sartre used it, referring to enforcement of loyalty).[308] This instance is a clear example of the latter. Ultimately, the Federation could coerce members into acting in a manner they considered unprincipled, in order to abide by the union's decision.

The CPA's response to the FEDFA members' actions reveals its peripheral position on the coalfields. It did not celebrate the engine-drivers' refusal to haul Paxton coal in September, whereas typically the party heralded militant rank-and-file initiatives, such as the June mass picketing. *Workers' Weekly* made one brief reference to it, in an article that concentrated on union officials' response to the action. The paper explained the FEDFA members' stance, somewhat patronisingly, as a product of "confusion consequent upon the vacillating policy of the combined mining unions committee."[309] The CPA's dismissive attitude to the engine-drivers continued when they struck in retaliation for the lockout of South Maitland Railways members. Missing the main point, it implied their struggle was not worth supporting because their aim was not the withdrawal of all labour from the locked-out mines. *Workers' Weekly* argued that the winning of any coal in the Northern District was "an offence against the locked out miners" and hence criticised the FEDFA members for

[301] Comerford, *Lockout*, 299.
[302] "Alleged Threat," *NMHMA*, 25 October 1929, 9; "Glen Ayr," *NMHMA*, 7 November 1929, 7.
[303] "Miners' Leaders," *NMHMA*, 31 October 1929, 7; "Check for Sutherland," *LD*, 31 October 1929, 6.
[304] "Glen Ayr Colliery," *NMHMA*, 24 October 1929, 9; "Millfield-Greta," *NMHMA*, 6 November 1929, 8.
[305] "The Northern Miners," *NMHMA*, 12 November 1929, 7.
[306] Comerford, *Lockout*, 299-302; "The Mines," *NMHMA*, 11 November 1929, 7; "The Northern Miners," *NMHMA*, 12 November 1929, 7.
[307] "The Mines," *NMHMA*, 11 November 1929, 7.
[308] Metcalfe, *For Freedom*, 164, 166-193.
[309] "Mining Bureaucrats' Sham Fight," *WW*, 20 September 1929, 2.

condoning "scabbery… if it is only performed by union labor."[310] Most unionists would not have equated handling any coal in the district with scabbing, given the CMUC policy of confining the dispute to the locked-out mines. Moreover, the CPA ignored the fact that the engine-drivers were taking a militant stance in defence of their locked-out comrades. Not only was the party disdainful of the sort of action it normally championed, but it effectively lined up with the Federation officials it otherwise opposed. Furthermore, it was out of step with rank-and-file sentiment on the coalfields.

Two main factors probably accounted for the CPA's stance. The first was the nature of FEDFA compared with the Miners' Federation. Communists favoured industrial unionism, and the Federation was formally constituted as the Workers' Industrial Union of Australia (Mining Department) – its object had been to form the nucleus of the OBU. The Federation still aspired to become the sole mining industry union. For this reason and because of the miners' militant industrial record, the CPA sided with the miners. FEDFA, by contrast, lacked a militant record and the party disapproved of craft union narrowness. The CPA likely based its view of events on a pre-conceived dichotomy of miners as heroic militants and engine-drivers as self-centred craft unionists. The second factor was the CPA's isolation on the coalfields. Before the election was called, the CPA had worked amicably with militant lodge officials, but relations between them became strained in September. Comerford remembered that most unionists, including the militants, devoted every possible effort to Labor's election campaign and the CPA's criticism of the ALP (despite calling for a vote for Labor) left it isolated.[311] Its isolation probably left it unable to correct its preconception, had it been willing to do so.

CONCLUSION

The defensive strategy of the CMUC leaders was contested from the start of the lockout, particularly its industrial aspect of confining the dispute to the locked-out mines. Militant lodge officials in the Kurri area, notably O'Toole and McBlane, argued for the Federation to go on the offensive with an industry-wide stoppage. Although they did not make their case publicly, opposition to the policy from such authoritative figures, plus the fact that a majority of the Federation's membership had recently expressed support for direct action, would have worried the union leaders. *Labor Daily* urged miners to remain disciplined and united behind their chosen leaders, while the CMUC discouraged any activity on the coalfields without its authorisation.

The CPA also opposed the confinement policy at the outset, but disagreed with militant miners (including its members) who advocated an immediate all-out. The party argued for industrial tactics that resembled a halfway-house between the CMUC and the McBlane-O'Toole positions: immediate withdrawal of the safety men from the locked-out mines, with the possibility of extending the dispute to other collieries in future. The CPA also wanted to convince mineworkers to form the alternative organisational structures it championed, councils of action or strike committees. Strike machinery was a shibboleth for the Communists; the party seemed to believe it to be a prerequisite for workers to take an active part in a dispute. However, the CPA's agitation did not pose much of a problem for mining union leaders because the party was evidently not in a

[310] "Miners, Take Action!!" *WW*, 18 October 1929, 2.
[311] Comerford, *Lockout*, 285.

position to exercise any influence in the Northern District. The small membership of its sole group at Cessnock was reduced at the start of the lockout, so that only one Miners' Federation member remained. The CPA nonetheless made a modest impact on coalfields politics through its press.

The CMUC leaders' defensive policy was challenged not only by arguments but in practice through two waves of rank-and-file activity in the first half of the lockout. In May-June, mineworkers expressed opposition to the policy but continued to act within it, adhering to union discipline, as they picketed. Militant lodge officials led the picketing, with FEDFA members at Hebburn also playing a key role; their walk-off sparked the first mass pickets. Meanwhile, the CPA's agitation gained prominence, but the party was incapable of organising large-scale pickets. Communists were not influential among Kurri militants, who acted to combat scabbing. CMUC leaders opposed the picketing and soon brought a halt to it, reasserting control. Activity by FEDFA members again challenged the policy in September and October, although their initial action was to enforce a black-ban declared by the Committee of Control. That second upsurge complicates the picture of coalfields militancy because craft unionists, not Federation members, led it. As the events described above show, FEDFA members were just as capable of initiating militant industrial activity as the miners. The localised extension also revealed the Miners' Federation leadership's determination in its strategy, and control over the membership. Federation leaders were capable of crushing mineworkers' industrial action that did not fit the strategy, even if that meant directing miners to scab on their workmates.

After the Scullin government was elected, differences grew between the rank and file and the leaders of the mining unions, particularly the Miners' Federation, under the pressure of events. Scullin's failure to end the lockout, and the ensuing aggressive actions of the Bavin government, changed the dynamic of the dispute. The next chapter will build on this one by examining the next two waves of independent rank-and-file activity, and how divisions in the Federation became a rift as the industrial battle reached a climax.

Chapter Six
Confinement policy challenged: rank-and-file rebellion in the coal lockout

November 1929-February 1930

This chapter examines the third and fourth upsurges of rank-and-file activity, in December 1929 and January-February 1930, during the second half of the coal lockout. Within weeks of the mid-October election of the Scullin federal Labor government, its inability to resolve the dispute opened the way for the Nationalist Bavin state government to go on the offensive against the miners. From November, the NSW government took aggressive action, moving to take control of some of the mines to operate them at the reduced wage rates. The intention was to force the miners to concede to the Northern Colliery Association (NCA)'s demands. This changed the character of the lockout, taking it beyond a major industrial dispute between powerful coal owners and a strong union; it became a battle between the miners and the state. The Bavin government wanted to force the miners' capitulation, but the miners were determined to resist. Moves to reopen mines under government control, which involved an implicit threat to introduce scab labour, prompted union leaders to endorse the November Compromise. The Miners' Federation membership, however, was outraged by the proposed terms and rejected them, sparking an extraordinary outburst of rank-and-file activity. This upsurge coincided with increased Communist agitation. Although the CPA did not lead the struggle, it grew on the Northern coalfields because of it. Bavin pressed ahead with his plans, resulting in a violent confrontation between unionists and police at Rothbury colliery on 16 December 1929 in which one miner was killed. This shaped all of the ensuing events and the turmoil on the coalfields lasted into February. The heightened nature of the conflict was such that some, at the time and since, described the coalfields as being on the verge of civil war.[1]

Bavin's industrial attack was bolstered by repressive new legislation. The *Crimes (Intimidation and Molestation) Act*, commonly known as the "Mass Picketing Act," consisted of anti-union amendments to the existing *Crimes Act* that effectively criminalised picketing. Introduced to end the timber workers' mass pickets (discussed in Chapter Three), it came into effect just in time for the reopening of Rothbury colliery under state government control.[2] Press demonisation of the miners backed up Bavin's efforts; conservative newspapers routinely referred to the lockout as a strike, implicitly blaming the unionists for the industrial dislocation.[3] The state government's actions after the Rothbury clash confirmed its opposition to the miners: it flooded the South Maitland district with extra police and denied many coalfields residents food relief.

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[1] "'To Extreme Length'," *Newcastle Morning Herald and Miners' Advocate* (hereafter *NMHMA*), 16 January 1930, 9; "'Civil War'," *NMHMA*, 18 January 1930, 9; "Action Wanted," *NMHMA*, 23 January 1930, 9; Miriam Dixson, "Rothbury," *Labour History*, no. 17 (October 1969), 14, 24-25; Miriam Dixson, "Stubborn Resistance," *Labour History*, no. 24 (January 1973), 140-141.

[2] "Miners Go to Branxton 'To Keep Rothbury Men Solid'," *Newcastle Sun* (hereafter *NS*), 13 December 1929, 7; "Crimes Act," *Sydney Morning Herald* (hereafter *SMH*), 16 December 1929, 11.

[3] For example: "Coal Strike," *Daily Guardian* (Sydney) (hereafter *DG*), 5 June 1929, 7; "Union Official's Appeal," *SMH*, 30 July 1929, 11.

There were two inter-related aspects to the rank-and-file upsurges: the battle between miners and the state, and the fight over lockout policy between rank-and-file militants and the union officials, largely conducted within the Federation. The activity was multifaceted, involving struggle on those two separate but related fronts. Participation was not limited to mineworkers, but involved their allies in the coalfields' working-class communities, notably including women. Miners organised mass pickets, which led to a weeks-long extension of the dispute throughout most of the Northern District. They formed Labour Defence Corps, which drilled publicly. The state government responded with a police occupation of the area and other repressive measures. A boycott of the police affected everyone on the coalfields, polarising the communities. At the same time, the contest over lockout policy was fought out through Federation meetings, particularly conferences of Northern District lodge delegates. When rank-and-file activity subsided, and the struggle over union policy was resolved in favour of the existing one, the lockout settled into a stalemate. This chapter completes the thesis's investigation of militancy in the three early Depression industrial disputes. It looks at the nature of the upsurges and their leadership, taking account of CPA activity and the party's changed approach in 1930. The major events are considered in roughly chronological order.

THIRD RANK-AND-FILE UPSURGE SPARKED BY NOVEMBER COMPROMISE

The settlement terms that became known as the November Compromise triggered the third wave of rank-and-file struggle, which culminated in the mass march at Rothbury. Bavin's moves to restart production at some NCA mines scared the mining union leaders, fearful of scab labour being introduced, into agreeing to a settlement. The NSW government did not publicly state its intentions until the failure of a compulsory conference of the Coal Tribunal, arranged by the new federal government.[4] On 15 November, Bavin announced his government would reopen Rothbury colliery shortly, then others, and operate them at reduced wage rates, arguing this was necessary to remedy a "serious shortage in coal supplies for public services."[5] Labor eventually disputed this claim, noting that coal was still being exported.[6] Though the government invited unionists to apply, it was generally considered that Federation members would not, and that the plan depended on introducing scab labour.[7] Rothbury was on the north-western fringe of the South Maitland field, almost 20 miles from the main centres of Cessnock and Kurri Kurri; its remoteness would make large-scale picketing more difficult.[8] The CMUC resolved on 18 November to call a nationwide coal strike if Bavin proceeded.[9] Dixson considered its main intention was to stop Bavin, but the CMUC's rapid change of tack suggests it aimed to provide Scullin with a constitutional basis to intervene, on the grounds of a threatened interstate dispute.[10] However, the federal government did not act and

[4] "The Coal Crisis," *NMHMA*, 31 October 1929, 7; "The Northern Mines," *NMHMA*, 15 November 1929, 9.
[5] "Northern Collieries," *NMHMA*, 16 November 1929, 9. The government also intended to take over Cessnock and Pelton mines, but that did not eventuate.
[6] "Uproar Again," *NMHMA*, 22 November 1929, 9; *New South Wales Legislative Assembly Parliamentary Debates* (hereafter *NSWPD)*, 17 December 1929, 2532; "Is Weaver Normal?" *Labor Daily* (Sydney) (hereafter *LD*), 18 December 1929, 3.
[7] "Three Mines Proposal," *NMHMA*, 16 November 1929, 9.
[8] "Rothbury Mine," *SMH*, 16 November 1929, 17.
[9] "Coal Trouble," *NMHMA*, 18 November 1929, 7; "Proposed General Strike," *NMHMA*, 19 November 1929, 7.
[10] Dixson, "The Strike of Waterside Workers in Australian Ports, 1928, and the Lockout of Coal Miners on the Northern Coalfield of New South Wales, 1929-30," (MA thesis, University of Melbourne, 1957), 190.

Bavin was undeterred. The same mining union leaders who, on a Monday, declared their willingness to promulgate a general strike were back at the negotiating table by that Saturday.[11] They agreed to settlement terms on 29 November, believing that it was better to cease resistance than allow scabs into the mines.[12]

The terms of the November Compromise involved a minor backdown on the owners' part and major concessions from the unions. The proprietors agreed to a lesser wage cut than they had initially demanded: the reduction of contract rates remained the same, at 12.5 per cent, but the cut to day wage rates would be 6d (rather than 1/–). They also committed to provide figures demonstrating that these cuts amounted to an average reduction of 9d per ton to production costs. On top of conceding the wage cut, the unions effectively agreed to surrender the seniority principle (by agreeing not to question management's right to dismiss employees), give up the "darg" (a traditional daily output limit, important to preventing speed-ups), and to endeavour to avoid petty stoppages.[13] Histories generally give misleading accounts of the November Compromise terms, despite Dixson describing them accurately.[14] Gollan, Ross and Comerford all referred to the terms as if they consisted solely of the 9d per ton wage cut, probably because the phrase "November Compromise" entered the vernacular as a synonym for that reduction.[15] They conflated the eventual settlement terms with the November terms. The wage cut was the same but a key difference was that the owners compromised on seniority, promising there would be no victimisation.[16] The significant concessions related to union organisation in the November Compromise are important to understanding Federation members' response.

Miners were infuriated by the November Compromise. They saw it as a betrayal of union principles on the part of their leaders, a further outrage on top of the federal Labor government betraying its election promise to reopen the mines. The Federation's Northern District membership overwhelmingly rejected the November Compromise terms at aggregate meetings.[17] Northern miners were not alone in opposing the deal; they received telegrams urging them to reject it from Bulli and Scarborough lodges (Southern District), Blackheath lodge (Queensland District) and the Federation's Western District Management Board.[18] By contrast, members of FEDFA, the Deputies

[11] Except the FEDFA officials – after the CMUC's strike threat, they withdrew from it because the Federation refused to implement the black-ban on unassociated mines using lorry transport (see Chapter Five), and did not join the conference. "Marking Time," *NMHMA*, 22 November 1929, 9.
[12] Jim Comerford contended that an NCA-fuelled rumour that two important lodges were ready to reach a separate deal to return to work, undermining members' unity and morale, was also a significant factor motivating Federation leaders to reach a compromise. Jim Comerford, *Lockout: The Northern New South Wales Coal Lockout 2nd March 1929 – 3rd June 1930* (Sydney: Construction Forestry Mining and Energy Union [CFMEU] Mining and Energy, 2006), 307-310.
[13] Appendix 2 provides the full text of the agreement.
[14] Dixson, "Strike and Lockout," 191-192.
[15] Comerford, *Lockout*, 316; Robin Gollan, *The Coalminers of New South Wales: A History of the Union, 1860-1960* (Melbourne: Melbourne University Press, 1963), 191; Edgar Ross, *A History of the Miners' Federation of Australia* (Sydney: Australasian Coal and Shale Employees' Federation, 1970), 339.
[16] Dixson, "Strike and Lockout," 235-236; Comerford, *Lockout*, 454-458.
[17] "Rejected," *NMHMA*, 6 December 1929, 9; "Turned Down," *NMHMA*, 7 December 1929, 9; "Terms of Settlement," *NMHMA*, 9 December 1929, 7; "At Branxton," *NMHMA*, 10 December 1929, 7; "Paxton Meeting," *NMHMA*, 10 December 1929, 9.
[18] "Rejected," *NMHMA*, 6 December 1929, 9.

and Mechanics unions were prepared to concede defeat.[19] Importantly, militants moved not just to reject the proposals but to organise the next steps of their struggle. The Kurri aggregate meeting resolved, on the motion of Bill McBlane and Jock Kellock, that each lodge elect two delegates for a conference "to draw up a policy to continue the fight."[20] McBlane was the well-respected and influential secretary of Richmond Main lodge, and Kellock was the chairman of Pelaw Main lodge, who subsequently defeated Arthur Teece in the ballot for Northern District treasurer.[21] Their resolution indicated the potential for miners' rejection of the November Compromise to lead to rejection of the Federation's lockout policy.

A conference was duly held on Wednesday 11 to Friday 13 December at Newcastle Trades Hall. Its significance was in its challenge to the Federation Central Executive's control of the dispute, and for its decisions on policy and picketing. The conference consisted of two delegates of each lodge; Northern District President Bondy Hoare presided initially, then General President Dan Rees chaired on the Friday as Hoare was in Sydney. It was held in camera but announced some of its key resolutions. The Newcastle Trades Hall Council (THC) and the Labor Council of NSW (LCNSW) sent representatives, giving the delegates confidence that they could rely on financial assistance from other unionists.[22] Rees, General Secretary Dai Davies, Northern District Secretary Dave McNeill, and Teece attended from the second day. The conference decided to "extend and intensify" the dispute beyond NSW and to organise for a mining industry all-out.[23] It also agreed on "a comprehensive system of mass picketing": 5,000 men would converge at Rothbury on the Monday, and a daily presence of a similar number would continue thereafter, on a rostered basis.[24] The Newcastle conference decisions show that, as in May-June, the views of leading lodge officers (who the rank-and-file majority supported) coincided with Communist arguments that the union membership should take control of the dispute.[25]

This conference marked the beginning of a concerted two-month fight against the confinement policy within the Federation. Its delegates would not be satisfied by letting off steam; they intended to overturn the policy. Arguments for extension, and efforts to precipitate it, persisted after 13 December, and were largely co-ordinated through similar subsequent meetings. The delegates reconvened numerous times, either with the entire group or, more frequently, the Maitland coalfield representatives, who met as the South Maitland Rank and File Conference. From early January, the lodge delegates referred to the 11-13 December conference as "the rank and file conference."[26] It was considered a standing body that adjourned until the next meeting, rather than a series of ad-hoc conferences. By the end of the month the Rank and File Conference was accorded title case.[27] The Northern militants called it that, rather than the lodge delegates' conference, to

[19] "Deputies' Association," *NMHMA*, 6 December 1929, 10; "Engine Drivers," *NMHMA*, 10 December 1929, 7; "Engine Drivers," *NMHMA*, 11 December 1929, 7; "Colliery Mechanics," *NMHMA*, 11 December 1929, 7; "Kurri Kurri Meeting," *NMHMA*, 11 December 1929, 7; "Colliery Mechanics," *NMHMA*, 12 December 1929, 13.
[20] "Rejected," *NMHMA*, 6 December 1929, 9-10.
[21] "Miners' Officials," *NMHMA*, 9 January 1930, 7.
[22] "Miners Meet," *NMHMA*, 12 December 1929, 13.
[23] "New Policy," *NMHMA*, 13 December 1929, 9.
[24] "Defence of Rothbury," *LD*, 14 December 1929, 1; "Picketing," *NMHMA*, 14 December 1929, 9.
[25] "A Program for Miners," *Workers' Weekly* (Sydney) (hereafter *WW*), 6 December 1929, 1; "Rank and File Leadership in Coal Struggle," *WW*, 13 December 1929, 1.
[26] "Cessnock Conference," *NMHMA*, 3 January 1930, 5.
[27] "'All-Out' Policy," *NMHMA*, 23 January 1930, 9.

assert its legitimacy as an expression of rank-and-file will. The conference directed Northern District Federation members' activity throughout January, meeting at least once a week into February, sometimes with executive officials, but more often without them.[28]

The picketing initiative of the 11-13 December Newcastle conference was connected to its policy challenge, and just as important. Mass pickets did not reappear before it met; Dixson's statement that they did is mistaken.[29] Although there was anticipation of mass picketing resuming in the Kurri area, it did not eventuate. Miners successfully picketed Richmond Main on 9 December, turning away a number of craft unionists, but that event was small scale.[30] A combined meeting of three Kurri lodges on 10 December resolved to picket Stanford Merthyr to prevent power being produced there, but no mass picket resulted.[31] The lodge delegates' decision to begin mass picketing at Rothbury on the Monday came in response to the government's announcement that the mine would be reopened on Wednesday 18 December.[32] Mines Minister Weaver claimed that 350 volunteers had been interviewed, and a "full complement" engaged to work the colliery, which normally employed 240 to 250 people.[33] Scabs began arriving at Rothbury on the last day of the rank-and-file conference, and 100 more were expected on 16 December.[34] A Federation members' meeting was also convened in Branxton (near Rothbury) on 13 December by Check Inspector J. Connell, who was deputed to organise Rothbury lodge to stop scabs operating the mine. The 300 miners, about 100 from Rothbury lodge and the rest from several large South Maitland lodges, endorsed the picketing decision.[35]

CPA INVOLVEMENT AND LCNSW INTERVENTION

The CPA began devoting more resources than previously to its coalfields efforts when Bavin threatened to reopen the mines; its increased attention thus coincided with the third rank-and-file upsurge. The party was able to do so because the timber dispute had ended in Sydney in October. During that strike, it generally could not spare comrades for visits to the Northern District, although it made an exception for May Day. Six leading CPA members travelled to the coalfields (four to the Northern District and two to Wollongong) to speak at the 1929 events.[36] Otherwise, the Central Executive Committee (CEC) sent only Edward Paton, who went on a six-week organising tour of the coalfields from early June.[37] Paton was asked because no-one else was available, and his visit was

[28] "Cessnock Conference," *NMHMA*, 3 January 1930, 5; "Hotels Black," *NMHMA*, 10 January 1930, 7; "Now Black," *NMHMA*, 14 January 1930, 5; "No Full Strike," *NMHMA*, 18 January 1930, 9; "'All-Out' Policy," *NMHMA*, 23 January 1930, 9; "Ban to Stand," *NMHMA*, 1 February 1930, 10; "In Abeyance," *NMHMA*, 4 February 1930, 5; "All Out Policy," *NMHMA*, 8 February 1930, 9; "Conference To-Day," *NMHMA*, 11 February 1930, 7; "Rank and File," *NMHMA*, 22 February 1930, 9.
[29] Dixson, "Strike and Lockout," 199.
[30] "Threats of Mob Violence by Miners' Leaders," *Daily Telegraph Pictorial* (Sydney) (hereafter *DTP*), 10 December 1929, 3; "Mass Picketing," *SMH*, 10 December 1929, 12; "Mass Pickets Again," *WW*, 13 December 1929, 1.
[31] "Kurri Kurri," *NMHMA*, 11 December 1929, 8.
[32] "On Wednesday," *NMHMA*, 12 December 1929, 13.
[33] "The Enrolment," *NMHMA*, 13 December 1929, 9; "No Developments," *NMHMA*, 22 November 1929, 9.
[34] "Volunteers," *NMHMA*, 14 December 1929, 9.
[35] "Rothbury Meeting," *NMHMA*, 14 December 1929, 9.
[36] "Kurri's May Day," *WW*, 10 May 1929, 1; "Big Doings at Cessnock," *WW*, 10 May 1929, 1; "South Coast's Inspiring Demonstration," *WW*, 10 May 1929, 1; "Newcastle's Demonstration," *WW*, 10 May 1929, 1.
[37] Minutes of Central Executive Committee meetings, 27 May 1929 and 8 July 1929, "CE Minutes 1926-30," MLMSS 5021 add-on 1936, box 3(76): II, CPA Records, State Library of New South Wales (SLNSW).

not rated a success; he was inexperienced in both large-scale industrial struggle and Communist organising, and unable to make any gains.[38] With Bavin moving to open mines with scab labour, Hector Ross went to agitate in Cessnock even before the November Compromise was announced.[39] Soon "every possible member was despatched to the coal fields."[40] In the December climax of the CPA faction fight, Moxon and Sharkey tried to take credit for this, claiming that it would not have happened without their attack on the CEC's federal election policy. The CPA's Ninth conference, however, rejected this claim, accurately attributing the CEC's recent attention to the coalfields to the force of events: the Scullin government's failure, the November Compromise and Rothbury.[41]

Even before Rothbury, the CPA found a more receptive audience because of these events, and the Militant Minority Movement (MMM) began to grow. The party's main activity remained, as earlier in the lockout, propaganda work; that is, it argued for its political line through publications and speeches at meetings. The CPA, and hence the MMM, urged mineworkers to reject the November Compromise, called for the dispute to be extended and for a new rank-and-file leadership to implement a fighting policy.[42] Since many miners felt betrayed by the federal Labor government and their union leaders, they gave the Communists more of a hearing than previously. By 2 December, Mineworkers' Minority Movement groups had been formed at Kurri, Cessnock and Weston.[43] Meetings in Cessnock attracted sizeable crowds: *Newcastle Sun* reported that "about 300 people, including a number of women" attended an MMM meeting on 3 December, while police estimated a crowd of 150-200 at a night-time CPA meeting on 15 December.[44] The CPA also enjoyed a friendly audience at a 13 December meeting in the Southern District, leaving the local organiser optimistic: "New ground will be broken in the New Year."[45]

Responding to Federation members' anger at the November Compromise, the LCNSW adopted the CPA's longstanding argument that a new leadership should take control of the miners' struggle. Its secretary Jock Garden perhaps imagined himself taking over from Federation Secretary Davies. On 5 December (the day the Kurri Kurri aggregate meeting rejected the November Compromise), the LCNSW carried Garden's motion urging mineworkers to repudiate the settlement terms, which included the following:

Paton later faced conspiracy charges in connection with the timber strike, alongside six union leaders (see Chapter Three).

[38] H.J. Moxon, "CC 'Bankrupt, Non-Communist, Liquidationist'," *WW*, 27 December 1929, 4; Bert Moxon and Lance Sharkey, "Minority CEC Report," Minutes of the Ninth Annual Conference of the CPA (December 1929) (hereafter CPA Ninth Conference Minutes), p.15, MLMSS 5021 add-on 1936, box 1(76): I, CPA Records, SLNSW; discussion of CEC reports, *ibid*., 35 (Jack Kavanagh), 44 (Norman Jeffery).

[39] "The Coal Crisis," *Cessnock Eagle and South Maitland Recorder* (NSW) (hereafter *CESMR*), 26 November 1929, 6.

