

**WORKING PRACTICES AND MALPRACTICES IN THE PORTS OF
LIVERPOOL, LONDON AND NEW YORK, WITH SPECIAL REFERENCE
TO THE PERIOD 1945 TO 1972**

DAVID CRITCHLEY

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ABSTRACT

The objective of this thesis is to test the hypothesis, through the comparative method, that malpractices in three major ports, New York and two in Britain, were the result of divergent collective bargaining and economic processes. Few inter-country studies have been conducted of working practices and malpractices on docks, none to any depth and here utilising original source materials where possible. Strengths of alternative frameworks as a step towards explaining the existence and continuation of industrial malpractices are highlighted before their limitations are exposed, leading to the conclusion that 'subjective' factors and local and governmental levels were as important in conditioning perceptions of docks malpractices as were any 'material' variables identified and analysed previously. Docks phenomena were imbued with political significance and meanings altering their representation, reflected in legislation, mandates and policies. Subjective labels attached by governments to similar docks malpractices, by no means consistently with one another, accounted for most of the supposed 'differences' ascribed to docks misbehaviour as expressed in published sources. A perspective is developed in which local constituents within port systems were of the utmost importance. 'Autonomous' dockworker actions were as critical in moving debates forward as well-placed state interventions and industrial structures, the basis of most other accounts. The legitimacy or otherwise of malpractices became a key issue around which consensus or conflict was caused at national policy-framing level, and was a powerful determinant of dockworker behaviour. Simultaneously, 'material' opportunities for malpractices to emerge in the cargo handling process were as important in generating an environment in which malpractices came to assume those enduring forms that this work is concerned with. While recognising the contributions made by other authors in this field, a comprehensive explanation of the phenomenon of docks malpractices and how they were perceived recognises the often-singular interaction of politics, legitimacy and ideology at the national and local scales, as well as common characteristics of port systems within the realm of economics.

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CHAPTER ONE

COMPARATIVE PORT PRACTICES – ISSUES AND METHODOLOGY

INTRODUCTION

The origins of this thesis lay in obvious inconsistencies between perceptions of waterfront practices in three ports, reflected in published materials. When one examines the open record on New York harbour malpractices, they seem to bear little relationship to those in British ports over the same time frame, despite the empirical groundings of run-of-the-mill cargo handling being similar in their outlines.

At a personal level, the subject of organized crime has been an interest to the author for many years, resulting in a published bibliography.¹ This involvement informs the questions asked of dock practices and explains the emphasis herein placed on malpractices.

The central conclusion reached was that many, but not all, of the supposed differences in dock practices and malpractices in Liverpool, London and New York were the results of predisposed reporting. The question then becomes one of examining why radically different interpretations and policy responses emerged out of comparable industrial practices.

A popular image of gangster-ridden New York harbour, as opposed to the supposed standards following and ‘legal’ situation in British ports, never seemed very realistic and less so as research progressed.² Writers on dock practices have rarely mounted inter-country comparisons of malpractices, but when doing so they emerge with formulaic designs that rarely advance the debate, in part since they assume the portrait of New York reflects the historical reality. Images of waterfront racketeering in New

¹ Critchley, D., *International Perspectives on Organized Crime: A Bibliography* (Vance Publications, 1984).

² A classic case was the grotesque description given by author John Davis of New York dock union leader Anthony Anastasio – ‘Picture the Anastasia brothers on a Brooklyn dock ... the ferocious Albert is followed, a few paces behind, by his brother Tough Tony, wearing his trademark custom-made, wide-lapelled, double-breasted suit with white tie and white carnation’ (Davis, J.H., *Mafia Dynasty*, (HarperCollins, 1993) p. 54).

York have exerted a disproportionate influence even on scholarly studies, the most recent example being in 2001.³ This work therefore deals with cargo handling practices in three major ports, while being heavily animated by the question of waterfront malpractices.

Although the physical characteristics and logistics of dock work were comparable in New York and in Britain, political environments differed radically. As each dock system functioned within a unique interaction of state and industry, outcomes in terms of the inspection and the interpretation of dock practices varied. Was ‘the problem’ of docks malpractices purely one of law breaking, for example, or of defective union controls, or of both? One group of solutions to the question of docks malpractices were based on the criminal law, whilst others were drawn from a tradition of industrial consensus.

THE COMPARATIVE APPROACH

A key element in the approach adopted in this thesis is the decision to move beyond existing single-port or single-country studies. The comparative method compels researchers to explore complexities beyond the single unit in order to historicize and to test the robustness of previous analyses.⁴

Prior comparative studies of docks malpractices have concentrated on differences within the same country⁵ and have not adequately identified the full range of variables involved.⁶ The nearest to this present work was Vernon H. Jensen, who in 1964 compared hiring regimes in several leading ports including those at the centre of this thesis. Jensen, however, did not connect his observations to theoretical models, nor

³ Woodiwiss, M., *Organized Crime and American Power: A History* (University of Toronto Press, 2001).

⁴ May, T., *Social Research* (Open University Press, 1997) p. 186.

⁵ E.g. Kimeldorf, H., *Reds or Rackets? The Making of Radical and Conservative Unions on the Waterfront* (University of California Press, 1988); Larowe, C. P., *Shape-Up and Hiring Hall: A Comparison of Hiring Methods on the New York and Seattle Waterfront* (University of California Press 1955).

⁶ The many works by Peter Turnbull and others, into strike activity and the post-1970 docks have partly redressed this imbalance insofar as stoppages are concerned.

did he take a serious look at the issue of malpractices. Methodologically too his range of sources was limited.⁷

Through an historical and comparative prism, evidence was gathered that definitions utilised as to what constituted 'acceptable' practices changed over the passage of time and by place.⁸ Breuilly, in his discussion *Labour and Liberalism in Nineteenth Century Europe: Essays in Comparative History*, warned prospective researcher against viewing without critical reflection historical 'norms' since they were always maleable in relation to other factors.⁹

As Burton and Turnbull contended, comparative studies should 'be grounded and incorporate a multilevel analysis.' Further, 'contextual comparisons' are at least as important as 'matched' comparisons, the 'direct' measurement of one practice against another disregarding the context. In this view, 'convergent' outcomes in, for example, the decasualisation of dock work could originate from very different 'inputs.'¹⁰ The use of appropriate case studies, contextual variables and the comparative method are required to understand and to explain more fully regulatory systems as they influenced work practices and malpractices.

Problems remain. Employment relations were conditioned not only by tangible influences that could be identified and isolated, but also by value-laden implications and constraints. 'Historical development and national circumstance', notes Evans, 'have led to divergent systems, which should be judged in their native context and not in terms of how they would work on alien soil.'¹¹

⁷ Jensen, V. H., *Hiring of Dock Workers and Employment Practices in the Ports of New York, Liverpool, London, Rotterdam, and Marseilles* (Harvard University Press 1964)

⁸ Mackie, T. and Marsh, D., 'The Comparative Method' in D. Marsh and G. Stoker (eds.) *Theory and Method in Political Science* (Macmillan Press, 1995) p. 174

⁹ Breuilly, J., *Labour and Liberalism in Nineteenth Century Europe: Essays in Comparative History* (Manchester University Press, 1992) pp. 1-19.

¹⁰ Barton, H. and Turnbull, P., 'Labour Regulation and Competitive Performance in the Port Transport Industry' *European Journal of Industrial Relations*, vol. 8 no. 2 (July 2002) p. 136; Turnbull, P. and Sapsford, P., 'Hitting the Bricks: An International Comparative Study of Conflict on the Waterfront' *Industrial Relations*, vol. 40 no. 2 (April 2001) pp. 231-257

¹¹ Evans, H., *Governmental Regulation of Industrial Relations* (Cornell University, 1961) p. 116.

Validity of comparisons

It was concluded that sufficient similarity existed between dock practices in three geographical settings to make defensible comparisons achievable. The mechanics of dock work, as Frankel and Marcus remarked, was much the same everywhere.¹² Barzman further argued that dock labour regulation was increasingly ‘standardised’ from 1940 through the effects of wars, economic convergence, and developments in organized labour and state controls, in particular over the question of ‘decasualised’ port labour.¹³

This characteristic simplified the process by limiting the number of variables to be taken into consideration. For purposes of international comparison, therefore, waterfronts are unusually good environments in which to adjudge practices and malpractices.

SELECTION OF PORTS AND OF TIME FRAME

The ports of Liverpool, London and New York were chosen for several reasons. First and foremost, New York was selected as the foremost public example of waterfront racketeering in an attenuated form.¹⁴ A second reason for using these ports lay in their ‘general cargo’ traffic features that were expected to result in comparable practices and malpractices. Liverpool, London and New York ports were the largest water-borne general cargo terminals in their countries. Definitions commonly used are denoted in Appendix A.

¹² Frankel, E. G. and Marcus, H. S., *Ocean Transportation* (MIT Press, 1973). See also Broeze, F., ‘Militancy and Pragmatism: An International Perspective on Maritime Labour, 1870-1914’ *International Review of Social History*, XXXVI (1991) p. 194

¹³ Barzman, J., ‘State and Dockers’ in Davies, S. et al, *Dock Workers: International Explorations in Comparative Labour History, 1790-1970* (Ashgate Publishing 2000) p. 651

¹⁴ For example, Freeman, I. H., ‘New York’s Port: Rule by Rackets’, *NYT*, 9 December, 1951; Frees, W. A., *Labor Racketeering in the International Longshoremen’s Association and Its Impact on the Port of New York* (John Jay College, 1970).

They were the largest employers of dock labour and handled the most tonnage, serving huge internal markets.¹⁵ Appendix B gives the employment statistics from 1953, when datasets became available, but as Jensen warned they ‘are useful only for the most general comparison.’¹⁶ The labour factor is of extreme importance for this purpose, since existing theories of industrial malpractices examined place great stress on labour market and collective bargaining imperfections.

All three ports are well sourced with documentary evidence. Governments of all persuasions took an interest in docklands, mirrored in the large body of extant literature.¹⁷ Independent groups also occasionally brought out reports, particularly in New York. Sources varied in quality and relevance to this work, and reflected national characteristics. Typically, the question of docks criminality occupied a disproportionate amount of space in American materials while being ignored or couched in different terms in typical British texts.

The time frame covered in this thesis is loosely set at between 1890 and 1972, but since the problem of ‘malpractices’ did not assume a higher profile political or public dimension until after 1945, the majority of the material herein covers the years 1945 to 1972. In New York, docks corruption became a major theme from 1945 and the quantity of material becoming available hugely expanded. There is also evidence that ‘malpractices’ may have become more significant a factor to be addressed after 1945 in Liverpool and London.

As Bean stated, by 1890 ‘The more leisurely methods of cargo handling on sailing ships had given way to the need for speedy turn-round and quick dispatch of

¹⁵ Cunningham, B., *Port Studies* (Chapman and Hall, 1928) p. 38; Morewedge, H., *The Economics of Casual Labour: A Study of the Longshore Industry* (H. Lang., 1970); Nelson, B., ‘Longshoremen in the Port of New York: 1850-1940’, *Report of the International Conference on Comparative International History of Dock Labour, c. 1790-1970* (Organization of American Historians, April, 1992); MID LPEA Box 137: ‘Committee of Inquiry into Dock Strikes in London’ (1950)

¹⁶ Jensen, V. H., *Hiring of Dock Workers and Employment Practices in the Ports of New York, Liverpool, London, Rotterdam, and Marseille* (Harvard University Press, 1964) p. 1.

¹⁷ A good bibliography for Britain is found in Wilson, D., *The Dockers* (Fontana/Collins, 1972). For New York, Jensen was the outstanding authority and his books are excellently sourced.

steamships as a result of the high costs of keeping them in port.’¹⁸ The adoption of steam propulsion gave rise to less regular work for dock labourers but did give them, once hired, new economic levers through which to extract improper payments based upon the supreme importance to most steamship owners of getting their ships in and out of dock as quickly as possible.

The process was far from even however. Union organisation remained the same after 1972 as before, for example, while technological developments raced ahead. For this reason, where considered appropriate, examples are occasionally taken from the later 1970s and the 1980s. For example, British union misbehaviour in the 1980s had likely carried over from the 1940s, as chapter two will argue.

METHODOLOGY

In efforts to get to ‘the truth’ about docks practices and malpractices, yet remaining sensitive to the many perspectives to be engaged with, a multiple strategy methodology was deployed. Such a methodology - often referred to as a ‘triangulation’ methodology - uncovered the ‘mutual interdependence’ of data sources whilst allowing for the systematic testing of factual statements.¹⁹

Published reports were read alongside unpublished materials, and interviews were held with individuals having knowledge of how ports operated. Apart from indicating the limits of single-source perspectives, it was expected that a continuous ‘cross-checking’ exercise covering both documentary and oral resources would yield a more reliable, comprehensive and factually accurate portrait of working practices.

Such was the case when dealing with activities that documents were ambiguous about. A category of working practices initially thought of as ‘malpractices’ for example, after further probing with interviewees turned out to be within the orbit of jointly agreed practices. In New York, as an example, work gangs were guaranteed, under

¹⁸ Bean, R., ‘Employers’ Associations in the Port of Liverpool 1890-1914,’ *International Review of Social History*, vol. XXI (1976), p. 363

¹⁹ Jupp, V., *Methods of Criminological Research* (Unwin Hyman, 1989) pp. 72-4; Jupp, V., Davies, P., Francis, P. (eds.) *Doing Criminological Research* (Sage, 2000).

the general cargo agreement, four hours' pay whether they worked past midnight or not.²⁰ British dock settlements contained similar clauses.²¹ As Bryman persuasively argued, 'by combining (qualitative and quantitative research), the researcher's claims for the validity of his or her conclusions are enhanced if they can be shown to provide mutual confirmation.'²²

The triangulation methodology likewise highlighted some of the more obvious subjective 'biases' inherent in accounts. In such a hotly contested industrial arena as docks, this was to be expected. Dealing as much with differential perspectives and multiple voices as with the 'hard facts,' the methodology paralleled 'real world' conflicts over labour regulation. Ideological preconceptions were evident in many accounts of dock work, whether published, unpublished or oral. Dock reformers exaggerated the extent of the evils to be found, and their perceptions did not always match those of portworkers themselves²³ while most employers preferred the freedoms associated with 'free market' means of hiring and distributing waterfront labour.²⁴

Interviews

Since many improper practices were either sidestepped or downplayed in the published literature, particularly in Britain, a redress for imbalances this caused was sought through interviewing over sixty participants in varying capacities, ranging from rank and file activists to waterfront managers. Real names are not used for reasons of privacy and confidentiality.

Labels for those interviewed were organized by prefixes, first by port - 'LIV' refers to a portworker from Liverpool, while 'NY' denotes a dockworker from New York and

²⁰ Interview with NYB, 29.3.00.

²¹ Interview with LOND, 22.10.99

²² Bryman, A., *Quantity and Quality in Social Research* (Routledge, 1996) p. 131

²³ Turnbull, P. Woolfson, C. and Kelly, J., *Dock Strike: Conflict and Restructuring in Britain's Ports* (Avebury 1992) p. 20

²⁴ An article on 'The London Irish' for instance, commented 'The docks have ... often (been) represented by Socialist grievance-mongerers as illustrative of supreme capitalist tyranny ...'. ('The London Irish', *Blackwell's Edinburgh Magazine*, vol. CLXX, no. MXXIX, July 1901, p. 130)

‘LON’ focuses on London’s portworkers. Then a simple lettering system is used, for example ‘NYA’ refers to a portworker from New York, lettered ‘A’ for convenience, as the source for information. Brief biographies of those interviewed are given at the end of this work.

A printed schedule was prepared, asking approximately the same questions to each individual interviewed based on prior reading. Interviews themselves were semi-structured, permitting subjects to add comments where thought necessary for clarity or elaboration.²⁵ Appendix C reproduces the main question areas. Most interviews were tape-recorded, aiding memory and enabling the interviewer to concentrate on the answers. Another advantage was that the subsequent tapes were available to others in order to ascertain the reliability of facts and events claimed throughout this thesis. The use of a tape recorder could have inhibited respondents, especially given the sensitivity of the information being discussed.²⁶ But in the vast majority of cases, it did not appear to be an obstacle to discussions. All interviewees signed the consent form supplied by the university ethics committee.

Experience showed that with notable exceptions portworkers were not prolific writers, as evinced by a lack of written feedback to enquiries made.²⁷ This left the face-to-face interview as the major route by which to acquire information. Interviews were of particular value regarding those malpractices that were of a ‘taken for granted’ type and therefore rarely mentioned in the documentary evidence.

Since few ‘old-time’ dockers could be located by visiting the present docks premises, because so few dockworkers had survived latter-day technological and organisational changes, alternative means were deployed to contact a sample to be interviewed. ‘Hiring halls’ for example, in New York, had closed years previously, denying that avenue through which to contact labour. In Liverpool and London, meanwhile, a

²⁵ May, *Social Research*, pp. 111-2.

²⁶ May, *Social Research*, p. 125.

²⁷ If I wrote to ten dockworkers, perhaps two would write back. Published recollections by dockworkers are available, among them being Ayers, P., *The Liverpool Dockland* (University of Liverpool, c. 1930s); Kisseloff, J., *You Must Remember This: An Oral History of Manhattan from the 1890s to World War 11* (Schocken Books 1989) pp. 483-529; Bloomberg, J., *Looking Back: A Docker’s Life* (Stepnrey Books, 1979)

parallel process of industrial rationalisation and mass closures left similar problems in their wake. Random sampling was therefore impractical.

In the case of Liverpool, a press advertisement and connections provided by other interviewees, the local port authority and university lecturers were the mechanisms through which men were contacted. With London, an earlier researcher supplied many 'names' that in turn provided details of others who could be of value to the project. Intensive research efforts prior to the field trip to New York in the spring of 2000 yielded names of a sample of people there, obtained via a local waterfront museum, the Internet and a Jesuit priest.

They added new insights but were less familiar, generally, with the 'nitty gritty' of pier practices as a whole. Since the port of New York encompassed vast tracts of land, and covered several boroughs and municipalities, none of those interviewed could state with certainty that their observations were necessarily those of dockworkers in other boroughs or working with other union branches. In part counterbalancing this was the fact that a group of former dockworkers interviewed in New York worked in several different sites.

The use of a 'snowball sampling' technique partly employed tended to bring forth the more articulate and militant elements in the former docks community, possibly with an agenda of their own.²⁸ There were also problems of comparability, in that the sample interviewed in London were more knowledgeable of port-wide operations, being in a few cases high-ranking union officials of a stature not interviewed in Liverpool or New York. The New York sample was more heterogeneous in its composition.

Nobody with a wider view could be found in New York from the union side; this was less of a problem on the management side. Waterfront Commission staff were unable to give advice on anything other than present day hiring processes and no representatives from the New York Shipping Association (NYSA) were available.

²⁸ May, *Social Research*, p. 119

The dockworker and employer sample interviewed for this work probably emerged as 'untypical' in certain respects.²⁹ A majority of the dockworkers interviewed for instance agreed with the principle of dock labour decasualisation. This conflicted with the argument often reported that a majority of older dockers, with first hand knowledge of the 'casual' system of dock engagements, preferred the freedoms associated with it. Interviewees who represented employers tended to be more characteristic of the industry insofar as their complaints and concerns frequently echoed the documentary evidence.

The majority of interviewees discussed work practices with apparent candour. With a few exceptions, none appeared to deliberately try to deceive the writer. Of help was the fact that most dock systems where they once worked had long since passed into history; therefore any disclosures they made had little or no impact on current events and personalities.

It was explained why the research was being done and where. This may have helped to 'loosen tongues' insofar as it was for an academic study and looking into past relations with little current resonance. It was also explained that the names of those involved in illegal activities were not important for the purposes of research.

Interviewees often mixed up eras, notably those between modern-day cargo-handling processes and the 'break bulk' era preceding it. The operationalisation of concepts was also sometimes problematical. When asked whether there were 'many' malpractices in a port, for instance, the reply given depended on what constituted 'many'? Former port authority interviewees tended to discount the existence of widespread illegalities, probably since it reflected badly on their own management skills at the time. Former private sector managers in Liverpool and London had a contrasting propensity to exaggerate the extent of malpractices, perhaps in order to reinforce the favoured view that the docks had become ripe for the radical reforms of the 1980s giving them greater powers.

²⁹ Mankelow gives the similar view that such individuals were most likely to be articulate, with a sophisticated view of relations, 'and of course most of them are accustomed to debating and arguing a case.' (Mankelow, *The Effects of Modernisation and Change*, p. 249)

Within New York port, the issue of malpractices was still a 'live' one for many persons interviewed.³⁰ New York interviewees, with a few exceptions (usually those who were by then retired) tended to paint a rosy, 'textbook' portrait of waterfront relations from the 1950s, in which dock malpractices were seen as being a feature of the distant past. Evidence of a difference between this view and the reality was starkly underlined by indictments and a trial in 2003 related to activities on a Staten Island port terminal visited by this author just three years previously.³¹

Aside from the influence of heavy policing in inhibiting most subjects in New York from talking freely of port malpractices, it may be hypothesised that a difference from British interviewees could be laid at the door of differential historical development. In 1989, British dock relations were radically restructured, marking a decisive 'break' from the past. Working practices that were discarded in the process were easier to discuss, as now part of 'history.' By distinction, relations in New York today were more similar to those in the 1960s and even before. New York employers were consequently far more wary, in this view, of harming contemporary relationships with unionism by making incautious (if truthful) remarks as to their own experiences.

Documentary sources

Where possible, original sources are used over secondary materials. Primary documentary sources in Liverpool and London were considerably more plentiful than those in New York. Detailed minute books were available for the London employers' and trade union groupings from the 1950s and 1960s (much less so for the pre-war era). But documentary sources, like oral resources, were found to be partial in their understanding of dock practices. Public Library holdings were marginal to the subject of the thesis but were helpful in furnishing critical background influences and deliberations.

³⁰ According to one source in New York, the Waterfront Commission, the chief crime-fighting agency on the docks, once pulled the license of a stevedoring firm after it discovered that the company had given the rank and file working with it a turkey at Christmas or at Thanksgiving (interview with NYA, 31.3.00).

³¹ The trial opened in January 2003 of high placed individuals associated with Howland Hook Marine Terminal on Staten Island, including leaders of the Gambino crime family, in which it was claimed that all manner of abuses had taken place, directed by the Gambinos (*Staten Island Advance*, 5.1.03, 15.1.03)

The documentary evidence was apt to address different questions according to the port under inquiry. Official reports were only released on 'matters of contemporary concern,'³² and rarely dealt with the view from the 'bottom,'³³ where most problems were found. Surviving primary records were also incomplete, occasionally grossly so.³⁴ As Taplin explained, sources such as newspapers and official reports commented largely on immediate questions while 'the day-to-day activities of the workers and their union remain obscure.'³⁵ American materials were also unhelpful in those very areas where British reports were most profuse. Works by private groups and New York waterfront historians such as Barnes and Jensen made up much of this shortfall however.

The major sources for New York items proved to be press clippings, whereas those in Liverpool and London were of greater depth and included detailed minute books and background papers. Wagner Labor Archives, the major New York depository for New York items, had several boxes of materials that, upon inspection, consisted mainly of newspaper articles mixed in with press releases and copies of agreements. Longshore union headquarters in Manhattan was unable to help with records. By contrast, the library of the Transport and General Workers' Union in London, representing most port workers in Britain, supplied a set of Biennial Delegate Conference minute books.

The Port of New York Authority and the New York Waterfront Commission denied access to most of their original records. Commission staff may have feared possible legal repercussions, while the Port Authority required a hefty fee before even starting a search. Waterfront Commission staff were also busy with routine duties and thus had limited time in which to answer queries.

Fortunately, a set of the printed hearings from the New York State Crime Commission was obtained from a university library before the field trip, and this helped to re-assess

³² Taplin, 'The History of Dock Labour: Liverpool, c. 1850-1914,' p. 443

³³ Thompson, P., *The Voice of the Past*, (2nd ed.) (Oxford University Press 1988) p. 3.

³⁴ According to Sanderson, B., *Ships and Sailing Wax* (Heinemann. 1967), wartime bombing destroyed many British records of this sort (p. 144).

³⁵ Taplin, 'The History of Dock Labour: Liverpool, c. 1850-1914' p. 443.

many of the assumptions dominating thinking on New York's difficulties with racketeering. In addition, the good quality of *New York Times* articles on waterfront questions closed some gaps in information.

An unusually large collection of British items was found in the Museum in Dockland, housing the Port of London Authority (PLA) archives and those of several smaller organisations. Finding aids or indexes were found to encompass only a part of the collections; therefore, a painstaking exercise of going through all the pertinent unindexed boxes was mounted. A set of audio recordings concerning London docklands' stakeholders of the past was heard at the Museum of London, but for this work they were of restricted value.

The Liverpool maritime archives were well organized, with good indexing, but the majority of surviving materials dated from 1947. Since a group of Liverpool employers also operated in London, and in the case of the Cunard Line in New York as well, this archive nonetheless proved useful for comparative purposes.

ORGANISATION OF CHAPTERS

The thesis is organized along themes and, from chapter five, by port. Theoretical considerations inform the arguments presented.

Chapter Two

Chapter two describes the limits of this thesis and its theoretical justification. A number of authors and other sources are introduced, as marking the shape of previous debates on waterfront malpractices. In the absence of evidence to the contrary, they became associated with a particular view of 'how' British and New York practices and malpractices should be defined and analysed, dating in the main from the post 1945 period. Finally, a conceptual synthesis is suggested by the use of a third perspective, based upon a modification of Smith's 'spectrum' theory.

A conclusion is reached that although previous academic texts were useful as baselines for discussion, they were incomplete. Sufficient numbers of political and

economic constituents were common to New York and to the two British ports as to make comparisons feasible, despite sources (for instance) failing to make clear the effective transferability of their concepts to other ports outside of the 'base' ones.

The subject matter was politicised. As Smith asserted, subjective or moralistic notions can easily dominate discussions of 'economic' characteristics when they become 'dysfunctional.' Interpretations of docks practices varied by political structure, and therefore by authors who became identified with particular ways of viewing malpractices, reflecting a 'consensus' built up along nationally specific lines on how this subject should be addressed.

Several changes are made in this work to the Smith model in order to retain its relevance. Rather than, therefore, the object of discussion being the simple 'legality' of a waterfront practice, what counted far more was the 'legitimacy' of a particular docks practice or malpractice. Legitimate malpractices can be sub-divided according to their origin and context. In many cases, port employers were as 'guilty' of colluding in malpractices as dockworkers were of initiating them.³⁶

On the national political scale, how docks practices were perceived and treated from the legislative perspective had profound effects on theoretical projects. The crucial distinction was made between New York's 'organized crime' waterfront problem and the hugely 'less serious' problem in Liverpool and London, with their less dangerous public order problem. Yet the economic impact of (particularly) shipboard malpractices in Britain was considerable, and overshadowed those in New York. Laws were passed and agencies established based on subjective national representations made of docks networks that skewed the analyses.

In spite of such weaknesses for comparative research, the majority of sources remain valuable in indicating the structural and institutional barriers to effective cargo handling and therefore towards explaining why larger scale malpractices emerged and apparently thrived. Docks irregularities, in this view, are an inevitable outcome of port-scale mismatches that always derail attempts to impose 'legal' constraints on

³⁶ U.S. investigative commissions found often a thin dividing line between bribery and extortion, shakedown and pay-off.

working practices. A developed theory must include this dimension along with subjective ('legitimising') elements; they together accounted for the predictability and profitability of institutionalised docks abuses.

Local factors were usually under-estimated by American as well as by British sources, as was the power of the rank and file to autonomously affect changes for the better to their working lives. Although all major 'structural' reforms of docks came in the wake of a series of unofficial actions, most accounts fail to represent this adequately. As the U.S. Labor Department noted in 1932, 'No two ports, no two companies, no two piers, and no two ships are exactly alike so far as the nature of the cargo or the method of cargo handling is concerned.'³⁷ Identical employers could cooperate with malpractices in one port but not in another (many shipping lines functioned across all three ports). Generally, for instance, quay work offered fewer openings to indulge in illegal practices than ship work.³⁸

These influences made under-reporting of waterfront misbehaviour a constant problem. A further caveat relates to the size of port concerned. According to one well-informed source, within the smaller British ports there was greater social pressure on dockworkers not to indulge in 'disreputable' working practices to the same degree or so publicly as in the larger ports.³⁹ Conclusions made for Liverpool, London and New York ports, therefore, are not extendable without further work.

Chapter Three

Always at the forefront of initiatives were hiring practices, as analysed in chapter three, colouring waterfront relations, and arguably the primary cause of unrest. Government drives in Liverpool, London and in New York to eliminate casual employment are given attention, articulated in the form of class mediation bodies. Since government intervened to similar effect (and for similar reasons) in both

³⁷ U.S. Department of Labor, Bureau of Labor Statistics, no. 550, *Cargo Handling and Longshore Labor Conditions* (1932) p. 4

³⁸ Interviews with LOND, 22.10.99, LONU, 26.7.99

³⁹ Interview with LOND, 22.10.99

Liverpool and London, this involvement is addressed in chapter three as though for one in the two British ports.

Local factors were of importance but the origins of claims of grafting waterfront practices came, in the main, from the combination of militant grassroots activism and the undoubted fact of large-scale casual docks employment, for good or bad. A cautious union stance before employers on 'progressive' docks issues such as earnings equalisation schemes gave rise to repeated claims of a leadership focused 'sell out,' articulated in charges of hiring misbehaviour in which union leaders were quiescent at best and at worst colluded with.

The question of whether the majority of unionised dockworkers actually wanted the supposed 'benefits' of regularisation is also posed. The argument made is that the New York dock union was more attuned to the desires of its members than was the TGWU in Britain, which pushed through its own version of decasualisation against the wishes of many docker unionists.

While anti-casualism crusaders had long sought to restructure the traditional employment system, state mechanisms to 'restore order' were only imposed following a rising number of stoppages from 1945 to 1951 that threatened to harm wider economic and political objectives in both Britain and America. What differed by each country was the nature of this intervention, these ultimately mirroring currents of national opinion and historical precedents.

Chapter Four

More neglected in the literature are those malpractices, described in chapter four, involving rank and file hatch workers on board ships. In this, opportunities afforded by material structures mixed with a notion of moral 'entitlement' in producing a formidable problem of malpractices including, but by no means limited to, pilferage. The 'hard' evidence for shipboard abuses is more compelling for Britain, less so for New York. Underpinning them was a strong tradition of collective action by work gangs in defence of 'customs' sometimes shading across into misbehaviour.

As such American authors as Bell, Larrowe, and Kimeldorf predicted, port congestion and similar 'background' factors affecting the flow of commodities in large ports gave leverage to those wishing to indulge in shipboard malpractices. The mere threat of a downing of tools was often sufficient to bring most employers to heel.

The British state adopted a laissez faire policy to such malpractices in particular, preferring to refer any complaints by employers back to the relevant joint committees. The response of the New York state was equivocal after 1953, though the 'criminality' of some of these malpractices was not left in doubt and government institutions acted accordingly.

A revolution in cargo handling methods from the 1960s offered somewhat fewer opportunities for improper ship level practice to thrive. Working practices were re-negotiated, often to the advantage of employers. But the collective power of portworkers nevertheless remained a force employers had to reckon with and provided a brake on the full exercise of managerial authority.

Chapter Five

Chapters five to seven apply the perspectives to Liverpool, London and New York ports conditions. The objective is to explore through case studies how well they conformed to statements and arguments made by the writers identified in chapter two and to other, less prominent, sources.

A common characteristic that Liverpool shared with London and New York, were cross cutting divisions within the employing class. Nevertheless, trade unionism became a force to reckon with on the docks in Liverpool relatively early. But fractures inside waterfront unionism allowed employers to undercut cherished union goals and simultaneously permitted a sizeable number of non-unionists to work untrammelled in the port.

By this means, some of the assumptions enshrined in the alternative accounts of docks malpractices, around for instance the necessity for a monopoly control over the labour supply for union related malpractices to succeed, are undermined. Above all, the

Liverpool case demonstrates how the implications of casual docks labour markets in an emerging problem of malpractices may not be as important as often suggested.

Chapter Six

London illustrates the significance of localism and wage structures in shaping waterfront malpractices. Such features of dock work as disjointed employer associations and localised systems were also as prominent as in Liverpool.

Problems of dock congestion were more in evidence in London than in Liverpool, an effect of its massive size, growth and outdated facilities. Concomitant hold ups of inland traffic may have given employers pause for thought before contemplating a refusing of recognition to unionism, and certainly functioned to motivate employers into colluding with improprieties. Malpractices took on more diverse forms in London, with a rough distinction being made between riverside and enclosed dock practices.

Official interest in London dock practices is also emphasised. From the nineteenth century, dock employers actively sought out government backing for their ventures. After 1889, the Dockers' Union increasingly became the focus of efforts to enact new laws and to alter old ones at municipal and national political levels.

Chapter Seven

A central purpose informing this thesis is the exploration of how the abuses and improper activities typical of Liverpool and London ports compared with those in New York port, covered in detail within chapter seven. Conventional accounts of port malpractices refer to this port as the 'classic' example of the malign influence of industrial racketeering on waterfronts.⁴⁰

⁴⁰ To take one example, according to Bell, in *The End of Ideology* (The Free Press, 1965), 'Here one finds kickbacks, loansharking, petty extortion, theft and pilferage – and murder – a commonplace of longshore life' (p. 175)

With this in mind, the chapter unpacks the available evidence for New York. It concludes that although malpractices did exist, within the hiring function particularly, they were not as widespread as has been construed. Meanwhile, New York shipboard malpractices were in all probability not as institutionalised or frequent in their operation as those occurring in Liverpool or London.

Chapter seven also identifies a number of 'objective' differences that distinguished the ports of Liverpool and London from that in New York. Ethnic rifts and other elements invited disunity in the ranks of New York docks labour. Syndicated criminals also 'invaded' sections of the New York union structure in a fashion not known in Britain. Evidence that professional criminals were active in the port, although exaggerated, was the ostensible reason for state intrusions into the process of free collective bargaining.

Counterbalancing a lack of across the port decasualisation measures in New York were localised arrangements of an informal nature regulating which work gangs should be chosen for work. Like London, customary practices and standards assumed an unusually influential role, stymieing the efforts of reformers acting without state backing.

A shifting and complex relationship between dock organisers and political elites in New York City acted in concert with concerns specific to the American post-war polity. Waterfront practices became embroiled in these and in Cold War politics.⁴¹

Compelling reasons exist supporting the argument that local and state political structures in New York were more prone to criminal subversion than their counterparts in Britain. By the same token, there was no direct evidence that New York waterfront criminals were able to use 'the edge' this theoretically gave them and which was always assumed rather than proven.

⁴¹ 'The beliefs that both communist and organized crime activities in the United States,' as Woodiwiss explained, 'were directed by alien forces ran parallel after the war' (Woodiwiss, M., *Crime Crusades and Corruption* (Pinter Publishers, 1988) p. 107).

Chapter Eight

Chapter eight draws central themes together and engages them with theoretical concerns made explicit in chapter two. The perception of docks working practices and malpractices reflected dominant conditions and coalitions found within each age and inside each country. In the process, deeply politicised histories of port relations were written, yet referring to economic activities that were broadly similar by their characteristics.

Non-market considerations were far more significant in shaping the presentation of dock working practices in Liverpool, London or New York than admitted by the theorists discussed in chapter two. Economic and industrial factors of the docks industry in both countries were not insignificant in providing an overarching 'material' configuration through which to understand docks malpractices. But they were by no means the whole story Chapter two extends this argument.

CHAPTER TWO

ALTERNATIVE APPROACHES

INTRODUCTION

This chapter explains the theoretical underpinning to the thesis. Brief summaries are given of major works in Britain and American to show the outlines of the argument. Following on, a synthesis is attempted in which both ‘subjective’ and ‘objective’ elements identified in these researches are more fully integrated into the analysis and a comprehensive understanding is thereby achieved. The general movement in the literature has been away from individualised accounts of malpractices involving malevolent offenders towards ‘structural’ and economic understandings. Bell thus explained that: ‘Industrial racketeering can exist only in a specific type of economic market.’¹

Although American authors have not explicitly dealt with British port malpractices in their works, the form of their analyses strongly suggests their applicability to ‘foreign’ conditions. Transferable ‘background’ properties of dock work such as the logistics of cargo handling make their observations and comments of direct relevance to the two British ports. Furthermore, several of these authors did compare New York’s practices with those on the U.S. West Coast, which resembled the British cases in terms of key economic variables that analysts like Kimeldorf have indeed recognised.

Tables 2:1 and 2:2 trace the development of thought, in Britain and for New York, on docks malpractices. Only ‘major’ works are included, those with malpractices as fundamental to their analyses and cited time and again in other materials. In the case of New York, the intention is also to demonstrate the way in which perspectives on docks malpractices showed a major disconnection after 1945, coinciding with dramatic events on the New York docks and in local politics. Criticisms made of these works, collectively and taken individually, inform much of the subsequent text.

¹ Bell, D., *The End of Ideology* (The Free Press.1965) p. 176.

TABLE 2:1

MAJOR WORKS ON BRITISH DOCKS MALPRACTICES

SHAW REPORT (1920)

Causes of lost productivity:
Lack of trust in the industry
The casual system of employment
castigated, along with lack of income
Congestion
Lack of a proper means to
adjust disputes

UNIVERSITY OF LIVERPOOL (1956)

Causes of dissatisfaction in Manchester:
Lack of good communication between
TGWU and rank and file
Lack of participation in TGWU and its
shared disciplinary role on NDLS
Lack of consultation
Disciplinary difficulties
Dissatisfaction with working conditions
Casual system of employment

ORAM (1970)

Problems in London around pieceworking
And interpretation of agreements
Distrust in the industry
TGWU indifference to these problems

HOVEY (1990)

Why employer dissatisfaction grew in the late
1960s in London
London piecework system a 'breeding
ground' for mischief-making, manipulation
both before and after 1967.
Examples of improper payments
After 1967 the men were unsackable

LEGGETT REPORT (1951)

Causes of London strikes:
Ease with which the disputes
system manipulated and
agreements violated
Casual attitudes and fears prevent
cooperation over changes
Obligations under NDLS and the
union role on disciplinary panels

DEVLIN REPORT (1965)

Strife on the London waterfront:
Casual attitudes among men and
employers – no sense of loyalty
Tradition in rank and file of
support for workmates whatever
the situation
Congestion – a role in poor time-
keeping
TGWU lacked ambition

PHILLIPS AND WHITESIDE
(1985)

British decasualisation efforts
and obstacles
Political participants of unreliable
quality
The industry resistant to change
Local practices defended
NDLS disciplinary role fell into
disuse after facing stiff opposition

TURNBULL AND SAPSFORD
(1992)

'Voluntary absenteeism' on
British docks. Set in the context
of changing disciplinary codes
and labour-management
relations, their significance
altered.

TABLE 2:2

MAJOR WORKS ON NEW YORK DOCKS MALPRACTICES

PRE-1945

BARNES (1915)

Dock work in New York profiled
Casual system morally and economically harmful

MAYOR'S COMMITTEE (1916)

New York docks casual system
Casual system - moral and economic arguments against.

NEW YORK STATE (1932)

U.S. DEPT. of LABOR (1933)

American docks decasualisation schemes described

SWANSTROM (1938)

New York casual employment
Plans to decasualise dock labour

POST-1945

CITIZENS' COMMITTEE (1946)

New York shape-up and abuses, violence
Docks union corruption
Infiltration of gangsters

JOHNSON (1948)

New York waterfront crime and corruption
Shape-up and violence, corruption
Malpractices in ILA
Violence on the docks eg linked to 'public loaders'
ILA political links

BELL (1951)

New York waterfront – structural causes of crime and corruption
'Rationalising' role of organised crime
Hiring malpractices
Union leaders apathetic or share in spoils
Lack of democracy in ILA
Corrupt politics and the union
Employers want quick ship turnabouts
A unique set of corrupting circumstances

NEW YORK CRIME COMMISSION (1953)

Organised crime and racketeering on New York docks
Hiring kickbacks
Union improprieties
Public Loading 'racket'
Pilferage

WATERFRONT COMMISSION REPORTS (1953+)

Waterfront crime
Programme for regularisation of dock earnings

LARROWE (1955)

Comparison New York and west coast docks, esp. in hiring
New York loading 'racket'
Penetration of organised crime into New York docks

KIMELDORF (1988)

Comparison of practices in New York and west coast
Various factors identified, incl. differential occupational and racial groups from which dockworkers recruited, shipping patterns differed, as did the surplus labour 'margin'; ILA collaboration with employers, role of casual employment regimes in 'cowing' the men; organised crime active on the piers and used to discipline the men, antiquated port facilities a contributory element
Of primary importance: employer groups and their need for quick ship turnarounds and the type of docks union leadership

NEW YORK STATE (1989)

New York construction industry:
A structural, organisational analysis. Role of the industry in creating an internal crime problem. Industrial structure creates 'opportunities and incentives' for racketeers to enter
Role of the Mafia in 'rationalising' the industry.

BRITISH WORKS

British studies from 1920 displayed a far higher consistency in the way they treated and described docks malpractices in the major docks such as Liverpool and London. As Table 2:1 illustrates, from the Shaw Enquiry onwards malpractices were considered as part and parcel of wider industrial relationships in the industry. In this respect, they were similar to American 'waterfront' accounts before 1945, in concentrating almost entirely upon the hiring function as the chief problem. Solutions were sought inside an 'industrial relations' framework and joint committees. Docks offences against the criminal law were hardly mentioned and were never a cause for policy change.

Shaw enquiry (1920)

Lord Shaw's report was the first to delve into post-hiring improper practices in Britain, taking evidence on the deliberate slowing down in the pace of work (informally termed 'ca'canny') and poor time keeping on a substantial scale. Malpractices giving rise to 'lost output' were ultimately blamed on casualism, to a lack of trust this generated inside the industry and, to a lesser extent, on time-wage working in those ports using it (encouraging the deliberate dragging out of work). Other constituents worthy of note and reported included (in London) chronic

congestion. The solution lay in more regular work or (if unemployed for short bursts of work) income for registered dockworkers, who would be expected to appreciate the strides taken and be more ready to cooperate in winding down malpractices that were associated with temporary employment spells.²

Leggett report (1951)

The 1951 Leggett Report also found post-hiring malpractices. In London, it noted that all types of dockwork furnished ‘opportunities for disputes to occur to an extent not found in other industries.’ But attempts to impose tight discipline on local dockworkers were futile, only leading to industrial strife. Disciplinary rules were identified as a cause of concern for dockworkers because of the ‘invidious’ role of union officials sitting in judgement on fellow unionists on disciplinary committees. London dockworkers had a reputation for militancy and challenges to their authority were met ‘with the strongest opposition’. Employers were sometimes as guilty as the rank and file in encouraging larger scale malpractices by agreeing to above-agreement ‘rates’ without regard to the overall effect. Criticisms of the TGWU were aired, insofar as unofficial groups thrived upon ‘rumours and distortions’ surrounding union officials.³

Goldstein (1952)

In the field of British union improprieties, Joseph Goldstein, who was given access to the inner workings of the TGWU, struck a discordant note at a time when ‘internal’ union affairs were considered best dealt with internally. His 1952 book catalogued a long list of entrenched malpractices in the union, ranging from balloting fraud to a lack of democracy. Some of his criticisms are contextualised and addressed in more detail below. The severity of Goldstein’s criticisms of the union owed much to his

² House of Commons, *Report by a Court of Inquiry Concerning Transport Workers - Wages and Conditions of Employment of Dock Labour*, cmd. 55 (1920)

³ Ministry of Labour and National Service, *Unofficial Stoppages in the London Docks*, cmd. 8236 (1951)

application of 'American' standards to the question, where union malpractices had long been a subject of popular and official discourse.⁴

University of Liverpool (1956)

A report by the University of Liverpool in 1956 duplicated part of the Goldstein work in the TGWU. In the Manchester docks, for example, researchers discerned a gulf 'between the members and their full-time officials, so that the former have grown discontented and dissatisfied with the services of the union.' Major blame was placed on a lack of effective 'communication' between the docks membership and union officials, but reports of hiring corruption were discounted. Other criticisms of the report included the 'slow, elaborate and unwieldy' state of the disciplinary system, a lack of consultation across all levels, dissatisfaction among dockworkers over conditions, such as those pertaining to amenities, the casual system of engagement which discouraged any sense of obligation by employers, and variables peculiar to the relationship between the Ship Canal Company and the local Dock Labour Board.⁵

Devlin report (1965)

Structural labour market elements stimulating unofficial disputes reinforced the case, supported by Lord Devlin, that all British registered dockworkers be given full-time jobs. Leftovers of the casual system in Britain were blamed for generating malpractices designed to 'create' and to 'protect' employment levels, particularly when trade was slacker. Since the casual system extended to smaller, under-resourced employers who were (with casual dockworkers) adjudged the major 'culprits' in the bad industrial relations situation, Devlin recommended the elimination of any dock employer unable to offer sustainable employment. Permanency of employment would inculcate 'a deeper sense of responsibility' by the industry towards its obligations. It was hoped that work guarantees would make the majority of malpractices a feature of the past. 'Contributory factors' towards explaining malpractices included piecework

⁴ Goldstein, J., *The Government of British Trade Unions* (George Allen and Unwin 1952)

⁵ University of Liverpool, Social Research Series, *The Dock Worker: An Analysis of Conditions of Employment in the Port of Manchester* (Liverpool University Press 1956)

schemes in London and physical and geographical conditions which made strict observance of port rules difficult to adhere to.⁶

Oram and Hovey (1970, 1990)

Oram and Hovey articulated the frustrations of many London port employers of the 1950s and 1960s, in criticising the piece-payment system as a 'fertile field for disputes,' and as 'an excuse for delay and a seedbed for argument.' Tempering this denunciation, they noted that 'trust' was lacking throughout the sector whatever payment regimes were in force. Hovey also complained about permanency of employment being given to Registered Dock Workers in 1967 who, in his view, exploited this singular advantage.⁷ Mellish, also in London, highlighted another basic cause of side-payments to dockworkers, in employer anxiety to get their ships away before berthing charges built up further.⁸

Phillips and Whiteside (1985)

Until 1985, 'political' interventions on British docks were not thought of as worthy of extended discussion in accounting for hiring malpractices. Phillips and Whiteside altered this, by demonstrating how the decasualisation of dock labour became reliant on state policies 'within which unemployment and poverty (were) considered.'⁹ The objective was to explain how 'The persistence of casualism may be ascribed, alternatively, to the weaknesses and inhibitions of government policy.' In the absence of industry cooperation, they explained why state controls failed to materialise sufficiently for the issue to be imposed on the parties.¹⁰ Phillips and Whiteside stressed that 'the acceptability of state intervention has reflected prevailing opinion

⁶ Ministry of Labour. Committee on Inquiry Under the Rt. Hon. Lord Devlin into Certain Matters Concerning the Port Transport Industry, *Final Report*, cmd. 2734 (1965)

⁷ Oram, R. B., 1970, *The Dockers' Tragedy* (Hutchinson and Co. 1970); Hovey, J., *A Tale of Two Ports: London and Southampton* (The Industrial Society 1990). According to Oram, 'Hardly a day passes where conditions do not provide grounds for demands for extra payment' (p. 179).

⁸ Mellish, M., *The Docks After Devlin* (Heinemann 1972)

⁹ Whiteside, N., 'Welfare Insurance and Casual Labour: A Study of Administrative Intervention in Industrial Employment, 1906-26', *The Economic History Review*, vol. 32, 1979, p. 508

¹⁰ Phillips, G. and Whiteside, N., *Casual Labour: The Unemployment Question in the Port Transport Industry 1880-1970* (Clarendon Press 1985)

about the ability of government to stimulate industrial growth and economic prosperity.’¹¹ Hopes for further progress on decasualisation were dashed by the timidity of post-1920 British governments in tandem with continued opposition within the industry.¹²

Turnbull and Sapsford (1992)

Turnbull and Sapsford explored patterns of ‘unauthorised absences’ on British docks after 1947. Starting from the premise that many absences from work were an implicit or explicit challenge to authority ‘collectively sanctioned and socially supported’, they examined Dock Labour Board statistics. These indicated the ‘legitimate’ quality of absenteeism from the mid 1950s, when discipline was looser, to 1967, when dock labour was made permanent. As numerous British studies confirmed, dockworkers were alienated from the bureaucratised agenda of Dock Labour Boards, these institutions becoming the focus for a number of strikes. Following this, the Scheme ‘gradually lost its momentum’ and work discipline slackened.¹³

With full-time employment for registered men, from 1967, British employers were given the direct responsibility for discipline, a job they had previously abrogated to Dock Labour Boards and now without the alternative previously open of choosing less ‘troublesome’ men from the casual labour pool. Campaigns to suppress absenteeism by direct employers of registered dock workers led to an upturn in strife. New technology, moreover, had increased the need for reliable workers. In summation, ‘The pattern and meanings attached to absence changed considerably over time, as did the relationship between absence from work and strike action.’¹⁴

¹¹ Whiteside, N., ‘Public Policy and Port Labour Reform: The Dock Decasualisation Issue, 1910-50’, in Tolliday, S. and Zeitlin, J. (eds.), *Shop Floor Bargaining and the State* (Cambridge University Press 1985) p. 102.

¹² See thus MRC: MSS. 126/EB/PL/22/1-4: Report Labour Inquiry: Draft Report (1930) – ‘Our examination of the existing registration schemes has necessarily brought out very clearly the effects of the complete local autonomy under which they have operated. In broad outlines all the schemes are similar, while certain local peculiarities are plainly the result of organic differences in the ports themselves and the work they are required to undertake.’

¹³ Phillips, G. and Whiteside, N., *Casual Labour: The Unemployment Question in the Port Transport Industry 1880-1970* (Clarendon Press 1985) p 252

¹⁴ Turnbull, P. and Sapsford, P., ‘A Sea of Discontent: The Tides of Organized and ‘Unorganized’ Conflict on the Docks’ *Sociology*, vol. 26 no. 2, 1992, pp. 291-309

Conclusion

Most texts stressed docks disciplinary questions and the entrenchment of unofficial practices, caused in large part by a lack of trust within the industry. In turn, the casual structure was considered as the chief culprit in fostering this unfortunate state of affairs, which the fact of unionism had done little to alleviate.

Shaw and Leggett saw the primary answer in more regular work, where possible, and in greater labour-management collaboration. The argument was settled by the 1965 Devlin Report, which ushered in permanent docks employment. Like the University of Liverpool report of 1956, Shaw and Leggett, Devlin saw TGWU weaknesses as a factor among several in creating 'acceptable' levels of malpractice. TGWU problems over the control of its constituents were at the heart of the 1952 Goldstein work as well. Devlin joined Oram and Hovey in seeing a special problem in London-style pieceworking, although they disagreed on the solution.

An inclusion of ideological and political variables impacting on British malpractices by Phillips and Whiteside advanced the debate. But they sat uneasily with evidence of malpractices that owed little to casual employment, depending instead on 'opportunity structures' that the docks industry itself created and indicated by the works on shipboard malpractices.

Phillips and Whiteside highlighted the essentially consensual quality of British state intervention. Where 'the industry' was opposed to a particular solution, it was dropped. In this, they performed a valuable antidote to the view, especially common in New York accounts as much as within the TGWU leadership, that the decasualisation of dock labour was usually a 'popular' cause. The ebbs and flows of macro-economic and political influences were at the heart of the Phillips and Whiteside work but for comparative purposes, their work does not address the differential interpretation and representation of docks malpractices between countries leading to diverging approaches.

Turnbull and Sapsford supplied a more satisfactory 'model' among the British authors despite their analysis being Britain-focused. Conjoined with this was an analysis of

the 'wider picture.' This position is returned to in the last half of this chapter, dealing with 'spectrum' theory.

AMERICAN WRITERS

Until 1945, American authors tended to mirror their British counterparts; the focus was generally upon the supposed moral and economic effects of casual docks employment in the New York docks and upon steps that the industry might take to solve problems around the hiring function. After 1945, reflecting a radically changed political and industrial landscape, questions surrounding the 'criminality' of New York docks practices came to the forefront as catalysts for change. The changing emphasis is illustrated in Table 2:2.

Pre-1945

Text after text dating from 1911 underlined the casual hiring system in larger American ports and made recommendations for its removal, often based on schemes in other ports such as Liverpool and Hamburg. The question of malpractices - hiring and otherwise - was given little attention. A 1916 report from the New York Mayor's Committee, for example, described the 'degrading' and dangerous aspects of casual employment, and how inefficiency in the allocation of labour led to higher costs. Hiring corruption was given a mention but only briefly and as another symptom of the fierce 'competition for work.' Barnes' classic work on longshoremen, in 1915, never even mentioned hiring corruption while devoting much space to employment irregularity as fostering 'irresponsible' attitudes.¹⁵

¹⁵ New York State Senate, *Report to the Legislature of the State of New York by the Commission...to Inquire into the Question of Employers' Liability and Other Matters: Third Report - Unemployment and Lack of Farm Labor*, Senate document no. 49.(1911); Mayor's Committee on Unemployment, *Report on Dock Employment in New York City and Recommendations for its Regularization* (New York, October 1916); New York State Legislature, *Preliminary Report of the Joint Legislative Committee on Unemployment*, Legislative Document (1932) no. 69. Albany, NY, 1932; 'Longshore Labor Conditions and Port Decasualization in the United States', *Monthly Labor Review*, vol. 37 no. 6 (December 1933) pp. 1299-1306. Swanstrom, in his major survey, devoted less than two pages to hiring malpractices (Swanstrom, E. E., *The Waterfront Labor Problem: A Study in Decasualization and Unemployment Insurance* (Fordham University Press 1938)

Post-1945

A sea change in perceptions of the waterfront in New York occurred by the early 1940s. Trials resulting from the infamous 'Murder Incorporated' cases involving violent criminal entrepreneurs working on the docks were given huge media exposure, though their importance in the overall canvass was never examined. Five years later, during the New York mayoralty election in late 1945, the findings of a Brooklyn grand jury on the murder cases were made public and cast serious doubt upon the competency and honesty of William O'Dwyer, the District Attorney for Brooklyn once in overall charge of them and now a strong candidate for mayor.¹⁶ O'Dwyer won the mayoral contest but in the process the waterfront crime and violence issues had emerged and become embedded in a way not before seen.

Combined with this, in October 1945, was an unofficial port-wide stoppage over sling loads, the number of daily shape-ups, meal-break pay and paid vacations. Unusual by New York standards, the strike ended with the men winning most of their demands.¹⁷ Although specific industrial grievances generated the strike, the events were presented, by reformers, as showing strong 'anti-Ryan' feeling, as a revolt against 'boss rule' and cronyism in the docks union, and a casual employment scheme that buttressed loansharking and other rackets. 'Background materials' directing readers towards this new perspective came in the form of recycled accounts of docks gangsterism from the late 1930s.¹⁸

Citizens' Waterfront Committee (1946)

The first report in this vein came from the Citizens' Waterfront Committee. In 1946, the Committee warned of 'crime and racketeering' at the hiring point, since 'Every ill and every social waste on the docks sustains itself through the shape-up.' The 1945 strike was interpreted as a struggle for democracy in the ILA and for the ousting of

¹⁶ Peterson, V. W., *The Mob: 200 Years of Organized Crime in New York* (Green Hill Publishing 1983) p. 243

¹⁷ Jensen, V. H., *Strife on the Waterfront: The Port of New York Since 1945* (Cornell University Press 1974) pp. 36-7. Consult: NYMA: LaGuardia Papers, Subject Files, Film 116 on the October 1945 strike; Larowe, *Shape-Up and Hiring Hall*, pp. 27-9; WA: ILA Collection, Box 1: clippings on the 1945 strike

¹⁸ *Nation*, 17.11.45, 24.11.45

docks racketeers. Employers, although dissatisfied with aspects of the shape, feared the alternative of a militant Pacific coast version of a longshore union leadership. Hiring 'graft' was stressed and gangsters either took over union Locals or influenced them, leading to murder.¹⁹

Johnson (1948)

Journalist Malcolm Johnson in 1948 gave readers a no-holds barred 'picture' of the New York docks. Drawing on materials collected by union rebels and critics such as Fr. John Corridan, the New York waterfront was identified as 'a classic example of labor gangsterism.' In a series of widely reported newspaper articles given national prominence, Johnson wrote of the shape-up system of engaging longshore workers. It was roundly condemned as causing 'graft, favouritism, and the gangster rule.' Gangsters had invaded both the shape-up and docks union Locals, making an old problem of undemocratic practices at Local level even worse, helped by the indifference at best of the union elite. Corrupt urban machine politicians were in league with largely unaccountable union bosses in causing the mess.²⁰

Bell (1951)

Daniel Bell initiated the first systematic exploration of New York malpractices, borrowing in part (but uncritically) on detailed evidence presented by the New York State Crime Commission, although taking issue with its police-oriented conclusions. Bell asserted that this was 'at best, a surface approach to the waterfront situation ...' as it 'does not touch the root factors of the waterfront situation.'²¹ 'In our fascination these days with power and manipulation,' he wrote, 'we often ignore the economic fulcrum underneath.'²² This lay, in his view, in the antiquated structure of port facilities damaging delivery services and 'a set of political accommodations ... to

¹⁹ Citizens' Waterfront Committee, *The New York Waterfront* (New York 1946)

²⁰ Johnson, M., *Crime on the Labor Front* (McGraw Hill 1950)

²¹ WA: Daniel Bell papers, box 11: Daniel Bell 'Comments on the Waterfront Problem' (1955).

²² Bell, D., *The End of Ideology* (The Free Press 1965) p. 176

perpetuate the baronial privileges which an inner group has staked out as a result of the economic morass.’²³

Physical inadequacies revolving around docking operations created the means through which dock racketeers gained sufficient industrial leverage by which to demand payoffs as the price for uninterrupted production. A problem of malpractices in New York involved not just corrupt individuals or ‘gangsters,’ nor did it involve just the shape-up, as Johnson had argued, but instead whole systems of mismatch between a demand for better port delivery and its effective denial at the infrastructure level playing into the hands of racketeers, who were able to promise they could nullify many of these barriers on the labour supply side.

Casual employment, linked to the use of convicts, was the chief means for keeping the men in line. ILA officials colluded in this. Abuses inside union Locals were examined briefly, as were ethnic rivalries in the port and the ILA’s links with Tammany Hall in New York County (Manhattan). Startling examples of improper political influence over the docks were supplied in Jersey City, where ‘the relationship of the ILA to the political setup produced a clear mirror of the meaning of political accommodation.’ Resembling comments made later, in 1980s reports on the New York building industry, Bell remarked that the professional criminal served a ‘vital function’ in stabilising a chaotic industrial market ‘where no single force other than the industrial racketeer was strong enough to stabilise the industry.’²⁴

Bell’s account did pioneer subsequent ‘holistic’ analyses of the problem. But the precise interaction of political to economic constituents in creating the New York ‘problem’ was not addressed. Nor was the precise source of New York’s ‘vulnerability’ to corruption explained in terms of primary and secondary influences that could be used for testing and validating purposes.

²³ Bell, ‘Comments on the Waterfront Problem.’

²⁴ Bell, *The End of Ideology*

New York State Crime Commission (1953)

The Fourth Report of the New York State Crime Commission is dealt with in considerable depth in chapter seven, but its tone can be readily discerned from chapter headings, ranging from 'The ILA and Its Component Locals Have Flagrantly Disregarded the Welfare of Their Members and the Public' to 'The Shape-Up and the Forcing of Undesirable Hiring Foremen on the Employers are Basic Evils.' Annual New York Waterfront Commission reports followed this perspective in locating the centre of New York's problem in the shape-up engagement system, the dominant union organisation and in organized criminality.

Larrowe (1955)

Larrowe attempted to compare practices in New York with those on the Pacific coast. Malpractices he described for New York were taken straight from Crime Commission evidence. In comparing New York with the Pacific industry, Larrowe supplied a synthesis of previous investigations. The general picture of New York port was drawn from Johnson and the State Crime Commission, in particular in their evidence of political interference, hiring kickbacks and gangster control over union units, although it was recognised that docks employment was more complex a topic than other studies suggested. The role of congestion in generating delays to cargo handling and thence racketeering was identified, reflecting Bell's analysis.²⁵

Kimeldorf (1988)

Kimeldorf's analysis was more multi-layered. A large number of material influences, according to Kimeldorf, were active in generating an organized crime problem on the New York docks, many of them already identified by Bell and others. Problems could have been overcome given as radical a union leadership as that on the west coast, but this was absent in New York. Also given primacy by Kimeldorf was employer disorganisation, this creating sufficient 'space' for unionists (and racketeers in the New York docks union) to operate and expand their organisational base.

²⁵ Larrowe, C. P., *Shape-Up and Hiring Hall: A Comparison of Hiring Methods on the New York and Seattle Waterfronts* (University of California Press 1955)

The over-supply of labour was much greater in New York, on this score making common action less likely against predatory practices by gangsters and employers. The ILA leadership in New York, by contrast with the west coast union, was perceived as lacking direction, riddled in corrupt practices and absorbed in its own difficulties.

Shipping patterns were different from those on the Pacific coast, being dominated by oceanic vessels that had less predictable sailing times. New York port capital was disunited and leaderless, allowing both legitimate unionism and corrupt unionists to make hay with their disorganisation. Getting ships out of port quickly was hindered by the inadequacy of facilities. A factor of note was the ethnically differentiated New York longshoremen situation, pitting racial groups against each other and reinforcing 'Old World patterns of obligation and deference.' Gangsters were useful as a means of disciplining the rank and file, and were engaged in every abuse.²⁶

Kimeldorf did include non-material factors in accounting for a far better situation on the west coast, above all in his extended discussions of 'ideological' influences conditioning the willingness of rank and file longshoreman to accept inferior working conditions and hiring graft. He argued that the 'solid foundation' for honest unionism on the west coast was laid by the 'vastly different ideological communities from which they had been recruited' from those in New York.²⁷ West coast men were traditionally hired from jobs in which collective action was the norm. Conversely, newly arrived and needy immigrants in New York dependent on patronage for work were not promising materials from which to forge a radical workforce.²⁸

New York construction industry reports (1989)

Drawing on historical evidence, Taft developed this framework in his understanding of institutional properties encouraging American union corruption. These included a

²⁶ Kimeldorf, H., *Reds or Rackets? The Making of Radical and Conservative Unions on the Waterfront* (University of California Press 1988) pp. 14, 39

²⁷ Kimeldorf, H., 'Working Class Culture, Occupational Recruitment, and Union Politics', *Social Forces*, vol. 64 no. 2, 1985, p. 361

²⁸ Kimeldorf, *Reds or Rackets?* pp. 14, 39

‘casual’ labour force and a highly competitive but fragmented industry that left the sole union covering the situation in a situation of relative strength.²⁹ Variables like this made law enforcement prosecutions a temporary solution at best.

An exhaustive scrutiny of the available empirical data convinced the New York Organized Crime Task Force in the late 1980s that ‘structural’ and ‘organisational’ factors could better account for its persistent problem over racketeering. They argued that in industries where certain industrial characteristics were dominant, racketeering might be expected as a foreseeable outcome. Structural and organisational fault-lines that went unrecognised accounted for the longevity and the distribution of racketeering activities in these industries despite orthodox policing. Many of the characteristics of the construction industry in New York were replicated in dock markets and can be treated for comparative purposes as such.

Construction unions dominated in negotiations with small, under-resourced firms rarely able to withstand sustained and determined union pressure and the advances of criminals illegally exploiting their positions from inside the union structure. The fragility of the production process made no allowance for lengthy stand-offs with organized labour. In common with the waterfront, time was of the essence and drawn-out delays unacceptable from a commercial viewpoint.

Thus was created a ‘voluntary market’ for the services of racketeers. In the course of time, a ‘system’ of payoffs became entrenched in the construction and docks industries in New York, with new entrants to the marketplace made aware of what was expected. By these means, industrial conditions created a steady market for corrupt practices. Prosecutions alone proved inadequate since the problem lay at a deeper, institutional level.

Concepts deployed in the analysis included those of ‘susceptibility’ to racketeering incursions, and that of systematically created ‘opportunity structures’ that encouraged racketeers to invade industries. The vulnerability of industries varied in line with the institutional opportunities made available to racketeers to control ‘critical

²⁹ Taft, P., *Corruption and Racketeering in the Labor Movement*, (2nd ed.) (New York State School of Industrial and Labor Relations 1970) p. 34

components' in the process. Key among these was command over labour union branches.

Special to the New York City industry was the existence of large numbers of Italian racketeers in the city. Like Bell's waterfront predators, these were identified by the report as performing a 'rationalising' function in an unstable industrial structure, permitting profitability to be maintained via a series of illegal arrangements among contractors connected to the underlying threat of violence against transgressors.³⁰ Given this, however, the issue was deeper since corruption and racketeering had predated 'Mafia' influence in the industry, and the scale of the contemporary problem involved many layers of (non-Italian) bureaucrats among others.³¹

Summary

Describing the older models of industrial criminality, Woodiwiss remarked 'The problem of organized crime ... simply boiled down to groups of bad people who corrupted government and business.'³² Once their removal had been affected, the issue would disappear. But this perspective failed to explain why racketeers had succeeded in infiltrating some groups of industries but not others and why industries affected by racketeers remained infected.

In the New York case, the major determinants identified from 1945 were markets that made 'criminality' much more likely to occur. These conceptually correspond with

³⁰ New York State, Organized Crime Task Force, *Corruption and Racketeering in the New York City Construction Industry: Final Report* (New York: December 1989) p. 56

³¹ Aside from the official reports cited, consult: Fijnaut, C. and Jacobs, J. (eds.), *Organized Crime and Its Containment: A Transatlantic Initiative* (Klewer Law and Taxation Publishers 1991); U.S. Congress, House. Committee on Governmental Operations, *Waste, Fraud, and Abuse at Federally Funded Wastewater Treatment Construction Projects: The Potential Effects of Organized Crime Infiltration and Labor Racketeering in the New York Construction Industry*, hearing 100th Congress 2nd Session 1988, pp. 41-44; Jacobs, J. B. and Tacher, T. D., 'Attacking Corruption in Union-Management Relations: A Symposium', *Industrial and Labor Relations Review*, vol. 42 no. 4, pp. 502-5

³² Woodiwiss, M., *Organized Crime and American Power: A History* (University of Toronto Press 2001) p. 11

‘background conditions’ Turnbull, Morris and Sapsford refer to, though more refined and detailed in form.³³

In Britain the guiding theme remained the way in which casual docks labour stymied attempts to impose ‘normal’ industrial discipline on the industry. Official British reports reflected the ‘non-judgemental’ approach commonly found and used in British texts. These differences mirrored national characteristics and the divergent manner in which government inquiries addressed docks questions in these countries.

Insights at this level involve ‘loopholes, hidden dynamics, or unintended side effects inherent in institutions.’³⁴ Short lead times, a dependence on union influence to deliver manpower, and small production runs were often all that racketeers needed, sheltering behind protections that unions were afforded under the law.³⁵ As an ‘institutional’ failure beyond the control of corrupt individuals, racketeering in industries ‘would still be a problem even if the Mafia utterly vanished.’³⁶

The most glaring shortcoming of the approach is its emphasis on ‘objective’ standards as marking the parameters of the debate. Where ‘political’ elements were introduced, from Johnson onwards, they tended to be stereotypical in design and reflected a jaundiced view of the effects whenever politicians meddled in industrial matters beyond their expertise or remit.³⁷ A highlighting of economic and collective bargaining markets as moulding ‘opportunity structures’ through which racketeers might penetrate the industry equally left little space for subjective perspectives or sub-group initiatives.

³³ Turnbull, P. Morris, J. and Sapsford, D., ‘Persistent Militants and Quiescent Comrades: Intra-Industry Strike Activity on the Docks, 1947-89’, *The Sociological Review*, vol. 44 no. 4, 1996, p. 720

³⁴ Johnson, M., *Political Corruption and Public Policy in America* (Brooks/Cole 1982) p. 14

³⁵ This seems to have been a general characteristic of New York’s industrial structure (see Cook, A. H. and Gray, L. S., ‘Labor Relations in New York City’, *Industrial Relations*, vol. 5 no. 3, 1966, p. 102).

³⁶ Kelly, R. J., *The Upperworld and the Underworld: Case Studies of Racketeering and Business Infiltrations in the United States* (Kluwer Academic/Plenum Publishers, 1999), p. 3.

³⁷ Alan Block, in a short treatise on the subject, also followed this reasoning (‘On the Waterfront Revisited,’ *Contemporary Crises*, vol. 6, 1982, pp. 373-96)

Increasingly, the movement from Bell onwards was towards the exploration of 'broader' structures in the legitimate business or union fields that 'supported' a racketeering problem. In this respect, it resembled 'spectrum' theory, to be detailed. The end result was a sophisticated model for the New York construction industry that removed human agency from the equation and therefore implied that 'change' would be externally imposed, emerging through a state-sponsored restructuring and remodelling of the variables that had attracted racketeers and other corrupt elements, in waterfront relations for example via the Waterfront Commission and the National Dock Labour Scheme.

In spite of this, informal forms of job action illustrated the powerful hold of 'man made' processes in altering docks relations. With respect to the New York and London waterfronts, for example, Mello (1997, 1999) and Davis (2000) partly addressed this with in their respective discussions of rank and file activities in the cause of greater union democracy and in promoting the removal of casualism.

Their arguments, on the other hand, did not address the reasons for 'racketeer' penetration of the industry, nor its limitations. Nor did they arrive at the same conclusions. Mello saw the unofficial movements in post-1945 New York docks as eventually reshaping 'the relations between dockworkers and their union.'³⁸ Davis argued the converse. Utilising a comparative approach including New York and London, Davis' thesis was that unofficial movements in British docks were better protected against victimisation by employment systems and rights built up than their New York counterparts and for this reason, the New York movement was short-lived.³⁹

According to waterfront writers, a small number of economic or industrial variables locked malpractices into the structure and explained their presence. With the

³⁸ Mello, W., *Pete Panto: Rank and File Radical on the Brooklyn Waterfront* (New York, October 1997); Mello, W., *The Origins of the Rank and File Reform Movement on the New York Waterfront 1945-1948* (New York, Spring 1999)

³⁹ Davis, C. J., 'New York City and London Dockworkers: A Comparative Perspective of Rank-and-File Movements in the Post-Second World War Era', *Labour History Review*, vol. 65, no. 3, 2000, pp. 295-316.

exception of Kimeldorf, questions of subjectivity and choice were excluded from the question at hand.

SPECTRUM THEORY

General characteristics

The forgoing leads us to the most useful theory in resolving these dilemmas from the comparative perspective, in which perceptions of malpractices utilised by sources, are viewed as disengaged from their economic reality. 'Spectrum' theory fully recognises and explicitly integrates into its analysis the political and ideological complexities and subtleties involved in discussions of industrial 'deviance' while not ignoring economic aspects and dimensions.

Dwight C. Smith's paradigm supplies a powerful tool by which to identify moral aspects applied to purely economic criteria. Like the orthodoxy, identified above, it sees 'malpractices' in economic terms. But unlike traditional texts, it takes seriously the proposition that subjective ingredients distort analyses unless sufficient attention is afforded them. Stripped of obfuscating ideological elements, for example, the 'truth' of malpractices as economic phenomena can be clearly adjudged and the analysis can proceed more fruitfully. In this, it overturns the orthodoxy but directly applies to the current project, since it allows valid comparisons to be made between industrial or economic matters that were subject to disparate political representations.

Smith was most identified with the spectrum or 'crime-enterprise' viewpoint,⁴⁰ holding that the dividing line separating so-called 'illicit' and 'licit' economic practices were conceptually and in many cases operationally indistinguishable. 'The advantage of crime-enterprise theory,' as Van Duyne asserted, 'is that it makes fewer

⁴⁰ Smith, D. C., 'Organized Crime and Entrepreneurship', *International Journal of Criminology and Penology*, vol. 6, 1978, pp. 161-77; Smith, D. C., 'Paragons, Pariahs, and Pirates: A Spectrum-Based Theory of Enterprise', *Crime and Delinquency*, vol. 26, 1980, pp. 358-86; Smith, D. C., 'Ideology and the Ethics of Economic Crime Control', in Elliston, F. and Bowie, N. (eds.), *Ethics, Public Policy, and Criminal Justice* (Delgeschlager, Gunn and Hain 1982) pp. pp. 133-155; Smith, D. C., 'White-Collar Crime, Organized Crime, and the Business Establishment: Resolving a Crisis in Criminological Theory', in Wickman, P. and Dailey, T. (eds.), *White-Collar and Economic Crime* (Lexington Books 1982) pp. 23-38

assumptions about the structure of so called 'organised crime,' while it takes better account of the interactions of the crime-enterprises with the surrounding markets on which they operate and of the mobility and adaptability which is the consequence (and the prerequisite) of operating on a market which is characterised by an inherent uncertainty.'⁴¹ Second, industrial markets and practices may remain 'constant' as objective phenomena yet their legal significance can be transformed. However, the fact of their illegality may alter the contours of economic activity in unforeseen ways (for example, in creating new markets for underworld entrepreneurs.

The framework, in a nutshell, mandates within its design for clearer explorations of economic phenomena such as docks malpractices by removing value-laden criteria from the equation. Similar economic variables influence both 'organized' criminal enterprises and those of, for example, 'white-collar' criminals, regardless of the labels assigned them by observers. Waterfront 'racketeering' for instance is similar in effect and a comparable public order threat to those 'occupational' crimes perpetrated by shipowners, such as tax evasion, but which are generally given a lower importance and priority. Conceptually and empirically, the activities of both groups are analogous if viewed as reacting to the same factors of markets, competition and to forms of regulation.⁴²

Subjective dimensions

This thesis modifies the spectrum framework as espoused by Smith in two respects. First, the simple legality of docks practices, a centrepiece of the Smith model, is viewed as unduly constricting the exploration. In place of this, and thus of the 'seriousness' of malpractices before the criminal law, as Smith poses,⁴³ the thesis employs the overarching concept of their 'legitimacy' among practitioners, befitting the informal quality of all docks malpractices, in extending the range of questions asked and in accommodating to differing legal systems and laws. As such,

⁴¹ Van Duyne, P. C., *Organized Crime in Europe* (Nova Science Publishers 1996) p. 54

⁴² Smith, D. C., 'Paragons, Pariahs, and Pirates: A Spectrum-Based Theory of Enterprise', *Crime and Delinquency*, vol. 26, 1980, pp. 358-86; Smith, D. C., 'Ideology and the Ethics of Economic Crime Control', in Elliston, F. and Bowie, N. (eds.), *Ethics, Public Policy, and Criminal Justice* (Delgeschlager, Gunn and Hain 1982), pp. 133-155.

⁴³ Smith, D. C. *The Mafia Mystique* (Hutchinson 1975) p. 336

malpractices were supported and defended with vigour by the particular dock communities from where they originated.

'Legality' complexities

In terms of their 'legality,' three interlacing types of dock malpractice were identified on a port basis, depending on the relevant committee or statute. First were dock malpractices that were explicitly outlawed by criminal statute as 'corrupt.' In industrial relations terms, this type of misbehaviour generated few complainants, either from fear of economic injury against an employer or because employers gained in some fashion. Pilferage by dockworkers was the clearest violation of the criminal law and liable to attract a prison sentence and removal from a dockworker register if proven.

Breaches of joint agreements were probably the most widespread malpractice. Such malpractices as the Liverpool 'welt' or certain practices centred on the 'continuity rule' were proscribed in agreements. They were, in turn, violations of the Dock Labour Scheme in British ports. The most common reported breaches of agreements involved unofficial strikes and stoppages of work while disputes were being adjusted.

Next were 'contested' malpractices adding to employers' labour costs. These were either allowed for in joint agreements, but with employer opposition, or sidestepped in agreements. Contested practices were intimately linked to that range of dock practices pejoratively labelled by employers as 'restrictive', and often based on custom rather than codified. Employers, as making ports less competitive, often denounced them.

Standing mid-way between the two were those malpractices proscribed in union rulebooks. Most forms of strikebreaking came clearly within this orbit, and those caught could be 'branched.'⁴⁴ Employers tended to leave unconstitutional practices for unions themselves to resolve, especially the Stevedores' and Dockers' Union (NASDU), which had a reputation as highly disciplined and for stamping down hard on members who broke agreements.

⁴⁴ Those for New York are contained in the minutes of proceedings for ILA conventions at Wagner Labor Archives (microfilmed)

Last are those cases that did not cross neat divisions. Legal conceptions of industrial malpractices varied between countries, for example, but frequently left questions as to where lines lay between the criminal and the non-criminal. The matter of what constituted, in law, 'extortion' or 'blackmail' of an employer in the shipping industry was a classic case in point and which made prosecutions or other forms of legal action problematical.⁴⁵

Legitimacy questions

According to Mars, in a classic study, work gangs that pilfered ships tended to grant the malpractice 'the status of a recognised and regularly occurring activity, and a normal part of life.'⁴⁶ Legitimated malpractices are therefore characterised by their 'taken for granted' quality rather than by the secondary issue - for those involved in them - of whether they were infringements of legal norms and standards of behaviour. By means of the legitimacy issue, working practices and the subtle manner in which they interacted with malpractices as social aspects of dockwork are understood and developed in a fashion unrecognised in most of the extant literature identified above.

Types of legitimacy

Further distinctions may be made. Although most often reported, the use of malpractices as a way of redressing 'hardships' outside of agreements was but one of a number of justifications for the involvement of the rank and file in malpractices. Pilferage type 'entitlement' malpractices were associated with casual earnings.

⁴⁵ In one case in Britain, the International Transport Workers' Federation used its economic leverage in 1978 to compel the master of a Milford Haven tanker vessel sailing under a flag of convenience to sign a document. This stated that if the master agreed to pay the union £80,000 and to pay the vessel's crew the agreed union wages for the work, an embargo would be lifted. The money was to be used to compensate for the use by the vessel owners of cheap Asian labour, paid well below the rates agreed with the union. The question at issue was whether this was a legitimate action by the union in furtherance of a 'trade dispute.' The vessel owners took legal action for recovery of part of the moneys paid. In 1982, the House of Lords ruled that the action of the union was illegitimate, and an amount of £6,480 paid under 'economic duress' was recoverable in law. The document signed under 'duress' by the shipowner was also ruled as invalid (*The All England Law Reports*, Universe Tankships Inc of Monrovia v. International Transport Workers' Federation, 1982, vol. 2, pp. 67-96)

⁴⁶ Mars, 'Dock Pilferage,' p. 225

Pilferage studies

Mars found in his field study of St. John's, Newfoundland, longshoremen that the same vessel hatch gang could switch between legal and criminal (pilfering) practices without missing a beat. Because the work was in the old days badly paid, pilferage was commonly viewed by hold gangs as a form of 'rough justice,' and 'the only crime, if you can call it a crime, was getting caught at it.'⁴⁷

Rather than being abhorred by dockworkers, 'pilferage was regarded as a right rather than a crime and was virtually ubiquitous.'⁴⁸ Much of this attitude was excused by the 'adverse conditions and low rates of pay' of dockworkers,⁴⁹ and in both countries they 'shared an abiding sense of entitlement.'⁵⁰ In 1970, the *New York Times* similarly claimed that pilferage spoils were 'something of a fringe benefit to some longshoremen.'⁵¹

Most longshore workers in St. John's 'make a sharp distinction between cargo it is permissible to steal and that which should remain untouched.'⁵² Thus, 'up to an agreed level pilfered cargo is seen as a moral entitlement; beyond this, additional pilferage is theft.'⁵³

Judgements made by perpetrators like these, however, owed as much to 'hard headed' calculations of the cut off point at which the police would be expected to intervene. Consequently, both the creation of a culture of 'legitimate' pilferage and its boundaries were conditioned by wider external structures outside of the control of the work gang. Pilferage texts utilising this factor to explain malpractices could also not

⁴⁷ Mars, G., 'Dock Pilferage' in Rock, P. and McIntosh, M. (eds.), *Deviance and Social Control* (Tavistock 1974)

⁴⁸ Cooke Johnson, L., 'Criminality on the Docks' in Davies, S. et al (eds.), *Dock Workers: International Explorations in Comparative Labour History, 1790-1970* (Ashgate Publishing 2000) p. 722

⁴⁹ Cooke Johnson, 'Criminality on the Docks,' p. 725

⁵⁰ Davis, C.J., 'Working with the Hook: A Comparative Study of London and New York Dockworkers, 1945-1955', *The London Journal*, vol. 25 pt. 2, 2000, p. 89

⁵¹ NYT, 13.4.70

⁵² Mars, G., *An Anthropological Study of Longshoremen and of Industrial Relations in the Port of St. John's, Newfoundland, Canada* (University of London, Ph.D.1972) p. 6/23

⁵³ Mars, 'Dock Pilferage,' p. 226

readily explain immense variations in the incidence of malpractices between ports, despite dockworkers experiencing common levels of occupational hardship.

Other malpractices achieved the status of legitimacy by virtue of their successful utilisation over a long period of time, but with few connotations that they were in some sense 'compensating' for past or present injustices. Accounting for the distribution of malpractices in spite of the same sense of grievance among dockworkers, this type owed more to 'opportunity structures' founded on material bottlenecks, and could be seen across the range of dockworkers from those casually employed to weekly or regularly paid workers.

Third were 'legitimated' malpractices that achieved prominence by virtue of the crumbling of authority and acceptance elsewhere in a port system. Thus, in Liverpool, bureaucratic disciplinary functions lost legitimacy within the ranks of a majority of the dockworker population. In other cases, the union may be seen as 'not doing their job' leading to the men 'taking the law into their own hands.'⁵⁴

As formal sanctions lost their bite, previous sources of labour regulation and internal legitimacy re-emerged, or became stronger, revolving about unofficial leaderships and the extra-agreement exercise of industrial clout. 'Through the sporadic publication of bulletins and journals,' Wilson wrote, 'and the frequent use of mass meetings, the unofficials established better lines of communication than the TGWU.'⁵⁵

Assisting a legitimisation process were those circumstances where malpractices were allegedly 'victimless.' Last were local variables. Specific payments systems could confer legitimacy on malpractices, for example, by obfuscating their illegality. In particular, London's heavily pieceworking earnings method lent itself to exploitation and became the fulcrum for all manner of abuses.

⁵⁴ Interview with LONM, 19.8.99

⁵⁵ Wilson, D. F., *Dockers* (Fontana/Collins 1972) p. 131

Thresholds of legality and legitimacy

Table 2:3 suggest conflicting ideas of legitimacy in a typical port complex and how these underlay much industrial strife, when conjoined with unwieldy adjustment systems and facilities.

TABLE 2:3
DEGREES OF LEGITIMACY ASSIGNED TO DOCKS PRACTICES

DOCKWORKERS		
High	Medium	Low
<i>Pilferage*</i>	<i>Short-handed</i>	<i>Strike-breaking</i>
<i>Sluggish working</i>	<i>working</i>	<i>Hiring corruption</i>
<i>Gambling</i>		<i>Union branch abuses</i>
<i>'Manufactured' earnings</i>		
EMPLOYERS		
High	Medium	Low
<i>Hiring corruption</i>	<i>Continuity rule</i>	<i>Welting</i>
<i>Gambling**</i>		<i>Pilferage</i>
		<i>'Time-wasting'</i>
		<i>Malpractices</i>
PORT AUTHORITIES		
High	Medium	Low
<i>Short handed working</i>	<i>Hiring corruption</i>	<i>Pilferage</i>
	<i>Gambling</i>	<i>Stoppages</i>
		<i>'Job and finish'</i>
		<i>Sluggish working</i>
		<i>'Manufactured' earnings</i>
GOVERNMENTS***		
High	Medium	Low
	<i>Short handed working</i>	<i>Stoppages</i>
	<i>Hiring corruption</i>	<i>Pilferage</i>
		<i>Sluggish working</i>
		<i>'Created' earnings</i>

* 'Within limits'
 ** Depending on whether performed when should be working
 *** Public pronouncements

The first two types of docks malpractice tended to lead to industrial conflict, since employers might well consent to them only under duress. Malpractices and associated 'indiscipline' problems were normally (though not always) localised, paralleling the atomised structure of relations in these ports.⁵⁶

'Payoffs' in the situation of high docking charges and in a context of rivalry with other shipping firms for business were mutually beneficial in many instances, and in this light approved of as the best means by which to maintain or increase company profitability. The use of violence as the primary means that port criminals utilised to extract payments was not common, as the FBI for example discovered.⁵⁷ And because of the 'victimless' dimension to many port malpractices, making prosecutions hard to stick in court, and even more difficult to uncover, the activities of 'racketeers' closely resembled those of other occupational crime violators active on the docks.

Where a disconnection existed between employer perspectives as to 'acceptable' dockworker conduct and that of the rank and file, a dispute might well erupt, involving other workers. Port authorities, the government and employers were generally impatient with pilferage and other malpractices operated by dockworkers for raising the cost of doing business in these ports.

Behind much docks activity was endemic class conflict over wages and conditions of employment, with organised labour making slow and uneven progress even where a 'closed shop' existed. Agreements also mirrored the desire of the parties to avoid, for example, night working.⁵⁸

Conceptually, employers frequently saw so-called 'restrictive practices' as synonymous with malpractices when judged by their economic costs.⁵⁹ Moreover,

⁵⁶ Whiteside, 'Public Policy and Port Labour Reform:' p. 78. For London, read: MID: LEDEA Box 260 'Riverside Employers' Working Party' (ca. 1968).

⁵⁷ FBI records on Joseph P. Ryan, File no. 92-915

⁵⁸ U.S. Congress, Senate Committee on Labor and Public Welfare, *To Clarify the Overtime Compensation Provisions of the Fair Labor Standards Act of 1938, as Amended*, hearings 81st Congress 1st Session 1949, p. 730

⁵⁹ A Grace Line manager in New York explained that 'so-called feather-bedding and standby crew requirements under the current ILA agreement amount to virtually the same thing as

efforts to avoid the negative effects of restrictive practices caused abuses. Thus where labour was comparatively inflexible, although acting in accordance with agreements, 'overmanning' and 'time-wasting' sometimes resulted. Illicit payments could ease these tensions in making the men more 'open' to re-interpreting agreements or to even ignoring them.

Industrial discipline

What constitutes a matter for 'disciplinary action' will vary by its legitimacy and the industrial and political contexts. From the industrial viewpoint, the question depends on the likely resistance of staff acting in concert towards management encroachments and also in 'the interest' an employer will have in curbing a malpractice.⁶⁰

Where the organisation of docks labour was weak or non-existent, employers felt freer to impose their own definitions of 'correct' industrial behaviour. D'Sena for example found that what constituted a 'malpractice' on the London riverside during the late eighteenth century altered over time, closely linked to the construction of new wet docks making previously condoned practices criminal.⁶¹ Clarke in his own study of white-collar crime, stressed that 'malpractices' which perpetrators consider as 'part of the job' may be overlooked by an employer, depending upon a host of 'background' constituents in the field of industrial bargaining.⁶²

Ideology and the 'organized crime' issue

Leaving aside the meaning of malpractices to practitioners, the spectrum perspective can be used to identify 'ideological' or moral meanings generally attached to industrial operations by political figures and legislators. From 1945, as state controls attempted to curb 'lawlessness' and rule-breaking on the docks, this assumed an

carrying phantoms' (U.S. Congress, Senate. Committee on Interstate and Foreign Commerce, *Waterfront Investigation*, hearings 83rd Congress 1st Session, 1953, p. 42)

⁶⁰ Turnbull, P. Woolfson, C. and Kelly, J., *Dock Strike: Conflict and Restructuring in Britain's Ports* (Avebury 1992) p. 81

⁶¹ D'Sena, P., 'Perquisites and Casual Labour on the London Wharfside in the Eighteenth Century', *London Journal*, vol. 14 no. 2, 1989, pp. 139-47

⁶² Clarke, M. J., 'White Collar Crime, Occupational Crime, and Legitimacy', *International Journal of Criminology and Penology*, vol. 6, May, 1978, pp. 121-36

heightened form. Much of the divergence in approach between American and British authors reflected a historical dichotomy that perceived wider ranging industrial illegality in different terms.

One example is worthy of note. The attachment of a label of 'organized' criminality to docks deviance raised the stakes, since it was commonly associated with dangerous syndicates that posed a far greater general threat to public safety than did a gang of waterfront thieves or (in the Liverpool and London cases) 'time-wasting' on board ships. But because a precise definition of 'organized crime' has not been agreed, the American trend, increasingly evident in New York, to categorise docks deviance as a form of racketeering behaviour underlined the subjectivity of the term and its consequent elasticity.⁶³

The insertion of the 'organized crime' label when discussing New York docks was commonly utilised to denote malpractices that required immediate and radical action to protect the public, and whatever the validity of counter-arguments or the resistance from vested interests. The case put in Britain before the public was that no matter how bad malpractices might be in Liverpool or in London, they did not attract 'organized criminals.' Linda Cooke Johnson adopted this tack when writing on New York docks corruption, it being, in her view, linked to 'strong-arm enforcement that commonly included beatings and murder.' Like almost all versions of this premise, though, she drew on secondary accounts for her statements.⁶⁴

As Smith argued, 'organized' crime shares the same basic characteristics as 'white collar' or occupational crime. For this reason they should be treated in comparable ways, and not as a separate category, whether in the language utilised or the concepts employed. The organized crime issue has, though, been a popular one for ambitious politicians to manipulate. Arranged around ethnicity, 'The purpose of organized-

⁶³ For some of the issues, read: Albanese, J. *Organized Crime in America* (2nd ed.) (Anderson Publishing 1989) pp. 4-5.

⁶⁴ Cooke Johnson, L., 'Criminality on the Docks' in Davies, S. et al, *Dock Workers: International Explorations in Comparative Labour History, 1790-1970* (Ashgate Publishing 2000) pp. 735-6

crime theory in the past has been to convey moral judgements, not to facilitate objective study.’⁶⁵

Official investigative commissions

Bulmer explained how seemingly authoritative governmental commissions of inquiry, as key guides as to how problems should be viewed, could be skewed in ways that favoured the status quo or vested interests. Through their composition together with the selection of evidence and terms of reference, official commissions are liable ‘to intellectual capture and the structuring of inquiry from the outset in particular directions.’ They also ‘take a great deal of account of the political context in which they operate.’⁶⁶

‘Organized crime’ research by official agencies has contained high levels of information that ‘convey moral judgements,’ yet they ‘affect research and the public debates surrounding them.’⁶⁷ Moore stated that official enquiries in America served ‘to dramatise a particular perspective on a problem and place the prestige of a Senate body behind a chosen point of view.’⁶⁸

A typical American commission, for example, was over-represented with lawyers and former judges tending to view problems to hand by legal standards, while British commissions tended to include those ‘socialised into a closed and fairly secretive world of an executive composed of civil servants and ministers.’⁶⁹ (A former Justice, a former Police Commissioner and the Dean of a New York law school, for example, headed the New York State Crime Commission looking at the New York waterfront.

⁶⁵ Smith, ‘White-Collar Crime, Organized Crime, and the Business Establishment: Resolving a Crisis in Criminological Theory’, pp. 23-38

⁶⁶ Bulmer, M., *The Uses of Social Research* (George Allen and Unwin, 1982) pp. 123-4

⁶⁷ Smith, D.C., ‘Wickersham to Sutherland to Katzenbach: Evolving an “official” definition for organized crime,’ *Crime, Law and Social Change*, vol. 16, 1991, p. 151

⁶⁸ Moore, W. H., *The Kefauver Committee and the Politics of Crime 1950-195* (University of Missouri Press 1974) p. 75.

⁶⁹ Bulmer, M. (ed.) *Social Science Research and Government* (Cambridge University Press 1987) p. 8

Commission staff members included a former prosecutor and counsel to the ‘rackets-busting’ Kefauver Committee.⁷⁰)

Perceptions of wide scale New York docks abuses could become self-fulfilling, heavy police intervention in the wake of ‘scandals’ fuelled by commission procedures ‘finding’ more criminal behaviour than in ports where no such process had been instituted. As Axelrod revealed ‘no worker in the United States, except employees in ‘sensitive’ jobs in government and defence industries, undergoes a more thorough check than does a dock worker on the New York waterfront.’⁷¹ Chapters five to seven will argue that despite their differences, docks practices and malpractices in Liverpool, London and in New York had a greater deal in common with each other than post-1945 accounts would assume.

Conclusion

The Smith framework demonstrates how ‘subjective’ variables shaped the selection of empirical information and its use. For this reason, the ‘empirical’ critique given in this thesis and the ‘theoretical’ aspects of the thesis that this chapter deals with are interwoven.

The interlacing of industrial and political ingredients varied by country and by locality. Cases in which ‘opportunities’ outside the control of individuals or sub-groups to create mischief or to extract payoffs will be presented throughout and were especially important - when practiced between sections - in industries like shipping where the permeability of systems to abuse was well known.

‘Contextual’ considerations like these, as Barton and Turnbull assert, require explanation, not least in their role in shaping policies.⁷² As this work relates dock practices across countries, the spectrum alternative supplies a durable tool for

⁷⁰ NYT, 30.3.51 – 1.4.51

⁷¹ Axelrod, D., *Government Covers the Waterfront: An Administrative Study of the Background, Origin, Development, and Effectiveness of the Bistate Waterfront Commission of New York Harbor, 1953-1966* (Syracuse University DPA, 1967) p. 232

⁷² Barton, H. and Turnbull, P., ‘Labour Regulation and Competitive Performance in the Port Transport Industry’ *European Journal of Industrial Relations*, vol. 8 no. 2, 2002, pp. 133-156

comparing them on a 'like for like' basis, since it hopes to explore them as economic phenomena while not overlooking the probability that their representation will be shrouded in value judgements.

The other studies and Smith

But to argue that the whole of the docks malpractices problem can be assigned to the 'legitimacy' question is as incomplete an explanation as claiming that the 'whole' of the problem revolves about economic structures, disregarding their social or political meanings.

What the previous writers failed to acknowledge was the manner in which their own analyses were discretely influenced by social values that made observations of comparable malpractices in other settings difficult. Nonetheless, some of these obstacles can be overcome through the triangulation or multiple strategies methodology as described in chapter one, and by taking account of 'contextual' variables. This is especially evident in the differing emphases chosen and which mark out the British and American sources, in which some variables are virtually ignored but others achieved a privileged status.

The nearest to a 'purely' economic or structural model comes in the 1989 report. Transferable concepts it utilised such as the 'susceptibility' of organisations to infiltration by criminals, and 'opportunity structures' encouraging them to proceed, were of value and could be applied to waterfront situations across the board. Even so, aspects of the construction report reveal weaknesses, for instance in its exclusive concentration on larger malpractices across systems and an elitism in its sidestepping of the manner in which the rank and file construction worker viewed the abuses that were found.

In conclusion, an exclusively 'subjective' framework in which the 'legitimacy' of industrial action is advanced as the single cause of malpractices is inadequate and inappropriate. By a synthesis of the spectrum perspective to the insights gained through the approach seeing 'opportunity structures' as the key to explaining malpractices, the longevity and the distribution of them is better explained.

Inter-country docks practices

Ideas of the significance of malpractices as 'public order' dangers varied. This is not to deny, therefore, that 'racketeers' for example were not present in New York port within local units. What remains in question was their importance within the totality of port relations, and consequently the validity of accounts that pose New York as 'rackets-infested.' In the same context, we may examine more critically the evidence for Britain, which was likely to under-state malpractices in Liverpool and London.

The way in which docks practices and malpractices were received and presented varied by country. Chapters five to seven will attempt to indicate that in the majority of instances working practices and malpractices - 'economic' constituents to working practices and to malpractices - were alike across these ports despite their divergent depictions. At this stage, the task is to elucidate political and social contexts in which British and New York port practices were perceived and pronounced upon.

Britain

After 1945, British dock authorities and governments, to maintain 'the peace' with organized dock labour, felt constrained to construe 'corrupt' waterfront practices as involving chiefly the problem of pilferage. Other malpractices were adjudged as best left to joint committees to discuss behind closed doors. The language and imagery applied to British docks malpractices seemed calculated to diffuse any possible connotations of criminality that might eventually draw in the police and courts.⁷³ Where action became unavoidable, this often only led to mild criticisms of the TGWU as the standard-bearer of docks unionism, but never to policing of the ports of Liverpool or London.

Referring to immediate post-1945 British dock strikes, Phillips initially pointed to the 'harsher' attitude of the Labour government towards unofficial stoppages while concluding that there did exist a political 'consensus' with organized labour, extending to docks practices. In a clear sign of this, the Conservatives, by tradition

⁷³ Devin thus referred in his 1965 report to 'unwarranted' or 'unreasonable' demands by portworkers.

more hostile to union powers and immunities, 'recognised the need to retain the confidence of organized labour ... in conditions of full employment.'⁷⁴ Successive British governments felt obliged to accept the status quo in this respect. Where, as in New York, no such consensus existed, and where political opinion was far more fractured, waterfront practices and malpractices were more liable to attack for political advantage.

The British approach was made clear in comments made by Viscount Waverley, the chairman of the Port of London Authority (PLA) on the New York dock scandals of the early 1950s. Explaining how similar practices could never occur in London, Waverley noted how decasualising policies enacted in London promoted 'responsible' behaviour from the rank and file in the port and encouraged greater work discipline, thus implying that an old problem of malpractices had all but ended. Wet docks' construction (necessitated by London's large tidal variations) made pilferage more easily containable. This complacent scenario was at odds with evidence from employers that the overall situation regarding dock labour was, from their viewpoint, 'worse' than that pre-war. His representation completely failed to address, moreover, the central thrust of the problem in New York.⁷⁵

British political parties were highly disciplined and the political process on the surface orderly. Most of the work was conducted within anonymous committees and (until recent years) the role of the private sector was limited as a likely source of corruption. Less decentralised political authority also gave criminals fewer openings to exploit.

Political corruption, nevertheless, was hardly novel to the British system. In modern times, a handful of Members of Parliament were for instance linked to powerful criminal syndicates in London.⁷⁶ In the sphere of local government misbehaviour, the historical evidence is of a wider difficulty. Pinto-Duschinsky, in his 1977 survey,

⁷⁴ Phillips, J., 'The Postwar Political Consensus and Industrial Unrest in the Docks, 1945-55', *Twentieth Century British History*, vol. 6 no. 3, 1995, pp. 302-19

⁷⁵ *Journal of Commerce*, 19.2.53; *New York Herald Tribune*, 14.1.53

⁷⁶ See the numerous books on the activities of the Kray crime family in 1960s London, and the memoirs of Frankie Fraser (Fraser, F., *Mad Frankie: Memoirs of a Life of Crime* (Little, Brown and Co. 1994) pp. 57, 110).

found that the true level of local government corruption in Britain was 'considerably greater' than uncovered cases and media coverage might suggest.⁷⁷

What remained consistent was a desire in Britain to minimise perceptions of wholesale corruption in the body politic. A central plank of the post-1945 'consensus' was the construction of images of institutions as highly stable, lawful and beneficial. The premise throughout was 'that serious corruption on a broad scale is a largely foreign phenomenon ...'⁷⁸ In this circumstance, British state agencies did not 'look' for institutionalised or deep-seated corruption in the proactive New York sense therefore they rarely found it.

New York

Political interest in the New York waterfront was stimulated whenever the possibility of 'political capital' being gained was a factor and would reap electoral dividends. This was particularly so under circumstances where organized labour was on the defensive, nationally from 1946.⁷⁹

In this process, the 'organized crime' and 'political corruption' issues assumed special resonance as a resource available to opponents of the incumbent political organisation in New York City. In the New York setting, the corruption label often emerged during hotly contested elections and the Democratic Party machine in Manhattan - 'Tammany Hall' - became, as a result of its targeting by urban reformers, legendary for its sleaze.⁸⁰

⁷⁷ The T. Dan Smith scandal suggested the susceptibility of local council structures in Britain to corrupt practices and was only uncovered by accident during bankruptcy proceedings. Smith, the leader of Newcastle City Council, was able to circumvent the existing systems with relative ease. The local governmental system in Ulster was an even worse example of the turning a blind eye of the British establishment to institutional malpractices, in a manner that would probably make an American observer gasp in disbelief (Pinto-Duschinsky, M., 'Corruption in Britain', *Political Studies*, vol. XXV, no. 22, 1977, pp. 274-84).

⁷⁸ Fennell, P. and Thomas, P. A., 'Corruption in England and Wales: An Historical Analysis', *International Journal of the Sociology of Law*, vol. 11, 1983, p. 168.

⁷⁹ *ILA Longshore News*, June 1951, January 1952, December 1952, March 1953; U.S. Congress, House. Committee on the Judiciary Subcommittee No. 3, *New York-New Jersey Waterfront Commission Compact*, hearing 83rd Congress 1st Session 1953, pp. 208-16

⁸⁰ Doyle, D. N. and Edwards, O. D. (eds.), *America and Ireland, 1776-1976* (Greenwood 1976) p. 147

The more 'shocking' the charges made against the incumbent political organisation, the more likely the voting citizenry in New York could be aroused in the desired fashion by opponents, whatever the ultimate truth of the allegations.⁸¹ Media-savvy crusaders could virtually manufacture a 'problem' of corruption out of their particularistic version of exchanges in the political sphere that lent themselves to alternative explanations.

Where trade unions, such as the ILA, were in alliance with such 'corrupt' political institutions as Tammany, they risked being tarnished by that association. Political opponents of ILA chief Joe Ryan used the opportunities afforded by a forthcoming mayoralty campaign in 1937, for instance, to slander Ryan for his supposed closeness to both employers and to Tammany personalities.⁸²

This is not to claim that there was no problem of political corruption in New York City, a subject returned to in chapter seven, only that political pressures on a systematic or 'institutional' basis existed to overstate its importance. Thus, while New York docks union malpractices were extensively covered, those in Britain received little publicity.

When comparing against each other the British and American sources, the clearest and most dramatic difference is in how they treated docks unions. While some convergence was possible in accounts of the other areas of dock work, no such similarity is evident in respect to waterfront union abuses, being downplayed in Britain, even more so when set aside the position in New York. This demonstrated the acute sensitivity of the area to varying political and social pressures and illustrated the underlying dichotomy in approaches to comparable industrial structures differentiating Britain from New York.

A 'hands off' policy towards union practices suited all major parties in Britain, functioning to submerge discussion. By distinction, no constraining influences were at play in New York from 1945 staying the hand of governments, as chapter seven

⁸¹ Griffith, E. S., *The Modern Development of City Government in the United Kingdom and the United States* (Oxford University Press 1927) p. 284.

⁸² *NYT*, 24.10.37

details. To bolster this argument, evidence is presented to suggest that malpractices in the TGWU were greater than normally admitted in British texts.

TGWU MALPRACTICES

This section casts doubt on the presumption made that malpractices in the unionised sectors of British ports were as absent as implied in the literature, and that an ethically pure docks union leadership would inevitably generate constitutional and 'legal' practices throughout the union hierarchy. Materials used are gathered on the giant Transport and General Workers' Union (TGWU), the major port union organisation in Liverpool and London.

The subject of misconduct in British unionism has barely been touched upon within published sources. One exception was McIlroy, who found that financial malpractices were marginal to union life and never took on 'an organized form.'⁸³ Deductions of this sort were largely based on the dearth of readily accessible information on the topic, not surprising given the labour movement's sensitivity to this issue. The view that serious internal differences in the TGWU, if openly discussed, could damage its reputation was pervasive.⁸⁴

It is doubtful from the available evidence that the 'total' degree of British union corruption matched that in the United States. Because of the uneven nature of the evidence, however, few certainties can be made.⁸⁵ Nor can the precise extent and distribution of British malpractices be ascertained from this vantage point. But British union malpractices were allowed to persist for much longer without external intrusion.

⁸³ McIlroy, J., 'Financial Malpractice in British Trade Unions, 1800-1930: The Background to, and Consequences of, Hornby v. Close', *Historical Studies in Industrial Relations*, no. 6, 1998, pp. 1-64

⁸⁴ For example, the TGWU executive carefully rationed disclosure of internal debates of 'breakaway' movements in 1937 (*Daily Worker*, 9.7.37; Coates, K. and Topham, T., *Trade Unions in Britain* (Spokesman 1980) p. 265). Those wishing to read TGWU records at the Modern Records Centre at Warwick University first have to obtain the written permission of the union

⁸⁵ As of 1985, the American Federation of Labor (AFL) comprised ninety-six 'international unions', only a handful of which were believed 'influenced' or 'controlled' by syndicated criminals (U.S. President's Commission on Organized Crime, *The Edge*, p. 290)

Leadership qualities

Of particular note was the treatment afforded to docks union leaderships in 'setting a tone' that either encouraged or dissuaded corruption or malpractices. Larrowe and Kimeldorf compared New York and west coast waterfront executives, finding in favour of the latter.⁸⁶ A juxtaposition of honest union leadership, tighter control of employers and regular income schemes left the Pacific ports with better labour relations, far fewer malpractices and a democratically accountable union, it was argued.⁸⁷ All post-1945 American accounts of the ILA castigated its leaders for complicity in graft and thuggery, adding to an already bad situation caused by other factors.

Pearce thus argued thus that 'A strong socialist union would have soon eliminated the racketeers ...'⁸⁸ According to Jenkins and Potter, 'In Britain – as throughout most of Europe – the ideological roots of the labour movement have proved more than sufficient to resist racketeering.'⁸⁹ Pelling echoed this sentiment inasmuch as 'Corrupt activities ... owed their existence to the weakness of class solidarity among the workers and to the absence of effective law enforcement systems in many cities.'⁹⁰ Tied to this was a contrast often made when New York was described between conniving union leaders against rank and file union members in the port, who as a result suffered avoidable work related hardships.⁹¹

Formally, British dock union leaders clung to an ideology of workers' control, frequently associated with honesty in union affairs. Political action was an inherent component in the struggle.⁹² Yet Ernest Bevin, a giant figure in the British labour

⁸⁶ Kimeldorf, *Reds or Rackets?* p. 46

⁸⁷ Larrowe, *Shape-Up and Hiring Hall*, chapter 4; Kimeldorf, *Reds or Rackets?* p. 50

⁸⁸ Pearce, G., *Crimes of the Powerful* (Pluto Press 1976) p. 143-4

⁸⁹ Jenkins, P. and Potter, G.W., 'Organized Crime in London: A Comparative Perspective', *Corruption and Reform*, vol. 1, 1986, pp. 165-87

⁹⁰ Pelling, H., *American Labor* (University of Chicago Press, 1960), p. 147

⁹¹ For a list of shared properties of dockwork across countries, read Miller, R., 'The Dockworker Subculture and Some Problems in Cross-Cultural and Cross-Time Generalisations', *Comparative Studies in Society and History*, vol. 11, 1969, pp. 302+

⁹² Taft, P., 'On the Origins of Business Unionism', *Industrial and Labor Relations Review*, vol. 17, 1963, pp. 20-31; Coates, K. and Topham, T., *Making of the Labour Movement: The Formation of the Transport and General Workers' Union, 1870-1922* (Spokesman Books 1994) p. 827

movement and strongly identified with dock unionism, had, according to Allen, 'little faith' in political action until the 1920s, and in 'industrial' matters Bevin preferred to leave politics out of the equation.⁹³ Industrial cooperation, not conflict, was the order of the day for Bevin, as it was for James Sexton and Ben Tillett before him in Liverpool and London.⁹⁴ Tillett at the London Dockers' Union looked to the state to provide a 'fairer' framework within which to operate and, like Bevin, was scarcely a revolutionary once in office.⁹⁵ Intellectuals, Bevin argued, 'have no responsibility' for the consequences of their actions but union leaders 'must be consistent, and we have a great amount of responsibility.'⁹⁶

Although British docks union leaders were never personally tainted with the label of corruption, their ideological outlooks rarely interfered with how they related to employers. In this, they resembled the ILA leadership. Neither was it obvious how high-minded pronouncements by British docks leaders became translated further down their organisations, where malpractices were located and appeared impervious to appeals and messages from above. In Liverpool, for examples, the dock union membership before 1922 was 'largely indifferent to the modest political activities of its leaders.'⁹⁷ There was no reason to suppose that their influence with the rank and file who operated malpractices was strong or lasting.

Financial irregularities

Chapter six details published data on TGWU predecessor docks union malpractices in London. Literature on Liverpool, less complete, is presented in chapter five. TGWU records allude to isolated cases of officers who were caught defalcating with branch

⁹³ Allen, V. L., *Trade Union Leadership* (Longmans, Green and Co. 1957) pp. 87-8.

⁹⁴ Bullock, A., *The Life and Times of Ernest Bevin: Volume One, Trade Union Leader 1881-1940* (Heinemann 1960), p. 252.

⁹⁵ Schneer, J., 'Ben Tillett's Conversion to Independent Labour Politics', *Radical History Review*, vol. 24, 1980, pp. 42-6; Schneer, J., *Ben Tillett: Portrait of a Labour Leader* (Croom Helm 1982).

⁹⁶ MRC: MSS. 126/TG/61195/TEMP. 44: letter from Ernest Bevin to GDH Cole of 31.12.35

⁹⁷ Taplin, E., *The Dockers' Union: A Study of the National Union of Dock Labourers, 1889-1922* (Leicester University Press 1985), p. 133.

funds. If caught, they were removed from office or fined, but only if attempts to get a refund failed were the police called in.⁹⁸

Nonetheless, a problem of larger-scale theft of union funds was a 'live' one for the TGWU leadership almost from its creation. Immediately after its establishment in 1922, for example, the TGWU executive complained of a 'very serious number of defalcations on the part of branch secretaries, and in some cases permanent officials.' These had only come to light since the amalgamation and 'were obviously in existence' beforehand.⁹⁹

Five years on, Bevin complained about 'a large number of defalcations' in one TGWU area¹⁰⁰ and at the 1931 Biennial Delegate Conference, he warned that the union was having 'more than we can contend with as far as misappropriation of Union funds is concerned from officers of the Union.' There were a couple of other major misappropriations within the Docks Group of the union, which were only discovered by accident when men came to claim their benefits.¹⁰¹ The 1937 Biennial Delegate Conference also heard of 'large sums collected' from union members 'that we know nothing of.'¹⁰²

Much of the difficulty came from the union's own constitution, geared as it was to giving each of its component - like its Docks Group - considerable autonomy, but consequently making effective central oversight that more difficult to achieve.¹⁰³

⁹⁸ MSS: MSS. 126/T&G/1/1/6: list of defalcating TGWU officers, 1922-27; MRC: MSS. 126/T&G/1/1: Minutes and Record of the Meetings of the General Executive Council (1927?). The Annual Reports of the TGWU Finance Committee contain the relevant data: MRC: MSS. 126/TG/1/1: TGWU 'Minutes and Record of the General Executive Council and the Finance and General Purposes Committee.'

⁹⁹ MRC: MSS. 126/T&G/4/1/1: TGWU 1922 Annual Report.

¹⁰⁰ MRC: TGWU paper on administration and efficiency by Bevin (1927).

¹⁰¹ TGWU Biennial Delegate Conference 1931, pp. 131-2, 227, 445

¹⁰² TGWU Biennial Delegate Conference 1937, p. 191.

¹⁰³ The TGWU's organisation is detailed in Bullock, *The Life and Times of Ernest Bevin: Volume One*, pp. 158-61, 205; Undy, R. and Martin, R., *Ballots and Trade Union Democracy* (Blackwell 1984), p. 85; Baines, D., *The Unofficial Movement on the Docks and the Rivalry Between the Blue and the White* (Warwick University, MA 1982); Parliament, Ministry of Labour and National Service, *Unofficial Stoppages in the London Docks*, pp. 25-6; Jensen, V. H., *Hiring of Dock Workers and Employment Practices in the Ports of New York, Liverpool, London, Rotterdam, and Marseilles* (Harvard University Press 1964) pp. 193-4; Coates and Topham, *Making of the Labour Movement*, pp. 823-5.

Each industry or group in the TGWU also retained its own methods of collecting subscriptions and distributing moneys, creating 'a huge problem' by 1939.¹⁰⁴ By 1947, for instance, there were fifty-one member unions in the TGWU, all with their own standards and practices inherited from pre-amalgamation days.¹⁰⁵

Balloting abuses

How far these comments and cases reflected a more general pattern of abuse is difficult to establish but there was clearly a continuing problem that failed to be resolved. The strongest evidence of TGWU malpractices relates to electoral procedures. Before the 1980s, secret ballots were unusual in the organisation. Elections normally functioned through a 'show of hands' at special branch meetings, leaving the door ajar to manipulation.

Goldstein writing in the early 1950s had first pointed out the many ways in which a small, and largely self-selecting, cadre of branch members could subvert the TGWU electoral process.¹⁰⁶ The context was an apathetic rank and file, characterised by unusually high turnover levels like the 'casual' docks membership.¹⁰⁷ Where ballots were mandated under TGWU rules, this by no means assured a 'cleanly' run election. For example, during a bitter 1955 inter-union struggle on the Salford docks, it was claimed 'It is a well-known fact that members have voted many more times than they are entitled to do under the constitution.'¹⁰⁸

Until the 1980s, the main guard against balloting malpractices was TGWU branch 'scrutineers.' Elected by branches, they examined the completed ballot forms for any signs of irregularity. Two interviewees recalled collusion between branch scrutineers

¹⁰⁴ TGWU Biennial Delegate Conference 1939, p. 279

¹⁰⁵ TGWU Biennial Delegate Conference 1947, pp. 158-60

¹⁰⁶ Goldstein, *The Government of British Trade Unions*

¹⁰⁷ Interview with LONK, 20.1.99. The *Daily Worker* (22.11.32) remarked upon London dock union branches being 'shut up and in darkness' when a meeting was scheduled. The editor commented that 'the same is true of most dockers' branches in London.' Perhaps twenty unionists from 150 might regularly attend, the same faces being re-elected at meetings. Even the Devlin Report on the future of the docks workforce attracted only a handful of members in the Plymouth TGWU branch to discuss it (MRC: MSS. 126/uncatalogued: copy of 16.9.65 letter from the TGWU District Organiser to the Regional Secretary on the Devlin Report).

¹⁰⁸ *Salford city Reporter*, 10.6.55

and branch officials to get 'their' man (who would be expected to ignore ballot abuses) elected to the regional TGWU executive. Both worked in the Docks Section of the union in London, and differed only in their assessment of how widespread the malpractice was.¹⁰⁹ Even where the branch scrutineer was beyond reproach, he found it nigh impossible to distinguish one mark on a ballot paper from another next to a candidate's name. Scrutineers uncovered a few cases of ballot abuses, but these likely as not represented only a small percentage of the whole.¹¹⁰

The net result was sizeable balloting corruption in the TGWU, 'which may go unnoticed.'¹¹¹ It was suggested by those interviewees who had knowledge of them that rather than being motivated by greed, balloting abuses were part and parcel of political in-fighting within the TGWU. From 1984, the law mandated tighter controls over voting arrangements in British unions. Subsequent scandals - which ran up to elections for the General Secretaryship of the TGWU - appear to be continuations of past practices that had gone unnoticed.

Publicity was afforded them during 1985, after which elections for the union top job was re-run after allegations of ballot rigging. In 1988, there were also allegations of ballot rigging inside Region One in London (the biggest) and in 1990 for the TGWU executive, involving the tampering of ballot papers at the union's headquarters in London.¹¹²

Union democracy

Then there was the question of 'democratic' governance of the TGWU. Conflicting definitions exist of what trade union 'democracy' should look like, but as generally applied, the term denotes a greater say in the running of the union by its membership.

¹⁰⁹ Interviews with LONG, 21.10.99, LONJ, 7.7.99

¹¹⁰ E.g. MRC: MSS. 126/TG/1/1/24: TGWU 'Minutes and Record of the General Executive Council and the Finance and General Purposes Committee, Vol. XXIV, 1946' pp. 78-9; MSS. 126/TG/1/1/23: TGWU 'Minutes and Record of the General Executive Council and the Finance and General Purposes Committee, Vol. XX111, 1945' p. 269.

¹¹¹ Goldstein, *The Government of British Trade Unions*, p. 271.

¹¹² *Times*, 30.4.85, 2.5.85, 13.5.85, 13.2.88, 10.2.90.

Bell for example defined 'union democracy' as the systematic decentralisation of power and authority to all levels of a union's administration.¹¹³

Utilising this definition, the TGWU did suffer from a deficit in democratic decision-making, resulting in many of the membership problems chronicled in later chapters. As Hunter noted, 'Many dockers looked upon the union not as an organisation for the defence and betterment of the conditions of the dockers but as an 'overhead charge' for the maintenance of their jobs.'¹¹⁴ In an earlier expression of this unrest, in 1931 the Glasgow docks membership of the TGWU ceded from the union on the question of election of branch officers, which the Bevin was against.¹¹⁵

The TGWU constitution was permeated with checks and balances, that - on paper - gave the rank and file real and continuing influence over the executive. But a strong personality (such as Bevin) could dominate proceedings and ram through contentious policies such as decasualisation of union labour with the help of a compliant executive, as the ILA elite was accused of doing in New York.¹¹⁶ TGWU General Secretaries could often control the Biennial Delegate Conference and they exercised very considerable patronage powers.¹¹⁷

On so-called 'sweetheart' contracts, for which the ILA leadership became notorious, Basil Sanderson, the chief employers' negotiator between the wars in Britain, told how the TGWU's Bevin informally sought out his opinion 'so that Bevin could steer his people from pressing for demands which (the employers) advised to be impossible.'¹¹⁸ Accommodations such as these entrenched union organisation, and

¹¹³ WA: Daniel Bell Papers, Box 11: article from the 1973 issue of Antioch Review.

¹¹⁴ Hunter, B., *They Knew Why They Fought* (Index Books 1994) p. 20.

¹¹⁵ In court, the Glasgow Sheriff found for the rank and file. An appeal by the TGWU was refused after it was heard that branch rules required the re-election every two years of union officials. When the London executive decided to close down the Glasgow office as a punishment and to recall the nominated officials, the Glasgow men voted to leave the organisation to form the Scottish Transport and General Workers' Union (*Glasgow Herald*, 3.12.30, 17.12.30, 14.1.31, 29.5.31, 22.6.31, 26.12.31, 28.12.31). But tension between the TGWU and STGWU lingered. The TGWU refused to agree to the admission of the STWGU to national negotiating bodies, yet the Scottish dockers were bound by decisions made by them.

¹¹⁶ Johnson, M., *Crime on the Labor Front* (McGraw Hill 1950)

¹¹⁷ Undy and Martin, *Ballots and Trade Union Democracy*, pp. 85-7.

¹¹⁸ Sanderson, B., *Ships and Sailing Wax* (Heinemann 1967) p. 142.

were justified on that ground. But they uneasily fitted in with the ideal of a union set-up that was sensitive to rank and file concerns.

External controls

British governments were extremely wary of abrogating union powers and the Trades Union Congress (TUC), to which the TGWU and most other major British unions belonged, took the position that malpractices were for unions to resolve. Illustrating this in Britain was a 1958 scandal within the 241,000-member Electrical Trades Union (ETU). The mainstream press, meanwhile, was indifferent to coverage of the topic of union misdeeds.

ETU branch returns were falsified wholesale and legitimate votes improperly disqualified. From 650 branches that participated in the election, for the position of general secretary of the union, the votes in 112 were later ruled to be invalid.¹¹⁹ The affair was part of a Communist campaign to control the union. Nonetheless, the TUC failed to act on evidence of ballot abuses until 1961 and then only after a highly visible court case, when the ETU was expelled from the TUC. Critics observed that the TUC refused to launch its own enquiry earlier, which Rule Thirteen gave it the power to do.¹²⁰

Government unwillingness to become involved in union practices was articulated in its passing the buck back to the TUC and ETU to quietly resolve away from the political limelight.¹²¹ This stance left the chief external means to control British unions in the Chief Registrar of Friendly Societies, but his ability to regulate union practices was severely restricted.¹²²

¹¹⁹ Hunter, B., *Lifelong Apprenticeship: The Life and Times of a Revolutionary Volume 1: 1920-1958* (Index Books and Porcupine Press 1997) p. 386.

¹²⁰ *Manchester Guardian*, 24.9.58

¹²¹ *Times*, 19.2.60

¹²² *Times*, 14.3.60; Wigham, E., *What's Wrong with the Unions?* (Penguin 1961) p. 18. For the High Court libel case, consult: Rolph, C. H., *All Those in Favour?* (Andre Deutsch 1962) MRC files on the ETU case are located at MSS. 127/NU/GS/3/88 and MSS. 292/91/90-94. A government-sponsored attempt to regulate British union affairs in the 1980s was a feeble shadow of the comparable situation in the United States. Powers given to the Commissioner for the Rights of Trade Union Members were confined to assisting individual union members with grievances to get compensation. The whole system, even after the 'reform,' relied upon

British media interest in union corruption was also nugatory, in contrast to the American example. *The Times*' reaction to the Goldstein revelations of TGWU irregularities in 1952 was revealing. In stressing, 'It is indeed disturbing to recognise by how small a number of its members fail to recognise their responsibility,' the newspaper saved its editorial thunder to criticising the apathy of the TGWU branch membership for the malpractices Goldstein found, but there was no equivalent call as in New York for police intervention or for reforms to the regulatory process.¹²³

Differences

One area where genuine diversity existed with the New York docks union was in the matter of the remuneration of union bosses and private sector participation. As the New York State Crime Commission stated, this became associated on the New York docks with practices that could compromise union goals.¹²⁴ A similar conflation of public and private business interests was also seen within the U.S. shipping industry in the 1930s.¹²⁵ This was alien in the British context, but more common in American unions and had been criticised before from inside the ILA.¹²⁶

'The ILA's structure,' noted the President's Commission on Organized Crime, 'allows an interlocking directorate of individuals who are handsomely paid.'¹²⁷ 1960s ILA President Teddy Gleason, for example, was involved in several union posts simultaneously worth \$56,405, and had an interest in a resort and import firm. There

individual union members coming forward, despite the possible damaging consequences for them in the workplace or for their future employment prospects. But the Commissioner could not initiate investigations, nor could he explore union structures encouraging abuses. The Commissioner was also forbidden from involving himself in the task of promoting greater 'democracy' in British unionism (interview with LIVM, 25.6.99)

¹²³ *Times*, 11.7.52

¹²⁴ New York State Crime Commission, *Fourth Report* (New York May 1953) pp. 33-35

¹²⁵ During the 1930s, for instance, the U.S. Shipping Board was prone to corrupt relationships, in which T.V. O'Connor, a former ILA President and Shipping Board Chairman to 1933, was implicated. As in any other industry, British or American, back-door deal making went on.

¹²⁶ The 1919 ILA Convention in Galveston listened to charges that Paul Kelly, a union vice-president in Brooklyn, owned a construction firm and Dick Butler, another union official, owned a detective agency, practices outlawed under the union constitution. Kelly (real name Paolo Vaccarelli) was promptly removed from office, and went to found the short-lived Riverfront Workers' Affiliation, a protective society that included Emil Camarda, who himself went on to become an important personality in the ILA until he was killed in 1942.

¹²⁷ President's Commission on Organized Crime, *The Edge* (March 1986) p. 45

were undeniable differences in this with the TGWU. Ernest Bevin, its Secretary, received £650 as a salary along with a small expense allowance.

Conclusion

Much of the perceived and reported 'difference' in vulnerability to corruption in the American and British union situations may be put down to divergent ways of addressing this issue at union and especially at governmental levels. Until 1980s reforms, British trade unions were 'pretty much regarded as being self-regulatory.'¹²⁸ Posing a contrast between the 'corrupt' east coast ILA organisation and British docks unions, as Kimeldorf does, is to create a false polarity owing far more to stereotypes than to reality.¹²⁹

Ideologically, the ILA's constitution and policies were 'progressive' in many aspects. As early as 1905, the then-ILA president told his convention that the men should receive 'the full share of the wealth that their labour creates and the enjoyment of humane conditions.'¹³⁰ In addition, the ILA favoured state ownership of the docks, if necessary. During the Depression, ILA leader Ryan expounded an 'under-consumption' theory of the economic crisis that implied massive state expenditure.¹³¹

CONCLUSION

Contrary to the assertion of Liddick, the Smith paradigm does therefore engage at a high level with the subject of social change, by viewing images of industrial malpractices as subject to a moving societal and politicised dynamic.¹³² According to Smith, 'organized crime and the crimes of business are the results of the process by which political (that is, value-based) constraints are placed on economic activity.'¹³³ 'Who' operates docks malpractices, or what groups they are said to 'represent,'

¹²⁸ Interview with LIVM, 25.6.99

¹²⁹ Kimeldorf, *Reds or Rackets?*, p. 50.

¹³⁰ WA: 1905 ILA Proceedings, p. 18

¹³¹ Russell, M., *Men Along the Shore: The ILA and Its History* (Brussel and Brussel 1966) p. 87; MRC: Report of the Trades Union Congress Proceedings, September 1931, pp. 384-5

¹³² Liddick, D., *The Mob's Daily Number: Organized Crime and the Numbers Gambling Industry* (University Press of America 1998) p. 151.

¹³³ Smith, 'White-Collar Crime,' p.33

become a secondary field of exploration to perceiving docks practices as economic enterprises pure and simple.

The spectrum framework may be subdivided. First is the global strand, in which dominant perceptions of docks processes become stigmatised by social and political pressures for partisan objectives. Attacks in New York on the ILA's practices can therefore be viewed as a barometer of the oscillating political power of organized labour in the city and at state level at particular periods of its history.

A 'subjective' approach when applied to localised malpractices involves the notion of 'legitimate' job actions, sometimes connected to feeling of class hostility and the idea of 'just rewards.' As Miller argued, 'The belief persists in dockland that employers are ruthless, and they care only for profit and are capable of resorting to all kinds of trickery and subterfuge in order to exact the last ounce of effort from the dockworker''¹³⁴

The notion of 'legitimate' malpractices as opposed to the legality of practices is a departure from the strict application of spectrum theory, but it better captures the feelings of the men and, with the existence of structured, 'material' opportunities to practise them, accounted for the accepted quality of most cases of malpractices. Questions over the legitimacy of malpractices are not to deny the fact of objective forces supplying a general framework in which they took place and in which issues of legitimacy were formed and shaped. Insights stressed in British accounts like piecework payments, union difficulties and unhelpful labour markets were of obvious importance, exploiting structural and organisational weaknesses.

Furthermore, neglected port facilities interfaced with day-to-day dockwork, giving good enough 'reason' for dockworkers to feel aggrieved at their work circumstances, and strengthening a case some made that malpractices making up for such shortcomings were acceptable uses of their economic power. The also influenced dockworkers' willingness to put up with slowly operating adjustment systems tied to wider port structures. As Leggett reported, when examining the causes of unrest in

¹³⁴ Miller, 'The Dockworker Subculture,' p. 309.

London, 'Although the lack of amenities does not appear to have been a direct cause of strikes, it has been a constant source of irritation, and there can be no doubt that the general attitude of dock workers to employers and to the community is greatly affected by conditions which are so often primitive and degrading.'¹³⁵

Although chapters five to seven will delineate various 'malpractices' as economic or 'objective' forms, how they informed policies was subjectively determined. Reactions to docks practices and malpractices were inevitably value-laden even though economic relations remained relatively constant from one historical epoch to another.

While political constructions did not occur in a context devoid of economic relations, so docks practices were linked to political initiatives that re-engineered them and altered their image and legal status. In the process, investigations became skewed, with waterfront writers taking their cue from governmental commissions and similarly 'politicised' institutions.

Chapter three explores the changing economic and, to a lesser degree, the political contexts within which employment practices and malpractices were performed. Traditional assumptions about the seriousness of hiring corruption are challenged by viewing them as operating within the context of a highly competitive industrial scenario. The chapter also stresses divergences interlocking hiring regimes to external and internal systems.

¹³⁵ Ministry of Labour and National Service, *Unofficial Stoppages in the London Docks*, cmd. 8236 (1951) p. 29

CHAPTER THREE

HIRING PRACTICES AND MALPRACTICES

INTRODUCTION

According to Turnbull and Kelly, control over the docks hiring process lay at the core of union activities, as its justification for being.¹ The size of the ‘casual’ dock population to the ‘regular’ dockworking workforce varied by general economic conditions, union policies, customary practices and other initiatives to limit the labour supply. Many of these forces and dynamics and any ‘rake offs’ that went with them were within the orbit of state action, drawing governments into the question of hiring malpractices.

A second tier of misconduct, once hiring had finished and work commenced aboard vessels, is left for chapter four. Hiring systems influenced other waterfront working practices. As Hill has remarked, hiring processes were only ‘the most extreme form of a type of social relationship that was inherent in dock work.’² Networks of corruption started at the hiring stage and reduced the chances that other illicit practices would be uncovered.

In terms of theory, the legitimacy of hiring malpractices was low. Regular workers had little need to bribe employers for work, and viewed them with disfavour, while those who were its ‘natural constituents’ were divided by the malpractice, depending on who ‘gained’ from them. Port authorities and unions were equally opposed. Because of this, bribery scams depended almost wholly on ‘opportunity structures’ rather than their being underpinned by a strong sense of legitimacy or entitlement.

¹ Turnbull, P. Woolfson, C. and Kelly, J., *Dock Strike: Conflict and Restructuring in Britain's Ports* (Avebury 1992) p. 8

² Hill, S., *The Dockers: Class and Tradition in London* (Heinemann 1976) pp. 19-20.

THE HIRING PROCESS

Most dock labour was engaged on a 'temporary' basis. Even the more reliable and harder-working labourers could be laid off if there was no work available. When few ships were berthed, labour would be discarded in large numbers, though core workers were usually given other work to do, perhaps working on a quay, until another vessel arrived.

In New York called the 'shape-up', in Liverpool and London the 'call-on', the general hiring sequence meant the employment of most dock gangs – more rarely individuals – on the basis of a minimum engagement time negotiated, after unions gained power, through joint committees.³ Out-of-work benefits became available, but these rarely compensated adequately for loss of work. In 1967, the decisive break was made in Liverpool and London, when most dock employment was made permanent. In New York, a four hours' minimum employment among longshore workers achieved after 1945 was retained throughout.

Because each pier or dock functioned as a separate market for dock labour for much of the period covered, this produced a disjointed hiring system in which the match between the demand for labour and its supply was rarely fully met in the fashion predicted in classical economic theory. Every pier or terminal 'becomes a hiring station, and the average longshoreman never knows whether or not he will be

³ Numerous accounts of the typical New York shape-up mode of engagement exist, for example those by the U.S. Congress, Committee on Commerce and Committee on Education and Labor, *Amending the Merchant Marine Act of 1936*, hearings 75th Congress 3rd Session 1938; Vorse, M.H., 'The Pirates' Nest of New York', *Harper's Magazine*, vol. 204, April 1952, pp. 27-37; Russell, M., *Men Along the Shore: The ILA and Its History* (Brussel and Brussel 1966) pp. 95-6; Barnes, C. B., *The Longshoremen* (Arno Press 1977) chapter 5; Larrowe, C. P., *Shape-Up and Hiring Hall: A Comparison of Hiring Methods on the New York and Seattle Waterfronts* (University of California Press 1955) pp. 52-4; Swanstrom, E. E., *The Waterfront Labor Problem: A Study in Decasualization and Unemployment Insurance* (Fordham University Press 1938) pp. 27-8; Jensen, V. H., *Hiring of Dock Workers and Employment Practices in the Ports of New York, Liverpool, London, Rotterdam, and Marseilles* (Harvard University Press 1964) pp. 21-5. Descriptions of the London call-on are as abundant. See for example Anderson, J., *Anchor and Hope* (Hodder and Stoughton 1980) p. 74; Schweitzer, P. and Wegner, C. (eds.), *On the River: Memories of a Working River* (Age Exchange 1989) p. 121; Schneer, J., *Ben Tillett: Portrait of a Labour Leader* (Croom Helm 1982) pp. 14-5.

employed at a given pier or when hired how long he will remain on the job,' as one survey for New York noted.⁴

THE INDUSTRIAL CONTEXT

In theory the majority of portworkers could be displaced after about four hours⁵ (the precise length depending on the port and time in question). But in reality substantial numbers of dockworkers were kept on for longer. Higher skilled or more experienced hands for instance stood a better chance of being kept on. Inasmuch as this was the case, bribery practices were less significant a factor than allowed for, certainly in the American sources and for New York.

The question then became ones of explaining why accusations of hiring bribery assumed the profile they did, notably in New York. Part of the answer lay in political developments, while another part of the explanation lay in rank and file hostility to key union strategies or the means of achieving them.

Hiring malpractices - overview

Hiring bosses could exploit their position to demand or to accept illegal payments. Socially isolated gangs and (less commonly) individuals in the jobs market were the most susceptible to the malpractice, which could shade across from the more common practice of favouritism. Inducements of many kinds could pass, according to reports, between men wanting work and hiring bosses with the power to give favours, with bribes ranging from straight money disbursements to free drinks in public houses, or to the patronage of boarding houses 'recommended' by hiring foremen.

⁴ 'Longshore Labor Conditions and Port Decasualization in the United States', *Monthly Labor Review*, vol. 37 no. 6 (December 1933)

⁵ U.S. Department of Labor, Bureau of Labor Statistics, no. 550, *Cargo Handling and Longshore Labor Conditions*, Washington, DC. 1932, p. 73

Extent of hiring abuses

Literature sometimes gave an undue influence to the more extreme aspects of hiring processes, as representing the norm and requiring imminent state action. This distorted their analyses. Outside of specialised or relatively isolated groups, few guarantees of work were offered in any of these ports. But this 'reality' was obscured by rights and practices built up over decades. Through continuity and registration (Liverpool and London) and seniority (New York) agreements, employment was made less irregular over time, although hiring malpractices were never wholly eliminated.

Better-paid work, for example, could be offered in London and New York to those dockworkers making above-agreement 'contributions' to those in charge of job assignments.⁶ Unless the relevant agreement was doggedly enforced, rarely the norm, the best work paying overtime, for example, could go to work gangs with 'connections.'⁷ Historically, this was an improvement on the old problem, which centred on a more basic problem of whether men would work or not.

Leaving aside bureaucratic controls over the hiring function, another major reason for a relative stability of employment for substantial parts of the labour force was the need by employers to avoid disruption to timetables caused by dockworker shirking or by sheer incompetence. Over time, unions and employers associated better quality labour with union men.⁸ The non-unionised group was useful though to employers for labour disciplining, in their role as strikebreakers.

In the main, employers prized reliability and performance over either cheapness or the ability of budding portworkers to form corrupt relationships with hiring foremen. This was the case in all the ports. A possible exception was in the use of fresh or 'green' hands, who might gain an initial edge or 'corner' on the local labour market through illegal means. Another situation would be with the less critical work, where

⁶ Interview with NYH, 2.4.00; Hill, *The Dockers*, p. 19

⁷ Interview with NYH, 2.4.00

⁸ See Bean, R., 'Employers' Associations in the Port of Liverpool 1890-1914,' *International Review of Social History*, vol. XXI (1976) pp. 358-382 for the situation in Liverpool.

sheer muscle power came before the ability to operate safely. Even in these situations, nevertheless, a man had to quickly ‘prove’ himself on the job, otherwise he would likely as not be passed over at the next hiring episode.

Employers were loath to let experienced men go. The ‘open’ shape-up in New York was adapted over time to take into account a ‘regular’ gang structure.⁹ By 1919, dock labourers in New York could be divided into two groupings – those who secured a regular living from a few firms of employers as opposed to the ‘rest’, often used to fill in when a regular dockworker there was absent.¹⁰

One successful and repeatedly deployed alternative to remaining within the ranks of casual workers, or to participating in bribery scams, ‘was to work consistently hard as an extra in the hope of being noticed.’¹¹ Dockworkers who regularly and conscientiously reported for work at one pier or dock, even if no work was immediately secured, became ‘known’ to hiring bosses for their keenness to work and would expect to be selected for employment when available.¹²

As one former portworker in New York summed it up, ‘you’re not gonna hire some big fat bloke who you know will put you out of business.’¹³ John Hovey, a long-established contractor in London, also explained how, ‘the master stevedore who could produce the most, best and fastest workers aboard an owner’s vessel was certain of success.’¹⁴ On average, port gang members who knew each other and worked together regularly were more likely to develop a good pace to their work, increasing profits for a contractor or a shipowner.

⁹ Further discussed in chapter seven.

¹⁰ Squires, B. M., ‘The Strike of the Longshoremen at the Port of New York’, *Monthly Labor Review*, vol. 9 no. 6, pp. 95-115

¹¹ Davis, C.J., ‘Formation and Reproduction of Dockers as an Occupational Group,’ in Davies, S et al (eds.), *Dock Workers: International Explorations in Comparative Labour History, 1790-1970* (Ashgate Publishing, 2000), p. 557.

¹² U.S. Office of the Federal Coordinator of Transportation, Section of Labor Relations, *Hours, Wages, and Working Conditions in Domestic Water Transportation*, p. 143.

¹³ Interview with NYW, 6.4.99

¹⁴ Hovey, J., *A Tale of Two Ports: London and Southampton* (The Industrial Society 1990) p. 18.

‘Nepotism’ performed a similar stabilising function in regulating hiring practices, being first reported in London’s nineteenth century private docks, where the custom was rife among dock company staff members.¹⁵ Family members were indeed preferred where they were available, because kin were expected to impose a high degree of group self-discipline, to themselves and to the employers’ good. At other times, though, family ‘solidarity’ could work against an employer if there was a dispute.¹⁶

The ‘losers’ in this situation, who failed to make the movement from casual to regular gang member, could blame their failure on cronyism and to the passing of favours. Helping in this were disjointed communications channels. Jealousies were no doubt the origin of many rumours of payoffs, though not without enough of a grain of truth to give them a constant force.

One survey, in Manchester docks for instance, found that ‘corrupt’ relationships alluded to by some of the portworkers interviewed were ‘no more than the normal social contacts of everyday life’; on the contrary, foremen were always on the lookout for reasonably efficient gangs to employ.¹⁷ This conclusion is consistent with that of a similar Merseyside study in 1930, in which no concrete evidence was found of kickbacks in that port related to employment.¹⁸

Within the highly competitive docks markets, hiring bosses were not irreplaceable and if dockworkers they selected were not up to scratch, foremen could find themselves demoted sooner or later back to the ranks (from whence they usually came).¹⁹ Thus, although first hiring events could be influenced, on occasion, by illegal ‘favours,’ overarching commercial pressures meant that a man seeking work would probably not be re-engaged if he were seen as unproductive.

¹⁵ See MID: ‘Alphabetical Name Index to Private Dock Company Establishment Books and Registers’ (1988), indicating staff employed with the same surnames

¹⁶ MRC: MSS. 126/EB/PL/22/1-4: Port Labour Inquiry: Draft Report (1930) p. 31

¹⁷ University of Liverpool, Social Research Series, *The Dock Worker: An Analysis of Conditions of Employment in the Port of Manchester* (Liverpool University Press 1956) pp. 72-4.

¹⁸ Hanham, F. G., *Report of Enquiry into Casual Labour in the Merseyside Area* (Henry Young and Son 1930) p. 14.

¹⁹ MID: BPA Box 254: Devlin Committee of Inquiry (9.12.55).

ATTRactions OF DECASUALISATION

The presentation of dock labour markets presented by the majority of published sources, particularly those of U.S. origin, therefore remains at the level of a partial understanding. In reality, port relations and engagement patterns offered more complexity than they suggest.

A problem nonetheless existed, at its extreme, for the so-called 'casual casuals' who often only worked for the minimum engagement time and who faced the most hazardous working conditions.²⁰ The provision of accident compensation for the highly irregular fraction of the workforce was severely hindered by the system²¹ while the rank and file rankled at the 'cattle market' aspects on show in more 'casualised' ports such as Liverpool.

The loyalty of irregularly employed men to the industry was, in many cases, fragile and conditional. This made casual dockworkers, on the whole, reputedly less reliable and prone to indulge in malpractices.²² Casualism also hindered the growth of union organisation and exacerbated the problem of minority interests dominating dock branch matters and encouraging malpractices as described in chapter two and subsequent chapters.

BARRIERS TO DECASUALISATION

Facing would-be waterfront decasualisers were powerful social, economic and commercial interests and arguments:

²⁰ McElroy and McCormack reported in 1944 that 'Most of the circumstances which lead to accidents in longshore work could have been corrected very easily were it not for the industry's two outstanding characteristics – casual employment for short periods and continuous pressure for speed' (McElroy, F. S. and McCormack, G. R., 'Injuries and Accident Causes in the Longshore Industry' *Monthly Labor Review*, vol. 58 no. 1 (January 1944) p. 4).

²¹ U.S. Congress, Senate Committee on the Judiciary, *Compensation for Employees in Certain Maritime Employments*, 69th Congress, 1st Session 1926, p. 77.

²² Lord Devlin was most associated with this view (Parliament, Ministry of Labour. Committee on Inquiry Under the Rt. Hon. Lord Devlin into Certain Matters Concerning the Port Transport Industry, *Final Report*, cmd. 2734 (1965)).

- Employer opposition. The labour surplus associated with casual employment (although not a necessary correlation with it) kept wage levels down and could be used to discipline the men. Idle portworkers were no cost to capital. By and large employers, when given a choice, were also against regularisation schemes as giving docks unions more power than they thought appropriate or safe.
- Many dockworkers preferred to either work hard for part of the week, on good wages, or to take up part time jobs in other sectors while recuperating from the physically demanding work.
- Sufficient numbers of portworkers, which had 'discovered a capacity to assert their sectional interests,' were granted semi-permanent or 'steady' employment status so as to diffuse discontent over the plight of less regularly used counterparts.²³ Decasualisation was also a 'problem' if it intersected with informal arrangements. In 1950, for example, the stevedores' union in London refused to cooperate with a major local employer for permanently employed gangs to handle its cargoes, since it would mean a 'surrender of customs and privileges they enjoy.'²⁴
- Casual dockworkers feared that total numbers employed would be reduced if decasualisation were energetically proceeded with. In addition, work disciplinary regimes would be tightened up and permanently employed men would lose their traditional freedom of manoeuvre.
- London and New York waterfronts were arguably too large to decasualise wholesale. New York's waterfront was as big as London, Liverpool, and four other major western European ports combined.²⁵ Pre-1945 decasualisation schemes such as those on the American Pacific coast tended to be successful where the port was comparatively compact, one reason why Merseyside was

²³ Quote from Lovell, J., 'Sail, Steam and Emergent Dockers' Unionism in Britain, 1850-1914', *International Review of Social History*, vol. XXXI, 1987, p. 249

²⁴ *Journal of Commerce*, 14.4.50

²⁵ Murphy, M. J., *An Administrative Study of the Origin and Development of the Waterfront Commission of New York Harbor Through 1958* (Masters degree. City College of the City of New York 1961)

singled out for a pioneering scheme of this type in 1912, but hardly representative of London or New York.²⁶

- As a rule, decasualisation schemes were more popular with employers when trade was strong, by permitting them to more readily crack down on time-wasting practices and contain wages, since disciplinary functions would be strengthened. Equally, dockers tended to have less use for them when there was plenty of work about and they could pick and choose from a choice of jobs.²⁷
- The major means of spreading out work by joint agreement on the American West Coast, in rotational hiring, was seriously flawed according to its critics. It made the port concerned less efficient, since employers were compelled to take on union labour whatever its skills and experience, according to the New York Shipping Association (NYSA) and ILA. Even during wartime, the NYSA maintained this line, since it ‘would bring confusion’ and a drop in output per man.²⁸ Likewise, London employers argued in the early 1930s that ‘if the foreman has simply got to take in rotation whoever comes forward, he will only have a collection of individuals,’ not a tightly knit team that are the best for the job.²⁹
- Unless decasualisation measures were accompanied by the limiting of dockworker numbers (a position the ILA was loath to impose on its constituent units) all other efforts would fail, since earnings ‘equalisation’ schemes would depress average earnings.

Above all, the movement of most forms of shipping was difficult to predict and any grand schemes would run up against a globally fluctuating demand for dock labour. Smaller schemes could in large measure absorb variations in demand, but this was not the case with London or New York, where because of their scale even dedicated

²⁶ See for example a comment by NYW that, in New York, campaigners against the ‘shape’ in the early 1950s had no clearly defined or ‘well developed’ substitute for it (interview 15.4.00).

²⁷ *Sunday Times*, 13.12.64

²⁸ *NYT*, 22.11.42, New York State Crime Commission, *Record of the Public Hearings...on the Recommendations of the New York State Crime Commission for Remedying Conditions on the Waterfront of the Port of New York*, New York, 8-9 June 1953, p. 221

²⁹ MRC: MSS. 126/EB/PL: Minutes of Evidence Taken Before the Port Labour Committee, 11.12.30

reformers thought in terms of income assistance rather than permanency of employment until the 1960s.

Some regularity of employment was evident even where bureaucratic schemes were absent. Together, they gave many dock gangs sufficient security of earnings as to make the alternatives such as proffering bribery money less relevant. Their chief drawbacks were their localism and a lack of powers to enforce them, especially if an employer threatened to withdraw from a dock or pier.

Employer schemes

Employer-run schemes were of the utmost importance before union controls were installed. The most elaborate were found in London. Port of London Authority (PLA) clerical and warehouse staff could be awarded, if they proved themselves, permanent 'staff' status. Since the PLA operation was so large, it provided for a series of internal labour markets facilitating better earnings without friction. Oram for example recalled how during the depression of the 1930s, the PLA operated a 'rotation' system for employing its own labourers as a better choice than the other option of large-scale layoffs.³⁰

Conjoined with these initiatives were much smaller schemes, chiefly involving the larger shipping enterprises.³¹ They tied 'better' workers (a minority) to the firm in question by offering monthly or weekly engagements, occasionally with a pension and paid vacations attached. Unionists distrusted this class of labour as over-dependent on an operational employer for their privileges.³² Although declining in overall importance, as late as the 1970s, employer run plans were evident in New York. The Grace Line for instance used its own 'in house' gangs until it moved operations to Florida.³³

³⁰ Oram, R. B., *The Dockers' Tragedy* (Hutchinson and Co.1970) p. 134

³¹ Bean, R., 'Employers' Associations in the Port of Liverpool 1890-1914,' *International Review of Social History*, vol. XXI (1976) p. 372

³² Regular dockworkers because of this were reluctant to come out on strike with their workmates.

³³ This was the case for example with the Grace Lines, that installed permanent 'house' gangs on the understanding that they would be guaranteed good earnings (with regular overtime) in a rotation system, to even out earnings. 'Extra' gangs were excluded from the system and its

Rank and file work-sharing and seniority schemes

For rank and file dockworkers excluded from these arrangements, there were other alternatives without recourse to bribery. Rank and file sponsored practices could be highly effective a tool in asserting traditional rights and prerogatives, alongside threats of a downing of tools if challenged. Their biggest drawbacks were their restricted scope, and the fact that they could not be enforced through joint committee means.

The father-son connection was paramount in these exchanges, and was incorporated in British dockworker registration systems. On occasion moving almost imperceptibly across into 'malpractices', informal practices could be unstable. Despite this, the force of tradition and a willingness to enforce them through collective action gave them a considerable force that employers had to reckon with.

When unofficial 'pier rights' there were not respected by an employer, this accounted for an untold number of walk-offs.³⁴ New York unionised hiring foremen were expected as a matter of course to take on union members first whether this was laid down in agreements or not.³⁵ (The New York State Crime Commission viewed this as a means by which criminal control of the waterfront was maintained.) Foremen were also enrolled in the TGWU in Liverpool and London, no doubt for the same reason of

benefits. The scheme created, it was felt, loyalty to the line. (interview with NYN, New York, 11.4.00). Older examples are mentioned in Swanstrom, E. E., *The Waterfront Labor Problem: A Study in Decasualization and Unemployment Insurance* (Fordham University Press 1938) pp. 84-5; Mayor's Committee on Unemployment, *Report on Dock Employment in New York City and Recommendations for its Regularization* (New York, October 1916), pp. 36-7

³⁴ The authority of foremen was, indeed, always conditional on the rank and file 'accepting' it, as illustrated in 1919 on the White Star Line Pier 60, in which a foreman sacked a man, provoking a spontaneous walk-off. The foreman was moved to another pier (U.S. National Adjustment Commission, *Chairman's Report for the Period Ending December 31, 1918*, Washington, D.C.1920, pp. 130-1). For the general thrust, read: U.S. Congress House Committee on the Judiciary Subcommittee No. 3, *New York-New Jersey Waterfront Commission Compact*, hearing 83rd Congress 1st Session 1953, p. 229; New York State Crime Commission, *Public Hearings (No. 5)...Pursuant to the Governor's Executive Orders of March 29, 1951 and November 13, 1952*, vol. 4, pp. 2365-9.

³⁵ Examples of union influence over the selection of hiring bosses were reported in: U.S. Congress, Senate. Committee on Interstate and Foreign Commerce, *Waterfront Investigation: New York-New Jersey: Interim Report*, Report No. 653. 83rd Congress 1st Session 1953, pp. 13-4, 22; New York State Crime Commission, *Public Hearings (No. 5)*, vol. 1, pp. 110-1, 176-81, 291, 453-4, 564-5, 589-95; vol. 5, pp. 3770-3; NYT, 9.8.49, 14.1.51, 4.7.52.

guaranteeing preference arrangements in hiring.³⁶ It was not wholly correct, therefore, to contend that ordinary portworkers had little or no voice in hiring matters, as British interviewees and written sources conceiving the 'dockworker-as-victim' were prone to imply.³⁷

There were various unwritten 'seniority' rules in Liverpool and London to try to take on labour with the greatest longevity but with no means of enforcement in joint agreements at least. An interaction of formalised seniority agreements and the Guaranteed Annual Income (GAI) in New York from 1966 made the New York system more robust, although it remained short of the ideal of permanent employment achieved in Britain in September 1967

New York and Britain compared

There was also the question of the desirability of compulsory plans, that the ILA at most organisational levels was known to be deeply against.³⁸ Decasualisation plans developing before 1945 were, like the Liverpool scheme, dependent on the cooperation of the joint parties. By sharp contrast, The TGWU elite never seriously questioned the wisdom or appropriateness of decasualisation, until it became 'almost an article of faith within the union.'³⁹

More so than was probably true in Liverpool or London, New York unions were internally divided, giving its constituent units unusual influence.⁴⁰ In the absence of registration, the ILA pursued its agenda through a unionisation program for hiring bosses. It was by no means alone in having authority over the choice as hiring

³⁶ MID: Minutes of Meeting of Port of London Joint Committee, 16.10.36.

³⁷ For samples of these views, consult Dash, J., *Good Morning Brothers* (London Borough of Tower Hamlets 1987); Elmers, C. and Warner, A., *Dockland Life* (Mainstream 1991); Hunter, B., *They Knew Why They Fought* (Index Books 1994)

³⁸ See the transcript in New York State Crime Commission, *Record of the Public Hearings...on the Recommendations of the New York State Crime Commission for Remedying Conditions on the Waterfront of the Port of New York*, New York, 8-9 June 1953. This was Joe Ryan's position (NYT, 14.5.44).

³⁹ Jackson, M.P., *Policy Making in Trade Unions* (Avebury 1991) p. 110.

⁴⁰ Frankel, E. G. and Marcus, H. S., *Ocean Transportation*, Cambridge (MIT Press 1973) pp. 417, 420

foreman on a job, which was in fact a requirement in other U.S. industries such as printing, the meat sector and within other AFL affiliates.⁴¹

One positive by-product of the 'casual' system was a relatively good hourly remuneration in which, perhaps, a living wage could be earned in three or four days.⁴² The New York union therefore adopted a deliberate strategy of negotiating better hourly rates 'to a level that could provide a decent income, no matter how irregular the employment.'⁴³

Summary

British employers remained sufficiently hostile, and united, to help delay the full implementation of decasualisation proposals into the 1960s, whatever theorists of docks malpractices asserted about their 'frailty' before allegedly powerful unions. For as employer practices were decentralised, so were docks union ones. Standoff often resulted, in which the status quo was preserved and malpractices protected

Formalised seniority agreements in New York developed from 1955, largely operated by the union. When properly enforced, they did afford a similar level of security of employment to longer serving men to that enjoyed by Liverpool and London men before 1967. Although 'fall back' income was not provided for, New York seniority agreements were designed to combat hiring favouritism by reserving first employment opportunities to longer serving men. 'Time served' New Yorkers were therefore comparatively privileged until 1967, but only so long as the seniority system in the port was policed effectively.⁴⁴

What was omitted was the position of New York's casuals, who remained in a comparatively vulnerable situation, and who could be picked out for work, as before, at the discretion of the foremen. Thus malpractices were by no means totally

⁴¹ Cook, A. H. and Gray, L. S., 'Labor Relations in New York City', *Industrial Relations*, vol. 5 no. 3, 1966, p. 93

⁴² Citizens' Waterfront Committee, *The New York Waterfront*, New York 1946, p. 17

⁴³ Montgomery, D., *The Fall of the House of Labor* (Cambridge University Press 1987) p. 104

⁴⁴ Cf. Jensen, V. H., 'Hiring Practices and Employment Experience of Longshoremen in the Port of New York', *International Labor Review*, vol. LXXVII no. 4, 1958, pp. 342-69

eradicated in New York since they performed a valuable function in spite of the general upgrading of longer working dockworkers. In all three localities, 'backhandlers' persisted as a route towards enhanced wages or conditions.

HIRING MALPRACTICES AND RECOGNITION QUESTIONS

Waterfront unionism trod a delicate position throughout its history between industrial militancy, reflecting a 'membership rights' agenda, and the reality that a lasting relationship with employers would only emerge from compromise. When perceived as resulting in undue caution, the contradiction generated whispering campaigns by disaffected and impatient dockworker unionists. Many allegations of corrupt hiring practices originated from the friction that union policy produced. Within New York, this interrelated with wider political and cultural forces, as understood in chapter two, to view the hiring role as riddled in corruption.

During negotiations, employers always insisted on safeguards from the union side requiring fewer downing of tools, better output and better timekeeping from labour for concessions on their part, sometimes flying in the face of customary practices.⁴⁵ Evidence for this was clear, for instance, from the Shaw Inquiry proceedings in 1920, when London employers demanded better tradeoffs for their making moves on wages and hours.⁴⁶ The Dockers' Union in London had a firm rule that no stoppages were to be upheld 'until the question at issue has been negotiated ...'⁴⁷ Bevin, for the TGWU, like his New York counterpart ILA President Joseph P. Ryan, viewed agreements as sacrosanct, 'in which strikes and lock-outs were treated as weapons of last resort.'⁴⁸

⁴⁵ CA: D42/C1/285: 'Dockers' Inquiry – Safeguards' (13.4.20).

⁴⁶ Parliament, House of Commons, *Report by a Court of Inquiry Concerning Transport Workers - Wages and Conditions of Employment of Dock Labour*, cmd. 55, 1920, pp. 13-6, PRO: LAB2/688/5: 'Report by a Court of Inquiry Concerning Transport Workers Wages and Conditions of Employment of Dock Labour', CA: D42/C1/285: 'Dockers' Inquiry – Safeguards' (13.4.20). CA: D42/C1/285: memorandum of 13.4.20 on the Shaw Enquiry notes that the NTWF promised to deliver better discipline and productivity in return for a half-day minimum engagement. For the full text of the 1920 Shaw Court award, see MSS. 126/uncatalogued: The National Joint Council for the Port Transport Industry 'National Agreement of 5th May, 1920 ...' Enfield, May 1920; also *The Liverpool Daily Post and Mercury*, 7.5.20.

⁴⁷ MRC: MSS. 159/3/B/64: letter dated 5.3.09 from Ben Tillett to the ITWF.

⁴⁸ Bullock, A., *The Life and Times of Ernest Bevin: Volume One, Trade Union Leader 1881-1940* (Heinemann 1960), p. 210.

Arthur Deakin, who took over the TGWU after Bevin, stated 'We believe that the sanctity of agreements, once reached, should be regarded as something we should not destroy by action outside the constitutional procedure, which has been mutually agreed.'⁴⁹

Such a 'cosy' relationship between port unions and employers was bound to cause unrest and friction with some within the rank and file. Ben Tillett, of the Dockers' Union, was an early casualty. In 1895, the *Morning* newspaper printed an account of a meeting in which Tillett was accused of extravagance 'while the men were starving' on strike. At the end of the subsequent libel trial, it was judged that the newspaper had exaggerated the antagonism between Tillett and his members, but also that the article was in essence not libellous. The verdict forced Tillett to sell his house.⁵⁰

Deakin was particularly noted for his dislike of internal dissent and became a special focus of rank and file discontent.⁵¹ Fact and rumour became entangled in the dock grapevine, confusing comparatively few actual hiring malpractices with the larger category of misunderstandings (for example related to the employment of family members). In the sphere of post-engagement work, more than once the fact that a union delegate would see management before the men if there were a dockside problem raised eyebrows. Worse were situations where a union representative 'would talk with the management and they would say one thing and then they would go and have a meeting with the men and they would say something totally different.' This was specifically noted as a cause of turmoil in both Hull and Salford/Manchester in the mid 1950s.⁵²

⁴⁹ MRC: MSS. 126/TG/3/Sack 45/2: Introductory Statement to be Made by Mr. Arthur Deakin (21.10.54)

⁵⁰ *Times*, 28-9 March 1895; Tillett, B., *Memories and Reflections* (John Long 1931) p. 185.