[40] Moxon and Sharkey, "Minority CEC Report," in CPA Ninth Conference Minutes, 15.

[41] "Whole Party Has Been Off," *WW*, 10 January 1930, 3.

[42] "A Program for Miners," *WW*, 6 December 1929, 1; "Rank and File Leadership in Coal Struggle," *WW*, 13 December 1929, 1.

[43] "Revolt in the Air," *WW*, 6 December 1929, 1.

[44] "Militant Efforts," *NS*, 4 December 1929, 6; "Cessnock," *NMHMA*, 8 January 1930, 8.

[45] "CP Policy Welcomed," *WW*, 20 December 1929, 1.

> We look to the Miners to take up the struggle on their own behalf – to set up delegate district Councils to carry on the dispute – that the dispute be extended to all Mining fields in the Commonwealth.[46]

The motion pledged the Labor Council would send organisers to the coalfields and concluded: "We consider the miners have been let down by their leaders."[47] The LCNSW's involvement was not the CPA's initiative, but it participated: Jack Kavanagh, Ted Docker and Norman Jeffery all addressed coalfields meetings on behalf of the Labor Council.[48] In view of the consequences of their 1923 interference in the Federation's affairs, it is surprising Garden made this ham-fisted intervention and the CPA joined it.[49] However, it was abandoned the following week.[50] According to all reports except *Workers' Weekly*'s, Garden and his colleagues received a lukewarm reception at best.[51] They were seen as outsiders and Johnny-come-latelies who, moreover, had just lost the timber strike. In Cessnock they were repeatedly heckled.[52] Miners considered it "an effort… to oust the [Federation] leaders" and resisted: Abermain No. 1 lodge expressed its strong conviction that its leaders "should remain in office until the present trouble is settled."[53] Aberdare miners resolved not to take part in conferences that were not convened by the Federation's executive or council.[54] Garden had not accounted for miners' fierce loyalty to their elected leaders, despite their vehement opposition to the settlement terms. The CPA's part in this ill-judged venture would have undermined its standing among miners. Nonetheless, the Communists found a larger audience on the coalfields than before in the lead-up to 16 December.

ROTHBURY, 16 DECEMBER 1929

The confrontation at Rothbury mine at dawn on Monday 16 December was the defining event of the lockout. It was the first direct clash between miners and the state in the dispute, and the most violent. As Edgar Ross noted, it was also "essentially a rank and file affair, with no high officials of the Federation taking part."[55] The dramatic events of that day – involving serious injuries to many and one man's death – had a strong emotional impact on the coalfields community. The "battle of Rothbury" (as the labour movement called it) or the "Rothbury riot" (as labour's opponents considered it) was soon mythologised, and Norman Brown commemorated as a martyr to the miners' cause. The circumstances of Brown's death are analysed in Appendix 4, based on reports of the inquest, because although the subject is beyond the scope of this chapter, historians' treatment of it has been inadequate. An outline of the events is necessary to assess the role of militants and

[46] Minutes of General meeting, Labor Council of NSW, 5 December 1929 (call no. A3844), Records of the Labor Council of New South Wales, May 1871-May 1935, SLNSW.
[47] *Ibid.*
[48] "'Burn the Voting Papers'," *CESMR*, 6 December 1929, 1; "Not Wanted," *NMHMA*, 9 December 1929, 9. Norman Jeffery's name was misreported as "Jeffries."
[49] See Chapter Four.
[50] Minutes of Special meeting of full executives and Labor Council, 12 December 1929 (call no. A3844), Records of the Labor Council of New South Wales May 1871-May 1935, SLNSW.
[51] "Don't Want It," *NS*, 7 December 1929, 7; "Mr Garden's Campaign Falls Flat," *Maitland Daily Mercury* (NSW) (hereafter *MDM*), 9 December 1929, 2; "'All-Out' Policy," *NMHMA*, 9 December 1929, 9; "NSW Labor Council," *WW*, 13 December 1929, 1.
[52] "Not Wanted," *NMHMA*, 9 December 1929, 9.
[53] "Abermain Miners," *NMHMA*, 11 December 1929, 7.
[54] "More Delegates," *LD*, 11 December 1929, 5.
[55] Ross, *Miners' Federation*, 341.

Federation leaders in them. The following is based on a close reading of press reports, supplemented by later accounts of eyewitnesses, notably Jim Comerford.[56]

Miners from throughout the South Maitland coalfields travelled to Rothbury overnight, by bus and any other vehicle available, or on foot. Lodge officials, at least in the Kurri area, tried to limit their contingents to adults, but adolescent mineworkers surreptitiously boarded the buses to join in.[57] In the pre-dawn a crowd of about 5,000 gathered on a hill at Rothbury village, not far from the colliery.[58] Once they had assembled, it became obvious that no Federation executive officers were present, and nobody had a precise plan. In the absence of any other direction, Frank Sheridan, a Richmond Main lodge member and one of its delegates to the rank-and-file conference, briefly addressed the crowd.[59] He spoke in favour of them going to the mine to dissuade the scabs, which was greeted with cheers. The crowd marched behind a Kurri miners' bagpipe band, playing "The Campbells are Coming," towards the colliery.[60] The front ranks of the crowd did not immediately cross the mine property fence when they reached it; police told them not to enter. According to Superintendent A. Beattie, who was in charge of police operations that day, 57 policemen were on the site at dawn.[61] Moderates, generally older men and notably Jack Baddeley MLA, appealed for restraint, while restive, mostly younger, mineworkers yelled, "let us all go in" and "we will push through."[62] One newspaper reported an initial rush on the mine was driven back by a mounted constable.[63]

At around 5.30am, a large minority of the miners, probably several hundred, charged onto the property; the boundary fence was little obstacle. They entered at two main points: around the gate, despite Baddeley's pleas, and near a railway siding where empty coal trucks were lined up, with Sheridan among those in the lead.[64] Police tried to force the miners to retreat, beating them with batons and inflicting many injuries. The small number of police on horseback also charged the

[56] "Bloodshed – Fierce Riots at Rothbury," *NS*, 16 December 1929, 1; "Police and Miners," *MDM*, 16 December 1929, 5; "One Miner Killed – Many Injured in Rothbury Riots," *Sun* (Sydney), 16 December 1929, 1; "Bloodshed in Rothbury Mine Raids," *Evening News* (Sydney) (hereafter *EN*), 16 December 1929, 1; "Rothbury Clash," *NMHMA*, 17 December 1929, 7; "Sensational Happenings at Rothbury Colliery," *CESMR*, 17 December 1929, 5; "Armed Police Shoot Down Helpless Miners," *LD*, 17 December 1929, 1; "Tragic Fighting Between Police and Miners at Rothbury," *SMH*, 17 December 1929, 11; "Eyewitnesses' Stories of Tragic Mine Riots," *DTP*, 17 December 1929, 2-3; "Rothbury Masses Meet Guns: Officials Cringe," *WW*, 20 December 1929, 1; Edgar Ross, "Eyewitnesses' Descriptions of Rothbury," *Common Cause* (Sydney), 12 December 1959, 6; Wendy Lowenstein, *Weevils in the Flour: An Oral Record of the 1930s Depression in Australia* (Melbourne: Scribe, 1981), 82-87; Fred Moore, Paddy Gorman and Ray Harrison, eds., *At the Coalface: The Human Face of Coal Miners and Their Communities: An Oral History of the Early Days* (Sydney: CFMEU Mining and Energy Division, 1998), 52-58; Fred Moore, Paddy Gorman and Ray Harrison, eds., *Back at the Coalface: Volume 2 of the Australian Coal Miners Oral History* (Sydney: CFMEU Mining and Energy Division), 30-33, 35-37; Comerford, *Lockout*, 325-341.

[57] Moore, Gorman and Harrison, *At the Coalface*, 52.

[58] Reports that the crowd was much larger – 8,000 to 12,000 – most likely exaggerated it ("Armed Police Shoot…," *LD*, 17 December 1929, 1; "Police and Miners," *MDM*, 16 December 1929, 5; cf. "Bloodshed – Fierce Riots…," *NS*, 16 December 1929, 1; Comerford, *Lockout*, 393).

[59] "Conference Delegates," *NMHMA*, 11 December 1929, 7.

[60] "Eyewitnesses' Stories…," *DTP*, 17 December 1929, 2.

[61] "'Realised Police Were About to be Murdered'," *LD*, 13 February 1930, 6.

[62] "Bloodshed – Fierce Riots…," *NS*, 16 December 1929, 1; "Rothbury Clash," *NMHMA*, 17 December 1929, 7.

[63] "Bloodshed in Rothbury…," *EN*, 16 December 1929, 1.

[64] Comerford, *Lockout*, 329.

crowd.[65] Miners fought back, some using sticks while others threw stones, and injured a few police. Some miners withdrew, while others continued advancing. Police then opened fire, forcing them back over the fence. In this initial clash, which lasted fifteen to twenty minutes, three or four miners suffered bullet wounds. Meanwhile, a smaller group of unionists, including at least one woman, got onto the property "through the bush at the back of the colliery."[66] Police did not notice them until they had reached the mine dam, near the workings, but then forced them to retreat.

The miners considered what to do next at an impromptu meeting nearby, using a fowlhouse roof as the platform. Teece had arrived after the first clash (having failed to join his members at dawn because he had been drunk); he, Baddeley and lodge officials tried to persuade the men to disperse and return home but were unsuccessful.[67] Probably by 8.30am, 50-80 miners had gone to another part of the colliery boundary to try to pull up the mine's railway line by lifting the tracks off the sleepers. Police spotted them and rushed over; the miners ran away when they were close, but the police opened fire on them nonetheless. At least one man was injured by the gunfire (possibly other casualties were unrecorded), several were chased for long distances, and eleven arrested.[68]

At 9.20am a car approached the mine and the crowd, believing Weaver was a passenger, blocked its way.[69] Large numbers quickly surrounded it, slashing the tyres and breaking the windows. This started another fight between unionists and the police, who once again opened fire. In this third round of police shooting several more miners were injured, three very seriously. Norman Brown, aged 29, died within hours of a bullet wound to the stomach. As discussed in Appendix 4, conflicting accounts of the precise circumstances of his fatal injury emerged in the aftermath, as the miners' opponents sought to blame the victim and supporters aimed to defend Brown's reputation. The most credible testimony to the inquest into his death, from multiple witnesses, showed that Norman Brown was running away from police gunfire when he was shot. Two other miners were not expected to survive. Wally Woods, 22 years old, was shot in the throat but recovered.[70] David Brown (known as Jackson, no relation to Norman), aged 41, was never able to work again: he spent the rest of his life with a bullet lodged next to his spine as it was too risky to remove.[71] It seems unlikely that journalists witnessed this clash as miners chased them away after the first affray; newspaper reports appeared to rely on second-hand accounts.

The miners dispersed after that. Most simply went home but some reportedly left intending to return with guns and ammunition. Lodge officials instructed them not to do so when Teece

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[65] "Tragic Fighting…," *SMH*, 17 December 1929, 11; Edgar Ross, "Eyewitnesses' Descriptions…," *Common Cause*, 12 December 1959, 6; Lowenstein, *Weevils in the Flour*, 86.
[66] "Police and Miners," *MDM*, 16 December 1929, 5.
[67] Comerford, *Lockout*, 327; "A Dirty Rag," *WW*, 10 January 1930, 2.
[68] "Bloodshed in Rothbury…," *EN*, 16 December 1929, 1; "Eyewitnesses' Stories…," *DTP*, 17 December 1929, 2; Comerford, *Lockout*, 331-332.
[69] They were mistaken: in the car were Mines Department Inspector Jack, whom the miners respected, and his two assistants.
[70] Woods recalled the events of that day in an interview for an ABC documentary, recorded in 1986 but only recently published. Lorena Allam, "Who Killed Norman Brown?" Hindsight, ABC Radio National, video, 28:44, filmed 1986, broadcast 12 May 2013, http://www.abc.net.au/radionational/programs/hindsight/rothbury/4671642
[71] "Coroner Reserves His Decision," *LD*, 15 February 1930, 5; Edgar Ross, "Reign of Terror," *Common Cause*, 12 December 1959, 7; Ross, *Miners' Federation*, 342; Moore, Gorman and Harrison, *Back at the Coalface*, 37; Comerford, *Lockout*, 334.

brought the news that a Commonwealth Arbitration Court compulsory conference had been arranged for the next day.[72] By midday, the vast majority of the crowd had left the area, just before the arrival of a trainload of scabs and police reinforcements. If picketers had returned armed, they would likely have been massacred: their arrival would not have been unexpected, the police guard had more than doubled and its ammunition was restocked.[73] Exactly how many miners were shot that morning is unclear; an unknown number avoided hospitals since a state record of their injuries would likely have led to prosecution. They were treated privately by local doctors who refused to divulge their names to the authorities.[74] The *Newcastle Morning Herald* named ten miners who had been shot, including Norman Brown, but did not attempt to estimate the total number wounded.[75] The *Newcastle Sun* reported a total of "about 45 casualties, mostly slight," which may have been an underestimate.[76] In addition, up to three miners died of heart attacks as a result.[77] Newspapers listed six or seven policemen as casualties, but most of their injuries were minor.

Police and a reporter for the sensationalist *Daily Telegraph Pictorial* alleged that miners had fired shots before the police did, but their claims lack credibility.[78] Despite the fact that war veterans were among the picketers, no policeman suffered a bullet wound at Rothbury; Beattie later confirmed this.[79] Other eyewitnesses emphatically denied there was any gunfire from the miners.[80] Weston miner James Tait averred in 1971: "if we'd had guns we'd have shot back at the police… it could have been the start of a civil war that day."[81]

The events of 16 December were shaped by different intentions among the miners and a failure of their leadership. Although contemporary documents do not reveal leading individuals' thoughts, contrasting intentions are evident. Cessnock area mineworkers and the Federation's district and national executive officers intended a peaceful protest, whereas those from around Kurri meant to forcibly prevent the scab operation of the colliery but did not have a plan of action. Each probably assumed that the others shared their understanding of the picket's purpose. Authorities' preparations were based on the Federation executives' expectations of a symbolic display. It seems they dismissed rumours that violent action was intended, on the grounds that no-one of consequence was advocating that. Weaver believed the picket's main purpose was to dissuade Rothbury Lodge members from resuming.[82] Police stated they did not anticipate picketers would try to interfere with either the colliery or the scabs, and their presence at Rothbury that morning was relatively small. However, perhaps senior police belatedly appreciated their miscalculation, deploying 50 to 100 additional officers, although they would not be able to arrive until midday on 16

[72] "Tragic Fighting…," *SMH*, 17 December 1929, 11.
[73] "Arrived Safely," *NS*, 16 December 1929, 1; "The Shooting," *NMHMA*, 13 February 1930, 5.
[74] Comerford, *Lockout*, 335.
[75] "The Casualties," *NMHMA*, 17 December 1929, 7.
[76] "Bloodshed – Fierce Riots…," *NS*, 16 December 1929, 1.
[77] "He, Too, Paid the Sacrifice of Weaver's Hate," *LD*, 18 December 1929, 6; Comerford, *Lockout*, 335.
[78] "Official Report," *NMHMA*, 17 December 1929, 7; "Eyewitnesses' Stories…," *DTP*, 17 December 1929, 2.
[79] "'Realised Police Were About to be Murdered'," *LD*, 13 February 1930, 6.
A report that one police officer suffered a self-inflicted gunshot wound was erroneous ("Own Gun," *EN*, 16 December 1929, 1).
[80] *NSWPD*, 17 December 1929, 2530-2531; Norman Jeffery, "Police Are Deliberate Liars," *WW*, 24 January 1930, 1.
[81] Beth Hanley, *Lockout: Weston and Its Mines 1928-30* (Newcastle, NSW: Loani, 1992), 62.
[82] "Rothbury," *NMHMA*, 16 December 1929, 7; *NSWPD*, 17 December 1929, 2549-2550.

December.[83] Newspapers reported afterwards that the miners' plan had been to gather for a mass meeting, then march past the colliery gates and back again, to protest against the government's use of scab labour.[84] That expectation is consistent with the recollections of an Aberdare Central (Cessnock area) miner, Tom McMahon. He remembered they intended simply to "confront the scabs… There was no talk of violence. We were just going down to look at these bastards in the eye."[85] By contrast, Comerford, who worked at Richmond Main near Kurri, considered the claim that the picket was "for peaceful purposes" a "myth," stating: "we went out to put the surface workings out of action, to destroy the possibility of scabs working the pit."[86] He later elaborated:

> We wanted to get rid of the scabs and any means of getting rid of them would have been legitimate. I couldn't have formulated that sort of opinion as a 16-year-old, but many of those blokes were returned soldiers from the First World War and they would have meant business.[87]

Misunderstanding, misjudgements and a lack of planning contributed to the failure of the miners' rank-and-file leadership. While the intentions of individual leaders remain unknown, it is reasonable to assume that leading Kurri lodge officials shared their members' understanding, as articulated subsequently by Comerford. It was said of two leading lodge officials that "What Tommy O'Toole and Billy McBlane think today, the whole town of Kurri will think tomorrow."[88] The militant Kurri lodge leaders most likely expected Northern executive officials to plan and lead the picket. This was not an unreasonable assumption: the picket involved lodges throughout South Maitland, making the District Executive the logical body to take charge. However, the militants underestimated the distance between their own view of the picket's purpose and that of the district officials. They failed to appreciate that the District Executive wished to confine the picket to a peaceful march around the perimeter fence. The militant lodge officials, the Communists, and many rank-and-file mineworkers were in favour of destroying Rothbury's surface workings and driving out the scabs, but only the former would have been capable of leading the picket to do so. However, it seems it did not occur to them that they needed to play such a role, so they arranged only their members' transport. Their lack of planning for the picket was a significant failure, but they led effectively later that day, convincing members to disperse and not to return armed.

The failure of the Northern District Executive officers, who had greater responsibility, was qualitatively worse; there was a fundamental breakdown of their leadership. They were out of touch with members' sentiment, as Teece demonstrated when he tried to calm the crowd after the first round of police shootings. He moved a motion stating "we have no desire to obstruct the Government in its endeavour to secure the necessary supplies of coal for State purposes," which provoked "uproar."[89] The misunderstanding between the Kurri miners and the district officials was mutual; it meant the latter had no plan to prevent a confrontation (little planning was required to simply march around the perimeter fence). Moreover, the executive officers failed by their absence;

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[83] "More Police," *NMHMA*, 16 December 1929, 7.
[84] "Bloodshed – Fierce Riots…," *NS*, 16 December 1929, 1; "Sensational Happenings…," *CESMR*, 17 December 1929, 5.
[85] Moore, Gorman and Harrison, *Back at the Coalface*, 32.
[86] Lowenstein, *Weevils in the Flour*, 85.
[87] Moore, Gorman and Harrison, *At the Coalface*, 58.
[88] Andrew Metcalfe, *For Freedom and Dignity: Historical Agency and Class Structures in the Coalfields of NSW* (Sydney: Allen & Unwin, 1988), 189.
[89] "Armed Police Shoot…," *LD*, 17 December 1929, 1; "Bloodshed – Fierce Riots…," *NS*, 16 December 1929, 1.

all three should have been there. The Federation's Central Executive leaders did not attend either, which was not to their credit, but the Northern leaders' absence was more remarkable. Why McNeill remained in Newcastle is unknown. Hoare likely stayed away because he was on a good behaviour bond following an altercation with a scab, but given the significance of the picket he should have attended nonetheless.[90] That Teece was seen inebriated by picketers assembling not long before dawn demonstrated a lack of self-control. He was defeated as district treasurer soon afterwards, the first Federation official to lose a re-election bid in twenty years.[91]

Militants' efforts to direct the picketing at dawn were ineffective, but their opponents' insinuation that they were absent (probably to try to deflect from the district officials' failure) was baseless.[92] Comerford described how Sheridan advised the miners not to march as a crowd, repeatedly urging them to spread out and advance on the pit through the trees. Picketers, however, followed Sheridan instead of his sound advice, thus rendering it ineffectual.[93] *Labor Daily* attacked the Communists, encouraging miners to ask them where they were and what they did at Rothbury.[94] *Workers' Weekly* replied that Northern miners knew the answer: CPA and MMM members "were well in the front line in the fight against the police."[95] This is supported by Comerford's recollections; though he joined the party shortly afterwards, he was not uncritical of its lockout efforts. He remembered that two long-serving CPA members, Jock Easton and Johnny Conway, were among the first to cross the colliery fence.[96] Norman Jeffery, visiting CPA organiser, and Comerford also recalled Henry Scanlon and Lance Smith were among those leading the advance on the mine; both were probably already associated with the party, and soon joined it.[97] Militants unaligned with the Communists were similarly at the forefront, including Sheridan and Jock Kellock (Pelaw Main lodge president and prominent in the earlier Socialist Labour Party, elected Northern District treasurer for 1930). Militants also played a prominent role that day in the wake of the shootings, endeavouring to give direction through speeches at two impromptu meetings. Those who addressed the crowd included John Teerman (a CPA fellow-traveller), Kurri area lodge leaders McBlane, W. Crook, and J. Mills, and Conway, who Comerford remembered was the only one able to convince the miners to disperse after Brown was wounded.[98]

If miners had executed a planned attack on Rothbury colliery on 16 December 1929, they surely would have succeeded: preparation was the missing element. Participants in the picket, such as McMahon, later stated there was no "plan to storm the mine… it just happened."[99] Comerford considered that if there had been, "we could have gone through the place, cleaned it up."[100] As a Labor MLA pointed out, if 5,000 miners had attacked in "an organised and determined" manner, it

[90] "Fine and Costs," *NMHMA*, 25 June 1929, 3; "Mr. Hoare's Appeal," *NMHMA*, 29 November 1929, 7; Comerford, *Lockout*, 327.
[91] "Miners' Officials," *NMHMA*, 9 January 1930, 7; Comerford, *Lockout*, 350.
[92] "A Warning Note," *NMHMA*, 17 December 1929, 8.
[93] Edgar Ross, "The Story of Rothbury," *Common Cause*, 12 December 1959, 5; Lowenstein, *Weevils in the Flour*, 85-86; Comerford, *Lockout*, 327-329.
[94] "To South!" *LD*, 6 January 1930, 5.
[95] "A Dirty Rag," *WW*, 10 January 1930, 2.
[96] Comerford, *Lockout*, 329.
[97] Norman Jeffery, "Another Eye-witness," *Common Cause*, 13 February 1960, 4.
[98] "Rothbury Clash," *NMHMA*, 17 December 1929, 7; "Bloodshed – Fierce Riots…," *NS*, 16 December 1929, 1; Comerford, *Lockout*, 337-338.
[99] Moore, Gorman and Harrison, *Back at the Coalface*, 32.
[100] Lowenstein, *Weevils in the Flour*, 85.

would have taken "more than forty, and more than 400, police to stop them."[101] Although the unionists had numerical superiority, the spontaneous nature of their actions left them unable to take advantage of it. Had they been organised, miners could have chased off the scabs and prevented the colliery operating in the medium or longer term by damaging the surface workings.

It is uncertain whether a victory at Rothbury would have advanced the miners' cause. The potential output of Rothbury colliery, contrary to the Bavin government's claims, was not necessary to secure coal supplies (there was no serious shortage as unassociated mines and other districts met the demand). The NSW government's aim was to introduce scab labour to force an end to the dispute; the coal that might be won at Rothbury was a secondary matter. Therefore preventing production at Rothbury would only have improved the miners' industrial position if it inspired solidarity action. A determined assault on the mine may have achieved this. It could have prompted walk-outs by other miners, strike action by other sections of the labour movement, or both. However, those possibilities were less likely given the timber workers had been defeated and the Depression was setting in. If miners had won the battle of Rothbury, the Commonwealth government may have been prompted to intervene, particularly if significant sections of other workers backed them. Intervention in the miners' favour seems unlikely though, given the weakness of the Scullin government's earlier actions. Had they destroyed the colliery, miners would have certainly faced a fierce reaction. As it was, the miners were subjected to a brutal police occupation although they had not inflicted serious harm: they alone suffered grave injuries and one death. That reaction would have been magnified if any non-unionists or police had been wounded or killed. This may well have damaged the miners' political position; Bavin would most likely have called an early election, as the Labor Party feared, campaigned on a "law and order" basis, and won. Had the miners remained isolated, their rapid defeat would have been the most likely result. Thus whether or not successful action at Rothbury improved or weakened the miners' position would have depended largely on how other workers responded. Though the odds were decidedly against them, there was a possibility that events could have turned in their favour. The militants' failure to lead an effective attack, however, means it remains a matter of conjecture.

To add insult to injury, there was no justice for miners in the court cases arising from the events of 16 December. The inquest into Norman Brown's death was delayed by a month to avoid inflaming public sentiment on the coalfields.[102] Unlawful assembly charges against 32 miners for picketing that day were heard first. All were convicted, with 18 fined £20 each and the rest £10, except for one older man fined £5.[103] The magistrate who convicted them, David William Reed, was arguably biased against the unionists. Solicitor Christian Jollie Smith objected to him adjudicating in subsequent unlawful assembly cases on that basis. Arguing that he had heard 150 cases and convicted 150 men, she called on him to withdraw; he refused.[104] Reed was also the coroner for the inquest, which was a whitewash.[105] Its scope was narrow and there was no serious attempt to

[101] *NSWPD*, 17 December 1929, 2542. Bavin had stated that only 40 police were guarding the mine.
[102] "Inquest Delayed," *NMHMA*, 14 January 1930, 5.
[103] "'Unlawful Assembly'," *NMHMA*, 21 January 1930, 5; "£380 in Fines," *NMHMA*, 23 January 1930, 8; "Fines of £10," *NMHMA*, 24 January 1930, 10.
[104] "Bias Charge Refuted," *NMHMA*, 19 February 1930, 5. Jollie Smith's charge was not strictly accurate, but Reed had convicted nearly 94% of the cases he had heard. See Table 3, Appendix 5.
[105] State records of the inquest were not retained, but newspapers reported the proceedings. See reports of *NMHMA*, *LD*, and *MDM*, 10-18 February 1930.

discover which police officer fired the fatal shot, or who gave orders to shoot, let alone hold them to account. Reed's finding that Brown was "accidentally shot" is questionable, while his praise for the police – who he said acted "with forbearance and commendable restraint" – was at odds with much of the evidence.[106] The Coroner's statement that Brown had not participated in rioting must have been cold comfort for his loved ones.

MINERS' RESPONSE

Miners' immediate response to the police shootings and the death of Brown was protest strikes. There were also a few instances of arson, with two fires lit on the night of 16 December. One, built against a Stanford Merthyr Colliery office wall, was discovered and extinguished before it caused major damage.[107] The other destroyed a railway siding signal box at North Kurri that South Maitland Railways Ltd (which had closed down operations when FEDFA members adhered to the black-ban) owned. [108] The company also lost property on 22 December, when a fire totally destroyed the Heddon Greta railway station building.[109] The Deputy Coroner found that all three were cases of arson by person or persons unknown.[110] Given the targets were involved in the lockout and the timing, it is reasonable to assume that the fires were lit by miners or their sympathisers. The Deputy Coroner considered there was "an epidemic of fires in the district," but in reality such property damage was a minor phenomenon.[111] By contrast, thousands participated in the stop-work protests.