⁵¹ For Tillett read: Schneer, J., *Ben Tillett: Portrait of a Labour Leader* (Croom Helm 1982) p. 61

⁵² University of Liverpool, Social Research Series, *The Dock Worker: An Analysis of Conditions of Employment in the Port of Manchester* (Liverpool University Press 1956) p. 141; *Salford City Reporter*, 10.6.55. MRC: MSS. 371/QD7/DOCKS2: transcript of interview with Harry Spaven. Spaven, active in the Hull docks, recalled that during the 1950s, a union official accepted an offer of an improved wage from an employer but without consulting the men concerned. The official was subsequently removed 'though not sacked.'

Unofficial committees composed of disillusioned unionists achieved an extraordinary amount of influence in Liverpool and London, partly by utilising the ‘malpractice’ issue (pre and post engagements) against the TGWU elite and its representatives. When unions sympathetic to their cause of greater ‘democracy’ intruded, activists lost no time in voicing their complaints of ‘corrupt’ practices within the incumbent union. During the late 1930s, thus, the ILWU began a campaign to oust the ILA from its institutional position on the East Coast as sole bargaining agent. This immediately stimulated an upsurge of ‘anti-Ryan’ feeling among certain fractions of ILA labour, which coalesced around ILA President Ryan’s supposedly questionable relations with employers in the port.⁵³

Undeniably, docks leaders gave their many critics more than enough ammunition. The Devlin report confirmed in 1965 that a root cause of dock problems in Britain was the attitude by TGWU bosses that there was ‘nothing to be done’ about complaints from members. This led Devlin to find that ‘on too many issues (the TGWU had) failed to develop any clear-cut policy of its own.’⁵⁴

Each set of unofficial docks group had its own newsletter preaching the cause of democratic accountability and transparency.⁵⁵ In Brooklyn, the fight against the ILA elite from 1934 was couched in terms of demands for West Coast style rotational hiring and a ‘hiring hall’ system for setting employment levels.⁵⁶

In New York, a powerful combination of external and internal pressure chronicled in chapter seven led to a more responsive union leadership from around 1954. Since Waterfront Commission regulations progressively addressed the problem of regularisation of earnings in New York, the ILA was able to concentrate most of its bargaining fire on the wages and benefits questions.

⁵³ NYT, 13.7.37, 26.7.37, 24.10.37, 11.12.37

⁵⁴ Parliament, Ministry of Labour Committee on Inquiry Under the Rt. Hon. Lord Devlin into Certain Matters Concerning the Port Transport Industry, *Final Report*, cmd. 2734, 1965, p. 46

⁵⁵ For Liverpool and London was: *The Portworkers’ News* (official journals were *The Record* and *News of the Blues*); in New York, *The Shamrock*, *The Dock Worker*, ‘*The Longshoreman*, *Shape Up*, *The Clyde-Mallory Longshoreman*, *The Tally* and *Waterfront News* were published at various times and in certain waterfront sections (the official organ being *ILA Longshore News*).

⁵⁶ NYT, 26.10.40

In Britain, employers closely locked any progress towards decasualisation to lower demands in other areas, such as wages, making the TGWU appear weak by comparison. For this reason, in part, the ILA remained more united than did the TGWU. Indirect dock labour costs in New York leaped under the impact of aggressive union bargaining, notably those related to the pension and the guaranteed income.⁵⁷

A further differentiating influence was an absence in New York of a British-type disciplinary system. From 1947, in Britain, union officials consulted closely with employers to mete out punishments to dockworkers for infractions of docks agreements. But the system became a bone of contention with the rank and file, who thought that this compromised the primary duty of unions, which was to represent the men.

The upshot was, as Hunter argued, that ‘at times the Dock Labour Boards’ disciplinary powers were used to compel workers to accept conditions of work that were formerly accepted only under the threat of unemployment or under state compulsion in war time.’⁵⁸ As union authority in Liverpool, London and other ports became problematical, so grassroots support for constitutional means to settle disputes waned.

All of those interviewed in Liverpool, London or New York disagreed with the proposition that kickbacks were commonly passed over for work, where this opinion was based on direct experience. A few repeated anecdotes related to kickbacks, but only so far as ‘others’ were concerned. One Londoner told for example how ‘A lot of the jobs were called off in the pub before you got to the call,’ another related how in one particular instance those who bought a foreman drinks were subsequently hired (a practice also reported in the literature).⁵⁹ Countering this is evidence presented throughout chapters five to seven. These reflected comments made by London

⁵⁷ NYT, 27.2.77; Frankel, E. G. and Marcus, H. S., *Ocean Transportation* (MIT Press 1973) p. 418

⁵⁸ Hunter, B., *They Knew Why They Fought* (Index Books 1994) p. 18.

⁵⁹ Interviews with LONC, 25.5.99, LONQ, 26.5.99, Schweitzer, P. and Wegner, C. (eds.), *On the River: Memories of a Working River* (Age Exchange 1989) p. 122

employers in 1930 that the foreman would 'take on the men who are, in his judgement, the most efficient for his job ... You are bound to get it always.'⁶⁰

Untested charges thrown around from the 'casual' era, especially after 1945, have heavily coloured scholarly views. In actuality, their major function was rhetorical, as a stick with which to beat those union officials who were perceived as 'failing' the membership. Where they existed, hiring malpractices were localised, mirroring broader industrial structures.

GOVERNMENTAL POLICY

This section deals with governmental influences on hiring, applicable to all three ports and focused chiefly on the era from 1945. Within the realm of hiring processes, the influence of the state is difficult to over-estimate. The creation of unemployment insurance for the casual end of dock working from 1920 in Liverpool, London and other big British ports functioned as a springboard to further state incursions, while allegations of hiring misbehaviour fuelled the creation of new control systems, buttressed by governments, which acted as much more than a neutral mediator in the docks. Instead, they became the strongest and most consistent single constituency engaged in reform.

Macro-economic conditions

General economic conditions, partly within the control of state actions, markedly affected the extent of hiring abuses. Hiring bosses were less likely to demand kickbacks during economic upturns, and dockworkers were less expected to furnish them. Since hiring malpractices were above all an economic relationship, whenever portworkers were in demand and unemployment levels low, the need for illicit payoffs to gain work commensurately decreased.

Between the wars for instance, in Britain, 'dock, harbour and canal workers' were either the biggest group in unemployment or near the top of this particular 'league

⁶⁰ MRC: MSS. 126/EB/PL: Minutes of Evidence Taken Before the Port Labour Committee, 11.12.30

table.’⁶¹ Populated areas where docks were found in London, for example, showed consistently high rates of joblessness between the wars.⁶² In Merseyside, ‘Not only was unemployment ... heavier than in the country generally, when trade was at its lowest ebb, the recovery was much slower in the netter years which followed ...’⁶³

World War Two

‘If turnaround was crucial to private shipping operators in peacetime it was even more central concern to the State in time of war.’⁶⁴ Governments in World War Two sought the cooperation of organized labour to an unparalleled degree to ensure rapid turnabout times for shipping. The ‘promotion’ of TGWU General Secretary Ernest Bevin to wartime Minister of Labour (1940-45) gave the British ‘decasualisation’ movement an enormous boost. At the national level, British union leaders had unfettered access to the corridors of power, and sat on wartime committees. U.S. labour leaders were at a disadvantage in this respect, never achieving Cabinet status, though their collective voice was bolstered.⁶⁵

The New York State Legislature in early 1942 extended unemployment insurance provisions to all casualised workers when idle, even for a few days. This measure was introduced to facilitate the movement of workers across essential war industries and went a good way towards treating jobless New York portworkers like those in Liverpool or London.⁶⁶ Its relatively late introduction reflected the distaste in the American polity towards using taxpayer funds to ‘support’ the unemployed. This attitude is further explored in chapter seven.

⁶¹ Parliament, Department of Employment and Productivity, *British Labour Statistics: Historical Abstract 1886-1968* (HMSO 1971) p. 314

⁶² The statistics for Bermondsey are given in *The New Survey of London Life and Labour Volume 111* (1932) p. 357. Also consult, for Poplar, east London, *East End News*, 12.7.35, 7.3.39, 21.7.39; *Daily News* 10.9.20, *Daily Express* 5.4.30, *East London Advertiser* 5.11.32.

⁶³ LRO: H338.LAN Lancashire Industrial Development Association ‘Lancashire and Merseyside: A Report by the Association Following Research into the Economic Problems of the Area’ (1952) p. 16.

⁶⁴ Morgan, R., untitled paper (April 1983), p. 9

⁶⁵ Wrigley, C. (ed.), *A History of British Industrial Relations, 1939-1979* (Edward Elgar 1996) pp. 21, 34-8. For more on this, read Minkin, L., *The Contentious Alliance: Trade Unions and the Labour Party* (Edinburgh University Press 1992) pp. 54-61. For the United States, consult: Vale, V., *Labour in American Politics* (Routledge and Kegan Paul 1971).

⁶⁶ *The Longshoreman*, 20.1.42

Wartime labour shortages gave most dockworkers in these ports a scarcity value, and hiring 'shakedowns' were sharply curbed. But the major effect of wartime conditions was to accelerate the gap that had grown since 1920 between hiring practices in New York and those in London and Liverpool. Authorities in London, at least, took the opportunity to permanently reduce numbers on the register of dockworkers, which had fallen due to wartime demands, leaving more work for those left over.⁶⁷ New York dockworkers operated throughout a fundamentally unmodified shaping system, without any bureaucratic means of limiting the supply of dock labour.

Post-war developments

The distance further widened post-1945. The emphasis in New York was on control measures centred on use of the criminal law, separating it from the British consensual approach. The ebbs and flows of the dockworker decasualisation debate, as Phillips and Whiteside stressed, closely followed general government thought on industry and on employment regimes. Within this, casual dockwork became increasingly anachronistic following 1945 'full employment' commitments

As the economic context improved after 1945, the biggest problem (in London) became labour shortages, energising revolts as portworkers realised the industrial 'clout' this gave them. Meanwhile, the 1950 census indicated that a mere 2.5 per cent of the total working age population in New York City was unemployed, though some economic sectors were more affected by unemployment than were others.⁶⁸ Turnbull and his colleagues caution, however, against making sweeping statements on the causes of British docks unrest from 1945, finding that since labour regulation differed by port, so did many 'background' influences generating stoppages.⁶⁹

⁶⁷ PRO: LAB 10/569: minute sheet dated 29 June 1945.

⁶⁸ Longshore work unemployment could be high and worries over job security impelled unauthorised job actions in New York. In 1950, the Cunard Company announced that it was leaving its old pier. The men walked out in protest, as they did in March 1951 when the Grace Line threatened to move away from pier 45, North River (NYT, 3.2.50, 24.3.51).

⁶⁹ Turnbull, P. Morris, J. and Sapsford, D., 'Persistent Militants and Quiescent Comrades: Intra-Industry Strike Activity on the Docks, 1947-89', *The Sociological Review*, vol. 44 no. 4, 1996, pp. 692-727. The rise in strike activity in British ports between 1950-60 is outlined in MMM: PEA Box 174: 'Committee of Inquiry into the Major Ports of Great Britain (Rochdale Committee) Submission by the National Association of Port Employers: Appendix 11' (Sept. 1961). The comparable figures for Liverpool are given in MMM: MDHB Box 3 folder 7.

A sharp upward trend in strikes between 1945 and 1951 forced unparalleled state intercessions. Unofficial stoppages, of growing intensity, supplied more than enough of a motive for governments to intercede, reversing the previously taken light regulation policies.⁷⁰ State-sponsored work disciplinary panels were installed in all three ports, under varied guises, in order to break up long established but 'malfunctioning' and expensive customs and practices that the industry itself had neglected to tackle for too long.

As noted in chapter two, marking the subsequent New York offensive against docks disorder from those in Liverpool or London was an emphasis in New York upon the 'criminal' aspects of dock malpractices, fitting in with anxieties of the era within the American polity. In Britain such fears were less obvious in informing state reactions to docks stoppages.

NEW YORK – HIRING IRREGULARITIES AND CRIMINALITY

As Larrowe pointed out 'Until 1953, the New York waterfront furnished the fascinating spectacle of an industry which ... remained almost completely free from effective public intervention.'⁷¹ Just as in Britain, a variety of factors pushed waterfront malpractices in New York higher up the political agenda, above all the harm caused to the international and national economy and political aims centred on anti-communism by repeated wildcat stoppages.

The close identification was almost immediately made, in New York, between malaise in the docks (especially but not exclusively revolving around hiring) and the notion of wider networks of organized criminality that threatened the very fabric of the industry, a vital component in national welfare. The British state, meanwhile, took a traditional approach, in seeing the solution to instability and lost production in 'joint committee' terms, as it had before 1939.

⁷⁰ The story of the upsurge in New York docks militancy is dealt with in Larrowe, *Shape-Up and Hiring Hall*, p. 64; Dock strike statistics for Britain may be found in Phillips and Whiteside, *Casual Labour*, p. 236

⁷¹ Larrowe, *Shape-Up and Hiring Hall*, p. 77.

The ILA was careful to avoid a entanglement with the state, achieved by inserting itself at the mainstream of politics and national debates and by espousing gradualism as the way forward. But this strategy had a limited shelf life when constituents outside of ILA control came into play.

American politics from 1946 took a right-wing 'anti-labour' direction. The federal Taft-Hartley Act, a measure adopted both to suppress strike action and to control the spread of left-wing influence in American labour, supplied the first 'model' for wholesale state intervention in the New York docks, directly overruling time honoured methods of settling disputes. Following on, the remit of the National Labor Relations Board (NLRB) was changed. To be eligible to vote in elections as the exclusive bargaining agency in a locality, union leaders now had to sign an anti-Communist affidavit before the NLRB. The knock-on effect of this could be serious, since a union like the ILWU that did not expel Communists or submit to the procedure on civil liberty or other grounds was wide open to de-certification and consequently to ousting by other unions

Claims of 'organized crime' penetration of the New York docks was seen as requiring unusually severe measures, composed as crime syndicates were of un-American elements with an objective of spreading chaos to the key water-borne transport areas of the economy. This perspective on the menace, and the allied one of international communism spreading its tentacles across the globe, influenced all manner of representations of the New York waterfront, including negotiations leading to the making of the critically acclaimed 1954 motion picture 'On the Waterfront.'⁷²

⁷² When, in the early 1950s, the writers of the film showed the screenplay to Columbia Pictures, it was suggested by the FBI and studio executives that the villains of the piece be Communist agitators, not 'home grown' mobsters. When this suggestion was rebuffed, 20th Century Fox finally released the film in its original form (interview with NYM, 4.4.00; Hey, K. R., 'Ambivalence as a Theme in 'On the Waterfront' (1954): An Interdisciplinary Approach to Film Study' in Rollins, P. C. (ed.), *Hollywood as Historian*, Lexington: Kentucky University Press, 1983, pp. 159-189).

The Taft-Hartley legislation of 1947 remained the chief federal law regulating longshore labour strike actions and the internal workings of unions.⁷³ 'Union shops,' in which workers had thirty days in which to join a union, were allowed under the Act, forming a basis of future ILA-New York Shipping Association contracts. Where adjudged as of national concern, longshore and other strikes were made subject to an eighty-day federal injunction process.⁷⁴

The 1950 Magnuson Act, a piece of federal port security legislation, mandated the U.S. Coast Guard to issue identification cards to portworkers active in 'sensitive' areas of waterfronts, and was directly aimed at any 'subversives' working in military installations.⁷⁵ In practice, most dockworkers in New York obtained cards, wherever they worked. The ILA fully cooperated with the measure, so that 'no communist or fellow-traveller will get the chance to commit sabotage on the waterfront.'⁷⁶ Waterfront Commission rules later mirrored the anxiety over 'politically inspired' industrial activities, and dock activists could find themselves neutralised in legal tangles with the Commission if they were considered as a threat to the free flow of trade.⁷⁷

⁷³ 'In drafting the Act,' Estey commented, 'Congress rejected the traditional attitude of treating unions as voluntary associations whose internal administration was outside the scope of legislative interference.' (Estey, M. S. *et al*, *Regulating Union Government* (Harper and Row 1964) p. 29); Lee, R. A., *Eisenhower and Landrum-Griffin* (University Press of Kentucky, 1990) pp. 4-7; Hutchinson, J., *The Imperfect Union: A History of Corruption in American Trade Unions* (E. P. Dutton 1972) p. 343). The Act also prohibited bribery of a union official by an employer (section 302) (Taft, P., *Corruption and Racketeering in the Labor Movement*, (2nd ed.) (New York State School of Industrial and Labor Relations 1970) p. 63)

⁷⁴ Frankel and Marcus, *Ocean Transportation*, pp. 469-70. The maritime sector was especially targeted by Taft-Hartley injunctions. From 1947, no new four-yearly contract covering the port of New York was signed without the ILA first closing down the docks, and Taft-Hartley injunctions were issued six times between 1947 and 1968 (Meyers, H. B., 'Wrangdoodle' Time on the Docks', *Fortune*, 1 September 1968, pp. 85-6+; U.S. Congress, House. Committee on Merchant Marine and Fisheries, *Maritime Labor Legislation*, hearings 88th Congress 1st Session (1963) pp. 130-5 for a list of maritime disputes attracting Taft-Hartley injunctions.)

⁷⁵ U.S. Congress, Senate Committee on Interstate and Foreign Commerce, *Waterfront Investigation: New York-New Jersey: Interim Report*, Report No. 653. 83rd Congress 1st Session 1953, pp. 37-8; Ginger, A.F. and Christiano, D.(eds.), *The Cold War Against Labor, Volume One*, Berkeley (Civil Liberties Institute 1987)

⁷⁶ *ILA Longshore News*, July 1950.

⁷⁷ Larowe, *Shape-Up and Hiring Hall*, pp. 198-9; telephonic interview with NYC, 2.5.01

Efforts in New York to regularise dock earnings were closely linked to these developments. Several huge unofficial strikes, in New York, like those in Britain severely embarrassed the union elite and made the case for greater state control of the industry.⁷⁸ In distinction to Liverpool or to London, the New York movement became highly politicised and embroiled in the fight against crime.

New York District Attorney Frank Hogan, journalists and independent groups, from 1946, had noted the supposed nexus between hiring bribery and gangsterism on the docks. Hogan sponsored the first bills, in the late 1940s, to abolish the shape-up on crime fighting grounds. But this and similar attempts to legislate for dockworker security came unstuck, largely because of the lack of Republican sponsorship.⁷⁹

Adding to the 'organized crime' image attached to New York docks malpractices were high-profile police investigations. In March 1951, violence surrounding the polling process in ILA Local 1247 (Jersey City) offices was given publicity and a new election ordered.⁸⁰ Next to focus upon the illegality question were the nationally – shown hearings of the federal Kefauver Committee and more locally the New York State Crime Commission. Kefauver's interim report in March 1951 castigated the ILA and port employers for serious improprieties. Grand juries examining the problem were immediately empanelled on Staten Island and in New Jersey.⁸¹

The port-wide October-November 1951 strike 'tipped the scales' in favour of decisive government intervention in severely disrupting the flow of military supplies to Korea and of Marshall Aid to Europe.⁸² The impact was equally wide-ranging on local

⁷⁸ For the results of the 1948 strike, read Raymond, A., *Waterfront Priest* (Victor Gollancz 1954); Mello, W., *The Origins of the Rank and File Reform Movement on the New York Waterfront 1945-1948* (New School of Social Research, Spring 1999).

⁷⁹ Axelrod, *Government Covers the Waterfront*, pp. 22-4.

⁸⁰ *NYT*, 3.3.51

⁸¹ The Staten Island D.A. announced an investigation of pier practices there. A grand jury was also empanelled in Hudson County that May to probe Hoboken and Jersey City kickback practices (*NYT*, 29.3.51, 28.9.51; U.S. Congress, House Committee on the Judiciary Subcommittee No. 3, *New York-New Jersey Waterfront Commission Compact*, hearing 83rd Congress 1st Session 1953, pp. 19-23).

⁸² WA: ILA Collection, Box 1 – clippings on the 1951 strike.

employment opportunities. The Port of New York Authority, in 1956, thus reported that at least 430,000 people were one way or another provided with a job by port trade and that it supported a quarter of residents living in the port district.⁸³

The Corsi fact-finding report established to look into the causes of the 1951 stoppage ended up excoriating a set of undemocratic and lax practices in ILA Locals. But Corsi's report was not as strongly 'opposed' to the ILA as observers later claimed, since it also noted that balloting abuses, the reason for its establishment, were not the rule.⁸⁴ Nevertheless, and with fears about waterfront crime in the background, the New York State Crime Commission had already been ordered by Governor Thomas Dewey to investigate the waterfront for signs of widespread illegality affecting business.⁸⁵

Russell pointed out the political basis of this move, as a 'publicity bonanza' and which were ignored by later sources.⁸⁶ The Crime Commission was, as Johnson claimed, 'created largely as a by-product of partisan manoeuvrings of a Democratic dominated United States investigatory committee and defensive strategy of a Republican Administration in Albany.'⁸⁷

Its 'waterfront' reports reflected little of the consensual approach to hiring reforms most favoured in Britain. Subsequent Waterfront Commission policy in New York emulated the Crime Commission's stress on legal sanctions and upon prosecutions under criminal and civil laws, unsurprising since several central Waterfront Commission staff members had also served on the Crime Commission.⁸⁸

Because employers and the ILA were considered equally culpable in creating 'the problem,' no port interests sat on Waterfront Commission disciplinary panels and

⁸³ New York Port Authority 'The Port and the Community' (1956) p. 1

⁸⁴ Cf. 'Report of Board of Inquiry on Longshore Industry Work Stoppage, October-November 1951 Port of New York', *Industrial and Labor Relations Review*, vol. 5 pt. 3 (April 1952) pp. 426-38

⁸⁵ *NYT*, 30.10.51, 2.11.51, 21.11.51

⁸⁶ Russell, M., *Men Along the Shore: The ILA and Its History* (Brussel and Brussel 1966) p. 155

⁸⁷ Johnson, *The Waterfront Commission of New York Harbor*, p. 98.

⁸⁸ Johnson, *The Waterfront Commission of New York Harbor*, pp. 211-2.

Commission procedures were highly legalistic in form. Also in distinction to Liverpool and London, Commission agents had powers to investigate improper practices without first waiting for a formal complaint from an employer, a practice adopted by the Dock Labour Scheme in Britain that probably led to worse disciplinary problems.

Within a year, the Waterfront Commission had initiated a scheme to register all portworkers in order to remove those with relevant criminal records or engaged in (or associated with) corrupt practices according to its own rules. The number of dockworkers was incrementally reduced after Crime Commission censuring of the shape-up hiring method as encouraging criminality. As a crime-control strategy but similar in effect to British schemes of the same period, and with the same objective of raising average dockworker earnings, the casual fringe in New York was reduced. Most kickbacks to get work petered out under these reforms and through better employment choices as local economic conditions picked up.⁸⁹

New York seniority systems and the Guaranteed Annual Income, ca. 1957-1972

In New York from about 1957, a sophisticated system of allocating labour according to length of service on a pier was instituted. When enforced, this was effective in denying a role for hirers or employers seeking illicit moneys or prepared to accept them.

After 1964 the Guaranteed Annual Income (GAI) was devised. With the threat of a strike looming in the background, the matter of improved out of work benefits for older longshore workers who were harmed by rationalisation processes was taken to arbitration. A recommendation was made and finally accepted that in exchange for the GAI, the ILA would agree to accept a phased reduction in average work gang sizes.⁹⁰

⁸⁹ Annual Reports of the New York Waterfront Commission record the progress of its schemes

⁹⁰ The pivotal report that brought the sides together was: U.S. Department of Labor, *Manpower Utilization - Job Security in the Longshore Industry Port of New York: Report and Findings* (Washington, DC: 1 July 1964).

Depending on his seniority rating, a longshore worker would expect to receive, when unable to secure work, whole or part of the GAI. It gave, for the first time, a good level of out of work security in this fashion functioned as the closest equivalent to permanent employment in Britain after September 1967. 'Core' or permanently employed longshore workers were, as before, unaffected by this development. What was in doubt was the longer-term viability of the GAI in view of evidence that trade had subsequently moved to other east coast ports, in part - so some argued - because of its 'generosity' of provision.⁹¹

LIVERPOOL AND LONDON – REFORM THROUGH CONSENSUS

Registration schemes

Through decasualisation schemes and joint agreements, the penalty for accepting or offering bribes in New York rose, while the likelihood for most individuals or work gangs of the alternative, unemployment, decreased. Efforts to combat corrupt practices related to hiring in London and Liverpool began in World War One on Merseyside, in 1920 for London. State sponsorship, in the form of support for union backed registration schemes, was essential.

Prior to 1939, British port employers were either hostile or lukewarm, in the main, towards any attempts to limit their authority over hiring practices and to limit the labour supply, and faced with this resistance registration schemes instituted either formalised pre-existing customs, or were watered down sufficiently to make them acceptable to employers.⁹² Calls from unions for unemployed dockworkers to be awarded a minimum income by the industry were blocked, with the state unwilling to force the issue or to establish a precedent for other industries to follow.⁹³

⁹¹ Waters, R.C., 'Leadership and Its Consequences: Technical Change in the Longshore Industry' *Industrial Relations*, vol. 32 no. 2, 1993, pp. 262-71

⁹² Some employers though lamented the fact that registration made it more difficult to sack unsatisfactory men.

⁹³ As Wrigley, C. (ed.), *A History of British Industrial Relations Volume 11: 1914-1939* (The Harvester Press 1987) said, 'In industrial relations, as with so many other areas of policy, the interwar period was significant for what it did not, rather than what it did, change' (p. 187).

The 1920 Shaw Court of Inquiry was established because of credible evidence of disciplinary problems on the major British docks, such as poor timekeeping and slow working, in which casual working had a role. The outcome was a reproach made by Lord Shaw for ship-level malpractices that resulted in lost time and output but Shaw linked this to unions' calls for the registration of dockworkers and for an income when men could not find work.

After about 1920, work was rarely guaranteed, but unionised workers were in a better position to press their claims under joint agreements.⁹⁴ Registered men reported for work at 'calling-on stands' scattered throughout the ports, to shipside or to employers' premises.⁹⁵ Where coordination between the Employment Service, helping to run the schemes and distributing unemployment moneys, and the local registration-clearing house was good, men who were passed over for work, perhaps for refusing to participate in a hiring irregularity, would stand out and questions asked.⁹⁶

Registration schemes operated in London and elsewhere until the start of the Second World War but without much conviction, although port registers were more tightly policed in London than apparently was the case in Liverpool.⁹⁷ As early as 1923, as Jackson reports, some men were working on the docks without paying their union subscriptions while Dooley notes that many unregistered men worked in Liverpool in the 1930s.⁹⁸ Most importantly, as registration did not include a monetary payment when portworkers were not working, incentives remained in the less 'embedded' fraction of the docker fraternity to sometimes indulge in illegal activities in order to gain or keep work.

⁹⁴ There are numerous unpublished histories of British registration proposals and practices, including those in: PRO: LAB2/1044, PRO: LAB2/1045/DPL221/4, PRO: LAB2/1040/117, PRO: MT10/1866/H685, PRO: MT63/19, PRO: MT10/1853/H11625, PRO: LAB 8/1379: Ministry of Labour and National Service 'Memorandum on Dock Labour' (11.9.42); PRO: LAB 2/1042/17: 'Decasualisation of Dock Labour' (4.2.25), PRO: LAB 76/21: 'Memorandum on the History of Registration Schemes for Dock Workers' (December 1936); MRC: MSS. 126/TG/7/RES/TEMP31; MSS. 126/TG/3/sack 6

⁹⁵ PRO: LAB 8/186: National Joint Council for Dock Labour, Standing Advisory Committee on Registration and Decasualisation, Fifth Report (1936).

⁹⁶ MRC: MSS. 126/EB/PL/21/1-2: Minutes of Evidence Taken Before the Port Labour Committee, 10.12.30.

⁹⁷ MRC: MSS. 126/EB/PL: minutes of evidence taken before the Port Labour Committee, 11.12.30

⁹⁸ MMM: audio tapes: Frank Dooley; Jackson, *Policy Making in Trade Union*, p. 59

Post-1945 developments

Properties they shared with the New York longshoremen, in a refusal to accept pre-war conditions, generated mass strikes by dockworkers in British ports from 1949-51. But government response in Britain was of a wholly different character from that in the United States.

The specifics of the British political economy disallowed a frontal assault on union-backed dock practices as that seen in New York. Fear of communism in organized labour was a weaker political force than in the United States, for example (though not insignificant)⁹⁹ whilst 'organised criminality' in the sense portrayed by American commentators referring to New York was alien to the British context.

Disturbances on the London docks, as in New York, stimulated a state enquiry. In distinction to the Corsi board in New York, Frederick Leggett's committee of enquiry in London (1950-1951) chose to concentrate on disciplinary problems that port unions had only partial control over and his answer, within the orthodox industrial relations matrix, to the problems of ship delays and side-payments supplied little material to those favouring police-style 'crackdowns.'¹⁰⁰

Leggett himself was a career civil servant, and served as Bevin's wartime aide at the Ministry of Labour specialising in efforts to end disputes through conciliation. Given this personal profile, he could be expected to produce only mild criticisms of port unions. Further conditioning the Leggett Committee's findings was hostility from the TGWU towards any investigation. In order to assuage the major interests, a decision was taken in Cabinet to consult as widely as possible before and during the enquiry.¹⁰¹

⁹⁹ The TGWU banned 'proven' Communists from holding union office, left-wing Members of Parliament were viewed with suspicion, and a ban was placed on Communists in the UK civil service (Smith, J. D., *The Attlee and Churchill Administrations and Industrial Unrest, 1945-55: A Study in Consensus* (Pinter 1990) pp. 98-9).

¹⁰⁰ *Times* 30.6.83 (Leggett's obituary). The unpublished records of the Leggett Committee, 1951, are found in MID: BPA Boxes 155-6, LWA Box 261, LEDEA Box 159, LPEA Box 137, LPEA Box 115; PRO: BK 2/1215.

¹⁰¹ PRO: PREM 8/1534: notes of a meeting held on 5.5.50.

National Dock Labour Scheme

Under a 1940 Order, each port in Britain was required to keep registers of dockers, while a guaranteed weekly payment was agreed to two years on. From 1942, the National Dock Labour Corporation ran the national docks scheme complete with local offshoots.¹⁰² In Merseyside and on the Clyde, the Ministry of Transport took over waterfront activities as the direct employer of registered dock labour. These schemes were prototypes for the landmark National Dock Labour Scheme (NDLS) in 1947. Appendix D outlines the structure of local dock labour boards for the larger British ports.

More centralised and mandatory than pre-war hiring structures, but based on the old registration process, the NDLS aimed to eradicate the insecurities and hiring abuses of the past. Those taken on by employers through NDLB 'distribution centres' were usually not guaranteed more than the minimum number of hours of engagement but could frequently expect more. Weekly-paid or permanent employees of firms were not required to report to them. In London, a long-standing system of hiring outside of NDLB controls persisted.¹⁰³

These measures went some way towards lessening the need to bribe a hiring foreman for work, although the low level of the maintenance income for men with families was a problem.¹⁰⁴ Nor, as in New York, could the 'British' system prevent payoffs for higher paying or steadier work.¹⁰⁵

Devlin reforms

By the early 1960s, pressures were building up for further reforms of hiring and income upholding schemes. Mass unofficial strikes were again a problem, worse in London, docks unemployment was at historically low levels and joint controls denied

¹⁰² McKelvey, J., *Dock Labor Disputes in Great Britain: A Study in the Persistence of Industrial Unrest* (New York State School of Industrial and Labor Relations 1953) pp. 28-9; Tull, G. J. D., *The Port of London Authority 1909 to 1959* (PLA 1959) pp. 126-7; MID: BPA Box 369 'The Closed Shop' Docks Industry' (13.10.47).

¹⁰³ Interview with LONM, 5.10.99

¹⁰⁴ Hill, *The Dockers*, p. 33.

¹⁰⁵ Interview with LONJ, 16.6.99

employers alternative labour supply sources. In this context, employers felt under more pressure than ever to concede improper demands from work gangs, especially (so it was claimed) casually employed ones. 'In fact,' they insisted, 'the labour situation in London has reached a point where there is on many occasions no longer any reasonable negotiation and compromise in industrial relations, but merely appeasement in varying degrees throughout the port.'¹⁰⁶

Also important were political factors. The Devlin Report gave the newly elected Labour government a chance 'after thirteen years in the wilderness, to associate the party with a humanitarian reform and to prove its working-class conscience at a period when economic policies were alienating rank and file support.' It was also clear from the tenor of the debate that the government would impose a solution if the industry did not 'volunteer' one.¹⁰⁷

The chief reason for unofficial stoppages in Britain was, in the view of Lord Devlin, the casual structure of hiring. Casual 'attitudes' pervaded the whole industry, expressed in a willingness to indulge in unconstitutional 'time-wasting' action. The solution adopted was ultimately to offer registered men permanent employment. This was expected to remove the reasons for malpractices (whether hiring or post-engagement) in irregular employment.¹⁰⁸

Under Devlin 'Phase 1', full-time employment with a registered employer would replace casual working.¹⁰⁹ Experiencing the benefits to be had from permanency in employment, most portworkers would be expected under Devlin's scenario to feel that the 'price' of this, in the abandonment of 'time wasting' practices, would be worth paying. 'Phase 2' dealt with the 'modernisation' of post-engagement work practices, dealt with in chapter four.¹¹⁰

¹⁰⁶ MID: LEDEA 132: Preliminary Report and Recommendations of the Special Sub-Committee of London Port Employers, 1961, p. 2.

¹⁰⁷ Wilson, *Dockers*, p. 12

¹⁰⁸ Parliament, Ministry of Labour Committee on Inquiry Under the Rt. Hon. Lord Devlin into Certain Matters Concerning the Port Transport Industry, *Final Report*, cmd. 2734, 1965, p. 10.

¹⁰⁹ Archival materials on Devlin include MID: LEDEA Boxes 204, 227, 229, 233, 236, 244-7, LPEA Boxes 19, 25, LWA Boxes 188, 237, 294, 304, 308

¹¹⁰ MID: LWA Box 304: 'The Port Employers in London' (1965).

Devlin thereby acknowledged a structural dimension to hiring abuses, rooted in casualism, as did waterfront writers from Shaw and Phillips and Whiteside, and from Barnes to Kimeldorf. 'Devlin was essentially concerned to make good the legacy of the past rather than provide,' as Turnbull and his colleagues summarised, 'any blueprint for the introduction of new cargo handling techniques.'¹¹¹ Permanency of employment was to be at the heart of relations in the British industry. 'Full-time' work for all ran counter to the favoured solution in New York, which favoured longer serving men over the rest.

State participation in Britain increased as an employment crisis emerged, becoming more evident in the 1970s, particularly in London. The Board of the PLA was formally independent of government, but was mindful of national incomes policies and other state priorities. Any port investment costing over £1/2 million required the sanction of central government, as did a rise in port charges. The 1968 Port of London Act extended this role. The Secretary of State nominated people to the two top posts in the National Dock Labour Board while the Mersey Docks and Harbours Board included members appointed by the Ministry of Transport.¹¹²

Devlin's report coincided with the rapidly emerging issue of containerisation and the commensurate need for lower average gang sizes and a more 'flexible' use of dock labour. This kept alive fears of layoffs, regardless of the guarantees Devlin had built into his proposals.¹¹³ Undermining efforts to keep up employment levels was a policy of increasing numbers of port employers to move their business from 'traditional' dock systems to inland depots where cheaper and reputedly more malleable, non-registered, labourers were used.

Structural changes had little effect on longshore wages in New York, where union scales predominated wherever employers operated within fifty miles of the port's hub

¹¹¹ Turnbull, Woolfson and Kelly, *Dock Strike*, p. 44

¹¹² Lynch, A, *Weathering the Storm: The Mersey Docks Financial Crisis 1970-74* (Liverpool University Press 1994) p. 21.

¹¹³ Mankelow, *The Effects of Modernisation and Change in the London Dock*, pp. 99-100.

and where the ILA was successful in severely abridging management's freedom of action in utilising non-ILA labour. In terms of sheer numbers employed, though, working longshoremen were drastically pruned, many transferring across to the GAI.

Modern communication networks enabled road transport units to move relatively quickly in and out of terminals.¹¹⁴ The new situation cut deeply into payoffs by road haulage firms to quayside workers for quicker servicing. Although shift systems were established in these ports, thus eradicating a group of malpractices pertaining to the working of overtime or weekend working, the fact that job assignments were often run by newly enfranchised shop stewards could raise eyebrows.

Acting upon a recommendation of the Devlin Committee, shop stewards were introduced across the two British ports to bolster the position of the TGWU and to settle disputes quickly and effectively without the need for improper concessions to ship hatch gangs. In Liverpool and London, suspicion grew that shop stewards were abusing this privilege, by booking themselves to the highest paying gang or in putting themselves on 'no-show' jobs for instance. Employers, aware of the 'trouble' that job allocating could cause, went along with the malpractice for an easy life.¹¹⁵ Similarly in New York, which had a strong shop steward organisation by the 1950s, there were comparable charges of shop steward misconduct.¹¹⁶

CONCLUSION

In the context of the debate began in chapter two over the relative importance of 'opportunity structures' over the 'legitimacy' of docks malpractices, hiring kickbacks presented a picture that ultimately favoured the institutional approach. So long as the extant hiring market sometimes offered, as it too often did, a number of profitable opportunities for foremen to abuse their position, the 'legitimacy' of hiring malpractices was of secondary concern for those involved.

¹¹⁴ Mankelow, *The Effects of Modernisation and Change in the London Docks*, pp. 113-4.

¹¹⁵ Interviews with LIVA, 16.3.99, LIVI, 15.4.99, LONA, 30.6.99

¹¹⁶ Interview with NYB, 29.3.00; MacNair, V., *Chaplain on the Waterfront* (Seabury Press 1963), p. 90; *Waterfront News*, 18.11.55

Hiring misbehaviour was never accepted in the same manner as were other malpractices. Most importantly, as noted, they led to problems for union organisers, and undermined union morale. Employers also viewed them askance since the employment of unequipped men merely on the basis of corruption was anathema to the objective of efficiency of cargo handling.

Many other processes than simple market influences were at work in shaping docks hiring practices. The dynamics engaged with were more complex, contradictory and diverse than admitted in accounts presented by proponents of decasualisation, who often gave casual working more prominence than it deserved, and exhibited a position that left out the majority opinion in docks.

Employers were loath to hire men on the basis of their 'ability to pay' alone, if for no other reason than safety. Dock work could be dangerous at the best of times, utilising experienced men and not fresh hands. Even during the depths of the interwar depression, the majority of portworkers in London were reported as 'firmly established' in the trade.¹¹⁷ A 'problem' of hiring abuses was probably greater in New York, if only because of its consistent lack of a formal means of limiting the numbers seeking work there until the 1950s registration drives.

Not to be forgotten also was that coastwise and inter-coastal ships offered labour market stability and a large measure of permanent employment wherever they were found.¹¹⁸ In Liverpool, work on the coastwise trade was prized for this very reason, and may have encouraged bribery to acquire employment with a coastwise operator.¹¹⁹ In London, the riverside wharves were most linked to these vessels.

¹¹⁷ Phillips and Whiteside, *Casual Labour*, p. 210.

¹¹⁸ Larowe, C. P., *Shape-Up and Hiring Hall: A Comparison of Hiring Methods on the New York and Seattle Waterfronts*, Berkeley: University of California Press 1955) p. 2; U.S. Congress, Senate. Committee on Labor and Public Welfare, *To Clarify the Overtime Compensation Provisions of the Fair Labor Standards Act of 1938, as Amended*, hearings 81st Congress 1st Session 1949, p. 754; Swanstrom, *The Waterfront Labor Problem*, p. 26; U.S. Department of Labor, Bureau of Labor Statistics, no. 550, *Cargo Handling and Longshore Labor Conditions*, Washington, DC.1932, p. 103; U.S. Office of the Federal Coordinator of Transportation, Section of Labor Relations, Section of Research, *Hours, Wages, and Working Conditions in Domestic Water Transportation*, Vol. 1 (1936), pp. 140-1.

¹¹⁹ Interview with LIVH, 11.3.99

Most allegations of hiring irregularities originated from an underlying and corrupting mistrust between union leaders and rank and file union members, fuelled by 'top down' policy approaches and (in New York's case) localised rebellions against the hiring regime, though in both cases the true magnitude of the discontent was never made clear. The subject matter of hiring malpractices crossed over into more general critical comments made over 'democracy' in unions, as described in chapter two, and of the legitimacy of union actions on the docks when involving those accused of unresponsiveness towards the men's complaints, seen at its most extreme in Liverpool

The weakness of unionism in ports was thereby revealed, belying the portrait of muscular union influence offered by some texts, notably when New York's malpractices are discussed.¹²⁰ 'Thus, leaders who shifted too far right on the political right or became too cautious or accommodationist,' commented Broeze, 'ran the serious risk of alienating their members and losing control over their unions.'¹²¹ Hobsbawm similarly emphasised the run-of-the-mill practical difficulties in unionising waterside workers in Britain.¹²²

Unlike the image put forward in New York by Larrowe, for example, of a grafting union executive¹²³ the ILA always feared a backlash if they 'pushed' decasualisation questions against (on the whole) employer wishes and the desires of most of their members. To this degree, the ILA was better attuned to members' attitudes than was the TGWU.

¹²⁰ As Johnson put it, 'the longshoremen 'charge that Ryan always has shown more sympathy for the interests of the industry than for its members.' (*Crime on the Labor Front*, p. 153) Recommendations to eradicate union criminals from the construction industry were contained on the section in the 1989 report titled 'Removing Racketeers from the Construction Industry' (pp. 156-161)

¹²¹ Broeze, F., 'Militancy and Pragmatism: An International Perspective on Maritime Labour, 1870-1914', *International Review of Social History*, vol. XXXVI, 1991, p. 197

¹²² Hobsbawm, E. J., *Labouring Men: Studies in the History of Labour* (Weidenfeld and Nicholson 1968) pp. 204-230.

¹²³ According to Larrowe, 'Between 1916 and 1945, the amicable nature of collective bargain and the union's modest demands resulted in contract provisions eminently satisfactory for the employers on the New York waterfront' (Larrowe, C. P., *Shape-Up and Hiring Hall: A Comparison of Hiring Methods on the New York and Seattle Waterfronts*, Berkeley: University of California Press.1955) p. 64)

Negotiating structures that on paper heavily favoured organized labour were in reality far from impregnable. Moving to the wider perception of docks malpractices, and their possible addressing by legislation, should governments prepare docks decasualisation drives by galvanising backing for anti-crime policies, as in New York? Or should it internalise any investigations of docks malpractices to those immediately affected and seek their consent, as in Liverpool and London?

These options animated reactions towards docks strife in the critical years from 1945 to 1953, when representations of the significance and meaning of docks malpractices were solidified and became a subject matter for theories of industrial racketeering. Smith's spectrum approach far better captures these movements and simultaneously explains the contextual variables. As Shaw, Devlin and Leggett acknowledged, hiring difficulties and scenarios shaded across to other practices and malpractices. Foremost among them were problems that occurred on board vessels berthed at terminals or docks, the subject of chapter four.

CHAPTER FOUR

SHIPBOARD PRACTICES AND MALPRACTICES

INTRODUCTION

Although governments in Britain and the United States placed great emphasis on employment stability as the primary solution to the ills of the waterfront, this in actuality formed only part of the problem. Unlike those practices centred on hiring regimes, few dockworkers wished to many scrap post-employment malpractices, characterised as they were by legitimacy on the part of those who practiced them and taking advantage of systemic opportunity structures. Because of their acceptability among dockworkers, and the systematic nature of the loopholes they exploited, they proved extremely hard to eradicate in the absence of government.

Evidence of pre-1939 illegal payments by employers to shipboard work gangs is scanty, especially for New York. Older interviewees entered the docks industry only after 1945, and archival sources were insufficiently comprehensive to make good comparisons between pre-1939 and post-1945 shipboard malpractices. Following the end of hostilities in 1945, they became the object of attention, reflected in a larger body of materials.

Joint agreements in New York and Britain specifically forbade the downing of tools while a shipboard dispute was under adjustment.¹ Despite this, stoppages in furtherance of a better 'price' for the work, so-called 'bargaining intervals,'² were commonplace. If agreements were breached this became subject, in Britain, to disciplinary proceedings by a local Dock Labour Board. In practice, nevertheless, vessel-working labourers were rarely reported for misconduct.

¹ For example, WA: ILA Collection, box 4: "Proposed Agreement, General Cargo" (1 October 1936)

² Turnbull, P. and Sapsford, P., 'A Sea of Discontent: The Tides of Organized and 'Unorganized' Conflict on the Docks' *Sociology*, vol. 26 no. 2, 1992, p. 301

Although larger-scale malpractices such as unauthorised stoppages ultimately relied on the collective power of the work gang to 'enforce' them,³ this was not the full story. Of importance to the 'survival' of shipboard malpractices was the way men were recruited to supervise dockworkers while working.

Theory

In the context of structures encouraging shipboard malpractices were sluggishly operating dispute resolution mechanisms. When effective, adjustment systems restricted the 'openings' available for ship hold gangs ('holdsmen') to cause problems of slowing down or stopping of work. Among British authors, only Shaw, in 1920, devoted significant thought to the topic.

As a result of his deliberations, an elaborate system based on port and trade was built up in the main British ports, extending from local to national disputes resolution committees. In 1951, Leggett made no mention of possible improvements to the existing system for handling on-ship problems, while Devlin limited his comments to recommending more shop stewards in the bigger ports.⁴

The importance of this area was demonstrated time and again during New York State Crime Commission hearings. A whole section of the 'final' report from the Commission in 1953 was devoted to allegations that New York docks union officials had informally smoothed over any problems of cargo handling after the payment of 'kickbacks' from local employers.⁵ After pressure from the Crime Commission and resulting difficulties for the union and shipping association, the disputes settlement system was refashioned and streamlined in New York in 1955 to prevent 'flash' strikes from delaying vessels while a satisfactory settlement to cargo handling problems was being worked out.⁶

³ Turnbull, P. Woolfson, C. and Kelly, J., *Dock Strike: Conflict and Restructuring in Britain's Ports* (Avebury 1992) p. 720

⁴ Parliament, Ministry of Labour Committee on Inquiry Under the Rt. Hon. Lord Devlin into Certain Matters Concerning the Port Transport Industry, *Final Report*, cmd. 2734 (1965) p. 107

⁵ New York State Crime Commission, *Fourth Report* (NY, 20 May 1953) pp. 12-16

⁶ Jensen, V. H., 'Dispute Settlement in the New York Longshore Industry', *Industrial and Labor Relations Review*, vol. 10, 1957, pp. 588-608

Another difference from Liverpool and London was the greater day-to-day vigilance over hatch gangs in New York, so as to ensure that the pace of work was not slackened, always a danger where time working was the norm.⁷ A foreman or hatch boss might 'push' his gangs so as not to incur delays, a practice that appeared uncommon in Britain, where on-site supervision over shipboard labourers was likely to be looser.⁸

As importantly, tight scrutiny over work practices by the Waterfront Commission in New York supplied a permanent brake on shipboard malpractices there. In spite of its unusually strong reputation for unsavoury dock practices, New York's longshore workers therefore seem to have had less opportunity to practice shipboard malpractices from the 1950s in spite of the multiple 'loopholes' in the port that were exploitable. Two mediating variables - the stringency with which port rules were policed, and the finding of means by which stopping of work became less legitimate - acted to counteract the sense of legitimacy often accorded to these particular malpractices.

Unlike hiring malpractices, abuses aboard ships and performed by dock labour were less affected by the extant economic climate. Nor were they sensitive to improvements to hiring regimes, confounding decasualising reformers.

ORIGINS AND NATURE

Bottlenecks

The distinctive port infrastructures of these waterfronts, in a decaying and unreformed condition, systematically added to the bargaining power of ship working gangs. Together with 'restrictive' labour practices that limited the right of employers to move labour to where it was most needed, bottlenecks supplied a powerful and enduring reason for side-payments and the greasing of palms.

⁷ Interview with NYI, 22.3.00

⁸ Whether 'pushing' of ship hold gangs to maintain a steady pace of work was a normal part of the hatch boss's or supervisors' job, or a specialised man was employed for this purpose, was never ascertained. One interviewee also referred to 'snappers' in this connection (interview with NYH, 2.4.00)

Physicality problems were probably worse in New York, in part because of the manner in which port investments were structured, which arguably starved the port of enough money, since subsidies for port improvements came from local taxation. While this had advantages, it did leave decisions vulnerable to political in-fighting and waterfront refurbishments were a low priority for the taxpaying public. In addition were difficulties in road transport vehicles easily or in a timely manner traversing Manhattan especially, an island that had a 'finger pier' system constructed to cope with horse-drawn carriages not motorised vehicles.⁹

On the other hand, more so in Liverpool and London, the docks industry revolved around 'time and tide.' Vessels that missed a 'slot' because of unfavourable tidal patterns would likely lose money. In Liverpool, for example, even thirty minutes' delay in getting away because of (for instance) labour disputes could set back a sailing for three hours if the tide was low.¹⁰ Such matters were less common a reason for delays in New York, a port with a very moderate (four to five feet) tidal range that rarely held up shipping. This natural feature gave, before and after technological developments, the rank and file in London and Liverpool an additional measure of pull over employers if they wanted to 'catch' the tide.¹¹

⁹ There is a sizeable body of literature on this and on the history of New York pier defects, including: 'A Day in the Docks', *Scribner's Magazine*, vol. 18, 1879, pp. 32-47; Bunker, J. G., *Harbor and Haven: An Illustrated History of the Port of New York* (Windsor Publications 1979), pp. 216-8; Cunningham, B., *Port Studies* (Chapman and Hall 1928) p. 11; Bittenwieser, A. L., *Manhattan Water-Bound: Planning and Development from the Seventeenth Century to the Present* (New York University Press 1987) pp. 57-61; McCormack, W. J., *The Decline of the Port of New York: A Report to the Mayor* (W. J. McCormack 1952); U.S. Department of Labor, Bureau of Labor Statistics, no. 550, *Cargo Handling and Longshore Labor Conditions*, Washington, DC.1932, p. 7; MacElwee, R. S. and Taylor, T. R., *Wharf Management, Stevedoring and Storage* (D. Appleton 1921) pp. 27-8, 103; Griffith, J. I., *The Port of New York* (Arco Publishing 1959) pp. 7-8; Leshner, R. A., 'The Problem of the Port of New York', *The Dock and Harbour Authority*, February 1926, pp. 99-103, and March 1926, pp. 136-8

¹⁰ Interview with LIVD, 17.11.00

¹¹ Interview with LOND, 22.10.99. Phillips and Whiteside made a similar observation, in that tides made for a 'discontinuous pattern of employment' (Phillips, G. and Whiteside, N., *Casual Labour: The Unemployment Question in the Port Transport Industry 1880-1970* (Clarendon Press 1985) p 283)

In New York, wet docks were unnecessary, and ships under less pressure to get away by a given hour.¹² Counterbalancing it, to a degree, was the fact that specialised night gangs were rarely employed in New York because of their cost, like Liverpool and London, and the use of tugboats in the port of New York at night was also prohibitively expensive. As a result, most shipping moved during daylight hours.¹³

In 1967, the United Nations catalogued defects in port facilities, and argued that improving them was 'a highly complicated and intricate' task, with no single cause or solution.¹⁴ Late starts and long meal breaks in London were blamed by union spokesmen on the practical difficulties caused by getting from A to B when docks communication and refreshment facilities were so inadequate.¹⁵ Cause and effect was difficult to untangle. Was, for example, congestion bad because of hold ups caused 'inflexible' work gangs, or did causality run in the opposing direction?

Ship turnabout

Rapid ship turnabouts were a preoccupation of most waterfront employers.¹⁶ Ship owners and shipping lines were desirous of making their time in port as short as possible, berthing charges being expensive and with tight schedules to meet. This required a cooperative workforce. Pier fees for example were often higher than the cost of paying men extras, under various guises.¹⁷

¹² Telephonic interview with NYD, 2.5.01; Cunningham, B., *Port Studies* (Chapman and Hall 1928) p. 129; Brinton, W. C., 'New York Harbor and the Nation's Foreign Trade', *World's Work*, vol. 31, December 1915, pp. 203-20.

¹³ Interview with NYG, 12.4.00

¹⁴ United Nations, Department of Economic and Social Affairs, *The Turn-Around Time of Ships in Port* (New York 1967); *Journal of Commerce*, 24.6.67

¹⁵ Parliament Ministry of Labour Committee on Inquiry Under the Rt. Hon. Lord Devlin into Certain Matters Concerning the Port Transport Industry, *Final Report*, p. 20.

¹⁶ Ibid., Parliament, Ministry of Labour and National Service, *Unofficial Stoppages in the London Docks*, cmd. 8236 (1951) p. 3; Turnbull, P. Morris, J. and Sapsford, D., 'Persistent Militants and Quiescent Comrades: Intra-Industry Strike Activity on the Docks, 1947-89', *The Sociological Review*, vol. 44 no. 4, 1996, p. 696; Mellish, M., *The Docks After Devlin* (Heinemann 1972) p. 23; Parliament, Board of Trade. Committee of Inquiry into Shipping, *Report*, cmd. 4337 (1970) p. 172; Bown, A. H. J., 'Port and Shipping Turn-Round', *The Dock and Harbour Authority*, January 1953, pp. 264-6+

¹⁷ Morewedge, H., *The Economics of Casual Labor* (Herbert Lang, 1970) p. 51. See also Parliament Board of Trade. Committee of Inquiry into Shipping, *Report*, cmd. 4337 (1970) pp. 172-3 on this point.

Within this setting, payoffs made sound business sense. Certain of the resulting malpractices were so entrenched that they virtually became part and parcel of the industrial landscape. Interviewee LONM, who sat for the TGWU union on many joint committees in London, remarked for instance that the employers he dealt with never even bothered to deny that they ‘paid off’ work gangs for favours, but they quibbled if the men wanted a small advance on their ‘legitimate’ earnings.¹⁸

‘Time lost in port’, as Mellish explained, ‘was generally considered more expensive than ad hoc settlements.’¹⁹ The mere threat of a delay caused by recalcitrant labourers was often sufficient to secure a ‘deal’ favouring the dockworkers.²⁰ ‘The shipowners did a simple sum,’ according to one experienced union official, ‘How much do the dockers want, how much does it cost to keep the ship in port per day? That’s less than that, pay.’²¹

As already indicated, a need to get vessels out of port expeditiously did not submit to cumbersome conciliation procedures if a dispute arose. With the pressure of time often against a vessel owner, back-door dealings achieved an acceptance and legitimacy caused by repeated usage.²² Concessions verging into the improper were granted, ‘in order to maintain regular sailings.’²³ A thriving market in corrupt practices operated by vessel hatch labourers developed, buttressed by unchanging variables, such as poor port facilities and transport links. This made the work of managing the port that much harder to orchestrate.²⁴

Jensen, the foremost New York waterfront scholar, saw similar concessions wrung from employers there, and for the same reason of commercial expediency. As in Liverpool and London, ‘under the hat’ payoffs to New York longshore workers

¹⁸ This is confirmed in MRC: MSS. 126/uncatalogued: evidence of Timothy O’Leary to the Devlin Committee, 14.1.65.

¹⁹ Mellish, M., *The Docks After Devlin* (Heinemann 1972), p. 23.

²⁰ *Times*, 6.1.65 According to MID ‘Port of London – Restrictive/Protective Practices’ (n.d.) it was very difficult to take effective action ‘when by doing so work in the whole or part of a sector or area of the Port might thereby be stopped or delayed.’

²¹ Interview with LONS, 8.7.99

²² *Times*, 10.3.50, Hunter, B., *They Knew Why They Fought* (Index Books 1994), p. 18

²³ MID: LWA Box 333, Minutes of Meeting of Labour Committee and Employer Members of Wharfingers Group Joint Committee held 22.3.56

²⁴ Interview with LONM, 20.8.99

warded off potential and actual slowdowns or stoppages of work. A Brooklyn ILA representative once made the same point, that employers were willing to pay over the odds for unloading cargoes.²⁵ Port capital had 'to endure abuses and to comply with unreasonable demands in order to keep the ships moving.'²⁶

'A dozen good reasons could be found each day for industrial trouble' and the London dockworker overlooked 'no possible opportunity for boosting his daily bill,' in the words of Oram.²⁷ 'Short, unofficial strikes were ... particularly effective on the docks as a means of securing piecemeal concessions from employers', wrote Turnbull et al, 'because the individual employer often lacked the resources to take on the workers.'²⁸ A fistful of five-pound notes discretely paid by a shipping agent to ship gangs was thought a small price to pay for labour peace.²⁹

The question became one of determining what the commodities waiting to be processed while in dock were 'worth' to an employer. From time to time, for example, un-worked for overtime payments would solve any 'labour problems.' In Britain, a special incentive for employers making unrecorded payments was that they saved on the levy paid by the employer to the Dock Labour Board.³⁰

Once the vessel was fully loaded or discharged, ship gangs in dispute with their employer realised that their bargaining power was curtailed, since 'the evidence' had sailed away from port. They therefore tended to stop or slow down work while the vessel was still berthed, though this was clearly in breach of agreements. The Leggett Committee in 1951 concluded that negotiations in the London docks were 'too often characterised on the men's side by the stopping of the job, in defiance of the advice of

²⁵ Interview with NYJ, 20.3.00. Jensen, V. H., *Strife on the Waterfront: The Port of New York Since 1945* (Cornell University Press 1974), p. 26; U.S. Congress, House. Committee on Education and Labor, *Amendments to the Fair Labor Standards Act of 1938*, hearings 81st Congress 1st Session 1949, p. 602

²⁶ U.S. Congress, Senate Committee on Interstate and Foreign Commerce, *Waterfront Investigation: New York-New Jersey: Interim Report*, Report No. 653, 83rd Congress 1st Session 1953, p. 9

²⁷ Oram, R. B., *The Dockers' Tragedy* (Hutchinson and Co 1970), pp. 105, 110.

²⁸ Turnbull, P. Woolfson, C. and Kelly, J., *Dock Strike: Conflict and Restructuring in Britain's Ports* (Avebury 1992), p. 43.

²⁹ Interview with LONA, 30.6.99, Phillips and Whiteside, *The Casual Labour Problem*, p. 233.

³⁰ Interview with LONS, 8.7.99

their Union representative or of a decision arrived at jointly by employers and Union representatives through the constitutional machinery.’³¹ Several union officials interviewed for this work spoke of the ‘greediness’ of some of their members in this sphere.³²

Worse still for port managers, the men would expect the same favourable treatment when another ship owned by the same company docked.³³ The cumulative effect of these malpractices became a serious concern for port authorities in Liverpool and in London, which feared the economic knock-on effects for trade passing through their installations.³⁴

Before shift systems were introduced on a larger scale in the 1970s, ship level gangs could therefore deploy a number of autonomously acting resources to press their claims. In primarily ‘piece working’ ports such as London, opportunities for generating ‘extras’ were greater through the judicious exploitation of the wages system, as described in more detail in chapter six. Non-standardised break bulk or ‘loose’ cargo-carrying vessels were most affected by these malpractices.

Payments of this type in New York were more likely to exist on piers where there were already logistical or ‘technical’ problems that made the job difficult. This might be the case when, for instance, people from different union Locals worked the same pier, causing coordination difficulties.³⁵ Internal union Local dynamics could be

³¹ Interview with LIVI, 15.4.99; Jackson, M. P., *Labour Relations on the Docks* (Saxon House 1973), pp. 82-3, Wigham, E., *What's Wrong with the Unions?* (Penguin 1961), p. 110; Phillips and Whiteside, *Casual Labour*, p. 250, McKelvey, J., *Dock Labor Disputes in Great Britain: A Study in the Persistence of Industrial Unrest* (New York State School of Industrial and Labor Relations 1953) p. 47; Parliament, Ministry of Labour and National Service, *Unofficial Stoppages in the London Docks*, p. 6

³² London interviews with LONG, 21.10.99, LONM, 20.8.99, LONU, 26.7.99

³³ MRC: MSS. 126/uncatalogued: testimony of Tim O’Leary before the Devlin Committee on 14.1.65

³⁴ Interview with LONM, 19.8.99; Parliament, Ministry of Labour and National Service, *Unofficial Stoppages in the London Docks*, p. 6; Parliament, Ministry of Labour. Committee on Inquiry Under the Rt. Hon. Lord Devlin into Certain Matters Concerning the Port Transport Industry, *Final Report*, p. 10

³⁵ Telephonic interview with NYN, 19.10.00; Tobin, ‘Port Facilities at New York’, p. 312. A study of the process was made in the *New York Times* (20.5.56). Local 1814 members in Brooklyn refused to work with Local 968 men unless they had union books on them. A Local 968 delegate confirmed the paid up status of his members, and Local 1814 men were ordered back to work. There was then a flare-up over the Local 968 hatch boss, who was fired by the

another unsettling variable for an employer to deal with.³⁶ Inclement weather could also precipitate a downing of tools.³⁷

Factors such as these gave New York longshore workers a enough 'legal' reasons to stop or to slow down the rate of work without the introduction of deliberately conceived schemes to 'squeeze' an employer. But unlike similar practices in both Liverpool and London, accommodations with New York labour seem to have taken place on an ad hoc basis. Hatch bosses sometimes initiated them but all the gang shared in the rewards.³⁸

Employer divisions

Employer disunity was of the first importance in allowing ship level abuses to become so embedded. The cold commercial reality, regardless of shows of unity they might put on, was that employers were often in competition with each other for work (albeit less so in the specialised branches), furnishing a standing incentive for payments, as they 'threw money at the problem until it went away' particularly when dealing in perishable commodities or when time pressures became even more acute (often on the last day before a sailing was scheduled).³⁹

Within British employer associations, larger, deep-sea firms usually dominated, so that 'for the whole period 1935-50 the employers organisation may be regarded as an organ of ship owning interest'. Before then, stevedore contractors appear to have held the upper hand on the National Council of Port Labour Employers, causing rifts with ship-owners.⁴⁰ Shifts in the balance of power were bound to cause constant friction,

stevedore. Checkers on the pier walked out in sympathy. The matter was only settled when the hiring boss was reinstated and the rest were asked to return to work the next day. The episode was retold in a *Journal of Commerce* story (10.5.56) but the angle adopted there was that this was part of a feud between Tony Anastasio, Local 1814 President, and ILA President William Bradley.

³⁶ Telephonic interview with NYI, 19.10.00

³⁷ Interview with NYQ, 28.3.00

³⁸ Interviews with NYJ, 20.3.00, NYT, 4.4.00

³⁹ Interview with LONI, 26.5.99

⁴⁰ Morgan, unpublished paper (1983) The central dichotomy in Liverpool and London was between the deep-sea traders, plying oceanic routes, and the rest (Lovell, J., *Stevedores and Dockers: A Study of Trade Unionism in the Port of London, 1870-1914* (Macmillan 1969), p. 78; Taplin, *The Dockers' Union*, p. 85, Lynton and King, *Research in the London Docks*, p.

as did divisions between those employers who paid their work gangs above the going rate and those who refused to so do.⁴¹

Most illegal payments involved smaller firms, these being typified by tight profit margins and reportedly encountering stiffer competition.⁴² They could not afford stoppages of any sort⁴³ and as opposed to the big lines, had fewer resources, and employed the most 'casual' dockworkers, which were reputed as more ready to operate unauthorised or unlawful practices.⁴⁴ In London, for example, a Departmental Committee in 1908 concluded that 'Complaints (by their men) are directed chiefly against stevedores in a small way of business. Some of these, it is said, are men of little substance; they compete with each other for contracts and sometimes cut prices so low that it would be impossible, so the workmen allege, for them to make a profit, if they were to pay the full amount of wages due.'⁴⁵

Smaller firms were among the earliest to cede to unionisation in London,⁴⁶ though in New York the argument went the other way, that masters in (for example) the coastwise traffic simply could not 'afford' union scales and conditions. New York coastwise employers were consequently late in cooperating with unionism.

Vessel labour and work discipline

Industrial indiscipline in all ports rose after 1945. Statistics collected for Britain suggested a rising problem. After initial attempts at intervention, Dock Labour

27; Phillips and Whiteside, *Casual Labour*, p. 253; McKelvey, *Dock Labor Disputes in Great Britain*, p. 55; MRC: MSS. 367/TSF/1: Shipping Federation 'Minutes of Proceedings of the Executive Council' (21.11.24))

⁴¹ On the size and structure, in Liverpool and London, of employers and of employer associations, see the interviews with LIVG, 19.7.99; LONF, 30.6.99, LONM, 19.8.99. For New York, read Griffith, J. I., *The Port of New York* (Arco Publishing 1959), p. 115 and Jensen's works listed in the bibliography.

⁴² Interview with LIVI, 15.4.99

⁴³ Montgomery, D., *The Fall of the House of Labor* (Cambridge University Press 1987) p. 103

⁴⁴ Parliament, Ministry of Labour Committee on Inquiry Under the Rt. Hon. Lord Devlin into Certain Matters Concerning the Port Transport Industry, *Final Report*, cmd. 2734 (1965) pp. 8-10, 19

⁴⁵ Parliament, Departmental Committee on the Checking of Piece-Work Wages in Dock Labour, *Report*, cmd. 4380 (1908) p. 2

⁴⁶ Lovell, J., 'Sail, Steam and Emergent Dockers' Unionism in Britain, 1850-1914', *International Review of Social History*, vol. XXX11, pp. 239-41.

Boards 'accepted the futility of trying to impose mass discipline' by the mid 1950s.⁴⁷ This left 'on the job' shipboard controls and employer practices as the primary means of keeping 'order.' But this faced two problems, coming from the highly cohesive organisation of shipboard gangs and second, a tradition of walking off the job if customary shipboard rights were violated or perceived as such.⁴⁸

An important but relatively neglected area by sources⁴⁹ is the social organisation of cargo handling on vessels whilst anchored in port. Once the gang began work on a vessel, it was largely left unsupervised, particularly in Liverpool and London. The practicalities of hatch work and the way supervision was ordered 'allowed them to exert considerable influence on the job.'⁵⁰

Most supervisory level staff on board vessels and supervising dock labourers working in hatches came up through the ranks, whether in Liverpool, London or New York. They were thus in a good position to judge from personal experience when 'legitimate malpractices' were threatened by management instructions.

Many supervisors were related to, or members of, the same families as those in work gangs, making the task of eradicating malpractices more difficult still. 'The shipworkers could be your brother', as one source commented. In New York, the hatch boss could be thought of as 'the head of the family', bringing his own relatives

⁴⁷ Turnbull, P. and Sapsford, P., 'Hitting the Bricks: An International Comparative Study of Conflict on the Waterfront' *Industrial Relations*, vol. 40 no. 2, 2001, p. 242.

⁴⁸ 'Men have walked off a boat because management once placed 'watchers' in the hold to supervise the unloading of whiskey' (Mars, G., 'Dock Pilferage' in Rock, P. and McIntosh, M. (eds.), *Deviance and Social Control* (Tavistock 1974) p. 223)

⁴⁹ This was noted as a potential difficulty in the 1980s construction reports (the unionisation of 'front-line supervisors ... may make it more difficult to detect abuses and frauds') (New York State, Organized Crime Task Force, *Corruption and Racketeering in the New York City Construction Industry: Final Report* (New York: December 1989) p. 48). Read also Parliament, Ministry of Labour. Committee on Inquiry Under the Rt. Hon. Lord Devlin into Certain Matters Concerning the Port Transport Industry, *Final Report*, cmd. 2734, pp. 10-11; Hill, *The Dockers*, pp. 18-9

⁵⁰ Dock theft was widespread but employers were aware that if they cracked down hard, the whole gang might down tools (Mars, G., *An Anthropological Study of Longshoremen and of Industrial Relations in the Port of St. John's, Newfoundland, Canada* (University of London, Ph.D 1972) pp. 6/20-6/26).

down to work.⁵¹ Registration regimes in Liverpool and in London enhanced the significance of familial connections in securing work, the father/son relationship being paramount and enshrined in agreements.⁵²

Hatch bosses and timekeepers thus trod a delicate path between antagonising their own men, who they needed to get the best out of even when this meant turning a blind eye on occasion, and of alienating their employer if he was desirous of his labourers 'doing their job.' The typical cargo-handling process was remarkably similar whether in Liverpool, London or in New York, as Appendix E suggests.⁵³

Confusion over disciplinary issues was the net result, usually resulting the taking of the least line of resistance and in laxity.⁵⁴ Unionisation of all levels of the ship level hierarchy up to that of 'shipworker' could also compromise the dispassionate implementation of disciplinary codes, especially when fellow unionists were engaged with. A portion of New York employers saw the dangers of a fully unionised workforce, when dealing with men paid by the hour. 'The theory was', as one explained, 'that you really needed a non-union superintendent there, who doesn't get paid by the hour, to manage and suppress everybody's desire to drag this out as long as possible.'⁵⁵

For this reason, the New York Waterfront Commission specifically outlawed ILA membership by hiring bosses and ship or pier superintendents. The Devlin Report of

⁵¹ Interviews with LONM, 5.10.99, NYN, 11.4.00, NYS, 28.3.00 NYV, a Hoboken longshore worker, took over from a retired hatch foreman because he needed a regular income. As a hatch boss, he felt like he was 'part of their family' (interview, 17.4.00).

⁵² Parliament, Ministry of Labour, Committee on Inquiry Under the Rt. Hon. Lord Devlin into Certain Matters Concerning the Port Transport Industry, *Final Report*, pp. 10-11

⁵³ One exception appears to be the posts of 'dock boss' in New York port, with no counterpart in Liverpool and London. New York piers also featured 'public loaders', unique to the port. These supplied labour and equipment with which to load waiting lorries with imports, the question at issue being the compulsory (and high priced) nature of their services. Timekeepers, the crucial personnel in many malpractices, could also be related to the basic level dockworker. Shipworkers (also known as ship foremen), in charge of a vessel and its labour, engaged the hiring foremen. They could be related to lower down personnel. and were often ex rank and filers. The top ranking was that of ship or cargo superintendent who were non-union, usually being former ship's officers or port managers

⁵⁴ As one example, a union leader in the 1907 New York dock strike, Nino Sabbatino, was, by 1922, a stevedore contractor. Hiring foremen could even become ILA delegates upon relinquishing their post (NYT, 31.1.22)

⁵⁵ New York interview with NYL, 7.4.00

1965, in Britain, also looked askance at this aspect of relations⁵⁶ but within British unionism, no problems of contradictory roles and responsibilities were recognised.

The Stevedores' and Dockers' Union (NASDU) in 1951 for instance, set up on the south side of the Thames its own stevedore contractor firm in the Surrey Commercial Docks, 'Associated Stevedores (London) Ltd.'⁵⁷ NASDU also permitted small employers to join, or to remain in, the union so long as they 'hung up' their dockworker registration books while they were not part of the rank and file. But this custom was not compulsory and 'Wallaces,' a well-known London stevedoring firm of the 1950s, was in NASD.⁵⁸

Disciplinary problems on board vessels were less of a problem for employers in ports such as London where payment by the piece was the norm. If London style hatch gangs slowed down, the result of lost production came largely (though not wholly, since there could be a time-working, or 'minimum wage,' element under defined conditions) out the wages of gangs indulging in the malpractice. Employers in that situation could afford to adopt a more 'liberal' approach to slackness.

But not so in ports like Liverpool or New York, where gangs either ended up with relatively low 'normal' piecework earnings (Liverpool) or were paid the same regardless of their speed of work (New York). It may be the case, in addition, that discipline was slacker under post-1954 Dock Labour Scheme regimes, as Turnbull and his colleagues suggested, than in New York. Certainly, many employers argued that abolition of the Dock Labour Scheme in 1989 improved matters in former 'Scheme' ports.⁵⁹

⁵⁶ Parliament, Ministry of Labour Committee on Inquiry Under the Rt. Hon. Lord Devlin into Certain Matters Concerning the Port Transport Industry, *Final Report*, p. 107.

⁵⁷ Interviews with LONL, 26.7.99, LONU, 26.7.99; *Journal of Commerce*, 2.10.51 The Certificate of Incorporation (no. 490608) was kindly supplied by Les Newman. This venture had 115 employees, each holding shares in the company.

⁵⁸ Interviews in London with LONG, 15.6.99, LONM, 19.8.99, LONP, 7.7.99, telephonic interview with LONU, 24.11.01

⁵⁹ Evans, N., McKay, D., Garratt, M., Sutcliffe, P., *The Abolition of the Dock Labour Scheme* (Department of Employment, 1993) p. 28

As the effects of mechanisation gathered pace, the need for much lower gang sizes became apparent. This was not a novel problem, but it gained in resonance. Over time, a number of contentious practices were negotiated away, the first example being the Pacific Coast longshoremen's agreements in the early 1960s.⁶⁰ Those malpractices generated by 'choke points' faded in overall significance as shipping traffic moved to better-connected sites.

Not all malpractices ceased. As the *New York Times* commented in the latter 1970s, 'Transportation cannot be stockpiled' and 'a brief strike is a calamity to an employer who sells nothing but time.'⁶¹ This economic reality accounted for the survival of malpractices in Britain also.⁶²

STATE PROCESSES AND VESSEL MALPRACTICES

A strong distinction was made by dockworkers between 'legitimate' reforms to the hiring structure and those aimed at changing work practices aboard ships once work had commenced, which were often judged as sacrosanct. Hiring related reforms were relatively easy to secure agreement on, therefore, since (more so in Britain) the major vested interests saw this as an advance on casual employment. Employers, less initially convinced, were ultimately persuaded by unrest provoked (so the argument went) by part-time dockworking and by the threat that government would impose 'decasualisation' regardless of their objections.

Critically, the acceptance by British dock unions of the principle and practices of decasualisation moved the issue along in a way not true of any changes mooted in respect to shipboard practices. This was considered best left for joint committees to address.

⁶⁰ Cf. Killingsworth, C. C., 'The Modernization of West Coast Longshore Work Rules', *Industrial and Labor Relations Review*, vol. 15 no. 3, 1962, pp. 295-306

⁶¹ NYT, 27.2.77

⁶² Interview with LONI, 26.5.99, telephonic interview with LONU, 24.11.01

In recognition of the near certainty of stiff resistance to state involvement in post-engagement practices, wholesale governmental intervention was ruled out, but the state in New York was less inhibited. By the mid-1950s, a unique set of circumstances left the ILA in the port with few of any friends in politics and organized labour. In this situation, comparatively radical measures were launched with a large degree of success.

Shaw Enquiry

Over the course of the First World War, according to British employers, ‘an individual Employer was forced singly to pay high rates and then played off against his next-door neighbour until rates out of all proportion to time work pay were attained.’⁶³ Concerns over slack shipboard discipline surfaced in public in Britain in 1920 when in the course of the Shaw Enquiry, looking into a Transport Workers’ Federation (TWF) wage claim, the question arose as to whether improved guarantees of employment would reduce malpractices.

Focused on the illicit use of ‘go-slow’ tactics to boost earnings, it was stated that the problem was widespread, as was leaving of work early and late starts, perhaps a quarter of dockworkers being involved. Reduced output was the effect and employers voiced the opinion that further measures to regularise employment should be accompanied by reinforcements to disciplinary systems, this being supported by the union, which until then had ‘little influence with the men concerned.’⁶⁴ It was feared that more regular income would otherwise make the men more militant and less concerned to please their operational employers. Other employer demands included an end to restrictive practices and the free use of non-unionised or unregistered men where suitable alternative labour could not be found.⁶⁵

⁶³ Harris, G. G., *Memorandum of the Organisation in London in Respect to Port Labour Matters*, London, 16 July 1937, p. 7

⁶⁴ Parliament, House of Commons, *Report by a Court of Inquiry Concerning Transport Workers - Wages and Conditions of Employment of Dock Labour*, cmd. 55, 1920, pp. 9-16; Shadwell, A., *The Problem of Dock Labour* (Longmans, Green, and Co.1920) pp. 17-22; PRO: LAB 2/688/5: ‘Report by a Court of Inquiry Concerning Transport Workers Wages and Conds of Employment of Dock Labour’

⁶⁵ CA: D42/C1/285: ‘Dockers’ Inquiry – Safeguards’ (13.4.20)

Ernest Bevin at the TWF agreed to use his authority to satisfy some of these demands, so long as the root cause of 'time-wasting', perceived as emanating from the casual system of engagement, was forcibly attacked.⁶⁶ Registration schemes limiting dockworkers numbers, as noted in chapter three, were more widely established. But there it ended, until war broke the impasse in 1939.

World War Two

Means to tighten up work discipline after men were hired were established in Liverpool and London during the Second World War but these proved, more often than not, ineffective, since dock labour was scarce and valued. Employers sought to retain better gangs by, for instance, inventing work for them to do until they were required again.⁶⁷ Localism of work practices was still a major problem and stymied attempts to operate major ports as integrated units.⁶⁸

Wartime transfers of labourers could have helped to standardise work practices, but their use was not widespread, in Britain at least, since labour was scarce everywhere and portworkers often refused to move to ports with 'worse' working conditions to their own.⁶⁹ The understanding throughout was that where work practices were 'diluted' to meet wartime demands, they would revert to the pre-war situation once hostilities ceased.⁷⁰

As the National Joint Council stated in Britain during 1942, 'There is no uniformity of practice nor consistency in policy.'⁷¹ Waterfront employers would rarely stand together 'and in some cases exorbitant rates for overtime were being paid in the

⁶⁶ CA: D42/C1/285 – memorandum of 13.4.20 on the Shaw Enquiry, p. 6

⁶⁷ Interview with LIVK, 26.11.99

⁶⁸ In 1942, the National Council of Port Labour Employers complained that work discipline had suffered and that the Council was rarely consulted about local practices (MMM: PEA Box 44/1: National Council of Port Labour Employers – correspondence: letter of 12.9.42 to members of the executive committee of the National Council).

⁶⁹ MMM: MDHB/PEC/14/2: 'The Liverpool Port Emergency Committee and the Second World War' vol. 2 review no. 15

⁷⁰ MID: National Joint Council for Dock Labour 'Terms of War Emergency Agreement of 24th June, 1940 ...' (London, 1940).

⁷¹ MID: LWA Box 267: 'Resolution for National Joint Council' (1942); MMM: MDHB/NDLB Box 2: report of 28.11.42 from Employers' Association of the Port of Liverpool.

various ports.’⁷² The British government, in the interests of labour peace, was accused of turning a blind eye to known abuses in Liverpool, despite being the direct employer of dock labour there.⁷³ The *Shipbuilding and Shipping Record* also claimed in June 1948 that a 1942 report on waterfront malpractices was suppressed in the name of good ‘labour relations.’⁷⁴

Accounts suggested that the military conflict also enhanced the importance of ‘cost-plus’ practices on both sides of the Atlantic. Stipulating that employers would be compensated by the state for the full cost of a docking operation, cost-plus agreements could encourage ‘featherbedding,’ if oversight was lacking.⁷⁵ Some New York employers openly indicated their concern over the inefficiencies and malpractices that cost-plus contracts invited.⁷⁶

Where cost-plus carried over into the post-war world, its value continued to be a matter of controversy. One interviewee, working in the office of a private contractor stevedore in Liverpool, claimed that the arrangement there ‘was like an open cheque’ for mischief making and cost over-runs, so they required constant attention and surveillance.⁷⁷

Its advantages were evident in situations where the cost of cargo handling was not clear, for example when dealing with a new commodity. Cost-plus was flexible enough to accommodate loose freight cargoes under ‘test bed’ conditions, or where speed of vessel turnabout was more important than its cost, as classically seen in wartime.

⁷² MID: LWA Box 267: minutes of a meeting of the National Council of Port Labour Employers, 20.5.42.

⁷³ MMM: PEA Box 125 file 9: 31.5.50 report by a Liverpool Dock Manager on ‘Discipline.’

⁷⁴ *Shipbuilding and Shipping Record*, 10.6.48

⁷⁵ Green, A ‘The Work Process’ in Davies, S. et al, *Dock Workers: International Explorations in Comparative Labour History, 1790-1970* (Ashgate Publishing 2000) p. 568; (New York) Citizens' Waterfront Committee, *The New York Waterfront*, New York 1946, p. 38

⁷⁶ *NYT*, 24.4.47; Citizens' Waterfront Committee, *The New York Waterfront* (New York 1946) p. 38

⁷⁷ Telephonic interviews with LOND, 4.12.00; NYI, 2.1.01 and NYY, 3.1.01; interview with LIVD, 17.11.00 (all of them long time dockworkers); Morgan, unpublished paper (1983), p. 3, *Times*, 11.3.50; U.S. Congress, Senate. Committee on Interstate and Foreign Commerce, *Waterfront Investigation*, hearings 83rd Congress 1st Session, 1953, p. 293

Post-1945 developments – general comments

From 1945, it was left to joint committees to address the problem of ship level malpractices. The single exception was disciplinary functions, many related to ship level malpractices and delegated to Docks Labour Boards from employers. Scheme rules for instance mandated it to investigate, and if necessary to punish, any violations of ‘the rules of the port or place where (a dockworker) is working.’⁷⁸

Over time, Dock Labour Board disciplinary procedures ‘gradually lost ... momentum.’⁷⁹ The rank and file, for example, resisted its provisions on ‘compulsory’ overtime working in London in 1954, where there was a prolonged walk-off. The dispute was only resolved after an official enquiry brought down a compromise solution that in effect made overtime ‘voluntary.’⁸⁰ This and similar battles with the rank and file sapped the morale of Dock Labour Board officials and made it less likely that action would be taken against shipboard transgressors.⁸¹

Since most British employers were mindful of the regressive consequences for labour relations of making official complaints, and doubted the effectiveness of making a formal criticism to the dock board in the first place, this marked a clear difference from Waterfront Commission practices in New York and accounted for some of the perceived differences in reports of malpractices on board ships. Nevertheless, even in New York, the Waterfront Commission’s policies were modified after challenges.

⁷⁸ Parliament, Ministry of Labour and National Service, *Unofficial Stoppages in the London Docks*, cmd. 8236 (1951) p. 8

⁷⁹ Phillips, G. and Whiteside, N., *Casual Labour: The Unemployment Question in the Port Transport Industry 1880-1970* (Clarendon Press 1985) p. 252; telephonic interview with NYK, 12.3.01 According to the present Legal Counsel for the ILA, the Waterfront Commission and ILA are today in relative accord, after the union successfully challenged in court some of the Commission’s rulings. However, it does seem unrealistic to suppose that all tensions between the two organisations have disappeared.

⁸⁰ Regular overtime working, before 8am or after 5pm, in order to ‘finish’ a ship was a bone of contention in London, partly because earnings without overtime were relatively good in the port. The TGWU and NASDU objected on principle to ‘compulsory’ overtime work and complained that the London Dock Board had disciplined men for refusing to work it. NASDU banned overtime on this issue, without reference to joint committees. The subsequent report recommended that they look into the ‘offending’ Clause 8 and that the relevant Scheme paragraph be amended to allow this to happen (Industrial Courts Act, 1919, *Final Report of a Court of Inquiry into a Dispute in the London Docks*, cmd 9310 (1954))

⁸¹ Turnbull, P. and Sapsford, P., ‘A Sea of Discontent: The Tides of Organised and ‘Unorganised’ Conflict on the Docks’ *Sociology*, vol. 26 no. 2, 1992, pp. 291-309

Following a major strike against it in 1955, it appeared that the Waterfront Commission became more accommodating to ILA anxieties, an effect bolstered by successful appeals by union lawyers against some of its decisions.⁸²

In all ports, the feeling on the shop floor was that shipboard practices were matters for custom and for joint agreement, not state legislation. Such quasi-governmental agencies as the Waterfront Commission had to define for themselves how best to handle this in relation to standards they were mandated to enforce.

Reasons for state involvement

Dock labourers were often the largest single group of workers in waterside areas and tended to vote as a bloc for political groupings that promised to preserve or extend their interests, which usually meant interventionism. Geographically identifiable sections of cities such as the Chelsea district of Manhattan, Red Hook in Brooklyn and Wapping in London were commonly identified with waterside occupations and by tradition voted for parties of the 'left.' (Liverpool's voting history was more complex.)⁸³

Waterfront unions actively sought out governments for various reasons. Aside from policies promoting decasualisation, these included health and safety questions of special relevance in such an accident-prone industry. High among the ILA's concerns was to secure compensation for dockworkers injured at work, a late development compared to Britain.

Until a means was found of controlling the number of dockworkers on a systematic basis, union campaigns were partially effective at best. As Marks explained, 'because open unions could not influence the labour market from the inside by controlling the supply of labour, they focussed on enforcing changes externally, through legislation

⁸² Interview with NYK, 11.4.00

⁸³ Cf. Davies, S., *Liverpool Labour* (Keele University Press 1996); Adams, T., 'Labour and the First World War', *The Journal of Regional and Local Studies*, vol. 10 no. 1, summer 1990, pp. 23-47

and by threatening employers with the consequences of a complete shutdown of their enterprises.’⁸⁴

Political influence over policing during strikes could make or break them.⁸⁵ Arbitration could also involve the pulling of strings. A special interest of American unions was the removal of federal injunctions against striking, issued liberally before 1932 by courts biased in favour of employers’ interests.

British state intervention until 1915 on the docks was performed on an improvised basis and fluctuated with the political imperative to ‘do something’ and with the relative influence of the decasualisation issue, which only became urgent after 1939.⁸⁶ As Wrigley argued, ‘In industrial relations, as in so many areas of policy, the interwar period was significant for what it did not, rather than for what it did, change.’⁸⁷

After 1947, with a change in government policy, the Dock Labour Board underpinned the TGWU on Merseyside as the monopoly representative of registered labour. It chose to interpret dock rules in favour of the union, citing a contentious wartime regulation as giving it discretion over the closed shop question but with no basis in law.⁸⁸

⁸⁴ Marks, G., *Unions in Politics: Britain, Germany, and the United States in the Nineteenth and Early Twentieth Centuries* (Princeton University Press 1989) p. 47

⁸⁵ Clegg, H. A., Fox, A. and Thompson, A.F., *A History of British Trade Unions Since 1889*, vol. 1 (Clarendon Press, 1964) p. 94. In the midst of the 1919 port-wide New York strike, Mayor Hague in Jersey City refused to permit scabs to operate on ‘his’ waterfront and Hoboken police shunted them back to Manhattan.

⁸⁶ Cf. Whiteside, N., ‘Welfare Insurance and Casual Labour: A Study of Administrative Intervention in Industrial Employment, 1906-26’, *The Economic History Review*, vol. 32, 1979, pp. 507-22.

⁸⁷ Wrigley, C. (ed.), *A History of British Industrial Relations Volume 11: 1914-1939* (The Harvester Press, 1987) p. 187

⁸⁸ PRO: BK 2/24 ‘Re:-National Dock Labour Board Employment of Dockers at Merseyside.Transport and General Workers Union. Opinion’ (21.3.55); MID: BPA 369 ‘‘The Closed Shop’ Docks Industry’ (13.10.47) discussed the legal position of dock unions, especially on the ‘closed shop’ situation. There was no formal agreement to this effect even though the practice was closely observed. See also: Jensen, *Hiring of Dock Workers and Employment Practices in the Ports of New York, Liverpool, London, Rotterdam, and Marseilles*, p. 180

Employers tended to go along to keep in the good graces of the other interests.⁸⁹ The situation in New York was less open to doubt or to challenge, since the National Labor Relations Board (NLRB) had repeatedly certified the ILA, according to federal legislation dating from the New Deal era, as the exclusive bargaining organisation in the port, a situation not seriously challenged until 1954.

New York

The atomisation of politics in New York City made the creation of reliable and permanent relationships that could offer the ILA long-term security and legitimacy difficult. Federal codes to underpin unionism such as the Wagner Act of 1932 stabilised union organisation, but not wholly, since much activity was localised and outside the orbit of Washington's authority.

Two interacting approaches were at work in New York. First was a stress on the illegal aspects of industrial phenomena, inherited from the age of the muckrakers. Second was a profoundly decentralised political system in New York City that permitted a multiplicity of competing interests to co-exist in the same political space.⁹⁰ Consequent interventions focused on the New York waterfront were more explicitly politicised, fragile and anti-crime focused than those in Britain. The ILA found it difficult to find reliable partners to argue its case sympathetically when overall political circumstances were unfavourable, marking to out from British waterfront unions.

Every major American political party was to the 'right' in British terms whether by ideology or by economic policy. The one serious attempt to construct a British-type 'Labour Party' with socialist ambitions, in the American Labor Party (ALP),

⁸⁹ Jensen, *Hiring of Dock Workers and Employment Practices in the Ports of New York, Liverpool, London, Rotterdam, and Marseilles*, p. 166

⁹⁰ Commentator Joe Doyle told the story of the wife of the president of ILA Local 791, who sat on a committee deciding zoning matters when nearby piers were closing in the 1970s in a futile campaign to restore the piers to their former use (email from Joe Doyle, 26.1.02; for the general point, see WA: ILA 1927 Proceedings – this told how Chelsea section ILA Locals were influential in the 15th Congressional District covering the docks area (p. 127).

disintegrated in New York City during early Cold War paranoia.⁹¹ The ALP, however, was instrumental in aiding striking Brooklyn longshore workers during their 1951 struggle.⁹²

Sayre and Kaufman explain how, in New York, 'No single, cohesive, enduring group or coalition of groups displays interest in the whole spectrum of governmental decisions.'⁹³ Built upon in an uncontrolled and chaotic manner, public services in the metropolis were overwhelmed by successive floods of immigrants from the late nineteenth century. An urgent demand arose for minimal standards, in which the urban 'political machines' took a pioneering role as a middleman.⁹⁴ Their reach was often exaggerated, as was their 'corruption,' but enough evidence was unearthed to tarnish such them and cooperating unions such as the ILA.⁹⁵

Periodical crusades against political and union 'criminality' were, in fact, a cement holding together the body politic, with a proven ability to sway the outcome of elections. Waterfront 'scandals' featured, especially from 1949 as evidence built of docks violence.

The 1950 Mayoral campaign was particularly newsworthy for its 'knock-about' quality, in which 'underworld' influence in the city's administration was shamelessly

⁹¹ Meyer, G., 'American Labor Party 1936-1956', in Ness, I. and Ciment, J. (eds.) *The Encyclopedia of Third Parties in America*, (vol. 1) (Sharpe Reference 2000); Garrett, C., *The LaGuardia Years* (Rutgers University Press 1961) pp. 265-7; Galenson, W., *The CIO Challenge to the AFL: A History of the American Labor Movement 1935-41* (Harvard University Press 1960) pp. 294, 320; Dulles, F. R., *Labor in America* (Thomas Y. Crowell 1966) pp. 313-6.

⁹² Interview with NYT, 4.4.00

⁹³ Sayre, W. and Kaufman, H., *Governing New York City: Politics in the Metropolis* (W. W. Norton 1965).

⁹⁴ Lowi, T. J., *At the Pleasure of the Mayor: Patronage and Power in New York City, 1898-1958* (Collier-Macmillan 1964) pp. 87, 178-86; Sayre and Kaufman, *Governing New York City*, pp. 562, 581-2, 724.

⁹⁵ For more, read: Hofstadter, R., *The Age of Reform: From Bryan to F.D.R.* (Jonathan Cape 1968); Brownell, B. A. and Stickle, W.E. (eds.), *Bosses and Reformers* (Houghton Mifflin 1973) pp. 1-7; Henderson, T. M., *Tammany Hall and the New Immigrants* (Arno Press 1976); Ostrogorski, M., *Democracy and the Organization of Political Parties*, (vol. 2) (Haskell House 1970); Johnson, M., *Political Corruption and Public Policy in America* (Brooks/Cole 1982).

exploited as a political football.⁹⁶ The 1953 mayoral campaign likewise traded on revelations of port malpractices made by the State Crime Commission and the Democratic candidate, Robert Wagner, promised to drive out the dockland 'racketeers' if he was elected.⁹⁷

Liverpool and London

Institutionalised conflict of this kind between government and trade unions was downplayed in Liverpool and London. British administrations adopted policies seeking to avoid major entanglements with organized labour in strategic industries such as the docks, a task that could be compromised by talk of docks criminality that required police attention and would run up against the strongest union and rank and file objections.

As a pillar of the post-1945 labour movement in Britain, the TGWU was in a key position to exert political influence on Labour governments through its industrial strength, huge financial resources and sponsorship activities.⁹⁸ For this, and for the promotion of wage restraint policies, the TGWU was given a range of general and particular concessions, including the landmark 1947 Dock Labour Scheme, embodying most of what the union leadership had fought for since its formation.⁹⁹

An incoming Conservative administration did not attempt to reverse the gains made under Labour.¹⁰⁰ 'Shaken by the scale of their 1945 electoral defeat, in opposition the Conservatives had come to accept much of Labour's economic and social

⁹⁶ The Mayoral contest between Edward Corsi and his Independent opponent Vincent Impellitteri was described at the time as 'the noisiest, eye-gougiest free-for-all the city has witnessed for decades.' (*Time Magazine*, 6.11.50)

⁹⁷ For the primary campaign in 1953, and the campaign, read: *NYT*, 3.5.53, 17.6.53, 27.8.53, 28.8.53, 2.9.53, 11.9.53, 12.9.53, 9.10.53, 24.10.53

⁹⁸ Up to 70 per cent of Labour Party funds came from unions and they sponsored over 30 per cent of the entire Parliamentary Party after 1945. The TGWU sponsored a number of Labour Members of Parliament and at the Labour Party conference the TGWU had the single largest vote among the unions there.

⁹⁹ Weiler, P., 'British Labour and the Cold War: The London Dock Strike of 1949,' in Cronin, J. E. and Schneer, J. (eds.), *Social Conflict and the Political Order in Modern Britain* (Croom Helm 1982). The period is well covered with reference to the docks in Phillips, J., *The Great Alliance* (Pluto Press 1996)

¹⁰⁰ Smith, *The Attlee and Churchill Administrations and Industrial Unrest*, pp. 93, 110, 145

programme,' as Philips stated.¹⁰¹ Subsequent advancements in the decasualisation realm came largely on the backs of Labour governments, though the political opposition usually went along with 'modernisation' projects until the post-war consensus was decisively fractured in 1979.¹⁰²

RANK AND FILE RESISTENCE TO INCURSIONS

The lesson was clear. Governments varied in their willingness or ability to impose bureaucratic and standardising standards dock practices, with policies designed to interfere with shipboard practices assuming a low priority. This laissez fair position rested upon strong ideological objections against interfering in free collective bargaining, which all parties shared. But it also mirrored 'political' judgements of how strongly unionism and the rank and file would fight state encroachments beyond those previously accepted as legitimate, in the hiring arena.

New York

The interjection in New York of a quasi-governmental agency between employers and unions to deal with employment malpractices - the Waterfront Commission - was viewed with hostility at first. Heightened sensibilities against 'Socialistic' systems, such as dockworker registration let alone incursions into shipboard practices, were further factors special to New York. But working against this was growing impulses in the body politic to address the waterfront criminality issue, which were to become irresistible.

The New York Harbor Waterfront Commission was, like the British National Dock Labour Board (NDLB), removed from most directly 'political' influences. Although chiefly concerned, as was the NDLB in Britain, with engagement questions, the New

¹⁰¹ Phillips, 'The Postwar Political Consensus', pp. 310-1

¹⁰² Evidence for Labour government sympathy towards dock labour questions was seen in the inquiries of 1924 and 1930, even before the 1947 initiative and the 1967 Devlin scheme (*The Economist*, 9.2.24; Tull, G. J. D., *The Port of London Authority 1909 to 195* (PLA 1959) p. 119; Adams, G., *Organisation of the British Port Transport Industry* (National Ports Council 1973) p. 118; PRO: LAB 76/21).

York Waterfront Commission had tougher policies relating to those practices aiding 'criminality.'

The ILA especially opposed Waterfront Commission disciplinary powers, since they bypassed joint agreements.¹⁰³ But Commission spokesmen assured anxious rank and file union members that they had nothing to fear from its incursions, and the Commission was careful to couple its new controls to registration and to higher earnings for 'regular' longshore workers.

In distinction to Dock Labour Boards in Britain, however, the Waterfront Commission actively sought out evidence of criminal activities. This may have had a 'freezing' effect on other dock practices operating at the borderline between the legitimate and the criminal, since the penalties for transgressing Commission rules were severe. The legal divide, for example, between 'bonus' payments made to work gangs and 'payoffs' to them could be murky. To stave off any possible misunderstanding on the part of Commission agents, work practices that could conceivably be defined as violations of the Bi-State Compact establishing the Commission were incorporated into agreements.¹⁰⁴

A 'showdown' of sorts occurred in September 1955 when the ILA rank and file 'hit the bricks' against the Waterfront Commission, acting on a union recommendation.

¹⁰³ The ILA had no direct role in disciplinary matters when they reached Waterfront Commission offices, but the accused could be provided with legal counsel by his union Local (interview with NYK, 11.4.00, telephonic interview with NYZ, 13.2.01; WCNY '1993-1994 Annual Report' p. 10). As in New York, there was a 'double' or even a 'triple' punishment available against offending dockworkers. They could be dealt with in turn by the courts, punished by the NDLS/Waterfront Commission and simultaneously their unemployment benefits could be suspended, in Britain anyway (MRC: MSS. 126/TG2/: TGWU 'Minutes and Reports of the Docks National Trade Group Committee' for 24.1.46). *The Longshoremen's Journal* (Aug. 1960) reported that the ILA was forced by the Waterfront Commission to remove from office an official who stole a car as a 'joy-rider' back in 1922. Also consult the interview with NYQ, New York, 28.3.00, *The Brooklyn Longshoreman*, Feb. 1975. Another contentious area was where ILA members cleared of wrongdoing in a criminal court could still be punished under the Commission's own, less stringent standards of admissibility of evidence (NYT 1.4.54., Nossiter, B.D., 'Waterfront War: Round Two in New York', *The Nation*, 8 October 1955, pp. 298-302; Waterfront Commission, '1993-1994 Annual Report' p. 10).

¹⁰⁴ A Waterfront Commission official argued to this writer that it only targeted payments from employers to union officials. 'Bonuses' given to work gangs were ignored, in theory. But in order to determine if ILA officials received illegal payoffs, Commission investigators would sometimes have to delve into rank and file practices as well.

The ILA demanded a hearing on its grievances against the Commission on its interpretation of its rules, a hearing on its perceived bias against the union in the recent contest with the IBL and on the Commission's role in the hiring process.

However, the strike was ruled as illegal by the courts,¹⁰⁵ while the Governors of New York and New Jersey flatly refused to intervene to help the ILA, as did the AFL union federation that the union belonged to until it was thrown out for its criminality. The NYSA sensed the weakness of the ILA, that was deeply in debt by this stage¹⁰⁶ and sympathetic action from other ports was not forthcoming.¹⁰⁷ The Supreme Court granted an injunction against the union, with further injunctions (and possible fines) in the pipeline. The union's president and general organiser found themselves behind bars for contempt. Faced with this unprecedented onslaught, after eight days the New York strike collapsed.¹⁰⁸

Contrary to the impression given by American authors, of a union treasury 'waiting to be pilfered,'¹⁰⁹ the ILA in New York was under-funded and thus ill equipped for a prolonged struggle. Membership dues were relatively low, compared to those of other AFL unions, leaving little for unemployment, strike or sickness benefits.¹¹⁰ As a consequence, the union 'was always short of funds,'¹¹¹ accounting along with a deliberate policy of rapprochement with employers for the extreme reluctance of the union hierarchy to approve strikes.¹¹² Where criminals attacked union treasuries, this was at the union Local level, where there were sometimes surpluses, though never as great as supposed.

¹⁰⁵ NYT, 8.9.55

¹⁰⁶ NYT, 9.9.55 The ILA's balance as of 31 December 1952 was \$90,480 ('Financial Statement International Longshoremen's Association July 1st to December 31st, 1952').

¹⁰⁷ NYT, 11.9.55

¹⁰⁸ NYT, 14.9.55, New York Waterfront Commission 'Annual Report 1955-1956' pp. 13-4; Axelrod, *Government Covers the Waterfront*, pp. 442-3.

¹⁰⁹ Levy, P. B., 'The Waterfront Commission of the Port of New York: A History and Appraisal', *Industrial and Labor Relations Review*, vol. 42 no. 4, 1989, p. 511.

¹¹⁰ WA: ILA 1931 Proceedings, p. 89, Russell, *Men Along the Shore*, pp. 119-20; AFL 'Report of Proceedings of the 71st Convention' (1952) p. 223.

¹¹¹ Jensen, *Strife on the Waterfront*, p. 212.

¹¹² See WA: film series R-7013, reel 8, frame 851 in which 1920s ILA president Anthony Chlopek spoke of the ILA treasury being 'practically depleted' owing to a strike.

The contrast with the TGWU in Britain could hardly be greater. Although a breakdown into its constituent trade groups is not given in surviving records, during 1952 for example, the TGWU as a unit showed a healthy balance in its financial accounts.¹¹³

Liverpool and London

When post-engagement intercessions were made in Liverpool or in London, therefore, it was with union or joint committee agreement. Furthermore, a rash of post-1945 strikes gave British governments pause for thought over the probable effect of any move it might make 'against' shipboard malpractices. Also staying their hands was a fear of inadvertently giving more power to unofficial rank and file leaders, who had gained a significant following.

Highly controversially, in the major British ports union representatives sat with employers on NDLB disciplinary panels, fuelling discontent among the rank and file who felt that 'their' union should be defending them and certainly not cooperating with capital in making its job easier. A number of unofficial stoppages were caused by this tension, accounting for a significant share of disputes on the British waterfront after 1947.¹¹⁴

The disciplinary mechanism was as unpopular among most employers, since the fact that Board decisions at local level were made on the basis of unanimity could readily result in stalemate. The National Association of Port Employers' for instance complained that the local boards 'have been greatly embarrassed and in some cases almost paralysed by inability to reach a common policy,' and the *Economist* argued

¹¹³ MRC: MSS. 126/T&G/4/1/31: TGWU 'Report and Balance Sheet for the Year Ended December 1952'

¹¹⁴ Turnbull, who has done extensive work on this, gleaned from dock labour board statistics covering July 1947 to July 1955 that 16 per cent of striker-days lost were put down to 'disciplinary' revolts (Turnbull, P. Woolfson, C. and Kelly, J., *Dock Strike: Conflict and Restructuring in Britain's Ports* (Avebury 1992) p. 17). The first Devlin Report, of 1956, noted that 'resistance to obligations under the Scheme' made up 30 per cent of lost time in the major disputes occurring in London from 1949-54 (Parliament, *Port Transport Industry: Report of a Committee Appointed on 27 July, 1955, to Inquire into the Operation of the Dock Workers (Regulation of Employment) Scheme, 1947*, cmd. 9813 (1956) p. 16).

similarly that the National Joint Council was 'hamstrung by the even balance between opposing forces.'¹¹⁵

There was thus a strong feeling among many employers that dockworker offenders 'would get off' if they were unlucky enough to find themselves up before these panels.¹¹⁶ Even if found guilty, the punishment meted out to offenders 'was almost not worth imposing.' On the other hand, the most severe punishment meted out to offenders could be harsh, including removal upon conviction (and subject to appeal) from the industry.¹¹⁷

The fear in Britain was always of making matters worse.¹¹⁸ Summary dismissal of strikers for breaching the terms of joint agreements or port regulations would inflame the situation and provoke a counter reaction.¹¹⁹ Prime Minister Clement Attlee warned against the 'great danger of arousing antagonisms' if disciplinary action was taken against unofficial strikers.¹²⁰ Legal action would only stiffen the resolve of strikers and prosecutions were ineffective when engaged with 'mass indiscipline.'¹²¹

The 'Canadian' stoppage was a major test of will between the 'unofficials,' the Dock Labour Scheme and central government. As the dispute spread to other ports from London, the existence of the Scheme, which had done little to quell the revolt, was placed in doubt.¹²² Nonetheless, the Cabinet agreed that the invocation of existing

¹¹⁵ The *Economist* 20.5.50. For the specifics of the NDLB disciplinary function see interview with LOND, 16.6.99; MID: LPEA Box 40: 'Employers' Association of the Port of Liverpool' (4.1.65), PRO: MT81/16: letter from NAPE of 12.4.47 on the draft Dock Workers Order 1947; *Liverpool Echo*, 15.3.55, 18.10.55, Transport Act, 1947 'Reports by Docks and Inland Waterways Executive on Review of Trade Harbours 1948-50' (British Transport Commission, 1951), p. 45; McKelvey, *Dock Labor Disputes in Great Britain*, p. 57; Hill, S., *The Dockers: Class and Tradition in London* (Heinemann 1976), pp. 30-1. On employer complaints, read MMM: Box 3/No. 3: 'National Association of Port Employers' (11.8.49)

¹¹⁶ See comments in the *Liverpool Echo*, 17.10.55

¹¹⁷ Interviews with LIVI, 15.4.99, LONA, 30.6.99, LONL, 26.7.99, LONS, 8.7.99

¹¹⁸ MID: LEDEA Box 200 'Transport Strike' (21.1.47).

¹¹⁹ MID: LPEA Box 136: 'Discipline' (27.9.48).

¹²⁰ PRO: FO 800/495 'The Working of the Dock Labour Scheme' (15.5.50)

¹²¹ PRO: CAB 128/015: Cabinet conclusions of a meeting on 13.4.49

¹²² PRO: LAB 134/176: minutes of a Cabinet Emergencies Committee meeting, 15.7.49; CAB 128/015: Cabinet conclusions of a meeting on 13.4.49; CAB 128/17: conclusions of a Cabinet meeting of 21.4.50; PRO: LAB 134/176: Minutes of a Cabinet Emergencies Committee meeting, 15.7.49). For the 1948 strike, read: Weiler, P., 'British Labour and the Cold War: The London Dock Strike of 1949,' in Cronin, J. E. and Schneer, J. (eds.), *Social Conflict and*

criminal penalties would ‘merely cause sympathetic strikes elsewhere.’¹²³ With few cards left to play against the strikers, the government resorted to exhortation. The end result was a reduction of ‘the maximum allowable period of suspension from the benefits of the Dock Labour Scheme from three months to four weeks.’¹²⁴

Such problems led Lord Ammon, Chairman of the NDLB, to warn of the government against ‘appeasing’ militancy on the docks, but he was sacked for his remarks.¹²⁵ Port employers (who by and large never wanted the Dock Labour Scheme in the first place)¹²⁶ ended up either ignoring many infractions of port rules, or reporting them directly to the union, as more effective a solution.¹²⁷

Order 1305 prosecutions

Despite these reservations and the dilution of disciplinary functions against on-ship misbehaviour, by early 1951 tensions between the Labour government and dockworkers in London and Liverpool had reached a turning point. An unofficial dock strike had quickly extended from Birkenhead to other ports, involving thousands of portworkers. The outcome was a decision to use the criminal law to control practices in British docks, not unlike the invocation of legal sanctions in New York a short time later to restore order there.

The means came from a wartime holdover, ‘Order 1305’ (1940 Conditions of Employment and National Arbitration Order). This made it illegal for workers to strike for the first three weeks after a dispute been reported and dealt with by

the Political Order in Modern Britain (Croom Helm 1982); *Manchester Guardian*, 21.7.49; MID: LEDEA Box 156, LPEA Box 136; MRC: MSS. 126/TG/3/Sack 30/1; PRO: BK 2/1086, BK 2/1214, LAB 10/904, PREM 8/1081, PREM 8/1085

¹²³ PRO: LAB 134/176: minutes of a Cabinet Emergencies Committee meeting, 12.4.49

¹²⁴ Paper supplied by Jim Phillips ‘Democracy and Trade Unionism on the Docks, 1945-64’ (privately supplied)

¹²⁵ *Journal of Commerce* (Liverpool) 25.9.51

¹²⁶ Interviews with LONO, 16.6.99, LONP, 7.7.99; Mankelow, *The Effects of Modernisation and Change in the London Docks*, pp. 34-5; Wrigley, C. (ed.), *A History of British Industrial Relations, 1939-1979* (Edward Elgar 1996), p. 168. Cf. MID: LPEA Box 137: ‘Committee of Inquiry into Dock Strikes in London’ (1950). John Hovey, in *A Tale of Two Ports* (The Industrial Society, 1990) commented that although the Scheme ‘was an unqualified blessing’ for most dockworkers’ the benefits for employers were ‘less evident’ (p. 29)

¹²⁷ MID: PEA Box 125: ‘Discipline’ (23.5.50); Phillips and Whiteside, *The Casual Labour Problem*, p. 252.

compulsory arbitration. Order 1305 had already been successfully utilised against striking gas workers, in which ten men were fined.¹²⁸

In February 1951, four London and three Merseyside dockers, all leaders in the Portworkers' Defence Committee, were charged under Order 1305 with 'inciting' the dockers to conduct an illegal strike.¹²⁹ The prosecution argued, in April 1951 at the Central Criminal Court trial of the accused, that they led a strike the day after an agreement was struck with the TGWU. This was tantamount, it was said, to 'holding the country to ransom by blackmailing the country by accepting the dictates of the minority.'¹³⁰

Throughout the proceedings were mass strikes and the threat of more to come if the men were convicted. The jury failed to agree on the main counts against the defendants and the case was eventually dropped. Shortly thereafter Order 1305 was repealed.¹³¹ In October 1951, the opposition Tories assumed office but refused to reinstate the Order, having 'learned the lessons of Labour's failures in this area.'¹³²

During late 1951, the Corsi Commission was sent by the New York State Governor into the port of New York with a mandate to explore the causes of an unofficial stoppage in the port. Corsi's report focused on 'undemocratic' practices in the New York dock union, together with possible problems in the balloting process. Although many of his findings focused on industrial relations problems and solutions, the Corsi Report did note local difficulties requiring remedial action, to which the ILA responded in detail within a short period of time.¹³³

The situation in London over the same years of 1951-2 could hardly be different. Leaving aside the indifferent responses in Britain to Goldstein's revelations of TGWY

¹²⁸ Pritt, D.N., *The Labour Government 1945-51* (Lawrence and Wishart 1963) pp. 369-70

¹²⁹ Pritt, *The Labour Government 1945-51*, pp. 437-8.

¹³⁰ *Evening News* (London), 9.4.51

¹³¹ Phillips, *The Great Alliance*, pp. 127-9; Jackson, M. P., *Labour Relations on the Docks* (Saxon House 1973) pp. 49-51. The papers in the case are found in: PRO: CRIM 1/2145: Rex v. Harrison, Dickens, Constable, Crosbie, Cowley, Timothy and Johnson, 8.2.51.

¹³² Smith, *The Attlee and Churchill Administrations*, p. 143.

¹³³ International Longshoremen's Association, *Statement of the International Longshoremen's Association, AFL, on the Report, dated January 22, 1952, of Industrial Commissioner Corsi's Board of Inquiry*, New York 1952

‘corruption’, already alluded to, a committee headed by Frederick Leggett looking at the causes of unrest in London’s port did not touch upon ‘democratic’ practices or malpractices in the same manner as Corsi did in New York. Nor did the TGWU, which had suffered some criticism by Leggett, use the opportunity of the Leggett report to publicly state its case in a separate study. Change was therefore slow, matters allowed to drift, and problems left unresolved.

Devlin

The first explicit endeavour by government to come to grips with shipboard malpractices was made in the mid-1960s. Under Lord Devlin’s plans, all Registered Dock Workers in Liverpool and London were made permanent employees of shipping firms or contractor stevedores, as related in chapter three. The trade-off for better average docks earnings was reforms in other areas of dockwork abolishing, in theory, those ‘restrictive practices’ associated with casualism.¹³⁴ This reassured employers that the costs, to them, of permanent employment would be offset by a better allocation of manpower.

The theory adopted was that once the job security associated with ‘full’ decasualisation became a reality, the thorny issue of restrictive practices would be much easier to address, since their ‘protective’ role was made superfluous. For this reason, Devlin Phase 1, dealing with decasualisation, came first. Under Devlin Phase 2, the wages structure and non-hiring matters in British ports came under the spotlight.¹³⁵

‘Thus employers had moved overnight from a situation,’ writes Hovey, echoing the perspective of many employers, ‘in which they could simply not engage potential troublemakers to one in which they were legally bound to engage them and unable to dismiss them.’¹³⁶ After 1967, local dock labour boards carried on the task of administration of the registration system but employees of permanent employers

¹³⁴ Turnbull and Sapsford, ‘A Sea of Discontent,’ p. 302

¹³⁵ Wrigley, C. (ed.), *A History of British Industrial Relations, 1939-1979* (Edward Elgar 1996) p. 178

¹³⁶ Hovey, *A Tale of Two Ports: London and Southampton*, p. 30.

became subject to the disciplinary procedures of that company.¹³⁷ Acting on another Devlin recommendation, a previously limited shop steward system was extended.¹³⁸ Functioning to settle ship-related disputes more quickly, British shop stewards soon developed independent power bases and a large amount of autonomy from union headquarters.¹³⁹

They ended up operating the shift or allocation rosters in major ports. Informants in Liverpool and London reported that shop stewards were sometimes paid for doing non-existent work, especially those paying good bonuses. Employers could also put them on lucrative overnight work as a 'sweetener,' because of their considerable discretion to interpret port rules. It was also said that in the late 1960s, one large shipping line took shop stewards on free cruises in London.¹⁴⁰

In practice, meanwhile, the reluctance of managers to report dockworker offences carried on. This led to wage inflation, as unauthorised payments gained in importance.¹⁴¹ Employers in London worried as to whether 'To continue ignoring these issues would make it virtually impossible for employers to continue with Devlin Stage 11 negotiations.'¹⁴² Phase 2 was thus a shadow of its effect as envisioned by Devlin, while Phase 1 had given the rank and file huge leverage over employers through permanency of employment.

1970-1972

The effect on docks malpractices of cargo unitisation and containerisation was most evident in London and Liverpool, among the chief British ports. Under Devlin Phase 2, most piece rate structures in London were dismantled because of the disputes they

¹³⁷ Hill, *The Dockers*, p. 30.

¹³⁸ Hill, *The Dockers*, pp. 31-2; Turnbull, Morris, and Sapsford, 'Persistent Militants and Quiescent Comrades.' Until 1967, the only major areas where shop stewards operated were on the London wharves and within the PLA structure.

¹³⁹ This was a key issue in 1972, when the appeals court ruled that the TGWU was not directly responsible for the activities of its shop stewards

¹⁴⁰ Interviews with LIVA, 16.3.99, LIVG, 19.7.99, LIVL, 29.3.00, LONG, 26.5.99, LONJ, 16.6.99, LONM, 19.8.99, LONU, 26.7.99

¹⁴¹ *Daily Telegraph*, 26.8.68

¹⁴² MID: LEDEA 24: Minutes of a Meeting of the London Shipowners' Dock Labour Committee (27.9.68)

always caused and for their inappropriateness to the new kind of traffic. Liverpool moved, ironically, towards more differentiated wage rates, the motive being to supply incentives against the dragging out work, while New York's time-focused wages structure remained intact.

Many unofficial sources of income in Liverpool and London passed into history. Overtime related malpractices were often made irrelevant with the introduction of 24/7 shifts. In other cases, however, employers could still request job and finish type payments for the perennial reason of their ships getting away promptly.

Technological advances pitted port against port and section against section. In London, for example, an arguably generally better labour relations situation at Tilbury away from the central waterfront district helped in part to secure it the bulk of containerised traffic, although the decision by employers to go there was as much influenced by its modern facilities and communications links. A new container facility was constructed in Seaforth, to the north of the established docks in Liverpool. In New York, a decline in shipping in Manhattan was compensated for by a sharp rise in New Jersey's share of trade and Brooklyn retained a part of its break bulk cargo tonnage.¹⁴³ But everywhere, employment levels reduced.

The 1971 Industrial Relations Act gave British workers new rights and a selection of 'unfair' laws and practices previously acting against unionism were outlawed. However, the most important provision of the Act was the proscribing of unofficial strikes, this being the focus of public and political attention.¹⁴⁴ Shortly before the Act was passed, an Unofficial Shops Steward Committee was formed with a policy of opposition to the use of unregistered dock labour even if it meant the use of unlawful boycotting tactics.

This eventually led to the issuing of warrants against five London dockers for illegally picketing an inland container depot employing non-registered labourers in May 1972. Following a brief incarceration, they were released from Pentonville Prison, London,

¹⁴³ New York interview with NYL, 7.4.00

¹⁴⁴ Weekes, B. *et al*, *Industrial Relations and the Limits of Law* (Basil Blackwell 1975) pp. 3-6.

under a legal technicality by the Official Solicitor and - more saliently - after threats of a national stoppage on the docks and then in other sections of industry if they were kept incarcerated.¹⁴⁵ Repeating the woeful experience for the Attlee government of 1951, a massive climb-down by the Heath administration brought use of the criminal law in docklands practices into disrepute.

CONCLUSION

Since there is a large body of material already in the public realm on the causes and consequences of mass stoppages, attention concentrated in this chapter on those lesser-known malpractices involving work aboard vessels.¹⁴⁶ Ship-level malpractices and unauthorised strikes undermined the case for jointly controlled recognition and bargaining systems but were viewed with approval by many dockworkers as the legitimate exercise of their powers. In the process, an attempt by dockworkers to use their economic leverage 'against' employers who in other circumstances treated them dismissively was a factor.

But the constancy of these malpractices, even when dockwork was largely made a permanent occupation, undermined this argument. Inadequate port facilities, more than feelings of resentment, gave registered dockworkers enough of a motive and sufficient opportunities to articulate the objective of 'making up' earnings, whether performed under a casual or under a permanent employment regime. Structural bottlenecks explained the persistence into the 1980s of 'ghosting' ('the payment of (registered dockworkers) for specialist work carried out by the cargo owner's employees') and 'bobbing,' in some British Scheme ports.¹⁴⁷

¹⁴⁵ Interview with LONT, 15.6.99; *Observer*, 30.7.72, Lindop, F., 'The Dockers and the 1971 Industrial Relations Act' *Historical Studies in Industrial Relations*, nos. 5 and 6 (1998).

¹⁴⁶ For a sample, read: McKelvey, J., *Dock Labor Disputes in Great Britain: A Study in the Persistence of Industrial Unrest* (New York State School of Industrial and Labor Relations 1953); Turnbull, Morris and Sapsford, 'Persistent Militants and Quiescent Comrades,' Frankel, E. G. and Marcus, H. S., *Ocean Transportation* (MIT Press 1973) pp. 459-60

¹⁴⁷ The latter meant men leaving work on pay because the negotiated manning levels were too high, according to employers (Evans, N., McKay, D., Garratt, M., Sutcliffe, P., *The Abolition of the Dock Labour Scheme* (Dept. of Employment 1993) p. 28

‘Legitimacy’ therefore came through repeated and successful usage and the fact that employers in most situations went along with the malpractices to keep on good terms with their men. Also smoothing the process of legitimisation was the reality that in most cases, the costs of such malpractices could be passed on to consumers.

Cooke Johnson states, ‘pilfering was regarded as a natural perquisite and living strategy for dock workers under adverse conditions and low rates of pay.’¹⁴⁸ But what this ‘entitlement’ and the broader ‘legitimacy’ viewpoint could not explain was why, after the removal of casualism from the docks, the presumed source of difficulties, shipboard malpractices continued. The answer lay in the constant need for shipowners to get ships away on time, and the exploitation of this ‘structural weakness’ by dockworkers.¹⁴⁹

Lastly, localised practices and malpractices were the essence of the problem. A neglect of this is found in all accounts of the New York waterfront, in spite of the unusually segmented system in force there, whereas British writers such as Phillips and Whiteside admitted the localism of practices in Britain.¹⁵⁰

The principle sway of shipboard gang malpractices in Liverpool, London and New York was rooted in inefficient delivery systems working with decentralised arrangements. Montgomery reported thus that early New York port contractors were ‘susceptible to negotiating their own deals with their particular employees, if need be.’ Kimeldorf also alluded to the ‘developed sectional feeling’ in New York.¹⁵¹ The

¹⁴⁸ Cooke Johnson, L., ‘Criminality on the Docks’ in Davies, S et al (eds.), *Dock Workers: International Explorations in Comparative Labour History, 1790-1970* (Ashgate Publishing 2000) p. 725

¹⁴⁹ The head of the Ecuadorian Line, in Port Newark, testified during the UNIRAC trials that he paid off union officials who worked his pier there being aware that labour troubles could close his operation in the section (U.S. Congress, Senate Committee on Governmental Affairs Permanent Subcommittee on Investigations, *Government's Ability to Combat Labor Management Racketeering*, hearings 97th Congress 1st Session, 1981, p. 399)

¹⁵⁰ Phillips, G. and Whiteside, N., *Casual Labour: The Unemployment Question in the Port Transport Industry 1880-1970* (Clarendon Press 1985) pp. 113, 220

¹⁵¹ Kimeldorf, H., *Reds or Rackets? The Making of Radical and Conservative Unions on the Waterfront* (University of California Press 1988) p. 46

disorganisation of port capital mirrored that of labour¹⁵² and this accounts for variations between, as well as across, ports.

Remaining stable was the ‘fragility’ of the cargo-handling process, that could be interrupted at any point and was highly susceptible to manipulation. But away from these industrial dynamics, the process of constructing a ‘workable’ definition of docks malpractices was politically loaded, notably so when ship focused practices and malpractices were concerned. As a general point, where waterfront interests were deeply entrenched in a given political system, there was less danger of port practices being stigmatised for political gain. This affected the likely reaction to post-engagement malpractices.

Governments from 1945 applied two competing paradigms of major dock malpractices, the legal/conflictual (associated with New York) and the industrial/consensual (focused on Liverpool and London). A legal position became associated with notions of ‘organized crime infiltration’ of the sector, with police style ‘crackdowns’ and with the stringent use of the criminal law against dock malpractices.

The British style consensual approach sought to deal with ‘underlying’ problems, but with no or little suggestion of criminality. For political reasons, and due to a desire not to upset the status quo, successive British institutions chose to view malpractices on the British docks as simply ‘time-wasting,’ or of ‘lost productivity,’ all of them market related definitions that avoided any questions of legality or ethicality that could be used to attack unionism.¹⁵³

In New York, the ILA was sufficiently weakened for a time in the 1950s, politically and industrially, to allow a permanently expanded state role within the field of ship-level malpractices, explicitly in the name of the fight against ‘organized crime’ and ‘racketeering.’ Matters like these were of political and legal significance.

¹⁵² MMM: National Council of Port Labour Employers – correspondence: PEA Box 44/1: letter of 16.6.43 on ‘Re-Amended Draft Constitution.’

¹⁵³ Parliament Ministry of Labour Committee on Inquiry Under the Rt. Hon. Lord Devlin into Certain Matters Concerning the Port Transport Industry, *Final Report*, pp. 11-12.

The question remains as to how these understandings specifically related to practices and malpractices within three ports selected. Chapter five begins this process, in the port of Liverpool. Liverpool supplies an example of a major docks complex where unionism was far from secure, yet where important and large-scale unconstitutional and illegal practices were historically entrenched.

CHAPTER FIVE

LIVERPOOL: MALPRACTICES AND CASUALISM

INTRODUCTION

A key ingredient in generating and reinforcing malpractices was 'material' dynamics, through the economic power they conferred. Over time, if applied with repeated success, they assumed 'independent' existence from feelings of injustice and exploitation. But such sentiments, part of the original justification for malpractices, were never wholly absent when casual working had such a long history on the local waterfront. Combined with this, in Liverpool, was a payments system that inadvertently encouraged the spinning out of work and allied malpractices.

Chapter five revolves around 'out and home' and 'welting' practices as the embodiment of entrenched malpractices in the docks. While they did not represent the totality of improper waterfront practices in Liverpool, they involved the most number of dockworkers and employers.¹ Other malpractices were widely recognised as not on the same scale either economically or industrially.² The port of Liverpool supports the case advanced that malpractices in Liverpool and London were at least on a par with any found in New York, at least after engagement, and contrary to the received wisdom encapsulated or implied in every work cited and outlined in chapter two.

The assumed effect of a monopolising docks unionism on bolstering malpractices may have been over-stated, the Liverpool example suggests. American sources, thus, implored that curbs be placed upon the ILA's 'closed shop' authority over 'the waterfront' and the Waterfront Commission cracked down on some of the union's

¹ An interviewee in Liverpool told, for example, of an episode where tonnage statistics were 'fiddled' so that the gang could get more pay and the quay foreman concerned would 'look good' (interview with LIVD, 17.11.00).

² 'Late starts and early finishes ... are irritating, and moderately costly. But the cost is nothing compared with the welt' (MID: LPEA 40: 'Employers' Association of the Port of Liverpool' (4.1.65) p. 47). 'Secondary' malpractices generated complaints over bad timekeeping, inflated manning levels and over-long meal breaks (MMM: D/PEA/2/9 Employers' Association of the Port of Liverpool Dock Joint Committee minutes, 1947-8. For the 1930s see MID: BPA Box 292 'Onerous Conditions and Restrictions' (24.2.31).

practices, which it was felt were being grossly abused by officials. But if the 'problem' lay elsewhere, in the overall industrial structure, this was at best a partial answer and at worst a diversion of resources. Moreover, where union controls were relatively fragile, 'anarchy' could prevail, bolstering cases of malpractice outside of any formal control. This seems to have occurred in Liverpool from the 1950s.

UNION HISTORY

In Liverpool, after 1955 two powerful union organisations, the TGWU, and the National Amalgamated Stevedores' and Dockers' Union (NASDU) divided the men, based on difficulties among the rank and file over the TGWU's notion of 'democracy' (see chapter two). For although the constitution of Dock Labour Boards afforded some 'participation' by the men's representatives in disciplinary matters, unlike in the rest of industry, the absence of 'practical democracy' in run-of-the-mill union matters fuelled continual criticism and feelings of disassociation from union procedures generally.³

Devlin in 1965 estimated that non-unionists in the port comprised 'maybe one third' of the total. Perhaps 4,000 NASD union members worked on the docks in 1963.⁴ Inside this setting, in which sources of authority, legitimacy and trust were extremely diffuse, sheer industrial muscle too often became the paramount consideration in labour relations, exacerbating a tendency seen since the 1900s for dockworkers to down tools when thought expedient. 'In short,' it was argued, 'the employer has kept them down and the Union has not brought them up.'⁵

Liverpool's docks union history was one of relatively early successes, upset by fractures that grew in intensity after 1950. Malpractices that had already taken hold, especially in the 1940s, were extended and developed while unionism fought itself. Preoccupied with internal rifts, and fearing more problems if the matter of 'popular'

³ The term 'practical democracy' comes from a paper by Jim Phillips 'Democracy and Trade Unionism on the Docks, 1945-64' kindly supplied by the author.

⁴ Parliament, Ministry of Labour, Committee on Inquiry Under the Rt. Hon. Lord Devlin into Certain Matters Concerning the Port Transport Industry, *Final Report*, cmd. 2734 (1965) pp. 38-9.

⁵ MID: LPEA Box 40 'Employers' Association of the Port of Liverpool' (4.1.65) p. 8

malpractices was pursued with vigour, few assets were made available by union organisations to address them. And employers found that sporadic drives they made against the major malpractices were stymied by the non-cooperation of key elements in their ranks.

The first attempt to organise Liverpool portworkers was made by the U.S.-based Knights of Labor. The Knights, still recovering from their defeat in New York port in 1887 (see chapter seven), and aware of the extent to which imported non-union labour undermined their own campaign efforts, sought to strangle the flow of 'free' labour from Britain at source. But the Knights' faded from view, their role in representing the unionised fraction of the dockworker community being taken over by the National Union of Dock Labourers (NUDL).⁶

The NUDL was formed in 1889, first recruiting members on a wide basis throughout Scotland (where it began), Belfast and other British ports. Like the majority of Liverpool portworkers, the first union chief executives, Edward McHugh and Edward McGhee, were of Irish ancestry.⁷ A year later, the leadership was pushed into support of a work stoppage that was supported by the rank and file despite the fact that no claim had been officially formulated, and which promptly collapsed. Conflicts of this type between unionists and their leaders, illustrated the complexity and fragility, sometimes, of the relationship, and was seen in New York as well.

Union recognition

At this point, the Liverpool union's objective, like that of unions in New York and London, was limited to the right for unionists with the appropriate skills to be hired first at engagement stands. Fractures inside the NUDL made the task difficult, but favouring the project were divisions among port employers that functioned, as

⁶ During a 1870s New York strike, for example, it was reported that imported Glasgow men had helped smash the job action. For the Merseyside saga of the Knights of Labor, consult Pelling, H., 'The Knights of Labor in Britain, 1880-1901', *Economic History Review*, vol. IX (1956), pp.313-31 and Bean, R., 'A Note on the Knights of Labor in Liverpool, 1889-90,' *Labour History*, vol. 13 no. 1, winter 1972, pp. 68-78

⁷ Coates, K. and Topham, T., *Making of the Labour Movement: The Formation of the Transport and General Workers' Union, 1870-1922* (Spokesman Books, 1994) p. 80

elsewhere, to offset drawbacks on the labour side. Uniting most labour was the fact of irregular earnings, fostering solidarity of action and feeling.

A few larger shipowning enterprises had offered permanent employment before 1879, though this was seen (in common with New York and London) as much in terms of suppressing the growth of unionism as in offering a 'better deal' to their employees.⁸ Liverpool employers until the 1900s seemingly held the upper hand in dealings with the NUDL, helping to explain their refusal to join the Shipping Federation in 1890 as an unnecessary expense, a position underlined by their resounding victory in a strike on Merseyside that year.⁹ Many smaller Liverpool employers had conceded recognition to the union by then however, giving the NUDL a foothold in the port, though leaving unfinished the task of convincing the bigger steamship lines on the North End docks especially to concede.¹⁰

Employer hostility to unionism owed much to a strain of individualism within larger steamship lines, even more so in Liverpool than in London.¹¹ Major exceptions existed, such as the Cunard Line, which had accepted unionisation in Liverpool and had tacitly given way in Brooklyn, New York, to the longshore union there because of its potential to stir up unrest.¹²

The NUDL finally won recognition throughout most of the port in early 1911, and before similar arrangements were made with waterfront unions in London and New York. This was prior to the industrial militancy seen across the British transport industry later that year, and appeared to be the product of changing employer attitudes as they sought to remove 'the uncertainties produced by the labour situation in the port' permanently.¹³

⁸ *Liverpool Daily Post*, 3-25 February 1879.

⁹ Bean, R., 'Employers' Associations in the Port of Liverpool 1890-1914,' *International Review of Social History*, vol. XXI (1976) pp. 361-3

¹⁰ Lovell, J., 'Sail, Steam and Emergent Dockers' Unionism in Britain, 1850-1914' *International Review of Social History*, vol. XXXII (1987) pp. 230-49

¹¹ Bean, R., 'The Port of Liverpool Employers and Industrial Relations' in Anderson, B. L. and Stoney, P. J. M. (eds.) *Commerce, Industry and Transport* (Liverpool University Press, 1983), pp. 95-120.

¹² See chapter seven.

¹³ Bean, 'Employers' Associations in the Port of Liverpool 1890-1914,' pp. 382-3

The exact causes of the 1911 docks strikes are in dispute, but a few factors were of importance. Trade was on an upswing, employers were in disarray; the dispute threatened to spread to other sectors. Meanwhile the Shipping Federation, the scourge of London port unions, was an insignificant force in Liverpool. Its unifying role and expertise therefore proved unavailable when unionism was on an upswing.¹⁴

Contributing to the process in Liverpool of union recognition, as in London and New York, was that unionised dockworkers were presented by the NUDL as more reliable and hard working than the surplus, and therefore less risky to employ if a vessel owner was desirous of sailing on time and in safety. Safeguards on this were incorporated into joint agreements. According to the 1911 joint agreement, 'The Union undertake to do their utmost to secure that the work shall be carried out efficiently.'¹⁵

Of consequence in altering employer policies on Merseyside was the dock Clearing House Scheme of 1912, promoted by central government and requiring a permanency in the relationship between local capital and labour. Serving as a model for later initiatives in London, unionised portworkers were, in principle, first offered the more steady work. The expectation was that any labour oversupply would be rapidly identified and allocated to areas of work in which it was needed without difficulty. Employers, who would fund the Scheme with the state, expected that a less disruptive and strike-prone workforce would emerge from the process.¹⁶

Clearing House Scheme provisions succeeded in reducing dockworker numbers on Merseyside from 31,000 in 1913 to 21,500 in 1932¹⁷ but it ran into problems after many employers refused to join. Port register numbers were also maintained beyond that necessary, in deference to rank and file sensibilities against compulsory layoffs

¹⁴ The Federation's activities in Hull are recalled in Brown, R., *Waterfront Organisation in Hull 1870-1900* (University of Hull 1972)

¹⁵ 'Agreement as to Terms and Conditions of Dock Labour in the Port of Liverpool' (August, 1911)

¹⁶ Taplin, E., *The Dockers' Union: A Study of the National Union of Dock Labourers, 1889-1922* (Leicester University Press, 1985) pp. 108-11.

¹⁷ New York State Legislature, *Preliminary Report of the Joint Legislative Committee on Unemployment*, Legislative Document (1932) no. 69 (1932) p. 79; McKelvey, J. *Dock Labor Disputes in Great Britain: A Study in the Persistence of Industrial Unrest* (New York State School of Industrial and Labor Relations, 1953) pp. 16-18.

and by a refusal in the part of the NUDL to sack unionists who had spent their working lives in the industry.¹⁸

With 'the most comprehensive agreements' on the British waterfront, those in Liverpool stood for a time as an example of what could be achieved.¹⁹ The quid pro quo for wider acceptance of union controls by the employers' association was tighter discipline over labourers through the joint committee system, and with 'quickie' unofficial stoppages marked out for special approbation.²⁰

Nonetheless, practices remained largely unaffected once employment was secured. The 1911 agreement did not abrogate previous 'methods of working cargo'²¹ and in view of the inadequacies of the Clearing House Scheme, hiring corruption remained a distinct possibility. Additionally, the unofficial strike 'became a characteristic weapon and persisted after the NUDL was established much to the annoyance of both employers and union officials.'²² On the positive side, the NUDL had been formally recognised by all major employers. And despite its myriad of acknowledged problems, the joint agreement structure did promise more constructive labour relations, even if it did not always meet early expectations.

UNION DIVISIONS

Waterfront labour in Liverpool nonetheless remained fractured and was hardly in a position to make powerful demands on employers. By no means all portworkers were registered or unionised for instance, either before or after World War Two.²³ Non-

¹⁸ Wilson, D., *The Dockers* (Fontana/Collins, 1972) p. 68; MID: BPA 305 The Port of Liverpool Dock Labour Clearing House Scheme (1937).

¹⁹ The terms of the 1911 agreement are set out in 'Agreement as to Terms and Conditions of Dock Labour in the Port of Liverpool' (August 1911). Kindly supplied by Eric Taplin.

²⁰ Bean, R., 'Custom, Job Regulation and Dock Labour in Liverpool, 1911-39,' *International Review of Social History*, vol. XXVII (1982), pp. 271-89; 'Rules of the National Union of Dock Labourers in Great Britain and Ireland ...' (November 1889) supplied by Eric Taplin.

²¹ Lovell, J., 'Sail, Steam and Emergent Dockers' Unionism in Britain, 1850-1914', *International Review of Social History*, vol. XXXI, 1987, p. 247

²² Taplin, E., 'The History of Dock Labour: Liverpool, c. 1850-1914,' in Davies, S. et al (eds.), *Dock Workers: International Explorations in Comparative Labour History, 1790-1970* (Ashgate Publishing, 2000) p. 462.

²³ MID: BPA 305 The Port of Liverpool Dock Labour Clearing House Scheme (1937). Authors such as Jensen wrongly assumed that a closed shop situation existed from 1911

unionists (known colloquially as 'nonners') became part of the fixture of dock relations, mainly employed after unionists but at times taken on when no union official was around to police the agreement's clauses on the preference system.²⁴

In the background, as daily issues, were disparities between union members in the port, where 'Dockers are often concerned more with the relative fairness of wage packets than their absolute size.'²⁵ Agreements would include provisions for a multitude of rates and these proved a huge source of discontent and disunity among labourers.²⁶ When union executives appeared unable to control their membership, employers every so often suspended joint meetings and even threatened to terminate agreements 'if there was a sign of serious trouble.'²⁷

Taplin noted that after 1945, 'Liverpool port workers proved to be as militant as their counterparts elsewhere.'²⁸ A number of major unofficial stoppages on the docks gave the Merseyside dockworkers a reputation for striking without hesitation if their practices and the union were attacked. In 1945, a walk-off over a wage grievance brought the port to a halt while during 1946, 200 dockers struck after it was alleged that some gangs had been given better treatment. Similar strikes, all of them unauthorised by the union leadership, took place throughout the 1950's, often starting over some trivial matter to outside observers²⁹

(*Hiring of Dock Workers*, p. 179)

²⁴ Interview with LONG, 15.6.99, a TGWU Docks Group official, who travelled to various ports as part of his duties; MMM: audio taped recording of Frank Dooley; Jackson, M.P., *Police Making in Trade Unions* (Avebury, 1991) pp. 49, 59. Warehouse men for example could be non-unionists (Hanham, F.G., *Report of Enquiry into Casual Labour in the Merseyside Area* (Henry Young, 1930) p. 111). During the 1930s slump, in excess of 2,000 registered men found work only irregularly from a total registered labour force of 16,700 (Hanham, *Report of Enquiry into Casual Labour in the Merseyside Area*, p. 75)

²⁵ MID: LPEA Box 40: Employers Association of the Port of Liverpool (4.1.65) p. 9

²⁶ On the relevant agreements, see, for example, MMM: MDHB/NDLB/Box 5 (booklets) National Joint Council for the Port Transport Industry 'Terms of Agreement Between the National Association of Port Employers ... and the Transport and General Workers' Union ...' (3.7.47).

²⁷ Bean, 'Employers' Associations in the Port of Liverpool 1890-1914,' pp. 382-3

²⁸ Taplin, *The Dockers' Union*, p. 162

²⁹ McKelvey, *Dock Labor Disputes in Great Britain*, pp. 31-2; *Liverpool Daily Post*, 3.9.46; *Times*, 8.10.53, 19.9.55, *Liverpool Post*, 27.8.56, 26.11.57

Interacting with these dynamics was a further element for volatility. The Stevedores' and Dockers' Union (NASDU) established a strong beachhead in the port in 1955, trading on the burning issue of 'undemocratic' practices within the TGWU.³⁰ NASDU involvement had profound results, since it exacerbated an already troubled union structure.

Almost from the start, the TGWU's predecessor, the NUDL, was criticised for its 'autocratic' style of governance over members. In 1890 Thomas Kiernan, the first NUDL union secretary, distributed a pamphlet accusing then-union secretary Edward McHugh and Richard McGhee, the first NUDL president, of being in the 'pockets' of shipowners. McGhee in fact held a small share in the Irish National Steamship Company, which ran boats during a 1889 Glasgow strike. Kiernan was found guilty of defamation and ordered to pay the costs of the prosecution³¹

Distrust bordering on hatred of James Sexton, the longest serving NUDL head, for his overly 'cosy' relationships with port bosses crossed generations of portworkers. One interviewee from a long-time docks family still recalled Sexton as 'a collaborator, an informer, a womaniser.'³² 'More than any other trade union leader of his generation', Taplin remarked, 'Sexton had to endure persistent animosity from disaffected individuals and groups within the union.'³³ An especially sore point with many was the way in which he rammed through the 1912 Clearing House programme in the face of opposition and before which no ballot was taken.³⁴

TGWU officials, who had in 1922 assumed the NUDL's responsibilities, too often took on the appearance of sitting back comfortably in sinecures obtained through patronage-laden activities, in a manner strikingly similar to that argued in New York by those in opposition to the docks leaders in that port. Jack Jones related how, in the 1930s Garston docks nearby, 'Full time trade union officials on the docks were

³⁰ Sinclair, K., *How the Blue Union Came to Hull Docks* (privately printed 1995) p. 19

³¹ *Liverpool Mercury*, 19.12.1890; *Times*, 22.12.1890

³² Interview with LIVA, 16.3.99

³³ Taplin, *The Dockers' Union*, p. 165.

³⁴ *Liverpool Daily Post and Mercury*, 18.7.12

inclined to become tin-pot dictators, upholding the decisions of management and resenting any queries or complaints from the men.’ Furthermore, according to Jones, ‘the role of full-time trade union officials was, all too often, to secure acceptance of management policies.’³⁵

By the early 1950s, disaffection with the TGWU was growing. The number of non-unionists seemed to be on the rise and NASDU was successful in ‘poaching’ many TGWU members.³⁶ A delegate from Liverpool visited the Royal Docks in London at this time, concluding ‘the difference in earnings for work done is to say the least ridiculous.’ Much of the blame for the lagging performance was placed on TGWU negotiating policies in Liverpool.³⁷

Criticism of alleged TGWU misrule extended to nearby ports, for example Salford and Manchester docks. Charges levelled against the TGWU there included an uninterested attitude in the part of union officials to complaints from unionists and the settlement of disputes without any reference back to the membership, creating the ‘deep suspicion and distrust’ which flared up in job actions.³⁸

In late 1954, at a mass meeting at Birkenhead, across the River Mersey from Liverpool, a resolution was passed declaring that the men had ‘no further confidence in the officials and policy or the undemocratic structure’ of the TGWU.³⁹ Thousands of Liverpool portworkers rushed to join the NASDU, in mid 1955, ‘splitting families.’⁴⁰

Although the NASDU threat was contained after a six weeks long struggle and following TUC intervention, a lesson was learned. Accommodation to rank and file

³⁵ Jones, J., *Union Man* (Collins 1986) p. 29.

³⁶ NASDU customs were double-edged so far as employers were concerned. Its means of disciplining members was judged as more effective than that of the TGWU. But NASDU decision taking was slower and its ‘overly’ democratic system could cause delays.

³⁷ LRO: 329COM/13/7 ‘Report Back of Branch Committee Delegates Fact Finding Visit to London Docks’ (ca. 1950s).

³⁸ *Salford City Reporter*, 17.6.55

³⁹ Parliament, Ministry of Labour Committee on Inquiry Under the Rt. Hon. Lord Devlin into Certain Matters Concerning the Port Transport Industry, *Final Report*, cmd. 2734 (1965) p. 35

⁴⁰ Interview with LIVA, 16.3.99; MID: LWA Box 127; MRC: MSS. 126/TG/3/sack 45/2; PRO BK 2/87, LAB 10/1374, LAB 10/1506, *Times* 14.5.55

interests and anxieties was to become more pronounced, though taking to the 1960s to fully bear fruit. Paralleling 'reform' developments in New York from the mid 1950s, with the election to office of Frank Cousins in 1956 and his successor Jack Jones to the TGWU General Secretaryship, power in the TGWU was gradually devolved. Relations between union officials and their members did improve, helped by internal pressures, criticisms made by Devlin in 1965 and new leaders such as Jones. 'In the docks, as perhaps elsewhere,' Phillips recalled, 'the 'Cousins era' was one of transition, a period when the absence of democracy was recognised if not decisively addressed by the TGWU.'⁴¹

Signalling the new policy, in Hull, three full-time TGWU officials were sacked in 1966 after complaints from the membership over their apparent lack of engagement in membership matters and amid indications that NASDU was taking away TGWU members. In 1965, NASDU was recruiting 'harder than ever' in Hull and the large number of wildcat strikes was a clear expression of frustration with the TGWU in the port. The officials concerned were found to be in neglect of duty, ignorant of basic aspects of their job, and were discovered out drinking when supposedly at work, sometimes with employers⁴²

Leadership-sponsored TGWU campaigns like this were less related to the sudden conversion to the cause of union democracy as to the need to stem the flow of members through offering more. A similar movement was evident in New York. As chapter two point out, the TGWU was in key respects as 'undemocratic' in operation as the ILA was.

Influences on working practices

Dock working practices were deeply affected by such dichotomies within unionism. Whatever the public admonitions against the use of malpractices to achieve better earnings, TGWU docks officials feared more defections to the NASDU if they

⁴¹ Paper by Jim Phillips, 'Democracy and Trade Unionism on the Docks, 1945-64,' privately supplied.

⁴² Interview with LONG, 26.5.99; Phillips, J., *Democracy and Trade unionism on the Docks, 1945-64* (privately supplied); *Financial Times*, 7.10.65; *Daily Mail* (Hull), 27.9.66, 26.1.67

cracked down hard on those involved in misbehaviour that had the approval of most of the men.⁴³ The Liverpool waterfront North Side docks became known as a NASDU stronghold in the port, though TGWU members continued to work there, while NASDU was especially numerous on the South End docks in the latter 1950s.

Dual unionism in the port caused chaos for employers and their agents. Hiring bosses became involved in the difficulties of selecting gangs from the two different unions.⁴⁴ Where the relevant work gang was composed of a mixture of different union members, only TGWU delegates were called to arbitrate a problem. Gangs consisting solely of NASDU men or 'nonners' had a struggle getting their case even heard.⁴⁵

The 1965 Devlin Committee recounted how 'If a T & G shop steward takes charge of a given area of the docks, the Blue Union will elect another of their own, whether or not he is recognised, and every card-holding member of the Blues or even sympathisers will demand to be represented by this steward, perhaps inventing grievances for the purpose.'⁴⁶ And some dock labour board employment points were unofficially 'known' as the preserve of one union or the other.⁴⁷

Labour splits meant that 'employers (could) have no assurance that agreements entered into will be accepted by the workpeople as a whole.'⁴⁸ The corroding effect of these conflicts also helped to strangle campaigns, for instance to decasualise all unionists.⁴⁹

For pragmatic reasons, employers recognised the TGWU for bargaining purposes, and excluded the NASDU, fearing the disintegration of the system otherwise. The Liverpool Dock Labour Board had cooperated with the TGWU in imposing a closed

⁴³ PRO: BK 2/66 'Notice to Dock Workers' (April 1951).

⁴⁴ Interview with LIVI, 15.4.99

⁴⁵ MID: LPEA 40 'Employers' Association of the Port of Liverpool' (4.1.65) p. 60

⁴⁶ Parliament, Ministry of Labour. Committee on Inquiry Under the Rt. Hon. Lord Devlin into Certain Matters Concerning the Port Transport Industry, *Final Report*, p. 108

⁴⁷ Interview with LIVL, 29.3.99

⁴⁸ Parliament Committee on Inquiry Under the Rt. Hon. Lord Devlin into Certain Matters Concerning the Port Transport Industry, *Final Report*, p. 39.

⁴⁹ MID: LPEA Box 40 'Employers Association of the Port of Liverpool' (4.1.65) p. 37.

pre-entry shop.⁵⁰ The Employers' Association argued that 'recognition of the NAS & D would in all probability bring down the immensely complicated local structure of agreements under which ... the port functions. The imagination boggles at the consequences of an industrial free-for-all in the docks, and as to the terms on which peace would eventually be restored.'⁵¹

A TGWU-bias in Liverpool's labour relations system mirrored the situation at national level, where NASDU representatives were excluded from the National Joint Council for the Port Transport Industry.⁵² Because of this, NASDU was fully represented for bargaining purposes only in its London base. A number of dockworkers joined both unions in order to maximise their options and earning power.⁵³

Others used the confusion to let their union membership lapse altogether. On 'White' docks facilities, men (particularly in the TGWU) who were originally registered on the basis of their union membership might pretend to have lost their union card, or were supposedly waiting to be issued with a new one, in order to gain work.⁵⁴ The largest single number of man-days lost on Merseyside docks between 1959-64 was linked to inter-union disputes and to efforts by the TGWU to expel NASDU from the port. In 1962, for instance, the TGWU decided to underline its status in the port by instructing its members not to work with the NASDU rank and file. This backfired when its men refused to go along and after employers withdrew their backing.⁵⁵

In 1966, it was estimated that about two thousand portworkers were members of neither union.⁵⁶ With unionism so unstable, the question of reform of work practices and of malpractices practiced by the rank and file was placed in abeyance or only given cursory attention by the unions.

⁵⁰ Jensen, V. H., *Hiring of Dock Workers and Employment Practices in the Ports of New York, Liverpool, London, Rotterdam, and Marseilles* (Harvard University Press, 1964) p. 181.

⁵¹ MID: LPEA 40 'Employers' Association of the Port of Liverpool' (4.1.65) p. 33

⁵² MID: LWA 304 The Port Employers in London Submission to the Committee of Inquiry into the Docks Dispute Under the Chairmanship of Lord Devlin (n.d.)

⁵³ Telephonic interview with LONG, 23.4.01 a former high ranking NASDU official who travelled to Liverpool on union business

⁵⁴ Telephonic interview with LIVG, 17.7.03

⁵⁵ *Times*, 4.6.62

⁵⁶ *Daily Telegraph*, 19.9.66

EMPLOYER DIVISIONS

As elsewhere across these ports, employers were seldom as one voice when confronting labour. Lack of consistency and solidarity between them was ‘a basic reason for so many failures to restore normal industrial discipline.’⁵⁷

The chief mechanism for drawing together port capital was the non-profit making Mersey Docks and Harbours Board (MDHB), which controlled from 1857 the infrastructure context in which docks customs and practices functioned, alike in its structure to the Port of London Authority (PLA).⁵⁸ Most cargo handling remained in the private sector, but critics suggested that through its system of licensing port operations, Board members, usually shipping entrepreneurs, could strangle potential competition at birth.⁵⁹

Like their counterparts in London and New York, Liverpool dock employers varied greatly in size but were usually concerned on the individual level to avoid time delays, sometimes making payoffs to labourers a beneficial decision. Until 1967, for instance, there were about 114 registered port employers in Merseyside, mostly poorly resourced, only seasonally active and virtually unregulated. The smallest operators in the port were reported to ‘borrow’ equipment without authorisation; and ‘they were up to everything.’⁶⁰ This group of employers along with irregularly berthed ships owned by ‘non-resident principals’, who had far less of a stake in orderly bargaining,⁶¹ were consequently at the forefront of reinforcing malpractices.

Employer schisms added to the list of ingredients of a structural nature that made malpractices possible and profitable. Overlaying the majority of dock malpractices in Liverpool, making it distinctive from the other two ports, were problems of lack of employment security, to which we now turn.

⁵⁷ MID: LPEA Box 40 ‘Employers’ Association of the Port of Liverpool’ (4.1.65) p. 38.

⁵⁸ Although master stevedoring firms, the major employers of labour, were formally independent of the Board’s deliberations on Merseyside, they were sometimes ‘represented’ through associated or owning shipping lines.

⁵⁹ Interview with LIVA, 16.3.99

⁶⁰ Interview with LIVA, 16.3.99

⁶¹ MID: LPEA Box 40: Employers’ Association of the Port of Liverpool (4.1.65) p. 27

EMPLOYMENT PATTERNS

Marking out Liverpool was its proportionately larger casual dock population, in which employment fluctuations were much greater than those in London or New York in the 1950s.⁶² The central initiative before 1939 to make local dockwork better paying, the Clearing House Scheme, had little permanent impact, and ‘the position of the casual docker remained very much the same throughout the years.’⁶³ This comment applied especially to prospective shipboard workers rather than to quayside labourers, more of who were more likely to be on regular or weekly wages, alike in this respect to New York and London.⁶⁴

Casual hiring episodes were a prime cause of malpractice in Liverpool, supplying a continued incentive to drag work out beyond the minimum and to indulge in other dubious practices. Statistics to be presented indicated the unusual importance of irregular work, which customary malpractices such as the ‘welt’ attempted to redress.

Similarly to the London waterfront, Liverpool operated a ‘continuity rule’ giving men (with specified exceptions) longer engagements once hired.⁶⁵ Countering this, the far smaller waterfront was relatively homogenous in its facilities, having for instance no private wharfage facilities like London’s, nor a PLA-like structure that offered big pockets of longer paying work.

Larger employers of dock labour, where feasible, offered permanent or weekly employment via an internal classification system, ranging from ‘A’ (permanent workers) through to ‘C’ (casuals). Individual employers could also offer regularity of employment for up to five hundred men, the best of whom were rarely idle for long.⁶⁶ The Elder Dempster Line was one such.

⁶² Turnbull, P. et al. ‘Persistent Militants and Quiescent Comrades: Intra-Industry Strike Activity on the Docks, 1947-89’ *The Sociological Review*, vol. 44 (1996) p. 713.

⁶³ Jensen, *Hiring of Dock Workers and Employment Practices in the Ports of New York, Liverpool, London, Rotterdam, and Marseille*, p. 161

⁶⁴ Interview with LIVD, 17.11.00

⁶⁵ Telephonic interview with LIVD, 29.4.01, interview with LIVG, 1.11.99; Jensen, *Hiring of Dock Workers and Employment Practices in the Ports of New York, Liverpool, London, Rotterdam, and Marseilles*, chapter V111

⁶⁶ Interview with LIVI, 15.4.99

LIVI, who worked as a foreman for a steamship company, told how some men once complained to him of the great variations in their earnings. His company responded by instituting a system whereby the gangs with the lowest weekly earnings were offered the best waged work the next week ⁶⁷ But employer-led schemes like these were isolated, and with few if any knock-on effects for other dockworkers.

Drastically greater fluctuations in dockworker earnings over those in London were noted.⁶⁸ There were, by the mid-1960s, only 1,254 weekly paid workers in Liverpool as opposed to 8,713 in London.⁶⁹ Of dockworkers on Merseyside who were classed as weekly workers, 11 per cent of the totality, the vast majority were clerks, warehousemen and supervisors, and not rank and file ship workers.⁷⁰ Conversely, those on weekly wages in London were perhaps a third of the whole labour force, and moreover included all grades of portworker. Of those in the higher income bracket in Liverpool, most earned considerably less than their London counterparts.⁷¹

Overtime earnings

Liverpool's overtime rates were also higher in percentage terms, at double the straight time rate, than those paid in London (time and a half).⁷² Overtime earnings were never as important in London, or an incentive to hang work out to nearly to the same degree. 'A much higher proportion of Merseyside's earnings come from working overtime than in London,' the Employers' Association concluded, 'and a much lower proportion from piecework.'⁷³ Statistics for 1953, for example, showed that overtime

⁶⁷ Interview with LIVD, 17.11.00; Taplin, *The Dockers' Union*, p. 16. This practice echoed some 'equalisation' practices seen in New York port (see chapter seven).

⁶⁸ Turnbull, P., et al. 'Persistent Militants and Quiescent Comrades: Intra-Industry Strike Activity on the Docks, 1947-89', *The Sociological Review*, vol. 44 (1996) p. 713

⁶⁹ MMM: PEA Box 206 National Dock Labour Board 'Ranges of Weekly Workers Fiscal Year 1961/62'

⁷⁰ MID: LPEA 40 'Employers' Association of the Port of Liverpool' (4.1.65) p. 18

⁷¹ MMM: PEA Box 206 National Dock Labour Board 'Ranges of Earnings of Registered Daily Workers Fiscal Year 1961/62'

⁷² Merseyside's rates for overtime, in 1965, were 'never less than double time, and on Sundays the overtime multiplier ... rises to 4.' (Parliament, Committee on Inquiry Under the Rt. Hon. Lord Devlin into Certain Matters Concerning the Port Transport Industry, *Final Report*, p. 5).

⁷³ MID: LPEA 40: 'Employers' Association of the Port of Liverpool' (4.1.65) p. 13

was far more common in Liverpool and Birkenhead than in London.⁷⁴ Average earnings in Liverpool during the 1960s were only 70-75 per cent of those in London, even after overtime earnings were factored in, engendering the inclination to get as much 'top up' money as possible through one means or other.

Employers complained, 'The men ... seek systematic overtime to maintain the level of earnings they consider essential.'⁷⁵ Exacerbating the possibility of the systematic dragging out of work opportunities was the fact that the timework element in local wages was higher than in London, where piece working was the norm.⁷⁶ Usually Liverpool dockworkers would expect to receive time and a half as the basis for overtime pay; in London (for comparable time workers) the rate by 1950 was time and a third.⁷⁷ Furnishing a standing incentive to hang out work for as long as possible; Merseyside's rates were 'a great inducement to men to spin work out into overtime.'⁷⁸

Although piece working had, since the early 1940s, assumed a somewhat greater role in Liverpool shipboard working than pre-war, when wholly time working prevailed,⁷⁹ it was still less a force in total earnings than in London until 1967.⁸⁰ For while the port was by the 1950s very largely 'pieceworking' when viewed formally, 'In virtually all cases 'a man on timework is simply a pieceworker not working ... above the agreed minimum tonnage rate.'⁸¹ Londoners received good basic piece rates,

⁷⁴ MMM: PEA Box 206: National Dock Labour Board 'Analysis of earnings and Hours of Work Quarter Ended 3rd October 1953'

⁷⁵ MID: LPEA 40 'Employers' Association of the Port of Liverpool' (4.1.65) p. 27; Parliament, Ministry of Labour. Committee on Inquiry Under the Rt. Hon. Lord Devlin into Certain Matters Concerning the Port Transport Industry, *Final Report*, p. 17.