Miners throughout NSW and beyond struck in protest. The 17 December shutdown was widespread, involving all NSW and most Queensland lodges.[112] Two Ipswich area (Queensland) lodges also held protest strikes on 19 December.[113] Those one-day actions did not constitute a challenge to the confinement policy: a one-day stoppage was the traditional response when a miner was killed in a pit, although the circumstances of Brown's death meant the strike was exceptionally large. However, miners at a number of collieries took action beyond the mourning ritual. The following NSW lodges resolved not to return to work until the scabs were cleared out of Rothbury: Boldon, Wallerawang, Renown and Cullen Bullen (Western District), Coalcliff and Helensburgh (Southern District), and Millfield-Greta and Hillend (Northern District unassociated mines).[114] The Federation's Central Council did not want such strike action in NSW (it wanted those members to continue paying the levy), and in at least two cases it ordered the lodges to resume.[115] The strikes against scab labour might have posed a threat to the official policy had they not occurred so close to

[106] "'Accidentally Shot'," *NMHMA*, 18 February 1930, 8.
[107] "Kurri Kurri," *NMHMA*, 18 December 1929, 8.
[108] "Signal-Box Fire," *NMHMA*, 18 December 1929, 8; "Signal Box Destroyed" *NMHMA*, 31 January 1930, 11.
[109] "Heddon Greta," *NMHMA*, 23 December 1929, 8; "Heddon Greta Fire," *NMHMA*, 31 January 1930, 11.
[110] "'Deliberate Fires'," *NMHMA*, 31 January 1930, 11; "Heddon Greta Fire," *NMHMA*, 31 January 1930, 11; "Signal Box Destroyed" *NMHMA*, 31 January 1930, 11.
[111] "'Deliberate Fires'," *NMHMA*, 31 January 1930, 11.
[112] "Mines Idle To-Day," *NMHMA*, 17 December 1929, 8; "Davies Sums Up," *LD*, 18 December 1929, 3.
[113] "Ipswich Collieries Idle," *NMHMA*, 20 December 1929, 10. "Ipswich Mines," *NMHMA*, 21 December 1929, 10.
[114] "Some Western Pits Idle," *NMHMA*, 21 December 1929, 9; "Western Miners," *WW*, 27 December 1929, 1; "Trouble in South," *NMHMA*, 21 December 1929, 9; "South Coast Lodges Strike," *WW*, 27 December 1929, 1; "Unassociated Mines," *NMHMA*, 21 December 1929, 9.
[115] "South Coast Lodges Strike," *WW*, 27 December 1929, 1.

the usual Christmas shutdown. The timing also minimised the industrial impact. Most of the lodges resumed work on the 1930 start date as scheduled.[116]

The Federation's leadership wanted to prevent extensions in NSW, but interstate extension was a different question at this juncture. In the wake of the police shootings, the Central Executive tried to secure a favourable settlement through the Commonwealth Arbitration Court. Whether or not the court had the power to rule on the coal lockout depended on whether it affected more than one state.[117] Making the case that the dispute was of interstate significance was easier if there was industrial action outside NSW. The Federation leaders therefore favoured a slight departure from the confinement policy. They telegrammed the Wonthaggi (Victorian State Mine) lodge to ensure a stoppage there on 17 December in response to the Rothbury events.[118] The strikes in Queensland as well as at Wonthaggi strengthened the Federation's case. However, miners at Wonthaggi and Blackheath (the largest Ipswich area mine) went beyond the limited extension that Federation leaders wanted, staying out on indefinite strike for the next few days until the Christmas closure began.[119] As in NSW, though, the scheduled shutdown minimised the effect of their action and they resumed work on the New Year start date.[120]

The widespread sentiment for an all-out expressed in the aftermath of Rothbury indicated the confinement policy would be challenged. Sentiment, however, did not necessarily result in decisions to strike, as a 17 December meeting at Woonona shows. That aggregate meeting of over 1,000 South Coast miners was reportedly the largest ever held in the district. The crowd represented about a quarter of the total membership – a far lower proportion of members participating than in similar Maitland coalfields meetings, but a strong turnout as it was called at short notice.[121] Most participants in that rowdy meeting apparently favoured the all-out, cheering on those who spoke for it and heckling those against. Yet the motion for an immediate Southern District all-out was narrowly voted down (506 to 452) in favour of one that left declaring an all-out to the Federation Central Council. As Comerford commented (in relation to a similar decision of another meeting), such a declaration was unlikely.[122] Newspaper reports, however, suggest most of the crowd believed otherwise. Indeed, the meeting's chairperson, District President Fred Lowden, told them he felt certain that the council would call an industry-wide strike.[123] Perhaps he believed it, or maybe it was a manoeuvre to defeat an unwanted resolution. But a widespread and persistent sentiment could not be ignored or diverted forever.

The mood for strike action in response to Rothbury was not confined to the coalfields. In Sydney, the LCNSW organised a protest on the evening of 17 December that drew a crowd of 10,000

[116] "Demand for 'All Out' Policy," *NMHMA*, 7 January 1930, 5; "South Coast Mines," *NMHMA*, 7 January 1930, 5.
[117] This was the central question in both of the High Court challenges to Beeby's interim awards (see Chapter Five): the NSW Government and the NCA contended that it was not a genuinely interstate dispute, and the majority of the judges agreed, with Justice Isaacs the sole dissentient.
[118] "Dispute Extends," *NMHMA*, 17 December 1929, 7; "Wonthaggi Protest," *SMH*, 18 December 1929, 16.
[119] "Ipswich Mines," *NMHMA*, 21 December 1929, 10.
[120] "Wonthaggi Mine Resumes," *NMHMA*, 3 January 1930, 5; "Position in Ipswich," *Brisbane Courier*, 7 January 1930, 13.
[121] "Big Vote for 'All Out'," *WW*, 27 December 1929, 1.
[122] Comerford, *Lockout*, 371.
[123] "Will Work," *LD*, 18 December 1929, 6.

to 30,000 to Hyde Park.[124] The demonstrators responded enthusiastically to various militant speeches, and approved Jack Kavanagh's motion for a one-day protest strike on Thursday 19 December.[125] When the crowd moved towards Parliament House at the close of the meeting, participants and bystanders alike were batoned by the police. Although the stop-work demonstration did not take place, the CPA's estimate that workers would have struck if union leaders had mobilised them was probably correct (it accused Garden and other Trades Hall leaders of sabotaging the action).[126]

POLICY DEBATE

Following the battle of Rothbury, the debate over lockout policy sharpened. Leading militant lodge officials who were not in favour of an all-out before the November Compromise became keen proponents of it. It was their support for an extension given the changed conditions, not the CPA's agitation, that brought the policy into contention. These leading militants now made a concerted effort to win majority support for a general coal industry strike, and to begin implementing it locally by picketing. By contrast, the Federation's national leadership still wanted to keep the dispute within the boundaries of legality, and to use the Rothbury crisis as leverage to secure a favourable settlement. This was evident in *Labor Daily*'s appeals to miners to "hold your horses" and "sit tight and trust your leaders."[127] That sentiment was echoed by Rowley James, the MHR for the coalfields Hunter electorate who had denounced his own government's inaction in Parliament, and Jack Baddeley.[128] However, an important difference emerged between the Northern District Executive and the Central Executive: the former now favoured a form of extension, albeit a very limited one, discussed below. The Northern District Executive acted determinedly, though, to prevent any extension beyond what it approved. In January 1930, lodge delegates conferences took *de facto* control of Federation activity in the Northern coalfields: there was widespread mass picketing and miners stopped work at unassociated collieries. An extension of over three weeks' duration resulted.

For the remainder of December after the Rothbury shootings, picketing was minimal and a South Maitland extension move was short-lived. Newcastle area lodges organised a mass picket of Myall colliery. This unassociated mine near Cardiff, with a workforce of around 12, was targeted because its lessees had fired Federation members and replaced them with non-unionists. On 20 December, 2,000-3,000 miners assembled there. The lessees agreed to picketers' demands to reinstate the Federation members. A prominent unionist told the press that such demonstrations would continue until the scabs were out of Rothbury.[129] Meanwhile, South Maitland lodge officials moved to implement an all-out. They resolved that miners should withdraw from unassociated Northern District collieries, and that picketing would resume on Monday 23 December.[130] However, their plans changed when they received news of the interim award handed down by Judge Beeby,

[124] "Fierce Clashes," *NMHMA*, 18 December 1929, 7; "Bloodshed at Rothbury," *Australian Worker* (Sydney), 18 December 1929, 18. The CPA's estimate that 70,000 attended is implausible ("Police Run Amok," *WW*, 27 December 1929, 2).
[125] "Furious Baton Charge," *LD*, 18 December 1929, 1-3.
[126] "Rothbury Protest Sabotaged," *WW*, 27 December 1929, 2.
[127] "A Message to the Men of the North," *LD*, 21 December 1929, 1.
[128] "Rothbury," *NMHMA*, 23 December 1929, 7-8; Commonwealth of Australia, *Parliamentary Debates: House of Representatives Official Hansard*, 3 December 1929, 576-580.
[129] "Picketing," *NMHMA*, 21 December 1929, 9; "Miners, Two Thousand Strong, March to Mine at Cardiff," *NS*, 20 December 1929, 5; Comerford, *Lockout*, 360-361.
[130] "Conference of Lodges," *CESMR*, 20 December 1929, 7.

which ordered the mines be reopened on pre-lockout conditions pending full consideration by the Arbitration Court.[131] Miners presented themselves for work on 23 December. Despite Beeby's ruling, the colliery gates remained shut to them. Federation members at some mines picketed when they were refused work, probably in an effort to bring out the safety men, although others went straight home. Mineworkers picketed Stanford Merthyr No. 1 and Hebburn No. 2 for a few hours, while those at Aberdare Extended and other Cessnock area collieries picketed for the whole day.[132]

At the same time, debate over policy was carried out at a Miners' Federation Central Council meeting on 17-23 December. District reports showed that members in every district felt strongly about the lockout. The majority emphatically opposed Northern NSW miners accepting any wage reduction, and many members favoured a general strike. Victorian Councillor Asquith reported: "Difficulty had been experienced for some time in preventing the Victorian members from stopping [work]."[133] Three motions related to lockout policy were discussed, all on 22 December. In the first motion, the council reaffirmed its authority and an unchanged lockout policy. It noted that council was in charge between conventions and would not "recognise the right of any section or District to define the general policy," and further resolved that "the men at the non-associated collieries be informed" that the policy remained unaltered.[134] That motion indicated its concern about losing control of events and the potential for members at unassociated mines to strike. In a separate resolution, the council decided that Federation representatives on the CMUC would table a motion for the withdrawal of safety men, and that if it were rejected the Federation would leave the CMUC.[135] That resolution probably came from the 11-13 December Newcastle conference.[136] It is unclear why the council approved it since it implied a change of policy, contradicting the first motion. Perhaps it was meant as a gesture toward the agitated majority of members. However, members may not have known of it: decisions of that meeting were withheld from the press and the minutes were not sent out to lodges as they usually were.[137] Furthermore, the motion was unlikely to change anything. Since FEDFA had withdrawn from the CMUC, that body's response was inconsequential. Whether the CMUC voted for or against withdrawing safety men, such a withdrawal could not succeed without FEDFA support. The CMUC was already practically defunct.

The other policy motion the council debated indicated a difference of opinion between Northern District officials and the rest. Moved by Hoare and seconded by Northern District Councillor Dorrington, it called for members to be withdrawn from "the unassociated collieries in the Maitland District" to oppose the government operating Rothbury with scab labour.[138] This resolution was voted down 9 to 4, but it was significant because it proposed extending the dispute

[131] "Interim Award," *NMHMA*, 20 December 1929, 9.
[132] "Miners Offer for Work," *CESMR*, 24 December 1929, 5; "All Was Quiet," *CESMR*, 24 December 1929, 5.
[133] Minutes, Special meeting of Miners' Federation Central Council, 23 December 1929, item N144/1, Australasian Coal and Shale Employees' Federation (ACSEF) deposit 2, Noel Butlin Archives Centre (NBAC).
[134] Minutes, Special meeting of Miners' Federation Central Council, 22 December 1929, item N144/1, ACSEF deposit 2, NBAC.
[135] *Ibid*.
[136] A Federation representative at the CMUC said it "emanated from [the] Rank and File." Rough minutes, CMUC meeting, 8 January 1930, item E204/2/1, ACSEF deposit 1, NBAC.
[137] "No Developments," *NMHMA*, 23 December 1929, 7; Minutes, Special meeting of Miners' Federation Central Council, 23 December 1929, item N144/1, ACSEF deposit 2, NBAC.
[138] Minutes, Special meeting of Miners' Federation Central Council, 23 December 1929, item N144/1, ACSEF deposit 2, NBAC.

beyond the locked-out mines. It was qualitatively different to calls for the withdrawal of safety men from NCA mines, which left other unions responsible for escalating the dispute and taking illegal industrial action. The motion showed that Northern officials now supported the Federation taking responsibility for an extension; they had shifted under the pressure of circumstances and their members' strong feelings. The shift, however, was limited: the motion was for withdrawal from the Maitland mines specifically, not for a district-wide extension. The Newcastle unassociated mines would keep working. The majority of the council opposed even that circumscribed extension.

The council also considered a new settlement proposal from Scullin. Perhaps the owners had already indicated that they would not abide by Beeby's interim award. In any case, their defiance of the Arbitration Court was predictable: the NCA had flouted the existing award for months, despite being legally bound by it. The new federal government, like its predecessor, was unwilling to prosecute the proprietors. Scullin's compromise proposal aimed to give both sides what they wanted temporarily, pending a full award of the Arbitration Court. The mineworkers would return to work, their employers would pay reduced wage rates (the 9d per ton reduction) and the federal government would subsidise the difference in their wages until the award was finalised. The Miners' Federation Council rejected this proposal. The minutes recorded "the Council was unanimous of the opinion" that agreeing to it "would mean accepting a reduction despite the fact that an award existed."[139] Consistent with the Federation's stance throughout the lockout, it maintained that the union would adhere to the legally enforceable award. The council refused to concede in principle to a wage cut imposed by the owners rather than the court.

Central Council arranged to convene the next Northern District lodge delegates' conference on 27 December, to report back on negotiations with Scullin and to try to reassert its control. It was reasonably successful; the meeting's decisions mostly suited the Federation leadership. Although the council was formally responsible for policy, as it insisted, the debate over lockout policy was largely conducted through meetings of the Rank and File Conference between December 1929 and early February 1930. The Federation leaders implicitly acknowledged the conference's authority by convening some of its meetings (most were organised by leading lodge officials). The 27 December meeting, like that of 11-13 December, met at Newcastle Trades Hall and involved delegates from lodges throughout the Northern District. The whole Northern Executive was present, with Hoare chairing, and Rees represented the Central Executive (Davies remained in Sydney as the High Court heard the challenge to Beeby's interim award).[140] Proceedings were held in camera, but the press was informed of the decisions, which were mixed: some favoured the militants while others bolstered the existing policy. The meeting approved the council's rejection of Scullin's subsidy offer. It also decided to establish a Labour Defence Corps, and resolved that continuous picketing should take place at all collieries. The meeting's most significant resolution upheld the confinement policy: it agreed by a narrow majority not to promulgate a general strike immediately but to let the Arbitration Court deal with the dispute. That meeting took place during a hiatus in militant activity, coinciding with the traditional fortnight's closure of collieries over the Christmas and New Year period.[141] The shutdown rendered its picketing decision ineffective: no mines were open to picket. Its rejection of an immediate all-out must have given hope to conservatives and labour movement

[139] *Ibid.*
[140] "Newcastle Men," *NMHMA*, 28 December 1929, 7.
[141] "Rothbury," *NMHMA*, 28 December 1929, 7.

moderates alike, who hoped that the "Christmas spirit" of peace would prevail on the coalfields, and that rank-and-file struggle had finished.[142] The meeting's key decision, however, only remained unchallenged for a week.

RENEWED RANK-AND-FILE STRUGGLE IN 1930

PICKETING AND EXTENSION

Activity from early January showed the lull was over: demands for an all-out were raised more insistently and mass picketing restarted. On 2 January, the Maitland coalfields delegates to the 11-13 December Newcastle conference convened in Cessnock, in the first meeting of what shortly became known as the South Maitland Rank and File Conference. It declared "the rank and file were up in arms" against the Central Council for not carrying out the resolutions of 11-13 December. In particular, the 2 January meeting condemned "the failure of the Central Council to force a general position, and their failure to order the withdrawal of the men from the unassociated collieries."[143] It appointed four delegates to visit the Western and Southern Districts to agitate for an all-out, and gave safety men notice to cease work by 10 January or face mass picketing. In contrast with the District Executive, the meeting aimed for a district-wide extension, addressing its direction to withdraw within a week to "all… Northern" safety men.[144] However, as the delegates were based in South Maitland, their extension efforts concentrated on their area first; the recommendation for continuous picketing if maintenance workers did not stop was for "Maitland district" lodges specifically.[145] The delegates' resolution was backed up by members' meetings on 6 January calling for an all-out policy: a combined meeting of Richmond Main and Pelaw Main at Kurri, and Coalcliff and Scarborough lodge meetings in the Southern District.[146] The support for extension that those meetings indicated, however, was not universal, and sentiment in favour of an all-out policy did not necessarily result in stoppages. At Bulli a Southern District aggregate meeting on 5 January decided to resume work, rejecting the Northern delegates' appeal for strike action.[147]

It was in this context, in the second week of January, that the CMUC considered the Federation Central Council's resolution for the withdrawal of safety men. It was narrowly carried, by eight votes to seven: the Federation representatives' block vote decided the matter, while the craft union representatives opposed it.[148] The *Newcastle Morning Herald* reported this, somewhat disingenuously, as an endorsement of the all-out policy.[149] This was stretching the general understanding of the term "all-out" (although arguably ambiguous, it was not usually used to refer to withdrawal of all labour from the locked-out mines), and other papers did not report it as such.

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[142] "Rothbury Christmas," *NS*, 26 December 1929, 2; "Spirit of Xmas," *LD*, 23 December 1929, 5; "Xmas Spirit, ALP, Arbitration Used," *WW*, 27 December 1929, 1.
[143] "Cessnock Conference," *NMHMA*, 3 January 1930, 5; "Criticism of Executive," *SMH*, 3 January 1930, 11.
[144] "Cessnock Conference," *NMHMA*, 3 January 1930, 5.
[145] *Ibid.*
[146] "Demand for 'All Out' Policy," *NMHMA*, 7 January 1930, 5; "Big Lodges Demand 'All Out'," *WW*, 10 January 1930, 1.
[147] "South Coast Mines," *NMHMA*, 7 January 1930, 5.
[148] Rough minutes, CMUC meeting, 8 January 1930, item E204/2/1, ACSEF deposit 1, NBAC; "Safety Men," *SMH*, 9 January 1930, 11-12.
[149] "'All Out'," *NMHMA*, 9 January 1930, 7.

Similarly, Dixson interpreted the Central Council's vote for the motion as a shift by the leadership towards the all-out policy, under the influence of rank-and-file sentiment.[150] That reading, however, overstates the resolution's significance, particularly given it was withheld from the media. At the CMUC, Federation representatives evidently considered themselves obliged to vote for the council's resolution, but they were probably embarrassed by the threat it contained to break up the combined unions body if the committee did not approve it. Indeed, Southern District Vice-President Keller moved that the matter be left in abeyance (though he later retracted). The Miners' representatives therefore appeared divided on the question, despite voting together. Although the press speculated that the Federation might enforce it, the decision was inconsequential. FEDFA threatened to precipitate a state-wide stoppage if anyone interfered with its members, and it was soon clear that the remaining craft unions would not withdraw from the mines because of the resolution.[151] By contrast, the Rank and File Conference decisions had a practical impact.

On Friday 10 January, the notice that the South Maitland Rank and File Conference had given the safety men to stop work or face pickets expired, and miners hence resumed mass picketing, prompting a withdrawal of FEDFA members. The mass pickets restarted that day with a spectacular manoeuvre that became known as the Ashtonfields feint. Miners on both the Maitland and Newcastle fields assembled before daybreak with a stated aim of marching to Rothbury. Up to 5,000 set off in that direction from Cessnock, plus around 4,000 from Kurri, each followed by a large contingent of police.[152] But the actual purpose of those marches, known only to a small number of lodge officials, was to divert the police from the miners' real target. The two South Maitland contingents stopped halfway, then returned home. Newcastle coalfields miners were informed en route that they were marching on Ashtonfields instead. Although Ashtonfields was only a small unassociated mine (normally employing around 40 people), it was a longstanding problem for the Federation: as a result of a dispute prior to the lockout, it was staffed by about 20 scabs.[153] Between 3,000 and 6,000 picketers amassed at Ashtonfields around the same time as the scabs arrived. A few of them were "roughly handled": picketers stripped off the scabs' clothes, chased them naked through the bush, burnt their clothes and wrecked their bikes and a sulky.[154] Bob Kaiser and another miner went through the scabs' clothes to claim their money for the union. As former Miners' Federation General President Evan Phillips remarked, it was a unique circumstance, "probably the only time that scabs have made donations to the strike funds."[155] The small number of police present made little attempt to intervene. The manager agreed to dismiss the scabs and reinstate the unionists.[156]

Miners could not realistically attempt another mass march on Rothbury, so anger at the scab operation there was directed against small non-union pits like Myall and Ashtonfields. Although daily mass picketing of Rothbury had been planned, it could not go ahead after the 16 December clash.[157]

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[150] Dixson, "Strike and Lockout," 212-213, 215.
[151] "To Carry On," *NS*, 9 January 1930, 5; "Will Retaliate," *NS*, 9 January 1930, 5.
[152] "March from Cessnock," *NMHMA*, 11 January 1930, 9; "Kurri Kurri Miners," *NMHMA*, 11 January 1930, 9.
[153] Comerford, *Lockout*, 362-363.
[154] "Miners' Strategic Move," *CESMR*, 10 January 1930, 5; "March Diverted," *NMHMA*, 11 January 1930, 9.
[155] Moore, Gorman and Harrison, *At the Coalface*, 103.
[156] Comerford, *Lockout*, 362-364. Any deal reached that day did not last though; three weeks later the scabs started back ("Ashtonfields Men, Who Were Driven Off, Resume Work," *NS*, 4 February 1930, 5).
[157] Dixson was mistaken in stating that there were daily mass pickets at Rothbury (Dixson, "Strike and Lockout," 210; Dixson, "Rothbury," 24).

Members of the Rothbury lodge maintained a small-scale presence around the mine, mainly to keep watch of events.[158] This was referred to as picketing, but, as the *Newcastle Sun* observed, it was "merely a gesture – a passive protest against the employment of the volunteers."[159] The colliery camp was heavily fortified, with a large police presence permanently stationed there. A police officer described the mine as "impregnable against any attack of civilians": "The defence… was carried out on military lines, with barbed wire entanglements, two machine guns, rifles, and revolvers."[160] One returned soldier thought "it would be an act of suicide" to attack it; Comerford considered the miners would have been massacred had they reached Rothbury on 10 January.[161] Their assessments are sound, given the property's fortification and the belligerence of the Bavin government and its police. Yet such was their anger and determination that mineworkers were willing, even keen, to return to Rothbury. Comerford remembered the instruction to return home was unpopular that day; many only obeyed at the behest of Bill McBlane, who hinted they would be pleased to discover what had happened.[162]

The Ashtonfields feint boosted miners' morale enormously. They felt, as one picketer told a reporter, that "We have fixed Ashtonfields for all time. The 'scabs' will not come back here."[163] They had not only cleared out a nest of scabs but outwitted the police command.[164] Unionists were encouraged to further picketing efforts. By the evening of 12 January, the town of Bellbird was in darkness because the colliery that supplied its electricity was being picketed.[165] Over the following two days, pickets were most active on the Newcastle coalfields. The result was that safety men withdrew from four NCA mines on Monday 13 January: Stockton Borehole and Seaham No. 1, which had employed 482 and 359 men respectively when the lockout started, and two smaller pits, Northumberland Nos. 1 and 2.[166] Practically all Newcastle mines were picketed on 14 January. Pickets convinced safety men to cease, notably at three of the larger mines, which normally employed 300-500 men: Burwood, where 400 picketers including 50 Rothbury miners assembled at dawn; Wallsend, which supplied power to two unassociated mines; and Killingworth.[167] Meanwhile in South Maitland, 200-250 Abermain No. 2 lodge members picketed that mine.[168] They were awaiting the safety men's decision when police ordered them to leave; the miners complied, believing they had achieved their objective. The FEDFA executive followed through on its earlier threat on 14 January: it instructed its entire Northern District membership to withdraw from the mines since some had already ceased work because of picketing.[169]

[158] "New Hope," *NS*, 27 December 1929, 5; "Rothbury," *NMHMA*, 30 December 1929, 5.
[159] "Award Claims," *NS*, 28 December 1929, 7.
[160] "At Rothbury," *NMHMA*, 11 January 1930, 9.
[161] *Ibid.*; Comerford, *Lockout*, 361.
[162] Comerford, *Lockout*, 361-362.
[163] "March Diverted," *NMHMA*, 11 January 1930, 9.
[164] Comerford, *Lockout*, 364.
[165] "Bellbird in Darkness," *NMHMA*, 13 January 1930, 7.
[166] "To Cease Work," *NMHMA*, 14 January 1930, 5; "Safety Men Out," *CESMR*, 14 January 1930, 2; "Safety Men Withdrawn from All Pits on Newcastle Field," *NS*, 14 January 1930, 5; "Thousands of Miners Dismissed," *LD*, 16 February 1929, 1.
[167] "Safety Men Withdrawn…," *NS*, 14 January 1930, 5; "Busy Day for Pickets," *NMHMA*, 15 January 1930, 7.
[168] "At Cessnock," *NS*, 14 January 1930, 5; "On Maitland Field," *NMHMA*, 15 January 1930, 7.
[169] "'Cease at Once'," *NMHMA*, 15 January 1930, 7.

On 15 January, thousands participated in mass pickets on the Maitland coalfields. About 200 John Darling lodge members also picketed their mine on the Newcastle coalfields.[170] There were three large marches: between 1,500 and 2,500 miners assembled at Cessnock at dawn to march to Abermain No. 2; another 800-1,000 gathered at Bellbird to picket Paxton; while Abermain No. 1, Neath and Hebburn miners formed a third contingent of 1,000 to 3,000.[171] Crowds of women cheered on the miners in each place, and some Cessnock women joined the march. These mass pickets were all broken up by a flying squad of about 100 police that baton-charged them. The police arrived in motor vehicles, including a commandeered bus, and attacked the unionists viciously and suddenly, without warning. The Cessnock miners were batoned first, before they had reached Abermain No. 2; further police attacks followed at Abermain No. 1 and Hebburn No. 2 (that march had divided into two sections); miners returning from Paxton also faced batons. The police then attacked miners dispersing from a meeting at Kurri Kurri Park. Between 2,000 and 3,000 from Richmond Main, Pelaw Main and Stanford Merthyr lodges had gathered at dawn, marched around the town, then held a meeting. They did not plan to picket, and only a few hundred remained at 8am when police baton-charged. Bystanders including women and children were caught up in this attack. Three miners were hospitalised that day, scores more were injured, and ten were arrested for unlawful assembly.[172] These baton charges were evidently terrifying; decades later, those who had been present vividly remembered police brutality, and men scattering in all directions.[173] One eyewitness remembered some police behaving "like fiends rather than men."[174] Wednesday 15 January marked the end of the mass pickets; lodge officials did not call further actions so as to avoid clashes with the police.[175] Miners' Federation discipline was the decisive factor in halting demonstrations. A *Newcastle Morning Herald* reporter considered that the heavy police presence alone would not have sufficed; it was "fear of drastic action being taken against them by their organisation" that restrained the "many hotheads."[176]

The Rank and File Conference decisions and the ensuing picketing resulted in an extension that lasted for three-and-a-half weeks at most of the mines involved. The Maitland and Newcastle fields were affected in different ways since the earlier extension of the lockout to the South Maitland FEDFA men had created substantial differences between the two. In South Maitland, the January extension to unassociated mines was caused mainly by Miners' Federation members' actions. FEDFA members had not worked at those mines since their withdrawal in response to the cessation of the railway service.[177] At three mines, Glen Ayr and Ayrfield Nos. 1 and 2, miners ceased

[170] Newspapers did not report it at the time, but they did so later when 31 men were charged with unlawful assembly over that picket. "All Quiet on Lower Fields," *LD*, 16 January 1930; "Miners Were Orderly" *LD*, 18 February 1930, 6; Comerford, *Lockout*, 391-392.
[171] "Swift Baton Charges Scatter Marching Miners," *NS*, 15 January 1930, 1; "Surprise Baton Charges Break Miners' Marches," *Sun*, 15 January 1930, 1; "Baton Charges," *NMHMA*, 16 January 1930, 7; "'Cease Bashing!' Plead Sergeants of Police," *LD*, 16 January 1930, 1; "Miners Batoned by Police," *CESMR*, 17 January 1930, 1; Comerford, *Lockout*, 385-390.
[172] "'Cease Bashing!'…," *LD*, 16 January 1930, 1; "At Abermain," *NMHMA*, 16 January 1930, 7.
[173] Comerford, *Lockout*, 388; Hanley, *Lockout: Weston*, 64; Moore, Gorman and Harrison, *Back at the Coalface*, 33.
[174] Edgar Ross, "Reign of Terror," *Common Cause*, 12 December 1959, 7.
[175] "Miners' Federation Bans Mass Picketing Demonstrations," *NS*, 16 January 1930, 7.
[176] "All Quiet," *NMHMA*, 25 January 1930, 9.
[177] "Position Defined," *NMHMA*, 4 February 1930, 5.

work on 13 January after lodge officials from Kurri addressed them in a combined meeting.[178] Operations shut down at Millfield-Greta around the same time, although it is unclear whether that was due to strike action or management closing the pit to avoid trouble from anticipated picketing.[179] By 1 February, the owners had decided to reopen the mine, and the lodge, having rejected the all-out policy almost unanimously, agreed to resume.[180] But on 3 February the Millfield-Greta miners changed their minds, resolving to try to have the South Maitland railway service restarted before they returned.[181] They decided this at a combined meeting with miners from Greta Main, an unassociated colliery where operations had ceased when the railway service stopped. Although this move had the potential to benefit FEDFA members too, they refused to co-operate in it, making the extent of the rift between the two unions at the local level apparent. A representative of the Cessnock FEDFA sub-branch declared they would not restart haulage of coal on the railway line until two of their former members, who had defected to the Federation to continue to work at Millfield-Greta, were kicked out. The attempt to secure the reopening of the railway was unsuccessful. Millfield-Greta management brought the miners under pressure by hiring four new men, reportedly members of the Federation but not of the lodge.[182] This extension in South Maitland mines ended on 6 February after the Federation Central Council instructed all members at unassociated mines to return to work. At the same time, work restarted at New Greta, which had been idle since 6 December due to two miners being dismissed for allegedly filling dirty coal.[183]

The extension was more dramatic on the Newcastle coalfields, because of greater potential for irreversible damage to some mines, conflict between FEDFA and the Miners' Federation, and dissent within FEDFA. As noted, a cessation by the safety men could raise the stakes in a dispute because they performed essential maintenance duties, including keeping the workings free of water and gases. Where they stopped work, maintenance operations continued only to the extent that managers and staff could carry them out. At some mines, they would be able to cope, but at others adequate maintenance would be an impossible task without engaging outside (i.e. scab) skilled labour.[184] Wallsend (west of Newcastle) was one NCA mine where safety men ceased due to picketing. This affected two unassociated mines, Jesmond and Elermore, which were powered by Wallsend: their managers closed down operations a day before the anticipated picket.[185] Grave concerns were expressed that without the pumps operating, Wallsend C pit and surrounding mines would quickly flood. Burwood (south of Newcastle) was also in danger of flooding.[186] If the Wallsend C workings were water-logged, it would not be economically viable to restore the pit, and it would close permanently, causing the loss of about 500 jobs.[187] Thus although the Wallsend lodge had

[178] "Unassociated Pits," *NMHMA*, 14 January 1930, 6; "Miners Return Home," *CESMR*, 14 January 1930, 3.
[179] The 9 January Rank and File Conference resolved to picket Millfield-Greta in the next few days ("Hotels Black," *NMHMA*, 10 January 1930, 7). Coverage of the cessation there was omitted from newspapers, probably crowded out by more momentous stories.
[180] "Millfield-Greta," *NS*, 1 February 1930, 6; "Rejected," *LD*, 25 January 1930, 1; "Millfield-Greta Miners," *NMHMA*, 3 February 1930, 7.
[181] "Did Not Start," *NS*, 3 February 1930, 5; "Reopening Railway," *NMHMA*, 4 February 1930, 5.
[182] "Four on Coal," *NMHMA*, 5 February 1930, 7.
[183] "Ayrfields Working," *NS*, 6 February 1930, 7; "Millfield-Greta," *NMHMA*, 6 February 1930, 7; "Back at Work," *NS*, 6 February 1930, 7; "Back to Work," *NMHMA*, 7 February 1930, 9.
[184] "To Carry On," *NS*, 9 January 1930, 5; "Newcastle Mines," *NS*, 13 January 1930, 7.
[185] "Permanent Closure," *NMHMA*, 14 January 1930, 5.
[186] "Safety Men Withdrawn…," *NS*, 14 January 1930, 5.
[187] "Newcastle Field," *NS*, 16 January 1930, 7; "Causing Alarm," *NS*, 17 January 1930, 7.

voted for continuous picketing on 13 January in line with the CMUC decision, two days later it sought permission from union leaders to allow Wallsend safety men to resume.[188] The following week, it recommended that miners should not prevent engine-drivers and firemen from returning to duty at Wallsend.[189] Although FEDFA members did not resume there until the night of 4 February, following their union executive's direction, Wallsend locals breathed "sighs of relief" when pumping was restarted by staff on 28 January.[190] There were no comparable concerns about flooding at the South Maitland mines, although on that coalfield Ayrfield No. 2 was sealed as a safety precaution because a fire had occurred in adjacent workings a few years before.[191]

The FEDFA executive's 14 January withdrawal order brought it directly into conflict with the Miners' Federation leaders over the operation of the Newcastle coalfields unassociated mines. While miners' picketing mainly affected the locked-out mines, FEDFA's instruction was the chief cause of coal production ceasing at unassociated mines, including Dudley, New Lambton, and Cardiff Borehole. Wallarah, which employed over 450 men and was one of only two NCA collieries not to participate in the lockout, also shut down because of FEDFA's order.[192] The executive's aim was most likely to force the Federation to end the picketing, which would replicate its success in June 1929 when threatening an industry-wide stoppage had sufficed. But it underestimated two factors: the potential for members to oppose the tactic, and the Federation officials' determination for production to continue at the Newcastle unassociated mines and Wallarah. Northern District officials, as noted, favoured an extension to the Maitland unassociated mines, but they would not countenance extension to those on the Newcastle fields. Federation leaders were not willing to forgo the lockout relief levy paid by members working at those mines. The value of that income from Cardiff Borehole and Dudley miners, for example, was about £300 and £400 a fortnight respectively.[193]

The withdrawal instruction generated considerable disagreement among FEDFA members, which Federation leaders made efforts to inflame, encouraging them to defy it. Discontent was evident among members working in other industries at two meetings: a Sydney FEDFA branches' meeting that called for the union to re-join the CMUC, and a Newcastle FEDFA sub-branch meeting that declared its opposition to engine-drivers being withdrawn from unassociated mines.[194] Newcastle members were concerned that a lack of coal supplies might throw them out of work, but also believed the engine-drivers should stand in solidarity with the miners and considered the withdrawal a vindictive measure.[195] FEDFA members in the coal industry generally did not think they should be withdrawn, because managers and staff would simply replace them: they would lose their jobs and it would achieve nothing.[196] Their concern over being displaced, or perhaps concern over lasting damage to colliery workings in some places, predisposed them to return to work in spite of

[188] "Keep it Going," *NS*, 15 January 1930, 7.
[189] "Consideration at Wallsend," *NMHMA*, 22 January 1930, 8.
[190] "Wallsend Colliery," *NMHMA*, 29 January 1930, 8; "Pumps Start," *NS*, 28 January 1930, 5; "On Dog Watch," *NMHMA*, 5 February 1930, 7.
[191] "Sealed Down," *NS*, 31 January 1930, 7.
[192] "FEDFA Action," *NS*, 14 January 1930, 5.
[193] "Back to Work," *NS*, 30 January 1930, 7.
[194] "Enginemen," *LD*, 16 January 1930, 5; "Action Not Endorsed," *NMHMA*, 28 January 1930, 4; "Join Miners," *NS*, 28 January 1930, 5.
[195] "With the Miners," *NS*, 29 January 1930, 5.
[196] "To Carry On," *NS*, 9 January 1930, 5.

their executive's order. Miners' Federation leaders used this, visiting various mines to try to convince the engine-drivers and firemen to resume. Hoare went to Cardiff Borehole for that purpose, and was expected to invite the engine-drivers to join the Federation if FEDFA refused them permission to return to their jobs.[197]

Miners' Federation officials sought to undermine FEDFA's withdrawal move not only by persuading engine-drivers to ignore it, but even – disgracefully – by organising some of their members to scab on the FEDFA strikers. According to FEDFA organiser Sutherland on 16 January, miners had filled his members' jobs at New Lambton.[198] The next day, South Wallsend tunnel (part of the Cardiff Borehole mine) resumed with Federation members replacing the safety men.[199] Cardiff Borehole lodge had reportedly decided to supply the necessary deputies and engine-drivers from its own ranks.[200] H. Wilson, Chairman of the Newcastle Deputies and Shotfirers' Association, denounced the "decision of the Northern Miners' Federation to supply blackleg labour" at those two mines as "on a par with what the State Government has done at Rothbury."[201] Sutherland was equally scathing, describing the miners' rank and file as hypocritical.[202] The Federation neither refuted the reports nor replied to the craft union leaders' comments. Evidence of the Federation's unprincipled actions comes not only from the craft unions, but also from statements of its members. A combined meeting of Richmond Main, Pelaw Main, and Stanford Merthyr lodges was convened on 17 February to consider the FEDFA Kurri sub-branch's reply to their lodges' deputation. The engine-drivers wanted "black" labour removed from unassociated pits. Bill McBlane supported their request, commenting: "The miners' executive was responsible for 'scabs' taking the places of the engine-drivers at the unassociated pits."[203] Tommy O'Toole agreed the Central Council's policy had given rise to a lot of abuses; they were "scabbing on one another" to get the levy.[204] He suggested the meeting send the council a recommendation to withdraw all members doing engine-drivers' work at unassociated mines. The meeting resolved to "do all in our power to prevent scabbing of any kind."[205] The leading lodge officials' words cannot easily be dismissed; they confirm the Federation scabbed on the safety men. This did not last long on the Newcastle field: New Lambton was idle again on 20 January, while the South Wallsend tunnel was worked until Saturday 25 January, but not in the following week.[206]

FEDFA strikers were under increasing pressure as Miners' Federation members, managers or staff displaced them, and they began to succumb. Operations restarted at New Lambton on 21 January, with a manager in charge of the winding equipment.[207] A week later, staff were operating the pumps at Wallsend.[208] FEDFA members at Wallarah were the first to act against their executive's

[197] "Back to Work," *NS*, 30 January 1930, 7; "Dudley Resumes," *NMHMA*, 31 January 1930, 9.
[198] "Enginemen's Jobs," *NS*, 16 January 1930, 7.
[199] "Resumed Work," *NS*, 17 January 1930, 7.
[200] "Miners to Work," *NS*, 16 January 1930, 7.
[201] "Safety Men," *NMHMA*, 17 January 1930, 8.
[202] "Colliery Engine-Drivers," *NMHMA*, 18 January 1930, 9.
[203] "No Free Labour," *NMHMA*, 18 February 1930, 7.
[204] *Ibid.*
[205] *Ibid.*
[206] "Unassociated Pits," *NS*, 20 January 1930, 4; "Engine-Men Meet," *NMHMA*, 21 January 1930, 5; "Dudley Resumes," *NMHMA*, 31 January 1930, 9.
[207] "Picketing Hint," *NMHMA*, 22 January 1930, 8.
[208] "Pumps Start," *NS*, 28 January 1930, 5.

instruction, resuming work on 20 January, less than a week after they were called out.[209] Dudley engine-drivers did likewise on Thursday 30 January, followed a day later by their New Lambton counterparts.[210] Cardiff Borehole FEDFA members then decided to resume on the following Monday, 3 February.[211] A FEDFA meeting in Newcastle on 2 February resolved that members at unassociated collieries on the Maitland and Newcastle fields should be directed to return to work.[212] As union discipline had already collapsed at the Newcastle unassociated mines, FEDFA's executive conceded, issuing instructions on 4 February for members to resume at all mines. By that stage, there had been no mass pickets for two weeks, so FEDFA leaders were no longer concerned about their members being forced off the job.[213] Members at NCA mines and Newcastle unassociated collieries agreed to return, or had already done so. On the Maitland coalfields, however, the question of unassociated mines remained unresolved given the circumstances arising from the South Maitland railways cessation.[214]

Meanwhile, debate over policy continued within the Miners' Federation throughout NSW. Until mid-January there was significant support for an industry-wide extension, but thereafter the tide turned against it. With the Southern District Delegate Board due to consider the matter on 14 January, Southern lodges were divided: the delegates of five lodges were instructed to oppose the all-out, while four others were pledged to support it.[215] The Board's resolutions were indicative of the mood: it decided to recommend that the Central Council declare an industry-wide strike, but opposed an immediate Southern District strike, by a large majority in both cases.[216] There was sentiment in favour of extension, yet outside the Northern District it was tempered by a reluctance to precipitate it. *Workers' Weekly* considered the Southern District decision "causes confusion," arguing "sincere advocates of 'all-out'" should not wait for the "treacherous" council but take action immediately.[217] In the wake of FEDFA's withdrawal and the police baton-charges of 15 January, *Labor Daily* argued sharply against extension – "'All Out' Would Be Sheer Suicide," proclaimed one headline – while coalfields parliamentarians James and Baddeley reiterated their calls for calm.[218] In the Western District, *Workers' Weekly* counted 20 lodges in favour of the all-out by 16 January, compared with two against; the latter, however, were two of the largest, at State Mine and Vale of Clwydd No. 2.[219] The following week saw various Northern District lodges rejecting the all-out policy. Large and influential lodges set the tone: Abermain No. 1 voted it down unanimously, then Hebburn Nos. 1 and 2 opposed it by a small majority, with smaller lodges following suit.[220] By the time the Central Council next met, it was already evident that an industry-wide strike would not be brought into effect. Thus the main significance of its 5 February decision to reaffirm the original policy was as

[209] "Wallarah Colliery," *NMHMA*, 20 January 1930, 8; "Union Action?" *NS*, 21 January 1930, 5.
[210] "Dudley Resumes," *NMHMA*, 31 January 1930, 9; "Back at Work," *NS*, 31 January 1930, 7.
[211] "Work on Monday," *NMHMA*, 1 February 1930, 10; "Back at Work," *NMHMA*, 4 February 1930, 5.
[212] "To Resume," *NMHMA*, 3 February 1930, 7.
[213] "All Go Back," *NS*, 4 February 1930, 5; "May Resume Work," *NMHMA*, 5 February 1930, 7.
[214] "Cessnock View," *NMHMA*, 5 February 1930, 7.
[215] "'All-Out' Policy," *NMHMA*, 13 January 1930, 7.
[216] "Federal Council to Say," *NMHMA*, 15 January 1930, 8.
[217] "Rank and File Must Control," *WW*, 17 January 1930, 1.
[218] "Miners! Stand Firm!" *LD*, 16 January 1930, 1; "To the Mineworkers," *LD*, 17 January 1930, 1; "The Police," *NMHMA*, 20 January 1930, 7-8.
[219] "'All Out' Called For," *WW*, 24 January 1930, 4.
[220] "Policy Rejected," *NMHMA*, 24 January 1930, 9; "Rejected," *LD*, 25 January 1930, 1; "'All-Out' Policy," *LD*, 28 January 1930, 6.

an order for immediate resumption at the unassociated Northern mines.[221] Apart from the stoppage at those mines, the rank-and-file activity had largely died down. The upsurge did not dissipate, as Dixson contended, because miners feared it might escalate into a civil war.[222] Lodge leaders, however, assessed that nothing could be gained from unarmed miners continuing to confront Bavin's police: they were outgunned and industrially isolated.

POLICE OCCUPATION AND UNIONISTS' RESPONSE

Between December and mid-February, 379 extra police were deployed to the Maitland coalfields, instituting a "reign of terror," as *Labor Daily* and Federation leaders described it.[223] Their methods included violence, harassment, and repression through legal proceedings. They exercised exceptional power under the NSW *Crimes Act*, amended in late 1929 to ban mass picketing.[224] One clause outlawed pickets of five people or more, while another arguably allowed police to crack down on public gatherings of three or more people. As noted, the police attacked and seriously injured many miners with baton charges. They also patrolled the main coalfields towns 24 hours a day, with detachments of eight keeping watch from the backs of lorries. These patrols were quick to break up any group of three or more people in the streets, heedless of their age or gender. They often used batons, even beating young adolescents.[225] A mid-January news report of men rushing to get off the streets on hearing an approaching motor vehicle (which turned out not to be the police) indicates the fear these "basher gangs," as they became known, aroused.[226] The police also raided the homes of Federation members and officers, ostensibly to search for weapons, and broke up meetings. They arrested many people on spurious or petty grounds, such as using insulting language.[227] Large numbers were charged with unlawful assembly: over 200 men faced court during January and February on charges arising from just four demonstrations (at Rothbury, Ashtonfields, Abermain and John Darling), the vast majority of whom were convicted and fined.[228] The police occupation of the coalfields lasted until the end of the lockout.[229]

While police repressed unionists, Communists were a particular target. In January, CPA members Herbert James (Bert) Huggett and Bill Laidlaw were both fined for using insulting language against the police.[230] Though many coalfields people faced court for insulting policemen, the charges against the two Communists differed in that they arose from speeches at open-air meetings (rather than in personal encounters with police). The second time Laidlaw was arrested, on 12 January while addressing a crowd of 1,000 or more in Kurri, police publicly mistreated him – nearly sparking a riot – and subsequently beat him in the cells.[231] Joe Shelley, recently elected to the CPA's Central

[221] "Unassociated Pits," *NMHMA*, 6 February 1930, 7.
[222] Dixson, "Rothbury," 24-26.
[223] "Huge Cost of Armed Force," *LD*, 20 February 1930, 1; "Police Reign of Terror," *LD*, 25 January 1930, 1; Edgar Ross, "Reign of Terror," *Common Cause*, 12 December 1959, 7; Comerford, *Lockout*, 377.
[224] "Crimes Act," *SMH*, 16 December 1929, 11.
[225] Edgar Ross, "Reign of Terror," *Common Cause*, 12 December 1959, 7; Lowenstein, *Weevils in the Flour*, 79; Comerford, *Lockout*, 377; Moore, Gorman and Harrison, *Back at the Coalface*, 30, 37.
[226] "Not the Flying Squad," *CESMR*, 17 January 1930, 5; Hanley, *Lockout: Weston*, 63-65.
[227] Comerford, *Lockout*, 377-390; Metcalfe, *For Freedom*, 151-154.
[228] See Appendix 5.
[229] Comerford, *Lockout*, 474-475.
[230] "Cessnock Street Incident," *NMHMA*, 8 January 1930, 8; "Insulting Words," *NMHMA*, 25 January 1930, 10.
[231] "Police Stoned," *NMHMA*, 13 January 1930, 7; "Battered in Cells," *WW*, 17 January 1930, 1; Comerford, *Lockout*, 380-382.

Committee (CC), faced more serious charges.[232] Police accused him of incitement to murder over a speech at Kurri, alleging he urged the audience of 400-500 to return to Rothbury armed with rifles, bayonets and milk-tin bombs. His conviction on that charge represented a sharp escalation of repression. Magistrate Reed implicitly acknowledged this, commenting that in ordinary times, Shelley's words would be considered merely "the vapourings of a Communist," but in the present context such agitation was dangerous.[233] Shelley was sentenced to five months' jail on 24 January: his initial sentence of two months was more than doubled when he refused to enter into a good behaviour bond.[234]

As union activity quietened by mid-February, police concentrated on the Communists: they were determined to drive their organisers off the coalfields, and in Kurri, they systematically shut down CPA meetings.[235] Bill Orr, another CC member, was also charged with incitement to murder over a 16 February speech in Cessnock, accused of making statements similar to Shelley's. He, however, was given the benefit of the doubt after he contended, and witnesses corroborated, that he had been speaking about his experiences in the Highland Light Infantry, rather than urging violence. Reed expressed abhorrence of the doctrines Orr advocated, but shied away from convicting a war veteran discussing his military service.[236] The police also tried to order leading CPA members out of the area: Edward Paton and Norman Jeffery were both given 24 hours to leave on separate occasions in late February. Police also prevented Jeffery from addressing a Kurri meeting, prompting protest action by the two Hebburn lodges against the suppression of free speech.[237] Communists were not the only ones prosecuted over the contents of their speeches. Sensationally, Labor parliamentarians Rowley James and Jack Baddeley were summonsed in February for insulting language over comments about police at a demonstration on 18 January.[238] However, charges against both were dismissed.[239] The CPA leaders, in contrast, faced exceptionally severe charges: Shelley and Orr alone were charged with incitement to murder.

Intimidation was the intended effect of the heavy police presence, which angered and embittered miners and the broader coalfields community. Police complained of hostility towards them.[240] Outside or "imported" police were particularly hated; many who lived through the events later drew a distinction between them and the local police.[241] The two cohorts must have differed sometimes: for example, *Labor Daily* and Rowley James credited local Sergeants Wilmott and

[232] From the December 1929 conference, the CEC was generally called the CC. See Introduction, footnote 10.
[233] "Five Months' Gaol," *NMHMA*, 25 January 1930, 10.
[234] *Ibid.*; "Joe Shelley, Communist Organiser, Gaoled," *WW*, 31 January 1930, 1.
[235] "Close Watch," *NS*, 17 February 1930, 6; "Communist Meetings Suppressed," *WW*, 31 January 1930, 1; Comerford, *Lockout*, 382.
[236] "Communist's Speech," *SMH*, 26 February 1930, 15; "Frame-Up Fails," *WW*, 7 March 1930, 1; Carolyn Margaret Skinner, "Christian Jollie Smith: A Life," (PhD thesis, Macquarie University, 2008), 154.
[237] "Paton's Employment," *NMHMA*, 27 February 1930, 8; "Paton Threatened with Frame-Up," *WW*, 21 March 1930, 3; "Free Speech," *SMH*, 25 February 1930, 11; "CP Meeting," *WW*, 28 February 1930, 1; **"**Free Speech Upheld," *WW*, 7 March 1930, 1; Comerford, *Lockout*, 382-383.
[238] "'Insulting Words'," *NMHMA*, 12 February 1930, 8.
[239] "Politicians Charged," *NMHMA*, 19 February 1930, 8; "'Not Insulting'," *NMHMA*, 20 February 1930, 8.
[240] "Kurri Kurri," *NMHMA*, 9 January 1930, 8.
[241] Moore, Gorman and Harrison, *Back at the Coalface*, 37; Hanley, *Lockout: Weston*, 62.

Baumgardner with objecting to the 15 January baton charges.[242] However, coalfields residents did not necessarily draw a clear distinction at the time. For example, a motion at a Wallsend miners' meeting to have local police declared "white" was defeated.[243] A policeman who had lived in Greta for five years and whose four children attended a local school was subject to extra hostility after he gave evidence in court against miners.[244] The actions of the police changed some people's opinions profoundly: after his house was raided, Bill McBlane told a demonstration that he "used to have great respect for the police" but now considered that if Labor were elected "they should sack the lot of them."[245] Others refused to believe the imported police were regular officers, but considered them, in Tom McMahon's words, "thugs in police uniforms… toughs and no-hopers straight from the gutters of Sydney," or even "prisoners from various state gaols employed simply to control the miners by physical force."[246] They were also reputedly given rum to fuel their violence.[247]

The coalfields community resisted police repression, in unorganised as well as organised ways. The former included spontaneous expressions of hostility, such as the crowd outside a Kurri pub booing the police one late December evening.[248] The organised response, which is more relevant to this thesis, was led primarily by unionists, though not exclusively. After the 15 January baton attacks, business people convened protest meetings in Kurri and Cessnock, and lobbied for the imported police to be withdrawn from the coalfields.[249] Kurri businessmen even offered a £5,000 surety to the NSW government to guarantee the town would remain peaceful if that were done.[250] The unionists' response had two main aspects: the labour defence army and the black-ban on the police. The first was the most sensational but least effective. The second involved industrial extension and brought greater numbers of people, notably women, into the activity.