⁷⁶ Jensen recalled that piece rates were first introduced widely in Merseyside during World War Two, but that they became under-utilised after 1945 on most, though not all, cargoes (Jensen, *Hiring of Dock Workers and Employment Practices in the Ports of New York, Liverpool, London, Rotterdam, and Marseilles*, p. 174)

⁷⁷ MMM: PEA Box 105 file 3, schedule from NAPE dated 24.2.50 to the Employers' Association of the Port of Liverpool

⁷⁸ MID: LPEA 40 'Employers' Association of the Port of Liverpool' (4.1.65) p. 13

⁷⁹ MMM: Box 1/Vol. 4: 'Piecework' (16.4.46); MMM: MDHB/PEC/14/2: 'The Liverpool Port Emergency Committee and the Second World War' vol. 2 review no. 15

⁸⁰ In the 1930s, almost all Liverpool men were on timework compared with just twenty per cent in London (MMM: MDHB/PEC/14/2 'The Liverpool Port Emergency Committee and the Second World War' vol. 2 review no. 15; MMM: Box 1/vol. 4 'Piecework' (16.4.46). During 1941, a national agreement stipulated the negotiation of piece rates to improve output levels via 'payment by results' incentives (Parliament, *First Report from the Select Committee on National Expenditure Session 1941-1942*, cmd. 20 (1942))

⁸¹ MID: LPEA 40: 'Employers' Association of the Port of Liverpool' (4.1.65) p. 13

without the same need for overtime, and this most likely fuelled the 1954 dispute among NASDU men over 'compulsory' overtime, since in many cases overtime working was not needed in London.⁸²

Taken as a whole, therefore, Liverpool men had to work for longer to make anything like comparable wages with those on offer in London.⁸³ Understandably, work gangs in Liverpool were powerfully motivated by the operation of the local wages system aboard ships to illegally or to unconstitutionally 'expand' the available work to get into overtime hours.⁸⁴

Hiring bribery

In view of the relatively inadequate earnings available to dockworkers in the port, the (albeit fragmentary) evidence suggests a surprisingly small number of recorded instances when 'bribes' were paid for work. Religious discrimination was insignificant as a basis for employment in spite of a history of sectarianism in the city.⁸⁵

One hiring supervisor was noted as open to being 'treated' (bribed) by dockworkers who wanted a share of the better dock work. Aside from this individual, a ship foreman by the nickname of 'Joe the Blow', few cases were mentioned in Liverpool interviews. His patronage was prized above all since he offered good rates for weekend working, with plenty of overtime work thrown in. He was said to have accepted free drinks from would-be shipworkers. But if men 'crossed' him, he would not hire them again.⁸⁶

⁸² Industrial Courts Act, 1919, *Final Report of a Court of Inquiry into a Dispute in the London Docks*, cmd 9310 (1954)

⁸³ Hunter, B., *They Knew Why They Fought* (Index Books, 1994) p. 33.

⁸⁴ Wilson, *The Dockers*, p. 228; *Shipbuilding and Shipping Record*, 10.6.48; MMM: PEA Box 105, file 3, schedule from NAPE dated 24.2.50 to the Employers' Assn. Of the Port of Liverpool; MMM: PEA Box 206 National Dock Labour Board 'Ranges of Earnings of Registered Daily Workers Fiscal Year 1961/62'; MMM: PEA Box 206 National Dock Labour Board 'Analysis of Earnings and Hours of Work Quarter Ended 3rd October, 1953'. Overtime was based, in Liverpool, on the standard time rate plus tonnage determinations. Only the time rate would rise with overtime working (interview with LIVG, 1.11.99).

⁸⁵ Taplin, 'The History of Dock Labour: Liverpool, c. 1850-1914,' p. 467

⁸⁶ Interviews with LIVI, 15.4.99, LIVJ, 6.4.99, LIVL, 29.3.99

One possible cause of this ‘differential’ from London and certainly New York may lay in the greater publicity accorded to such malpractices on the other waterfronts. Additionally, as noted, a disproportionate number of Liverpool portworkers used Dock Labour Board controls to seek work, and their ‘policing’ was probably more rigorous than that on the open stands, seen more commonly in London, where hiring corruption was reported. New York’s system was a continuation, until the 1950s, of traditional hiring ‘pitches’ found at front of piers. Dock labour board control officers in Liverpool could use their own initiative to indent men with lower earnings to jobs that they might not have had if the open market mechanism was allowed to determine outcomes.⁸⁷

Customs

Work preserving customs, with rank and file influence, were observed in the 1880s, though as with all such schemes if an employer chose to disregard them, there was little the men could do.⁸⁸ But since Liverpool’s waterfront was not on nearly the same geographical scale of that in London or in New York, being a mere seven miles in length and was much less diverse in terms of its physical outlines, the importance of local differences of practice was not as great. And because ‘casual’ dockwork was so prevalent in the port after 1947, Dock Labour Board practices assumed greater authority and importance.

Over the course of the interwar years, customs such as weighing cargo at the shipside upon discharge were seen across the port. Hiring arrangements could differ by trade or specialism (the 1930s corn porters’ stand system being different for example from those in the rest of the port).⁸⁹ The ‘continuity rule’ was also different in its operation on coastwise shipping.⁹⁰ Other unofficial practices were firm specific. A group of shipowning companies (one example being the Clan Line) engaged hiring bosses as

⁸⁷ Telephonic interview with LIVD (2.1.02); MMM: oral tapes: Brian Jacques (n.d.)

⁸⁸ A clear example was reported in 1886, when a docker was fined for threatening a hatch foreman when he refused to take on Birkenhead men first. The foreman’s firm replied that hiring practices were their sole prerogative to determine (*The Daily Albion* (Liverpool) 23.11.1886)

⁸⁹ Jones, D.C., *The Social Survey of Merseyside* (Hodder and Stoughton, 1934) p. 134.

⁹⁰ Jensen, *Hiring of Dock Workers and Employment Practices in the Ports of New York, Liverpool, London, Rotterdam, and Marseille*, p. 176

'staff' members, while others returned them back to dock labour board controls when not required.⁹¹

Since the port, like London and New York, handled a wide variety of cargoes, some practices were limited to particular docks or piers, as Ronald Bean describes.⁹² Jensen further recorded how the MDHB, 'although it has no standing under the law or even by formal agreement,' decided which ships, accordingly types of dock labour, were to be given priority on its docks, in cooperation with the local TGWU and Dock Labour Board.⁹³

'Mustering' (engagement) times were similar in most Liverpool Dock Labour Board areas according to interviewees. But even so, variations emerged. Number 1 'pen' (employment point) became that of first choice among most employers, composed as it was of the 'best' gangs, while no. 3 pen - nicknamed 'The Kremlin' - was utilised by employers only as a last resort because of its militant reputation.⁹⁴ The amount of work also varied by the type of vessel served by specific pens, coastwise lines offering the more regular work, a feature common to the same traffic in London and New York.⁹⁵ Over time, as in London, official hiring controls tended to cater to specialisations (that at Mann Island was largely the preserve of short sea trade workers) or to those seeking work for particular companies or with certain commodities.

Although Liverpool and London did not operate the New York-style 'public loader' system, Master Portage firms in Liverpool had existed since the nineteenth century to shift cargoes to and from vessels on the quayside (as opposed to loading waiting lorries, the preserve of the public loaders in New York). The service was unique to

⁹¹ Telephonic interview with LIVD, 2.1.02

⁹² Bean, R., 'Custom, Job Regulation and Dock Labour in Liverpool, 1911-39,' *International Review of Social History*, vol. XXVII part 3 (1982), pp. 271-89

⁹³ Jensen, *Hiring of Dock Workers and Employment Practices in the Ports of New York, Liverpool, London, Rotterdam, and Marseilles*, pp. 156-7.

⁹⁴ Interviews with LIVD, 17.11.99, LIVI, 15.4.99

⁹⁵ Interview with LIVJ, 6.4.99; Jensen, *Hiring of Dock Workers and Employment Practices in the Ports of New York, Liverpool, London, Rotterdam, and Marseilles*:- 'for practical purposes the gangs are regular, inasmuch as the employer hires the same ones all the time' (p. 176)

Liverpool in the British setting. There were an estimated 128 Master Portage companies, licensed by the MDHB, in 1965.⁹⁶

Given the incomplete evidence to hand, informal work practices and hiring irregularities in Liverpool were not as extensive or as significant to the ordinary dockworker as were those in London and New York, more so still after 1947. Areas with the greatest variations in working practice and malpractice - the wharves in London, for example - were relatively insignificant a factor in the Liverpool situation.

SHIPBOARD MALPRACTICES

Special to Liverpool was 'the welt.' Aside from its sheer breadth, the welt was unusual inasmuch as it crossed all three types of malpractice as conceptualised in chapter two and became highly contentious, although greatly valued by its practitioners. The Employers' Association stated that 'the 'welt' is by far the most important aspect of spinning out work out in the interests of getting enough overtime.'⁹⁷

Unofficial practices such as the welt was defended with force and, if necessary, by strikes. Six unauthorised stoppages locally from 1959-64, for example, cost about 18,310 man-days of production due to revolts against 'disciplinary action.'⁹⁸ Criticised by local unions as making their work harder, welting practices were 'unpopular' with all parties except for the rank and file. Yet although vocally condemning it, the TGWU felt constrained from mounting joint offensives against the welt with employers because of the anticipated response of the rank and file. Employers feared the effects of crusades on company profitability.

⁹⁶ Not unlike the 'public loaders' in New York, their use was compulsory and the charges demanded by Liverpool Master Porters came in for sharp criticism, although set by central government and the port authority (MMM: MDHB newspaper clippings in Box 174, private correspondence with LIVL, Jan. 1999).

⁹⁷ MID: LPEA 40 'Employers' Association of the Port of Liverpool' (4.1.65) p. 24

⁹⁸ MID: LPEA Box 40 'Employers' Association of the Port of Liverpool' (4.1.65) p. 23.

The 'Welt'

'Custom and practice', stated one interviewee, 'meant one thing and that was the welt.'⁹⁹ Welting malpractices - which were also practiced on quays, but did not attract the same attention - remained the chief reason for employer discontent with joint controls and were the primary cause of union embarrassment.¹⁰⁰

In normal usage, the welt denoted 'the practice whereby half the gang (or in some cases a greater proportion) absent themselves for an hour; when they return the other members of the gang leave the job for an hour; and so on through the working period.' But 'bunging off' could last for a whole work period and 'even night on night off' has been rumoured.'¹⁰¹ Welting malpractices achieved a stable quality, though if it threatened a sailing, a 'veiled threat' might be made by an employer to check for unauthorised absenteeism on board ships as one way of partially restoring discipline.¹⁰²

Ship gang workers would generally take it in turns to leave the vessel without authorisation.¹⁰³ Alternatively, as a timekeeper during the 1960s, when welting practices were considered to be in their heyday recalled, 'I would book the men on and the men would toss up to see who would go home and who would stay and that became a situation on a daily basis ... he'd have to book on, at 1 o'clock and then of course he'd go home.'¹⁰⁴

As welting would necessarily leave the gang short on manpower, overtime became essential for employers to get the work complete on time. Thus the large amounts of overtime required to make up normal earnings, as indicated above, was achieved. As one employer stated, 'the work was carried on by the remaining men,' if they were

⁹⁹ Interview with LIVI, 15.4.99

¹⁰⁰ E.g. *Journal of Commerce*, 25.9.51

¹⁰¹ MID: LPEA 40 'Employers' Association of the Port of Liverpool' (4.1.65) p. 25

¹⁰² LIVL, in private correspondence, wrote that 'If the slings became smaller or slower, the ship's foreman via the Superintendent would often call down - any more like that and the timekeeper will be round! A veiled threat to book any absentees' (January 1999)

¹⁰³ Parliament, *Report of Inquiry into the Locally Determined Aspects of the System of Payment and Earnings Opportunities of Registered Dock Workers in the Port of Liverpool (including Birkenhead)* by A. J. Scamp (October.1967) pp. 6-7.

¹⁰⁴ Interview with LIVI, 15.4.99

welting, but 'who would then be guaranteed an earlier finish the following night.'¹⁰⁵ Long working hours functioned as a substitute for the higher earnings made during 'straight time' working hours in London.

Local employers saw few material benefits for themselves from welting, but went along with them for fear of the probable effect of action attempting to counter it. Union officials viewed welting with distain as well, though when involving most local dockworkers, as it did, the reassertion of industrial discipline on their members was considered unrealistic an ambition.

Overtime working became inescapable. On average, men worked two hours' overtime per day while some, 'for months on end,' worked fifty-two to sixty-four hours a week.¹⁰⁶ For the dockworkers, 'You couldn't survive without overtime, really,' and 'creating overtime was dead easy to do.'¹⁰⁷

Unauthorised absences were reported as prevalent in Liverpool by 1911 while a 'milder' form of the welt, 'spelling,' was seen before 1939.¹⁰⁸ But the origins of the welt as it became recognised probably developed during World War Two, when refrigerated vessels became more commonplace in the port yet could not be worked for long periods without respite. Workers on non-refrigerated ships quickly exploited this 'loophole' to argue that they too needed frequent rests. A deceleration in output resulted, though not without vigorous protests from supervisors whose complaints reached *The Times*.¹⁰⁹ Alternative explanations of the origins of the welt looked to the interwar slump, when work was scarce and it emerged as a form of benign work sharing.

The existence of welting malpractices (debatably) made Liverpool less able to withstand competition from newer facilities worked according to pure 'efficiency'

¹⁰⁵ Interview with LIVL, 29.3.99

¹⁰⁶ MMM: PEA Box 160: 'Report of Working Party on Unauthorised Absence, Late Starts, Early Finishes' (2.6.64)

¹⁰⁷ Interview with LIVD, 17.11.00

¹⁰⁸ Bean, 'Custom, Job Regulation and Dock Labour in Liverpool, 1911-39.'

¹⁰⁹ *Times*, 15.8.42, 21.8.42

norms. In this view, the welt was 'a form of restrictive practice that costs Merseyside many times the man hours of all recorded stoppages put together.'¹¹⁰

Timekeepers would often only make a perfunctory job of checking to see if all those who should be have been on duty in a vessel hold were, in fact, at work. They could also be bribed to falsify timesheets.¹¹¹ 'No show' and time-wasting practices were hardly limited to Liverpool. 'Welting or bad time keeping are not unique to Liverpool, but the extent of the malaise is peculiar to this port,' employers argued.¹¹² London had its so-called 'dinting', a milder form of the welt, for example, while smaller ports in Britain such as Hull were not immune from 'manufactured' overtime malpractices. Welting may have been less prominent in Birkenhead docks, purportedly because of tighter work discipline imposed on hatch gangs there.¹¹³

With consistently high unemployment rates in the urban economy surrounding the docks, and with casual earnings common, portworkers fought for the right to practice the welt as an effective if formally disapproved work-sharing tactic. Combined with this were other factors, such as lax discipline and many of the self-same reasons for malpractices in the broader sense. Registered dockworker numbers in Liverpool, though in decline from the 1950s, did not decrease to the same extent as within London and New York, perhaps suggesting a unusual resistance in the Liverpool situation to attempts to layoff registered men, in view of the lack of work opportunities outside of the docks.¹¹⁴

¹¹⁰ MID: LPEA Box 40 'Employers' Association of the Port of Liverpool' (4.1.65) p. 26.

¹¹¹ Interview with LIVK, 26.11.99. An American observer recalled the Liverpool welt, in men 'sitting down doing nothing half the time.' (interview with NYG, 12.4.00)

¹¹² MMM: PEA Box 160 'A Straight Look at the Welt' (1965)). Interviews with LIVH, 11.3.99, LOND, 22.10.99, LONO, 16.6.99; Lynton, R. P. and King, S.D.M., *Research in the London Docks: Interim Report*, 31 December 1948 (PRO: LAB 8/1709). In King's Lynn, for example, ship gangs conveniently knocked off work just after 5pm, thus guaranteeing themselves two hours overtime pay.

¹¹³ Interview with LIVI, 15.4.99. This was disputed by a second interviewee, also familiar with Birkenhead, in terms of the Birkenhead lines he once worked for (interview with LIVD, 17.11.00)

¹¹⁴ Annual Reports and Accounts from the National Docks Labour Board, 1960-66, indicated that the 'Average Workers' Register' in London was better adjusted to the demands of the port than that in Liverpool, by around two to three percentage points

Other malpractices

‘Out and home’ payments, identical in substance to ‘job and finish’ fixtures in London, were not explicitly outlawed in joint agreements but nonetheless were viewed with hostility by employers as eroding their authority and, arguably, adding to the cost of doing business in the port. The fact that out and home payments were at times made only after gangs had on occasion deliberately slowed their speed of work down in order to demonstrate what ‘could’ happen if they were denied a ‘top up,’ did not make employers feel any more disposed towards them.¹¹⁵ For if a work gang felt cheated, it could ‘always find some problem to stop the ship working.’¹¹⁶

The type of employer could influence reactions to malpractices, directly comparable in this respect to London or New York. Shipping lines only occasionally utilising the Port of Liverpool for example tended to accede malpractices or to acquiesce in welting practices rather more readily, since the repercussions would not normally affect them.¹¹⁷

Rushing work in order to make up wages did constitute a health and safety hazard, one reason for the lack of enthusiasm of union officials for out and home payments. Such malpractices were also an attempt by shipowners to get the work done when twenty-four hours production was not the norm.¹¹⁸

Payments for ‘obnoxious’ or dangerous cargoes were seen in Liverpool, London and in New York, as a constitutional way of compensating dockworkers for handling problematic commodities. But the system could be manipulated without too much difficulty. Cases of gangs in Liverpool downing tools in a ship’s hold in ‘protest’ after a dead rat, placed there by the ship hatch men precisely for this purpose, was ‘found,’ were repeated in interviews as one tactic successfully deployed to squeeze an

¹¹⁵ Interviews with LIVG, 1.11.99, LIVK, 26.11.99, LIVI, 15.4.99

¹¹⁶ Interview with LIVD, 17.11.00

¹¹⁷ MID: LPEA Box 40 ‘Employers’ Association of the Port of Liverpool’ (4.1.65) p. 27.

¹¹⁸ Interviews with LIVD, 11.3.01, LIVG, 1.11.99

employer.¹¹⁹ Although many employers viewed them as a 'malpractice,' the men viewed them as a relatively victimless way of supplementing earnings.

The unconstitutional use of 'short-handed' work gangs was less a feature of Liverpool than it was of London. Structurally, the agreement on wages contributed to this difference, inasmuch as the bonus element in overall earnings, the chief incentive to participate in the depleted gang size malpractice in London, was smaller on Merseyside.

Moreover, the docks in Liverpool were much more concentrated than those in either London or New York. This reduced the incentive for employers to cooperate in short-gang practices due to the relative convenience, in Liverpool, of moving individuals required across the port, to make up work gang numbers.

WORK DISCIPLINE

From the perspective of employers, the welt 'is cheating on the contract of employment which requires a reasonable effort for wages received.'¹²⁰ The men countered that bonuses under agreements for 'dirty' cargoes were far too low, for instance, and that washing facilities were grossly inadequate, necessitating their absence to clean themselves. Mechanisation in a ship's hold was primitive and employers insisted that overtime was 'compulsory' regardless of the wishes of their employees.¹²¹

In this context, trust was destroyed and employer efforts to discipline those who operated malpractices came to little. Various reasons accounted for the embedded nature of the welt. Leaving to one side the wage system that encouraged a dragging out of work, another was an imbalance between the industrial strength of ship gangs and that of employers. Improper practices in Liverpool, in this sense, mirrored those in London or New York.

¹¹⁹ Interviews with LIVD, 17.11.00, LIVK, 5.3.99

¹²⁰ MMM: PEA Box 160: 'A Straight Look at the Welt'

¹²¹ *Liverpool Echo*, 18.10.55

The magnitude of 'skiving' off the job was acknowledged, since 'in other places, in other industries it would be quite impossible to have such a large proportion of the labour force just knocking off work or failing to start without suffering a cut in pay or disciplinary action.'¹²² Ship bosses railed against the welt from its inception, their argument with dockworkers occasionally spilling out into the public domain.¹²³ It was condemned in the press, as 'a shameful business that sounds hardly believable when set down in black and white.'¹²⁴

Beneath these criticisms by employers was the fact that, unlike other practices such as 'out and home,' there were no offsetting advantages to the welt for most of them. Employers noted that, 'In nearly all cases the men simply do not operate that part of the deal which requires a concession by them, but insist on the operation of that part which represents a concession by the employers.'¹²⁵

Although welting and other malpractices were theoretically well within the orbit of the Liverpool Dock Labour Board's disciplinary regime to address, it made no significant effort to combat malpractices outside of pilferage. Seven attempts made by employers acting alone from 1941 to 1964 to confront the welt head-on but all ended in recrimination and exasperation. The lesson employers learned was to 'leave well alone rather than attempt to impose discipline for its own sake on labour in isolation from other factors.'¹²⁶

'It is such a troublesome business to censure a man, they say, that, inevitably, offenders are allowed to carry on unchecked,' according to a report in the *Liverpool Echo*.¹²⁷ A twin track approach was adopted at various junctures, but the first of them,

¹²² MMM: PEA Box 160 'A Straight Look at the Welt' (1965)

¹²³ *Shipbuilding and Shipping Record*, 10.6.48

¹²⁴ *Liverpool Echo*, 18.10.55

¹²⁵ MID: LPEA Box 40 'Employers' Association of the Port of Liverpool' (4.1.65) p. 16. In a minority of cases, the welt worked to the advantage of an employer. It sometimes paid a master stevedore for instance to employ five gangs at half speed than three complete gangs at full speed.

¹²⁶ MMM: PEA Box 160 'Report of Working Party on Unauthorised Absences, Late Starts, Early Finishes' (2.6.64).

¹²⁷ *Liverpool Echo*, 18.10.55

to 'buy out' the welt by offering the men positive inducements, collapsed.¹²⁸ This left crackdowns on indiscipline as the only other approach but that was equally ineffective, since everyone realised that if it was pushed hard, work gangs had the capacity to stop or to derail production.¹²⁹ As Devlin stated, 'an ultimatum would probably result in mass indiscipline.'¹³⁰

Employers rarely stuck together in the face of this danger. Thus: 'Every employer had given way when occasion demanded' and a serious campaign based on tightening discipline 'would lead to a strike.'¹³¹ Similarly, 'some Employers applied discipline only when it suited their purpose so to do,' making common cause against the welt more remote than ever.¹³²

In the face of such defeats and lack of common action on the part of non-labour interests, welting malpractices achieved 'acceptance,' albeit grudgingly decided by employers. The Chief Officer of the Cunard company in Liverpool fell foul of the system in the early 1950s when he insisted, in the face of this local custom, on timekeepers faithfully recording when men were missing rather than following the usual practice of signing men in regardless. An angry Head Office general manager removed him from the scene by a transfer to the port of Southampton.¹³³

From 1967, the Merseyside wage structure moved towards greater wage differentials, since the extant rewards system made the spinning out of work a viable alternative to greater earnings during straight time hours as in London. Based on the Scamp Report of late 1967, the reform to wages followed a prolonged strike over plans to abolish the welt but without giving the men sufficient compensation in their eyes for the resulting

¹²⁸ *Journal of Commerce*, 10.7.65; MMM: PEA Box 160 'Notice to Dock Workers' (April 1951).

¹²⁹ MID: LPEA 40 'Employers' Association of the Port of Liverpool' p. 27.

¹³⁰ Parliament, Committee on Inquiry Under the Rt. Hon. Lord Devlin into Certain Matters Concerning the Port Transport Industry, *Final Report*, p. 18.

¹³¹ MMM: PEA Box 160 'Working Party on Unauthorised Absence, Late Starts, Early Finishes' (14.4.64).

¹³² MMM: PEA Box 160 'Discipline' (1.5.64); MMM: PEA Box 160 Working Party on Unauthorised Absence, Late Starts, Early Finishes (6.4.64).

¹³³ Interview with LIVB, 18.5.99

loss of income.¹³⁴ Scamp argued that ‘perhaps the extension of pieceworking’ and regular employment under Devlin Phase 1 might remove the problem at its roots.¹³⁵

A form of the welt, nevertheless, remained into the 1970s. For while the original impetus for welting customs lay partly in casualism in engagements, it was just as much a product of the economic power and the control that shipboard gangs had over their ‘background’ conditions. Wilson noted that changes to local wage determination did deter gang members from leaving the docks on the welt. However, they did not stop ‘on-board’ vessel welting malpractices.¹³⁶

Union branch malpractices

Standards of conduct in some port branches of the NUDL and its successor union, the TGWU, left much to be desired. Regulation of local docks union units by the parent union was largely ineffective, whatever official pronouncements claiming otherwise was.¹³⁷ Cases of branch officers misappropriating union funds in the port were periodically uncovered. But the question, in keeping with a key theme of this thesis, remained one of structural weaknesses that may have allowed a much larger and under-recorded problem to emerge and to develop.¹³⁸

As in New York and London, the dilemma of how to effectively control branch matters without antagonising branch memberships was a potentially divisive one. Since no port-wide branch audit was ever made public, the full extent of financial abuses is impossible to even estimate accurately.¹³⁹ Like much of the union-related material for London, what does exist for Liverpool is extremely patchy, often anecdotal and lacks a reliable baseline.

¹³⁴ Hunter, *They Knew Why They Fought*, p. 71; MRC: MSS. 126/T&G/Sack 63/1: letter dated 10.10.67 to Frank Cousins from the TGWU Regional Secretary

¹³⁵ Parliament, *Report of Inquiry into the Locally Determined Aspects of the System of Payment and Earnings Opportunities of Registered Dock Workers in the Port of Liverpool (including Birkenhead)* by A. J. Scamp (October 1967) p. 6

¹³⁶ Wilson, *Dockers*, p. 215

¹³⁷ Taplin, *The Dockers' Union*, p. 45; information supplied by Eric Taplin, 1999.

¹³⁸ See for one example, MRC: MSS. 126/TG/1/1/29: TGWU ‘Minutes and Record of the General Executive Council and the Finance and General Purposes Committee’ (1951) p. 19.

¹³⁹ Taplin also observed that NUDL records for Liverpool were discarded in the 1950s (Taplin, *The Dockers' Union*, p. xv)

Two early Liverpool dock union secretaries had disappeared with union funds and the NUDL shortly became embroiled in controversy. The 1890 Kierman case showed the inadequacy of branch record keeping, when it was revealed that Edward McHugh on the union executive took funds from each branch without written authorisation.¹⁴⁰ The Liverpool Trades Council followed the proceedings against Kierman, and according to one anonymous writer, the full facts had been 'suppressed.' The court, a writer alleged, did not hear evidence about union accounts and he spoke of an 'attempt to bribe me to break bail and leave the country for £150 ... we wish to show up the full facts to the public. This we were not allowed to do.'¹⁴¹

Even the vote for the amalgamation of the NUDL into the new TGWU in 1921 had, according to a source, all the hallmarks of being 'fixed.' In order to satisfy the legal requirements on thresholds upholding the 1917 Trade Union (Amalgamation) Act, requiring that half of the membership of each union vote in order to effect an amalgamation, ballot papers in Liverpool were allegedly tampered with to guarantee the 'right' outcome so far as the NUDL executive was concerned.¹⁴²

Amalgamation into the TGWU made little difference to how dock union branches were run. Jack Jones (a future TGWU chairman) described how in the 1930s, his Garston union branch was taken over by the son-in-law of a senior union official of the time 'although he had no experience of the docks.'¹⁴³ Grievances put before union branches by the membership could be conveniently 'overlooked', and only those matters of personal interest to branch officials were passed on for further action.¹⁴⁴

For reasons centred on the reformed hiring system, redevelopment and changing housing patterns away from the docks, waterfront branches became run-down after 1945. Branch life slowly atrophied, part of their functions being acquired by union

¹⁴⁰ *Liverpool Mercury*, 22.12.1890

¹⁴¹ LRO: 331 TRA2/89: letter of 1891 to the Liverpool Trades Council

¹⁴² Taplin, *The Dockers' Union*, p. 155, Goldstein, J., *The Government of British Trade Unions* (George Allen and Unwin, 1952) p. 105. By law, fifty per cent of the union membership needed to vote in order for the amalgamation to proceed. The first ballot was below this threshold, so a second ballot took place at which the rumoured ballot rigging occurred (private communication with E. Taplin)

¹⁴³ Jones, *Union Man*, p. 60.

¹⁴⁴ Rumours also spread, after 1965, that a person was 'elected' to a TGWU post by the branch membership without them knowing of it (interview with LIVA, 16.3.99)

delegates working on docks. The pace of change was such that some docks branches were left with a skeletal membership, a fact that the TGWU was late on picking up on, but which Jensen noticed in 1964.¹⁴⁵ The central union made few attempts to 'stock take' branches in this period, echoing the laissez faire atmosphere prevalent in the port.¹⁴⁶

Road haulage malpractices

The opportunities to indulge in shakedowns of road haulage drivers using Liverpool's docks were not lost on many quayside workers. Well-recognised within the industry were relatively small sums that added up, paid for priority treatment to quayside workers who controlled entry to dock estates.

Similarly to London or New York, road travel became the dominant mode for taking goods to and from the waterfront.¹⁴⁷ Caused by narrow roadways leading to the docks and the size of trucks using them, lorry queues leading to the docks waiting to be serviced were legendary for their length.¹⁴⁸ Indicating the seriousness of the problem, in September 1964, The *Liverpool Echo* devoted a front page to an expose of truck lines under the headline 'Congestion as Ships are Diverted: Only 100 Yards Movement in Four Hours.'¹⁴⁹

To get unloaded without delay, truck drivers saw an obvious benefit in slipping 'a fiver' or 'ten bob,' perhaps supplied by firms for this purpose, to a quay foreman so that his lorry could move to the front of a lengthy queue of vehicles outside the

¹⁴⁵ Jensen, *Hiring of Dock Workers and Employment Practices in the Ports of New York, Liverpool, London, Rotterdam, and Marseilles*, p. 159

¹⁴⁶ Interviews with LIVG, 1.11.99, 16.7.03 LIVG, a Liverpool port worker in the 1960s, became aware of this when he became a regional TGWU officer in the late 1990s, when procedures in the TGWU were being tightened up and computerised systems installed to keep track of union members in arrears.

¹⁴⁷ MMM: MDHB/PEC 5/1-1 'Quay Conditions' (18.7.51)

¹⁴⁸ *Liverpool Echo*, 25.10.61

¹⁴⁹ *Liverpool Echo*, 25.9.64

docks.¹⁵⁰ Birkenhead was as affected by this practice as Liverpool. It was rumoured that shop stewards working on the quays also shared in the spoils.¹⁵¹

Part of the fault was laid at the door of the MDHB, responsible for upgrading port installations and for ensuring their efficient use, as was the PLA in London and the Docks Board in New York. Within this question, a contradiction emerged between the role of shipowners on the MDHB, who as businessmen were desirous of low berthing charges, and their role as Board members. In the latter role, they were responsible for improving dock utilities, which required extra investment, a large part of which would have to come from higher docking fees. In the end, they refused to pay more as shipowners, leaving many of the physical aspects of the docks undercapitalised and in decay.¹⁵²

A similar contradiction was evident in London¹⁵³ but not so New York, with its predominantly external sources for funding improvements. Although fees for berthing were levied, much of the New York waterside was resourced from local taxation, as a 'general good' to its citizens.

Gambling and pilferage

Regardless of its illegality in Britain until the early 1960s, off-track gambling on the Liverpool docks estate was recognised as widespread.¹⁵⁴ As dock wages improved, so card game playing rose, for example. Welting practices also gave individuals enough time to entertain themselves away from work 'on wages.'

The majority of gambling was conducted during breaks, thus avoiding the censure of employers and keeping the docks police (who tended to act after complaints were

¹⁵⁰ Interviews with LIVA, 16.3.99, LIVD, 17.11.00, LIVI, 15.4.99, LIVK, 26.11.99, LIVL, 29.3.99

¹⁵¹ Interview with LIVA, 16.3.99

¹⁵² Interviews with LIVA, 16.3.99, LIVL, 29.3.99; *Financial Times* 14.12.70

¹⁵³ Pattison, G. W., *The London and India Dock Companies 1864-1909* (University of London Ph.D. 1970) p. 9; Parliament, Ministry of Transport, *Report of the Committee of Inquiry into the Major Ports of Great Britain*, cmd. 1824 (1962).

¹⁵⁴ *Liverpool Post*, 19.10.42; *Liverpool Echo*, 24.4.48; *Journal of Commerce*, 5.3.45

made to them) away.¹⁵⁵ Card games were conducted in control points, while waiting to be taken on, or in canteens, and with bookmakers 'runners' present throughout the port.¹⁵⁶ Dice games were said to be more popular on the South End docks.

Part of the gambling activity was centralised and involved a measure of aggression. Joe Martini, a working docker, operated a 'toss' school in Gladstone docks on Saturday nights, taking a percentage of the proceeds. Martini took over after ousting the previous operator, a boxer named Billy Duncan. Although 'not a bully', Martini could be violent.¹⁵⁷

Money lending was evident under various guises. Much originated in gambling debts and in irregular wages. Men were, prior to 1939, compelled to pledge their 'tallies' with loan sharks until monies were given over.¹⁵⁸ Court cases periodically exposed loan-sharking on the docks.¹⁵⁹ Like gambling, however, most incidents went unreported and unrecorded.

Pilferage became an accepted part of the waterfront backcloth, in which police officers allegedly participated on occasion. In 1919, in Birkenhead, for example, 'dockers continued to provide most of the arrests in the town.'¹⁶⁰ During the 1930s, Ayers reported that dockworkers were in league with 'certain dock policemen who would look the other way for a share of the goods.'¹⁶¹ In 1955, two police officers stood trial for helping a third man to steal from the docks for £20 each. One interviewee further told how, more recently, docks police and customs officials helped themselves to stolen bottles of whiskey.¹⁶² There were no signs than professional

¹⁵⁵ Interview with LIVI, 15.4.99

¹⁵⁶ Interviews with LIVA, 16.3.99, LIVE, 17.2.99. *The Liverpool Echo*, 24.4.48, told how police raided 'a miniature casino' in the North Gladstone Dock. Also *Liverpool Post*, 19.3.55

¹⁵⁷ Interviews with LIVA, 16.3.99, LIVC, 23.2.99, LIVE, 17.2.99, LIVJ, 6.4.99, LIVI, 15.4.99, LIVK, 5.3.99, 26.11.99

¹⁵⁸ Sexton, *Sir James Sexton*, p. 225.

¹⁵⁹ E.g. *Liverpool Post*, 24.4.53, *Evening Express*, 18.2.55, *Evening Express*, 26.6.57, *Liverpool Echo*, 18.7.61.

¹⁶⁰ Smithies, E., *The Black Economy in England Since 1914* (Gill and Macmillan, 1984) p. 44

¹⁶¹ Ayers, P., *The Liverpool Docklands* (University of Liverpool, n.d.) p. 65

¹⁶² See interviews with LIVD, 17.11.00, LIVL, 29.3.99; various issues of the Watch Committee for the City of Liverpool 'Reports on the Police Establishment and the State of Crime' (Liverpool); MMM: MDHB/N 121 vol. 4; *Liverpool Post*, 15.12.55, *Journal of Commerce*, 4.3.46, 24.12.46, April 1948, 25.2.52, *Evening Express*, 13.10.55

criminals shared in the profits, in spite of a similar industrial landscape to that within New York's port.

POLITICAL INITIATIVES

Adams has noted the industrial significance of the 'port transport industry' in the Merseyside economy during the 1920s, employing as it did over 27 per cent of the male working population.¹⁶³ But the Labour Party did not benefit from this in terms of election outcomes as much as it did in the riverside wards of London.¹⁶⁴ Primarily, as in London and New York, governments intervened in the docks situation in Liverpool only at times of perceived crisis or with wider ambitions in mind.

Like the Dockers' Union leadership in London, James Sexton allied his NUDL with the Labour Party locally and then nationally. The advantage of having a sympathetic ear in the Liverpool City Council was made apparent in 1905, when a strike involving union dock labour was crushed.¹⁶⁵ Sexton, like Ben Tillett in London, ultimately secured high office in the labour movement and for twenty-five years, Sexton sat on the local council and became, in 1918, a Member of Parliament.¹⁶⁶

Wartime schemes

The long-term effects of wartime conditions on work practices, as a catalyst for advancement, were profound. The status of the NUDL was enhanced during the First World War, as was that of the TGWU between 1940 and 1945. In agreeing to an industrial truce in time of war, which by and large held, government and employer confidence in agreements struck with the union rose, articulated through the dockworker registration system.¹⁶⁷

¹⁶³ Adams, 'Labour and the First World War,' p. 35.

¹⁶⁴ Davies, S., *Liverpool Labour* (Keele University Press 1996) p. 234.

¹⁶⁵ Waller, P. J., *Democracy and Sectarianism: A Political and Social History of Liverpool 1868-1939* (University of Liverpool Press 1981) pp. 213-4.

¹⁶⁶ *Dictionary of National Biography*, 1931-40, pp. 802-3; Taplin, *The Dockers' Union*, pp. 50-5.

¹⁶⁷ Taplin, *The Dockers' Union*, pp. 125-33.

The global objective for the NUDL elite was to accept the unpredictable pattern of shipping while, to the maximum extent, stabilising dockworker incomes when no work was on offer. During wartime, when faced with a shortage of labour and with state injunctions to keep ships moving, indiscipline was a growing problem.

This seems to have bolstered, in Liverpool, welting malpractices. These were exposed in 1942 when the introduction of piecework rates supplied a reason for the demanding of 'exorbitant' sums on new types of cargo.¹⁶⁸ Signs that welting had taken hold and was widening became evident in complaints over worse timekeeping.¹⁶⁹ A *Times* series reported on the 'dodging work and of slowness by dockers ... and laxity in control' in the port.¹⁷⁰ The MDHB replied that welting was practiced on refrigerated ships only, though in some cases it was admitted that elderly or unfit men caused absenteeism when they struggled to put in a full working week, as now required.¹⁷¹

This view concurred with that of the local TGWU, which added that employers were motivated to make these claims to discredit the wartime labour scheme, to which they were opposed from the start.¹⁷² Systematic over-manning of vessels also became a deeper problem than previously, the hiring foremen sometimes taking on more gangs than necessary so that dock labour could be immediately available for his next job and at a time when it was in demand.¹⁷³

1945-1969

National Dock Labour Scheme hiring practices were quickly instituted in Liverpool, as across other larger British ports. But the impact of the Dock Labour Board was usually peripheral to malpractices taken as a whole.

Devlin Committee proposals that would mean the end of the earnings-boosting effects of the welt in Liverpool (and of the continuity rule in London) were fiercely resisted

¹⁶⁸ MMM: Box 1/vol. 4: 'Dock Labour Wage Rates' (17.8.44)

¹⁶⁹ MMM: PEA Box 160: Report of Working Party on Unauthorised Absence, Late Starts, Early Finishes (2.6.64).

¹⁷⁰ *Times*, 14.8.42

¹⁷¹ *Times*, 15.8.42

¹⁷² *Times*, 21.8.42

¹⁷³ Interview with LIVK, 26.11.99

by union memberships. In September 1967, men in both ports struck against union advice. The six-weeks stoppage in Liverpool only ended after the government met official and unofficial dock leaders in the city to hammer out a compromise.

Set up as a result of this, the Scamp committee examined the 'flat' wages structure as the primary cause of unrest and of malpractices in the port. Larger differentials based on performance were recommended, following which the men returned to work.¹⁷⁴ But the new payments schedules made the port susceptible to small strikes, a bane of London's port and where traditional payments by results systems were rejected in 1970 for this very reason.¹⁷⁵

1970-1972

Industrial strife rose in line with efforts by employers to shift much of their business away from 'Scheme' ports, to supposedly cheaper, accessible ports not employing registered portworkers. Chapter four recounted how the 1971 Industrial Relations Act measures related to picketing and boycotting collided with the need of registered dockworkers to keep work to 'older' ports, where they were based and had security of employment.

In 1971, the Liverpool men were put on a rotating shift system, with a small but permanent night gang presence, making overtime-related malpractices superfluous.¹⁷⁶ Welting customs faded in their customary form, as did out and home remunerations, since a combination of better piece payments after Scamp and the institution of shifts had given employers the continuous production they wanted but without quite the same need to pay 'on the side.'

¹⁷⁴ Wilson, *Dockers*, p. 71; MRC: MSS. 126/T&G/Sack 63/1: letter of 10.10.67 to Frank Cousins from the TGWU Regional Secretary; *Liverpool Echo*, 26.10.67; Parliament, *Report of Inquiry into the Locally Determined Aspects of the System of Payment and Earnings Opportunities of Registered Dock Workers in the Port of Liverpool (including Birkenhead)* by A. J. Scamp; Hunter, *They Knew Why They Fought*, p. 71

¹⁷⁵ Wilson, *Dockers*, p. 278

¹⁷⁶ Wilson, *Dockers*, p. 279

In line with Devlin's recommendations, shop stewards were established across the docks in order to end smaller scale disputes.¹⁷⁷ TGWU shop stewards subsequently operated as autonomous units on the Liverpool waterfront, largely outside of TGWU sanctions, as later admitted.¹⁷⁸

As already noted, shop stewards ended up operating firms' shift rotation systems, leading to suspicions of discrimination (in their favour) in the allocation of higher paying work. In one case, the men only discovered by accident that a shop steward in charge of assignments for the Seaforth container facility had put himself on twice the normal duty. A steward could just as easily book himself on a lucrative job such as handling tomatoes, where there was a good bonus element, but where his presence was not required. Another case was mentioned, where a shop steward was paid – but never worked – as a stacker driver, one of the best paying positions on the grain berth on the waterfront.¹⁷⁹

Road haulage payoffs and industrial strife

Even Hunter, in other circumstances sympathetic to the plight of dock labour, became critical of the role of shop stewards in this light.¹⁸⁰ A recurrent theme of the thesis is the effects of political and legislative changes on the perception of dock practices. Often, the reality of dockwork altered only slightly in response to these initiatives since the law was sometimes unclear and many times gathered dust.

However, in relatively rare cases, the pull given to a waterfront employer could be enhanced by legal developments, if utilised to its fullest. In a rare example of this

¹⁷⁷ LRO: H331.2856 DOC: Port of Liverpool (Including Birkenhead) Dock Labour Joint Committee 'Principal Provisions of agreements Governing Hours of Work, Rates of Pay and Conditions Applicable to Registered Dock Workers' (Sept., 1967); MMM: PEA Box 127 'Shop Steward System Within Member Companies (Stevedoring Section) of the London Ocean Trades Employers Association Limited' (10.4.69).

¹⁷⁸ This was confirmed in a House of Lords judgement of 1972, when the TGWU was fined for the illegal activities of its Liverpool shop stewards under the Industrial Relations Act. But on appeal, it was ruled that they had acted on their own initiative (Weekes, B, *Industrial Relations and the Limits of Law* (Basil Blackwell, 1975) pp.107-8).

¹⁷⁹ Interviews with LIVA, 16.3.99, LIVG, 19.7.99, LIVI, 15.4.99, LIVL, 29.3.99

¹⁸⁰ Hunter, *They Knew Why They Fought*, p. 90

type, corruption on Liverpool's docks was exposed and made answerable to the criminal law.

Heavily informed by the changing political and industrial dynamics of the time was a Crown Court case in Liverpool. A road haulage firm, Craddock Road Services, had refused to cooperate in a campaign launched at the Gladstone Dock by Liverpool shop stewards over the unionisation of lorry drivers using the port and their payment of union wage scales. Craddocks was also accused, even worse, of association with an inland stripping and stuffing base depriving the registered men of jobs. Upon being boycotted at the docks, the firm was awarded an injunction against the TGWU under the 1971 Act. Docks quayside staff, nonetheless, continued embargoing its trucks.¹⁸¹

Such was the charged industrial backcloth to the prosecution of two shop stewards and a TGWU docks official in Liverpool, for demanding 'an unwarranted demand with menaces.' The prosecution alleged that they had promised to lift a planned three months' long embargo on Craddocks' trucks using the dock after a payment of £200 were made (in cash). Defence counsel claimed that the demand was made on the condition that it would go into a shop stewards' fund to 'compensate the boys for loss of earnings' caused by the existence of Craddocks' inland depot activities. What was not in dispute was the fact that a payment of this type was not included in any agreement and, in fact, was roundly condemned by the TGWU when discovered.

An agent of the haulage firm delivered the money to a hut on the quayside in which the accused were seated. The boycotting of the firm's three lorries was to be immediately lifted, one of the accused assured Craddock's depot manager. Police, tipped off by Craddock's management, who apparently wanted to take the offensive to the dockworkers, were watching the transaction nearby and arrested the three men. But the prosecution could not prove that the £200 went into the pockets of the accused, who were acquitted and released.¹⁸²

¹⁸¹ Wrigley, C. (ed.), *A History of British Industrial Relations, 1939-1979* (Edward Elgar 1996) pp. 222-4.

¹⁸² The Liverpool daily press, 31 October-7 November 1972, *Times*, 31.10.72, 10.11.72, *Liverpool Daily Post*, 31.10.72

CONCLUSION

As the 1972 episode demonstrated, it required a highly unusual combination of politics and industrial variables in order for British malpractices to be highlighted and subject to criminal prosecution. Work practices and malpractices in Liverpool showed the contextual nature of their operation and of their reception.

‘There is no doubt,’ the employers’ concluded, ‘that the welt is both cause and consequence of many of Liverpool’s ordinary working problems.’¹⁸³ Liverpool’s malpractices varied for instance by the degree to which they were to be considered as ‘invisible’ or ‘victimless.’ Singular variables affecting outcomes and their perception, unconsidered in the American sources for New York, included the prevailing payments system and the legitimacy of malpractices.

The Liverpool waterfront was characterised by a ‘loose’ closed shop. Sporadic campaigns for example to oust NASDU from the port were unsuccessful.¹⁸⁴ A strong case could be made for more, not less, union powers over registered dockworkers, by distinction to the arguments used by critics of the ILA in New York. Bean recorded for Liverpool how in 1911, work gangs would walk off to enforce their demands, in violation of joint agreements that were sometimes weakly enforced¹⁸⁵

Origins of malpractices in Liverpool were as diverse as in other locations. Intermittent earnings, which were more common in Liverpool than on the other two waterfronts, were a major barrier towards the acceptance that constitutionalism was always the best path. Although ‘legal’ means to settle disputes, for example, assisted unionism in gaining recognition, but they did relatively little to raise average pay packets, even after a ‘closed shop’ was imposed.

¹⁸³ MID: LPEA 40 ‘Employers’ Association of the Port of Liverpool’ (4.1.65) pp. 27-8

¹⁸⁴ MID: BPA Box 32 ‘Transport and General Workers’ Union Activity in Liverpool’ (4.7.61)

¹⁸⁵ Montgomery, D., *The Fall of the House of Labor* (Cambridge University Press 1987), p. 103; Bean, R., ‘Custom, Job Regulation and Dock Labour in Liverpool, 1911-39,’ *International Review of Social History*, vol. XXVII part 3, 1982, pp.275-6

Legitimacy issues

More so than in the other ports, chronic lack of confidence by the rank and file in union-backed 'constitutional' means to resolve problems may have fuelled widespread malpractices, in particular the welt. The TGWU's difficulties in retaining the loyalty of local dockworkers from about 1950 are well documented, these giving rise to an extremely hesitant position on malpractices, since they tended to be 'beneficial' to rank and file earnings, even while undermining TGWU authority. The union was also loath to highlight some malpractices since they sometimes exposed overmanning, an argument used by employers.¹⁸⁶

As the employers professed, 'The failure of the employers and the Union to engage the dockers' sympathy and interest has naturally driven him to even closer bonds with his mates.'¹⁸⁷ Where formal authority, whether within the TGWU, inside the Dock Labour Board or in relation to employers, was so shaky in relation to the rank and file, it was but a small step towards a broader disregard by local dockworkers of joint agreements. Despite its dilemmas and problems, the terms of agreements were more closely watched and adhered to in London's enclosed docks, as was its version of the closed shop. Employers, after the failure of their own moves - apparently with no support from the Dock Labour Board - against welting, were not eager to replicate the experience.¹⁸⁸

Where authority moved away from constitutional means to resolve differences, perceived as ineffective in meeting their demands, dockworkers were willing and 'able to seize available opportunities, most notably the 'variability' inherent in the job and the commercial pressures on stevedoring companies to turn vessels round.'¹⁸⁹ 'The habit of spelling (another term for welting) which started during the war,'

¹⁸⁶ '... the welt itself is the clearest evidence of overmanning.' (MID: LPEA 40: 'Employers' Association of the Port of Liverpool' (4.1.65): p. 47)

¹⁸⁷ MID: LPEA Box 40: Employers' Association of the Port of Liverpool' (4.1.65) p. 8

¹⁸⁸ Captain Faulds, a local employer, 'expressed the fear that if another discipline drive was instituted, some employers would find themselves unsupported by the others as had happened in 1958. His Company had become thoroughly disliked by the men and that feeling still existed' (MMM: PEA Box 160 'Working Party on Unauthorised Absence, Late Starts, Early Finishes' (14.4.64)

¹⁸⁹ Turnbull, P. Woolfson, C. and Kelly, J., *Dock Strike: Conflict and Restructuring in Britain's Ports* (Avebury 1992) p. 720

employers concluded, 'has become, after 20 years, ingrained in the men's minds as something which is not wrong in a moral sense.'¹⁹⁰ With accommodating material variables, legitimacy factors probably accounted for the breadth of welting malpractices in particular, and their longevity over smaller scale operations in London and New York

Material variables

The justification given by practitioners for welting practices lay in casual earnings and widespread complaints about bonuses under agreements for 'dirty' cargoes, lack of mechanisation, overtime and washing facilities on the docks.¹⁹¹ Associated reasons centred on the dilapidated state of port facilities and the long hours worked,¹⁹² making it impossible for all the men to work on ships at once.¹⁹³ But employers noted that 'welting goes on whether there is congestion, delay or not.'¹⁹⁴

The welt over time developed an autonomous dynamic of its own from local bargaining, labour supply and wage systems, in which pressure on employers was exerted by indiscipline and the threat of disruption to shipping timetables as the primary factors involved 'Its origin lay in expediency,' according to employers, 'and its continuance mainly lies in the failure of the employers as a whole to exercise their simple duty to manage and maintain normal industrial discipline in their labour force.'¹⁹⁵

During the 1960s, moreover, a difficulty existed of labour shortages in the port; by that stage, 'the reasons which could once be used to try to excuse the welt, such as spinning out the job to avoid "signing" when it is finished, no longer apply.'¹⁹⁶ Consequently, the men saw little to lose and much to gain by disregarding agreements

¹⁹⁰ MMM: PEA Box 160: 'Discipline' (1.5.64)

¹⁹¹ *Liverpool Echo*, 18.10.55

¹⁹² Parliament, Ministry of Labour Committee on Inquiry Under the Rt. Hon. Lord Devlin into Certain Matters Concerning the Port Transport Industry, *Final Report*, p. 16; MMM: PEA Box 160 'Discipline' (1.5.64).

¹⁹³ MID: LPEA 40: 'Employers' Association of the Port of Liverpool' (4.1.65) pp. 27-8

¹⁹⁴ MID: LPEA 40: 'Employers' Association of the Port of Liverpool' (4.1.65) p. 28

¹⁹⁵ MID: LPEA 40 'Employers' Association of the Port of Liverpool' (4.1.65) p. 26

¹⁹⁶ MMM: PEA Box 160: 'a Straight Look at the Welt.'

and in repositioning themselves into a direct 'market' relationship with employers, in which they held most of the cards after 1945. What could not be overlooked were time elements. These ultimately dominated employers' reactions and accounted for the longevity of welting malpractices even after the demise of 'casual' employment and congestion in the port.

Chapter six turns to the port of London, with its vast waterfront and hinterland. Greater variation existed in the structure and type of working practices and malpractices than those found in Liverpool. London also illustrates those 'victimless' malpractices that had the energetic support of employers.

CHAPTER SIX

LONDON: SHIP TURNAROUND AND PIECEWORK

INTRODUCTION

Working practices in Liverpool furnished examples of both ‘victimless’ and of ‘predatory’ types of improper practices though veering towards the latter, for instance in welting. Because steadier work was more available, class tensions in London were lower, making ‘deals’ with employers less problematic for the parties. Malpractices operated with a greater base of legitimacy, and thus higher invisibility, explaining in part the lower profile of malpractices in London’s port.

Wage determination systems were as critical as in Liverpool in shaping malpractices. The biggest difference with Liverpool, however, was in the far large variety of dock facilities, therefore practices and malpractices. Municipal and central government influences were more obvious in London, befitting its unique importance to the national economy.

THE PORT OF LONDON

The largest port in the country, including the numbers of dockworkers employed, markets handled and its physical scope, London’s waterfront boomed after the construction of massive wet dock systems from the 1790s.¹ Trading in all sorts and sizes of commodities, a great variety of ‘malpractices’ emerged.

¹ There are numerous published accounts on the operation and demise of the nineteenth century London docks, including those by Devonport, Viscount, *The Travelled Road: Some Memories of a Busy Life* (privately published. ca. 1935); Pattison, G. W., *The London and India Dock Companies 1864-1909* (University of London Ph.D.1970); Porter, S. (ed.), *Survey of London Volume XLIII: Poplar, Blackwell and the Isle of Dogs* (The Athlone Press 1994); Potter, B., 1887, ‘The Dock Life of East London’, *The Nineteenth Century*, vol. 22, 1887, pp. 483-99. For a good review of the London docking structure as of 1900, consult London County Council ‘Port of London Dock Accommodation’ (London, January 1900) in the Greater London Records Office.

By distinction to the Mersey Docks and Harbour Board, a monopoly supplier of licensing and infrastructure delivery in Liverpool's system after the mid-1800s, fierce competition initially characterised London's dock structure, centred on wet - more commonly known as 'enclosed' - dock complexes, built because of similar tidal difficulties to those in Liverpool.

The private docks system in London degraded as outdated facilities and over rapid expansion curtailed or destroyed their profitability. Dock systems were amalgamated but the decline continued. Inside this context, George Burt, the manager of the Millwall Dock Company, which had suffered from commercial decline more than most, was given nine months hard labour in 1899 for falsifying the balance sheets of the enterprise to make it appear that it was trading healthily.²

Until the establishment of the Port of London Authority (PLA), as Lovell states, the sixty-nine miles of developed London waterfront 'was merely an unregulated meeting-place for a vast number of diverse interests ...'³ In 1908, facing the incipient threat of loss of trade to German and American ports, the Liberal government of the day created the PLA to rationalise port services in the service of efficiency and economy and to include under one roof all the major interests involved.

Congestion

Although docks warehousing in London was adequate, the roads leading to dock facilities were something else. As in New York, a thriving river 'lighterage' trade, with smaller boats ferrying commodities to various parts of the shoreline did alleviate river movement blockages. In addition, the availability of riverside warehouses and canals connecting the docks directly to the hinterland helped get commodities from the immediate docks area comparatively quickly.

But these networks could not compensate for severe roadside congestion, a problem never adequately resolved.⁴ With a situation described as 'appalling', 'Nowhere,' the

² *Times*, 12.4.1899, 15.5.1899

³ Lovell, *Stevedores and Dockers*, p. 30

⁴ PRO: MT 63/203 'Report by Mr Frank Pick on His Visit to the Port of London' p. 5.

Times remarked, 'in the whole of London is road traffic so congested or subject to such vexatious delays.'⁵ Roadside tie-ups gave exactly the leverage many quayside workers required to make something 'on the side.'

The PLA, acting as the nominal leader among employers, felt its hands tied in advancing the cause of improvements, in part because it could not act to widen existing roads or to construct new roads without the permission and cooperation of nearby local authorities and the Ministry of Transport.⁶ Buck-passing on the costs of improvements made for stalemate.

In 1923, Lord Devonport, at the PLA, estimated that each year 'well over 100,000 hours' of working time were lost to vehicle snarl-ups. The London Chamber of Commerce stated that goods could be landed at Southampton and then moved to London quicker than goods landed directly in London.⁷ By 1964, fully 54 per cent of export traffic was coming to the docks by road and up to 1,000 vehicles were, daily, queuing for up to several days waiting to be unloaded.⁸

Road haulage malpractices

Severe road congestion combined with the need for road hauliers to move in and off the docks rapidly to generate malpractices akin to those seen in Liverpool and New York. For quayside workers, the 'fact' of severe tie-ups created the conditions under which haulage firms or drivers would offer payments.

The abuse, even more clearly than others, depended upon an 'opportunity structure,' rooted in docks delivery failures and which was ready-made for manipulation regardless of its 'legitimacy.' And unlike shipboard malpractices, it could not be justified with reference to the casual system of engagement, since most quayside labour was regularly employed or weekly paid.

⁵ *Times*, 2.10.28

⁶ The MID archives' scrapbooks are filled with clippings on this, e.g. *Lloyd's List*, 9.7.23

⁷ *Lloyd's List*, 9.7.23; *Morning Post*, 9.10.23; *Lloyd's List*, 24.10.23

⁸ MID: LEDEA Box 168, LPEA Box 112; MRC: MSS. 126/TG/3/Sack 113/2: 'Port Transport Industry Study Group' (Jan. 1966); *Sunday Times*, 13.12.64, *Lloyd's List*, 12.9.64, 16.9.64.

Pattison reported an early case of favouritism in the queuing system.⁹ Lorry drivers, as in Liverpool, would illicitly pay portworkers to get ahead of the truck line. Most of the smaller haulage firms were considered involved in this practice.¹⁰ There was never a lot of cash involved, but it added up.¹¹ One indicator of what was going on occurred when certain lorries were whistled ahead of time in the queue, 'so you knew something was up.'¹²

In the mid-1960s, the PLA introduced a modified system whereby the waiting drivers' shipping notes were stamped and lorries that were not handled on the first day of waiting would then be able to move to the front of the lorry line the next day.¹³ But the system buckled after quay foremen 'signed up' for their favoured truck drivers and clerks issued tickets, to foremen, specifically kept back for the purpose.¹⁴

As much as in Liverpool, employers sized up the costs of this and judged them far less than the expected gains in getting lorries in and out on, or ahead of, time. Grateful lorry drivers or road haulage firms who played the game, moreover, were hardly likely to make complaints to the port authority, especially if they had to use the docks again. This malpractice rarely surfaced in official or media reports, and was 'legitimated' by its repeated use and with little pretence of in some sense compensating for employer policies harming the men's pay packet.

LONDON DOCKERS' UNION

The first and foremost obstacle to union mobilisation was the relatively poor market position of much of the workforce, paralleling Liverpool's experience. Control over the hiring process by waterfront unions, as the primary method of their organising and expanding organisationally, was consequently a difficult but vital task.

⁹ 'Kearly and Tonge vans never queued when Lord Devonport was PLA Chairman' (Devonport being a major partner in the firm) (Pattison, G. W., *The London and India Dock Companies 1864-1909* (University of London Ph.D. 1970) p. 243).

¹⁰ Interview with LONM, 19.8.99

¹¹ Interviews with LONM, 20.8.99, LONN, 19.8.99

¹² Interview with LONI, 19.8.99

¹³ *Ports and Terminals*, January 1965.

¹⁴ Interviews with LONM, 20.8.99, LONN, 19.8.99

For brevity, the full title of the major London dock workers' union representing 'unskilled' dockworkers from the 1889 strike to 1922 (when it joined the TGWU), the 'Dock, Wharf, Riverside and General Labourers' Union,' (DWRGLU) is abbreviated hereafter to the London 'Dockers' Union.' It represented most labour in the port after 1914 from its 1889 inception in spite of some overlap from the 1920s with the Stevedores' Union in the port. Ben Tillett, the General Secretary of the Dockers' Union, was quickly identified with it, as its chief spokesman and executive.

What was unique to London, among the three waterfronts, was the longer-term co-existence of several union groupings. Nonetheless, the relationship between London port unions was more positive than that between the TGWU and NASDU in Liverpool and non-unionism was an insignificant problem. Despite this, divisions between dockworkers rather than unions were, if anything, more severe than in Liverpool.

Early history

Only fragmentary accounts survive of the first London port unions. Their brief histories, however, demonstrate an abject failure to become embedded in waterfront relations, the chief problems being that of 'blacklegging' and of disunity. In 1853, for example, 3,000 labourers in two docks struck for a wage rise. Trade was brisk, temporarily increasing the bargaining power of labour. Upon the stoppage becoming known, however, strikebreakers were imported to replace the men staying out. Employers also split the portworkers by accepting the demands of one group while refusing the claims of others. In 1864 a second major strike, in the Grand Surrey Docks and in the Commercial Docks, was crushed by similar methods. Chastened strikers threw themselves on the mercy of employers, claiming that they had been 'misled' into downing tools.¹⁵

Central to the history of the port was the 1889 strike. Its details have been well rehearsed elsewhere, so only the main salient points are repeated. Although the origins of the walk off, in August-September 1889, are contentious, conditions were ripe, McCarthy argued, for 'a revolt against all the grievances which had long rankled

¹⁵ *Times*, 9.8.1853, *Times*, 26.8.1864

in the minds of dock labourers.’¹⁶ These included problems over casual employment in the port and grumbles over being short-changed by contractors. The malpractice of having to ‘treat’ (bribe) employers for work was another impetus for action.¹⁷ Unlike previous strikes, this was a success, mainly due to outside help (funds from Australia and donations made by the public) and sympathetic action given by the powerful stevedores’ union.

Major concessions were wrung from the private dock companies and wharf operators, including a rise in the time-based wage, a minimum four hours’ employment once hired, together with a limit to the number of daily engagements. The union won, for a short time, a closed shop and foremen were obliged to join it. But the privilege was supposedly ‘abused’ as unionised and therefore more secure labourers slackened their pace of work, reawakening fears by employers about the probable effects of a union closed shop if it was granted on a permanent basis.¹⁸

Struggle for recognition

The establishment and expansion of the Dockers’ Union was always a balancing act. In a phenomenon equally seen in Liverpool and New York, the union leadership sought to assure waterfront managers that their agreeing in the institution of union controls would not damage profitability while attempting to appeal to union members through the language of militancy and class conflict.

The Shipping Federation, instituted in 1890 and representing most large lines outside of Liverpool, was at the forefront of countering docks unionism.¹⁹ Under poor trading conditions and under attack by employers, by 1900 the Dockers’ Union was left with ‘barely a foothold in the port’ in spite of its astonishing growth ten years previously.²⁰

¹⁶ McCarthy, T., *The Great Dock Strike 1889* (Weidenfeld and Nicholson 1989) p. 81

¹⁷ See the bibliographies in McCarthy, *The Great Dock Strike 1889*, and Schneer, J., *Ben Tillet: Portrait of a Labour Leader* (Croom Helm, 1982)

¹⁸ Parliament, Royal Commission on Labour, *Fifth and Final Report*, cmd. 7421 (1894) p. 146; *Times*, 11.2.1891.

¹⁹ Broeze, F., ‘Militancy and Pragmatism: An International Perspective on Maritime Labour, 1870-1914’, *International Review of Social History*, vol. XXXVI (1991), pp. 165-200

²⁰ Lovell, J., ‘Sail, Steam and Emergent Dockers’ Unionism in Britain, 1850-1914’, *International Review of Social History*, vol. XXXI (1987), p. 248

Perhaps a majority of London dockworkers were outside of any union system.²¹ Incremental advances were made during successive years, but as late as 1920, the union was making slow and uneven progress compared to similar organisations in Liverpool and in New York.

Until the First World War, the chief employers of port labour felt uninhibited in hiring non-union alongside union labour in London. This policy was not, under their definition, 'union busting' since it simply removed the previous bias to the advantage of unionists.²² The Dockers' Union was on the back foot with employers until 1914, when wartime demands intervened in its favour.

1914-47: registration schemes

During World War One, tradeoffs on the waterfront included no-strike deals in exchange for a closed shop and a new legitimacy with governments, standing the union in good stead in the aftermath of war. In distinction to Liverpool, there were no wartime registration schemes in force in London but after the Shaw Report was released, these were rapidly instigated.

'Full time' dockworkers, invariably union members, were central to registration proposals, as detailed in chapter three. Employers would ideally see the benefits in terms of tighter work discipline while registration also went a considerable way towards achieving the goal of 'decasualisation' of waterfront labour.

Statistics showed a steady rise in the number of dockworkers registered in London, these totalling as many as 36,000 in 1933.²³ But this still left over ten per cent unregistered, including perhaps 4,000 unionised men. Kickbacks for work continued

²¹ Thompson, P., *Socialists, Liberals and Labour: The Struggle for London 1885-1914* (Routledge and Kegan Paul, 1967) p. 107. Tillett himself estimate that only about fifty per cent of dockworkers in London were unionised by 1909 (MRC: MSS. 159/3/B/64: letter of 5.3.09 from Tillett to the ITWF).

²² Parliament, The Industrial Council, *Minutes of Evidence Taken Before the Industrial Council*, cmd. 6953 (1913) pp. 569-72; MRC: MSS. 367/TSF/1: Shipping Federation 'Minutes of Proceedings of the Executive Council' 12.6.12). Illustrative of the sometimes hostile atmosphere towards unionism were cases reported, as late as 1914, of union delegates being refused entry to the docks by policemen

²³ PRO: LAB 8/44 'Statistical Statement No. 5' (1933).

to have a role and without strict enforcement, non-unionists could be employed before union men. But as in New York, for example, the most vulnerable to demands for money for work were non-unionised. Schweitzer and Wenger noted that after registered men were taken on, the hiring boss 'threw the tickets in the air and watched the men scramble and fight for them,' a scene almost straight out of the New York centred motion picture film 'On the Waterfront.'²⁴

A 'closed shop' condition was limited to the post-1945 years, and was achieved only after heavy government intercession articulated in the NDLB system and facilitated by favourable port authority interpretations of wartime rules and regulations. Connections such as these to the port 'establishment' were vital to underpin union authority and controls.

UNION DIVISIONS

Although union ruptures seldom broke into the open in London, historic divisions based upon occupation, custom and union association were powerful determinants in reducing the collective strength of waterfront labour. They explained the caution of union executives when bargaining with management.

A huge range of distinctions grew up in the port and proved hard to eradicate once the need for unity became clearer. Several union blocs with long histories were protective of their heritage, and in existence before the Dockers' Union. Although rarely in open competition with one another, as in Liverpool, nonetheless they stymied radical reforms.²⁵ TWGU ('white' union) leaders were aware that strong moves on their part against customary practices - even those contrary to agreements - could invoke mass defections, particularly following the decision in the late 1920s of NASDU ('blue'

²⁴ Schweitzer and Wegner, *On the River*, p. 121. Interview with LONI, 26.5.99; PRO: LAB 8/186: National Joint Council for Port Labour, Standing Advisory Committee on Registration and Decasualisation, Fifth Report (1936); PRO: LAB 8/182: National Joint Council for Dock Labour, Standing Advisory Committee on Registration and Decasualisation (ca. 1936). Gillespie, *Economic and Political Change in the East End*, p. 144

²⁵ MRC: MSS. 126/EB/PL/21/1-2: Minutes of Evidence Taken Before the Port Labour Committee (10.12.30); MID: LWA Box 304: The Port Employers in London Submission to the Committee of Inquiry into the Docks Dispute under the Chairmanship of Lord Devlin (n.d.)

union) to admit general dockworkers into its ranks. Standoff normally resulted, as in Liverpool, with neither unions nor employers in a strong enough position from which to restructure work practices.

Occupational differences were expressed for example in the variable length of engagements and in the spread of earnings. The grain ports and teak handlers had their own closed shop and rosters, as did NASDU. 'Lightermen', who moved on the Thames goods taken from the sides of ships to waterside warehouses and other points, enjoyed a similar local arrangement. NASDU stevedores were the 'royals' in the port with their own hiring and employment arrangements. Grain porters, crane drivers and similarly 'semi-skilled' workers below them in the pecking order meanwhile considered themselves apart from, and superior to, rank and file generalists. Ship workers were of higher status than quay workers, while exporting quay hands were a distinctive group too.²⁶ Development of the piecework system created huge anomalies between grades and acted against lower waged but more steadily employed quayside workers such as clerks and checkers.²⁷

In early 1922, the Dockers' Union joined the TGWU, but inter-union sectionalism remained significant an effect on practices. Confusion resulted when TGWU and NASDU men worked together, as in Liverpool. The PLA docks for example 'belonged' to the TGWU by tradition.²⁸ In the Surrey Commercial dock on the south Thames, ship work was customarily left for NASDU members, while the reverse arrangement dominated at Tilbury docks.²⁹ On Canary Wharf, the TGWU was dominant, but other wharves took on NASDU men first.³⁰ Like Liverpool, there could be practical problems when blue and white members worked in the same gang.³¹ For

²⁶ Lovell, *Stevedores and Dockers*, p. 43; MID: BPA Box 292 'Dock Labour Costs – Onerous Conditions and Restrictions' (17.2.31)..

²⁷ Interview with LONM, 19.8.99

²⁸ Jensen, V. H., *Hiring of Dock Workers and Employment Practices in the Ports of New York, Liverpool, London, Rotterdam, and Marseilles* (Harvard University Press, 1964) p. 193; MID: LEDEA Box 209 'London Ocean Trades – Restrictive Practices' (n.d.).

²⁹ Turnbull, P. Morris, J. and Sapsford, D., 'Persistent Militants and Quiescent Comrades: Intra-Industry Strike Activity on the Docks, 1947-89', *The Sociological Review*, vol. 44 no. 4 (1996), p. 711; Hill, *The Dockers*, p. 130.

³⁰ Interview with LONN, 19.8.99

³¹ Parliament, Ministry of Labour and National Service, *Unofficial Stoppages in the London Docks*, cmd. 8236 (1951) p. 23.

this reason, they were kept apart where possible.³² If there was a dispute, the two unions could call for their own delegates.³³ Means of disciplining errant members also diverged by the relevant union.³⁴

Particularistic traditions and customs created all the ingredients for inertia in union reactions to questionable practices operated by their memberships. Employers, for their part, were as divided and sensitive to the possibility of 'trouble' if customary rank and file privileges and docks 'rights' built up over the years were confronted.

PORT EMPLOYERS

An incredible variety of employers plied their trade in London, more so than in Liverpool. Employer groups were broadly distinguished by the type of waterside installation they utilised and by type of vessel.³⁵ The riverside wharfs employed the single largest number of labourers after the PLA and they both used, more than did the enclosed docks, regularly hired men.

Statistics tell the general story, but should be used with caution insofar as they frequently included inactive firms and operations of vastly different sizes. In 1908, it was reported that 115 riverside wharves existed, each with their own workers.³⁶ The figure for registered port employers during the first half of the 1960s varied between 318 and 444.³⁷ By the 1930s, ocean shippers and stevedore contractors together employed twice as many men as did the PLA. The wharves and granaries gave work

³² MID: London Shipowners' Dock Labour Committee, 20.2.39

³³ Telephonic interview with LONU, 24.11.01

³⁴ Interview in London with LONL, 9.9.99

³⁵ These were listed in PRO: BK 32/12 'Dock Labour Scheme for the Port of London'. Comparable figures for numbers of London waterfront employers are included in: Charity Organisation Society, Special Committee on Unskilled Labour, *Report and Minutes of Evidence*, London: June 1908, p. 29; Mess, H. A., *Casual Labour on the Docks* (G. Bell and Sons, 1916) p. 18; Transport Act, 1947, 'Reports by Docks and Inland Waterways Executive on Review of Trade Harbours 1948-50' (British Transport Commission, 1951) p. 37; PRO LAB 8/1707 'Human Factors in the Dock Area' 2.8.49; PRO: LAB 2/1044/A88/1924.

³⁶ Charity Organisation Society, *Report and Minutes of Evidence*, p. 29; Mess, *Casual Labour on the Docks*, p. 18.

³⁷ *Times*, 6.1.65; Parliament, Ministry of Transport, *Report of the Committee of Inquiry into the Major Ports of Great Britain*, cmd. 1824 (1962) p. 35; Parliament, Committee on Inquiry Under the Rt. Hon. Lord Devlin into Certain Matters Concerning the Port Transport Industry, *Final Report*, p. 52; MID: LWA Box 304 'The Port Employers in London' (ca. 1964)

to 15,000 dockworkers; the highest number in the port collectively, though they were also the most varied in size.³⁸

All key constituents of waterfront capital sat on the PLA from 1908, but its Board did not deal, except in the case of its own staff, with wages and conditions of service of port labour. These issues were left to the appropriate private sector joint committees. The Board included a few representatives of public bodies and of unions, designed to safeguard the wider interest, but employers, who largely paid the bills, heavily outvoted them.³⁹

Like the New York docks regulatory system, the PLA did not involve itself in most loading or unloading activities.⁴⁰ PLA chairmen, befitting the indigenous class structure, were exclusively recruited from the social, business and administrative elites and could be counted upon not to disturb the status quo. The PLA was 'progressive' in its early use of shop stewards, and it maintained a tradition, inherited from predecessor dock companies, of employing sizeable numbers of permanent workers in its warehouses and elsewhere.⁴¹

Nonetheless, the PLA was but one part of a huge port-wide negotiating process. Successive layers of administration, reaching from National Councils to regional and local joint committees, bargained with organized labour on a systemic basis. London

³⁸ The Journal of Commerce 'London Shipping Who's Who? ...' (published from 1924 in London)

³⁹ Parliament, *Joint Select Committee of the House of Lords and the House of Commons on Port of London Bill, Minutes of Proceedings* (1908), London: House of Lords Records Office; Bryant, A., *Liquid History* (London 1960) pp. 42-3.

⁴⁰ MID: LPEA Box 136: Ministry of Transport Working Party on Shipping Turnround in British Ports (10.11.47); see also Harris, G. G., *Memorandum of the Organisation in London in Respect to Port Labour Matters* (London, 16 July 1937); Jeffery, A. E., *The History of Scruttons* (privately printed, 1971) p. 35

⁴¹ The three PLA Chairmen to 1947 were Lord Devonport, a wealthy merchant, Thomas Wiles, a JP, Privy Councillor and vice-chairman of the Corn Exchange and latterly John Anderson, a top-level civil servant and former Governor of Bengal (*Shipping World*, 9.1.46, *The PLA Monthly*, February 1946). There are several detailed accounts of the organisation of employing interests in London, including those in Jensen, V. H., 'Prospects for Labour Peace on the London And New York Docks', in McGill University, Industrial Relations Centre, *The Dynamics of Change: Labour Relations on the Montreal Waterfront* (Montreal, 1970); MID: LWA Box 304: 'The Port Employers in London' (ca. 1964). On PLA shop stewards, see the interview with LONS, 8.7.99. On the PLA hierarchy, consult Hill, *The Dockers*, p. 179; MOL: DK/88/72/1/A: Tim O'Leary

was uniquely served in this respect, with separate negotiating structures for each trade, type of facility and trade union.⁴²

Such a complex and convoluted structure was bound to be divisive. In spite of the official line that all elements on the PLA Board were as one when it came to 'the port', there was indeed internal discord.⁴³ One such conflict was between owners of ships ('vessels') and merchants ('goods'). Early on and throughout the 1920s, for instance, shipowners complained that merchants on the Board had more voting power despite the fact that shipowners paid more towards the running of the port.⁴⁴ The Wharfingers were in particular disagreement with the rest 'owing to the difference of their problems and methods of working.'⁴⁵

On joint committees, power was similarly fought over. On the National Council of Port Employers, shipowners were seen as 'disproportionately powerful.'⁴⁶ At other times, wharf interests were perceived as detached from the deliberations of other Council members, 'owing to the difference of their problems and methods of working.'⁴⁷ With London joint committees, it was claimed at one stage that the big shipowning lines dominated proceedings.⁴⁸

Factionalism made wage negotiations and discussions over the reform of working practices and malpractices fraught with practical difficulty.⁴⁹ Consequently, a

⁴² See Harris, G. G., *Memorandum of the Organisation in London in Respect to Port Labour Matters*, London, 16 July 1937. Museum in Docklands archives

⁴³ See interviews with LONS, 8.7.99; Dick Butler (MOL: DK/88/56)

⁴⁴ PRO: MT 48/90 'Analysis of Register of Voters for the Years 1913-1928'; 'Report of the Committee of the London General Shipowners' Society for the Year 1919-20' on the 1920 revision to the 1908 PLA Act. PRO: MT 48/90: letter of 5.7.28 from the London General Shipowners' Society to the Minister of Transport. Proportions are given in PRO: MT 48/91 'Memorandum. Port of London Elections' (ca. 1930). Consult also: MID LWA Boxes 63 and 65 for PLA electoral arrangements

⁴⁵ MMM: PEA Box 44/1: National Council of Port Labour Employers 'Re-Amended Draft Constitution' (16.6.43)

⁴⁶ Morgan, unpublished paper (1983)

⁴⁷ MMM: PEA Box 44/1: National Council of Port Labour Employers 'Re-Amended Draft Constitution' (16.6.43).

⁴⁸ MRC: MSS. 367/LDS/1/1: London Deep Sea Tramp Shipowners' Association Minutes, 6.3.45.

⁴⁹ Interviews with LONP, 7.7.99, LONS, 8.7.99; communication with J. Hovey, 1.10.99 Wilson, *Dockers*, pp. 40-1; Jeffery, *The History of Scruttons*, p. 40; Transport Act, 1947, 'Reports by Docks and Inland Waterways,' p. 45.

‘consensus’ of sorts developed, in which reforms to malpractices were sidestepped for fear of the turbulence any frontal assault on them would likely cause. Changes in the ways cargoes were shifted were at best incremental and deflected back to joint committees, where recommendations were usually buried.

HIRING MALPRACTICES

Unlike Liverpool, the institution of Dock Labour Board hiring regimes in London did not impinge greatly on customary methods of labour engagement. As late as 1967, traditional ‘free calls’ operated apart from Board hiring centres. As a rule of thumb, unwanted labour reported to dock labour board controls, where it was processed. Men were then obliged to take any suitable work to which they were allocated while the rest were guaranteed a minimum income.⁵⁰

As noted in chapter five, a higher percentage of registered dockers in London were employed on a regular or permanent basis than was the case in Liverpool, about a third of the total.⁵¹ Devlin’s more detailed survey claimed that approximately 35 per cent of those on the register in the early 1960s were weekly engaged, while 25 per cent more were regular followers of the same employer.⁵² The proportions were even larger in certain specialised areas of work such as lighterage, where there after permanently employed men, about 40 per cent of the remainder were described as ‘regular followers’ of employers.⁵³

On most facilities the longest servers could normally expect to be taken on where there was work and for the reasons outlined in chapter three.⁵⁴ Local customs also

⁵⁰ Parliament, Ministry of Labour and National Service, *Unofficial Stoppages in the London Docks*, cmd. 8236 (1951) p. 3

⁵¹ MID: LEDEA Box 132: "Preliminary Report and Recommendations of the Special Sub-Committee of London Port Employers, 1961" (May 1961)

⁵² Ministry of Labour. Committee on Inquiry Under the Rt. Hon. Lord Devlin into Certain Matters Concerning the Port Transport Industry, 1965, *Final Report*, cmd. 2734 (1965) p. 103

⁵³ MID: LWA 304: The Port Employers in London Submission to the Committee of Inquiry into the Docks dispute Under the Chairmanship of Lord Devlin(n.d.)