In the aftermath of the 16 December Rothbury clash, the idea of Northern District unionists organising themselves militarily gained currency. A significant proportion of the Maitland miners wanted to take up arms. Jim Comerford remembered that at Rothbury and every large gathering over the ensuing weeks the crowd demanded: "Guns, guns. Give us guns."[251] A desire for revenge was one motivation; defending themselves against police violence was the other. Initially, calls for the formation of a Labor Defence Army (LDA) came mainly from Communists, but by early January there was widespread support for it within the labour movement.[252] Charlie Nelson, CPA member and later Miners' Federation General President, advocated an LDA at the 17 December protest meeting in Lithgow, arguing that workers "could not oppose the armed forces of the State with any

[242] "'Cease Bashing!'…," *LD*, 16 January 1930, 1; "Police Break Peace Instead of Keeping It," *LD*, 17 January 1930, 1; "The Police," *NMHMA*, 20 January 1930, 7; "'Not Insulting'," *NMHMA*, 20 February 1930, 8; Comerford, *Lockout*, 388-390.
[243] "Work the Pumps!" *NS*, 21 January 1930, 5.
[244] "Bitterness of the Boycott," *National Advocate* (Bathurst, NSW), 28 January 1930, 2.
[245] "Rothbury," *NMHMA*, 23 December 1929, 7.
[246] Moore, Gorman and Harrison, *Back at the Coalface*, 30; Hanley, *Lockout: Weston*, 63; Lowenstein, *Weevils in the Flour*, 79.
[247] "Was it the Rum Issue?" *LD*, 17 January 1930, 5; Editorial: "Workers' Defence," *WW*, 24 January 1930, 2; Lowenstein, *Weevils in the Flour*, 79; Comerford, *Lockout*, 390.
[248] "Kurri Kurri," *NMHMA*, 9 January 1930, 8.
[249] "Protest Meeting," *NMHMA*, 17 January 1930, 7; "The Police," *NMHMA*, 20 January 1930, 7.
[250] "Kurri Citizens Offer Bond of £5000 If Police Are Withdrawn," *NS*, 21 January 1930, 5.
[251] Comerford, *Lockout*, 331, 333, 346, 358, 383.
[252] "Rank and File Leadership to Widen Struggle," *WW*, 20 December 1929, 1; Editorial: "Workers' Defence Force," *WW*, 27 December 1929, 2.

prospect of success unless they were organised."[253] The meeting of 600-800 miners unanimously supported a motion implicitly endorsing the LDA, pledging to "support our [Northern] comrades in any action they may take to safeguard their conditions and put up an effective resistance against the armed forces of the State."[254] Dixson and Comerford both attributed the resolution to J.B. Chifley (Labor MHR for Macquarie and later Prime Minister), suggesting he endorsed the LDA idea, but this is mistaken.[255] The *Sydney Morning Herald* report disingenuously associated Chifley with the resolution, but it was actually moved by Nelson.[256] Chifley in fact distanced himself from the LDA concept, arguing that "suggestions of violence… would not help the fight one iota," and appealing to the miners to remain level-headed "for Heaven's sake."[257] Most labour movement leaders were not prepared to suggest that workers should take up arms at that stage.[258]

However, *Labor Daily* backed the LDA from January, once it was evident that a decision of the 27 December Northern lodge delegates' meeting endorsing its formation would be implemented, devoting front page coverage to it.[259] Where the CPA saw the formation of the LDA as a step in improving working-class organisation for escalating class struggle, Federation leaders probably approved it as a harmless safety valve; drilling with broom handles would allow miners to let off steam without threatening the confinement policy. *Labor Daily*'s support for the LDA was connected with its project of drawing a distinction between the federal Labor government and the NSW state Opposition, to retain workers' support for the latter in the wake of Scullin's betrayal. Scullin refused to take over the mines on the grounds that the federal government lacked the constitutional power to do so. Lang replied that the government should act decisively and figure out the legalities later.[260] When Bavin objected to the LDA, calling it "unlawful and unnecessary," *Labor Daily* responded that unconstitutional action could be effective and defended the LDA as justified by the circumstances.[261] Soldiers had been told the country would be fit for heroes, but now Cessnock ex-soldiers believed "they have been sold into bondage by the blessed constitution"; thus, faced with the wage-smashing efforts of the coal barons and Bavin's government, they took action themselves.[262] *Labor Daily* argued further that the LDA initiative "must make the Federal Labor Government sit up and take notice."[263]

Organisation of the LDA began in the second week of January with two meetings of coalfields war veterans. The first was convened at Kurri Kurri on 7 January, chaired by CPA member Jock Easton.[264] Four hundred returned servicemen attended; discharge papers were required to

[253] "Miners' Mass Meeting," *Lithgow Mercury* (NSW), 18 December 1929, 2.
[254] *Ibid.*
[255] Dixson, "Strike and Lockout," 203-204; Comerford, *Lockout*, 357.
[256] "Lithgow Miners' Protest," *SMH*, 18 December 1929, 16.
[257] "Miners' Mass Meeting," *Lithgow Mercury*, 18 December 1929, 2; "Mass Protest," *LD*, 18 December 1929, 3.
[258] "What Trades Unionists Think of it All," *LD*, 17 December 1929, 6.
[259] "Newcastle Men," *NMHMA*, 28 December 1929, 7; "Workers Form Defence Corps," *LD*, 4 January 1930, 1; "Diggers," *LD*, 8 January 1930, 1; "Ex-Soldier's Army," *LD*, 9 January 1930, 1; "Another 350," *LD*, 9 January 1930, 1.
[260] "Mr. Scullin Firm," *NMHMA*, 23 December 1929, 9; "Mr. Lang's Advice," *NMHMA*, 23 December 1929, 9; "Action Wanted," *NMHMA*, 23 January 1930, 9.
[261] "Ex-Soldier's Army," *LD*, 9 January 1930, 1.
[262] *Ibid.*
[263] "Their Solemn Pledge," *LD*, 15 January 1930, 5.
[264] Comerford, *Lockout*, 358.

enter the meeting. Those assembled expressed "disgust" at the actions of the employers and the Bavin government in attempting to reduce living standards.[265] They declared that they felt their wartime sacrifices were "made in vain," and any action they took in future would "be in the interests of the working class," pledging to fight however the Miners' Federation directed.[266] The second meeting, involving 350 returned soldiers at Cessnock the following day, carried resolutions along the same lines. It decided not to restrict membership to those with war experience, but to invite "young and able men" from the miners' ranks to enlist, appointing a sub-committee to devise a training scheme.[267] The next night, a meeting of New Greta lodge (not limited to ex-servicemen) decided likewise to form a labour defence force in Greta.[268] War veteran miners displayed their parade-ground skills in the newly formed LDA. On 10 January, as Federation members prepared (so they thought) to march again to Rothbury, returned soldiers among them took the lead. An impressed *Cessnock Eagle* reporter described a group of "over 350 men" who had clearly had military training parading like one of the "crack battalions of the AIF [Australian Imperial Force]."[269]

The strength of militant sentiment connected with the LDA was evident at its first Cessnock outing and in its pledge. The LDA was launched in Cessnock after the Ashtonfields feint, on Sunday 12 January, with a mass meeting followed by a parade. About 1,500 men met at the Strand Theatre and decided to organise the lodges as LDA units.[270] The meeting also, according to *Workers' Weekly*, adopted a pledge for LDA members to sign, and responded enthusiastically to a message of endorsement from a meeting of miners' wives, which offered "their support in any capacity, including the formation of a women's section."[271] On learning the women's plan to march to a CPA meeting that night, the LDA decided to join them, as a guard against "police terrorism."[272] *Newcastle Morning Herald* reported that the men acted "as a guard of honour" as a group of about 200 miners' wives "led the procession the full length of Vincent-street."[273] The women carried a banner declaring "Norman Brown did not die in vain – the Workers' Army has been formed."[274] Within days, *Labor Daily* reported that "a couple of thousand determined men" had signed the pledge.[275] They swore to protect the working class against the aggression of their capitalist class enemy, and that they would never allow themselves or their children "to be used in capitalist wars against the workers of other countries."[276] They further agreed to abide by military discipline, and proclaimed that if they betrayed the trust the pledge entailed, they would face "the scorn and contempt of the entire working-class."[277] This pledge closely resembled that of the Labor Volunteer Army formed in Broken

[265] "Returned Soldiers," *MDM*, 8 January 1930, 8.
[266] *Ibid.*; "Diggers," *LD*, 8 January 1930, 1; "Returned Soldiers," *CESMR*, 10 January 1930, 2; Comerford, *Lockout*, 357-358.
[267] "Another 350," *LD*, 9 January 1930, 1; "Returned Soldier Industrialists," *CESMR*, 10 January 1930, 1; "Will Fight Only for Working Class," *WW*, 17 January 1930, 1.
[268] "Defence Force," *NMHMA*, 11 January 1930, 10.
[269] "Miners' Strategic Move," *CESMR*, 10 January 1930, 5.
[270] "Defence Corps," *NMHMA*, 13 January 1930, 7; "Labour Defence Army," *CESMR*, 14 January 1930, 1.
[271] "Labor Defence Army Stirs the Coalfields," *WW*, 17 January 1930, 1.
[272] *Ibid.*
[273] "Defence Corps," *NMHMA*, 13 January 1930, 7.
[274] "Labour Defence Army," *CESMR*, 14 January 1930, 1.
[275] "Their Solemn Pledge," *LD*, 15 January 1930, 5.
[276] *Ibid.*
[277] *Ibid.*; "Labor Defence Army…," *WW*, 17 January 1930, 1.

Hill as part of the anti-conscription campaign in 1916, suggesting the coalminers were inspired by activities of their Barrier counterparts thirteen years earlier.[278]

The formation and training of the LDA in three coalfields towns – Kurri Kurri, Cessnock, and Greta – concerned the authorities, but the effectiveness of this would-be defence force did not match their concern. The extent of co-ordination between the groups is unclear, but it was probably limited. They differed, for example, on membership requirements: the Kurri LDA was restricted to war veterans, whereas the Cessnock group was open to other unionists.[279] The spectacle of miners, many of whom were Great War veterans, practising the parade ground drill must have impressed onlookers and worried their opponents. Newspapers reported the Cessnock LDA's initial drill: about 2,000 men, mostly Aberdare and Aberdare Extended lodge members, were divided into companies that each drilled under the command of a returned soldier, while a crowd of up to 200 women cheered them on.[280] But the LDA lacked arms: the miners drilled either empty handed or using broomsticks, pick handles or short saplings.[281] Comerford remembered each drill ended with them shouting that they wanted guns. Although many miners had owned guns (they hunted on weekends), police confiscated them in raids after Rothbury, and any overlooked were hidden in the bush.[282] Furthermore, authorities prohibited the sale of firearms and ammunition on the coalfields.[283] The state government's concern about the LDA was evident in its efforts to curb "unauthorised drilling": it threatened to deny food relief to anyone who participated, and called on Scullin to proclaim it forbidden to facilitate prosecutions under the federal *Crimes Act*.[284] Yet although the LDA featured at demonstrations, it was ineffective, providing no defence against the police batons on 15 January. The Greta LDA cancelled its plans for a mock battle that night when it received news of the morning's baton attacks.[285]

The black-ban on police began with a resolution of the 19 December lodge delegates' meeting at Cessnock, and escalated in January. The meeting declared a boycott against anyone "supplying foodstuffs to the 'scabs' and police now at Rothbury colliery."[286] This initial move was effective: police stationed there were "unable to buy a newspaper or a softdrink or a packet of cigarettes at Rothbury village or at Branxton"; many reportedly had "not seen a newspaper for four days," that is, since it was implemented.[287] The authorities were forced to supply such commodities to the colliery camp from Sydney.[288] By 23 December, "all policemen on the coalfields" (not just those stationed at Rothbury) were declared black, probably by lodge leaders in response to dawn raids on the homes of eight miners, including several lodge officials.[289] The implication was that no-

[278] Robert Bollard, *In the Shadow of Gallipoli: The Hidden History of Australia in World War I* (Sydney: NewSouth, 2013), 87.
[279] Comerford, *Lockout*, 358; "Defence Corps," *NMHMA*, 13 January 1930, 7.
[280] "At Drill," *NS*, 14 January 1930, 5; "Labour Defence Army," *CESMR*, 14 January 1930, 2.
[281] Harold C. Wells, *The Earth Cries Out* (Sydney: Angus and Robertson, 1950), 184; Comerford, *Lockout*, 358.
[282] "Police Ruthlessly Invade the Homes of Eight Kurri Miners," *LD*, 23 December 1929, 1; "Ammunition and Explosives," *CESMR*, 21 January 1930, 3.
[283] "No Firearms," *NS*, 18 December 1929, 7.
[284] "'Must Cease'," *NMHMA*, 14 January 1930, 5; "Open Mines," *NMHMA*, 20 January 1930, 7.
[285] "Labour Defence Army," *SMH*, 17 January 1930, 13.
[286] "Conference of Lodges," *CESMR*, 20 December 1929, 7.
[287] "Mass Meeting," *NS*, 23 December 1929, 7.
[288] "Rothbury," *NMHMA*, 24 December 1929, 7; "Hectic Time," *NS*, 11 January 1930, 6.
[289] "Mass Meeting," *NS*, 23 December 1929, 7; "'Black'," *Sun*, 23 December 1929, 11; "Rothbury," *NMHMA*, 24 December 1929, 7; "Police Ruthlessly Invade…," *LD*, 23 December 1929, 1.

one was to do business with the police or speak to them, on pain of being subject to the black-ban themselves. Thus police were ostracised by the community (in which unionism was hegemonic). Some reports indicated the ban was not very effective: police still obtained goods from local stores when shopkeepers refused to serve them, simply by helping themselves and leaving the money on the counter.[290] However, the black-ban hampered the police in activities unrelated to guarding the mines: for example, their attempts to investigate an early January house fire were frustrated because nobody would talk to them.[291]

In January, attention turned to the hotels where many police were being housed. Hotel employees, mostly young women engaged in domestic service and waitressing, joined with the miners to enforce the black-ban. All hotels were affected due to the authorities' policy of quartering police at each one, to avoid favouritism.[292] The first instances of hotel workers taking industrial action against the police were on 4 January. Miners had approached hotelkeepers and staff to suggest they should refuse the police service. Hotelkeepers could not do so without forfeiting their business: the *Licensing Act* obliged them to provide accommodation to whoever could pay; they did not have the right to choose their lodgers. Some staff in Cessnock took up the suggestion, but others continued to wait on police. In Kurri, domestic servants continued work as usual, reportedly on their union's advice, although the General Secretary of the Hotel, Club and Restaurant Employees' Union denied such an instruction was issued.[293] On 6 January, a combined meeting of Richmond Main and Pelaw Main lodges declared all hotels black, a decision that applied to Kurri.[294] A Cessnock meeting of hotel workers the next day decided to boycott the police as of 6pm.[295] They agreed to "support the miners whole-heartedly… recognising that the miners' fight was their fight" and that of all unionists.[296] In Kurri, service to police technically continued, but in one hotel their beds were short-sheeted, while in another they found Scotch thistles and Bathurst burrs in their sheets.[297] Staff at one establishment responded creatively when a constable ordered chops:

> He received two clothes pegs, nicely covered with gravy and served with slices of toasted dealboard. A request for tea was met by a teapot full of water, and empty bottles were placed on the table when ale was ordered.[298]

The coal lockout had a major impact on hotels, already affected by miners' lack of wages, from the third week of January. The 9 January Rank and File Conference at Weston recommended that all hotels on the South Maitland coalfields be declared black, a decision which had to be ratified by the lodges before it came into effect.[299] Over the weekend the lodges, buoyed by the Ashtonfields feint, agreed. When the Rank and File Conference reconvened on Monday 13 January, it deemed the black-ban would come into effect from 6pm that night. Reports noted that delegates informed

[290] "Free Labor?" *Sun*, 20 January 1930, 12; "Rothbury Miners Anxious to Return," *Singleton Argus* (NSW), 7 February 1930, 10.
[291] "Open Verdict," *NS*, 20 February 1930, 8; "Fire Inquiry," *CESMR*, 21 February 1930, 5.
[292] "'Black' Hotels," *NS*, 13 January 1930, 7.
[293] "Cessnock Hotels," *NMHMA*, 6 January 1929, 5; "Police Boycott," *LD*, 6 January 1930, 6; "Hotels Black at Kurri," *CESMR*, 7 January 1930, 5; "Hotel Employees Solid," *LD*, 7 January 1930, 5.
[294] "All Hotels," *LD*, 7 January 1930, 5.
[295] "Summonses Out," *NS*, 8 January 1930, 5; "Police Black," *MDM*, 8 January 1930, 5.
[296] "Hotel Employees," *NMHMA*, 8 January 1930, 7.
[297] "Fried Pegs," *EN*, 9 January 1930, 1; "Coalfield Licensees," *LD*, 10 January 1930, 4.
[298] "Fried Pegs," *EN*, 9 January 1930, 1.
[299] "Hotels Black," *NMHMA*, 10 January 1930, 7; "Coalfield Hotels," *CESMR*, 10 January 1930, 4.

representatives of the Newcastle THC and the Hotel Employees' Union that the lodges' resolution could not be altered by that conference, indicating that those officials tried to have the decision rescinded.[300] Nonetheless, they acquiesced: the Hotel Employees' Union, with Newcastle THC support, instructed all members in Cessnock, Weston and Kurri to cease work by 6pm, promulgating an extension.[301] Hotelkeepers paid off their staff that Monday night. Eighty coalfields members of the Hotel Employees' Union, most of them young women, were hence on strike in support of the miners. Newcastle THC Secretary G. Bass, who was perhaps surprised by their stance, praised it as "a striking example of solidarity."[302] He argued that it

> proved conclusively that the spirit of trades unionism was recognised and adhered to by women workers as well as men. A number of these girls had no homes in the district, and some of them were the sole support of their families.[303]

His comment suggests their main motivation was class consciousness, particularly for those who came from beyond the coalfields, boarded where they worked and lacked family ties to the community. The hotel workers remained on strike for nearly eight weeks; they did not resume until 8 March.[304]

The black-ban on hotels involved a consumer boycott as well as industrial action: it practically required miners to abstain from consumption of alcohol. Miners often went to the pub after work, for a "black pint" to wash away the coaldust.[305] Beer was typically consumed at the pub; it was unusual to drink it at home.[306] During periods of industrial action, men usually continued socialising at hotels. The long lockout would have diminished the pubs' patronage, however, except from unassociated mine employees. The black-ban effectively prohibited unionists from drinking beer in the hot summer weather. Reports differed as to how closely it was observed. Sydney's *Evening News* described an opponent of the ban arguing to a large crowd of Kurri miners as the temperature approached 100 degrees Fahrenheit: their tongues "were figuratively hanging out… But even a publican's invitation to all and sundry to 'come in for a free drink' failed to move them."[307] A Weston hotelkeeper complained of minimal takings of only 12s on the second day of the ban.[308] However, adherence may have varied geographically, and a significant minority flouted it. The *Sydney Morning Herald* reported that miners still patronised Branxton hotels "to a surprising extent," but as it noted, "Branxton miners are not as 'red' as those of Kurri."[309] Even in the more militant centres, it was necessary for "the best fighters in the miners' ranks" to picket the hotels to enforce the boycott; a Sydney reporter found that those attempting to break it were thrown out,

[300] "Now Black," *NMHMA*, 14 January 1930, 5; "Mass Pickets," *LD*, 14 January 1930, 5.
[301] "'Black' Hotels," *NS*, 13 January 1930, 7; "Dispute Committee," *NMHMA*, 14 January 1930, 5.
[302] "'Black' Hotels," *NMHMA*, 16 January 1930, 7.
[303] "Hotel Employees," *NS*, 15 January 1930, 6.
[304] "Hotel Staffs," *NMHMA*, 8 March 1930, 9; "Staffs Resume," *NS*, 8 March 1930, 3.
[305] Comerford, *Lockout*, 474. The adjective here relates to the coal dust rather than a union ban.
[306] Wells, *The Earth Cries Out*, 151; see also Alan Walker, *Coaltown: A Social Survey of Cessnock, NSW* (Melbourne: Melbourne University Press, 1945), 124.
[307] "1000 Miners Gather," *EN*, 8 January 1930, 9.
[308] "In the Line," *Sun*, 16 January 1930, 14.
[309] "Rothbury Coal," *SMH*, 15 January 1930, 15-16.

"and thrown out means thrown out in this part of the world."[310] Some lodges decided to impose fines on members who breached the ban.[311]

The black-ban on police also involved industrial action by municipal council employees, though it was relatively short-lived. The coalfields towns did not have sewerage systems; most households and businesses were serviced by sanitary carters, though at least one hotel had a septic tank installed. On Friday 17 January, Kearsley Shire Council garbage and sanitary men decided they would not continue to service "police camps, hotels, boarding-houses, or houses where police are quartered."[312] They brought the ban into effect immediately at Aberdare Extended colliery, and the following Monday refused service to Cessnock hotels and boarding houses accommodating police.[313] Sanitary employees also declined to service Cessnock police station.[314] This created a dilemma for authorities that demanded a speedy solution: the stench created in the summer heat would have exacerbated the urgency. One suggestion was to lodge all the police in the hotel with the septic tank.[315] The sanitary carters' ban, and the fact that it began after the hotel employees' action, again suggests the coalfields unionists took inspiration from Broken Hill unionists, who had adopted a similar strategy in response to a force of an extra 100 police being imported from South Australia in August 1917. In the Broken Hill case, the black-ban by nightsoil collectors resulted in the additional police being withdrawn.[316] It was less effective in Cessnock, probably because the town was less isolated: the state government threatened to provide the service at the council's expense, and dissolve the council for failing to carry out its duties.[317] Under this pressure, sanitary carters lifted their black-ban, resuming services on Thursday 23 January.[318]

Miners' wives came to the fore in enforcing the black-ban, by collectively insisting that shopkeepers abide by it. On Monday 13 January, about 100 miners' wives systematically canvassed all the shops in Cessnock's main street to ask proprietors to promise not to serve the police. *Newcastle Sun* reported:

> The women divided themselves into groups, so that the area could be covered expeditiously. Some carried babies, whilst others wheeled perambulators. They were followed by a crowd of miners, who cheered the women…[319]

The crowd grew to over 1,000 and police tried to break it up. Shopkeepers agreed to the women's demands, except for two or three who were hence declared black.[320] Women picketed the "black" shops from that Thursday, urging prospective customers not to enter.[321] A Sydney newspaper

[310] "In the Line," *Sun*, 16 January 1930, 14.
[311] "All Quiet," *NMHMA*, 25 January 1930, 9; "'Black' and 'White'," *NMHMA*, 27 February 1930, 7; "'Black' Hotels," *NMHMA*, 10 April 1930, 7.
[312] "Torrid Time," *NS*, 17 January 1930, 7; "Black Goods," *Sun*, 17 January 1930, 11; "Police Shunned," *LD*, 18 January 1930, 7.
[313] "Free Labor?" *Sun*, 20 January 1930, 12; "Cessnock Hotels," *NS*, 20 January 1930, 5.
[314] "Council Problem," *NS*, 22 January 1930, 5.
[315] "Torrid Time," *NS*, 17 January 1930, 7.
[316] Bollard, *Shadow of Gallipoli*, 122-124.
[317] "Legal Power?" *Sun*, 21 January 1930, 14.
[318] "Sanitary Services," *NS*, 23 January 1930, 7.
[319] "Miners' Wives," *NS*, 13 January 1930, 9.
[320] "Crowd in Street," *NMHMA*, 14 January 1930, 5; "Police Boycotted," *WW*, 17 January 1930, 1.
[321] "In the Line," *Sun*, 16 January 1930, 14; "No Business at Hotels," *MDM*, 16 January 1930, 5.

reported the "women pickets" canvassed more businesses on the Friday, even visiting an undertaker who pledged not to bury any police: "Only White Coffins" proclaimed its headline.[322] Freda Teerman, then a young miner's wife involved in the Militant Women's Group (MWG), remembered a black-banned "refreshment shop" (which sold fruit, vegetables and drinks) was "picketed for months," with someone sitting on a fruit case outside.[323] The shopkeeper "supplied the police, but no one else went into that shop."[324] The MWG led these efforts, according to *Workers' Weekly*, despite being politically isolated earlier: "Many of the miners' wives have been strongly prejudiced against anything 'Red,' but they are quickly losing their prejudices as a result of their participation in the fight."[325] Teerman's recollections support this; she described how her mother-in-law Ethel Teerman, an MWG leader, "led one of the biggest demonstrations of people in and out of the shops with the police following them, trying to intimidate them, to break them up. She was absolutely fearless."[326] The Cessnock MWG was organised well enough to issue a weekly roneoed newsletter.[327]

Women played a prominent part, as newspapers noted, in the rank-and-file upsurge more generally.[328] On 22 December, when 10,000 people gathered in Cessnock's largest-ever protest, against the government's actions at Rothbury, the unionists' procession included two women's contingents: "Rothbury ladies [and] Cessnock district ladies."[329] When part of the crowd confronted a group of police at the end, one journalist observed: "Miners' wives were especially bitter in the verbal onslaughts on the police."[330] Reporters remarked on the presence of large numbers of women on various occasions in January: as miners formed contingents in the pre-dawn for the Ashtonfields feint and on 15 January; in a crowd gathering for an evening meeting in Vincent St, Cessnock; and at a Weston meeting that CPA leader Joe Shelley addressed.[331] At the CPA meeting that followed the Cessnock LDA launch, three of the six speakers were women: "Comrades Mrs. [Rose] Bond, Mrs. Ford, Mrs. Haddow" and others addressed "a crowd of probably 4000, a large percentage of whom were women."[332] Women got involved when the miners were batoned on 15 January. Newspapers stated that they became "hysterical," although the *Newcastle Sun* also gave some women credit: "they did not rush for cover" but administered first aid.[333] *Workers' Weekly* reported the women's response in positive terms: they "stood fast" and "told the police and Press sleuths exactly what they thought of them."[334] Similarly, a newspaper reporter driving through Kurri to Richmond Main was "subjected to a torrent of abuse from women pickets, who attempt to stop all vehicles on the way to

[322] "Black Goods," *Sun*, 17 January 1930, 11.
[323] Lowenstein, *Weevils in the Flour*, 80.
[324] *Ibid.*
[325] "Police Terror Rages; Workers' Amy Grows," *WW*, 24 January 1930, 1.
[326] Lowenstein, *Weevils in the Flour*, 80.
[327] "Police Swoop," *NS*, 21 January 1930, 5.
[328] "Miners' Strategic Move," *CESMR*, 10 January 1930, 5; "In the Line," *Sun*, 16 January 1930, 14; "Police Terror Rages…," *WW*, 24 January 1930, 1.
[329] "Rothbury," *NMHMA*, 23 December 1929, 7.
[330] "Mass Meeting," *NS*, 23 December 1929, 7.
[331] "Miners' Strategic Move," *CESMR*, 10 January 1930, 5; "March from Cessnock," *NMHMA*, 11 January 1930, 9; "Swift Baton Charges…," *NS*, 15 January 1930, 1; "In the Line," *Sun*, 16 January 1930, 14; "Miners Batoned by Police," *CESMR*, 17 January 1930, 1; "On Maitland Field," *NMHMA*, 15 January 1930, 7; "Weston," *NMHMA*, 23 January 1930, 8.
[332] "Labor Defence Army…," *WW*, 17 January 1930, 1.
[333] "Swift Baton Charges…," *NS*, 15 January 1930, 1.
[334] "Police Terror Rages…," *WW*, 24 January 1930, 1.

the mine."[335] Women's political meetings were subject to police repression: on 21 January, meetings of the Cessnock MWG and Kurri miners' wives were raided, with police taking names of all participants. The Kurri meeting, which involved Mrs Florence Munday, who had gained prominence for organising holidays for coalfields children, was probably not organised by the MWG.[336] Authorities had deemed all meetings of militant women, or militant miners, illegal under the amended *Crimes Act*; it seems any political meeting of women was considered militant.[337]

Coalfields communities were polarised by the outburst of rank-and-file activity and the state repression. This was most evident in relation to the black-ban. The cleavage was drawn according to support for the miners and opposition to the police, or vice-versa, with class being an important determining factor. Many shopkeepers and professionals such as doctors sided with the miners, which was consistent with their long-term business interests (though many suffered significant losses and some were ruined by the lockout) since they operated in communities where mineworkers and their dependants were the majority.[338] In the case of hotelkeepers, though, their position as proprietors led them to side with the police. Although they may have bitterly resented it, perhaps blaming the police department for their predicament as *Labor Daily* reported, they acted according to their business interests and accommodated them.[339] Everyone took sides, as was evident in Greta, where Constable Kenning and his family were subject to the strictest iteration of the black-ban after he gave evidence against miners in court. Miners' wives reportedly threatened to tar and feather Kenning's wife. Miners' children, to conservatives' horror, refused to speak or play with Kenning's because, as one child explained, "they were 'black'."[340] The Northern District was polarised and the ferment was extraordinary but, contrary to contemporary politicians' and subsequently Dixson's statements, it was not approaching civil war. Bavin, seeking cynically to divert the blame, accused the militants of unleashing "a civil war against the community."[341] Lang and federal Labor parliamentarians expressed fears that the coalfields were "on the verge of civil war" because of Bavin's belligerence.[342] Dixson characterised the situation as "something like guerrilla war" and sharing "some of the characteristics of civil war."[343] Such descriptions, however, dramatically overstate the extent of radicalisation among miners and the confrontation between them and the state.