⁵⁴ Interview with LONG, 21.10.99.

helped to spread out finite work opportunities.⁵⁵ However, this did not match the robustness of 'seniority' systems in New York, since the London system - as with that in Liverpool - was rarely codified, thus could not be enforced by means of joint committees.⁵⁶

Also pertinent was that the larger private dock companies in the late nineteenth century had instituted their own employment regimes.⁵⁷ But each dock had different mixtures of permanent and casual labour. The use of contractors to engage men varied, with the Victoria and Albert Docks being used more by master stevedores than the London and St. Katherine's docks. Those working for the PLA on a steady or permanent basis had to abide by its particular standards.⁵⁸

Differences also emerged in their susceptibility to hiring bribery and other forms of discrimination. Thus at the St. Katherine's Docks, in about 1891 a foreman took on fifty-seven men named 'Donovan' in a single day 'until the men themselves threatened him with violence if he took on any more relations.'⁵⁹

But the fact that their systems functioned inside a vast internal labour market, in which men could be moved around where required, limited its value as a potential model for the rest of the industry, characterised as it was by far smaller installations unable to move labour to other sites where required.⁶⁰

Tilbury Docks, twenty-six miles downstream from east London, was practically self-contained in its labour requirements by the 1930s. Larger employers across the port hired men in the low hundreds on a regular basis (though they could still be taken on daily). The Blue Funnel Line and its associated Glen Line, berthing in King George Dock, between them employed perhaps 300 regular dockworkers in over twelve work

⁵⁵ The London casual corn porters for example were employed 'on the basis that the first gang to finish a job takes the first fresh job available.' (MRC: MSS. 126/EB/PL/21/1-2: Minutes of Evidence Taken before the Port Labour Committee (10.12.30))

⁵⁶ Telephonic interview with LOND, 4.12.00

⁵⁷ Telephonic interviews with LONC, 17.11.01 LONH, 17.11.01

⁵⁸ Interview with LONU, 26.7.99; Lynton, R. P. and King, S. D. M. *Research in the London Docks: Interim Report*, 31 December 1948, p. 9.

⁵⁹ Booth Collection Second Series vol. 111 Collection Part V, Chapter 1

⁶⁰ Stedman Jones, G., *Outcast London* (Penguin, 1971) p. 318.

gangs.⁶¹ Next in importance to the PLA in furnishing steady work were probably the wharves, where coastwise and inter-coastal plying vessels often used their own facilities. Within particular enclosed docks, furthermore, it was known that employment opportunities varied.⁶²

So-called 'choice' work became more available during the 1920s, likely as an outgrowth of the newly established registration system.⁶³ Before 1967, it was estimated that a substantial proportion of the labour in the port worked on a regular basis weekly, maybe up to two thirds of the total. Some figures published were lower, but these only included workers who stayed with one employer as opposed to those work gangs and individuals who moved about in search of a job, a common way of keeping in work.⁶⁴ The 1965 Devlin survey recorded for instance that about thirty-five per cent of London registered dockworkers were 'engaged' on a weekly basis and twenty-five per cent more were regular followers of the same employer.⁶⁵

Nonetheless, improper hiring activities though did not stop after the institution of hiring centres in 1947. An 'accommodation' with particular foremen remained extremely useful in winning better or longer lasting work, reflecting the New York situation well.⁶⁶ The biggest and best-paid ship hold (usually no. 2 hatch) reportedly became a preserve in the enclosed docks of one or two elite gangs, regardless of the friction this caused and the stimulation to hiring corruption it caused.⁶⁷ Wharf practices also showed a poor distribution of earnings, with top earners coming from clearly identifiable gangs who had established themselves over the years.

⁶¹ Telephonic interview with LONP, 20.11.01

⁶² In the 'Royal' group of docks, after 1945 the vast majority of dockworkers were in 'fairly stable' gangs (Lindop, F., 'Unofficial Militancy in the Royal Group of Docks 1945-67', *Oral History*, vol. 11 no. 2 (1983), p. 22). The Surrey Commercial Docks on the south bank of the river, meanwhile, was characterised by many smaller stevedores unlikely to take on large numbers of regular gangs.

⁶³ Gillespie, J. A. *Economic and Political Change in the East End of London During the 1920's* (University of Cambridge. Ph.D.1984) p. 119.

⁶⁴ Telephonic interview with LONU, 26.7.99; interview LONP, 20.11.01. MID: LEDEA Box 132 'Preliminary Report and Recommendations of the Special Sub-Committee of London Port Employers, 1961'

⁶⁵ Parliament, Committee on Inquiry Under the Rt. Hon. Lord Devlin into Certain Matters Concerning the Port Transport Industry, *Final Report*, cmd. 2734 (1965) p.52.

⁶⁶ Hill, *The Dockers*, pp. 17-8.

⁶⁷ Telephonic interview with LONP, 20.11.01

During the 1960s, therefore, London stood perhaps midway between New York and Liverpool in terms of overall stability of ordinary hiring episodes, and so of associated hiring malpractices, these being inter-connected to the availability of work. Most reported cases of corruption at the hiring stand in London dated from the pre-1945 period. One observer of the interwar years in London wrote: 'The pubs opened at six thirty in the morning, and you'd find all gangers in there picking up the men before the eight 'clock call. Instead of going on the call, he'd say to the men, 'Get round to the Acorn Yard, or the Albion Yard, Number Four Berth, so and so ship.'⁶⁸

Wharf working practices

Customary practices in London took on their most diverse form on the riverside wharfs. Wharf practices were, in most respects, autonomous from those on the enclosed docks.

Owners or operators of wharves usually did their own stevedoring work, and each riverside installation had its own dedicated 'free call.' Innovations there included early functioning shop steward systems helping to adjust disputes, uncommon elsewhere aside from within the PLA organisation.⁶⁹ Enclosed dock practices were under closer union scrutiny. The wharves, less visible in this regard, developed their own norms.

Wharf relations were less conflictual than those in the docks, reflecting the high number of weekly workers, about 70 per cent of the total in the mid 1960s,⁷⁰ and the more amicable relationships that developed between employers and their labourers,

⁶⁸ Schweitzer, P. and Wegner, C. (eds.), *On the River: Memories of a Working Rive* (Age Exchange, 1989) p. 122

⁶⁹ Interview with LONM, 20.8.99; Charity Organisation Society, *Report and Minutes of Evidence*, p. 30, *Daily Worker* (London) 22.11.32; MID: Minutes of Meeting of the Port of London Local Joint Committee, 8.6.33.

⁷⁰ Parliament, Ministry of Labour Committee on Inquiry Under the Rt. Hon. Lord Devlin into Certain Matters Concerning the Port Transport Industry, *Final Report*, cmd. 2734 (1965) p. 103

many of whom were virtual fixtures.⁷¹ Because of this, stoppages were less frequent than on the enclosed docks, where fault-lines of were more apparent.

Dealing in the main (but not exclusively so) with smaller, 'as regular as clockwork' docking vessels,⁷² wharf workers could expect four days or more of work per week. Mark Brown's wharf, for example, on the south bank of the Thames, offered work to up to three hundred men daily and there was even a 'waiting list' of people hoping to join the top earning gangs, individuals having to work as 'fill-ins' for a time until a regular gang member retired.⁷³ This and other practices on other wharves assured good quality labour and a certain loyalty to the operator concerned, though this did not always avert unrest or the 'squeezing' of individual employers. Bonus payments were also better than those paid on the enclosed docks.⁷⁴

Customs

Empirical evidence matches the standard theoretical approach in respects, but not in all, since internal waterfront norms and practices were often more important than were differences between port practices. The port of London was the site of countless informal methods of organising the movement of cargoes. Over time, jurisdictional rights developed, as each section of the waterfront established its own working 'rights' that became dangerous to dislodge even where unconstitutional or illegal.⁷⁵

Before 1939, London wage determination was far from standardised. Scruttons, the biggest private stevedoring firm, discharged pine cargoes on 'day' (time) work with a bonus element for example.⁷⁶ As late as 1947, tariffs for discharging the same

⁷¹ As Roy Mankelow noted, many wharf owners were on first name terms with their own labourers, and wharf owners would 'work alongside his men when occasion demanded' (Mankelow, *The Effects of Modernisation and Change*, pp. 111-2)

⁷² PRO: ZLIB 2/107 'Port of London Emergency Committee Report' February 1937; *Fairplay*, 28.11.35

⁷³ Telephonic interviews with LONC, 17.11.01, LONU, 24.11.01

⁷⁴ MID: LWA Box 229 'The Port Employers in London' (n.d.); Parliament, Royal Commission on Labour, *Digest of Evidence Taken Before Group B*, vol. 1. cmd. 6708-11 (1892) p. 278; Parliament, House of Commons, *Report on Dock Labour in Relation to Poor Relief*, cmd. 4391 (1908) p. 9.

⁷⁵ MMM: PEA Box 44/1: letter dated 16.6.43 on 'Re-Amended Draft Constitution.'

⁷⁶ MID: Minutes of a Special Meeting of the Ocean Shipowners' Group Joint Committee, 22.4.32.

commodities varied significantly by locality or firm and, allegedly, standard schedules were only developed in the early 1950s.⁷⁷ The Leggett Inquiry of 1951 also noted the lack of an agreed schedule of piece rates paid for warehousing work.⁷⁸

Employing concerns stepped warily when challenging customary working methods, since these would almost always be defended with spirit. In 1931, for example, the London short sea traders warned that action ‘runs the risk of all the men forming the gang with which the man is associated refusing to work.’ One such instance was in 1934, when 2,000 dockworkers struck for two weeks after redundant clerks were given positions as dock labourers against the unofficial norm on the dock. Men walked off when new machinery was introduced, over a lack of consultation, over wage parity, when fellow dockworkers were disciplined or sacked, and for a multiplicity of other causes.⁷⁹

SHIPBOARD MALPRACTICES

Matching the situation in Liverpool, ship-working dockers in London had ample opportunities to make back-door deals. When combined with poor supervision, ‘problem’ was easily created.

But the shape of malpractices once work started in a ship’s hold was also determined by the extant wage payment method. Where time paying wages, or flat ‘piece working’ payments, were the vogue, as in the other two ports, malpractices were usually centred upon the deliberate dragging out of work. London’s payment by results system generated countless small disputes over bonuses that could easily upset

⁷⁷ Interview with LONP, 7.7.99

⁷⁸ Parliament, Ministry of Labour and National Service, *Unofficial Stoppages in the London Docks*, cmd. 8236 (1951) p. 4.

⁷⁹ MID: BPA Box 292 ‘Dock Labour Costs – Onerous Conditions and Restrictions’ (17.2.31); MID: LEDEA Box 129 ‘Rochdale Committee on Inquiry’ (24.8.61); MID: LPEA Box 115 ‘The Port of London’ (ca. 1951); MID: BPA Box 292 ‘Breaches of National Agreement Stoppages of Work (Mainly Unofficial)’ (April 1933); MID: Minutes of Meeting of the Port of London Local Joint Committee, 8.6.33; *Times*, 26.5.34, 8.2.47, *Journal of Commerce*, 16.8.57. *The Financial Times* (4.11.54) told how thousands of men in two docks struck over the non-union status of truck drivers entering the docks. The strikers were initially suspended but then reinstated when they returned to work. News of this did not reach dockworkers in other sections quickly enough and they downed tools in the mistaken impression that they were helping their mates.

shipowner timetables and furnished incentives for the acquiescence by employers in various malpractices to break real or potential logjams. During World War Two, for instance, it was estimated that 70 per cent of wage disputes in London were related to pieceworking.⁸⁰ The inflationary effects of malpractices lead, in part, to the abandonment of pieceworking there.⁸¹ Ship focused malpractices in London also assumed a collaborative tone with employers, in distinction to welting malpractices on Merseyside.

Piecework related malpractices

Hourly working was discarded on the docks in London, the process starting after the 1889 stoppage but accelerating during World War Two, when payments by results 'spread to almost all operations.'⁸² Pieceworking became the normal method of payment of vessel hatch workers in London, but minority categories of labour were excluded. (Most quay work for instance was by the hour, as were the checking and lighterage functions.)⁸³ In spite of the advantages of piece working for productivity and earnings, they were not without inconvenience for employers and were the cause of many payoffs in order 'to keep the job going.'⁸⁴ During the Second World War, most London waterfront disputes were related to this. Many strikes from 1947-50 were said to be due to the slow working or to the failure of arbitration methods when faced with pieceworking disputes that required instant solutions.⁸⁵

⁸⁰ PRO: LAB 76/21 'Labour in the Port Transport Industry from the End of 1942 to the Passing of the Dockworkers Act, 1946' p. 86

⁸¹ Mellish, *The Docks After Devlin*, p. 19; Parliament, Committee on Inquiry Under the Rt. Hon. Lord Devlin into Certain Matters Concerning the Port Transport Industry, *Final Report*, p. 23.

⁸² MID: LWA Box 333 'Minutes of Meeting of Labour Committee and Employer Members of Wharfingers' Group Joint Committee Held at 2/30 pm Thursday 22nd March 1956 at 17 Crosswall EC3.'

⁸³ Lindop, 'Unofficial Militancy in the Royal Group of Docks 1945-67', pp. 21-33; Gillespie, *Economic and Political Change in the East End of London*, p. 117; MMM: PEA Box 135: letter of 15.11.63; MID: LWA Box 333: Minutes of Meeting of Labour Committee and Employer Members of Wharfingers Group Joint Committee, 22.3.56.

⁸⁴ Interview with LONG, 21.10.99; McKelvey, J., *Dock Labor Disputes in Great Britain: A Study in the Persistence of Industrial Unrest* (New York State School of Industrial and Labor Relations, 1953) p. 54.

⁸⁵ PRO: LAB 76/21 'Labour in the Port Transport Industry from the End of 1942 to the Passing of the Dockworkers Act, 1946' p. 86; PRO: LAB 8/1709 'Dock Disputes' (March 1950).

Although many minor ship board disputes were 'settled with expedition' and without recourse to the official conciliation machinery, problems occurred when new commodities were involved, requiring a joint inspection committee visit to the vessel concerned in order to determine the 'correct' speed of work and to suggest the appropriate rates which were then submitted to the Joint Piecework Committee for confirmation. Other disputes were referred to Joint Area Committees. The Ocean Shipowners' Group Joint Committee dealt with cases brought to it by Area Committees, these used extensively. The highest bodies adjusting disputes in London was the Port Labour Executive Committee, followed by the National Joint Council.⁸⁶

Complex piecework scales governing ship working requiring constant adjustment and were filled with anomalies. Extra money would be paid to ship gangs for example, as in Liverpool or New York, for cargoes that were adjudged to be 'difficult' or 'hazardous.' But as Gillespie wrote, 'some deviation from the ideal norm could be found in most cargoes,' producing anxiety among employers and eventually creating a situation where malpractices to bypass potential or actual difficulties over rates for the job became economically 'sensible.'⁸⁷

'The grounds on which the additions are granted' were 'often quite fictitious,' the London Deep Sea Owners in London claimed.⁸⁸ Devlin and Hill termed these awards 'unjustifiable' and they 'became a way of buying industrial peace, since management had no more control over the men than did the foremen.'⁸⁹ Port employers further noted that 'it must be admitted that individual Employers, acting under pressure from principals, often foreign shipowners, have made unofficial concessions, since the cost of settlement may be fractional compared with that caused by delay to a particular ship.'⁹⁰

⁸⁶ MID: LEDEA Box 159 'Industrial Conciliation Machinery - London Ocean Trades' (22.6.50)

⁸⁷ Gillespie, *Economic and Political Change in the East End of London During the 1920's*, p. 118.

⁸⁸ Lynton and King, *Research in the London Dock*, p. 28

⁸⁹ Hill, *The Dockers*, p. 119.

⁹⁰ MID: LWA Box 304 'The Port Employers in London' (ca. 1964) p. 5

‘There seems to be a tacit understanding, ‘ argued Lynton and King, ‘that the rates should yield earnings 75 per cent higher than day wages.’⁹¹ Both Oram and Hovey similarly stated that work gangs in London would have in mind before beginning work a specific sum they expected to earn and would settle for nothing less.⁹² In the latter 1950s, it was reported that piecework earnings were commonly enhanced by a staggering fifty per cent.⁹³

A range of rewards given to hatch gangs who looked as though they would cause difficulties over rates was wide. Among them could be a tacit understanding with management to be able to knock off work before the agreed time (perhaps after handling a pre-determined tonnage); payment for work not performed; an assurance of overtime employment before work commenced and the outlay of overtime wages when no overtime work was performed. The system might permit men to hold down a second job off the docks such as minicab driving.⁹⁴

The cost of giving way was much less than the price of giving way to a demand from ship workers that could be, in any case, justified if queried as part and parcel of the process of local bargaining. Joint agreements stipulated that ‘on-vessel’ or ‘side of vessel’ negotiations involving representatives of the employers and of the hatch gangs were wholly legitimate means of settling disputes, but only so long as work continued and the outcome stuck to agreements.⁹⁵

⁹¹ Lynton and King, *Research in the London Docks*, p. 19

⁹² Hovey, J., *A Tale of Two Ports: London and Southampton* (The Industrial Society, 1990); Oram, R. B., *The Dockers' Tragedy* (Hutchinson and Co., 1970).

⁹³ MID: LWA Box 235 ‘Report on the Present Position Regarding the Holding of View Committees’ (Feb. 1958).

⁹⁴ Another example was where the work gang was attached to a berth where a ship was working they would be paid the highest tonnage for that ship, even if they might never see the ship. These malpractices were also informally labelled ‘dollar sessions’ (interview with LONF, 30.6.99)

⁹⁵ For a sampling of the joint agreements, consult MRC: MSS. 126/uncatalogued ‘Agreement Between the London Short Sea Traders’ Association and the Transport and General Workers’ Union’ (12.6.28), MSS. 126/uncatalogued ‘Port of London. Ocean Trades ‘Piece-Work Rates to be Paid by the Shipowners or their Contractors’ (15.10.56); MID: PLEC Box 7 ‘The Ocean Shipowners; Group Joint Committee Piecework Conditions Operating On and After Monday, 2nd July, 1928.’ The Museum in London archive contains numerous files related to London piecework disputes, for instance in Minutes of Meeting of the Ocean Shipowners Group Joint Committee in July, 1933.

Local variations

The type and size of employer had a marked bearing on their willingness to go along with shipboard malpractices. PLA managers would frown upon them because of the precedent they set in raising shipping costs in London port. If an employer using PLA facilities was caught, for instance, his ships might be moved away from the central markets, resulting in a loss of profits.⁹⁶ But few such cases were uncovered, especially in the stevedoring contractor sector where the bigger problems arose.

Larger foreign shipowners seemed more accommodating towards improper practices, as in Liverpool. Smaller stevedores in particular docks, such as those in the Surrey Commercial and the Millwall enclosed docks complexes, were also considered more likely to participate in malpractices, as told by interviewees. John Hovey recalled how, when he operated as a Millwall dock master stevedore in the 1960s, he would personally 'grease the palms to varying degrees of the masters, mates and ships' clerks, the employees of the cargo-superintending firms who were responsible for making the official returns of cargo handled to the owners.'⁹⁷

Wharf labourers, although thought on average 'less greedy' than their enclosed dock counterparts, were not above treating themselves to improper payments where made available. In 1931, public wharf owners for example noted that employers utilising their facilities gave way under pressure to the men and that wharf labourers declined to do Saturday working if Sunday work was not on offer. Smaller boats, mostly owned by their captains and tending to use the wharf facilities, were unusually sensitive to stoppages and therefore quicker to concede to payments of this sort.⁹⁸

Rank and file practitioners favoured the day before the vessel was due to sail as the right time to find a previously 'unforeseen' problem on which to hang a demand. That said, hatch gangs were 'always' on the lookout for anything that could raise earnings⁹⁹

⁹⁶ Interview with LONS, 8.7.99.

⁹⁷ Hovey, *A Tale of Two Ports*, p. 34

⁹⁸ Interview with LONA, 30.6.99.

⁹⁹ MRC: MSS 126/uncatalogued (Minutes of Meeting of the Ocean Shipowners' Group Joint Committee, 1932-3) and MSS. 360/NMLH/50/01/02/001. One interesting case, in Stepney, involved men deciding to work on time-wages as a response to disciplinary action. It was

using piece-working payments arrangements as ‘an excuse for delay and a seedbed for argument.’¹⁰⁰

‘So when you think of all the ingredients there were for industrial trouble,’ recalled Dick Butler, a senior manager in the PLA, ‘you couldn’t have designed it if you wanted to.’¹⁰¹ Unofficial practices eroded the legitimacy of joint agreements, and were therefore condemned at port level but often quietly acquiesced with by local union officials as a popular means to make up income and in which even ‘regular’ work gangs participated if opportunities came along.¹⁰²

Area Committees

Machinery was further developed from 1920 to settle enclosed dock shipping disputes without the need for stoppages (the wharf system was separate). Each major British port including Liverpool was subject to new arrangements building on previous structures, but these tended to be disproportionately used in piece-working waterfronts because of the direct relationship between commodity and earnings.

Each sector of the port had its own committees that oversaw dock or wharf arbitrations if there was the threat of a downing of tools from work gangs, and with a means to take the matter to a higher level if no agreement could be reached there and then.¹⁰³ If an Area Committee was convened but its award was rejected, the gang had the right in London to switch to ‘day work’, a reversion to payment by the number of

claimed by the men concerned that piecework under the circumstances was optional (MID: LPEA Box 113: London Short Sea Traders’ Association ‘Minutes of an Emergency Meeting’ (6.6.47))

¹⁰⁰ Hovey, *A Tale of Two Ports*, p. 51.

¹⁰¹ MOL: DK/88/56: Dick Butler.

¹⁰² MID: LWA Box 304: The Port Employers in London, Submission to the Committee of Inquiry into the Docks Dispute Under the Chairmanship of Lord Devlin (n.d.); National Council of Port Labour Employers comments in MID: National Council of Port Labour Employers ‘Port Labour Costs’ (n.d.).

¹⁰³ MID: LEDEA Box 159 ‘Industrial Conciliation Machinery – London Ocean Trades’ (22.6.50); MID: LPEA Box 137 ‘Committee of Inquiry into Dock Strikes in London’ (1950); Harris, G. G., *Memorandum of the Organisation in London in Respect to Port Labour Matters*, London, 16 July 1937.

hours worked, which decelerated the tempo of work.¹⁰⁴ For this reason, employers avoided it where possible. The prospects of gangs going on day work 'was always a nightmare' for employers and gangs were well aware of the pull this gave them.¹⁰⁵

A ship cargo, under dispute conditions, was going nowhere until a satisfactory arrangement for the rank and file was forged. The balance of advantage in this situation lay with the men, whereas once the ship was gone, it was felt that the final adjustment would be less agreeable because of the obvious fact that the cargo under dispute was not longer available to inspect.¹⁰⁶ If an employer refused to agree to a rate for the job put forward by a union official for example, this was 'often followed up with an implied threat of a stoppage by the men if they do not get what they want.' Faced with the reality of lost production, many employers gave whatever was necessary as 'a way of buying industrial peace.'¹⁰⁷

Shipowners could, it was argued, always put up their prices to reflect the costs of extra-agreement earnings. 'All sorts of deals would try to be struck to make it work out.'¹⁰⁸ Once 'the immediate problem' for a shipowner was resolved, its repercussions were not considered.¹⁰⁹

1967-1972

Piecework as the chief method of calculating London dock wages became obsolete a few years after Devlin Report recommendations. From 1970, an 'upstanding weekly wage' was adopted, based on full-time working for a single employer and weekly

¹⁰⁴ Dash, *Good Morning Brothers*, pp. 58, 109; MID: LPEA Box 159 'Revision of Piecework Discharging Schedule and Manning Scales' (6.7.53); MID: Minutes of Meeting of the Ocean Shipowners' Group Joint Committee, 6.1.55; MID: LWA Box 238: Minutes of the Meeting of the London Association of Public Wharfingers (7.1.65)

¹⁰⁵ Wilson, *Dockers*, p. 232.

¹⁰⁶ MID: LWA Box 235 'Report on the Present Position Regarding the Holding of View Committees' (Feb. 1958).

¹⁰⁷ Hill, *The Dockers*, p. 119.

¹⁰⁸ Interviews with LONA, 30.6.99, LONG, 26.5.99, LONT, 15.6.99, letter from J. Hovey, 1.10.99, Hill, *The Dockers*, p. 122; MID: LWA Box 238: The London Association of Public Wharfingers Ltd. (7.1.65).

¹⁰⁹ Parliament, Ministry of Labour and National Service, *Unofficial Stoppages in the London Docks*, cmd. 8236, 1951, p. 6

wages replaced piece payments, in part to eradicate the previous corruption but as much in recognition that unitised cargoes were inappropriate to payment by results.¹¹⁰

Negotiations by this stage were conducted with the presence of a government committed to 'modernising' cargo-handling methods on the British docks.¹¹¹ Tradeoffs for a radically improved employment package included a pledge by the TGWU and NASDU leaderships to help end 'restrictive' practices, some of which moved across the dividing line into 'malpractices.' The riverside wharves, not handling container traffic, did not need a change to its payments regime or to its working practices. Traditional forms of practice and malpractice were unaffected.

One reason for the urgency was the quandary over illegal payments, which was felt to be getting out of hand.¹¹² The upstanding wage would replace, in the enclosed docks, most other types of payments such as 'job and finish.'¹¹³ Shift work was introduced, the continuity rule abandoned, manning scales reduced and men disallowed from refusing to work if they were short-handed.¹¹⁴ 'Dirty money' disbursements were, however, retained.¹¹⁵ The manipulation of weekend working excepted, fewer openings existed for additions to the basic wage, though improved time rates were expected to make the job financially attractive.¹¹⁶

In London, an arbitration chairman system was set up after Devlin Phase 2 to speed up the process of dispute adjustment. This was felt a necessity, since the weekly wage structure invited 'slacking off' in the same way it did in New York.

The accepted and matter-of-fact quality of ship related payments in London is at first surprising given a comparative lack of publicity afforded them, a product assigned to political factors in large part. Yet in their breadth, they seem to have dwarfed any problems New York had in this respect, although the evidence there remains incomplete and to an extent contradictory.

¹¹⁰ Wilson, *Dockers*, p. 235.

¹¹¹ Wilson, *Dockers*, p. 218; *Times*, 18.9.68

¹¹² Interview with LONB, 17.6.99

¹¹³ MID: LEDEA Box 260: 'Riverside Employers' Working Party.'

¹¹⁴ Hovey, *A Tale of Two Ports*, p. 70.

¹¹⁵ Interview with LONJ, 16.6.99

¹¹⁶ Telephonic interviews with LONE, 20.11.01, LONP, 20.11.01

Manning malpractices

A local 'malpractice' that employers actively cooperated with was in the intentional under-manning of working gangs. Collusion over manning scales for ship labouring often suited both employers and gang members. For this reason it was unusually under-reported as a violation of port rules to unions and dock labour boards. The malpractice extended between the riverside wharves and the enclosed docks.¹¹⁷

Manipulation of joint agreements on correct gang sizes was also a way of creating 'goodwill' on the docks.¹¹⁸ Agreements stipulated that where a dock gang was under-strength, it should still start work until made up. When other employers could not help, labourers would be requisitioned from Dock Labour Board centres to make up the shortfall when the relevant men became free.¹¹⁹ In reality, a range of alternatives to these existed. Some gangs flatly refused to even start work until fully made up, in contravention of joint agreements, or they demanded 'exorbitant payments to perform the work' in the meantime.¹²⁰ One gang might also refuse to merge with another to resolve the employer's dilemma.¹²¹

By 1952, 'the present National Agreement on shorthanded working was being observed in very few ports and certainly not in the principal ports.'¹²² A deciding factor for employers when deciding what to do was the cost of securing additional dockworkers. This, in a time of near full employment and/or the non-availability of the right sort of labour, could be a headache for any employer. Furthermore, the immense size of a port like that of London and New York formed a number of natural geographic barriers to the easy movement of labour across it where required.

¹¹⁷ MID: LWA Box 229: 'The Port Employers in London' (10.6.66)

¹¹⁸ LONM, however, related how twice in his experience a whole wharf was punished before the TGWU executive for unconstitutional short-handed working malpractices (interview, 19.8.99).

¹¹⁹ MID: LPEA Box 136: Ministry of Transport Working Party on Shipping Turnround in British Ports (10.11.47); MID: LEDEA Box 159 'Revision of Piecework Discharging Schedule and Manning Scales' (6.7.53).

¹²⁰ MID: LWA Box 304 'Port Employers in London' appendix 7 (1965).

¹²¹ MID: LEDEA Box 209 'London Ocean Trades – Restrictive Practices' (n.d.)

¹²² MID: LEDEA 26: Minutes of a Special Meeting of the London Shipowners' Dock Labour Committee (27.3.52)

Inadequate public transport further fuelled problems of getting ‘fill-in’ gang members across the docks in sufficient time to be of much use.¹²³

Wharf facilities were particularly prone to this difficulty due to their distance from centres of economic activity. Smaller gang sizes also translated into a lower levy to the Dock Labour Board from employers and travelling expenses would have to be paid by the operational employer if they requisitioned control board labour.¹²⁴ From an employers’ viewpoint, the balance came firmly down in favour of collaborating with gangs in the functioning of depleted gang malpractices.

Workers who adapted to employer needs were offered lucrative inducements. Some was justifiable, since fewer men could not move as much cargo, and this affected their earnings, for which they wanted compensation. Hence, under another heading in company accounts, it was a practice to pay the colluding work gang the missing man’s wages for the day, or to give the gang overtime despite it being un-worked for or to give them a day off on pay. A variant on this was the situation where agreements stipulated that extra men above the usual gang size should be taken on for special work. Where this occurred, no more men would be in fact employed, and the gang members would divide wages allocated for the ‘additional’ or ‘phantom’ workers.¹²⁵

Ultimately, employing negotiators blamed the problem on inflated gang sizes that unions had refused to seriously discuss. Joint agreements encouraged ‘ghosting’ and ‘featherbedding,’ since they were inbuilt into their provisions. The answer lay in a systematic pruning of gang sizes. To this suggestion, unions were loath to concede. Also pertinent was the embarrassing reality that if gangs could work without a loss of productivity with fewer men than assigned, the unions’ case for maintaining intact traditional gang sizes would be undercut.¹²⁶

¹²³ Parliament, Committee on Inquiry Under the Rt. Hon. Lord Devlin into Certain Matters Concerning the Port Transport Industry, *Final Report*, p. 19; MID: LEDEA Box 26: Minutes of a Special Meeting of the London Shipowners’ Dock Labour Committee, 27.3.52

¹²⁴ Interview with LONH, 30.6.99.

¹²⁵ Interview with LOND, 22.10.99

¹²⁶ The London Shipowners’ Dock Labour Committee commented that ‘it would present the Employers with an excellent case for applying for reductions in manning’ (MID: LEDEA Box 26: Minutes of a Special Meeting of London Shipowners’ Dock Labour Committee, 27.3.52)

Riverside wharf malpractices were less evident than those in the docks. Since union oversight was weaker, and labour generally more amenable to the needs of individual employers ('wharfingers'), 'there wasn't a wharf that actually carried out the wharfingers agreement.'¹²⁷

Wharf gangs were more mobile than those working the enclosed docks and were willing to work in other jobs aside from their 'principal' one. This made the task of detecting deliberately under-strength working more difficult still for union officials, even where they were suspected.¹²⁸ (Shipboard workers, for instance, might work as checkers the next day.)

Work in the enclosed docks was normally less secure and full gangs seen as a critical component in propping up employment levels.¹²⁹ But there were exceptions. Tilbury docks, for example, was a full twenty-six miles downstream from the central waterfront, hence a site of short-handed ganging. There was a nearby dock labour board hiring point, but if the right labour was unavailable, the next was up to fifteen miles away, and it could take suitable 'fill-in' labour one and a half hours to get to Tilbury.

Continuity rule

'Continuity' working practices were, for the structurally less favoured ship workers, a 'prized possession' that, as Dash argued, gave a greater regularity of employment even to the most casually engaged gang. They simultaneously curbed hiring corruption.¹³⁰

Continuity agreements stipulated that where a gang started work on a vessel, they would have to carry on until the whole 'job' (defined as a hatch or a ship) was finished, and labourers affected could not be laid off after the minimum engagement

¹²⁷ Interview with LONG, 21.10.99.

¹²⁸ Telephonic interview with LONU, 24.11.00; MID: LEDEA Box 159 'Revision of Piecework Discharging Schedule Manning Scales' (6.7.53).

¹²⁹ Interview with LONJ, 16.6.99; telephonic interview with LONH, 17.11.01

¹³⁰ Dash, J., *Good Morning Brothers* (London Borough of Tower Hamlets, 1987) p. 56; Lynton, and King, *Research in the London Docks*; Oram, *The Dockers' Tragedy*, p. 183.

period. For this reason, in militating against 'casual' engagements, rank and file activists defended the practice with extraordinary energy and gusto.

The continuity rule did not apply to quayside portworkers and NASDU observed its own continuity practices. In London, the rule did not apply to tally clerks, lightermen, to quayside deliveries or to the delivery of cargo over the side of a vessel.¹³¹ Each riverside wharf had its own variation.¹³² An identical practice operated in Liverpool, but seems to have been used more in London, since Liverpool interviewees rarely mentioned it without first being prompted, and continuity in Liverpool does not feature in the literature.

From 1944, the continuity rule was entered into joint agreements, seeking for employers to guarantee uninterrupted production, as it sought to remove the advantage that elite gangs ordinarily had in terms of the better-paying hatches on vessels. Employers gained by having a steady supply of labour working their vessels, a valuable service not lost on them.¹³³

'Continuity' rules created malpractices when gang members or employers felt short-changed by their provisions. Attracted by a better paying cargo on another berthed vessel, individual gang members might 'break' continuity for their own convenience, for instance by going off sick and thereby risking a fine or other sanctions. Such seems to have been a malpractice identified, for example, on Canary Wharf among some of the non-PLA men.¹³⁴ Employers might bend the system in trying to keep their 'better' gangs together, even paying them for time they did not work so that they would be available a little down the line, termed 'hoarding.'¹³⁵

¹³¹ Interview with LONT, 15.6.99

¹³² Telephonic interview with LONC, 17.11.00

¹³³ Interview with LONS, 8.7.99.

¹³⁴ Interview with LONG, 21.10.99

¹³⁵ Interview with LONP, 7.7.99; telephonic interview with LONP, 20.11.00; MID: Minutes of Meeting of the Ocean Shipowners' Group Joint Committee, 14.1.60; Parliament, Committee on Inquiry Under the Rt. Hon. Lord Devlin into Certain Matters Concerning the Port Transport Industry, *Final Report*, p. 15; Turnbull, P. and Sapsford, P., 'A Sea of Discontent: The Tides of Organized and 'Unorganized' Conflict on the Docks' *Sociology*, vol. 26 no. 2, 1992, p. 306

Formalised continuity provisions furnished protection, in theory if not always practice, against 'queue jumping' in the hiring process and were an undoubted improvement on the New York situation, where no such rule existed. Against this were the divisions it caused between men and employers who indulged in continuity related malpractices and those who refused.

'Job and Finish' arrangements

As in Liverpool, shipowners paid bonuses for more rapid servicing, or to avert deliberately slow working. 'Very frequently,' the London shipowners dock labour committee explained, 'when a shipowner was in a hurry for his ship on the last day of her loading or discharging programme, a job and finish offer was a most useful incentive.'¹³⁶ Nevertheless, job and finish could be activated at any time a vessel was docked.¹³⁷

The existence of this type of payment was long recognised and accepted and as in Liverpool was not explicitly proscribed in joint agreements, according to interviewees.¹³⁸ But threats to stop work or similarly disrupt the free movement of cargoes, these being against port rules, were evident in conditioning employers' willingness to acquiesce.

Material rewards furnished by employers for quick service could take a variety of forms. It might imply time off on pay (commonly applied) and could amount to only working three days for five days' earnings. Guaranteed Sunday working was another return that could be made available.¹³⁹ Job and finish could be paid to single hatch gangs or to all the gangs working a vessel.

Most London employers were involved at one time or other in the practice, in the last analysis it shaving perhaps a day off time a vessel spent in dock (and if performed on

¹³⁶ MID: LEDEA Box 26: Minutes of a Special Meeting of the London Shipowners' Dock Labour Committee, 27.3.52.

¹³⁷ Telephonic interview with LONC, 17.11.01

¹³⁸ Identically functioning 'plus' money was noted on the late nineteenth century London docks (Schweitzer and Wegner, *On the River*, p, 136). In Glasgow, 'job and finish' was termed 'job and knock' (email from W. Kenefick, 29.10.98).

¹³⁹ Interviews with LONN, 19.8.99, LONS 8.7.99; telephonic interview with LONU, 17.11.01

a Friday, maybe a whole weekend).¹⁴⁰ 'Job and finish' payments were also the clearest demonstration of dockworkers' control over the work process after engagement. Job and finish practices equally illustrated working practices that while not criminal or even unconstitutional, depended on similar factors associated with malpractices.

'Short night' payments

Night-time dockwork largely involved the continuation of work by day gangs into overtime, since there were (until the 1970s) few dedicated night gangs in either Liverpool, London or, indeed, in New York.¹⁴¹ Outgoings for employers described as 'short night' were those, as in Liverpool, in which the ship gang worked up to perhaps midnight, but were paid to 8am the following morning, in accordance with agreements.¹⁴²

In spite of their 'legality', they were clearly open to abuse. As in New York, gangs staying on were guaranteed by agreement and contract a certain monetary sum whether worked or not, in compensation for the personal inconvenience the practice caused, and because short night working dockworkers might not be able to report for work at the first call-on of the next day.

Short-night practices were lucrative and there was no shortage of volunteers to work them. One tactic deployed by dockworkers to secure a short night payment was the deliberate going slow of the work rate during normal hours.¹⁴³ It was also alleged that gangs would refuse to work short nights unless guaranteed sums 'greatly above the

¹⁴⁰ Telephonic interview with LONG, 23.4.01

¹⁴¹ The normal workday in Liverpool and London was from 8am to 5pm (to noon on Saturdays) (MID: PLEC Box 7: The Ocean Shipowners' Group Joint Committee 'Piecework Conditions operating On and After Monday, 2nd July, 1928'; Lynton and King, *Research in the London Docks*, p. 17).

¹⁴² Interview with LONG, 21.10.99; MID: 'Agreement Concluded by The Enclosed Docks Employers (LOTEA and PLA) with the Transport and General Workers' Union and the National Amalgamated Stevedores and Dockers' (9.6.67); Lynton, and King, *Research in the London Docks*, p. 17

¹⁴³ MID: LWA Box 304 'The Port Employers in London' appendix 7.

agreed overtime increment.’¹⁴⁴ Employers also complained of a shortage of permanent night and evening working gangs to solve the difficulty, looking back with affection to the era before 1939 when labour was more plentiful, and pliable and before ‘restrictive’ practices such as the ending of night-working gangs fully took hold. The TGWU retorted to this that the poor wages of that era forced the men to work on weekends and nights, but that the post-war boom had made this unnecessary.¹⁴⁵

Specific arrangements for short night working might vary. In NASDU, the custom was that men working long nights had to take the next day off. TGWU men were only allowed to work two short nights in a row if the ship was due to sail. On the wharves, the practice was to pay short nights on the final night the ship was in port.¹⁴⁶

Although an expensive option for the employer, short night gangs were sometimes useful, in that they guaranteed that the right gangs were ‘on tap’ late into the day in case of an unforeseen emergency. ‘Long nights’ - where ship labour could actually work the full number of hours it contracted for - were unpopular for obvious reasons and less so attracted volunteers.

BRANCH IRREGULARITIES

Branch affairs in London indicated the loose nature of union controls at local level. Central union headquarter oversight of branch practices was never strong, matching the situations in Liverpool and New York. Although most published criticisms of Dockers’ Union branch malpractices centre on the earliest period, enough is known to suggest that an institutional problem remained into the 1970s.

Commentating upon the origins of London waterfront unionism, Matthews argued that ‘the new unions were a shambles, with records badly or not kept at all ...’ and with

¹⁴⁴ MID: LWA Box 304: The Port Employers in London, Submission to the Committee of Inquiry into the Docks Dispute under the Chairmanship of Lord Devlin (n.d.).

¹⁴⁵ MID: LPEA Box 136: Ministry of Transport Working Party on Shipping Turnaround in British Ports ‘Port of London Interim Report by Visiting Team’ (10.11.47)

¹⁴⁶ Interviews with LONL, 26.7.99 LONM, 5.10.99, LONU, 24.11.01; MID: Minutes of Meeting of the London Agreement Joint Committee, 6.12.35

financial probity 'not a strong point.'¹⁴⁷ Evidence of the union's high administrative costs was made public in 1895, when expenses drawn from Dockers' Union accounts were admitted to have exceeded income.¹⁴⁸ It was also reputed that Ben Tillett, president of the Dockers' Union, was 'hopelessly overloaded' with his duties and delegated much routine work to others.¹⁴⁹ The bulk of branch funds were kept for branch use, generating suspicion of misappropriations.¹⁵⁰

By 1920, the situation was alarming, as Executive Council members complained of 'a good deal of leakage' in union finances and of the cursory and slipshod nature of branch audits. Many Dockers' Union branch accounts were never properly scrutinised, branch officials in charge of finances being appointed 'because of their strength' rather than due to their expertise at sparsely attended meetings, while the job of branch auditor or branch secretary was unattractive to most union members. The Executive had gone into branches 'on more than one occasion' when a branch audit was disputed. In 1919, one branch audit was rejected; those participating in the irregularities were prevented from taking any office in the branch for a year.¹⁵¹

The few surviving branch records also show the extent of poor branch attendance in London, no doubt strongly affecting the problem of bad practices inside branches, since it was left by and large for a small group of unsupervised officials to oversee practices and standards. In July 1920 it was reported that in the Tower Bridge (London) Branch of the union only thirty members were present at a meeting; in April 1921 it was noted that 'no more than 20 can be called active members.' On 3 May 1921 an uninterested membership was again noticed; and in May 1922, just one

¹⁴⁷ Matthews, D., '1889 and All That', *International Review of Social History*, vol. XXXVI, pp. 25-58

¹⁴⁸ Matthews, D., '1889 and All That', p. 32; *The Morning Post* (London) 28.3.1895

¹⁴⁹ Lovell, *Stevedores and Dockers*, p. 116. For the structure of the union, consult: LSE Archive, Booth collection, B140 pp. 1-4; Schneer, *Ben Tillett*, p. 47

¹⁵⁰ The 1890 report of the Dockers' Union dealt with the 'unsatisfactory state' of London branch accounts and voiced a doubt that all monies were being forwarded to area headquarters (DWRGWU 1980 Annual Report, pp. 13-15)

¹⁵¹ MRC: MSS. 126/DWR/4/3/2: 'Minutes of the Triennial Delegate Meeting' of the DWRGWU, 18-22 May 1920, pp. 79-84

nomination was put down for representative to the Area Trade Group Committee in the TGWU.¹⁵² Other TGWU branch malpractices were covered in chapter two.

PILFERAGE AND GAMBLING

Largely away from the eyes of union officials, rank and file dockworkers invented their own means of supplementing the basic wage and of keeping themselves busy during quiet periods. Like that in Liverpool and New York, pilferage on the London waterfront was always a substantial problem.¹⁵³

During the immediate post-1918 years, theft cases reached serious proportions, in one case drawing in three docks policemen.¹⁵⁴ H. M. Customs prosecuted the entire crews of two lighters in 1925 for smuggling fifty-two bottles of whiskey.¹⁵⁵ Over the course of the 1930s, thefts persisted.¹⁵⁶ As one interviewee remarked, 'I wouldn't say (pilferage) was bad, but it was bad enough.'¹⁵⁷

Highly organised meat theft was a particular problem to London during the 1960s. Unlike most types of pilferage, which were for personal consumption on a dock estate, this involved overseas meat unloaded at the Royal Group of docks being imported to receivers outside the docks - 'It wasn't pilferage, it was wholesale theft.'¹⁵⁸ A quayside tally clerk would team up with a corrupt truck driver and local butcher to take meat carcasses from the docks undetected and then to distribute it.¹⁵⁹

Local newspapers and dock labour board records would periodically report pilferage cases detected.¹⁶⁰ But statistics grossly under-stated the true magnitude of the

¹⁵² MRC: MSS. 126/DWR/4/3/2 'Minutes of the Triennial Delegate Meeting' of the DWRGWU, May 1920, pp. 79-84

¹⁵³ Cf. Morton, J., *East End Gangland* (Little, Brown and Co. 2000) pp. 239-40.

¹⁵⁴ Bates, L.M., *The Spirit of London's River* (Gresham Books, 1980) p. xii; Smithies, E., *The Black Economy in England Since 1914* (Gill and Macmillan, 1984) p. 45

¹⁵⁵ PLA Minutes of Proceedings, 17.12.25

¹⁵⁶ MOL: 85/368: E. W. Robinson.

¹⁵⁷ Interview with LONU, 26.7.99

¹⁵⁸ London interview with LONS, 8.7.99

¹⁵⁹ Interviews with LONB, 17.6.99, LONH, 30.6.99, LONI, 26.5.99; *Times*, 9.11.65

¹⁶⁰ PRO: BK 1/245, BK 1/246, BK 1/247, BK 1/248, BK 1/249, BK 2/1099; *Surrey Times*, 1.9.51; *East End News*, 21.4.61

problem. Heavy-handed police presence on the docks could trigger a walkout, as in 1946, 1953 and 1960.¹⁶¹

Local community reaction to those accused of pilfering in London was likely to be sympathetic. Because the relatives of dockers were said to sit on local juries, low conviction rates were blamed on this.¹⁶² Violence often attributed to the New York docks situation was very largely absent in London, but ‘professional teams’ were reported by one source as setting up stall outside the docks estates for a short period.¹⁶³

Gambling activities were, in the word of one participant, ‘to pass the time of day.’¹⁶⁴ Akin to Liverpool, most was carried out at break periods or between work episodes in canteens. In 1955, one official report claimed that professional gambling was being conducted inside the Royal Docks hiring centres.¹⁶⁵ There were bookmakers’ agents active on the docks, but the sums involved were small.

GOVERNMENT ATTENTION

The earliest links between the London waterside and political processes were dominated by capital. After 1908, obvious political involvement by port employers decreased and the initiative thereafter lay firmly with the Dockers’ Union. From roughly 1915, central state policy rapidly assumed priority over local government initiatives, paralleling developments in Liverpool. Evidence of political interventions is more profuse for London than is the case for Liverpool.

¹⁶¹ MID: LEDEA Box 200 ‘Report of Stoppage of Work’ (August 1946); *Evening Standard* 26.10.60, *Times* 11.4.53. They were over, respectively, police searches when the men were at lunch, police questioning related to the theft of canned meat and problems over the ‘frisking’ of men during a search.

¹⁶² MOL: DK/87/27/1/A: Glyn Hardwicke. Hardwicke was the PLA prosecuting solicitor in the 1960s.

¹⁶³ Interviews with LONE, 25.5.99, LONM, 20.8.99

¹⁶⁴ Interview with LONC, 25.5.99.

¹⁶⁵ PRO: BK 2/89 ‘Gambling – London’ 8.11.55

Private docks companies and the PLA

New York's answer to the question of integration of waterfront services was a politically responsible 'Docks Board.' Despite its shortcomings, the Docks Board system did lay accountability squarely at the door of political figures, which could be removed for non-performance by the electorate. In London, private sector influence in the administration of the port was predominant. Fears over 'inefficiencies' and the social disturbance that a 'politicisation' of docks operations would bring were a perennial concern. This explained why organized labour was given so little real influence on the Port of London Authority (PLA) Board.¹⁶⁶

The 'undemocratic' form of the PLA Board as it was eventually constituted was attacked by the Dockers' Union and then the TGWU, but it never changed.¹⁶⁷ Campaigns were stymied by the argument that any labour representation on the Board, no matter how small, was an advance.

Yet, nineteenth century enclosed dock enterprises were long involved in political activity. Through ownerships linking them to the wider capitalist economy, the interests of investors and directors were safeguarded. City of London financiers, aldermen and councillors and riverside constituency Members of Parliament were scattered through the old docks systems as investors or directors.¹⁶⁸ Despite being riven with internal conflicts of interest,¹⁶⁹ they formed, as a collective trend, a 'conservative' bloc with which to take on emergent dock unions and to fight for lower municipal taxes affecting dock earnings.

¹⁶⁶ PLA Archives scrapbooks reflect this worry. They included accounts of the Fitzroy Docks in New South Wales, Australia, where misbehaviour was connected in 1903 to skulduggery between the local union and politicians (e.g. *Daily Telegraph* (Australia) 9.7.03). Even supposedly 'progressive' dock operators such as Sydney Holland labelled plans to raise the profile of municipal interests on the PLA Board 'a wastrel programme' (*Daily Telegraph*, 13.11.07).

¹⁶⁷ One such effort was made in 1924 to alter the Board's makeup (PRO: MT 48/82: minute sheet, interview with Tillett on 1.5.24; *The Dock and Harbour Authority*, July 1924).

¹⁶⁸ Names and positions are given in Page, R., *The Dock Companies of London 1796-1864* (University of Sheffield M. A. 1959) p. 128; Clarke, E. T., *Bermondsey: Its Historic Memories and Associations* (Elliot Stock 1903) p. 251; Ellis, A., *Three Hundred Years on London River: The Hay's Wharf Story 1651-1951* (The Bodley Head 1952) pp. 89-90

¹⁶⁹ Halstead, K. A., *The Economic Factors in the Development of Urban Fabric of London's Docklands 1796-1909* (City of London Polytechnic Ph.D. 1982), pp. 36-7

Concern by docks executives over local taxation levels came out in 1908 when it was revealed that docks companies gave a total of £221 to the London Municipal Society, in furtherance of its objective, as major ratepayers in such areas as Wapping and Bermondsey, of 'economy in local administration.' Joseph Broodbank, the chief executive of the London and India Dock Company, took a direct role in the process as president of the Municipal Alliance, a local formation of anti-socialists.¹⁷⁰

The port management and supervision structure erected after 1908, however, was not one calculated to permit the exposure in public wrongdoing or irregularity in the manner in which the port was run. A predecessor of the PLA, the Thames Conservancy Board, tasked with regulating the river's facilities, came in for sharp censure in 1863 when a Parliamentary report labelled it secretive, not properly answerable to Parliament, and its accounts open to criticism. Board members (from the City of London) were laxly re-elected and one had an interest in a wharf he was partly charged with regulating.

The report authors found that no action was taken against an obstructive pier since the owner, a former Lord Mayor, sat on the Conservancy Board. Contract awarding was also loosely controlled.¹⁷¹ Independently from this, apparently isolated cases of corruption were also uncovered in the enclosed docks management regime.¹⁷²

PLA administrative arrangements were a creature of state development of the age with all the limitations this implied, as demonstrated in a predecessor infrastructure endeavour, the Metropolitan Board of Works that collapsed amid tales of scandal.¹⁷³

¹⁷⁰ Marriott, J., *The Culture of Labourism*, p. 54; *Daily Chronicle*, 22.10.09; *Stratford Express*, 29.4.08; Hansard, 18.4.07

¹⁷¹ Details are found in: Parliament, House of Commons Paper 454 Select Committee on the Thames Conservancy, *Report...Together with the Proceedings of the Committee, Minutes of Evidence, Appendix, and Index*, ordered to be printed 16 July 1863.

¹⁷² The head of the Engineers' Department at the West and East India Docks and his son, in the 1850s, were sacked for overcharging for work to the value of over £12,000 (Porter, S. (ed.), *Survey of London Volume XLIII: Poplar, Blackwell and the Isle of Dogs* (The Athlone Press 1994) p. 260

¹⁷³ A model was that of the MDHB and also the Metropolitan Board of Works (MBW), a huge public works organisation of the latter nineteenth century. Political divisions inside the MBW were discouraged and for most purposes, the organisation was self-governing. Its downfall came when serious cases of corruption came to light, largely through the efforts of the press (for more, consult Clifton, G. C., *Professionalism, Patronage and Public Service in Victorian*

Thus PLA malpractices were handled internally. Because of this, a complete analysis of its performance in this area is impossible to make. But glimpses of the problems caused came to light. The PLA's design co-opted all major waterfront elements into its deliberations. Whatever its merits of this, critics pointed out that it helped ward off attacks even before they began, since if mistakes were made, all PLA Board members were as 'guilty' as one another and would not be anxious to make them public.¹⁷⁴

Adding to the difficulties of the PLA was that most private dock company staff transferred straight across to the Authority, apparently bringing with them a loose attitude towards conflicts of interest and gift-acceptance. Viscount Devonport, the PLA chairman in its formative years, Consequently instituted a stricter regime from the start. The practice of stewards of the Natal Line giving tins of milk and sugar to PLA employees was forbidden, for instance, and an Atlantic Transport Line foreman was sacked for giving a Authority policeman pony fodder. A tradition of firms doing business in the docks giving Christmas presents to dock employees was prohibited.¹⁷⁵

Devonport, in his autobiography, wrote of one episode (for which no supporting documentation has survived) in which the PLA's General Manager corruptly colluded with the Chairman of the Staff Committee in appointing and promoting employees during 1913. The former had come direct from the Thames Conservancy organisation, where malpractices were perhaps more common. Although the case against him was proven, in November 1914, the head of the Staff Committee was allowed to quietly retire with a £2,000 annual pension. No further action was taken.¹⁷⁶

Reports to Parliament on the PLA's activities were vague in important details and the relevant Minister's approval for PLA strategy was usually only a formality. In

London (The Athlone Press 1992); Owen, D., *The Government of Victorian London, 1885-1889* (The Belnap Press 1982))

¹⁷⁴ The arguments are ventilated in: Sayre and Kaufman, *Governing New York City: Politics in the Metropolis*, pp. 320-40

¹⁷⁵ MID archives – uncatalogued materials.

¹⁷⁶ Devonport, *The Travelled Road*, pp. 161-3. The 'general manager' concerned was probably Robert Philipson, who had worked at the Thames Conservancy since 1899, becoming its Secretary and known as a shrewd operator (*The Municipal Journal* 2.4.09). Philipson retired on medical grounds in November 1913 (*Times* 21.11.13, MID: PLA Minutes of Proceedings 1913-14, p. 231). Charles F. Leach was Chairman of the PLA Staff Committee over the relevant period (*The PLA Monthly*, March 1943).

essence, the PLA was self-determining in spite of a technical Parliamentary oversight function. Successive governments nodded through for instance questions of port charges and capital expenditure on the London docks.¹⁷⁷ Following the rationalisation of dock labour from the late 1960s, however, government interest heightened as the pressure for the PLA to take on surplus dock labour grew apace with the closure of docks and wharves.

Comparative secrecy in operation was a hallmark of the London, as indeed the Liverpool, approach to port administration. Whether their structures were either more, or less, 'corrupt' than their counterpart in New York was an open question, since cases coming to public notice were a poor guide to the underlying reality.

London Dockers' Union

London as a whole was not a union stronghold. Within it, however, were deep concentrations of unionised labour, including on the docks, tending to vote for Labour Party candidates. 'Politically,' as Gillespie argued, 'the dockers provided the Labour Parties of each riverside borough with their most solid phalanx of support and most active members.'¹⁷⁸

Steady advances in dock labour representation were made from the 1889 strike. The experience of the stoppage, and similar ones such as that in Hull in 1893, stimulated the search for political alliances because of the established political parties' nugatory assistance when help was needed. Historians considered Dockers' Union weight important in the formation of the Labour Party in Britain.¹⁷⁹

Shipping Federation counter-offensives against his union 'sharpened the class consciousness' of Tillett to the need for political involvement if his organisation was

¹⁷⁷ Robson, W. A., *The Government and Misgovernment of London* (George Allen and Unwin 1939) pp. 366-9; MRC: MSS. 126/TG/3/Sack 29/166/d: 'Facts About the Port of London Authority.'

¹⁷⁸ Gillespie, *Economic and Political Change in the East End of London*, p. 156.

¹⁷⁹ The 1889 strike occurred with great fanfare, in the centre of the nation and it therefore received massive and perhaps disproportionate attention. In the course of the strike, the TUC refused to substantially help the strikers and appeals to Liberal Party politicians fell on deaf ears.

to advance.¹⁸⁰ In 1890, for example, he urged his members to become involved in municipal politics, or to endorse candidates espousing a labour platform. Almost all Union branches shortly became affiliated to the London Trades Council, which became more radical and shortly thereafter set up its own political fund.¹⁸¹ First on the London County Council, the Dockers' Union won electoral successes at the municipal level.¹⁸²

From 1892, the Union executive was looking at the possibility of independent political activity.¹⁸³ Tillett successfully moved a resolution at the TUC Congress calling for the creation of a fund to help Labour candidates in elections, and was at the founding of the Independent Labour Party two years later. Tillett latterly became the Member of Parliament for Salford North and served between 1921-9 on the TUC General Council.¹⁸⁴

On the eve of the First World War, dockworkers were the largest group of workers in West Ham and Poplar and the second largest in East Ham and in Stepney, giving them immense political power, especially when later part of the TGWU.¹⁸⁵ The Dockers' Union was more directly involved in Bermondsey council affairs, and by 1934, Bermondsey was '100 per cent Labour.'¹⁸⁶ With a single exception, all South London Parliamentary seats were by then in Labour hands, as were the councils in the area.¹⁸⁷ In Poplar and Stepney, Labour's overall or near complete control was achieved throughout the 1930s and into the 1950s.¹⁸⁸

¹⁸⁰ Schneer, J., 'Ben Tillett's Conversion to Independent Labour Politics', *Radical History Review*, vol. 24, 1980, pp. 42-65.

¹⁸¹ Thompson, *Socialists, Liberals and Labour*, p. 102.

¹⁸² Thompson, *Socialists, Liberals and Labour*, p. 103.

¹⁸³ MRC: MSS. 126/DWR/4/1/1-4: Third Annual Congress of the Dockers' Union (Sept. 1892) pp. 36-7.

¹⁸⁴ *Dictionary of National Biography*, vol. 1, 1972, p. 180.

¹⁸⁵ Gillespie, *Economic and Political Change in the East End of London*, p. 169. The large size of the dock labour force in the wards of Poplar, Stepney and Bethnal Green was illustrated by 1921 statistics, those varying from 17.4 per cent to 24.1 per cent of the total male workforce in these boroughs (Adams, 'Labour and the first World War,' p. 35).

¹⁸⁶ Goss, S., *Local Labour and Local Government* (Edinburgh University Press 1988) p. 19

¹⁸⁷ Goss, *Local Labour and Local Government*, p. 19.

¹⁸⁸ London Borough of Newham, *West Ham 1886-1986* (The Plaistow Press, 1986), *East London Advertiser*, 7.11.31, 6.11.37; 15.5.53, 15.5.59, *Stratford Express*, 18.5.51. Poplar covered the Millwall Docks and the East and West India Dock, West Ham included the Royal Victoria and Albert and King George V docks system.

Docks were hard hit by unemployment, more so after 1921, and public relief policies were of major interest to keep idle dockworkers busy.¹⁸⁹ Unlike neighbouring areas, Labour-run municipalities observed a minimum wage and 'unofficial strikers were afforded relatively sympathetic treatment at the hands of relief agencies in the 1923 stoppage, notably in Poplar, Stepney, West Ham and Bermondsey.'¹⁹⁰ Aside from relieving distress, these policies acted as counter-cyclical influences when dockside trade was on a downturn.¹⁹¹

Local councillors attended dock union branches, and personalities such as Bob Mellish, the post-1945 Labour Member of Parliament for Bermondsey, were dockworkers themselves once.¹⁹² The NASD was not nearly as involved in political activity as the TGWU, although Peter Shea, sitting on the NASDU executive, was a 1930s Poplar councillor.¹⁹³

Taken together, Dockers' Union links to the political machinery were strong. Serving to prop up decasualisation and other schemes, they helped to establish a consensus on what the 'correct' role of government on the London docks was and should be.

In view of the practical and ideological difficulties in 'attacking' malpractices outside of hiring outcomes, unions were not enthusiastic participants in the engagement projects. Nor did they invite government probes into this sphere. Such attitudes left the problem of malpractices for the most part for joint committees to define, to address and to resolve.

¹⁸⁹ In Bermondsey, for instance, in 1932 the 'official' unemployment rate was put at 17.8 per cent (Turner, J. E., *Labour's Doorstep Politics in London* (Macmillan, 1978) p. 87).

¹⁹⁰ Gillespie, *Economic and Political Change in the East End of London*, p. 167; Branson, N., *Poplarism 1919-25: George Lansbury and the Councillors' Revolt* (Lawrence and Wishart 1979) pp. 188-9; Topham, T., 'The Unofficial National Docks Strike of 1923: The Transport and General Workers' Union's First Crisis', *Historical Studies in Industrial Relations*, no. 2 1996, p. 52.

¹⁹¹ Gillespie, *Economic and Political Change in the East End of London*, pp. 75-7

¹⁹² Interview with LONM, 20.8.99 LONG, the product of a long line of London dockworkers, told of a couple of his relatives being elected as councillors pre-1914 (interview, 21.10.99).

¹⁹³ *East London Advertiser*, 10.11.34

CONCLUSION

In common with Liverpool were prolonged difficulties facing the primary trade union in winning recognition across the docks systems, stemming from which more collaborative policies emerged, with consequent cries of collaborationism. Inside a tangled and delicately balanced situation, neither unions nor governments had the stomach for a fight with dockworkers over on-site conduct.

Institutional 'loopholes' in the way business was historically conducted led to, as in Liverpool, malpractices, giving employers every reason to proffer illegal expenditures, or for waterfront labourers to expect them, in order to sidestep the impediments they caused or threatened to do so. As the former Director of Planning at the PLA candidly observed, shipowners 'always preferred to pay rather than to face a stoppage.'¹⁹⁴ Establishment of the weekly time wage system on the enclosed docks did not herald the complete end of malpractices, when 'time and tide' meant, as before, so much.¹⁹⁵

Special to London were its huge diversity of local practice and the effects of piece working in moving malpractices in a particular direction. Localism took more of a centre stage than in Liverpool, and contrasted with the standardising versions of port relations characterising many of the British texts identified in chapter two. The Leggett Report, for instance, emphasised the 'general' problem in London or ship malpractices but which failed to do justice to variations from the 'norm.'

Pieceworking legitimated all manner of malpractice. Piecework negotiations in London could be similar in appearance to those not intimately involved in them whether they infringed agreements or not. Agreements allowed for many additions to basic rates, leading to extreme complexity and finely attuned judgements.

In this context, the unambiguous identification of 'illegal' earnings was difficult. Liverpool's 'flatter' earnings distribution pattern had fewer openings to exploit for illegal ends without becoming noticeable and arousing suspicion and where 'on site'

¹⁹⁴ MOL: DK/88/52/1/A: Noel Ordman

¹⁹⁵ A group of employers would carry on with the malpractice of paying gangs for a swift service (telephonic interview with LONU, 24.11.01; interview with LONA, 30.6.99)

negotiations were less complex in form or outcome. Deviations from the norm were more difficult to defend, if spotted, in Liverpool.

Because a sizeable portion of London dockworkers were engaged on a 'semi-permanent' or on a 'permanent' basis, the continuation of malpractices directed at shipowners owed more to the fact of systemic 'opportunity structures' to make up earnings than it did to notions of 'entitlement.' The 'legitimacy' of most London abuses ultimately relied on outdated delivery systems and material obstacles to the efficient turnabout of boats. In their origins, the malpractices in the majority of cases thereby conform to the concepts denoted in the 1989 New York Report, above all in the local industry's 'susceptibility' to malpractices through its sometimes misfiring economic and bargaining systems.

Chapter seven continues the exploration of 'criminality' in port relations, but in a heightened setting where ideas of, and sensibilities over, dock relations were heavily coloured by perceptions of malpractice. The site chosen is the Port of New York, where the worst forms of waterfront crime were reported.

Because the literature on malpractices in New York is so extensive, and theoretical models depend so much on evidence uncovered in the port, allegations of criminality within the New York waterfront is dealt with in more length than malpractices in Liverpool and London. Chapter seven is therefore longer than other chapters of this thesis. Where possible, and as with the rest of the thesis, original sources are utilised in formulating arguments and in making judgements.

CHAPTER SEVEN

NEW YORK: MALPRACTICES, MAFIA and MYTHS

INTRODUCTION

London supplied an example of a wide range of work practices and malpractices based on a generally drawn contrast between wharf and docks facilities, though with overlaps. Due to its size, local practices were of greater importance than those in Liverpool, where (from the 1940s at least) variation was smaller. New York's situation even more varied than that in London because of, for instance, its ethnic mixture and the lack of a central 'focus' to docking activity, such as the enclosed docks in London.

New York's public status could not be more different than those of Liverpool or London. An image of embedded criminality in the port has persisted, made explicit from the 1940s in every major study by American sources and again in recent academic works.¹ The few inter-country studies made have been marred by biases in their reporting of New York. Davis, for example, utilised State Crime Commission evidence to sketch a portrait of the docks that conformed to that painted by the Commission itself.²

Theory

Much material exists in the form of published and unpublished works to make balanced judgements as to the 'legitimacy' of malpractices in Liverpool and London.

¹ Johnson, L.C., 'Criminality on the Docks'. in Davies, S., *Dock Workers* (Ashgate 2000), pp. 721-745; Mello, W., *Pete Panto: Rank and File Radical on the Brooklyn Waterfront* (New School of Social Research, October 1997); Mello, W., *The Origins of the Rank and File Reform Movement on the New York Waterfront 1945-1948* (New School of Social Research, Spring 1999); Woodiwiss, M., *Organized Crime and American Power: A History* (University of Toronto Press, 2001).

² 'Thus the shape-up was,' Davis asserted, 'for the most part a sham' since giving bribes to get work was 'standard practice.' (Davis, C.J., 'Formation and Reproduction of Dockers as an Occupational Group,' in Davies, S et al (eds.), *Dock Workers: International Explorations in Comparative Labour History, 1790-1970* (Ashgate Publishing, 2000) p. 551)

In New York's case, however, the principle sources of information are more obviously value-laden and came from an explicitly 'reform' direction. 'Alternative' perspectives, from the viewpoint of dockworkers, were absent, and no published materials from rank and file longshoremen in New York, for example, exist. Neither were there any archival materials that could challenge the received wisdom. Davis' article is one of the very few, for example, on 'grassroots' perceptions of pilferage but no comparable accounts exist for other malpractices in the port.³ Interviewees, no doubt because of the continuing tight policing of the port, were reluctant to discuss the 'legitimacy' of malpractices they were once engaged in during the field research.

As a preliminary observation, and in the absence of other data, the likelihood was that malpractices before the early 1950s achieved the same levels of legitimacy as those in Liverpool and London, sharply fragmenting after 1953 with the creation of a new and aggressive policing agency to suppress malpractices. In the process, opportunities to exploit structural weaknesses became dangerous to enact, although in New Jersey a serious problem over pilferage carried over across the epochs,⁴ as did irregularities related to queuing road transport drivers. The latter was given a veneer of 'respectability' since, like similar malpractices, they were hard to detect and involved relatively small sums being passed over.

Nor were malpractices the central reality for most longshore workers. The majority experience in New York was not one of racketeering and corruption and the sole union in the port, the International Longshoremen's Association (ILA), was not as rackets-ridden as its many detractors suggested. This chapter primarily focuses, therefore, on shortcomings in the published evidence rather than presenting a mass of newly discovered materials. A politicised re-defining and labelling process emerged, shaping the evidence given to the public and to scholars, as detailed in chapter two.

³ Davis, C.J., 'Working with the Hook: A Comparative Study of London and New York Dockworkers, 1945-1955', *The London Journal*, vol. 25 pt. 2, 2000, pp. 79-95.

⁴ Interview with NYE, 12.4.00

THE PORT OF NEW YORK

Strategically located on the Atlantic Coast, New York port became the greatest single concentration of general cargo piers designed for deep-draft vessels anywhere, in its heyday handling perhaps twice as much traffic as all the other Atlantic ports combined.⁵ 'Its channels,' according to Sanderson and Porter, 'are deep enough to accommodate the largest ships afloat. Tidal movements are moderate and the Port is relatively free from fog and ice.'⁶ By 1926, by value of trade, the port exceeded that of London.⁷ Particular sections of the port became known for specialising in certain commodities. The Chelsea area on the west side of Manhattan, for example, largely dealt in transatlantic passenger and cargo ships, while Brooklyn was recognised for its general cargo traffic.⁸

Although barges connected Manhattan and Brooklyn to the New Jersey shoreline, most commodities were moved in and out of the docks by road, a point of similarity with the other ports.⁹ With few railroad termini, long lines of roadside delivery vehicles waiting to be discharged were a persistent feature throughout this history.¹⁰ The importance of road communications increased.¹¹ From 1898-1913, foreign commerce in the port rose by 131 per cent but wharf space by a mere 25 per cent.¹²

⁵ Griffith, J. I., *The Port of New York* (Arco Publishing, 1959) p. 27. See, for statistics of imports and exports, Rush, T. E., *The Port of New York* (NY: Doubleday, Page and Co. 1920) pp. 125-31

⁶ Sanderson and Porter 'Study of the Port of New York' New York State Crime Commission, 1953, p. 17

⁷ Cunningham, B., *Port Economics* (Pitman, 1926) p. 123

⁸ NYMA: James J. Walker, subject file 1926-32 Box 257, p. 3. Brooklyn alone, in 1922, moved through its piers 25 per cent of total American commerce (*The Port of New York*, April 1922).

⁹ New York State Crime Commission, *Record of the Public Hearings...on the Recommendations of the New York State Crime Commission for Remedying Conditions on the Waterfront of the Port of New York*, New York, 8-9 June, 1953, p. 191. NYN, in interview, put the figure today at 90 per cent of all traffic coming into and out of the port as carried by road (11.4.00).

¹⁰ Cunningham, B., *Port Studies* (Chapman and Hall, 1928) p. 11

¹¹ 'In recent years,' noted Sanderson and Porter, 'there has been an increasing trend in the amount and proportion of inbound and outbound pier freight handled by trucks' (Sanderson and Porter 'Study of the Port of New York' New York State Crime Commission 1953, p. 19)

¹² Bunker, J. G., *Harbor and Haven: An Illustrated History of the Port of New York* (Windsor Publications, 1979) p. 216; MacNair, V., *Chaplain on the Waterfront* (Seabury Press, 1963) pp. 90-1.

Waterfront related 'choke-points,' leading to rationing and abuses of the type demonstrated in Liverpool and London, were in abundance. New York pier conditions were as early as the 1860s described as 'disgraceful', being narrow and space for working was extremely limited. Cargo would be left 'piled in the street in all sorts of weather,' with passageways serving as impromptu 'open warehouses.' Streets adjacent to them were said to be in a state of 'constant blockage' from the pressure of drays carrying goods backward and forward.¹³

Only 'her magnificent harbor' could be relied on to give the port an advantage over rivals.¹⁴ But delays were a major influence on the decision by major employers, in the 1960s, to move the bulk of water-borne commerce from Manhattan to New Jersey, where open, cheap land space was available and with fewer problematical connections to metropolitan markets.

Road haulage payoffs

By 1921, trucks could stand in line for up to thirty-six hours.¹⁵ The inadequacy of approach roads leading to the piers in Manhattan, usually only fifty feet wide, made unrecorded payments - Johnson termed them 'hurry-up' monies¹⁶ - to quayside gangs a necessity for many firms or owner-drivers if they wished to get serviced and away within a reasonable time. The problem was most acute for drivers who were classed as self-employed and who could not afford to wait out the time until their turn came to be serviced. Trucking companies usually gave their drivers the fifty dollars or so this bribe cost.

¹³ *NYT*, 14.11.1866. See also 'The Address of George F. Noyes, Esq., Counsel for the Citizens' Association Before the Committee of the Senate on the Subject of Wharves and Piers' (New York, 1866); 'Reports of the New York Harbor Commission of 1856 and 1857' (New York, 1864); 'Improvement of New York Harbor 1885 to 1891' (New York, 1893); 'A Day in the Docks', *Scribner's Magazine*, vol. 18, 1879, pp. 32-47; MacElwee, R. S. and Taylor, T. R., *Wharf Management, Stevedoring and Storage* (D. Appleton, 1921) p. 103; *Scientific American*, 20.3.20; Collins, F. A., *Our Harbors and Inland Waterways* (The Century Co.1924) p. 128

¹⁴ *NYT*, 22.11.1866

¹⁵ MacElwee and Taylor, *Wharf Management, Stevedoring and Storage*, pp. 282-5

¹⁶ Johnson, M., *Crime on the Labor Front* (McGraw Hill 1950) p. 115

It is unknown when payoffs by lorry drivers for quick service started, but by 1947 the 'modern' form of the racket was prominent, possibly a by-product of the heavy use made of the harbour in the immediate post-war years.¹⁷ New York Waterfront Commission agents were alert to the problem and sporadically removed the registration papers of those labourers implicated. A determined effort was launched in 1964 when the Commission subpoenaed trucking executives, after which major road hauliers announced that they had decided to stop paying the illegal tax. Checkers were often involved. At other times, dock bosses and pier guards took part.¹⁸

Within the new container terminals in New Jersey, as within those in Liverpool and London, roadside delays and the necessity to make kickbacks were less of a feature. A new quayside malpractice however emerged, in the form of improper outgoings by truck drivers to bypass bureaucratic hurdles. The question of the right documentation to be furnished by drivers, along with safety issues such as tyre defects, was at the fulcrum of scams in container bases. A side-payment would speed along the process and smooth over any difficulties¹⁹

EARLY UNION HISTORY

To an extent unknown in Liverpool or London, the ILA was tarnished with accusations of criminality. Throughout its existence, it has been accused of virtually every type of criminal and moral offence, heavily informing theoretical models. Supposedly strong and enduring ties between the union hierarchy and racketeers were the most serious of the allegations made. Belaying this image were the huge difficulties in organising and mobilising New York longshore workers, which had a lasting impact on union leaders, encouraging caution in their dealings with capital and,

¹⁷ NYT, 24.4.47

¹⁸ Interview with NYH, 2.4.00; Waterfront Commission 'Tenth Report 1963-1964' p. 9, '1975-1976 Annual Report' p. 8; NYT, 14.8.64, 13.9.64; Axelrod, D., *Government Covers the Waterfront: An Administrative Study of the Background, Origin, Development, and Effectiveness of the Bistate Waterfront Commission of New York Harbor, 1953-1966* (Syracuse University, D.P.A., 1967) pp. 347-8; Schulberg, B., 'The Waterfront Revisited', *Saturday Evening Post*, 1 September 1963; Hutchinson, J., *The Imperfect Union: A History of Corruption in American Trade Unions*, (E. P. Dutton, 1972) p. 351)

¹⁹ Email from C. Molino, February 2002

as shown in chapter three, generating complaints over this policy by the rank and file union membership.

Perhaps the earliest recorded strike in the New York docks occurred in 1836, when the men were duly defeated and returned to work 'under much the same conditions as when they struck.'²⁰ Imported labour could be relied upon to destroy strikes as also occurred in 1874. After five weeks, the men returned empty-handed.²¹

The ill-fated 1887 stoppage exposed many of the weaknesses of docks unionism at this historical juncture. According to Kelley, fifteen different waterfront organisations were active between 1853 and 1900,²² but by 1887, the Knights of Labor, a trade confederation embracing all types of American waged labour, had recruited large numbers of New York waterfront workers.

The 1887 dispute supposedly began over a minor issue - like the 1889 London stoppage - the exact cause being as unclear. Two stoppages, involving only a few hundred unionists, merged into one and were made 'official' by the local Knights' leaders. But belated attempts at arbitration by the Knights failed, key workers refused to come out or were assuaged by employers, the strikes became disengaged and longshoremen working deep-sea vessels found themselves isolated.

Upon the collapse of the strike, a previous preference apparently given to union men was withdrawn as a punishment.²³ The strike's collapse signalled the end of port unionism until the 1890s.²⁴ In 1897, the International Federation of Ship, Dock, and

²⁰ Kelly, J. W., *Labor Problems of Longshoremen in the United States* (Boston University. Ph.D.1941) p. 8

²¹ NYT, 11.11.1874; Kelly, *Labor Problems of Longshoremen*, pp. 13-6

²² Kelly, *Labor Problems of Longshoremen*, pp. 9-10; Walsh, N. G., *The Effects of Labor Racketeering in the Marine Transportation Industry of New York Harbor* (State University of New York Maritime College. M. Sc, 1982), p. 2.

²³ NYT, 29.7.1887. According to the *New York Times*, 'Those corporations which give out that they will not re-engage any unionists ask every applicant for reinstatement if he is a union man. He is rarely known to give an affirmative answer' (NYT, 16.2.1887).

²⁴ Secondary source accounts of the 'Big Strike' of 1887 include those in Russell, M., *Men Along the Shore: The ILA and Its History* (Brussel and Brussel, 1966) pp. 31-41; Commons, J, et al, *History of Labor in the United States* (Macmillan, 1926) pp. 420-1; Squires, B. M., 'The Strike of the Longshoremen at the Port of New York', *Monthly Labor Review*, vol. 9 no. 6, pp. 95-115; Barnes, C. B., *The Longshoremen* (Arno Press, 1977) pp. 101-9; Kelly, *Labour*

River Workers sent Edward McHugh, formerly allied with the NUDL in Merseyside, to organise the port, one reason being an experience of New York employers importing Scottish labour during an earlier strike. By 1898, McHugh had 15,000 men enrolled.

Matching the advances already won on Merseyside, the chief aims of ALU were to raise wages, to improve safety standards, to limit the number of shape-up engagements and to achieve a minimum of four hours' employment once men were hired. The other objective was to gain preference at the hiring point for ALU members. An encouraging start was shattered when the union official in charge of collecting subscriptions absconded with its funds, causing the ALU to fold within a short period.²⁵

Taking up part of the void was a revitalised Longshoremen's Union Protective Union (LUPA) organisation, which had lain semi-dormant since the 1860s. But an ill fated six-weeks strike in 1907 that belatedly drew in the union executive severely dented its authority and left the door open for the ILA's challenge.²⁶

Union recognition

Since the standard framework on industrial malpractices highlights the allegedly pernicious aspects of the union's monopoly control over the supply of waterfront labour, this is addressed from the viewpoint of New York. From its inception, the ILA sought, in common with the other port unions analysed in this thesis, enough

Problems of Longshoremen, pp. 17-21. The official account of the strike is contained in volume nine of the 1887 New York State Assembly documents, no. 69 'Report of the Special Committee Appointed to Investigate the Cause of Exorbitant Prices Charged for Coal in the Cities of New York and Brooklyn, and also the Cause of Strikes Among Coal Heavers, Handlers or Longshoremen.'

²⁵ Barnes, *The Longshoremen*, pp. 110-2; *New York Tribune*, 25.5.1897, 26.5.1897; *NYT* 25.5.1897, 27.5.1897; *New York Evening Post*, 28.5.1897). McHugh died in Birkenhead in 1915 aged 62.