The black-ban against the police was never definitively called off; instead it petered out as the rank-and-file upsurge declined and state repression escalated. On 28 January, Bavin declared that unless the black-ban were lifted, food relief would be discontinued to all members of miners' lodges and any other organisations responsible for it.[344] Coalfields people knew this was no empty threat: following an earlier announcement that food relief would be stopped if mass picketing and unauthorised drilling did not cease, scores of men were denied assistance. Authorities had refused

[335] "Rothbury Coal," *SMH*, 15 January 1930, 15-16.
[336] "Police Swoop," *NS*, 21 January 1930, 5; "Police Raid Women," *WW*, 24 January 1930, 1.
[337] "Calm Coalfields," *NS*, 22 January 1930, 5.
[338] Walker, *Coaltown*, 8-10, 57; Comerford, *Lockout*, 464-465.
[339] "No Steps on the Bar Room Floor," *LD*, 15 January 1930, 6.
[340] "Alleged Intimidation," *SMH*, 27 January 1930, 9; "Bitterness of the Boycott," *National Advocate*, 28 January 1930, 2.
[341] "'To Extreme Length'," *NMHMA*, 16 January 1930, 9.
[342] "Action Wanted," *NMHMA*, 23 January 1930, 9; "'Civil War'," *NMHMA*, 18 January 1930, 9.
[343] Dixson, "Rothbury," 14, 24.
[344] "'Black' Ban," *NMHMA*, 29 January 1930, 7.

to issue relief to 70 miners at Cessnock, and denied it to 250 of the 800 who typically received it at Kurri.[345] One Cessnock man was even "refused relief because, although he himself takes no part in demonstrations, his wife is active."[346] Nonetheless, the South Maitland Rank and File Conference at Weston, representing 22 lodges, responded to Bavin's threat with defiance. It declared the black-ban would not only remain but "be observed with double the determination displayed hitherto" and that Bavin should immediately remove the additional police.[347] The *Newcastle Sun* described the decision to maintain the black-ban as unpopular; moderates objected to the question not being referred to the lodges.[348] Yet the Rank and File Conference of 21 February reaffirmed it.[349] On 5 February, "several hundred" were refused relief at Cessnock, as were the Rothbury lodge members at Branxton.[350] Undeterred, Richmond Main lodge endorsed the Rank and File Conference recommendation to withdraw children from school in protest against relief being stopped, and upheld its earlier black-ban resolution.[351] A further 350 (out of about 750) were refused relief at Kurri the next day.[352] The following week miners started to end the black-ban: Hebburn No. 1 lodge decided to lift it, and to withdraw from the Rank and File Conference.[353] However, the boycott was largely maintained throughout February; five other major lodges responded to Hebburn No. 1's decision by reaffirming the ban.[354] More lodges lifted it in March: Hebburn No. 2 did so on 3 March and Abermain No. 1 on 12 March. It was considered over in Greta and Branxton once New Greta lodge decided to end it on 27 March.[355] Others kept the black-ban up for longer: Stanford Merthyr did not lift it until early April, and Aberdare Extended a month later. Some lodges, including Richmond Main, only ended it when the lockout finished in June.[356]

The police remained pariahs as the black-ban dwindled and were still hated long afterwards. In late March, the Rothbury postmistress was declared black after she attended a "carnival" in the colliery's police compound; miners bought stamps at Branxton instead.[357] In May, dance nights were disrupted as some participants opposed police officers joining in.[358] After the lockout had ended, a local rugby league competition excluded police. Its organisers worried that if a police officer were part of any team, "the crowd might declare the game black and keep away from the match."[359] An

[345] "Dole Refused," *NMHMA*, 16 January 1930, 7; "Seventy Men Refused," *CESMR*, 17 January 1930, 5; "250 Men Refused Relief," *CESMR*, 17 January 1930, 3.
[346] "To Starve Militants," *WW*, 24 January 1930, 4.
[347] "'Blacker' Than Ever," *LD*, 1 February 1930, 1.
[348] "Not Popular," *NS*, 1 February 1930, 6.
[349] "Rank and File," *NMHMA*, 22 February 1930, 9.
[350] More precise figures were not available. "No Dole," *NS*, 5 February 1930, 5; "No Relief," *LD*, 6 February 1930, 5; "Dole Refusal," *NMHMA*, 6 February 1930, 7; "Dole Withdrawn at Branxton," *Singleton Argus*, 5 February 1930, 2.
[351] "Richmond Main Children," *NMHMA*, 6 February 1930, 7.
[352] "350 Refused," *NS*, 6 February 1930, 7; "Dole Refused," *NMHMA*, 7 February 1930, 9.
[353] "'Black' Ban Lifted," *NMHMA*, 14 February 1930, 7.
[354] "Richmond Main," *NMHMA*, 15 February 1930, 9; "Ban Reaffirmed," *NMHMA*, 15 February 1930, 9; "No Free Labour," *NMHMA*, 18 February 1930, 7.
[355] "'Black' Ban," *NS*, 4 March 1930, 5; "'All White' at Abermain," *NMHMA*, 13 March 1930, 7; "Greta and Branxton Hotels Are White Again," *NS*, 28 March 1930, 7.
[356] "'Black' Hotels," *NMHMA*, 10 April 1930, 7; "Hotel Ban Lifted," *NMHMA*, 8 May 1930, 7; Comerford, *Lockout*, 474.
[357] "Postmistress Went to Rothbury Police Carnival: Now She's Black," *NS*, 25 March 1930, 5.
[358] "'Black' Night," *NS*, 7 May 1930, 6; "'Black Ban'," *MDM*, 7 May 1930, 5; "The Dance Stopped," *NS*, 17 May 1930, 3.
[359] "Can't Play Football," *NS*, 12 June 1930, 7.

Inspector stated in the 1940s that hostility towards the police "was very strong for years after 1929," but contended it had "largely gone now."[360] Dixson, however, noticed "remarkable antipathy… towards the police in many Northern coalfields towns" over 25 years after the lockout because of their repressive rule then.[361] Comerford described how Rothbury and the ensuing repression gave coalfields people a "hatred of all that was so powerfully lined up against them" which "lasted for the life of the generation that went through it"; other writers similarly noted long-enduring hostilities.[362]

THE CPA AFTER ROTHBURY

In this context of intensified union activity, state repression and social polarisation from December 1929 into early 1930, the CPA's membership grew substantially, but there were limits to its growth. In the wake of the Rothbury clash, the party formed a new group at Kurri and the CEC reported to its Ninth Conference good prospects for forming other coalfields groups.[363] By 6 January, with an additional group inaugurated at Weston, *Workers' Weekly* crowed: "The Party… has come to the coalfields to stay."[364] In May 1930, the CPA claimed a total of eight groups in the Northern District, seven pit groups and one local group, with an aggregate membership of 94.[365] Other estimates back this up. Methodist minister and amateur sociologist Alan Walker wrote that Cessnock's CPA group had "an active membership of 25" in 1930, whereas before it had been "loose and almost unorganized."[366] Though Walker was not there then, his interviewees had been. Harold Wells, in his novel *The Earth Cries Out*, estimated party membership in early 1930 as over 100 across 10 branches between Kurri and Cessnock.[367] Wells had joined the CPA as a young mineworker in 1931, and as a loyal party member became the Federation's President, but was an ex-Communist when he wrote the novel. So by mid-1930 the South Maitland coalfields had the largest CPA membership outside Sydney, a remarkable increase from a single group of six men at Cessnock.

The main factors fuelling the party's growth were Scullin's betrayal and the CPA taking the miners' side in their determined resistance. Comerford made a persuasive case, with reference to Miners' Federation ballot results, that the ALP enjoyed "rock solid hegemony" among the miners and that in writings about the lockout, Communist influence has been exaggerated.[368] He also stated that the Scullin government's actions resulted in Labor losing its dominance in the mining regions. CPA influence began to develop following federal Labor's betrayal because a growing number of miners considered the CPA's analysis correct: the ALP in government had sided with the mine owners. In contrast, the CPA consistently stood with the miners as they continued to resist not only the owners and the wage cut, but also Bavin's government and its police. Communists, including Sydney visitors, defied the authorities on the coalfields alongside miners, regardless of personal cost. Joe Shelley's refusal to accept a good behaviour bond exemplified this defiance. Though some of their actions must have been considered foolhardy, they would also have earned some respect. As

[360] Walker, *Coaltown*, 9.
[361] Dixson, "Strike and Lockout," 244.
[362] Comerford, *Lockout*, 377-378; Ross, *Miners' Federation*, 342; Walker, *Coaltown*, vi-vii.
[363] "Central Executive Committee's Report," in CPA Ninth Conference Minutes, 11.
[364] "Kurri Lodges," *WW*, 10 January 1930, 1.
[365] "CPA and the New South Wales Coal Lock-Out" [CPA CEC letter to Comintern], 25 May 1930, "CE Minutes 1926-30" (CPA Records, SLNSW).
[366] Walker, *Coaltown*, 84.
[367] Wells, *The Earth Cries Out*, 185.
[368] Comerford, *Lockout*, 292, 291-293.

Stuart Macintyre wrote, their "quixotic courage" made a strong impression.[369] In addition, the CPA gave miners and their dependants support through two of its adjunct organisations: the International Class War Prisoners' Aid provided legal representation for most of those charged with unlawful assembly, and the Workers' International Relief contributed material aid, notably through soup kitchens at schools.[370]

Yet relatively few people were attracted to the CPA, mainly because of the balance of forces and politics. The repression that Communists were subjected to on the coalfields was probably an additional factor hindering them. In terms of the balance of forces, the CPA's initial small size counted against it; militants would have known there were limits to what it could do. While they may have agreed with its aim of transforming Australia into a socialist country, the party was clearly too small to achieve that. Furthermore, many miners were keenly aware of their opponents' power. Andy Barras outlined the difficulty to the CPA's Ninth Conference: "there are many Marxists" in the Northern coalfields, "but they are too conscious of the obstacles that they have to overcome," knowing that thousands would never regain their jobs once the lockout was over.[371] Miners would not take up the CPA's policy in the lockout, much less join the party, if they considered their position hopeless.

Two inter-related political factors inhibited the CPA's growth: differences between the NSW and federal arms of the Labor Party, and the CPA's Class Against Class line. Although state Labor politicians had campaigned for Scullin's election, they largely retained their credibility because they opposed federal Labor's betrayal. Baddeley, George Booth (MLA for Kurri Kurri) and other coalfields representatives strongly supported the miners, and Lang opposed Scullin's inaction. Many believed that if Lang were Premier he would take over the mines to reopen them on favourable terms for mineworkers.[372] Therefore support for the Labor Party remained strong among coalfields residents, who hoped a future Labor state government would improve conditions – a well-founded hope given the earlier Lang government's significant reforms. Since the NSW ALP had not been discredited as the Scullin government had, the CPA's global denunciation of Labor as "social fascist" did not resonate. The new line only fitted mineworkers' mood after federal Labor's betrayal to a limited extent. Comerford recalled that most coalfields people would agree with whatever the Communists had to say about the Scullin ministry. But they disagreed with the CPA's indiscriminate application of the "social fascist" epithet. The vast majority drew a distinction between the despised federal cabinet and those whom they respected, including James (who opposed his federal parliamentary colleagues), Lang, Baddeley and Booth, and the Miners Federation leaders.[373]

The CPA denounced even left-wing union leaders, such as Hoare and Kellock, in line with the Comintern's Third Period policy. The new policy identified left-wing social-democrats as the most dangerous sort of "social fascists" and stipulated that breaking their influence was an imperative and urgent task for Communists. This not only limited the CPA's potential recruitment in mining areas,

[369] Stuart Macintyre, *The Reds: The Communist Party of Australia from Origins to Illegality* (Sydney: Allen and Unwin, 1998), 157.
[370] "ICWPA in Action," *WW*, 24 January 1930, 1; "WIR is Workers' Answer to Bavin's Threat to Starve Miners," *WW*, 7 February 1930, 1; Skinner, "Christian Jollie Smith," 149-158; Comerford, *Lockout*, 400, 447-448.
[371] Andy Barras in discussion of CEC reports, CPA Ninth Conference Minutes, 54-55.
[372] Comerford, *Lockout*, 367-371, 292.
[373] *Ibid.*, 350, 370-371.

but also created conflict between the CPA's Sydney centre and its coalfields groups. Hoare was both widely respected among miners and a particular target of CPA criticism. Comerford remembered the CPA began singling Hoare out when he, along with Rees and Davies, argued in favour of the November Compromise. In fact, *Workers' Weekly* criticised Hoare from early in the lockout, chiefly for adhering to CMUC policy rather than leading the fight.[374] However, the new line was different: political criticism descended into personal vitriol, even slander. The CPA accused Hoare of "gross betrayal" as it challenged him to a debate.[375] Its attack reached such an extreme that, as Comerford recounted, the CPA in Sydney printed a leaflet for distribution on the coalfields entitled "This Bondy Whore."[376] The coalfields Communists, however, refused to distribute it, instead destroying every copy. They must have realised that insulting Hoare would not be conducive to convincing miners of the party's case; but though they could destroy a counterproductive leaflet, they could not change the line.

CONCLUSION

Following the Scullin government's failure to end the lockout, it became a battle between the miners and the Nationalist-led state of NSW, involving two violent confrontations, at Rothbury on 16 December 1929 and at various South Maitland sites on 15 January 1930. The Bavin government's intervention transformed the nature of the lockout. As Dixson identified, it became more than an industrial dispute, although her suggestion that it risked descending into civil war overstated the level of the conflict.[377] Bavin's move to reopen some mines revealed and exacerbated differences between the Miners' Federation executive leaders and membership. The Federation's highest officers decided, in conjunction with other mining union leaders, to make concessions to resume work in order to prevent the introduction of scab labour into the mines, but Federation members considered the compromise terms unacceptable. Having vehemently rejected them, they were all the more determined to resist both the NCA's effort to reduce their wages and tame their union, and Bavin's scab operation.

In repudiating their union executives' advice, Northern District miners looked to a cohort of militant lodge officials for leadership. It was those lodge leaders – not the CPA – who organised the next moves in the struggle, through lodge delegates' meetings known as the Rank and File Conference. They agreed on a scheme of mass pickets to resist scabbing and that a new policy of extension, the "all-out," was needed to continue the industrial fight. Communists cheered on this militant rank-and-file organising: miners were finally taking the stance they had long advocated. However, the CPA remained marginal in December 1929. As a small group, it lacked influence and its association with the LCNSW's short-lived attempt at interference would not have enhanced its standing on the coalfields.

[374] "Cessnock Rally" *WW*, 8 March 1929, 1; "Against the Coal Bosses Offensive," *WW*, 10 May 1929, 2; Comerford, *Lockout*, 370-371.
[375] "Coal Policy Debate," *WW*, 14 February 1930, 1.
[376] Comerford, *Lockout*, 531 (Notes section – footnote kd to p.418).
[377] Dixson, "Rothbury," 24.

The mass picket at Rothbury on 16 December and the police violence unleashed against it showed the limits of the miners' rank-and-file leadership and the Bavin government's aggression. Federation executive leaders expected a symbolic protest (as did Cessnock area mineworkers), and apparently had not seen a need to prepare to keep the demonstration under control. Kurri area miners, on the other hand, intended to forcibly prevent Bavin's project, but had not planned how to do so. As a result, the actions of the 5,000 picketers were largely improvised. The fact that the militant lodge leaders did not have a plan to attack Rothbury was a failure of their leadership, which was probably ultimately due to their lack of an organisation to co-ordinate militant activity. The miners could have successfully attacked Rothbury that day, although it is uncertain whether they would have been better or worse off as a result. The militant leaders' failure meant that the possibility for miners to turn events in their favour was missed. In the event, the mineworkers suffered serious violence that day, several were gravely injured and Norman Brown was killed, and their communities were subjected to brutal repression in the ensuing weeks.

The conflict at Rothbury led to weeks of turmoil on the Northern coalfields, although not immediately. The third rank-and-file upsurge dwindled due to efforts to end the lockout through Arbitration and the Christmas holiday shutdown of mines. The hiatus in activity was, however, short-lived: a fourth wave of struggle began in early January. Debate over lockout policy sharpened within the Federation. For a while it looked like the all-out proponents would succeed in changing the union's approach, but by early February the controversy was settled in favour of the existing confinement policy. In the meantime, militant lodge leaders again came to the fore. Organised in the Rank and File Conference, lodge officials took *de facto* control of the Federation's activities in the Northern District. Mass picketing resumed on an unprecedented scale, promulgating an industrial extension that lasted about three weeks. January 1930 saw an eventful period of roughly two weeks, when miners gathered in crowds of thousands to picket, coal production was brought to a standstill, a Labor Defence Army was formed and publicly drilled, a hundred miners' wives demanded shopkeepers pledge not to serve the police, and hotels were boycotted. However, lodge leaders brought an end to large-scale public protests after the 15 January baton charges.

The swift end to the mass pickets indicated that, although the ferment in those mining communities was extraordinary, the radicalisation was not deep. The lodge officials who initiated mass picketing easily ended it to prevent the police inflicting further bloodshed. Moreover, proponents of an industry-wide strike lost the policy argument in the Federation by early February, and the Federation executives' determination to enforce the confinement policy ended the strike action at unassociated mines. In addition, the fact that over 200 miners were charged with unlawful assembly over the mass pickets, and hundreds more were denied food relief as a result of picketing and the black-ban, discouraged further active resistance. The locked-out miners, however, were not beaten as they still refused to concede defeat. They persisted in the "stubborn resistance" that Dixson referred to for another three months.[378] During the final upsurge of rank-and-file struggle after Rothbury, and in the subsequent months, the CPA grew in the Northern District – despite its Third Period turn – but most miners continued to support the Labor Party. Though they despised the Scullin federal government for its betrayal, they remained hopeful a state Labor government would bring them improvements. As in the other early Depression industrial disputes, the Communists had not exercised decisive influence. However, mineworkers remembered their stance in the lockout,

[378] Dixson, "Stubborn Resistance."

which helped to build the basis for Orr and Nelson to win the national leadership of the Federation a few years later.

Conclusion

By examining rank-and-file activity during the three early Depression industrial disputes, this thesis has provided a more nuanced history of them than previous studies, taking account of differences between the unions' leadership and membership, and Communist involvement. Regarding the waterside strike and the coal lockout – the two disputes where independent rank-and-file activity featured strongly – this thesis has shown common aspects to that activity and the CPA's role in it, that the existing historiography has not identified.

Prior studies of the waterside strike have explored the reasons why most WWF branches rejected their national leadership's advice and struck, but have given less attention to the question of who led the branches' rebellion.[1] This thesis suggests that militant wharfies, including branch officials (such as Andy Brown in Brisbane), played a leading role at the local level. They had no apparent organisation to co-ordinate their militant activity, although they were connected with each other through the union, informal links, and many of them were probably active in the ALP. Further research concentrating on specific ports may uncover more information about these militants and the extent to which they were part of their branches' leadership (perhaps they were predominantly local union officials, as in the Miners' Federation). However, the names of leading waterside militants in the 1928 strike were not all necessarily recorded.

Concerning Communist participation, Rupert Lockwood was dismissive of the idea that the CPA had played any notable role in the wharfies' dispute, although Miriam Dixson outlined how MMM activists in the Sydney WWF branch had argued for strike action, albeit unsuccessfully.[2] Stuart Macintyre, noting the prosecution of Tom Wright and Jack Kavanagh over the "Don't Work Black Ships" leaflet for the Sydney waterfront, described the CPA's agitation as limited to propaganda, a view that has not previously been contested.[3] This thesis, however, has shown that while the CPA's intervention consisted largely of propaganda, it was not restricted to that: the party was active in the wharfies' strike to the extent that its small size allowed. Furthermore, its propaganda work encompassed a wider range of activity than has previously been appreciated. It involved not only *Workers' Weekly* and the Sydney leaflet, but a near-daily strike bulletin in Brisbane as well as public street meetings and women's meetings. Communists were also engaged in efforts to extend the strike and fundraising to sustain it in Brisbane, and assisted in protests of strikers' wives in Melbourne.

The historiography of the coal lockout has been distorted by CPA histories, which successfully created a myth that Communists provided the rank and file miners with an alternative leadership from early 1930. Subsequent historians, Dixson in particular, took up the idea that

[1] Rupert Lockwood, *Ship to Shore: A History of Melbourne's Waterfront and Its Union Struggles* (Sydney: Hale and Iremonger, 1990), 233-237; Miriam Dixson, "The Strike of Waterside Workers in Australian Ports, 1928, and the Lockout of Coal Miners on the Northern Coalfield of New South Wales, 1929-30" (MA thesis, University of Melbourne, 1957), 1-76.
[2] Lockwood, *Ship to Shore*, 18, 241-242; Dixson, "Strike and Lockout," 38-39, 45-47.
[3] Stuart Macintyre, *The Reds: The Communist Party of Australia from Origins to Illegality* (Sydney: Allen and Unwin, 1998), 154.

Communists were influential but extended the timeframe to the whole lockout.[4] Jim Comerford pointed out that that was a misconception, in oral history interviews and his history of the lockout.[5] My research has built on Comerford's work and will hopefully help to debunk the myth.

The thesis has found that militant rank-and-file activity in the South Maitland coalfields took place in localities where the CPA had no influence. When Miners' Federation members acted independently of their national or district leaders, a cohort of militant lodge officials generally led them, especially in the Kurri area. In addition, FEDFA members at times led militant action – which Miners' Federation leaders were capable of wrecking if it did not suit their strategy – a fact that undermines the archetypal dichotomy of militant miners and conservative craft unionists. The CPA's participation in the coal lockout, as in the waterside strike, was primarily through propaganda because it had little presence on the Northern District coalfields. Nonetheless, it was active and intervened to the extent that it could, as with the wharfies. The myth of Communist influence in the lockout was based on a kernel of the reality. The CPA's activity in the lockout increased during the second half, as party histories outlined – although not only when the new leadership gained control, as they alleged, but earlier, once the timber strike had ended. The party grew rapidly in the wake of the clash at Rothbury, and subsequently gained further influence on the coalfields. The thesis has also shown that women played a significant role, particularly in the second half of the lockout. A small cohort of women participated within union structures: as hotel employees, they held an eight-week solidarity strike to back the mineworkers' boycott of the hotels, which all accommodated police. Larger numbers of women outside formal labour movement structures, mainly wives of the locked-out men, took action to oppose the police occupation and support their husbands' militant industrial stance.

The timber strike differed from the other two disputes in that independent rank-and-file activity did not feature and Communists were part of the strike leadership. Timber workers have received less attention from historians than wharfies or miners, but my chapter on their 1929 struggle built on Dixson's study and her sharp critique of the LCNSW strike strategy.[6] Contrary to the belief of some contemporary commentators, the strikers' determined resistance was not due to CPA control. In fact, Communists in the strike leadership did not determine the union's direction and accepted a strategy that limited the dispute. Nonetheless, in common with the other two major industrial battles of the era, the CPA intervened actively as much as it could. Unlike in the other disputes, the most important aspect of the party's involvement was not its propaganda work but organising the strikers and the women who supported them.

The CPA's activity in the timber strike indicated the extent of, and limits to, Comintern influence on its Australian affiliate. Comintern instructions shaped the party's efforts, but its reach was not all-embracing. This thesis has shown how the CPA's intervention in the timber strike in NSW was restricted by its obedience to Comintern directions. As the strike was directed by the Disputes Committee of the LCNSW, which was affiliated to the RILU, opposing the strike leadership was out of the question. The Comintern instructed the party not to oppose the LCNSW, contrary to the Class

[4] Dixson, "Strike and Lockout," 115-247.
[5] Jim Comerford, *Lockout: The Northern New South Wales Coal Lockout 2nd March 1929 – 3rd June 1930*, (Sydney: CFMEU Mining and Energy, 2006), 193, 291.
[6] Miriam Dixson, "The Timber Strike of 1929," *Historical Studies: Australia and New Zealand* 10, no. 40 (1963): 479-492.

Against Class strategy that it otherwise advised and that leading Communists wished to apply in Sydney. Hence the CPA did not encourage independent rank-and-file activity among the strikers. Kavanagh, on the LCNSW Disputes Committee, played a central role in the systematic organisation of the pickets, which ensured ATWU members were active participants throughout. However, it was a "top-down" method of organising that left little space for initiative from the strikers themselves. In contrast with the limited activity of the striking timber workers were the bold and often creative efforts of their wives, ranging from hardship relief to protest actions. The CPA fostered much of the women's activity. The Sydney MWG made a significant contribution by establishing relief depots; the fact that the ALP, which had a far greater reach, emulated that initiative was important for sustaining the strike. The Militant Women and timber workers' wives also made a political impact with disruptive protests.