²⁶ For details of the 1907 stoppage, consult: Barnes, *The Longshoremen*, p. 80; Montgomery, D., *The Fall of the House of Labor* (Cambridge University Press, 1987) pp. 106-7; Fenton, E., *Immigrants and Unions, a Case Study* (Arno Press, 1975) p. 253; Russell, *Men Along the Shore*, pp. 55-57. The strike began when the men walked off in a wage row with employers. Vast numbers of non-unionists came out too. A secondary cause seems to have been the demand by Italian members of LUPA for better treatment in the matter of the appointment of an Italian-speaking business agent.

stability on which to mobilise and to grow. This fostered a number of associated problems.

Winslow labels ILA president T. J. O'Connor 'opportunist,'²⁷ and 1950s writers severely criticised Joseph P. Ryan, a successor as ILA President, on comparable grounds. Johnston argued, for instance, that 'under his leadership the ILA has become the greatest longshore union in the country, but one which has never concerned itself unduly with the welfare of its members.'²⁸ Contract negotiations were said to routinely exclude the rank and file from any consideration, and relationships in the industry were 'shot through with deals and understandings.'²⁹ Johnson in a representative statement argued that 'the men say angrily that Ryan has sold them out again, accepting wage agreements and other contractual provisions without even bothering to consult them.'³⁰

Daniel Keefe formed the International Longshoremen's Association in Chicago in 1877, but until the 1910s the base of operations was on the Great Lakes.³¹ Taking all classes of waterfront labour unlike the segmented London union structure the basic administrative structure of the ILA remained the same and is reproduced in Appendix F. The first ILA Local in the port of New York, Local 791, opened in 1908.³²

²⁷ Winslow, C., 'On the Waterfront: Black, Italian, and Irish Longshoremen in the New York Harbor Strike of 1919', in Rule, J. and Malcolmson, R. (eds.), *Protest and Survival: Essays for E. P. Thompson* (Merlin Press, 1993) pp. 355-393

²⁸ Johnson, M., *Crime on the Labor Front* (McGraw Hill, 1950) p. 152. Read also Larrowe, *Shape-Up and Hiring Hall*, p. 75; Kimeldorf, H., *Reds or Rackets? The Making of Radical and Conservative Unions on the Waterfront* (University of California Press 1988) pp. 14-15; Kimeldorf, H. and Regensburger, W., *Insurgent Workers: Studies of the Origins of Industrial Unionism on the East and West Coast Docks and in the South During the 1930s* (University of California Institute of Industrial Relations 1987) p. 8

²⁹ Carpenter, J. T., *Employers' Associations and Collective Bargaining in New York City* (Cornell University Press, 1950) p. 233; Jensen, V. H., *Strife on the Waterfront: The Port of New York Since 1945* (Cornell University Press 1974), p. 18.

³⁰ Johnson, *Crime on the Labor Front*, p. 153. On the ILA's 'collaboration' with employers also see Kimeldorf, *Reds or Rackets?* p. 15

³¹ Hoffman, M. E., *A Contemporary Analysis of a Labor Union: International Longshoremen's Association AFL-CIO-Canadian Labor Congress, Development-Structure-Functions* (Temple University, 1966) p. 8. The name given the union was changed periodically, but from 1908 became the International Longshoremen's Association (see Barnes, *The Longshoremen*, pp. 121-2). For convenience, the title 'ILA' is used throughout this thesis.

³² ILA organisers had first come to New York in 1901, but returned to the union's Buffalo headquarters discouraged by the sour attitude of the rank and file towards unionism after the

With organisation building uppermost, union executives tended to turn a blind eye to a number of malpractices, a group of them indeed crossing the boundary line into criminality. In addition, the positive attitude of ILA leaders towards joint ventures with management did not sit well with its early radicalism, or with the position of some in the union.

Like the NUDL and the London Dockers' Union, New York dock unions stressed to employers both the reliability and good work of their members. Union men often replaced imported 'blackleg' labour after a dispute finished, on safety and efficiency bases, as seen on the North River oceanic trade in 1887.³³ The large oceanic lines were at the forefront of unofficially recognising LUPA controls in the 1900s, as were the larger shipping lines in Liverpool (some such as Cunard were active in both ports) in acknowledging the authority of the NUDL.

As the Cunard Line in New York recalled, 'there is not a foreign steamship dock in New York where the work is not more or less controlled by the Union.' LUPA was not recognised formally, but in view of the mischief that its members could make, pragmatism dictated that union members were given priority at piers where they had a good presence.³⁴

The ILA was especially susceptible to industrial fractures and making the union even more cautious than its counterparts in Britain whenever it interacted with its constituent elements. On the other hand, it was experienced in the administration of Great Lakes port relation. The union accepted many core demands of port managers, as did LUPA, while aware of the problems this posture could cause with the union membership. Its policy, in the Great Lakes, of allowing non-union labour to take the

McHugh debacle. (MRC: MSS. 159/5/3/1184: ILA Annual Convention, 14-19 July 1902; MRC: MSS. 159/3/B/49: letter to the International Transport Workers' Federation of 2.12.09 from the ILA – 'We are starting a campaign in Greater New York and vicinity next week, with the object in view of lining up all longshoremen ...')

³³ Barnes, *The Longshoremen*, pp. 126-8. Following the 1887 strike, almost immediately employers were talking of quietly reinstating unionised strikers, since non-union hands were found to be less productive and could be dangerous to vessel stability. What had changed was a post-strike requirement that the men before being re-hired declare themselves free from union 'shackles' (NYT, 7.1.1887, 29.7.1887)

³⁴ CA: D42/C1/64: letter of 23.7.12 from the Cunard Steamship Company to Alfred Booth.

place of ILA men who struck without authorisation was an illustration of how far the leadership was prepared to go in order to win acceptance with employers.³⁵

By the 1910s, the had ILA secured agreements with New York employers on the basis that union members would be industrious and sober, and as a standard clause in every contract, would not interrupt the workflow while a dispute was being adjudicated. The ILA promised to furnish competent men for ‘a reasonable scale of prices for the work’ and employers would now be able to avoid ‘a doubtful pick-up crowd of saloon hangers-on, who are liable to hold them up for extra pay whenever there is chance.’³⁶ Strike action was carefully filtered³⁷ and an early functioning shop stewards system operated to spread constitutional practices.³⁸

In return, Keefe and his successors demanded formal recognition across the waterfront. In 1914-5, the ILA mounted a successful ‘takeover bid’ for LUPA, thereafter becoming the major and later exclusive bargaining agency in the port and by this means putting more pressure on employers. The impetus for the merger was a realisation that the two unions were hampering each others’ organising work, that the ILA was the only one with AFL affiliation (and thus could reach out to other unions

³⁵ Commons, ‘Types of Labor Unions’, pp. 59-85

³⁶ *The Longshoreman*, 2.7.1896

³⁷ As the ILA stated in 1896, shipowners would find it in their own interest to ‘deal with responsible, sober, intelligent men rather than with a contractor who hires the worst class of waterside bums and pays them in bad whisky’ (*The Longshoreman*, 1896). MRC: MSS. 159/5/3/1183: ILA ‘Proceedings of the Tenth Annual Convention’ (1901) p. 62; WA: ILA 1902 Proceedings, p. 11; MRC: MSS/159/5/3/1185: ILA 1903 Convention, p. 89; MRC: MSS. 159/5/3/1189: ILA ‘Address to 14th Annual Convention by Daniel J. Keefe, President’ (1905) p. 9; U.S. Congress, House, *Reports of the Industrial Commission on Labor Organizations, Labor Disputes, and Arbitration, and on Railway Labor*, 57th Congress, 1st Session, 1901, pp. 264-5; WA: ILA 1908 Proceedings, p. 18; WA: ILA 1917 Proceedings, p. 24

³⁸ Although the port of New York had a long-standing shop steward tradition, without a foolproof system for ensuring that the designated shop steward was picked at the shape, but thereby giving the man concerned an unfair advantage over his mates in the shape-up, the system could become discredited. This problem was fudged for a time, but since most shop stewards were also long serving dockworkers, thereby usually being hired according to seniority custom, it solved itself in most cases.

for sustenance and endorsement)³⁹ and that employers were exploiting splits in the ranks of labour. LUPA was also heavily in debt.⁴⁰

This did not mean that the ILA (or even more so LUPA) represented the majority of dockworkers in New York. In 1914, only an estimated quarter of the men were unionised, and unionism was unevenly distributed.⁴¹ This marked a distinction from Liverpool and London during and after World War One.

As labour became more organized, and in order to underline a profits boom when the Allies ordered military supplies through the port, the 1916 contract gave the ILA most of what it wanted in the way of preference in employment for its members and in negotiating rights. Not all employers however accepted ILA authority, with a group 'actively discouraging' organization in the port.⁴² It did mean, however, that the majority of employers were more ready than in the past to deal seriously with the union.

By 1919, with state encouragement for waterfront unionism a force, the bulk of ILA membership was in New York. That year, about 22,000 ILA members struck against an award made by a wartime body, the National Adjustment Commission (NAC). The NAC could have provided the foundation for a 'semi-corporatist' solution to industrial questions on the New York docks, as occurred in Britain during the 1920s, but the strike scuppered it by suggesting its ineffectiveness in times of crisis. With it went plans for greater regularity of employment through registration.⁴³

³⁹ This was also a criticism by the ILA of the ALU, another independent union (ILA 1899 Convention Proceedings, pp. 6-7).

⁴⁰ Barnes, *The Longshoremen*, pp. 106-8; U.S. Commission on Industrial Relations, *Final Report*, p. 2196; *The Longshoreman*, November 1913, May 1914.

⁴¹ U.S. Commission on Industrial Relations, *Final Report*, p. 2124. *The Longshoreman*, April 1916.

⁴² The full text of the agreement is contained in: (New York City) Mayor's Committee on Unemployment, *Report on Dock Employment in New York City and Recommendations for its Regularization*, New York, October, 1916.

⁴³ For a month, shipping in the port was held up over an NAC award. The ILA blamed 'Bolsheviks' for agitating against the shipping lines, as did the media and mainstream political opinion. Blacklegs were brought in, and a conciliation committee was established which persuaded the men to return to their jobs. In December 1919, a better award was issued to diffuse the situation. Accounts of the 1919 strike are prolific including Larrowe, *Shape-Up and Hiring Hall*, pp. 11-14; Kimeldorf, *Reds or Rackets?* pp. 47-9; Squires, B. M., 'The Strike of the Longshoremen at the Port of New York', *Monthly Labor Review*, vol. 9 no. 6, pp. 95-

New Deal and World War Two gains finally secured the ILA's future in New York. Union sympathisers who were blackballed returned to the New York waterfront after federal labour laws were enacted. One such figure was Thomas (Teddy) Gleason, ILA President in the 1960s, who returned to the New York docks as a checker and longshoreman in 1933 following his earlier removal from the docks for union activities. The few 'company unions' still active on the local waterfront were dissolved. The Banana Handlers Association, for instance, was compelled to deal with the ILA, but only after three men were dismissed for agitating against the company union. Clerks, timekeepers, general maintenance men and the coastwise labourers were unionised by 1940.⁴⁴

In 1937, rebel members of ILA Local 791 on the west side of Manhattan demanded greater democracy in the Ryan organisation, that financial reports be made more widely available and that proper audits be made of the Locals' books. These demands were part of a wider struggle for hegemony in the port with the west coast ILWU longshore union organising in New York.⁴⁵

Federal guarantees in the mid 1930s mandated employers to negotiate with the union. All portworkers were, in 1942, ordered to register with their nearest Coast Guard station, a procedure administered through ILA offices in New York, further strengthening its authority and scope. The number of non-unionists by this time is not known precisely, but the number belonging in New York to the ILWU was miniscule.⁴⁶

After 1947, the NYSA-ILA contract laid down that dockworkers had to join the ILA after thirty days of service, a post-entry 'union shop' agreement allowed under the Taft-Hartley Act. Every major docks employer used union labour by 1951 - 'They

115; Drury, H. B., 'The Labor Policy of the Shipping Board', *Journal of Political Economy*, vol. XXIX no 1 (1921) pp. 1-28. In the New York Municipal Archives, read the manuscripts in Mayor Hyland Papers, Box 187

⁴⁴ *NYT*, 15.11.35. U.S. Congress, Senate. Committee on Labor and Public Welfare, *To Clarify the Overtime Compensation Provisions of the Fair Labor Standards Act of 1938, as Amended*, hearings 81st Congress 1st Session 1949, p. 633

⁴⁵ *NYT*, 24.10.37; 11.12.37, 18.2.38; *ILWU Bulletin*, 10.3.38

⁴⁶ U.S. Congress, Senate, Committee on Interstate and Foreign Commerce, *Waterfront Investigation*, hearings, 83rd Congress 1st Session, 1953, pp. 411, 471

had to, or they would shut them down.’⁴⁷ Smaller employers, or temporary workers, might be ‘non-union’, though they were statistically insignificant.⁴⁸

UNION DIVISIONS

Employment segmentation

Although the ILA eventually became an accepted part of docklands’ structures, the underlying vulnerability of the union was exposed time and again, outside of its major centres.⁴⁹ Furthermore, income differences based on custom, market position or formal agreements, were strongly characteristic of New York port, akin to those in Liverpool or more so to London.⁵⁰

A New York hatch boss, clerk or quay employee had greater regularity of earnings than most longshore workers, but their hourly rate was commensurately lower. Ship work was often more lucrative than pier work because of the greater chance of overtime. When mobile or ‘roving’ gangs were allocated to a different area to which they were accustomed, they demanded the rate paid in their usual section, so long as

⁴⁷ Interview with NYH, 2.4.00

⁴⁸ Interviews with NYH, 2.4.00, NYI, 22.3.00, NYL, 7.4.00; U.S. Congress, Senate Special Committee to Investigate Organized Crime in Interstate Commerce, *Organized Crime in Interstate Commerce*, hearings part 7, 1951, p. 734

⁴⁹ Galveston, Texas, dockworkers were victimised in 1915 for even talking of unionisation, while in Philadelphia and Baltimore, the union made few advances until after 1920 (WA: ILA 1915 Proceedings; Kimeldorf, H., *Battling for American Labor: Wobblies, Craft Workers, and the Making of the Union Movement* (University of California Press 1999) p. 49)

⁵⁰ *The Longshoreman*, August 1915; MacElewee and Taylor, *Wharf Management, Stevedoring and Storage*, p. 57; U.S. Office of the Federal Coordinator of Transportation, Section of Labor Relations, *Hours, Wages, and Working Conditions*, Vol. 1 (1936) p. 215; (New York City) Mayor’s Committee on Unemployment, *Report on Dock Employment*, p. 14). For a good sampling of port and local agreements, read: NYMA: Mayor Hylan papers, Box 187: the agreement of October 1919; ‘Longshore Labor Conditions in the United States – Part 1’ (1930); WA: ILA Collection, Box 4 ‘Proposed Agreement, General Cargo’ (1.10.36); U.S. Army Corps. of Engineers and United States Shipping Board, *Port Series No. 20. The Port of New York. Part 1: General Report*, Washington, D.C, 1926; U.S. Congress, House. Committee on Education and Labor, *Amendments to the Fair Labor Standards Act of 1938*; U.S. Congress, House Committee on Merchant Marine and Fisheries, *Maritime Labor Legislation*, hearings 88th Congress 1st Session, 1963, pp. 907-10; U.S. Office of the Federal Coordinator of Transportation, Section of Labor Relations, Section of Research, *Hours, Wages, and Working Conditions*, vol. 1 (1936) pp. 144-5

this meant uprated earnings New York's wage differentials were wider than those on the Pacific coast, where longshore labour was more united.⁵¹

Several other elements were peculiar to New York. Manhattan Locals usually criticised the ILA for internal 'democracy' problems rather than for hiring difficulties. This may be one reason why Brooklyn men were usually at the forefront of protests against the injustices of the engagement system. It may have partly accounted for the results of an Honest Ballot Association referendum in 1953, in which those calling for a change over hiring were disproportionately concentrated in Brooklyn.⁵²

Another singular influence was seniority agreements. Seniority agreements replaced, over time, the patchy and informal priority systems active on most piers. Nonetheless, even when policed (by no means always the case), seniority agreements created divisions between men, depending on their length of service and the locality in which seniority was effective. Such questions grew in importance with a pier closure program in many sections.

Each craft working the waterfront had its dedicated post-engagement seniority set up, making movement between them difficult. The clamour grew for a port-wide system but this call ran up against the uneven pace of pier closures in the 1960s pitting union Locals against one another. And those with a lower seniority classification sometimes resented the fact that longer serving union members could choose the pick of the best jobs, so long as they were trained and competent enough⁵³

⁵¹ U.S. Office of the Federal Coordinator of Transportation, Section of Labor Relations, Section of Research, *Hours, Wages, and Working Conditions in Domestic Water Transportation*, 1936, Vol. 1, p. 145

⁵² Lower unit labour costs were said to be a powerful factor in the decision by shipowners to move much of their work to Brooklyn. Approximately 6,000 Brooklyn Local members were reported by one source as having been afforded 'fairly' regular work by 1949, and another 6,000 regularly employed. For sources on these themes, consult U.S. Congress, Senate Committee on Labor and Public Welfare, *To Clarify the Overtime Compensation Provisions*, p. 488; U.S. Congress, Senate. Committee on Interstate and Foreign Commerce, *Waterfront Investigation*, p. 331; New York State Crime Commission, *Record of the Public Hearings...on the Recommendations of the New York State Crime Commission for Remedying Conditions on the Waterfront of the Port of New York*, New York, 8-9 June 1953, pp. 114-5

⁵³ Telephonic interview with NYK, 12.3.01; XIIR: Box 2 folder 55: letter of 9.1.65. Most seniority was confined to the section of the waterfront in which the man or gang concerned had longest served its time (New York Shipping Association *Progress Report 1959*, pp. 20-1). The position of the 'A' seniority men after 1960 was complex. Although guaranteed first shot

Union organisation

The ILA often seemed more than a coalition of disparate interests than a genuinely unified organisation. 'The union often appears to be not so much democratic', stated Meyers, 'as anarchic, and Gleason (the then ILA President) rules mainly by dint of delicate and ever shifting alliances with powerful barons of the union's locals.'⁵⁴

As each waterfront trade or specialisation was incorporated into the union, they retained many of their old craft distinctions, just as unions within the TGWU amalgam retained theirs. The coastwise men, for example, were organized later and differed from the longshore workers in terms of their greater regularity of employment and hourly earnings.⁵⁵ Five 'coastwise' piers in lower Manhattan included a section running from the Battery to around 13th Street.⁵⁶ Powerful Local leaders were able to emerge, on occasion leading wildcat actions against their own union executive.⁵⁷

Although conflict between ILA Locals was therefore not a novel issue, it had especial resonance when piers were closing in a divisive pattern.⁵⁸ As trade moved away from the old hub piers in Manhattan, so diminishing employment opportunities - where they remained - concentrated in South Brooklyn and New Jersey.⁵⁹

at many jobs, as noted, they had to accept any 'suitable' work. This could leave them with little more than they would receive through the Guaranteed Annual Income, as described in chapter three. An alternative deployed was to offer them the most lucrative work, with overtime, so that their earnings would be made more attractive. But this scheme sometimes came up against co-existing earnings equalisation schemes.

⁵⁴ Meyers, H. B., 'Wrangdoodle' Time on the Docks', *Fortune*, 1 September 1968

⁵⁵ U.S. Congress, House Committee on Merchant Marine and Fisheries, *Maritime Labor Legislation*, hearings 88th Congress 1st Session, 1963, p. 107; International Longshoremen's Association, *Brief of International Longshoremen's Association (AF of L) in Support of its Labor Policies in the Port of New York with Particular Reference to War-Time Needs and in Opposition to Proposals for Industry Committee for Marine Shipping industry*, 28 May, 1943, p. 11; U.S. Maritime Labor Board, *Report to the President and to the Congress March 1, 1940*, 76th Congress 3rd Session. House Document No. 646, 1940, p. 112. On New York coastwise labour, see WA: 1931 ILA Proceedings, p. 25.

⁵⁶ U.S. Congress, House Committee on Merchant Marine and Fisheries, *Labor-Management Problems of the American Merchant Marine* (hearings 84th Congress 1st Session 1955) p. 836

⁵⁷ One such was Gene Sampson, of Local 791, and it was said that his rift with Ryan resulted in twelve flash strikes as Sampson tried to embarrass the union president (NYT, 24.10.51)

⁵⁸ *Jersey Journal*, 21.12.70

⁵⁹ NYT, 20.7.63

Inter-union challenges

Although the ILA was officially recognised in the port after 1915, two substantial challenges were launched against it. Union rivals presented themselves as different from the ILA in their 'intolerant' policy towards corruption and un-democratic practices. During the struggle for control, opponents tarnished ILA practices, repeating a line pursued by union dissidents and 'rebels.' As in Liverpool and London, charges of waterfront neglect and of union misrule proved a powerful weapon.

West Coast union president Harry Bridges mounted the first of these attacks in the latter 1930s, gaining a minority support for such policies as union-controlled hiring halls and rotational hiring to stop employment scams.⁶⁰ But 'breakaway' movements were relatively weak in New York, and would remain so. In part an effect of the relative flexibility of the union's constitution and practices, opposition to the leadership could be contained without rupturing its structure, in contrast with the situation in Britain as revealed in the enduring hold of unofficialism.

A more serious challenge came in the form of the International Brotherhood of Longshoremen (IBL), implicitly backed by the Waterfront Commission and a creature of the AFL, complete with a policy designed to attract those who were fed up with the ILA.⁶¹ Nonetheless, in three supervised elections between December 1953 and October 1956, the ILA retained its bargaining rights over the port despite the forces ranged against it.

An important influence on the result was a newly discovered reformism in ILA leadership ranks. What also tipped the balance in favour of the ILA was the power of the more steadily employed dockworkers, which feared the loss of seniority and jobs to the seafarers' union if the IBL took over.⁶² (National Maritime Union truck drivers had, in fact, already brought in scabs to the docks, past ILA pickets.) Added to this

⁶⁰ The impact on the Brooklyn rank and file movement is mentioned in *NYT*, 28.9.40

⁶¹ *Waterfront News*, 13.1.56

⁶² New York interviews with NYB, 29.3.00, NYK, 11.4.00; Goulden, J. C., *Meany: The Unchallenged Strong Man of American Labor* (Atheneum, 1972) pp. 192-4, Larowe, *Shape-Up and Hiring Hall*, pp. 207-13; Raymond, *Waterfront Priest*, pp. 233-55.

was a long tradition among portworkers of endorsing and defending 'their' union come what may against interlopers.

Ethnic cleavages

Of all elements tending to fragment docks labour in New York port, compared to that in Liverpool or in London, religious and ethnic differences were the most significant. Racial divisions were a constant problem for ILA headquarters, though diminishing in overall significance after 1945, as in the other ports.

The impact of ethnicity was double edged. For while it formed a basis for solidarity and for occupational identity, as during the 1919 stoppage 'uniting Irish and Italians, blacks, Hungarians, Swedes, Russians,'⁶³ port racketeers could conceal themselves behind the badge of a shared cultural heritage. Waterfront criminals were often related by kinship or marriage to other dockworkers.⁶⁴ Within 'corrupt' union Locals, for instance, the membership was often reluctant to oust the 'racketeering' leadership, one reason (it was argued) being that they and many of the membership came from the same region in the Old World, a case with South Brooklyn Locals identified with the Camarda crime family.⁶⁵

Hiring may also have been influenced by ethnicity, with newly arrived dockworkers reportedly the most affected by hiring corruption,⁶⁶ though a productive worker would generally be taken on regardless of nationality.⁶⁷ Use of family connections to find work was equally as commonplace as in other sectors of American industry; the

⁶³ Winslow, C., 'On the Waterfront: Black, Italian, and Irish Longshoremen in the New York Harbor Strike of 1919', in Rule, J. and Malcolmson, R. (eds.), *Protest and Survival: Essays for E. P. Thompson* (Merlin Press 1993) p. 359.

⁶⁴ The sister of Eddie McGrath, a major crime figure on the west side, was the wife of John Dunn, another racketeer and McGrath's partner in loading concessions. When John Guistra, a prominent racketeer in Brooklyn, was slain in the early 1930s, relative Tony Romeo immediately took over his Local 929, stealing an estimated \$20,000 from the treasury (New York State Crime Commission, *Public Hearings (No. 5)*, vol. 3, pp. 1568-70, vol. 4, pp. 2454-2508)

⁶⁵ New York State Crime Commission, *Record of the Public Hearings...on the Recommendations of the New York State Crime Commission for Remedying Conditions on the Waterfront of the Port of New York*, New York, 8-9 June 1953, p. 37.

⁶⁶ Interview with NYF, 26.3.00.

⁶⁷ NYD, in Brooklyn, and NYV, in Hoboken, both 'bucked the trend' for instance, by gaining steady work in a supposedly hostile ethnic environment.

printers, carpenters, electricians, bricklayers, and harbour pilots for instance were as 'guilty' as the ILA on this score. 'There are clubs today in New York City that, if you belong to that club, you'll be very well connected to better jobs and things like that through the connections you make in that club' stated one interviewee. Another, who joined the industry in the early 1970s, argued 'If your father worked on Wall Street, chances are you might also.'⁶⁸

No hard and fast ethnic demarcation lines existed - Irish workers would be found for example on 'Italian'-identified piers⁶⁹ - but class solidarity in many cases came secondary to ethnic loyalties, as Davis argues.⁷⁰ The top job in the ILA, for example, usually went to an Irishman, despite a large Italian membership.⁷¹ New York coastal communities were as rooted in ethnicity; in Red Hook, for instance, where major installations once existed, the Sicilian population was strongly represented 'with numerous Italian stores, churches, social groups and mutual aid societies.'⁷²

The job of the ILA President was, in part, to assuage ethnic tensions as they revealed themselves. In 1915, the press recorded how 'German agents' were planning to use a prominent Boston Irish-American businessman with anti-British sentiments to offer New York ILA leaders \$1 million to ferment trouble on the docks, so depriving the allies of vital munitions. The money was to be employed paying striking dockworkers. Not insignificant in this connection were the large number of Irish and Italian dockworkers, along with longshoremen in Hoboken, New Jersey, from Germany, some of who could be expected to be sympathetic to the Boston businessman's cause. In the event, the Secret Service tipped off the ILA and the plan collapsed even before it had started.⁷³

⁶⁸ Interviews with NYG, 12.4.00, NYL, 7.4.00, NYS, 28.3.00

⁶⁹ Interviews with NYO, 29.3.00, NYV, 17.4.00

⁷⁰ Davis, C.J., 'Working with the Hook: A Comparative Study of London and New York Dockworkers, 1945-1955', *The London Journal*, vol. 25 pt. 2, pp. 79-95.

⁷¹ 50 per cent of AFL Vice-Presidents (1900-1918) were also of Irish descent.

⁷² Smith, S. T., *Red Hook Section of Brooklyn* (New York School of Social Work) August 1942.

⁷³ Gompers, S., *Seventy Years of Life and Labour* (Hurst and Blackett 1925) p. 346; *World*, 13.9.15; O'Connor, R., *Hell's Kitchen* (Alvin Redman 1958) pp. 198-9. Dick Butler argued that the full facts behind the affair did not come to light and that it was even possible that the 'scandal' was a 'put up job' designed by persons unknown.

In 1918, that there was a danger of a split in the union between the Italians and the English-speaking men, only assuaged when Italian ILA vice-president Paul Kelly's brother, Nick, and other Italians were 'put on the payroll' of the union. During the late 1940s or early 1950s, the ILA organised annual pilgrimages for its Hudson River membership to the shrine of Our Lady of the Hudson. Non-Irish were not welcome, although there was no formal bar on them attending the event.⁷⁴

Ethnic dimensions also impacted on legislative and reform efforts. West side clerics of Irish origin such as Fr. John Corridan, for example, who sought to remove casual dockwork, shared a Irish identity with the bulk of dockworkers in the Chelsea district of Manhattan. Ties to the dominant political organisation for the first half of the twentieth century, Tammany Hall, were also cemented by the Irish heritage of ILA executives and Tammany leaders.

On the British docks, few foreign-born dockworkers were found, since immigration was tiny compared to the vast flows entering the United States over the same period, although the Irish had gained an early and lasting foothold in the docks. This factor was more than offset by their diffuse political and social identity within urban settings in Britain.

The British dock registration process also heavily biased recruitment towards indigenous populations, inescapably and institutionally linked as it was to the 'older' generation of dockworkers who supplied access to the registration procedure. Where ethnicity seems to have had a visible effect was on succession in the TGWU as well as NASDU. NASDU, in Liverpool and London, was 'known' for an Irish identity through the chief officers.⁷⁵ But a number of factors militated against the same scale of ethnic differentiation in British docks as seen in New York.⁷⁶ Top TGWU Docks Group officials were also by and large of Irish descent.⁷⁷

⁷⁴ Telephonic interview with NYF; Barnes, *The Longshoremen*, p. 10; ILA 1919 Proceedings, p. 344

⁷⁵ Taplin, E., 'The History of Dock Labour: Liverpool, c. 1850-1914,' in Davies, S. et al (eds.), *Dock Workers: International Explorations in Comparative Labour History, 1790-1970* (Ashgate Publishing, 2000) pp.468-9; Lovell, J., 'The Irish and the London Dockers', *Bulletin for the Society for the Study of Labour History*, vol. 35, 1977, pp. 16-7.

⁷⁶ 'The London Irish', *Blackwell's Edinburgh Magazine*, vol. CLXX, no MXXIX, July 1901, p. 124-34; Webb, B., *My Apprenticeship* (Penguin 1938) p. 355; LSE Archive: Booth Collection,

Within politics the British Irish, while representing the single largest group of immigrants, were not a political force per se, and could not mount unified campaigns based on a mutual ethnicity and religious solidarity as in New York. They also displayed no consistent party line that could buy them special privileges⁷⁸

The Italian community in New York City - the 'five boroughs' - was the largest in the United States, larger than that of several medium-sized Italian cities, and creating 'the same densely packed, overwhelmingly insular southern towns and villages they had just escaped.'⁷⁹ In 1890, fully 42 per cent of the population of Manhattan was foreign-born. City politics was saturated by ethnic differentials, with the Irish, Italian and Jewish lobbies the biggest.⁸⁰ Each immigrant community faced discrimination, tending to encourage a closing of ranks against outsiders. Most Italian immigration was from the south of Italy, where 'mafia' traditions were strongest, posing a problem for law enforcement then and later.

Evidence for London undermines an argument made by Kimeldorf that Roman Catholic docks union leaders inherited a 'cultural baggage' predisposing them ideologically towards conservatism in their official roles.⁸¹ Taplin makes a similar point, this time in Liverpool, but only insofar as Catholic Church leaders was concerned in the late nineteenth century.⁸² Contradicting this, Ben Tillet, of Irish

B143, p. 15; Potter, B., 'The Dock Life of East London', *The Nineteenth Century*, vol. 22, 1887, p. 489.

⁷⁷ LIVD told how, as late as 1960, it was his recollection that in Liverpool, many employers were Protestant, and that several hiring bosses were known as 'Orange Men' who would tend to hire fellow Protestants (interview, Liverpool, 17.11.00). In Liverpool, after 1947, the Catholic coal-heavers in the port were given time off to go to mass on Sundays (interview with LIVE, 17.2.99). Timothy O'Leary and Tom Cronin were two examples offered by interviewees as exemplifying the Irish trend in the TGWU Docks Group at upper levels.

⁷⁸ Cf. O'Day, A., 'The Political Representation of the Irish in Great Britain, 1850-1940' in Alderman, G. (ed.), *Governments, Ethnic Groups and Political Representation* (New York University Press 1993) pp. 31-83; O'Day, A., 'The Political Organization of Irish in Britain, 1867-90,' in Swift, R. and Gilley, S., (eds) *The Irish in Britain 1815-1939* (Pinter 1989) pp. 183-209; O'Day, A. 'Irish Influence on Parliamentary Elections in London 1885-1914,' in Swift, R. and Gilley, S., *The Irish in the Victorian City* (Croom Helm 1985) pp. 98-105

⁷⁹ NYT, 7.6.71; Nelli, H. S., *From Immigrants to Ethnics* (Oxford University Press 1983) p. 63

⁸⁰ Italian immigration to the United States for example grew from 12,354 in 1880 to 215,537 in 1910.

⁸¹ Kimeldorf, *Reds or Rackets?* p. 43

⁸² Taplin, E., 'The History of Dock Labour: Liverpool, c. 1850-1914,' in Davies, S. et al (eds.), *Dock Workers: International Explorations in Comparative Labour History, 1790-1970* (Ashgate Publishing, 2000) p. 450

stock in London's Dockers' Union, and Liverpool's James Sexton routinely espoused 'radical' causes such as a greater state say in unemployment issues and in port functions as part of 'socialist' agendas.

PORT EMPLOYERS

Greatly facilitating the growth of unionism in New York, and of malpractices, were divisions between the major employing interests. Splintering within the collective bargaining process was a characteristic of New York port from the start, and a powerful hook upon which improper demands could be made.

As Jensen remarks on the attitude of New York Shipping Association (NYSA) members, 'expediency has been the usual hallmark.'⁸³ The NYSA from its inception in 1932 conducted negotiations for the whole port. Yet, many of its 170 or so members were in direct competition with each other for business, and 'often viewed each other with suspicion and narrow-mindedness.'⁸⁴ The Shipping Association was 'split on most issues, according to the operating interests and the requirements of its differing competitive companies.'⁸⁵ NYSA authority was limited to New York, though wages and conditions negotiated there set the benchmark elsewhere on the east coast.⁸⁶

Smaller firms were also, as in London and Liverpool, more prone to indulge in such petty malpractices as the short-changing of dockworker wages, as reported too in London prior to unionisation. Of note was the fact that waterfront racketeers of the 1970s as a rule avoided directly taking on the largest companies. Their attacks were instead mounted against the smaller enterprises.⁸⁷

⁸³ Jensen, *Strife on the Waterfront*, p. 34.

⁸⁴ Lonschein, A. J., 'On the Waterfront', *Portfolio*, (New York), vol. 4 no. 2, 1991, p. 4

⁸⁵ Jensen, *Strife on the Waterfront*, p. 35

⁸⁶ Most steamship lines on the NYSA were, in fact, non-American by flag; there were also many coastwise and inter-coastal owners and operators, stevedore contractors who were owned by steamship lines and independent operators. Many stevedores were family-owned, as in Liverpool and London.

⁸⁷ Welling, K.M., 'On the Waterfront: from Maine to Texas, a Crescent of Corruption', *Barron's*, vol. 60 (21 January 1980)

Before the ILA took command of port labour, the men complained of unwarranted deductions by contractors from pay and of unwaged work. Tales were also told of employers being allowed to 'win' at card games to keep in their favour. A quayside contractor 'could have been a guy with fifty able-bodied people, with a bunch of hand-trucks, with a lease on a New York City pier for thirty days with no capital requirement.'⁸⁸

The NYSA was ineffective as a body that could tackle malpractices partially because of its refusal or inability to negotiate realistic local contracts, where the bulk of misconduct was found. Even this problem might have been overcome, but more debilitating still was the tendency of employers to ignore agreements when they found them inconvenient or related to profits.

WORK DISCIPLINE

The quid pro quo for recognition beyond that of the individual employer was therefore a tightening of the strictures against shirking and other misbehaviours affecting output. Flash strikes, the best example, were a cause of anxiety for both employers and the ILA.

Any number of causes could trigger a downing of tools. When a company, contrary to unwritten practice, brought a new superintendent on a pier in 1949, the men stopped working. In 1950, baggage gangs on a pier refused to work until charges laid against a dockworker of assaulting a security guard were dropped. That October, Pier 54 men walked off until an assault charge was withdrawn. Local 824 members struck in 1955 when the Cunard Line suspended a man for absenteeism. After learning of the men's complaining, he was reinstated⁸⁹

⁸⁸ Interview with NYL, 7.4.00. Unsanctioned deductions by smaller employers were the cause of at least one strike (Barnes, *The Longshoremen*, p. 33; (New York City), Mayor's Committee on Unemployment, *Report on Dock Employment*, p. 15; U.S. Commission on Industrial Relations, *Final Report*, p. 2195; *NYT*, 13.7.1881). For the same experience in London, read Parliament, Departmental Committee on the Checking of Piece-Work Wages in Dock Labour, *Report*, cmd. 4380 (1908)

⁸⁹ New York State Crime Commission, *Public Hearings (No. 5)*, vol. 1, p. 129; *NYT*, 31.7.47, 8.8.47, 16.4.48

Because of the inadequacies of the pre-1950s system for speedily settling industrial disputes, work gangs would, if left unsupervised, tend to operate at a sluggish pace, drawing their hours into overtime. This danger for an employer no doubt helped explain the reported use of strong-arm men as hiring bosses and hatch foremen by a category of shipowners into the 1940s. Jarka, the largest stevedoring company, to instil 'some order and discipline,' used Albert Ackalities, a reputedly violent Pier 18 hiring boss, on their Jersey pier. Before he was hired, 'half the men were across the street drinking, and practically no work was done.'⁹⁰

Post-Crime Commission pressure moved the ILA and the NYSA into a new partnership, articulated in the installation of the Labor Relations Committee (LRC) that suppressed unofficial job actions. Statistics indicated the effectiveness of the LRC system in resolving disputes without recourse to unofficial practices.⁹¹

CUSTOM AND LOCAL AUTONOMY

The union was forced to adopt a highly decentralised structure by the nature of the work, the composition of the membership and by the port's huge dimension. Interacting with this were heavily supported but localised customs and practices, by and large outside the scope of union leadership controls. TGWU docks branches had much less discretion over 'permissible' internal practices, on paper at least, since these were laid down by Standing Rules conferences.⁹²

New York union Locals varied immensely on how they dealt with employers and in their methods of remuneration. The 'poorer' and/or smaller union Locals would probably see union officials working part-time as ordinary longshoremen. A Local

⁹⁰ New York State Crime Commission, *Public Hearings (No. 5)*, vol. 1, p. 72

⁹¹ Jensen, 'Dispute Settlement in the New York Longshore Industry,' p. 596; New York Shipping Association, *Progress Report 1959*, pp. 11-18; Jensen, V. H., 'Prospects for Labour Peace on the London And New York Docks', in McGill University, Industrial Relations Centre, *The Dynamics of Change: Labour Relations on the Montreal Waterfront*, Montreal, 1970; U.S. Congress, House Committee on Merchant Marine and Fisheries, *Labor-Management Problems of the American Merchant Marine*, hearings 84th Congress 1st Session, 1955, pp. 822, 829. See also a series of articles in the *New York Times*, including those on: 25.1.55, 9.3.55, 1.4.55, 10.5.55, 19.5.55, 14.8.55, 20.5.56

⁹² 'Constitution and Rules of Order As Amended at the 34th Convention Held in New York City July 14-18, 1947' p. 37 gave New York Local unions the right to 'fix its own wage scale, unless such scale adversely affects other Locals or Branches of the trade.'

President could also double up as the Business Agent. In a group of cases, only the fact that Local officials were in receipt of the GAI kept them performing. Similarly, some union officials were more influential than were others.⁹³

In the context of the capital-labour conflict, customs did not 'implicate fundamental rights' (as was also the case in London and Liverpool).⁹⁴ Unofficial practices nonetheless did at times stabilise the chaos of dock labour markets. At the other end of the spectrum, the pressure was always to look for ways in which dock and ship gangs could 'make up' earnings. The manipulation of customs eventually became embroiled in considerations of competitiveness, as an upward pressure on costs.⁹⁵ Extras for overtime, weekend, night working and for handling 'obnoxious' cargoes were the sole ones allowed for under contracts.

Unauthorised 'job rights' in New York varied by their interpretation and operation, depending for instance on the policies of the Local having jurisdiction and how hard they were pushed. In the early 1950s in Brooklyn, men might be hired above a garage. Jersey City and Hoboken Local 1261 (checkers and clerks) operated a novel system wherein the first checkers to report to the Local office got first call on work that day. When night work became available in 1940 on Pier 32, extra gangs worked the day shift and the regular gangs the nights⁹⁶

New York style customs encompassed the trivialities of when breaks were taken (only certain piers, long ago, had coffee breaks)⁹⁷ through to dispersed 'understandings related to individual piers, terminals, or companies.'⁹⁸ Before the widespread adoption of joint committee standards, Barnes claimed that 'every pier is a law unto itself' so far as cargo handling was concerned.⁹⁹

⁹³ Telephonic interview with NYT, 3.1.01; interview with NYK, 11.4.00; New York State Crime Commission, *Public Hearings (No. 5)*, vol. 2, p. 878, vol. 3 pp. 328-31; NYT, 4.5.55

⁹⁴ Interview with NYB, 29.3.00.

⁹⁵ Interview with NYL, 7.4.00.

⁹⁶ Telephonic interviews with NYD, 6.9.00, NYH, 2.4.00; U.S. Congress, Senate Committee on Interstate and Foreign Commerce, *Waterfront Investigation*, p. 103; XIIR: Box 11 folder 38

⁹⁷ Informally known as 'high water' breaks (interview with NYT, 4.4.00)

⁹⁸ Jensen, *Strife on the Waterfront*, p. 146.

⁹⁹ Barnes, *The Longshoremen*, p. 28.

Sizeable segments of the New York labour market were thus protected from the full force of market forces and such systems, seen in Liverpool and London as well, mitigated the need to pay off for work. Less nobly, customs could be used as a hammer via which to 'squeeze' employers into payments beyond those agreed through normal channels.

EMPLOYMENT MALPRACTICES

The shape-up and 'casual' employment

Conventional wisdom postulated that casualism was the norm in the port and from this flowed all manner of abuses. As a supposed basic feature of dock work, the New York shape-up system facilitated 'gang rule' on the New York waterfront and morally demeaned the men, U.S. sources agreed.¹⁰⁰

Many descriptions of the New York 'shape-up' hiring process creating and aiding corruption exist.¹⁰¹ Such a system, when unmodified, was known as the 'open' shape.¹⁰² Individuals and those working in gangs presented themselves at stipulated times before hiring bosses and were chosen, or passed over, for work until the next hiring event, perhaps four hours later. In this scenario, dockworkers wholly depended on the patronage of the hiring boss for employment. As a consequence, opposition to the system was inhibited, as dockworkers sought to keep in favour with hiring foremen.

Published works indicating the precarious character of New York port hiring date from the early 1900s. The 1911 New York State Senate report told of the irregular

¹⁰⁰ Johnson, *Crime on the Labor Front*, pp. 133-149; Davis referred to the 'humiliating shape-up system' (Davis, C. J., 'New York City and London Dockworkers: A Comparative Perspective of Rank-and-File Movements in the Post-Second World War Era', *Labour History Review*, vol. 65, no. 3, 2000, pp. 295-316)

¹⁰¹ (New York City) Mayor's Committee on Unemployment, *Report on Dock Employment in New York*; New York State Senate, *Report to the Legislature of the State of New York by the Commission...to Inquire into the Question of Employers' Liability and Other Matters: Third Report - Unemployment and Lack of Farm Labor*, Senate document 1911, no. 49; U.S. Department of Labor, Bureau of Labor Statistics, no. 550, *Cargo Handling and Longshore Labor Conditions*, Washington, DC.1932.

¹⁰² See the bibliography for descriptions of the New York shape.

nature of most dock work at that time, as did Barnes a few years later in his classic study.¹⁰³ 'Preference' men, typified by better average earnings, existed but were recorded as not common.¹⁰⁴ In 1914, the Industrial Relations Commission heard from a union organiser of kickbacks to foremen.¹⁰⁵ Over the years, variants on the theme of improper exchanges for work in New York ranged from direct cash payments to free drinks for 'the boss' through to bogus 'Church' donations.¹⁰⁶

Although union controls took the edge off the worst aspects of the shaping-up system, what remained true - in common with much 'regular' dockwork in the British ports - was that even 'regularly' employed gangs, those that could expect to work four days or more a week, could be and were stood down if the volume of shipping on their pier was small.¹⁰⁷ As one former Hoboken ship worker summarised, 'If the ship worked three days, you worked three days.'¹⁰⁸

The 1930s economic downswing in the United States was more severe in its effect than the British equivalent. New laws giving trade unions more security together with agreements to give ILA members first crack at work, buckled under the weight of the numbers drifting to the waterfront, and reports of kickbacks rose. Sensational accounts of 'over \$25m yearly' paid out in waterfront graft came to public attention. Various dodges were noted and men who refused to accept the system of grafting for work were blackballed.¹⁰⁹ The ILA's preference scheme embodied in agreements favouring union men, like that in Britain, was half-heartedly enforced.¹¹⁰ And with its lack of registration to limit the numbers seeking dockwork, the likelihood was that shakedowns were greater in New York than in Britain over the course of the 1930s.

¹⁰³ Barnes, *The Longshoremen*, pp. 170-1; 'Longshore Labor Conditions in the United States - Part 1', *Monthly Labor Review*, vol. 31 no. 4 (October 1930) pp. 1-20.

¹⁰⁴ New York State Senate, *Report to the Legislature of the State of New York*; Barnes, *The Longshoremen*, pp. 55-75.

¹⁰⁵ U.S. Commission on Industrial Relations, *Final Report and Testimony*, pp. 2190-5.

¹⁰⁶ On bogus 'Church' contributions, see the interview with NYX, 28.3.00, a member of the predominantly negro Local 968 in Brooklyn from 1949.

¹⁰⁷ See, for example, U.S. Commission on Industrial Relations, *Final Report and Testimony*, p. 2063

¹⁰⁸ Interview with NYV, 17.4.00.

¹⁰⁹ *Daily Worker* (NY) 27.5.33; NYMA: Kings County D.A., Murder Inc., box 5.

¹¹⁰ Private correspondence with Sam Madel; Swanstrom, *The Waterfront Labor Problem*, p. 28

Pre-registration employment schemes

By the 1870's, several bigger New York shipping lines were hiring men by the week. In 1876, Anchor Line and State Line men for example had 'practically permanent employment', though still paid by the hour. A few of the larger lines, such as the North German Lloyd and the Hamburg Lines went further, in offering their weekly men pay whether they worked or not, and even instituting sickness and invalidity pension schemes¹¹¹

Such systems became of less relevance over time. The Bull Lines in 1950's Brooklyn thus worked its twenty gangs 'practically ... day and night steady.' Duration of employment depended as well on the class of vessel serviced. Often ignored as well in the literature described in chapter two were the many coastal and inter-coastal vessels offering mainly regular work, as did their Liverpool and London counterparts.¹¹²

At pier level, individual hiring foremen initiated their own work-sharing projects, as the Industrial Relations Commission reported. During the 1940s investigation of the celebrated murder of dockworker Peter Panto, it was discovered that the terminal on which he worked, Pier 15 in Brooklyn, practised a rough and ready equalisation plan run by the company foreman.¹¹³ Similar systems became embedded in South Brooklyn and on Manhattan piers.¹¹⁴

Local 791 had operated a regular employment system for its members prior to 1953, with a small coterie of men used as fill-ins only. Upper west side gangs were reported to use the same structure in 1955, as did the lower east side based Local 856 from the early 1940s

¹¹¹ *New York Tribune*, 1.8.1876, 30.1.1887; *NYT*, 20.1.1887, 26.1.1887; U.S. Commission on Industrial Relations, *Final Report and Testimony*, p. 2116

¹¹² New York, Port of Authority, *Economic Importance of Coastwise Shipping to the Port of New York District: Preliminary Report*, New York, 1946, pp. 5-18.

¹¹³ Telephonic interview with NYN, 19.10.00; NYMA: Kings County D.A. Murder Inc. Box 5: People vs. John Doe, 24.9.45.

¹¹⁴ In the area above 42nd Street, for instance, in 1963 a system operated whereby gang earnings were evened out and by this means the use of casuals was strictly limited. On the North Side of Manhattan meantime, the Penn Stevedoring firm, one of the largest in the port, had a large core of long serving workers, about 60 per cent of the total used on their facility.

Most extant evidence relates to South Brooklyn's Local 1814, the largest union organisation in the port. From about 1957, according to interviewees, criticism of the former system whereby a few gangs hogged the best paying ship hatches (normally holds 2 to 4) led eventually to a new arrangement. Under it, shop stewards operated a 'rotation' system in which assignments on piers covered by the Local were adjusted on a daily basis, so that low earning labourers (including all overtime payments) were given the 'best' or most profitable hatch work the next day.¹¹⁵

Criticisms of the orthodoxy

Including all categories of dock labour and less formal means to adjust wages, the extent of regular gang working in the port was thereby considerable, certainly more so than recorded in most texts identified in chapter two. The process was facilitated by the unionisation of hiring foremen.

As the *New York Times* remarked as early as 1904, 'a nucleus of steady and more or less skilled men' formed the centrepiece around which others would gather.¹¹⁶ By the 1930s, when unemployment generally was on the rise, it was reported that foreman tended to choose the same employees at the shape, 'using extra employees only in the case of unusual activity.'¹¹⁷

'Extra' gangs supplied fill-in labourers when regular members were unavailable. The authors of 'Longshore Labor Conditions in the United States - Part 1' commented that over half of New York dockworkers at that point were 'regulars.'¹¹⁸ The Department

¹¹⁵ It might involve, for instance, low earners finishing off the highest earning hatch in a ship. This system was most suited to periods when work was scarce and cargoes were homogeneous, and thus in which all the work gangs were as proficient as each other. Productivity in this situation did not suffer from the practice. Where, on the other hand, mixed cargoes were the norm, a 'rotational' system could be more problematical, since few gangs could handle all cargoes equally well (telephonic interviews with NYC, 2.5.01, NYD, 4.1.01, NYT, 3.1.01, NYY, 3.1.01)

¹¹⁶ NYT, 22.10.04 The U.S. Commission on Industrial Relations heard, in 1914, of the regular gang systems used on the trans-Atlantic lines while Barnes wrote of the regular nature of most 'foreign commerce' work.

¹¹⁷ U.S. Office of the Federal Coordinator of Transportation, Section of Labor Relations, Section of Research, *Hours, Wages, and Working Conditions*, Vol. 1 (1936) p. 143.

¹¹⁸ *Monthly Labor Review*, vol. 31 no. 4 (1930)

of Labour also described in 1932 large amounts of regular work offered¹¹⁹ and Ogg, in 1938, recounted how steady gangs would get work, if available, on most west side Manhattan piers.¹²⁰

Better statistics on earnings became available after 1945, though they proved ambiguous in their conclusions. Those opposed to the shape quoted statistics on the comparatively low weekly or annual earnings of the majority of dockworkers, the cut-off point being those achieving above or below 700 hours of work annually (the minimum to qualify for the industry pension). But where these referred to a single employer, the figures could be misleading, since a practice, seen in Liverpool and London too, was for temporarily unemployed gangs and individuals to travel between piers and firms to make up working hours.¹²¹

Rules from 1945 made with the NYSA gave 'men who regularly work on a pier ... preference in hiring',¹²² and since hiring foremen came normally, according to custom, from the rank and file, this practice crossed over the years. John Lyon, NYSA chairman, for instance, held before the Crime Commission that while 24,000 men earned under \$1,400 a year, a further 15,000 men earned over the \$2,800 yearly earnings benchmark judged as satisfactory compared to work away from the local waterfront¹²³

The ILA told the Waterfront Commission that port employers had, for a number of years previously, unofficially given preference to gangs regularly following 'their' home piers or terminals. After these were hired so-called 'regular extra' gangs who were utilised as second-stringers but still often received good earnings.

¹¹⁹ U.S. Department of Labor, Bureau of Labor Statistics, no. 550, p. 75

¹²⁰ Ogg, *Longshoremen and Their Homes*, p. 18

¹²¹ For appropriate statistics and different perspectives, consult: U.S. Congress, Senate. Committee on Labor and Public Welfare, *To Clarify the Overtime Compensation Provisions of the Fair Labor Standards Act*, pp. 271, 729; U.S. Department of Labor, *Manpower Utilization - Job Security in the Longshore Industry Port of New York: Report and Findings*, Washington, DC: 1 July 1964, p. 6; U.S. Congress, Senate. Committee on Interstate and Foreign Commerce, *Waterfront Investigation: New York-New Jersey: Interim Report*, Report No. 653. 83rd Congress 1st Session, 1953, p. 8.

¹²² Larowe, *Shape-Up and Hiring Hall*, p. 51; U.S. Congress, House Committee on Education and Labor, *Amendments to the Fair Labor Standards Act of 1938*, p. 360.

¹²³ New York State Crime Commission, *Public Hearings (No. 5)*, vol. 1, p. 69

A number of shipping industry witnesses appearing before the Crime Commission told how the shape was rarely used 'as commonly understood.'¹²⁴ Nossiter, in a well-researched article, confirmed in 1955 that, 'the notorious shape-up is used to hire only a fraction of longshore labour.'¹²⁵ Waterfront Commission interventions in the 1950s furthered the cause of regular earnings, through registration processes.¹²⁶

'Continuity' practices

Contributing to a wider or fairer distribution of earnings were 'continuity' type conventions. These were important in Liverpool and London, as seen, but assumed an even greater significance in the absence of registration schemes, the situation in New York until 1953. Against this, no formal agreements on continuity of employment existed across the port.

In an early reported characteristic of New York dockwork, the same ship hatch gangs would often be asked to stay on until a cargo was loaded or discharged, as a response to the need to get a ship in and out of port without delay. This seems to have been a long-standing custom, criticised by Barnes and others before 1917 as resulting in the systematic overworking of the men. Poole in 1908, according to Winslow, also related how the men had to work with few rest breaks for long periods.¹²⁷ Jensen recorded how a formalised form of continuity established itself in the port during World War Two, and explained how winchmen 'often virtually worked around-the-clock, because it was deemed more efficient to use gangs continuously until the ship was finished, rather than bring in new men unfamiliar with the work.'¹²⁸

¹²⁴ New York State Crime Commission, *Public Hearings (No. 5)*, vol. 1, p. 449, pp. 635-6.

¹²⁵ Nossiter, 'Waterfront War: Round Two in New York'; New York State Crime Commission, *Record of the Public Hearings*, pp. 42, 45-6, 82.

¹²⁶ Groom, P., 'Hiring Practices for Longshoremen', *Monthly Labor Review*, vol. 88, p.1296; U.S. Congress, House Committee on Merchant Marine and Fisheries, *Maritime Labor Legislation*, p. 925

¹²⁷ Winslow, C., '"Men of the Lumber Camps Come to Town": New York Longshoremen in the Strike of 1907,' in Winslow, C. (ed.), *Waterfront Workers: New Perspectives on Race and Class* (University of Illinois Press 1998) p. 71

¹²⁸ Jensen (*Strife on the Waterfront*) mentioned that a form of continuity was introduced in World War Two in New York (pp. 38-9). The tale of the New York winchmen is told on pages 38-9.

For employers this practice made sense, since the men had by then built up a good pace of work and needed no coaching in what to do next, unlike the situation when using new gangs. It was also probably safer than the alternative of importing gangs after, say, four hours had elapsed.¹²⁹

But maintaining 'continuity' within particular cargo holds was a problem where it conflicted with earnings equalisation programmes, as it did on the piers operated by Local 1814 in the latter 1950s. For where 'continuity' meant that a few gangs monopolised the better paying hatches in a vessel, it was decided to limit it to a single day. Thereafter, a lower earning outfit would take over the work.¹³⁰

These practices still left hiring bosses with some economic clout. Graft could, for example, be useful despite continuity to get a position in a regular gang, since membership of work gangs changed over time. It was also rumoured that to get a slice of the jobs paying regular overtime required a 'connection' with the appropriate hatch boss.¹³¹

Hiring and union policy

Arguably, the ILA better represented the majority view among its members in the port with respect to the existing employment system than did either the TGWU or NASDU. Surveys and the results of ballots suggested that many dockworkers in New York indeed accepted the limitations of the shaping-up system while the alternative offer of 'hiring halls' was rejected as open to political manipulation.¹³²

¹²⁹ In 1874, it was reported that those engaged were to carry on until the work was finished and testimony before the Commission on Industrial Relations in 1914 disclosed that it was a common to work the same men for long stretches until a vessel was done. This also appeared to have been the case in the 1930's, when gangs were said to be kept 'intact until the work of loading or discharging has been completed', even if that meant very long workdays (U.S. Commission on Industrial Relations, *Final Report and Testimony*; U.S. Congress, *To Clarify the Overtime Compensation*, pp. 762-3.

¹²⁹ U.S. Department of Labor, Bureau of Labor Statistics, no. 550, p. 75; 'Longshore Labor Conditions and Port Decasualization in the United States', *Monthly Labor Review*, vol. 37 no. 6

¹³⁰ Telephonic interviews with NYC, 2.5.01, NYI, 2.1.01, NYY, 3.1.01

¹³¹ Interview with NYT, 4.4.00.

¹³² NYT, 22.5.53, 9.6.53; Morris, G., *A Tale of Two Waterfronts* (The Daily Worker 1952) pp. 23-4

When the chance came in supervised elections for the ordinary New York dock union member to voice his opinion, he tended to come down in favour of the 'shape', and against 'state direction' in the hiring function.¹³³ Instead, a successive advance in hourly wages was the favoured strategy adopted by the union leadership.¹³⁴ This strategy dovetailed with the union's well-known opposition to left wing or 'communist' ideology and state 'controls' over labour, via compulsory registration for example.¹³⁵

The situation was thus more complex than American versions suggest, with the single exception of Russell in 1966,¹³⁶ in which a corrupted union leadership was depicted as defending the shaping-up structure simply as a way of lining the pockets of its officials. According to Johnson, the shape-up 'leaves the hiring of dock workers entirely up to the union and opens the gates wide for every type of racket and malpractice.'¹³⁷

State policies, 1917-45

Government interest in the New York docks was barely discernible until the late 1940s. For a number of reasons, thereafter waterfront practices became a political hot potato that was not, as in Britain, deflected into joint committee systems and into official reports that saw reform in terms of incrementalism, to foster stability.

¹³³ *ILA Longshore News*, June 1953; XIIR: Box 11: 'Minutes of the New York District Council Special Meeting, March 10, 1953'.

¹³⁴ (New York City) Mayor's Committee on Unemployment, *Report on Dock Employment*, p. 31.

¹³⁵ During the second world war, those such as Tony Anastasio who opposed the official leadership were branded as Communists (International Longshoremen's Association, *Brief of International Longshoremen's Association (AF of L)*, 28 May 1943, pp. 25-6; International Longshoremen's Association, *Statement of the International Longshoremen's Association, AFL, on the Report*; AFL 'Report of the Proceedings of the 72nd Convention Held at St. Louis, MO September 21 to 25, Inclusive 1953' p. 487). On the ILA and communism, read also: WA: ILA Collection, Box 4, folder 'ILA Boycotts'; FBI file on Joseph P. Ryan, file no. 63-914 (Intelligence File, 19.4.54); U.S. Congress, Committee on Commerce and Committee on Education and Labor, *Amending the Merchant Marine Act of 1936*, hearings 75th Congress 3rd Session 1938, pp. 1064-93; U.S. Congress, Senate. Committee on Interstate and Foreign Commerce, *Waterfront Investigation*, pp. 447-9.

¹³⁶ Russell, M., *Men Along the Shore: The ILA and Its History* (Brussel and Brussel 1966)

¹³⁷ Johnson, *Crime on the Labor Front*, p. 133

As explained, the tripartite National Adjustment Commission (NAC) was created in late 1917 to keep shipping and military supplies flowing from the east coast ports to Europe and was of unquestioned success in maintaining wartime labour peace.¹³⁸ The U.S. Employment Service also planned to centralise the hiring of labour in the port due to its recognised fragmentation, but this experiment was abandoned after 1918,¹³⁹ while a planned New York Port War Board hoping to better coordinate interests on the waterfront hardly had time to establish itself before hostilities ceased.¹⁴⁰

A lengthy unofficial stoppage in New York during 1919 ended NAC hopes of registering dock labour with a view to regularising wages.¹⁴¹ Thereafter, each section of the port reverted to its pre-1917 hiring system.¹⁴² American industrial policy moved to the containment of price inflation and towards a reversion to laissez faire in industry policy. The 1920s were typified by 'open shop' movements and decentralised industrial practices.¹⁴³ 'Outdoor relief' was apparently available to classes of casual longshore labour, but was heavily stigmatised and had a low take-up rate. In Ogg's sample, for example, only 29.3 per cent had ever been on public welfare rolls (as 'the last resort') while the average time spent on relief was only five months.¹⁴⁴

Between 1942 and 1945, when the most revolutionary changes were being made to hiring relations in Liverpool and London, the New York longshore industry structure remained in every sense that inherited from the 1930s and beyond. Neither the NYSA

¹³⁸ U.S. National Adjustment Commission, *Report of the Executive Secretary...for the Period January 1, 1919 to June 30, 1920* (Washington, D.C 1920)

¹³⁹ NYT, 8.6.18, 11.6.18; U.S. National Adjustment Commission, *Chairman's Report for the Period Ending December 31, 1918*, Washington, D.C.1919, p. 147

¹⁴⁰ Strongly influenced by the federal government, its membership represented labour, management and state, tasked with easing problems of port congestion. The War Board, like the New York-New Jersey Port Authority from 1921, provided a basis for coordination under which all installations would come under its supervision (*New York Times Annalist*, 12.11.17).

¹⁴¹ U.S. National Adjustment Commission, *Report of the Executive Secretary*, p. 38.

¹⁴² On the history of the NAC, read: Squires, B. M., 'The National Adjustment Commission', *Journal of Political Economy*, vol. 29, 1921, pp. 564-9; Drury, H. B., 'The Labor Policy of the Shipping Board', *Journal of Political Economy*, vol. XXIX no 1, p. 8, U.S. Shipping Board, *Report of Acting Director of Marine and Dock Industrial Relations Division*, 1 August 1919. The Shipping Board itself carried on to 1932 but its Industrial Relations Division was wound down earlier.

¹⁴³ Mikhailov, B.Y. (ed.), *Recent History of the Labour Movement in the United States 1918-1939* (Progress Pub 1977), pp. 139-42

¹⁴⁴ Ogg, E., *Longshoremen and Their Homes* (Greenwich House 1939) pp. 35-36

nor the ILA was keen on change. The ILA repeated that most longshore work was, by then, performed by gangs in 'fairly steady employment' who had 'grown to know and understand their employer and have become familiar with the types of ships to be loaded, the character of cargo to be handled, the care required to load in the order of ports of call, etc.'¹⁴⁵

Still, for most of the war longshore labour was in demand, with payoffs consequently curtailed.¹⁴⁶ Where the military took over piers, more continual employment was on offer. In Brooklyn, the Armed Forces instituted a regular gang system, for example, in some sections.

Post-war reforms

From 1946, rising anxiety was expressed about the effects of the shape-up system in fostering waterfront violence and racketeering. Claims were underlined by a 1947 'gangland' murder case involving west side Manhattan docks.¹⁴⁷ Yet the favoured solution, in the complete removal of the shape, was unacceptable to large numbers of the docks workforce. In these proposals, reformers articulated the concerns of a minority of dockworkers.¹⁴⁸

Following stinging criticism by the State Crime Commission, dealt with below, supervised balloting arrangements were extended to all union Locals, supervised by

¹⁴⁵ XIIR: Box 2 folder 58: 'Subject: Labor Problems Concerning the Employment of Longshoremen' (17.4.42)

¹⁴⁶ International Longshoremen's Association, *Brief of International Longshoremen's Association (AF of L)*, 28 May 1943. An exception was in 1942, when German submarine activity forced shipping to divert to other ports on the east coast.

¹⁴⁷ During January 1947, members of the 'Bowers' mob were convicted of the murder of a North River hiring boss.

¹⁴⁸ The issue of 'waterfront priests' and their contributions to reform is discussed in: Fisher, J. T., 'John M. Corridan, S.J., and the Battle for the Soul of the Waterfront, 1948-1954', *U.S. Catholic Historian*, vol. 16 no. 4, 1998, pp. 71-87; Budd Schulberg 'Waterfront Priest', *Commonweal*, 3.4.53, pp. 85-91; Raymond, A., *Waterfront Priest* (Victor Gollancz 1954); Velie, L., 'A Waterfront Priest Battles the Big Port's Big Boss', *Collier's*, vol. 129 (16 February 1952), pp. 18-19+; Davis, C. J., 'Launch Out into the Deep and Let Down Your Nets': Father John Corridan, S.J., and New York Longshoremen in the Post-World War 11 Era', *Catholic Historical Review*, vol. 86, January 2000, pp. 66-84. Corridan's stance helped reverse the position of the Catholic Church in New York in staying away from industrial problems, and probably reflected the Church's perception of a greater Communist threat.

independent monitors.¹⁴⁹ Local 1814 went further in 'democratising' its organisation, fining men who did not attend union meetings.¹⁵⁰ Newly emerging ILA leaders, notably Tony Anastasio, president of Local 1814, allied themselves with the cause of decasualisation and of stronger rights for ordinary dockworkers.

Captain William Bradley, who took over after Joseph P. Ryan, campaigned on a platform of revitalising the union and controlling the activities of union Locals more closely.¹⁵¹ Material results of this 'new deal' given to union members were shown in better fringe benefits and wages, although their ultimate effect on employment levels was a matter for debate.¹⁵² After an external review concluded that it had addressed all major criticisms, the ILA was re-admitted to the AFL in 1959, following its expulsion in September 1953 for being slow in addressing Crime Commission condemnations.¹⁵³

Seniority agreements and the Guaranteed Annual Income

Specifically designed to suppress hiring malpractices in the port, seniority arrangements were formalised and eventually dovetailed with Waterfront Commission regulations. Through it, longer serving union men on a particular pier or section gained the right under agreements to insist upon being hired for the first available job to which they were qualified to perform. However, they created new problems when acting alongside the Guaranteed Annual Income (GAI).

Frankel and Marcus told how the seniority system worked well in those sections where work was still available, but much less so in industrially declining ones. If Manhattan longshore workers, for example, travelled to better employing areas, they would lose seniority, or might not find work at all. Men who worked on comparatively stable piers or terminals would not generally welcome 'outside'

¹⁴⁹ Interview with NYT, 4.4.00.

¹⁵⁰ *Waterfront News*, 18.5.56

¹⁵¹ *Journal of Commerce*, 31.1.56

¹⁵² Waters, R.C., 'Leadership and Its Consequences: Technical Change in the Longshore Industry' *Industrial Relations*, vol. 32 no. 2, 1993, pp. 262-4

¹⁵³ The full text is found in: WA: ILA Collection, Box 4: 'Report and Recommendations of AFL-CIO Executive Council Committee Respecting Application of International Longshoremen's Association for Affiliation with the AFL-CIO' (17.8.59).

competition for work and competitors could find themselves assigned 'to the hardest and dirtiest job when they seek work in another part of the harbor.'¹⁵⁴

In common with Hoboken, once the chief point of embarkation for U.S. troops off to fight in Europe, throughout the 1970s a once thriving Lower East Side riverfront of Manhattan quickly decayed.¹⁵⁵ The south Brooklyn waterfront also decayed, though it retained some of its traditional break bulk cargo trade. Those wishing to feed off corrupt practices found themselves without a constituency. On the west side of Manhattan waterfront for example, Irish 'docks' mobsters were forced to expand into non-waterfront activities, but at no point was their power comparable to that of the gangsters they replaced.¹⁵⁶

The GAI was a solution to foreseeable problems with unitisation and mechanisation, the idea coming originally, according to one of its architects, from the British system of income maintenance.¹⁵⁷ The ILA fought hard for the GAI on the premise that the men 'would not be left to bear alone the costs of increased productivity or progress from which you most handsomely profit.'¹⁵⁸

A subsequent agreement mandated for the GAI and better holiday arrangements, in exchange from the union side for gang size reductions where appropriate,¹⁵⁹ more flexibility, and the closure of the dockworker register to restore a supply-demand balance. The GAI was finally introduced in April 1966, paid for by employers, with longer serving dockworkers benefiting the most (as with seniority arrangements).¹⁶⁰

In a fuller attempt to preserve work, the union won the right to use its own labour to load ('stuff') and unload ('strip') containers within a fifty mile limit of a port and

¹⁵⁴ *Jersey Journal*, 21.12.70; Frankel, E. G. and Marcus, H. S., *Ocean Transportation* (MIT Press 1973) pp. 425-6; *NYT*, 15.6.67

¹⁵⁵ Bittenwieser, A. L., *Manhattan Water-Bound: Planning and Development from the Seventeenth Century to the Present* (New York University Press 1987) p. 219.

¹⁵⁶ English, T.J. *The Westies* (G.P. Putnam's Sons, 1990)

¹⁵⁷ Interview with NYW, 15.4.00

¹⁵⁸ ILA 'Twenty-Four Years of Progress: A Report by Thomas W. Gleason, President' New York (n.d.).

¹⁵⁹ Many commodities required the 'full' twenty-one-man gang both before and after the 1960s.

¹⁶⁰ WA: ILA Collection, Box 2: 'International Longshoremen's and Warehousemen's Union: ILA Wage Guarantee and Hiring Procedures' (6.10.70).

containing cargo belonging to more than one shipper or consignee destined to, or coming from, ports within the fifty mile area. This was achieved in 1968.

Collectively, these reforms gave the average New York dockworker a high degree of income, and sometimes earnings, stability. In this environment, engagement-related payoffs were mostly irrelevant if focused on the obtaining of work in the first instance, and the fear of 'losing' seniority for an infraction of port rules inhibited some post-employment misconduct.

STATE CRIME COMMISSION HEARINGS

Central to any analysis of waterfront practices in New York is the New York State Crime Commission. Crime Commission conclusions became, in effect, the 'official version' of relations in the port, stamping its image on subsequent accounts. This section deconstructs the evidence advanced by the Crime Commission, in concluding that it was important as much for what it left out as to what it revealed.

The cultural impact of the motion picture film 'On the Waterfront,' drawing heavily on Crime Commission materials, was hard to over-estimate.¹⁶¹ Yet, Budd Schulberg, who wrote the screenplay for the film, had only marginal experience of the docks, getting his evidence from others such as Crime Commission witnesses and dissident elements in union ILA Locals 791 and 824.

Schulberg became interested in waterfront practices after reading Malcolm Johnson's 'rackets busting' articles and following a meeting with the crusading Jesuit priest Fr. Corridan through Johnson. Schulberg functioned for 'a good two and a half years' as Corridan's aide and fully shared his perspective on the docks.¹⁶² The presence of the Waterfront Commission in the aftermath of Crime Commission revelations kept the image of powerful waterfront criminality with public order implications alive, as did

¹⁶¹ Directed by Elia Kazan, the *New York Times* informed its readership how the film 'revealed the horrible truths' of the port and, on the plight of the tragic and exploited casual longshore workers, how the State Crime Commission helped 'bring some light into their dark lives.' (NYT, 29.7.54)

¹⁶² Telephonic interview with B. Schulberg, 17.1.01

occasional court cases and (in the 1970s) federal investigations of port shakedowns on the east and Gulf coasts.

The New York waterfront was described by Bell as a ‘protected political enclave’ sheltered by a corrupt political machine.¹⁶³ Raymond stuck to the Crime Commission’s negative depiction of the ILA and of industrial malpractices, adding a figure of ‘over 100 unsolved deaths’ associated with ‘the struggle for the control of (the rackets) by gangsters.’¹⁶⁴ Larowe and Kimeldorf did not unpack the extant evidence for docks corruption, though the latter’s work included more variables in ‘explaining’ the trouble areas. What was never in doubt across the texts was the depth and seriousness of the problem.

Hiring malpractices

The lasting imprint given by the Crime Commission hearings was one of rake-offs and exploitation at the point of engagement – the shape-up. The *Fourth Report* from the Commission in May 1953, its ‘final word’ on malpractices, stressed, as did writers from 1946, the shape as the primary cause of other difficulties in the law enforcement sphere.

According to the report, ‘The power to hire not only enables an unscrupulous hiring foreman to exact tribute from the dock worker but also makes it possible for him to dispense patronage to relatives, friends and criminal associates.’¹⁶⁵ A star witness before the Crime Commission, for example, ‘John Doe’, told how after he stopped paying kickbacks to certain hatch bosses in Brooklyn, he was fired from his steady earning job. Complaining to his union delegate led to a further half-day engagement, but he did not regain his old position. To add insult to injury, his hiring foreman replaced the witness with the foreman’s nephew.¹⁶⁶

¹⁶³ Bell, D., ‘Last of the Business Rackets’, *Fortune*, June 1951

¹⁶⁴ Raymond, *Waterfront Priest*, p. 23

¹⁶⁵ New York State Crime Commission, *Fourth Report*, p. 43

¹⁶⁶ New York State Crime Commission, *Public Hearings (No 5)*, vol. 3, pp. 1787-91.

But the most compelling evidence of a serious problem over hiring was found in New Jersey, where high-level political figures intervened in the process in Hoboken and nearby Jersey City, involving the placement of friends of the Mayor and others as dockworkers by the resident ILA Local. Local 1261 officials on occasion also sold union books illegally, while ward leaders compiled lists of those to be given work by hiring bosses. Control over jobs led to feuding in which political levers were pulled by the protagonists.¹⁶⁷

Crime Commission hearings were immediately followed by a 1953 U.S. Congressional investigation of labour problems at the huge U.S. military installation at Claremont, New Jersey, some of the evidence repeating points already made by the Commission. U.S. Senators heard how waterfront jobs were sold, gangster influences moved across the Hudson River to the base and how much hiring was performed on a political recommendation.¹⁶⁸

The strongest evidence presented of significant problems surrounding the hiring process therefore came from New Jersey's waterfront, where supplemental evidence also suggests that the worst employment malpractices probably occurred, on a more regular basis. A Local 1261 shop steward was accused in 1954 of accepting \$100 for work and then forcing a longshoreman to pay, every month, for his job and with Christmas-time payments thrown in. Two longshoremen had also done repairs to the house of his girlfriend in company time. In 1955, six dockworkers in Port Newark's Leonardo Naval Base, including four gang foremen, were proven to have participated in kickback schemes.¹⁶⁹

¹⁶⁷ New York State Crime Commission, *Public Hearings (No. 5)*, vol. 2, pp. 853-7, 933-1040, 1316-61.

¹⁶⁸ U.S. Congress, Senate Committee on Interstate and Foreign Commerce, *Waterfront Investigation*, pp. 116-7.

¹⁶⁹ NYT, 14/15.12.54, 22.10.55, 8.2.56

Although hiring malpractices clearly occurred, other evidence suggests a localised problem. Examples taken from parts of New Jersey and Brooklyn were not 'typical' of the whole, as Russell and Jensen claimed.¹⁷⁰

Vulnerable dockworkers shared several quite distinct features, usually disconnecting them from established docks communities, where work was easier to find. Immigrant labour was at the front of those who might be expected to 'pay-up' if they wanted work.¹⁷¹ 'The toothpicks behind your ears, that was mostly the foreigners', as one man who worked on the docks wrote in reference to a way to gain the attention of a hiring foremen.¹⁷²

Susceptible dockworkers that were American-born were the subject of more sophisticated scams reflecting some 'sensitivity' in the manner this group was dealt with. 'Those, however, that are American born and of Italian descent give an indirect kickback in that they must purchase tickets for affairs that are never held, and must pay a fee for a barber service which is never given, etc.'¹⁷³ Another important characteristic of the majority of those exploited was their non-union status.¹⁷⁴ Also of extreme relevance was the fact that 'when it came to the hard, back-breaking work, there were no kickbacks.'¹⁷⁵

Interviewees recalled how jobs were acquired and held through various other means than kickbacks. A sample had pre-existing family ties to the docks, others became known as 'grafters', and a third group received work from both sources. NYC, for example, told how he began work on the South Brooklyn piers in the early 1950s with

¹⁷⁰ Russell, *Men Along the Shore*; Jensen, V. H., *Hiring of Dock Workers and Employment Practices in the Ports of New York, Liverpool, London, Rotterdam, and Marseilles* (Harvard University Press 1964) p.30

¹⁷¹ *Daily Worker* (NY) 27.5.33

¹⁷² Kisseloff, *You Must Remember This*, p. 518; Doyle, J., 'Striking for Ireland on the New York Docks', in Bayor, R.H. and Meagher, T. J. (eds.), *The New York Irish* (The John Hopkins University Press, 1996) p. 35.

¹⁷³ NYMA: Kings County DA, Murder Inc. Box 5 'People vs. John Doe' (no. 1377/1945); *Daily Worker* (NY) 27.5.33

¹⁷⁴ New York State Crime Commission, *Public Hearings (No. 5)*, vol. 3, p. 1801.

¹⁷⁵ Interview with NYB, 29.3.00

no contacts to help him out, but after several months of hard grafting as a casual hatch gang member, he was taken on - without bribery - in another gang with reasonably steady earnings. John Dwyer (who later led a revolt against the ILA on the west side) was adamant that he never 'paid' for work and he was a 'positive it never happened on the West Side' pier in Manhattan he worked on ¹⁷⁶

As chapter three explained, competitive imperatives operated, in the longer run, against the hiring of labourers simply because of their willingness and ability to grease palms.¹⁷⁷ This was as true of New York as it was of Liverpool or London.

There was no suggestion that higher echelon ILA leaders shared in hiring payoffs, though they were certainly guilty of laxness in not dealing promptly and effectively with suspected abuses. However, data taken from a series of 1950s Waterfront Commission reports suggests that in proportion to the number of registered dockworkers, the problem of hiring malpractices was a small one, though its criminal nature implied under-reporting.¹⁷⁸

Union-management improprieties

Also littering testimony before the Crime Commission were charges of improper payments by port employers to ILA officials. Such payments were traded against a guarantee from local union officials that enough of the right labour was available at unsocial hours, to get 'good' labour, to head off unrest or to ensure that union officials would help settle disputes at awkward times.¹⁷⁹

¹⁷⁶ New York interviews with NYB, 29.3.00, NYD, 6.9.00, NYH, 2.4.00, NYS, 28.3.00, NYL, 7.4.00; Kisseloff, *You Must Remember This*, p. 517

¹⁷⁷ See, for example, International Longshoremen's Association, *Brief of International Longshoremen's Association (AF of L)*, 28 May, 1943

¹⁷⁸ Taken from Waterfront Commission 'Annual Reports' (various years), between 1953-4, for instance, there were ten applications for hiring agent and pier superintendent positions denied while twenty-three stevedoring firms did not qualify for a license. Over 1954-5, licenses were denied to ten hiring agents and pier superintendents, and in 1955-56, two hiring agents were disqualified. Two more hiring agents and three pier superintendents withdrew their applications during investigation into their suitability to work on the docks.

¹⁷⁹ New York State Crime Commission, *Fourth Report*, pp. 12-16

Although massive rake-offs were not proven, material presented before the State Crime Commission indicated that small, frequently ad hoc, payments were made to union officials in some parts. The truth about many of these payments is hard to discern. Many were made in cash and unrecorded, suggesting that the principals were at least aware of their borderline legality despite denials. In other instances, the Crime Commission overstated the case made that they were corruptly motivated.¹⁸⁰

First, cash was paid to avoid stoppages, for example by ensuring that a sympathetic union official was available. From time to time linked to Christmas gift making, these were at times described as 'goodwill' payments.¹⁸¹ Pittston Stevedoring made these, perhaps totalling \$10,530 between 1947-1952, in part to recruit 'good men' from the union. Unionist John Beecher received small sums at Christmas in trade for his furnishing 'good gangs.' At other times, payments were made to ensure that union officials were present at all hours in case of unforeseen problems

Strikes could be avoided by the employment of 'ghosting' (or 'phantom') workers, who while paid for a full day's work rarely showed up but had considerable influence over the rank and file. The source of their authority, and the means they employed to avert strike action, was never ascertained. Most cases involved a single stevedoring outfit, Huron.