In Melbourne, Comintern directives were not a major factor in the CPA's strike activity. Gil Bodsworth, a member of the Melbourne CPA group, was part of the strike leadership as the vice-president of the Victorian ATWU branch. Unlike in NSW, the union was not connected with the RILU, yet Bodsworth was apparently uncritical of its strike strategy despite Comintern policy, and the MWG worked closely with the ATWU state executive. The CPA was not well established in Melbourne; the group was wracked by internal discord, and differences over the timber strike appear to have contributed to the tension. Members who disagreed with the approach of Bodsworth and the MWG tried to take an oppositional stance towards the strike leadership in line with Class Against Class, but their efforts to organise rank-and-file union opposition failed. The co-operation of a section of the Melbourne Communists with the union leadership indicated the limits of the Comintern's reach. It also suggests a lack of control by the party's national leaders, although the complicating factor is that the example of Kavanagh's activity on the LCNSW probably influenced the CPA in Melbourne.

The thesis contributes to a reassessment of the CPA leadership of Kavanagh and his cohort. Under their leadership, the party has often been portrayed as myopically focused on educating its members and disconnected from the working class. I argue instead that the CPA lacked roots in the working class in 1926-1929 because its ranks were dramatically reduced; exclusion from the ALP had decimated the fledgling party. Its small size imposed limits on what it could do, but the CPA remained connected with and part of the labour movement. As the chapters have documented, the party made efforts to intervene in the early Depression industrial battles despite its lack of members in the affected industries. Although the CPA's interventions varied in their impact and success, it is evident that the party was active in those disputes to the extent of its capability.

Two main potential directions are apparent for further study in light of my research. There are numerous possibilities for comparative studies: in relation to the waterside strike and coal lockout, either might be compared to another major industrial dispute that featured rank-and-file activity in defiance of the union's leadership, in other times or places, including other countries. Disputes during the 1940s and 1950s in Australia that Tom Sheridan has investigated, particularly on the waterfront when WWF branches defied the national leadership on matters such as the introduction of the roster system, may provide interesting ground for comparisons.[7] The timber

[7] Tom Sheridan, *Division of Labour: Industrial Relations in the Chifley Years, 1945-49* (Melbourne: Oxford University Press, 1989); Tom Sheridan, *Australia's Own Cold War: The Waterfront Under Menzies* (Melbourne: Melbourne University Press, 2006).

strike might be studied in relation to another dispute in which Communists played a part in the leadership. There is also potential for regional studies, particularly concerning the waterside and timber strikes. Most of the literature on the waterside strike concentrates on the Melbourne ports; there is scope for studies of the events elsewhere, notably Adelaide (where, as in Melbourne, disputation on the waterfront did not end with the strike), as well as Fremantle and regional ports. The Victorian theatre of the timber dispute remains under-studied (it was beyond the scope of this thesis to analyse events there in depth): since a large-scale lockout of the construction industry developed in Melbourne, and the strike involved timber workers not only in regional centres but even in bush mills, further research may be fruitful. Studies of the strike in towns such as Newcastle or Geelong, where it was sustained over a long period as in Sydney and Melbourne, may be informative and would contribute to the histories of the local labour movement.

In broader terms, the findings of this thesis on women's involvement in industrial disputes of all-male workforces suggest that the participation of women in other strikes or lockouts may have been similarly overlooked or written out of the history. Information about women's activities in these disputes was generally not difficult to find, but apart from oral history works it has not received much attention, with the exception of Diane van den Broek's article on women's involvement in the timber strike.[8] Although most of the women who took part did so outside formal labour movement structures, their activities often had a substantial impact. The significant involvement of women in those major disputes challenges, or at least complicates, the concept of industrial struggle as an inherently male-gendered activity or a form of contest that excludes women. Wives of mineworkers and waterside workers subsequently formed women's auxiliaries, with the encouragement Communist leaders in the Miners' Federation and WWF, who recognised the importance of their involvement in union affairs.[9]

As my chapters on the waterside strike and coal lockout made clear, the rank and file had their own minds. That may read like a truism, but it is worth stating because ordinary union members are not always treated as intelligent actors in historical or contemporary literature. Faced with attacks on their wages and conditions at the start of the Depression, the workers in all three of the industries studied were determined to resist through industrial action. Tensions persistently emerged in these struggles when the rank and file wished to fight but their union leaders instructed them to do otherwise, whether within the WWF in response to the Beeby Award or in the Miners' Federation when it became clear in mid-1929 that staff were scabbing in the locked-out mines. This is not to claim that differences between union members and leaders over what to do invariably or usually resulted in independent rank-and-file action. On the contrary, wharfies and miners were probably the exception because of the longstanding practices in their unions of localised industrial action and branch autonomy.

In both industries, workers did not require the leadership of the CPA (or any other political party) to take the initiative against their union leaders' advice. That does not mean that their

[8] Diane van den Broek, "Partners in Protest: The Case of the 1929 Timber Workers' Strike," *Labour & Industry* 7, no. 2 (December 1966): 145-163.
[9] Fred Moore, Paddy Gorman and Ray Harrison, eds., *At the Coalface: The Human Face of Coal Miners and Their Communities: An Oral History of the Early Days* (Sydney: CFMEU Mining and Energy Division, 1998), 38-42; Margo Beasley, "Soldiers of the Federation: The Women's Committees of the Waterside Workers' Federation of Australia," *Labour History*, no. 81 (November 2001): 109-127.

independent action was leaderless; rather, as the chapters on the coal lockout showed, a cohort of respected local leaders took charge of militant industrial activity when district and national leaders of the union were out of step with the will of the rank and file. Militant lodge leaders, who did not belong to a revolutionary vanguard party (or any other organisation intended to co-ordinate militant activity), were capable of directing effective independent industrial action. They did so in response to scabbing in the locked-out mines in mid-1929. However, without their own organisation, there were limits to what they could do. The acid test of their leadership was the battle of Rothbury, and their disorganisation on that occasion showed the limits of their ad-hoc organisation. Perhaps they could only have met the challenge if they were part of a vanguard party. The CPA, which considered itself such a party, was not capable of leading any such independent action at that time because of its small size. A major implication of my research for the field is that it is fruitful to subject widely accepted claims about the leading role of left-wing political parties in industrial struggles to closer examination.

Appendix 1: Groups at CPA conferences, 1923-1929

Group	1923 Conference		1924 Conference [1]	1925 Conference		1926 Conference		1927 Conference		1928 Conference		1929 Conference [2]
	Delegates[3]	Business/ report[4]	Delegates	Delegates[5]	Business / report	Delegates [6]	Business / report	Delegates[7]	Business/ report	Delegates[8]	Business/ report	CEC/ CEC-new/ disc.
Sydney	9	B, R	5	8	B, R	7	B, R	10	R, B	10	R, B	CEC, disc.
Sydney suburbs			Hurstville, 1	Balmain, 1 Hurstville, 1	R B, R							
Lithgow				1	B, R	2	B, R	2	R, B	2	R, B	CEC, disc.
Kandos										1		
Newcastle	1		1 (1 alt)	1	B, R							CEC-new
Cessnock	1	B, R	1							1	R	CEC, disc.
Kurri	1	R	1 (2 alts)									CEC-new, disc.
West Maitland	1	R										
Greta												
Wollongong / South Coast	1	R	2	2	R	1	R					CEC, disc.
Bulli										1	R	
Kembla										1	R	
Broken Hill										No delegate	R	Disc.

[1] Source for 1924 conference delegates: "Communist Party Conference," *Workers' Weekly* (Sydney), 9 January 1925, 3. The rest are from unpublished CPA archival documents. For the conferences of 1923, 1925-1927 and 1929: MLMSS 5021 add-on 1936, box 1(76): I, CPA Records, SLNSW. For the 1928 conference: Item N57/370, J. Normington Rawling collection, NBAC.

[2] The Credentials Committee Report, which would list the delegates, is missing from the 1929 conference papers. There is also no list of group reports or "agenda of group business" for the 1929 conference. Indications of group activity are in the CEC report, including new groups (noted as "CEC," or "CEC-new"), and in the discussion of reorganisation (factory groups), which served as discussion of group reports (noted as "disc."). Additional new groups named in the CEC report were Darwin and Fremantle; a Mt Isa group was also spoken about in the discussion.

[3] Not included in this count: "F Sheridan – co-delegate," because it is unclear whether he was with Cessnock or Kurri, and in any case the text indicates he is not a full delegate.

[4] "B" indicates the group submitted items of business for the conference, "R" indicates it submitted a report.

[5] Number of 1925 delegates deduced by counting the names listed next to each group; names in brackets were not counted, as presumably they were alternates.

[6] Those listed as "Alt" not counted.

[7] Number of people (not voting strength), including those holding proxies but excluding alternates. Townsville unclear.

[8] Groups listed as "not represented": Perth, Collinsville, Lucinda Pt, Broken Hill.

Group	1923 Conference		1924 Conference [1]	1925 Conference		1926 Conference		1927 Conference		1928 Conference		1929 Conference [2]
Melbourne			2	2	B, R	1	B, R	2	R, B	4	R, B	CEC, disc.
Brisbane	2	R	2 (of which 1 proxy)	1	R	1	B, R	1	R, B	1	R, B	CEC, disc.
Ipswich			2	1			R					
Scarborough[9]	1	B										
Members at large, North Qld	1	R	1 (proxy)							North Qld Exec: 1	R	
Cairns				Listed but no delegate named.		1	B, R	2	R, B	1	R, B	
Townsville						1	B, R	1 (more?)	R, B	2	R, B	CEC, disc.
Innisfail								2	R, B			
Scottville									R, B			
Collinsville									R			CEC
Tully									R			
Blackall (Qld)				1			R					
Perth / WA	1	B		2, "Perth Probation Group."	R				B	No delegate	R, B	CEC
Adelaide / SA						1 "fraternal delegate"	R					CEC-new, disc.
Russian Language[10]				1	R	1	R					
Greek Language (Melbourne)			2	1	R	1	R	2	R, B			
Italian (Lithgow)								1	R			

[9] Unclear if the group was Scarborough, Qld or Scarborough, WA (but more likely Queensland: Scarborough is north of Brisbane, and was the gateway to Moreton Island).
[10] Probably a Sydney-based group, but it may have been in Brisbane.

Appendix 2: November Compromise

NOVEMBER COMPROMISE TERMS

The terms of the agreement reached on 29 November 1929 between the Northern Collieries' Association and mining union representatives were:

1) The resumption date shall be Monday, December 9.
2) The wages of all contract workers shall be reduced by 12½ per cent., and the wages of all day employees shall be reduced by 6d a day at the collieries concerned.
3) Prior to December 9 the owners will submit figures to a committee of the employees to show that the reduction, as mentioned in clause 2, represents 9d a ton on the average over the collieries concerned.
4) The legal right of the colliery managers to dismiss employees shall not be questioned.
5) In the event of any employee feeling that he has been unfairly dealt with, a committee shall be appointed, consisting of two proprietors and two representatives of the union, or unions concerned, for the purpose of considering the case of any man dismissed. It is understood and agreed that under no circumstances shall a stoppage take place while the matter is under consideration.
6) The employees undertake not to place any restriction on output.
7) The Miners' Federation and other unions agree to take all steps possible to avoid petty stoppages.[1]

The agreement was reported in other newspapers in the same terms (albeit with slight and insignificant variations in the wording of some of the clauses).[2]

THE NOVEMBER COMPROMISE AND RESUMPTION TERMS IN PRIMARY AND SECONDARY ACCOUNTS

Dixson and Comerford's histories differ substantially regarding the terms of the November Compromise. Dixson gave a reasonably accurate outline of the terms agreed in November (though her account omitted point number 5).[3] Comerford wrote that the November Compromise involved "two components only" – the 12.5 per cent cut to contract rates and the 6d per shift cut to day wages – and contended on that basis that it represented a "very significant compromise" by the owners.[4] Comerford's account appears to be simply mistaken when compared with the terms as published on 30 November, but his description accords with how Federation leaders and the *Labor Daily* framed the terms in early December 1929. *Labor Daily* advised the miners that "the principal, practically the only, point at issue is the wage situation" and the other matters "can be regarded as secondary."[5] Rees and Hoare both contended at the Kurri aggregate meeting on 5 December 1929

[1] "Terms of Peace," *Newcastle Morning Herald and Miners' Advocate* (hereafter *NMHMA*), 30 November 1929, 9.
[2] "Agreement," *Sydney Morning Herald* (hereafter *SMH*), 30 November 1929, 17; "Deserted by Govt., Miners May Capitulate," *Labor Daily* (Sydney) (hereafter *LD*), 30 November 1929, 1; "Agreement Reached," *Maitland Daily Mercury* (NSW), 30 November 1929, 9.
[3] Miriam Dixson, "The Strike of Waterside Workers in Australian Ports, 1928, and the Lockout of Coal Miners on the Northern Coalfield of New South Wales, 1929-30," (MA thesis, University of Melbourne, 1957)," 191-192.
[4] Jim Comerford, *Lockout: The Northern New South Wales Coal Lockout 2nd March 1929 – 3rd June 1930*, (Sydney: Construction Forestry Mining and Energy Union [CFMEU] Mining and Energy, 2006), 316.
[5] "'Courage' is the Call," *LD*, 2 December 1929, 6.

that "the men were not being asked to make any other sacrifice than reduced wages."[6] However, newspaper reports of the aggregate meetings indicate there was more at stake than the wage cut.

A key issue for mineworkers in the settlement terms was protection against victimisation. Federation leaders believed they had secured an agreement with the NCA on 29 November that there would be no victimisation. Rees described the negotiations to the aggregate meetings: he had asked McDonald whether all of the men who had received notices would return, McDonald said the owners wanted the right to select who they could hire and fire, and Rees replied they would never agree to that. McDonald argued it was only a matter of two or three men, but the miners' representatives held firm on the principle. Rees recounted:

> We fought for two hours on this question. Mr. McDonald later struck this part of the proposal out, and if the present terms of agreement are accepted not one man will be refused work… We were told distinctly there would be no victimisation.[7]

Hoare gave Rees credit for forcing the owners to back down on victimisation.[8] A Northern District Councillor, R. Prideaux of Stanford Merthyr, who spoke against accepting the compromise terms, also believed the owners had conceded on victimisation, arguing it was a sign that "the proprietors were weakening."[9] Miners, however, did not believe they had secured the essential "no victimisation" guarantee, as reported heckling at the Cessnock aggregate meeting indicates.[10] Their disbelief was rational given the terms included point 4 and omitted any reference to seniority, and in view of the lack of a statement on this issue from the owners.

The resumption terms agreed to in May 1930 differed from the November Compromise in that the owners gave "an assurance that there will be no victimisation."[11] McDonald clearly stated: "We shall engage our former employees in the order of their seniority."[12] Dixson recognised this difference, whereas Comerford's history implied that there was no substantial change between the initial and the final terms on this matter; the owners' guarantee was simply made firmer.[13] Comerford contended that, in hindsight, the lockout should have ended with the November Compromise.[14] Again, his account is consistent with the Federation leaders' portrayal of events at the time. From 5 May 1930, the owners joined the union leaders in claiming that they had shared a "distinct understanding" since November that all former employees would resume, and if all working places were not available, they "would be re-engaged in the order of seniority."[15] They made these statements despite reports only days earlier that negotiations had restarted with the Federation

[6] "Kurri Miners Emphatically Say 'NO'," *LD*, 6 December 1929, 1-7.
[7] "Turned Down," *NMHMA*, 7 December 1929, 9; "Rejected," *NMHMA*, 6 December 1929, 9-10; "Coal Terms Rejected," *SMH*, 6 December 1929, 13-14.
[8] "Kurri Miners Emphatically Say 'NO'," *LD*, 6 December 1929, 1-7.
[9] "Five Thousand Miners Attend Aggregate Meeting at Kurri Kurri," *Newcastle Sun* (hereafter *NS*), 5 December 1929, 7.
[10] "Turned Down," *NMHMA*, 7 December 1929, 9.
[11] "'No Victimisation'," *NS*, 5 May 1930, 6.
[12] "Owners' Move," *NMHMA*, 6 May 1930, 5.
[13] Dixson, "Strike and Lockout," 236; Comerford, *Lockout*, 316-318, 452-458.
[14] Comerford, *Lockout*, 317, 457-458.
[15] "Owners' Move," *NMHMA*, 6 May 1930, 5.

seeking a guarantee of no victimisation.[16] In a face-saving exercise for both parties, they blamed the CPA for misleading the miners into believing they would be victimised.[17]

[16] "Owners' Intentions," *NS*, 1 May 1930, 5.
[17] "Ready to Settle," *NS*, 6 May 1930, 5.

Appendix 3:
State sustenance and Miners' Federation relief

VALUE OF RELIEF

For	Number of children	State sustenance scale	State food relief, cash value, weekly[1]	Miners' Federation lockout relief (in shillings per week)[2]
Single man	0	A	6/7	8/–
Married couple with no children	0	B	10/4	15/–
Married couple and 1 child	1	C	16/1	18/–
Married couple with 2-3 children	2	D	21/11½	21/–
Married couple with 2-3 children	3	D	21/11½	24/–
Married couple with 4-5 children	4	E	26/2	27/–
Married couple with 4-5 children	5	E	26/2	30/–
Married couple with 6-7 children	6	F	29/10	33/–
Married couple with 6-7 children	7	F	29/10	36/–
Married couple with 8-9 children	8	B + F	40/2	39/–
Married couple with 8-9 children	9	B + F	40/2	42/–
Married couple with 10 children	10	D + F	51/9½	45/–

Notes re: currency

One shilling was worth 12 pence; one pound was worth 20 shillings.

Both relief scales are shown in shillings and pence (rather than showing amounts of over 20/– in pounds, shillings and pence) to facilitate comparison.

Notes re: sustenance relief

The Miners' Federation relief scale was equivalent to 8/– per week for single men, 15/– for married men, plus 3/– for each child aged under 16.

Neither the Miners' Federation relief nor the state sustenance were cash payments; recipients were issued with dockets which they could use at shops, chiefly for food items.

Not all locked-out miners were deemed eligible for state sustenance relief, because the income test took account of "all income from any source," including "Family Endowment [the child endowment recently introduced in NSW], Soldiers' pensions, miners' relief, or any other fund."[3] According to the Sydney *Sun*, the permissible income limit was £2/10/– over the previous fortnight.[4] The RSL in coalfields towns objected to the soldiers' pension being included in the income limit.

[1] "Unemployed Relief," *Newcastle Morning Herald and Miners' Advocate* (hereafter *NMHMA*), 15 May 1929, 8.
[2] Minutes, Miners' Federation Central Council meeting, 21 March 1929, item E165/2/3, ACSEF Edgar Ross collection, NBAC.
[3] "Unemployed Relief," *NMHMA*, 15 May 1929, 8.
[4] "On the Dole," *Sun* (Sydney), 10 June 1929, 3.

ITEMS ALLOWED ON STATE FOOD RELIEF SCALE

	A	B	C	D	E	F
	Single man	Married couple with no children	Married couple and 1 child	Married couple with 2-3 children	Married couple with 4-5 children	Married couple with 6-7 children
Loaves of bread	3	4	7	9	10	13
Pounds of meat	3	4	5	8	9	9
Pounds of flour	0	0	2	3	4	4
Ounces of tea	4	6	8	10	10	10
Pounds of sugar	1	2	4	4	5	7
Pounds of wheatmeal	0	1	1	2	3	4
Ounces of jam	12	24	30	48	48	60
Pounds of condensed milk	1	2	2	3	3	4
Pounds of golden syrup	0	0	2	3	3	4
Pounds of butter	½	⅔	1	1½	2	2
Pounds of sago or rice	0	0	1	1	2	2
Bars of soap	¼	½	½	¾	1	1

Table source: "Unemployed Relief," *NMHMA*, 15 May 1929, 8.

Appendix 4:
Norman Brown's death: not a bolt from the blue, but a state-sanctioned killing

The circumstances of Greta miner Norman Brown's death at Rothbury on 16 December 1929 warrant separate attention because historians' treatment of the subject has been insufficient. Although the cause of his death was a gunshot wound from a police bullet, it is generally discussed in histories as a tragedy or an accident.[1] Norman Brown's death, at the age of 29, was certainly tragic for his loved ones, but for historians to foreground the tragedy, as Edgar Ross did, and not consider who was responsible is problematic. It suggests the events were beyond human control, as if Brown had been struck by lightning. By contrast, the labour movement generally considered Brown's death was murder: it was routinely referred to as such at the time and subsequently, for example in the song by Communist author Dorothy Hewett.[2] This implies not only that a person (or persons) killed him, but intended to do so, which has not been proven. That possibility is considered below, although analysis of union movement commemorations of Brown as a martyr to the cause is beyond the scope of this essay. I shall examine how Brown was shot and police use of guns that day through testimony to the coronial inquest. The inquest was a whitewash and its records were not retained; newspaper reports of the proceedings, although incomplete, provide the best source material. I contend that the police violence was an extension of the Bavin government's political and industrial attack on the miners, and that Brown's death was not only a tragedy but a state-sanctioned killing.

Historians' treatment of Brown's death is largely unsatisfactory. Miriam Dixson's 1969 article "Rothbury," remains the definitive concise account of the clash between picketers and police at the colliery on 16 December 1929. She uncritically restated contemporary accounts about how Brown was shot, both from the labour movement side – he "was playing cards" and perhaps "talking to a girl-friend" when shot – and the inquest – it was an "accidental death" by a "ricochet bullet."[3] Jim Comerford dealt with Brown's death in a dispassionate manner in his history *Lockout*, despite the profound impact it had on him, which was clear in interviews.[4] His description of the Rothbury clash did not go into how Brown received the fatal wound, arguably underemphasising it. However, he covered the inquest and the facts it revealed in a separate chapter.[5] The shortfall in Comerford's history was its lack of comment or analysis about how Brown was killed. Richard Evans, more

[1] Edgar Ross, *A History of the Miners' Federation of Australia* (Sydney: Australasian Coal and Shale Employees' Federation, 1970), 342; Miriam Dixson, "Rothbury," *Labour History*, no. 17 (October 1969), 14.
[2] "Demonstration of Protest," *Labor Daily* (Sydney) (hereafter *LD*), 17 December 1929, 5; "Lang Moves Censure Motion on Bavin for Rothbury Massacre," *LD*, 18 December 1929, 5; "Is Weaver Normal?" *LD*, 18 December 1929, 3; "Sydney Hears Case for Miners," *LD*, 13 January 1930, 5; D.J. Davies, "Cost of the Rothbury Murder Now Revealed," *LD*, 4 October 1930, 7; Dorothy Hewett, "The ballad of Norman Brown," in *The Balls of Bob Menzies: Australian Political Songs, 1900–1980*, ed. Warren Fahey (Sydney: Angus & Robertson, 1989), 119.
[3] Dixson, "Rothbury," 14.
[4] For example see Fred Moore, Paddy Gorman and Ray Harrison, eds., *At the Coalface: The Human Face of Coal Miners and Their Communities: An Oral History of the Early Days* (Sydney: Construction Forestry Mining and Energy Union [CFMEU] Mining and Energy Division, 1998), 56.
[5] Jim Comerford, *Lockout: The Northern New South Wales Coal Lockout 2nd March 1929 – 3rd June 1930* (Sydney: CFMEU Mining and Energy, 2006), 327-340, 433-439.

recently, has written about Brown's death as a preventable tragedy, arguing that police incompetence was the main cause.[6] Evans' interest in the Rothbury events was sparked by secondary sources claiming that William John MacKay, later NSW Police Commissioner, led the police operation that day, a myth he convincingly debunked.[7] Evans' perspective, however, is exceedingly narrow. By treating the events primarily as police operation in an industrial dispute, he underestimated the importance of the political context.[8]

In addition, Evans' dismissive view of oral history accounts is not conducive to understanding what happened at Rothbury. Evans pointed to statements in sociologist Andrew Metcalfe's work that police had steam hoses and machine guns as "easily disproved," claiming "there was no mention of either weapon in any contemporary newspaper."[9] He cited the *Sydney Morning Herald*, *Labor Daily* and the *Newcastle Morning Herald and Miners' Advocate*, 1 December 1929 to 30 June 1930. Yet there are references in those papers to police having those weapons at Rothbury, if not on the morning of 16 December. *Newcastle Morning Herald* included a description of the colliery as fortified "with barbed wire entanglements, two machine guns, rifles, and revolvers" in early January.[10] As for steam hoses, two newspapers reported that the train that police reinforcements arrived on at midday on 16 December was equipped with a "steam jet," intended to badly scald anyone who tried to obstruct it.[11] In addition, *Labor Daily* published the sworn statement of Tadeusz Wlodarczyk, an electrician who defected from the Rothbury scab operation in February 1930. It detailed, among other things, how on 16 December 1929 a police officer instructed him to connect the hoses to steam to use against the miners, and claimed that Minister Weaver confirmed the instruction. A steam hose was not used because the engineer said it could not be done.[12] Interviewees' accounts years later that police were armed with such weapons were far from fanciful, although they did not have them on the morning of the picket. Oral histories may be less reliable regarding dates, but highly accurate on other details.[13] While the analysis below does not depend upon later oral accounts, they provide an informative perspective.

Competing accounts of the circumstances in which Brown was wounded began on 17 December. On the authorities' side, the police report did not state what time he was shot or the precise location.[14] This allowed Weaver to tell Parliament, according to the *Sydney Morning Herald*, "that the man who was fatally injured had been engaged in pulling up the railway line."[15] Though

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[6] Richard Evans, "'Murderous Coppers': Police, Industrial Disputes and the 1929 Rothbury Shootings," *History Australia* 9, no. 1 (January 2012), 191-193.
[7] *Ibid.*, 187.
[8] *Ibid.*, 180-182, 191-193.
[9] *Ibid.*, 177.
[10] "At Rothbury," *Newcastle Morning Herald and Miners' Advocate* (hereafter *NMHMA*), 11 January 1930, 9.
[11] "Armed Police Shoot Down Helpless Miners," *LD*, 17 December 1929, 1; "Eyewitnesses' Stories of Tragic Mine Riots," *Daily Telegraph Pictorial* (Sydney), 17 December 1929, 2-3.
[12] "'Drill Them Through!" Were Weaver's Words," *LD*, 28 February 1930, 1.
According to Jim Comerford, Wlodarczyk was *Labor Daily*'s undercover reporter in the scab camp, but this does not seem certain: further reports from the mystery journalist were published well after Wlodarczyk's defection (Comerford, *Lockout*, 442-446; "More News from the Seat of War," *LD*, 8 March 1930, 5; "Can Weaver Get Out of His Own Way?" *LD*, 12 March 1930, 5; "Rothbury is Dying," *LD*, 21 March 1930, 5; "Rothbury to Close," *LD*, 1 April 1930, 6.)
[13] Lynn Abrams, *Oral History Theory*, 2nd ed. (London: Routledge, 2016), 87-98.
[14] "Official Report," *NMHMA*, 17 December 1929, 7.
[15] "Mr. Weaver in Reply," *Sydney Morning Herald* (hereafter *SMH*), 18 December 1929, 19.

Weaver would not withdraw the statement the following day, he later denied that he said it, pointing out it was not in the *Hansard* record.[16] *Labor Daily* insisted he had said it, calling *Hansard* unreliable due to politicians' interference. Even if Weaver did not state the accusation directly, he certainly insinuated it.[17] Bavin did not join in Weaver's slander or insinuations against Brown, preferring to discourage discussion on how he and others were shot on the grounds that it would be the subject of an inquest, yet simultaneously insisting "it must have been an accident."[18] Weaver's accusations must have made those on the miners' side all the more keen to establish that Brown was an innocent victim. George Booth began this project, stating in Parliament that Brown was sitting 65 yards away from the colliery grounds, talking to a girl friend from Rothbury, when he was shot.[19] Later, *Labor Daily* drew on miners' evidence to the coronial inquest for its headline: "Shot While Playing Cards at Rothbury. How Norman Brown Died."[20] As the article text made clear, this was inaccurate; witnesses instead stated they were playing cards with Brown shortly before the clash took place. Whether or not the distortion was deliberate, the headline bolstered the idea that Brown was not participating in any fighting. The competing claims about Brown's actions, within the context of a broader debate over who was to blame for the violence, contributed to the inquest being more a trial of the victim than an attempt to identify whoever was responsible for his death.

The inquest was held at West Maitland Courthouse and conducted by the Maitland District Coroner David William Reed. Its scope was narrow: to find out "how, when, where, and by what means" Norman Brown had died; it was not an inquiry into the police operations or their use of firearms that morning.[21] The inquest was due to begin on 13 January, but given the turmoil on the coalfields, it was postponed for a month to avoid public scrutiny of the 16 December fatality, which was expected to inflame community ill-feeling.[22] Thus it began on 10 February, exactly eight weeks after the events, and ran for five full days. W. Curtis, KC, appeared on behalf of the Crown, while Jim Clancy represented the deceased's relatives and the Miners' Federation. The Coroner delivered his findings on the following Monday morning, 17 February. About 50 people gave evidence: 18 picketers, 22 police, four doctors, one musketry expert, three other eyewitnesses to the picket (who did not witness Brown's shooting) and Brown's step-father.[23] The evidence covered Brown's actions before he was shot; the injuries to Norman Brown, David Brown (no relation to Norman) and Wally Woods; the bullet that caused the fatal wound; three other bullets that injured miners; the police operations, the nature of their weapons and ammunition; the actions of individual police officers and any injuries they had received; and David Brown's account of how he was shot. In addition, various police officers and journalist Archibald Wood repeated their earlier claim that gunfire had come from the miners' side. The deferral of the inquest meant that it was not the first court case

[16] "Brown's Death," *Sun* (Sydney), 18 December 1929, 23; "Weaver's Wobble," *LD*, 24 December 1929, 5; *New South Wales Legislative Assembly Parliamentary Debates* (hereafter *NSWPD*), 17 December 1929, 2551.
[17] "The Censure Motion," *NMHMA*, 18 December 1929, 8; "Stern Debate," *Sun*, 18 December 1929, 25.
[18] *NSWPD*, 17 December 1929, 2515, 2531, 2533.
[19] *NSWPD*, 17 December 1929, 2531; "The Censure Motion," *NMHMA*, 18 December 1929, 8; "Censure," *SMH*, 18 December 1929, 19.
[20] "Shot While Playing Cards at Rothbury," *LD*, 12 February 1930, 6.
[21] "'Accidentally Shot'," *NMHMA*, 18 February 1930, 8.
[22] "Inquest Delayed," *NMHMA*, 14 January 1930, 5.
[23] I have relied on the reports of three newspapers: *NMHMA*, *LD*, and *Maitland Daily Mercury* (NSW) (hereafter *MDM*). Reports stated that 53 witnesses were examined, whereas my own count gave a total of 49, of whom four were recalled and so perhaps counted twice. "Evidence at End," *NMHMA*, 15 February 1930, 10; "Verdict on Monday," *MDM*, 15 February 1930, 8.

arising out of the Rothbury events: in late January, 32 miners were tried for unlawful assembly over the mass picket. All were convicted, 18 were fined £20 each and the rest £10, except for one older man fined £5.[24]

The way Reed conducted the inquest indicated that he would not hold the police to account. Reed, who was also the Maitland District Police Magistrate who had convicted the 32 for unlawful assembly at Rothbury, appeared biased against the unionists. Indeed, the day after he handed down the inquest finding, Solicitor Christian Jollie Smith objected to Reed adjudicating in further unlawful assembly cases on the grounds of bias. She accused him of convicting the defendant in 100 per cent of such cases and called on him to withdraw; he refused.[25] The inquest began with evidence about the deceased, including his character and his actions just prior to attending the picket, which suggested the Coroner was exploring whether he could blame the victim. Specifically, Brown's stepfather, with whom he had lived, attested (presumably in response to a question) that his stepson was not a habitual drinker. Dr W.B.H. Wood, who examined Brown before and after his death, testified that he was sober, with "no trace of intoxicating liquor on him."[26] Though the press reports may present a distorted picture, it seems the inquest spent a lot of time scrutinising Brown's actions, while inquiries about the actions of police officers were perfunctory. Reed allowed evidence regarding picketers rushing the mine at 5.30am, which the police used to justify their actions, but did not want to hear evidence from Clancy's witnesses about police firing recklessly, intimating that it was not sufficiently relevant.[27] The Coroner repeatedly clashed with Clancy, the latter protesting in one instance that "every time I get a witness to contradict himself I am interrupted by the bench or Mr. Curtis."[28] Moreover, Reed required Clancy to give his closing address first. This was a break with convention which perturbed Clancy, who contended that since he had made certain charges, the onus of proof was on him and he should speak last.[29] The inquest was a whitewash, just as one Labor parliamentarian predicted it would be.[30]

Most of the testimony regarding what Brown was doing showed that he was running away from police gunfire when he was shot, but the Coroner did not accept this. All witnesses agreed Brown had not been among the men who rushed onto the property amidst the commotion at the gate around the car, but they differed on whether he had approached the fence. The inquest did not entertain Weaver's claim that Brown had been pulling up the railway line, which would have meant he had been shot about one hour earlier. The female interlocutor Booth referred to was not mentioned either. James Dever, a Greta miner, told the inquest that he, Brown and two others were playing cards on vacant land; then, when they heard shooting around 9.30am, they ran towards the gate. They watched from the roadway while others scaled the fence. A whistle blew and police

[24] "'Unlawful Assembly'," *NMHMA*, 21 January 1930, 5; "£380 in Fines," *NMHMA*, 23 January 1930, 8; "Fines of £10," *NMHMA*, 24 January 1930, 10.
[25] "Bias Charge Refuted," *NMHMA*, 19 February 1930, 5. Jollie Smith's charge was not strictly accurate: in 126 unlawful assembly trials, Reed had convicted 118, but that was still a conviction rate of nearly 94 per cent. See Table 3, Appendix 5.
[26] "Rothbury Shooting," *MDM*, 10 February 1930, 5.
[27] "'Spent' Bullet," *NMHMA*, 12 February 1930, 5; "The Story of Rothbury Shooting," *MDM*, 12 February 1930, 5; "The Shooting," *NMHMA*, 13 February 1930, 5; "'Realised Police Were About to be Murdered'," *LD*, 13 February 1930, 6.
[28] "Entry of Bullet," *NMHMA*, 14 February 1930, 5.
[29] "Evidence at End," *NMHMA*, 15 February 1930, 10.
[30] *NSWPD*, 17 December 1929, 2533.

rushed those who had entered the property, forcing the crowd back; Dever and Brown retreated with the rest. Police opened fire again and they ran away; Dever saw Brown fall.[31] Kurri miner John Lindsay's account was consistent with Dever's. Lindsay attested that Brown had come up to him just before the shooting, and they ran towards a vacant lot together when it started. They had run about 40 yards when Brown fell, and Lindsay was the first to assist him.[32] The testimony of about six other miners, most of whom either saw Brown running away or saw him fall, corroborated Lindsay's and Dever's evidence. Two men, Frederick Keasey and his son Robert Keasey, both labourers of Rothbury, gave a different version of events. Brown was sitting with them in a vacant lot when the shooting started; they decided to get away from there; as soon as Brown stood up to leave, he was shot. Their account seems the least credible; the Keaseys were probably motivated by a desire to protect Brown's reputation. The Coroner, however, preferred the Keaseys' version, stating he had concluded "that just before he [Brown] received the wound he was sitting down."[33] Nonetheless, his formal finding was consistent with the evidence insofar as he exonerated the victim. Reed found that Brown had not participated in the riot that police were quelling when he was fatally shot.

Reed also exonerated the police, but his findings on their actions were at odds with much of the evidence. The Coroner's main finding was that Brown was "accidentally shot" and that police had "exercised all ordinary skill and caution so as to do no more harm than could reasonably be avoided"; indeed Reed praised their "forbearance and commendable restraint."[34] I shall consider how police used their weapons before returning to the specifics of how Brown was shot. Clancy argued that the police use of firearms was reckless, a claim that was supported by the evidence. Curtis claimed the police had fired a total of 123 bullets that morning at Rothbury.[35] That number, however, should be taken as a minimum. Police officers contradicted the Crown's claim and each other in their testimony to the inquest regarding how many shots were fired. Superintendent Beattie stated that they ran out of ammunition after the first clash, until Inspector G. Jeffrey arrived around 6.30am with 60 more rounds.[36] Supposing that Beattie was referring to the 36 police he said were stationed near the property's gate at that time (rather than all 57 then at Rothbury), and assuming each revolver was loaded with the maximum of six rounds, they would have discharged 216 bullets at dawn.[37] In contrast, Sergeant R.W. Munday, who compiled a list of each officer's position, weapons and how many shots they fired, claimed they fired only 52 shots at 5.30am and 69 at 9.30am (a total of 121).[38] If they had indeed used all their bullets after firing 52, it is unclear how they later fired 9 more than they subsequently received. Either Munday's or Beattie's statement was untrue; their claims were mutually exclusive and Munday's seems less credible. Furthermore, evidence from Beattie and others established that nine police officers had carried revolvers that were their personal property; they had fired those weapons, and there was no record of the

[31] "Shot While Playing Cards at Rothbury," *LD*, 12 February 1930, 6 (this report named Dever as Dener); "'Spent' Bullet,**"** *NMHMA*, 12 February 1930, 5.
[32] "Rothbury Inquest," *NMHMA*, 11 February 1930, 8.
[33] "'Accidentally Shot'," *NMHMA*, 18 February 1930, 8.
[34] *Ibid.*
[35] "'Spent' Bullet,**"** *NMHMA*, 12 February 1930, 5.
[36] "The Shooting," *NMHMA*, 13 February 1930, 5; "'Realised Police Were About to be Murdered'," *LD*, 13 February 1930, 6.
[37] William Chipchase Dowell, *The Webley Story: A History of Webley Pistols and Revolvers, and the Development of the Pistol Cartridge* (Kirkgate, Leeds: The Skyrac Press Ltd., 1962), 66.
[38] "Entry of Bullet," *NMHMA*, 14 February 1930, 5.

ammunition used in those cases.[39] Although the number of bullets fired was not established, the minimum number suggests police behaved recklessly, at best. By discharging weapons that had the potential to kill more than 123 times, the police demonstrated a callous disregard for the miners' lives. *Labor Daily* argued after the inquest that police should not carry firearms at all, contending that the armed police force of NSW may constitute an unconstitutional militia.[40]

The police claimed, and newspapers reported, that they fired only into the ground or into the air.[41] They said they had to do so for self-defence; Beattie argued they would have been killed otherwise. State Labor leader Jack Lang and others on the miners' side wondered if they had been instructed to do the opposite. Referring to the notorious order of Colonel Tom Price in Victoria during the 1890 maritime strike, Lang asked: "Did somebody in that Rothbury mine… instruct the police to 'fire low and lay 'em out'?"[42] Bill Orr, leading CPA member and later Miners' Federation General Secretary, supposed they must have received such an order, and said so publicly; his battalion of the Highland Light Infantry had been given similar instructions in relation to a railway strike.[43] Evans also doubted the claim, from a different perspective: in extensive research he found no other instance of NSW police firing warning shots into the ground, nor reference to such a practice in operational or training materials.[44] Yet the orders commanders issued in the maritime and railway strikes to fire at the crowd suggested that either firing warning shots was an established practice or they feared their men would avoid shooting civilians.[45] NSW police were unaccustomed to unleashing lethal force on picketing workers, and most of the police at Rothbury probably avoided firing on the miners. Three severe casualties was a small number in view of the minimum number of bullets fired and the thousands of miners present. As one picketer reportedly told the *Sydney Morning Herald*, if the police were firing to hit them, "they were the worst shots that ever could have been born."[46] Had the Bavin government sent the police there to shoot down the miners, as Lang accused, the number of casualties and the number killed would surely have been higher.[47]

However, the testimony of many miners, at the inquest and subsequently, that the police fired at them cannot be ignored. While most police probably fired into the air or the ground as claimed, some took aim at the picketers. Six miners gave evidence that they saw police shoot directly at either themselves or other miners.[48] David Brown, who had a bullet lodged next to his

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[39] "'Realised Police Were About to be Murdered'," *LD*, 13 February 1930, 6; "The Story of Rothbury Shooting," *MDM*, 12 February 1930, 5; "Evidence at End," *NMHMA*, 15 February 1930, 10; "'Spent' Bullet," *NMHMA*, 12 February 1930, 5. Beattie stated that police could obtain permission to use their own revolvers if they were of the necessary calibre.

[40] Editorial: "The Norman Brown Verdict," *LD*, 18 February 1930, 4.

[41] "Bloodshed – Fierce Riots at Rothbury," *Newcastle Sun*, 16 December 1929, 1; "Bloodshed in Rothbury Mine Raids," *Evening News* (Sydney), 16 December 1929, 1; "Eyewitnesses' Stories of Tragic Mine Riots," *Daily Telegraph Pictorial*, 17 December 1929, 2-3.

[42] *NSWPD*, 17 December 1929, 2519.

[43] "Communist's Speech," *SMH*, 26 February 1930, 15.

[44] Evans, "'Murderous Coppers'," 193.

[45] The other two cases are not easily comparable to Rothbury though because the orders were given to paramilitary and military troops respectively, not the police.

[46] "Tragic Fighting Between Police and Miners at Rothbury," *SMH*, 17 December 1929, 11.

[47] *NSWPD*, 17 December 1929, 2518-2522.

[48] "Crown Claims Miner Shot Miner," *LD*, 11 February 1930, 6; "'Spent' Bullet," *NMHMA*, 12 February 1930, 5; "The Shooting," *NMHMA*, 13 February 1930, 5; "Bullet in Brown's Body," *LD*, 14 February 1930, 5; "Evidence at End," *NMHMA*, 15 February 1930, 10.

spine for the rest of his life, described glancing back and seeing "three policemen close together. The centre man was firing, and was using his left arm to steady his aim."[49] Several attested that police fired at men who were running away. Other participants in the picket, remembering the events in later years, also stated that police fired directly at the men, including historian Beth Hanley's interviewees, who unanimously confirmed it.[50] Norman Jeffery remembered police "fired indiscriminately, but with definite intent" that morning.[51] Jim Comerford vividly recalled seeing a policeman who "deliberately lifted one arm and supported a revolver on it and aimed at Woods and shot him in the throat."[52] Charles Bowden, a council employee who was there to cart water and who appears to be a credible witness, "saw one police officer at the main gate run across the road, empty his gun, and run back."[53] There was additional evidence of deliberate aggression by the police in reports that elderly miners who posed no threat were batoned, one whilst lying on the ground.[54] Such batoning and the instances of reckless or targeted shooting were clearly beyond any requirement for crowd control or self-defence. It is reasonable to conclude that some police, probably a minority, shot deliberately at miners to maim or even kill. Their aggression stemmed not only from fear and anger as they confronted a large crowd, but was also a product of, and extended, the Bavin government's attack. Some who fired directly at miners may have perceived that they would never be held accountable, given the political context. The actions of the police, ranging from callous disregard through to deliberate violence, resulted from the aggressive policy of the Bavin government towards the miners.

The inquest did not determine which police officers had caused Brown's death, directly or indirectly. The evidence, as Clancy contended, showed that Brown was shot by a .45 police bullet.[55] Reed did not dispute this, but avoided referring directly to the fact that police fired the fatal shot in delivering his findings.[56] The inquest did not establish whether the police opened fire in response to an order in the 9.30am clash in which Brown was wounded. Beattie stated that he had ordered the police to fire into the ground at 5.30am, but evidence differed regarding the events four hours later. Beattie was not at the boundary then; he had gone to the colliery magazine, leaving Inspector Jeffrey in charge.[57] Several accounts noted a whistle was blown as police rushed the miners at 9.30. According to *Labor Daily*, Constable W.G. Gregory stated that Inspector Jeffrey gave the order to fire, a detail it highlighted but other reports omitted.[58] Jeffrey stated that he had neither blown a whistle nor instructed the police to fire. Sergeant W.A. Stubbs said that police fired of their own accord, implying no order was given, while Sergeant J. Bell testified that Jeffrey later ordered police to put

[49] "Bullet in Brown's Body," *LD*, 14 February 1930, 5.
[50] Beth Hanley, *Lockout: Weston and Its Mines 1928-30* (Newcastle, NSW: Loani, 1992), 62, 91; Fred Moore, Paddy Gorman and Ray Harrison, eds., *Back at the Coalface: Volume 2 of the Australian Coal Miners Oral History* (Sydney: CFMEU Mining and Energy Division, 2007), 37.
[51] Norman Jeffery, "Another Eye-witness," *Common Cause* (Sydney), 13 February 1960, 4.
[52] Wendy Lowenstein, *Weevils in the Flour: An Oral Record of the 1930s Depression in Australia* (Melbourne: Scribe, 1981), 87.
[53] "Evidence at End," *NMHMA*, 15 February 1930, 10.
[54] Bloodshed in Rothbury Mine Raids," *Evening News*, 16 December 1929, 1; "Armed Police Shoot Down Helpless Miners," *LD*, 17 December 1929, 1; *NSWPD*, 17 December 1929, 2524.
[55] "Evidence at End," *NMHMA*, 15 February 1930, 10.
[56] "'Accidentally Shot'," *NMHMA*, 18 February 1930, 8.
[57] "The Shooting," *NMHMA*, 13 February 1930, 5.
[58] "Bullet in Brown's Body," *LD*, 14 February 1930, 5.

their arms away.[59] There was no serious effort, as Evans noted, to find out which officer had fired the shot that killed Brown.[60] Clancy accused the police of committing perjury in their evidence in order to hide whoever fired it.[61]

The inquest heard conflicting evidence regarding the direction of the fatal bullet, that is, whether Brown was hit in the front or the back, and whether it was a direct hit or a ricochet. The Coroner made much of Brown's reported remarks that he was hit by a "stray" bullet and, reasoning that Brown could see as well as anyone else whether police were firing in his direction, concluded that he would have used different words if he thought the shot was fired directly.[62] Reed's finding that Brown's gunshot wound was "accidentally received" (he did not state definitively that it was a ricochet) was not adequately established. The bullet may indeed have been a stray, but it is equally possible that a police officer shot directly at him. From the testimony of four witnesses who mentioned distances, two of whom estimated Brown's distance from the colliery fence when he fell, it seems Brown was at least 40 yards from the fence, probably between 50 and 60 yards away.[63] There were varying accounts of where the police were when they opened fire. Charles Bowden said they were inside the property, within five yards of the fence, while other eyewitnesses testified that they saw police shooting from outside the fence.[64] The police (except for those carrying their own guns) were equipped with Webley RIC (for Royal Irish Constabulary) revolvers that fired .45 bullets. Demonstrations upon the release of that model, designed "as a man-stopper" for police forces, showed they could be used to hit targets with a high degree of accuracy – within 3.5 inches – up to 25 yards away.[65] Thus it is plausible that Brown was deliberately shot. But whether the fatal wound resulted from a calculated act of aggression or callous disregard, the fact remains that Norman Brown was killed because he joined in the picket. If the unidentified police officer shot him intentionally, his death was an extra-judicial arbitrary punishment – that is, murder. However, that is a possibility that can no longer be proven. Either way, since the Coroner did not seriously attempt to hold the police officer (or officers) responsible to account, it is unsatisfactory to describe it as an accident. More accurately, Brown's death was a state-sanctioned killing.

[59] "Entry of Bullet," *NMHMA*, 14 February 1930, 5.
[60] Evans, "'Murderous Coppers'," 193-194.
[61] "Coroner Reserves His Decision," *LD*, 15 February 1930, 5.
[62] "'Accidentally Shot'," *NMHMA*, 18 February 1930, 8.
[63] "Rothbury Inquest," *NMHMA*, 11 February 1930, 8; "The Shooting," *NMHMA*, 13 February 1930, 5.
[64] "Evidence at End," *NMHMA*, 15 February 1930, 10; "The Rothbury Shooting Fatality," *MDM*, 14 February 1930, 5.
[65] Dowell, *The Webley Story*, 66, 62-67.

Appendix 5:
Prosecutions for unlawful assembly arising from mass pickets

TABLE 1: NUMBERS PROSECUTED AND RATE OF CONVICTION

This table shows all prosecutions on the Northern District coalfields for unlawful assembly after the November Compromise and Bavin's plan to reopen Rothbury were announced.

Date of assembly	**Place of assembly**	**Arrested on day**	**Summonsed later**	**Charged**	**Convicted**	**Rate of conviction** (convicted/ charged)
16/12/1929	Rothbury[1]	11	-	11	11	100%
		-	22	21	21	100%
10/01/1930	Ashtonfields[2]	-	77	73	68	93.15%
15/01/1930	Abermain[3]	-	94	91	86	94.51%
	Kearsley[4]	3	-	3	0	0%
	Ellalong[5]	7	-	0	0	N/A
		-	62	62	0	0%
	John Darling colliery[6]	-	31	31	28	90.32%
Total		**21**	**286**	**292**	**214**	**73.29%**
		307 total (either arrested on day or summonsed later).				
Total excluding Ellalong 62 (cases much delayed)				**230**	**214**	**93.04%**

[1] "Twenty Summonses," *Newcastle Morning Herald and Miners' Advocate* (hereafter *NMHMA*), 9 January 1930, 7; "Railway Cases," *NMHMA*, 9 January 1930, 7; "Miners Before Court on Unlawful Assembly Charges," *Newcastle Sun* (hereafter *NS*), 20 January 1930, 5; "'Unlawful Assembly'," *NMHMA*, 21 January 1930, 5; "'To Issue Summons'," *NS*, 21 January 1930, 5; "Decision To-day," *NMHMA*, 22 January 1930, 9; "£380 in Fines," *NMHMA*, 23 January 1930, 8; "Fines of £10," *NMHMA*, 24 January 1930, 10.

[2] "77 Summonses," *NMHMA*, 25 January 1930, 9; "Summonses at Wallsend," *NMHMA*, 29 January 1930, 7; "West Wallsend Summonses," *NMHMA*, 30 January 1930, 7; "Wallsend To-Day," *NMHMA*, 18 February 1930, 8; "Bias Charge Refuted," *NMHMA*, 19 February 1930, 5; "Ashtonfields' Scenes," *NMHMA*, 20 February 1930, 8; "Behind Picket Lines," *NMHMA*, 21 February 1930, 10; "Pickets Convicted," *NMHMA*, 22 February 1930, 9.

[3] "94 Summonses," *NMHMA*, 24 January 1930, 9; "94 Defendants," *NMHMA*, 6 February 1930, 9; "Abermain Cases," *NMHMA*, 7 February 1930, 11; "Cases Proved," *NMHMA*, 8 February 1930, 10; "To Serve Sentences," *NMHMA*, 25 February 1930, 7; "Abermain Cases," *NMHMA*, 1 March 1930, 9; "Release from Gaol," *NMHMA*, 1 March 1930, 9.

[4] "At Kearsley," *NMHMA*, 16 January 1930, 7; "Ten Arrests," *NMHMA*, 16 January 1930, 7; "Cessnock," *NMHMA*, 29 January 1930, 9; "Kurri Kurri," *NMHMA*, 30 January 1930, 9.

[5] "Ten Arrests," *NMHMA*, 16 January 1930, 7; "Cessnock," *NMHMA*, 29 January 1930, 9; "Ellalong March," *NMHMA*, 22 February 1930, 9; "Adjourned," *NS*, 11 March 1930, 5; "Ellalong Cases," *NMHMA*, 25 March 1930, 5; "Cessnock," *NMHMA*, 7 May 1930, 9; "Ellalong Charges," *NS*, 2 September 1930, 8; "Withdrawn," *NMHMA*, 3 September 1930, 4.

[6] "No Violence," *NMHMA*, 18 February 1930, 8; "'No One to Work'," *NMHMA*, 19 February 1930, 5; "Convicted," *NMHMA*, 20 February 1930, 8.

TABLE 2: CONVICTION RATES OF PRESIDING MAGISTRATES

David William Reed, Maitland District Police Magistrate, heard the vast majority of the cases as most of the assemblies were in South Maitland. Newcastle Stipendiary Magistrate John Benjamin Gibson heard the cases arising from the John Darling mass picket, but not those arising from the Ashtonfields feint, both of which were on the Newcastle coalfields.

Date of assembly	**Place of assembly**	**Arrested on day/ later summonsed**	**Date court case ended**	**Charged**	**Convicted**	**Rate of conviction** (convicted / charged)
D.W. Reed presiding						
16/12/29	Rothbury	Arrested	22/01/30	21	21	100%
		Summonsed	23/01/30	11	11	100%
15/01/30	Kearsley	Arrested	29/01/30	3	0	0%
	Abermain	Summonsed	07/02/30	91	86	94.51%
10/01/30	Ashtonfields	Summonsed	21/02/30	73	68	93.15%
Reed's total average conviction rate				***199***	***186***	***93.47%***
J.B. Gibson presiding						
15/01/30	John Darling	Summonsed	19/02/30	31	28	90.32%
N/A – cases not pursued						
15/01/30	Ellalong	Arrested	Not proceeded with	0	0	N/A
		Summonsed	Withdrawn	62	0	0%

TABLE 3: MAGISTRATE REED'S CONVICTION RATE UP TO 18 FEBRUARY 1930

On 18 February 1930, Solicitor Christian Jollie Smith argued Reed should not adjudicate unlawful assembly cases, accusing him of bias: "There have been 150 cases tried by your Worship, and 150 convictions."[7] This was a slight exaggeration, as Jollie Smith knew: she had represented the three Kearsley defendants to whom Reed had given the benefit of the doubt.[8] However, it was close to accurate. Reed had convicted nearly 94% of defendants in unlawful assembly cases to that date.

Date of assembly	**Place of assembly**	**Arrested on day/ later summonsed**	**Date court case ended**	**Charged**	**Convicted**	**Rate of conviction** (convicted / charged)
16/12/29	Rothbury	Arrested	22/01/30	21	21	100%
		Summonsed	23/01/30	11	11	100%
15/01/30	Kearsley	Arrested	29/01/30	3	0	0%
	Abermain	Summonsed	07/02/30	91	86	94.51%
Reed's conviction rate up to 18/02/30				**126**	**118**	**93.65%**

[7] "Bias Charge Refuted," *NMHMA*, 19 February 1930, 5.
[8] "Kurri Kurri," *NMHMA*, 30 January 1930, 9.

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