On Pier 58, John Scanlon appeared on the payroll of the Huron Company but would 'fade away' after an hour's work. Similarly shady background figures were employed on another two Hudson River installations to ward off the threat of strikes. Another 'ghost' worker, a Local 791 delegate, offered to go easy on Huron when it came to the enforcement of the contract. There was no direct evidence however that top company

¹⁸⁰ This was the case, for example, with the Jarka vice-president who testified that his payments from petty cash to a Port Newark ILA delegate were, he was advised, legal (New York State Crime Commission, *Public Hearings* (No. 5), vol. 3, pp. 79-81)

¹⁸¹ New York State Crime Commission, *Public Hearings*, vol. 3, pp. p. 1681, 1843-52 The Jarka concern argued before the Crime Commission that payments they made to ILA officials in 1949-50 were in 'appreciation' for their helpfulness when they required gangs at awkward times and which were, strictly, not 'part of their regular hours of work.'

executives had known about this malpractice and the Waterfront Commission eventually gave Grace Lines, which owned Huron, a license to carry on operating.¹⁸²

In December 1952, employees of a Brooklyn stevedoring firm pleaded guilty to payroll padding and were imprisoned for up to three years. Thomas May, an associate of Local 856 delegate Mike Clemente, extorted nearly \$7,000 from a stevedoring venture between 1950 and 1952. Aniello Ercole, in Brooklyn, was ailed in a phantom job racket.¹⁸³ The precise relationship of cause (the handing over of money) to effect (a strike free operation) was difficult to prove, but employers involved took the line that prevention was better than cure.

Second were cases in which the employer and union official developed a close personal bond, expressed (so it was argued) in the passing of cash, but without any strings attached. This situation was relatively uncommon in the evidence. Mike Castellana at the Sottnek concern was shown, in the major example, to have close financial ties to Mike Clemente, a delegate with the East River Local 856, even loaning Clemente money for his daughter's wedding and paying a hotel bill for Clemente when they went on vacation together.

In addition, there were witnesses who denied giving inducements for any particular reason, except that it was 'traditional' to so do, notably during festive periods. Such payments were at times divided out among Local members for social functions and in the cause of their welfare. Local 791 business agent John Sampson explained how Christmas gifts that came his way were shared out between older union members unable to work as well as on a Christmas bash.

Clemente, one of the toughest operators in the industry, told the Crime Commission that Christmas gifts he received, in cash, were spent on a party for his union members and that the rank and file Local members knew all about them. Joseph Mangiameli,

¹⁸² Between 1953 and 1954, a number of men were jailed for 'ghosting' such as Timmy O'Mara, a boss loader on two Hudson River piers. ILA Local 791 official Jay O'Connor also put the squeeze on Huron, being offered a cushy sinecure for a promise by him to interpret the agreement to the firm's advantage (U.S. Congress, Senate Committee on Interstate and Foreign Commerce, *Waterfront Investigation: New York-New Jersey: Interim Report*, pp. 42-3; U.S. Congress, *Waterfront Investigation*, pp. 12-29, 44-50, 61)

¹⁸³ *NYT*, 23.12.52, 14.2.53, 7.4.53, 15.12.53, 6.5.54

who took \$1,740 from employers in gratuities, also claimed that the membership of his Local was informed. Local 338-1 delegate Jerry Anastasio spent the Christmas money from contractors with the boys in his Local.¹⁸⁴ Because of this practice, they were highly legitimate a form of malpractice among dockworkers.

The Jules S. Sottnek Company took this benign view ¹⁸⁵ while the vice president of Dade Brothers denied any adverse interpretation to be drawn from their buying of tickets for the testimonial dinner for an ILA business agent.¹⁸⁶ Commensurate rejections of sinister motives behind payments to unionists were littered throughout Crime Commission evidence.¹⁸⁷ The union leadership refused to accept, in the vast majority of cases, that employers were 'buying' services from its officers, and even queried the illegality of such payments.¹⁸⁸

James O'Connor, a Local 791 business agent who was ultimately prosecuted and pleaded guilty to coercion, told the court how he had not questioned the legality of payments made through him by the Grace and Huron Lines to a mysterious 'Thomas Plunkett,' amounting to \$3,600 a year. When the criminal nature of the transactions was explained him and to the Local, they were immediately discontinued.¹⁸⁹

¹⁸⁴ New York State Crime Commission, *Public Hearings (No. 5)*, vol. 3, pp. 2127-31, 1614-8, vol. 4, pp. 3086-3100, vol. 5, pp. 3156-8

¹⁸⁵ New York State Crime Commission, *Public Hearings (No. 5)*, vol. 3, pp. 193-203.

¹⁸⁶ U.S. Congress, Senate Committee on Interstate and Foreign Commerce, *Waterfront Investigation*, pp. 318-9.

¹⁸⁷ Costantino Scannavino, another ILA official, admitted to receiving Christmas and Easter monies to the value of \$8,520 yet with no expectation of a return. Daniels and Kennedy allocated \$1,500 a year to ILA President Ryan 'for no reason particularly,' except to continue a benign long-running custom. The company secretary told the Crime Commission that since the 1930s, this was 'established practice' in the firm. The North Atlantic and Guld Steamship Corp. gave Mike Clemente a cash Christmas gift of \$100. Alex DiBrizzi, the head of Local 920, admitted to receiving over \$2,000 from employers, and Christmas gifts, while insisting that they demanded nothing back. Patrick Connolly, an ILA executive vice president, received up to \$600 from the Jarka enterprise around Christmas time 1949-50 (New York State Crime Commission, *Public Hearings*, vol. 3, pp. 85-89, 1650-1, 1603-7, 1929-32; vol. 4, pp. 2414-5, vol. 5, p. 3275; U.S. Congress, Senate, Committee on Interstate and Foreign Commerce, *Waterfront Investigation: New York-New Jersey: Interim Report*, pp. 43-4)

¹⁸⁸ U.S. Congress, House Committee on the Judiciary Subcommittee No. 3, *New York-New Jersey Waterfront Commission Compact*, pp. 125-6.

¹⁸⁹ Court of General Sessions County of New York. Part 5 – indictment no. 2894-52. People of the State of New York – against – James F. O'Connor

The key themes of public sessions were encapsulated in the testimony of Frank Nolan, head of the massive Jarka stevedoring enterprise. Payments the firm made to the ILA's president, Joseph P. Ryan, were explained by the fact that the Ryan and Nolan families were close, that the giving of money was a long-time, benign custom, and that they were never hidden from view. The sums were very small in relation to business turnover. But Nolan admitted, when pressed, that company profitability was another reason for such disbursements.¹⁹⁰

Short handed working malpractices

Writers also noted abuses surrounding New York gangs working on ships with depleted numbers. Larowe, for example, claimed that the wages of the 'missing' men in the short gang scheme were divided among the foreman, timekeeper and a union official. Johnson stated that ordinary longshoremen 'get none of the graft' from this abuse.¹⁹¹ The notion, however, that rank and file gang members could be excluded from the spoils seems far-fetched.

Although short numbered gang malpractices were not a focus of Crime Commission interest, it did expose one such case. Witness Tony DeVincenzo testified that the Jarka offshoot in Hoboken, New Jersey, condoned this malpractice, in which the wages of absent men were split between the timekeeper, the paymaster and an ILA organiser. But the employer flatly denied this and even offered to open his books to the Crime Commission.¹⁹² A U.S. Congressional Committee report also delved into a few like cases but did not consider how typical they were.¹⁹³

In distinction with London, if interviewees are to be believed, New York work gangs refused to start work until their numbers were made up and according to the agreement. Alternatively, they started work (but without recompense) until

¹⁹⁰ New York State Crime Commission, *Public Hearings (No. 5)*, vol. 5, pp. 3794-3866

¹⁹¹ Johnson, M., *Crime on the Labor Front* (McGraw Hill 1950) p. 110; Larowe, *Shape Up and Hiring Hall*, pp. 57-8

¹⁹² New York State Crime Commission, *Public Hearings (No. 5)*, vol. 2, pp. 774-5

¹⁹³ U.S. Congress Senate Committee on Interstate and Foreign Commerce, *Waterfront Investigation: New York-New Jersey: Interim Report*, p. 42

Waterfront Commission hiring halls or other employers could send men of the right skills mix to make up their numbers.¹⁹⁴

New York's time determined wage system did not give the same financial incentives to indulge in this malpractice as that in London, since New York labourers received the same whether they worked under strength or not. In London, as described in chapter six, pieceworking gang members could legitimately argue that a short-handed gang translated into lower earnings, forming a basis for consequent demands, sometimes moving across to the improper.

Local union malpractices

The State Crime Commission made much of 'undemocratic' practices across the unionised sector. Closer examination revealed that most undemocratic practices within union units dated from the era before the ILA installed tighter controls, this occurring several months before the Crime Commission began to investigate the port. Previously, the union was guilty of negligence in its dealings with constituent elements but this was not corruptly motivated. A special report on corrupt ILA Locals in south Brooklyn, for example, was based in part on 'the conditions existing ... during the period 1930 to 1940.'¹⁹⁵ Nevertheless, there was little doubt that corruption in the administration of some ILA Locals existed.

The secretary-treasurer of Local 338 in Brooklyn for instance was given a suspended sentence in April 1954 for the theft of \$800 in union funds.¹⁹⁶ At the time the Crime Commission reported, some Local elections had not been held for up to fifteen years, it was claimed, in others the same people were 'elected' each year without opposition, records for Locals were absent, union dues not chased up when members were in

¹⁹⁴ Telephonic interviews with NYC, 2.5.01, NYD, 18.1.02, NYI, 2.1.01, NYY, 8.4.00 See also *NYT*, 12.4.55

¹⁹⁵ New York State Crime Commission, *Interim Report of Evidence Adduced by...Relating to Six Brooklyn Locals of the International Longshoremen's Association* (New York, September 1952) p. 6

¹⁹⁶ *NYT*, 8.4.54

arrears, funds not properly accounted for or missing and no financial reports made to memberships.¹⁹⁷

Six union Locals in South Brooklyn were defined as unusually corrupt, leading the Commission to issue a separate report on their activities. A gamut of malpractices was revealed, including the non-disclosure of Local finances to Commission auditors, undemocratic and infrequent Local meetings, and the 're-election' of the same officers connected to large criminal syndicates running the Local. Financial reports to Local members were virtually non-existent, and expenditure made without the explicit approval of members. Local officers were alleged to have received moneys from steamship interests in the form of Christmas gifts, though the sums mentioned were again small.¹⁹⁸

In the early 1940s, ILA President Ryan revoked the charters of these Locals and new elections for union positions were held, this time under supervision. In the event, the 'old guard' was, with minor exceptions, returned to office. Thereafter, Ryan felt constrained in taking further action, he argued, by fears over his personal safety and because of the 'democratic' results of the election. Contrary to the suggestion made by later critics of the ILA such as academic Alan Block, police on the spot reported no intimidation during the electoral process.¹⁹⁹

Anecdotal evidence had noted similar problems in ILA Locals before, but there had been no comprehensive review of the situation by union headquarters, since public and political pressure to take action was lacking. Swanstrom told in 1938 how ILA Local meetings were of a 'stereotyped' kind, of the rank and file being excluded from deliberations and of poorly maintained Local accounts. Congressional hearings in 1949 heard references to undemocratic electoral norms in Locals.²⁰⁰

¹⁹⁷ New York State Crime Commission, *Public Hearings (No. 5)*, vol. 5, pp. 3710-1

¹⁹⁸ New York State Crime Commission, *Interim Report of Evidence Adduced by...Relating to Six Brooklyn Locals of the International Longshoremen's Association*, pp. 1-78

¹⁹⁹ New York State Crime Commission, *Public Hearings (No. 5)*, vol. 3, pp. 1552-8, vol. 5, pp. 3656-60. The Block presentation is explained in his *East Side West Side* (University College Cardiff Press, 1980) p. 190

²⁰⁰ Swanstrom, *The Waterfront Labor Problem*, pp. 95-6; *Shape Up*, 5.2.39; U.S. Congress, Committee on Commerce and Committee on Education and Labor, *Amending the Merchant Marine Act of 1936*, hearings 75th Congress 3rd Session, 1938, pp. 1202-3; U.S. Congress,

The Crime Commission reckoned that over half of the forty-five Locals investigated failed to live up to accepted benchmarks regarding record keeping. Only fifteen fully met these standards. Critically though, cases where outright corruption could be demonstrated were in the minority, directly reflected in the handful of successful post-Commission prosecutions.²⁰¹

What the Commission, along with other critics of the ILA, did not adequately consider were 'naive' explanations for irregular behaviour by financial secretaries in Locals. Reid thus argued that many smaller Locals simply could not afford a full-time officer and thus the men might turn a blind eye if an unpaid official pocketed part of Local proceeds.²⁰²

The Corsi survey of 1951-2 that preceded the Crime Commission probe found that problems of balloting malpractices it uncovered were largely the result of slipshod and untutored methods of working rather than motivated by criminality; furthermore, that the level of ballot abuse was 'insufficient to change the final result of the vote on ratification.'²⁰³ Apathy and incompetence, rather than conspiracy, were the major problems in most New York Locals.

More saliently still, criticisms made by the Kefauver Committee in the spring of 1951 moved the ILA in New York to begin an internal 'housecleaning' process under general counsel Ernest Waldman. He found, for example, that media reports of several Brooklyn Locals, which had 'not had elections in ten years', were exaggerated. But all had in fact held elections between 1949-51, even if these were flawed in practice and procedure. Much of the blame was assigned to similar ones to those operating in Liverpool and London, such as membership disinterest, so much so

House. Committee on Education and Labor, *Amendments to the Fair Labor Standards Act of 1938*, pp. 610-2; U.S. Congress, Senate, *Waterfront Investigation: New York-New Jersey: Interim Report*, pp. 30-1

²⁰¹ (New York State Crime Commission, *Public Hearings (No. 5)*, vol. 3, pp. 1612, 1624-5, 1672-81, 1914-7, 1965-73) ILA Local meetings under the presidency of Joe Ryan were described of 'as rare as a snowflake in July' (Kisseloff, *You Must Remember This*, p. 484).

²⁰² Reid, E., *The Shame of New York* (Victor Gollancz, 1954) p. 153.

²⁰³ 'Report of Board of Inquiry on Longshore Industry Work Stoppage, October-November 1951 Port of New York', *Industrial and Labor Relations Review*, vol. 5 pt. 3 (April 1952) pp. 426-38

that some Brooklyn Locals had difficulties in obtaining a quorum.²⁰⁴ Even when Local officials made a determined effort to increase turnouts at meetings, the push was generally a flop.²⁰⁵

As Taft noted, 'apparent embezzlement of funds is often merely 'poor or inexperienced keeping of accounts.'²⁰⁶ The ILA was long aware of the problem of membership apathy, but felt powerless to do anything under its constitution without evidence. It recognised, in 1935, the difficulties in getting Brooklyn Locals to meet, and of getting Local 791 men to attend their own Manhattan gatherings. In 1949, ILA chiefs complained of both falling attendances at Local meetings and of lax Local affairs²⁰⁷

Problems continued to exist in a minority of union Locals even after all the recommendation made by various committees were enacted. During 1960, Waterfront Commission hearings revealed fresh links between union officials and criminals attached to the union but that were active outside of the Waterfront Commission's jurisdiction. In other cases, organized criminals who were earlier disallowed from returning to the New York waterfront as union 'officers' came back under different job titles such as 'clerks,' but with the same power as before.²⁰⁸

What tended to be forgotten were improvements in the way that Local unions in general were organized and run from 1952. They made the situation, on balance, more transparent and 'democratic' than that achieved in Liverpool and London, where no such 'purge' had been even attempted of errant TGWU docks branches. What was also true was that in a few New York Locals, in contrast to British examples, career criminals were able to direct and manipulate union affairs whatever the political and industrial climate in force.

²⁰⁴ *ILA Longshore News*, June 1952

²⁰⁵ New York State Crime Commission, *Public Hearings (No. 5)*, vol. 3, pp. 1527-8.

²⁰⁶ The so-called 'Waldman' report was not located while I was doing field research in New York, and the son of Ernest Waldman (himself a lawyer) could not enlighten me as to its whereabouts (*NYT*, 5.5.52, 20.8.52; Jensen, *Strife on the Waterfront*, p. 93; New York State Crime Commission, *Public Hearings (No. 5)*, vol. 3, pp. 1861-8, 2220-30, vol. 5, pp. 3706-10)

²⁰⁷ U.S. Congress Senate. Committee on Labor and Public Welfare, *To Clarify the Overtime Compensation Provision*, pp. 635-6; New York State Crime Commission, *Public Hearings (No. 5)*, vol. 3, p. 1627; ILA 1921 Proceedings, p. 86; ILA 1935 Proceedings, pp. 56, 211

²⁰⁸ See New York Harbor, Waterfront Commission, *Special Report of the Waterfront Commission to the Governors of the States of New York and New Jersey* (New York, December 1960).

BROADER CRITICISMS

There were deeper problems with the Crime Commission's approach and evidentiary base. Despite the evidence adduced for New York, there was 'no hint or suggestion of extortion' in other ports where the ILA had contracts.²⁰⁹ Even within New York, the evidence presented at hearings of payoffs by shipowners to unionists was equivocal.

In a typical case, occurring in 1946, two vessels carrying perishable flower bulbs were stranded in Hoboken until \$45,000 was allegedly given to shady characters. But rather than being just a small part of a far larger shakedown racket, this incident was never repeated, as the witness made clear.²¹⁰ The Crime Commission highlighted a few other cases like this of 'opportunistic' shakedowns, which illustrated the unstructured basis to this malpractice.

When two Local officials demanded that employer Phineas Blanchard put them on his payroll, in about 1951, it was the first time he was asked 'to do a thing like that.' In 1949, Fruit Export Corp. perishable lemons cargo was held up in Jersey City by a stoppage, which was called off after a settlement of seventy-five cents a box was agreed with an individual connected to the Local. In another instance, Gregory Butman of the British-American Fur Corporation explained how in 1950 his company was compelled to shell out \$25,000 to two men associated with Local 1235 in Port Elizabeth, in order to discharge its Russian furs without further delays. A second shipment required another disbursement to the same men. Butman added however that these 'payoffs' were unique in his experience²¹¹

Episodes like these paled into insignificance when set against the systematic hold-ups to vessels manufactured in Liverpool or London. Moreover, set within the larger economic backdrop, the amounts involved were of extremely limited economic

²⁰⁹ *NYT*, 22.12.52

²¹⁰ New York State Crime Commission, *Public Hearings (No. 5)*, vol. 2, pp. 786-825.

²¹¹ New York State Crime Commission, *Public Hearings (No. 5)*, vol. 1, pp. 284-6, 658-9, vol. 3, pp. 505-14

impact. The Crime Commission tended to lump together minor sums into impressive looking totals.²¹²

Although a few payments to ILA officials in New York were substantial, the majority were of a minor value and hardly enough to reverse union policy (although its local level interpretation was another matter).²¹³ U.S. Senate accountants estimated that \$182,000 was given to ILA officials between 1947 and 1951 by steamship and stevedoring enterprises,²¹⁴ but this compared to the gross income of just one of the larger companies of nearly \$29 million between 1947 and 1951.²¹⁵

The ILA suspected that many of the charges made by the Crime Commission originated in long running employer grouches over the costs of cargo handling. A particular target for employer opprobrium was the 'public loader' system in the port, which was accused of making the port uncompetitive through over-charging. The Crime Commission also heard that several loaders were racketeer controlled and responsible for waterfront violence. This, together, explained their prohibition after 1953.²¹⁶

²¹² *New York Herald Tribune*, 9.1.53

²¹³ Examples can be found in New York State Crime Commission, *Public Hearings* (No. 5), vol. 1, p. 293, vol. 3, p. 343, vol. 5, p. 3208.

²¹⁴ U.S. Congress, *Waterfront Investigation*, p. 581.

²¹⁵ New York State Crime Commission, *Public Hearings*, vol. 1, p. 743. A list of known payments made by shipowners to New York maritime and port unions between 1947 and 1951 is given in U.S. Congress, House. Committee on Merchant Marine and Fisheries, *Port of New York, Subsidized Lines, Subsidy Contracts, and Port Security*, hearings 83rd Congress 1st Session, 1953, pp. 140-1

²¹⁶ *NYT*, 27.7.33; U.S. Congress, Senate Special Committee to Investigate Organized Crime in Interstate Commerce, *Organized Crime in Interstate Commerce*, pp. 1130-3. The saga of Varick Enterprises, a collection agency on the North River piers, exemplified criminal control of the loading service. The supposition was that Varick, representing the underworld through its investors, used strong-arm methods to enforce collections. A number of 1920s gangland murders were also reported as associated with the 'loading racket.' (Raymond, *Waterfront Priest*, p. 117; Pasley, F. D., *Muscling In* (Faber and Faber, 1932) pp. 188-92.) The practices of the loaders were originally highlighted in the 1920s and 1930s (New York State Crime Commission, *Fourth Report*, pp. 46-51; *New York Herald*, 16.3.22, 20.3.22; FBI File No. 63-914; *NYT*, 15.1.27, 25.5.28, 13.11.30, 22.11.30, 10.12.30, 17.3.31, 2.10.33; U.S. Congress, House. Committee on the Judiciary Subcommittee No. 3, *New York-New Jersey Waterfront Commission Compact*, pp. 230-3). Since public loaders employed casual workers who were only paid when working, this turned out to be much cheaper than alternatives for shipowners. The loaders also argued that they would be left to load the most undesirable freight if employers' agents were permitted to load the rest. Since the loaders were paid by the piece, this would result in a steep drop of income. The central charges against the public loaders in New York are contained in: Johnson, *Crime on the Labor Front*, pp. 117-29. They emerged

In order to gain convictions 'weakening' criminal control over the New York docks, as uncovered by the Crime Commission, 'rarely invoked' sections of the penal code related to 'gifts and gratuities' were deployed in the aftermath of the Commission hearings. The subsequent conviction of Joseph Ryan for accepting illegal payments from employers was thus only the second case of its type made under the 1947 Taft-Hartley legislation.

However, as Russell argued, there was no hard evidence that employers who gave Ryan money received favourable treatment, while the sums handed out 'were hardly tempting.' FBI agents who examined his finances at the time concluded that they showed no great personal income. Ryan admitted taking \$1,500 yearly from the stevedore Daniels and Kennedy, depositing this and similar moneys in his personal bank accounts and that of the 'ILA Journal,' to be used for supposed 'anti-Communism' work on the docks.²¹⁷

Headline allegations of misbehaviour often came to nothing when placed in a legal framework for testing.²¹⁸ It was also the case that 'malpractices' such as gift

from the practice in the immediate years after 1918 of truckers using men hired off the street to help their drivers to load consignments

²¹⁷ Ryan was subsequently convicted of grand larceny, since a part of the money was used to benefit him personally. He was jailed in 1953 for six months and fined for accepting \$2,500 from two waterfront employers. (*NYT*, 10.2.52, 9.12.52; 9.1.53, 14.4.53; 28.2.56; Russell, *Men Along the Shore*, p. 162; FBI file on Ryan, file no. 92-915)

²¹⁸ A later review by the Waterfront Commission dismissed at least one 'clear-cut' case of abuse taken from Crime Commission testimony, pertaining to the McGrath stevedoring enterprise and Jersey City politicians. During 1949, McGrath was introduced to a relative of Jersey City mayor John Kenny, when McGrath was attempting to secure business via the municipality. McGrath was told that a pier would become available and that the relative would share in any profits derived from pier operations secured. In the interim, \$1,000 was given him as an advance against expected earnings. The Waterfront Commission reported that this type of business arrangement was widespread and not illegal (Waterfront Commission of New York Harbor, *In the Matter of the Application of John W. McGrath Corporation for License as a Stevedore: Report of Hearing Officer*, New York, 7 September 1956). Waterfront felony cases dragged on in federal and state courts for the remainder of the decade involving payments from stevedores to shipowners, or from employers to ILA officials. In 1954, the Jarka stevedoring firm pleaded guilty to commercial bribery, fined and its president given a suspended sentence. After this, Jarka withdrew from the port. In 1956, the McGrath Corp. admitted paying \$16,000 in 1950 to avoid labour trouble. In 1953, a unionised defendant was convicted of taking \$6,920 from a stevedore firm after threatening to picket it. A business agent that year was also convicted of extorting \$75 to \$100 for each shipload of newsprint unloaded on the East River by a stevedoring firm. Another case involved Local 856 with Mike Clemente, jailed for perjury. In 1956, an officer in Local 824 and the head of a stevedoring contractor were jailed. The business agent of Local 338-1 was

accepting were hardly unique to the waterfront sector, as Ryan himself argued in 1951.²¹⁹ Christmas gifts and the like were as common in the construction trade as within the shipping industry.²²⁰ Furthermore, the ILA in New York was far from alone in influencing the choice of hiring boss,²²¹ a focal point of Crime Commission criticism on the hiring structure; 'in most instances the employer has little to say in the selection of hiring foreman,' a group of which had police records.²²²

A danger exists of applying modern standards on bribery and corruption to those of the 1940s and before. On the heels of the Crime Commission hearings, the ILA issued a statement repudiating any future taking, by union officials, of gifts or gratuities from employers of ILA labour, but with the provision that this did not apply to gifts 'comparable with those received that year by other employees of the same employer.'²²³ This stipulation reflected the widespread view that waterfront payments outside of joint agreements were to a degree 'acceptable.'²²⁴

The ILA repeated many of these arguments, but by then it had become discredited. Underlying many of these contentious payments was the obvious failure of the official grievance machinery to work effectively, particularly after 1945, when such payments may have increased in value. Within this context, employers considered relatively insignificant payments, even when illegal, a small price to pay for smoother labour relations and for dispute-free operations.

incarcerated in 1957 for perjury in connection to the alleged shakedown of a shipping firm (*The Tally*, 13.4.54, *NYT*, 18.2.53, 13.8.53, 14.10.53, 27.4.54, 3.4.56, 16.5.56, 8.1.57).

²¹⁹ *NYT*, 25.7.51

²²⁰ Interviews with NYI, 22.3.00, NYW, 15.4.00

²²¹ Cook, A. H. and Gray, L. S., 'Labor Relations in New York City', *Industrial Relations*, vol. 5 no. 3, 1966, pp. 92-3; Goulden, J. C., *Meany: The Unchallenged Strong Man of American Labor* (Atheneum 1972) p. 19

²²² New York State Crime Commission, *Fourth Report*, p. 39

²²³ *NYT*, 9.1.53

²²⁴ *New York Herald Tribune*, 9.1.53

OTHER MALPRACTICES

This section covers malpractices not covered to the same depth by the Crime Commission but which were of significance and parallel those found in Liverpool and London. Differences and similarities emerge from comparisons.

Slow working

Like Liverpool's payments system, that in New York encouraged the systematic slowing down of work in order to supplement the basic wage, which could be irregular. Documentary evidence of New York malpractices related to this is uneven. More reliance is therefore given to the statements of interviewees, especially those who had left the docks industry after many years of working inside it.²²⁵

Because of the high cost of night work, it was rarely resorted to²²⁶ (though loading and discharging of passenger vessels on the Hudson went on throughout the night, as did some North River work).²²⁷ When necessary, the regular day gang was asked to stay on or, less frequently, a new gang was brought in for nighttime dockwork.²²⁸

New York longshore work was generally paid for by the hour, with agreed supplements for handling 'dirty' or 'dangerous' cargoes. So long as the clock was running, the men were paid. ILA leaders were adamantly opposed to their longshore members receiving piece payments. (During the 1940s, a Weehawken, New Jersey, docked steamer made a deal with the local ILA to unload sugar. To encourage the men to discharge it faster, they were given the privilege of going home after unloading forty tons an hour per gang. Competitors complained to Ryan, who warned the parties against this practice in future.)²²⁹ Some specialised classes of labour such as the

²²⁵ Interviews with NYH, 2.4.00, NYN, 11.4.00

²²⁶ *NYT*, 24.4.47

²²⁷ South Street Seaport Museum, Veterans Day Storytelling, 11.11.93, transcript of tape, James Capastle; U.S. Congress, House. Committee on Merchant Marine and Fisheries, *Maritime Labor Legislation*, p. 918

²²⁸ U.S. Congress, Senate. Committee on Labor and Public Welfare, *To Clarify the Overtime Compensation Provisions of the Fair Labor Standards Act of 1938, as Amended*, hearings 81st Congress 1st Session (1949) p. 730

²²⁹ New York State Crime Commission, *Public Hearings (No. 5)*, vol. 3, pp. 346-9

public loaders and coffee weighers were paid by results however, but this was only because of the nature of their work.²³⁰

Cases of the deliberate manufacture of overtime earnings by a slow down of the pace of work were probably more common than the union liked to admit.²³¹ One interviewee recalled, on the west side terminals, 'The QE2 had problems (when) the longshoremen were just dancing because they kept holding the ship over and over, so they went into double time and god only knows triple time and everything else.'²³² Similar accounts of 'go-slows' exist, and many employers saw them simply as 'shakedowns.' As late as 1963, employers were complaining that maritime and longshore unions 'time after time' stopped work on board vessels to make the owner 'give way ... or else.'²³³

Statistics indicated the importance of overtime earnings in the total wage packet for the average New York longshore worker, varying from 21.8 per cent in 1952-3 to 26.7 per cent in 1962-3.²³⁴ The hatch boss might give his gang more time than strictly necessary to clear the hold; in the process, his own earnings were conveniently topped up.²³⁵ Another incentive given could be an early departure from the docks, on full wages and including an overtime element in the pay packet, as in Britain. Referring to the 1970s, one interviewee recalled how 'there used to be local deals ... do you give me twenty containers an hour and you can go home early or finish up the ship and you can pay me to 9.'²³⁶

Pilferage and gambling

Akin to London in the mid-nineteenth century, river thieves were rampant on the New York piers in the 1870s, but were 'virtually cleared' over the course of the next

²³⁰ Telephonic interview with NYD, 6.9.00; Hutchinson, *The Imperfect Union*, p. 351

²³¹ Interviews with NYA, 31.3.00, NYN, 11.4.00

²³² Interview with NYG, 12.4.00

²³³ U.S. Congress, House, Committee on Merchant Marine and Fisheries *Maritime Labor Legislation*, p. 93

²³⁴ XIIR Box 25 folder 12 'Overtime hours as a percentage of total hours worked by occupation contract years 1951-2 through 1962-3.'

²³⁵ Interview with NYT, 4.4.00

²³⁶ Interview with NYL, 7.4.00

twenty-five years.²³⁷ The full extent of pilferage in the port of New York was never ascertained, but accounts suggest it was considerable, as in Liverpool and London. 'I wouldn't say pilferage was widespread,' stated an interviewee, 'it was universal.'²³⁸ Just outside the docks, stolen goods were sold, depending on the section, quite openly.²³⁹ Contrary to a perception, however,²⁴⁰ crimes such as pilferage were not 'controlled' by organized criminals, as the Davis study equally showed.²⁴¹

In common with Liverpool and London, many employers tolerated smaller thievery 'as part of the cost of doing business, as they liked to refer.'²⁴² A powerful factor shared with Liverpool or London was a fear that if pilferers were reported, 'they'd tie up the ships.'²⁴³ Port watchmen could be bribed (or intimidated) to let thieves operate unmolested, a facet of the problem investigated by the Crime Commission.²⁴⁴ To make theft easier to perpetuate, docks pillagers might have two union cards, one for work as a checker and one as a longshoreman.²⁴⁵

Illegal gambling was mostly confined to perhaps a game of cards or dice at lunch hours or when waiting for work, or perhaps putting on a bet, according to interviewees. Since average engagements were of greater duration than those in Liverpool for instance, there was that much less idle time left over for gambling and other forms of entertainment, though the taking of bets could take place at any time.²⁴⁶

²³⁷ 'A Day in the Docks', *Scribner's Magazine*, vol. 18, 1879, pp. 32-47; McCabe, J. D., *Lights and Shadows of New York Life* (Farrar, Straus and Giroux, 1970) p. 534; Asbury, H., *The Gangs of New York* (Old Town Books, 1989) p. 85.

²³⁸ Interview with NYE, 12.4.00

²³⁹ Interview with NYA, 31.3.00.

²⁴⁰ Cooke Johnson, L., 'Criminality on the Docks' in Davies, S. et al (eds.), *Dock Workers: International Explorations in Comparative Labour History, 1790-1970* (Ashgate Publishing 2000) pp. 721-745

²⁴¹ Davis, C.J., 'Working with the Hook: A Comparative Study of London and New York Dockworkers, 1945-1955', *The London Journal*, vol. 25 pt. 2, 2000, p. 89

²⁴² Interview with NYI, 22.3.00

²⁴³ Interview with NYE, 12.4.00

²⁴⁴ New York State Crime Commission, *Public Hearings (No. 5)*, vol. 2, p. 1060, vol. 3, pp. 395-6, interview with NYJ, 20.3.00 (New York)

²⁴⁵ Interview with NYJ, 20.3.00

²⁴⁶ Interview with NYH, 2.4.00; U.S. Congress, Senate. Special Committee to Investigate Organized Crime in Interstate Commerce, *Organized Crime in Interstate Commerce*, p. 1461; U.S. Congress, Senate. Committee on Interstate and Foreign Commerce, *Waterfront Investigation*, p. 111.

NEW YORK DOCKS UNIONISM AND THE LOCAL STATE

The ILA benefited from improvements in citywide employment conditions after 1945.²⁴⁷ Still, longshore work could be scarce in the late 1940s, depending on borough and pier. And in the absence of registration schemes to limit the numbers seeking dockwork and to cement state-union relations, as in Britain, ILA activity became concentrated on the cultivation of local political levers to buttress its efforts.

Pre-1953 history

The ILA's primary political strength was at municipal level, where the details of policy were decided, though federal legislation facilitated its growth from 1933 until reversals in the late 1940s. Federal level lobbying was also instrumental in the passage of compensation legislation in 1927.²⁴⁸

By 1870, the connection between local politics and the New York waterfront was evident, as revealed by Knights of Labor manoeuvrings during the 1887 strike, longshore union endorsement of the failed Henry George campaign in 1886 for the mayoralty and inside the history of the Walsh enterprises in the port.²⁴⁹ Nonetheless, it was left to the ILA to more fully develop the potential offered by political involvement. Daniel Keefe, the first ILA President, was especially known for his enthusiasm for mixing union and political business.

²⁴⁷ Recorded unemployment statistics for New York City, as annual averages, were:

1950: 235608

1951: 176700

1952: 146343

1953: 141225

1954: 179781

(Source: New York State Department of Labor, Division of Employment, *Annual Report 1954*)

²⁴⁸ Locke, J. G., 'Longshoremen's and Harbor Workers' Compensation for the Port of New York', *US Bureau of Labor Statistics*, no. 485, 1929, pp. 26-52

²⁴⁹ The rise of Walsh stevedoring firms in lower Manhattan involved a judicious mixture of party political contacts and personal relationships with the LUPA union. During a wage dispute in 1879, local aldermen were approached to arbitrate while near the end of the 1887 'Big Strike,' the Knights of Labor became a convert to the cause of arbitration, made compulsory if necessary (Montgomery, D., *The Fall of the House of Labor* (Cambridge University Press, 1987) pp. 102-3; *NYT*, 29.4.1879)

Keefe was a member of the National Civic Federation, established in 1900 as a class mediation agency and numbering in its membership the great and good of U.S. urban society and industry. The NCF, according to Einhorn, 'championed conservative organized labour as a permanent institution in American life.'²⁵⁰

Keefe's successor, T. J. O'Connor, continued this position, ending up as Chairman of the U.S. Shipping Board and serving under Republican administrations until 1933.²⁵¹ Joseph Ryan, when in command of the ILA from 1927, forged links with local political powers through the Central Trades and Labor Council. The Council, as 'the largest membership association among the nongovernmental groups in the city,' had an important role in endorsing Mayors and other candidates for public office in New York.²⁵² Reinforcing this was the oft-misconstrued Joseph P. Ryan Association, where Ryan and other ILA luminaries sat with shipowners, politicians and others interested in the port ²⁵³

As also president of the New York Central Trades Council of over 600 local affiliates with a combined membership of 700,000, Ryan in the 1930s represented most AFL unions in the city.²⁵⁴ One result was a mutually buttressing relationship between the union and members of the social and political elite. In attendance at the 1951 ILA Convention for example was the (Republican) State Industrial Commissioner Edward Corsi (who praised the ILA for fighting Communism).

Others such as the Mayor, the Police Commissioner, President of the AFL and state politicians spoke of their high regard for the union at ILA Conventions. Another

²⁵⁰ MRC: MSS. 159/3/B/49: letter from Daniel Keefe to ILA officers and members of 7.12.08. The fact that Daniel Keefe backed the Republican Party was a cause of difficulty with other AFL unions (Einhorn, R. L., 'Industrial Relations in the Progressive Era: The United States and Great Britain', *Social Service Review*, vol. 58 no. 1, March 1984, pp. 98-116; Karson, M., *American Labor Unions and Politics, 1900-1918* (Beacon Press 1958) pp. 63, 126; Pelling, H., *American Labor* (University of Chicago Press 1960) pp.101-6; MRC: MSS. 159/5/3/1184: ILA Annual Convention 14-19 July 1902, p. 10).

²⁵¹ *NYT*, 18.10.35

²⁵² Sayre, W. and Kaufman, H., *Governing New York City: Politics in the Metropolis* (W. W. Norton 1965), pp. 508-9

²⁵³ XIIR: Box 2 Folder 54: 'Twenty-Eighth Anniversary Dinner The West Side Association of Commerce in the City of New York' (1952), Box 26 Folder 14: 'Annual Dinner Dance of the Joseph P. Ryan Association, Inc ... Seating List' (1936)

²⁵⁴ Goulden, J. C., *Meany: The Unchallenged Strong Man of American Labor* (Atheneum 1972) p. 65; WA: ILA 1927 Proceedings, p. 127, WA: ILA 1931 Proceedings, p. 40

product of this engagement with politics was Daniel P. Moynihan, U.S. Senator from New York, who had himself worked on the west side piers during the war and whose aunt owned a bar where dockworkers used to congregate ²⁵⁵

The 1946 U.S. Congressional elections were a chance for the fledgling post-war rank and file reform committee, centred on Brooklyn, to advance its objective of a hiring hall and rotational employment. But the timing proved unfortunate, as candidates sponsored by the dockworkers became caught up in 'anti-union' sentiment and Cold War hysteria (a huge wave of strikes hit the economy in 1946 as wages failed to keep up with prices). Congressional elections in 1948 failed to recover the initiative for the dockworkers, for the same reasons.

Vincent J. Longhi, a New York labour lawyer, was nominated by the Brooklyn committee to represent the dockworkers in their struggle as the Republican-ALP candidate, covering the Red Hook and South Brooklyn docks. His opponents dismissed Longhi as a 'Red' and he was defeated in the 1946 elections by almost 6,000 votes. When Longhi again ran for Congress, as part of the 'Progressive Party' in 1948, the outcome was similar and he severed his ties to the waterfront in the early 1950s.²⁵⁶ Other attempts, at State level, to decasualise New York waterfront labour ran into the ground.

The argument advanced by ILA critics misunderstood these links. Raymond thus referred to Ryan Association dinner-dances as serving 'to dramatize, once a year, the great power and influence which Ryan and his closest associates wielded in New York City's government.'²⁵⁷ Rather than showing the power of waterfront racketeering, however, attempts by the ILA to associate itself with politicians was much less sinister

²⁵⁵ Interview with NYO, 29.3.00; *NYT*, 25.7.51; WA: ILA 1951 Proceedings, p. 89; Hodson, G., *The Gentleman from New York* (Houghton Mifflin 2000) pp. 34-5

²⁵⁶ Paul O'Dwyer, a brother of the Mayor, was also defeated in November 1948. O'Dwyer, a lawyer for the ILA checkers' union, became President of the City Council (interview with NYM, 4.4.00, telephonic interview with NYM, 5.1.01; Brooklyn Public Library, Brooklyn Collection, series of clippings on Vincent J. Longhi; Ginger, A.F. and Christiano, D.(eds.), *The Cold War Against Labor, Volume One* (Meiklejohn Civil Liberties Institute 1987) pp. 268-77; *NYT*, 24.7.48)

²⁵⁷ Raymond, *Waterfront Priest*, pp. 42-5

in motive, in a shared concern with Liverpool and London port unionism to secure its organisational base.

New York Harbor Waterfront Commission

Following Crime Commission hearings, the Waterfront Commission was established, to confront the connection between the hiring system and racketeering. At the end of the process, according to one supporter, the Waterfront Commission made 'the industry from the most corrupt trade in New York City to a straightforward trade.'²⁵⁸

Waterfront Commission actions, especially registration of all portworkers, did not completely eradicate kickbacks for work, since a) shakedowns and under-the-counter payoffs still occurred to access better paid work, b) employment in Commission hiring halls was subject to an 'indoors shape up.' New union men had to wait before getting their first wage, and it was also rumoured that temporary longshore workers might have 'to pay up' to be detailed to a permanent job.²⁵⁹ In most waterfront sections, the minimum engagement period remained four hours, although the numbers utilising the hiring centres declined over the years.²⁶⁰ The infiltration of racketeers into ILA Locals and waterfront related businesses was a special worry and never fully resolved.²⁶¹

Commission codes were often implemented in a more rigid and legalistic fashion than the equivalent ones administered by the Dock Labour Scheme in Britain, as befitting

²⁵⁸ Commission agents in the mid 1950s destroyed a racket in the Leonardo Navel Base in New Jersey in which payoffs were made to the union delegate for higher paying work. Those who refused to play along were refused work. The Waterfront Commission also found cases where payoffs were arranged for more regularly waged checker work (interview with NYF, 26.3.00; Waterfront Commission '1955-1956 Annual Report' p. 19)

²⁵⁹ NYT, 27.5.79

²⁶⁰ In March, 2002, for example, it was reported that a 'system of cash payoffs' was discovered in two Jersey City-Bayonne ILA Locals, in which back door deals were negotiated by longshore workers for better paying assignments as crane driver and stackers. Involved in the racket were a hiring agent, two shop stewards, two 'union field bosses' and a hiring agent. A couple of interviewees seen in 2000 had alluded in general terms to this type of malpractice. For more details, read: New York Harbor, Waterfront Commission of, *Special Report of the Waterfront Commission to the Governors of the States of New York and New Jersey* (December 1960); NYT, 29.12.60, U.S. President's Commission on Organized Crime, *The Edge* (March, 1986) pp. 52-61

its anti-crime mandate.²⁶² For example, under Commission rules, any unauthorised absence from the site of work could be construed and treated as 'ghosting,' a serious offence. In this, it contrasted most starkly with Liverpool, where the equivalent malpractice, 'welting' continued virtually unchecked.²⁶³ The Commission, like Dock Labour Boards in Britain, could also take into account the behaviour of registered dockworkers outside the dock gates if it involved (in the British case) violence or (in New York) 'organized' criminality or contact with syndicated crime families.²⁶⁴

Concrete differences between the Waterfront Commission and the NDLB were also seen in respective policies towards the importation of strikebreakers, which the British system refused to get engaged in, but which the Waterfront Commission countenanced under controlled conditions and under its 'emergency' provisions.²⁶⁵ This indicated the supplementary but at times explicit role of the Waterfront Commission in facilitating the movement of cargoes in the port. While not often deployed, the Commission had the authority to lift a man's pass if he belonged, or had once belonged, to a proscribed political group.²⁶⁶ A new Commission unit was established in 1956 'for the full time duty of uncovering subversive elements and taking proper action against them.'

²⁶² A conviction for illegal gambling on or near a pier or terminal in New York was a ground for suspension or revocation of a registration from the mid-1950s. (telephonic interview with D. Greenfield, New York, 13.2.01; New York Waterfront Commission '1990-1991 Annual Report' p. 12)

²⁶³ In one case, a man was caught working in a factory when he was on the payroll of a stevedoring firm for 'nearly three years.' He involved two timekeepers and his father-in-law in the scam. Cases of ghosting and other unauthorised absences continued into the 1990s. Perpetrators' registration would usually be suspended and the 'victimised' employer compensated monetarily by the offender for the 'lost' time (Axelrod, *Government Covers the Waterfront*, p. 348; New York Waterfront Commission 'Annual Report 1956-1957' p. 24, '1989-90 Annual Report' p. 12, '1991-1992 Annual Report' pp. 8-9, '1996-1997 Annual Report' p. 9; Annual Report 1997-1998' p. 12; New York Waterfront Commission 'Statement of Policy by the Waterfront Commission of New York Harbor Concerning Payroll Cheating' (5.3.75))

²⁶⁴ Telephonic interview with D. Greenfield, 13.2.01

²⁶⁵ Nossiter, B.D., 'Waterfront War: Round Two in New York', *The Nation*, 8 October, 1955, pp. 298-302; NYT, 1.4.54 Axelrod, D., *Government Covers the Waterfront: An Administrative Study of the Background, Origin, Development, and Effectiveness of the Bistate Waterfront Commission of New York Harbor, 1953-1966* (Syracuse University, D.P.A 1967) p. 444. Also consult Johnson, T., *The Waterfront Commission of New York Harbor: A Case Study of a Bi-State Regulatory Agency* (Columbia University, Ph.D 1963); Hutchinson, J., *The Imperfect Union: A History of Corruption in American Trade Unions* (E. P. Dutton 1972) p. 350

²⁶⁶ Waterfront Commission '1956-1957 Annual Report', pp. 29-30.

But it was suggested that any rank and file activist who threatened the status quo could find himself entangled with the statutory body.²⁶⁷ These features had no parallel on British docks, where members of Communist or Trotskyite associations achieved considerable authority in the Liverpool and London docks.²⁶⁸

DIFFERENCES

Philosophical individualism

This is not to say that there were 'no' differences in practices and malpractices across these ports. When trying to fully understand the behaviour of union executives, for example, wider values that they shared with mainstream opinion were clearly in force, which conferred or denied legitimacy to characteristics of dockwork. As values differed according to nation- state, so did the meaning of these characteristics.

By this means, the ILA refused to countenance registration of their members on the grounds that if this involved the state, it was an unacceptable exercise of state power, with no parallel in other industries, even though it would limit dockworker-hiring malpractices. ILA corporate philosophy shared the world-view of the AFL, focused on freedom from state interjections in its affairs. The AFL hierarchy opposed government mandated unemployment insurance until the last, for the reason that free men should not be coerced into measures against their own informed judgement ²⁶⁹ The Dockers Union, in London, meanwhile displayed a deep attachment to

²⁶⁷ The Waterfront Commissions' 1955-6 Annual Report noted that it was 'very much aware of the importance of this phase of its work' (p. 27). A case was that of Brooklyn Local 1814 member Peter Bel who, in the early 1960s, stood as a reform candidate for the post of union delegate. This and some old left-wing associations of his aroused the Commission's interest, which removed Bel's pass in 1964. It was eventually returned, but only after years of court action (interview with NYB, 29.3.00; Axelrod, *Government Covers the Waterfront*, p. 232-4; DiFazio, W. *Longshoremen, Community and Resistance on the Brooklyn Waterfront* (Bergin and Garvey, 1985) p. 49)

²⁶⁸ For a good account of these groups, see Dash, J., *Good Morning Brothers* (London Borough of Tower Hamlets 1987). TUC hostility towards Communism is articulated in MRC: MSS 292/770/6 T 1688

²⁶⁹ Pelling, H., *American Labor* (University of Chicago Press 1960) p. 123

governmental guarantees and obligations over a far wider range of social and economic activities.²⁷⁰

Another differential over Britain was a predilection more stressed in the American setting for viewing behaviour as self-determined, accounting for a viewpoint of crime as divorced from 'ordinary' social relations. Moore observed that this led to the highly influential Kefauver interstate crime investigation for instance adopting 'a conspiratorial, law enforcement perspective rather than a sociological regulatory one.'²⁷¹ Waterfront Commission practices underscored this position, in a distinction it made between the 'good guys' (Commission staff and other police units) and the 'bad guys' (waterfront perpetrators).²⁷²

The British predilection, meantime, remained one of under-stating corruption as a broad phenomenon. As Jenkins and Potter stated, the idea of a British 'organized' crime problem was assumed to be 'almost a contradiction in terms.'²⁷³ These contrasting views powerfully distorted the reporting of 'industrial' crime and cast into doubt statistical evidence.

Accountability

Another strand of American thought focused upon 'democratic' accountability, usually denoting (in the waterfront sector) the popular election of dock administrators. New York pier management was an arm of local political processes, though over time the function was bureaucratised and taken over by skilled administrators.

Unlike dock authorities in Liverpool or London, after 1870, the municipality in New York was heavily involved in pier management.²⁷⁴ This characteristic stemmed from

²⁷⁰ As previously stated, the Dockers' Union espoused a much more direct state role in issues such as unemployment, conciliation and industrial policy (*Western Mail*, 6.7.1891; *The Echo*, 4.7.1891; Coates, K. and Topham, T., *Making of the Labour Movement: The Formation of the Transport and General Workers' Union, 1870-1922* (Spokesman Books 1994) pp. 106-8)

²⁷¹ Moore, W. H., *The Kefauver Committee and the Politics of Crime 1950-1952* (University of Missouri Press 1974) p. 237.

²⁷² WA: Box 11: Daniel Bell 'Comments on the Waterfront Problem' (1955).

²⁷³ Jenkins, P. and Potter, G. W., 'Before the Krays: Organized Crime in London, 1920-1960', *Criminal Justice History*, 1988, p. 211

²⁷⁴ For more, see: *NYT*, 26.9.1867, 11.2.1868, 14.2.1868, 16.2.1868

a greater governmental role in all forms of transportation in the United States. Canal financing and building, for example, was from the start reliant on state and federal resources.²⁷⁵ Private capital in most cases financed canals and railways in Britain, meanwhile, and entrepreneurs funded dock investments in Liverpool and London before the early twentieth century.²⁷⁶

In New York, a dedicated Docks Board was created in 1870, 'containing magnificent and comprehensive schemes for the improvement of the waterfront of New-York (sic) City.' The Docks Board was authorised to regulate wharfage charges, lease wharves and piers and to draw up grand plans for the modernisation of the harbour.²⁷⁷

The *New York Times* presciently warned of the 'room for unchecked extravagance' and grafting contained in the 'political' composition of the Board.²⁷⁸ A succession of 'scandals' hit the Board, and centred on insider deals, political patronage over appointments, corruption in the leasing of piers and of pier rentals.²⁷⁹

Many of the problems of corruption inside the New York docks administration were overblown, as suggested in low conviction rates, but not without a basis in reality, in this case feeding off underlying conflicts of interest and confusion over the

²⁷⁵ Goodrich, C., *Government Promotion of American Canals and Railroads 1800-1890* (Columbia University Press 1960) pp. 20-22; Davis, L. E. *et al*, *American Economic Growth* (Harper and Row 1972) p. 648. Corrupt dealings in the maintenance of the Erie Canal system in New York State emerged in 1876. Ten men were indicted and the Canal Auditor with other public officials was dismissed from his job.

²⁷⁶ Bagwell, P. S., *The Transport Revolution from 1770* (Batsford 1974) p. 18; Parliament, Royal Commission on the Port of London, *Minutes of Evidence*, cmd. 1152 (1902), p. 287

²⁷⁷ NYT 22.1.1870. The Docks Board underwent a number of changes in title.

²⁷⁸ NYT, 12.4.1870

²⁷⁹ In 1889, evidence was taken that dredging contracts for the Docks Board were awarded without competition, that Board accounts were open to manipulation, that the Engineer-in-Chief exercised undue influence in the department, and that 'dummies' were utilised to purchase pier leases that were sold on for high prices. The Collector of Wharfage gave out, in was claimed in 1895, privileged information on the bids received for work and it was demonstrated that contracts were not always awarded on the basis of value for money. Most of those in the employment of the Board were 'political appointees'. The Mazet Committee, in 1899, told how dredging work for the Board was given to a Tammany Hall connection and how the Board bought all its cement from a Tammany-connected firm (*New York Herald*, 12.11.89, 14.11.89, 15.11.89, 20.11.89, 23.11.89; NYT, 2.10.1895, 3.8.1899, 22.12.31, 23.12.31, 25.1.32)

appropriate role of docks officials.²⁸⁰ Probably the most substantial case involved negotiations over pier leases approved in 1926 leading in 1930 to the tax evading conviction of Judge Bernard Vause, for receiving \$250,000 from the United American Lines. In 1947, the Deputy Head of the Marine and Aviation Department (a new name for the old Docks Board) together with a contractor using the port were convicted of conspiracy and of taking unlawful fees.²⁸¹

Across the Hudson River, in New Jersey, local governments in Hoboken and Jersey City were more obviously implicated in patronage activities on the docks, as recounted. Underworld figures from New York were among a cast of questionable characters in the episode that also included ILA Locals in the region and the Mayors of Hoboken and Jersey City.²⁸²

²⁸⁰ George Plunkitt, head of Tammany Hall in the 1890s, freely admitted before another official inquiry that his political position helped him make money from Board contracts, and that Commissioner Cram, sitting on the Board, showed him favours. Charles Murphy, a Docks Commissioner and Tammany 'boss' after Plunkitt, related how most of the men sent to him for work with the Board were hired as a reward for political work. Alderman Gaffney was acquitted of securing a lease on a pier from the city for his New York Contracting and Trucking Company in 1901. In 1900, evidence was presented of favoured 'insiders' with ties to the docks administration and to Tammany being granted privileges on the use of city docks to unload ice. The improper use of 'treasurer's orders' was the centrepiece of a 1902 scandal. It was discovered the following year that pier rental prices were fixed in private, and that middlemen sold pier lease contracts on for vast sums. The 1931 Seabury Inquiry looking into the city's political machine devoted attention to the leasing of New York piers. Seabury revealed how Tammany leaders received legal fees from Jarka stevedoring company profits. The President of the National Democratic Club took \$50,000 from the North German Lloyd Line to secure a lease on a Manhattan pier; the Club was close to the Democratic political machine and the money paid out, it was alleged, as an insurance that the lease would be obtained (Werner, M. R., *Tammany Hall* (Greenwood Press 1968) pp. 424-5; Allen, O. E. *The Tiger: The Rise and Fall of Tammany Hall* (Addison-Wesley 1993) pp. 209-11; *NYT*, 31.10.1895, 3.8.1899, 13.6.02, 3.7.03, 10.7.03, 17.9.21, 11.5.30, 19.5.30, 24.10.30; *New York Herald*, 13.6.02; *New York Tribune* 17.6.03)

²⁸¹ *NYT*, 30.5.47, 17.7.47, 25.7.47, 6.8.47

²⁸² A couple of witnesses before the New York State Crime Commission detailed how the Hoboken authorities interfered in hiring and firing of longshore workers in that part of the waterside. Mayor Kenny in Jersey City shared, it was claimed, in kickbacks for each job 'sold' on the piers and helped remove from the docks those who were politically hostile. The U.S. Congress, in 1953, took evidence that in Jersey City, Claremont Terminal attracted 'the most venal elements'. After the Terminal opened, Kenny gave Tony Marchitto, his representative in ILA Local 1247, a list of names of men recommended by ward leaders and others as being deserving of work. When Kenny was pushed out of the situation, this caused chaos, leading to the closing of the Claremont installation in September 1952 (New York State Crime Commission, *Public Hearings (No. 5)*, vol. 2, pp. 751-765, 853-7, 933-44, 965-74; 1030-1046, 1142-7, 1287, 1361; U.S. Congress, Senate. Committee on Interstate and Foreign Commerce, *Waterfront Investigation: New York-New Jersey: Interim Report*, Report No. 653. 83rd Congress 1st Session, 1953, pp. 17-31)

Acceptance of violence

Violence was a more 'legitimate' part of labour relations disputes in the American situation from the late nineteenth century, when unions began first to flex their muscles. Reflected in the high murder rate per capita in the United States,²⁸³ it helped explain older generation ILA leadership tolerance towards violence in the furtherance of union objectives; ILA President Thomas Gleason was noted in his FBI report for instance as being a "tough guy" and quick with his fists.²⁸⁴ Industrial disputes all too commonly degenerated into armed contests in which the use of firearms was virtually condoned.²⁸⁵

Many examples of waterfront violence exist for New York, dating from the 1920s. During the 1919 ILA Proceedings, it was charged that Dick Butler, a union organiser, owned a detective agency established to prevent longshore strikers from being assaulted by private detectives hired by employers. Members of the detective agency were also used to drive out radical elements out of the union. In 1920, a Brooklyn 'gang leader' was slain in what police claimed was a bloody waterfront dispute.²⁸⁶

The ILA in the 1930s openly admitted employing 'sluggers' to battle it out with 'communists', while Joseph Ryan claimed that employers used 'goons' with criminal records to protect scabs. It was further reported that Tony Anastasio, a leading Brooklyn based union officer, led a contingent armed with baseball bats during a 1946 strike in Elizabeth, New Jersey in which shots were fired.²⁸⁷

Reports of waterfront mayhem from 1945, at a time when national economic management placed a premium on the rapid movement of ships in and out of ports, had lasting effects. Marshall Aid supplies to Europe were routed through New York,

²⁸³ Archer, D. and Gartner, R., *Violence and Crime in Cross-National Perspectives* (Yale University Press 1984)

²⁸⁴ FBI file 62-72482

²⁸⁵ Kelly, R. J., *The Upperworld and the Underworld: Case Studies of Racketeering and Business Infiltrations in the United States* (Kluwer Academic/Plenum Publishers 1999) pp. 48-52

²⁸⁶ WA: ILA 1919 Proceedings, pp. 30-34; *NYT*, 1.4.20; *NYT*, 25.4.32

²⁸⁷ U.S. Congress, Senate, Special Committee to Investigate Organized Crime in Interstate Commerce, *Organized Crime in Interstate Commerce*, hearings part 7: New York-New Jersey. 81st Congress 1st Session and 82nd Congress 2nd Session.1951, pp. 1467-71

as were some military supplies used to fight communism in Korea later. Previously ignored docks malpractices became, in line with new imperatives, a matter of national concern. Although the chief underlying concern of British and American governments became centred on unofficial stoppages by dockworkers, the fact of waterfront killings and gangsterism did help to shape the specific form of state interventions in New York, although with similar outcomes to Liverpool and London in terms of reasserting 'order' to the industry.

Syndicated criminality on the docks

At the heart, therefore, of state relations with the ILA were allegations of malpractice and of racketeering in the union. Although misconduct on the New York docks was overstated as a 'problem' to be confronted, there was undoubtedly a presence of syndicated or 'organized' criminals who were active in some ILA Locals.

Criminal control or authority over parts of the New York docks was its most distinctive historical feature from either Liverpool or London. Similarly, construction industry practices in Britain, although described as 'open to fraud and corruption',²⁸⁸ never attracted organised criminals in the same way as those in New York did.

In this fashion, racketeering acted 'independently' from malpractices as an industrial problem across countries, in the New York situation interacting with immigrant labour, ethnicity, the problems associated with localism, an ideology discounting formal means to control hiring discrimination and an industrial inheritance that favoured 'might' over 'right.'

A weakness of the sources given in chapter two was their lack of discussion of those instances in which the power of New York waterfront racketeers was shown to be partial. They were not always as successful in placing their associates into lucrative docks jobs as was assumed, for example.²⁸⁹ Moreover, shipowners could effectively

²⁸⁸ *Times*, 5.8.00

²⁸⁹ State Crime Commission testimony told how, for example, prison connections could prove valuable if a convict required a pier job after release. But the 'corner' this gave apparently only extended to a 'no-show' work assignment at best, and often the individual had to labour

oppose racketeers' demands if their bluff was called.²⁹⁰ The suggestion that port racketeers 'ran' ILA leaderships, using the union as a weapon to cow dockworkers, was also refuted by the union's obvious failure to avert post-1945 work stoppages.

Dynamics propelling racketeers to invade some sections of New York unionism but not others seem to have been linked to ethnic and often family backgrounds.²⁹¹ Also of note was their behaviour once 'installed' in a union Local. Several of the most cited union racketeers were well received by their fellow union members. Much of this was related to their support of measures also espoused by rank and file unionists, though this sat uneasily with the lower profits they would rake in from payoffs that were a feature of the old system.²⁹²

Regardless of other evidence, examples of admitted underworld penetration of the waterfront were presented as the norm. American texts, by and large, suggested that syndicated criminals in New York port were at once the instigators and receivers of proceeds from the major improper dock practices, an assertion that was unproven but achieved 'acceptability' in mainstream literature through its repeated and uncritical usage. The extent of New York's malpractices problem was comparable with those in

alongside the rank and file for a while once taken on. Dominick Genova, released from jail in the 1930s, got a job via his prison mates on the upper west side, being hired as a baggage handler without paying for a union book as required. Through the Bowers family, who were a power on the pier, he was given steady work, then secured a 'no-show' job on the payroll of a steamship firm (New York State Crime Commission, *Public Hearings (No. 5)* vol. 3, pp. 548-53; 2146-81)

²⁹⁰ See the interview with NYA, 31.3.00 in which his company rebuffed the wife of racketeer Tony Scotto without suffering any repercussions.

²⁹¹ 'Operation Underworld', the collaboration from 1942-5 between U.S. intelligence and the waterfront underworld in New York to safeguard military supplies from sabotage, had strong ethnic overtones. One upshot was that 'no active sabotage, no labour disturbances, no disruptions, nor delays of shipping' stopped military personnel and supplies from leaving on time. More pertinent than conspiracies were 'no strike' agreements. The central character in the episode, Salvatore 'Lucky' Luciano, had his greatest following among Italian longshore workers. The saga is told well in Campbell, R., *The Luciano Project* (McGraw-Hill 1977); U.S. Federal Bureau of Investigation File No. 39-2141 'Charles 'Lucky' Luciano; U.S. Congress, U.S. Senate, Special Committee to Investigate Organized Crime in Interstate Commerce, *Organized Crime in Interstate Commerce*, hearings part 7: New York-New Jersey. 81st Congress 1st Session and 82nd Congress 2nd Session, 1951, pp. 606-8, 1187-91; Columbia University, Butler Library, Frank Hogan Papers, Box 20)

²⁹² Such as reputed Mafia members and ILA powers Mike Clemente, Tony Anastasio and Tony Scotto, already mentioned Clemente helped to operate a work-sharing scheme on the pier he worked on

Liverpool and London, in addition, while in respect to shipboard malpractices, the New York situation was on a lesser scale.

Criminal intrusions in Britain, by their very absence, supplied far less ammunition for critics of the consensual machinery established after 1945 to seize upon on in the name of crime fighting. Intrusions of gangland elements into Britain's ports were peripheral, if interviewees and an exhaustive examination of published works are to be believed. As one interviewee said, speaking of London, 'We had hard men but we had no-one that tried that game.'²⁹³

Where allegations are made of more substantial gangland infiltration of the docks in London, they are at the level of unconfirmed rumour.²⁹⁴ The only case of London dock related violence I could find came from 1961, when eight dockworkers were jailed for participating in a gang fight in Canning Town. Two factions were involved in a feud unconnected to dock practices, but the London Docks Board nonetheless dismissed them all from the industry.²⁹⁵

A fundamental difference over New York may have been the fragmented state of organized criminality in the British capital and in Liverpool. Italian immigration into England was relatively small; most of it from the north of Italy (where no 'mafia' tradition existed), and offences commonly associated with first generation New York Sicilians were unknown in London, according to the police.²⁹⁶

Given the lack of systematic work on Liverpool's underworld, what exists suggests even less of a gang problem on that waterfront. Scattered accounts exist for London of the late nineteenth century 'Deptford Eye-Ball Buster' group, hired by the Shipping Federation to maintain order on the docks in London. Ben Tillett recalled how the contract system used on London's enclosed docks encouraged the use of 'bullies,' before the 1889 stoppage. London Dock Labour Board registration books were

²⁹³ Interview with LONG, 26.5.99

²⁹⁴ Author James Morton made the most detailed claims of gangland penetration into London docks in his *East End Gangland*. Through private communications, Morton failed to substantiate them to this writer and a hoped-for interview with his principal informant never materialised

²⁹⁵ *East London Advertiser*, 29.9.61

²⁹⁶ *NYT*, 16.3.09

allegedly sold on the black market in the latter 1950s. Both the Kray gang and the Butler crime family south of the Thames (Wapping and Bermondsey docks) were believed to be involved in this, facilitating for those entitled to a registration book a shorter wait before they could start work. The 'Watney Street' gang in Stepney, east London, was reported to be composed of Irish dockers - the gang's long history included waterfront gambling, pilferage and loansharking dated from before 1914.²⁹⁷

CONCLUSION

The experience of the Liverpool-London axis shows that even where systematic failures within an industrial structure were conducive to malpractices, such problems did not necessarily create a problem of racketeering. The orthodoxy among American sources obscured the empirical reality of most New York dock work and differences in the legitimacy or acceptability of malpractices and interventions, akin to distinctions made in Liverpool and London.

What was remarkable was how little was actually known about malpractices in the port in spite of the large number of sources devoted to this field. One obstacle was the subjective and political basis of many charges made of a more 'serious' problem needing new state powers. 'Show trial' aspects of State Crime Commission hearings were highlighted by its few critics, as 'not designed either to ascertain facts or to present facts in a balanced, impartial manner.'²⁹⁸ 'The reader is constantly and

²⁹⁷ A case of violence made the headlines in Hull during the early 1930s, in which the local TGWU branch was implicated. 'Hard men' were utilised, operating with a local TGWU official to ensure that competition for waterfront business was dampened by the simple expedient of destroying rivals' equipment. A complaint was made, leading to the destruction of the ring, which it was argued in court had only been set up to ease depressed trade conditions in the port. Sources used for Hull: *Hull Daily Mail*, 2-3.9.31, 3.8.96, transcript of a tape of Viv Hill, kindly supplied by Keith Sinclair, Sinclair, K., *How the Blue Union Came to Hull Docks* (privately printed 1995), p. 5. London: Briggs, A. and Saville, J. (eds), *Essays in Labour History* (Macmillan 1967) p. 335-6; Tillett, B., *Memories and Reflections* (John Long 1931) p. 173; Sponza, L., *Italian Immigrants in Nineteenth-Century Britain: Realities and Images* (Leicester University Press 1988); Kray, R., *Born Fighter* (Arrow Books 1991) p. 47; Morton, J., *Gangland Volume 2* (Little, Brown and Co.1994) p. 24; Morton, J., *East End Gangland* (Little, Brown and Co.2000) pp. 240-2.

²⁹⁸ U.S. Congress, House Committee on the Judiciary Subcommittee No. 3, *New York-New Jersey Waterfront Commission Compact*, hearing 83rd Congress 1st Session, 1953, p. 207

cleverly led to infer,' as Russell pointed out in 1966, 'that what is revealed is but a glimpse of an even more shocking picture.'²⁹⁹

Seen from the 'structural' perspective, exemplified in most of the 'decausalisation' texts and more obviously in the construction industries reports, there was much in the port of New York to validate the analysis. Of significance was a lack of income support measures in New York, which fostered patronage and a feeling, more than elsewhere, that a man should grab what he could when he could. Institutional and physical barriers to the productive use of the waterfront were obvious, furnishing standing incentives for employers and employees to find illegal means of circumventing them. Where racketeers existed, they had many levers through which to exact tribute.

But standards of legitimate industrial conduct varied tremendously by time and by place, accounting for the uneven spread of malpractices given the same opportunity structures and of the differential way interests equally involved in malpractices were considered and treated. The Waterfront Commission showed flexibility in its interpretation of 'criminal' behaviour on the docks. Commission rulings also mirrored, in some instances, the assumption it made that port employers were more sinned against than sinning,³⁰⁰ weighed up 'such considerations as the business climate in the industry when the payments were made, the circumstances under which they were made, the amounts involved, the number of years elapsed since the last of such payments and the affirmative evidence of subsequent good conduct ...'³⁰¹

Within this, the most illuminating aspect in New York is the behaviour of unionists towards allegedly racketeering elements in their ranks. They illustrated the complexity of receptivity to malpractices, based on notions of legitimate forms of

²⁹⁹ Russell, *Men Along the Shore*, p. 157.

³⁰⁰ The McGrath Corp. for example, was treated leniently by the Waterfront Commission and given a license to operate in the port, on the basis that 'shakedowns and racketeering were the rule rather than the exception on the waterfront.' (New York Harbor, Waterfront Commission of, *In the Matter of the Application of John W. McGrath Corporation for License as a Stevedore: Report of Hearing Officer*, New York, 7 September, 1956)

³⁰¹ New York Waterfront Commission, *Annual Report 1955-1956*, p. 29. In India, according to one interviewee, many maintenance contracts were done through means of kickbacks. This was but a 'normal' part of doing business in the region. (interview with NYN, 11.4.00)

action that to a degree 'corrupt' union officials shared with the men. 'Pilfering' rank and file dockworkers, for example, were hardly in a moral position to complain about the activities of corrupt union officials.

Publicly 'responsible' and hard working New York docks union officials like Anthony Anastasio and Tony Scotto took part in serious criminal offences, as revealed by the FBI in the late 1970s.³⁰² Their behaviour owed more to a multilevel analysis, but most important, their activities were perceived as at least not harming the interests of the rank and file.

Mars explained how 'normal' work roles' were 'adapted to serve the needs' of pilferage.³⁰³ Viewed more broadly, this was the case with union racketeers. Reflecting the similar concept of 'entitlement,' a feeling, more common than was admitted, was that so long as racketeers were seen to be advancing the men's cause, some personal veniality 'on the side' was permissible. Said a former union member in Anastasio's Local, for example, 'he was no Boy Scout ... but gave you a fair shake.'³⁰⁴ On Freddie Field, convicted of port racketeering in the 1970s, an interviewee claimed that 'His men would swear by him, because he made sure they got everything.'³⁰⁵

Anastasio, labelled as an organised crime figure though never convicted, had been a foe of the shape-up method of hiring relatively early on, and was best recalled by the rank and file for his active sponsorship of the first free Medical Centre of its type in the port. In 1963, when he died, thousands of people lined up in the streets outside the church where Anastasio lay. Scotto took over as 1814 President in 1963, by general

³⁰² Cf. Salerno, T. J. and Salerno, T. N., 'United States v. Scotto: Progression of a Waterfront Corruption Prosecution from Investigation Through Appeal', *The Notre Dame Lawyer*, vol. 57 no. 2, 1981, pp. 364-88

³⁰³ Mars, G., 'Dock Pilferage' in Rock, P. and McIntosh, M. (eds.), *Deviance and Social Control* (Tavistock 1974) p. 209

³⁰⁴ Interviews with NYJ, 20.3.00, NYN, 11.4.00; *Journal of Commerce*, 6.3.63; *New York Herald Tribune*, 12.5.53; *NYT*, 10.5.53, 8.5.55; Nossiter, 'Waterfront War: Round Two in New York'; MacNair, *Chaplain on the Waterfront*, pp. 118-129; Schulberg, 'The Waterfront Revisited', pp. 32-3; Meyers, 'Wrangdoodle' Time on the Docks', pp. 85-6+; Russell, *Men Along the Shore*, pp. 270-2)

³⁰⁵ Interview with NYN, 11.4.00

acclaim becoming an outstanding labour leader and an arch proponent of the seniority system, while pressing the NYSA to improve the GAI's provisions.

Former Attorney General Robert Kennedy told how, in the same way, the corrupt activities of Teamsters boss Jimmy Hoffa were excused so long as he got 'good contracts for his men.'³⁰⁶ Moreover, other factors other than simple 'corruption' entered the equation when union members voted into power alleged 'racketeers,' such as their prior experience and competence and negotiating good contracts for the men. Considerations such as these 'dictate that he is retained even if his methods of personal enrichment do not meet with the hearty approval of a majority of the membership.'³⁰⁷

As demonstrated, the New York waterfront landscape was conditioned by perceptions of criminality and presentations with a debatable empirical basis. Chapter eight draws together the major themes of the thesis, emphasising those points where the evidence matches chapter two sources and perspectives while indicating shortcomings in established frameworks, both empirical and theoretical.

³⁰⁶ Kennedy, R. F., *The Enemy Within* (DaCapo Press 1994) p. 143

³⁰⁷ Landesco, J., *Organized Crime in Chicago* (University of Chicago Press 1968) p. 135; Stier, Anderson and Malone, LLC, *The Teamsters: Perception and Reality* (Stier, Anderson and Malone, 2002) pp. 373-4

EIGHT

PORT PRACTICES, STATE STRUCTURES AND POLICY DIRECTIONS

INTRODUCTION

Chapter eight returns to the theoretical interests that lie the heart of this thesis, in assessing how well the historical evidence matches the arguments advanced in the approaches encapsulated in the works by Shaw, Leggett, Devlin and other British authors. Also explored, for New York, are the works of Bell, Kimeldorf, Larrowe and the New York construction industry authors.

The thesis shows the need, when comparing practices across national boundaries, to radically re-negotiate definitions and other constructions intended solely for single country usage. What the authors identified in chapter two could not explain was why ports such as Liverpool or London did not share the same unsavoury status as that plaguing New York even though they shared such similar economic characteristics. The question became more urgent as evidence mounted of comparable malpractices in Liverpool and London, in some respects surpassing those reported in New York. Given the incomplete evidence to hand, a conclusion made was that a docks crime problem in New York port was undoubtedly inflated, making its situation much closer to that in the other ports.

The real extent of abuses in these ports is impossible to ascertain, due to chronic under-reporting problems. But they were of sufficient magnitude to bring in state action and to preoccupy unions and employers, notably over unconstitutional stoppages but extending (in Britain) to malpractices like the *welt*. After 1945, a 'lawless' industrial environment on both sides of the Atlantic, in which strike activity escalated, drew in government initiatives endeavouring to restore discipline where orthodox means had clearly failed.

Malpractices have been of especial interest and formed the centrepiece around which the thesis is structured. The comparative project has deep ramifications, as discussed, extending to wider networks found away from waterfronts. As demonstrated, the

language and imagery applied to docks practices and malpractices in materials reflected divergences in official policies, but dealing in fact with similar underlying economic structures. While there were ‘real’ differences between malpractices in Liverpool and London and those in New York, these have been overstated.

Previous studies have neglected or understated ‘subjective’ factors in making judgements about practices in New York. Although industrial practices could assume an unchanging form or economic function, the political and ideological environment in which they occurred could shift fundamentally, altering their meaning and connotations. More so with dock practices than most other sectors of an economy, ‘the role of the state in prompting dock employers to act was significant. This was especially so in the case of moves to decasualisation, and was most evident in times of crisis such as war.’¹

Formerly ‘legal’ operations might be criminalized, but the ‘seriousness’ of the crime differed according to the country under examination. Consequently, malpractices that in Liverpool and London might attract a fine from a union branch might bring in Waterfront Commission investigators in New York. Even where the criminal law on industrial malpractices was comparable in the three ports, enforcement of it varied dramatically. In Britain, forms of organized industrial deviance were resolved through negotiation, unlike the New York situation.

Methodology

It was found that practices and malpractices in these ports could be validly compared utilising the triangulation methodology, as described in chapter one, but only after the introduction of new variables alongside those proposed in the other docks materials. Triangulation methodology was utilised since dock practices involved many interests and perspectives, none with ‘definitive’ answers.

The fact, for instance, that those wishing to changes made to hiring practices released the vast bulk of the materials onto the public arena meant that factors that disturbed

¹ Davies, S. ‘Employers and Dock Labour: Employment, Work and Industrial Relations in International Perspective’ in Davies, S et al. *Dock Workers* (Ashgate 2000) p. 626

their world-view were given short shrift. In this environment, 'deviations' suggesting that the men had managed to forge relatively comfortable niches in docks markets without the necessity to alter the existing status quo, were judged as irrelevant. As Phillips and Whiteside in Britain explained, majority opinion among portworkers was for the retention of the 'casual' system of employment. Scattered evidence for New York indicates a similar sentiment.² Conventional accounts, in a word, tended towards both elitism and ambiguity when dealing with the rank and file.

The use of informants who were personally familiar with docks work became especially important given this, the sensitivity of the subject matter and a dearth of documents in key respects. Under-reporting of industrial malpractices was common, more so in Britain, making valid comparisons utilising statistics alone problematic. The fact that shipping was an international industry, that these three cities were founded on the maritime industry and that dockworkers tended to respond in similar ways to the same pressures, considerably eased many problems this project would have otherwise encountered, by limiting the number of relevant variables to be isolated, identified and considered.

OTHER PERSPECTIVES

Different emphases were evident in the published materials but often inside a set of core assumptions that became skewed towards two separate paradigms. British works operated within a model that although critical of many aspects of dock relations, did not want to see the solution in greater use of the criminal law. New York's literature also reflected the official version there, is the stress upon organised crime as the defining feature of the local waterfront.

In the British context, the Shaw Report set the original paradigm, in underlining temporary dockwork as the primary (though not exclusive) cause of unrest. As with the Leggett study thirty years later, it realised a link between hiring programmes and ship-focused malpractices. Goldstein and the University of Liverpool, meantime, concentrated on problems within the TGWU that exacerbated the difficulties port

² See for instance XIIR Box 11: Minutes of the New York District Council Special Meeting, March 10, 1953

managers had in maintaining order. Oram and Hovey related these, insofar as question marks over hiring, unionism and payments systems were connected to inter-port competitiveness.

Turnbull and Sapsford's 1992 work was an advance. Malpractices in this view were influenced by economic and organisational variables, which ultimately prevailed but in the interim came up against a 'culture' of absenteeism that had developed and was not easily removed. Phillips and Whiteside, meanwhile, had introduced in a deeper manner than hitherto political factors, placing British decasualisation efforts within oscillating central government policy directions.

American 'waterfront' authorities matched their British counterparts until 1945 in the key concerns identified, revolving about hiring dysfunctions and a commensurate need for the better distribution of earnings. Hiring corruption was hardly given a mention, even within such seminal works as those by Barnes and Swanstrom.

A sharp conceptual disconnection from this framework was clearly evident when economic and political conditions changed in the mid 1940s New York. The first of a highly damaging series of wildcat strikes in 1945 combined with dramatic accusations of violence and laxity inside the criminal justice system dating from 1940 letting waterfront murders go free. The publicity accorded to these events admixed with old stereotypes of 'anarchy' on the docks to manufacture a 'new' framework, in which waterfront criminality was moved centre stage.

Johnson's articles in 1948 for example only marginally connected to the earlier American works through its critique of the shape-up system, but this was now construed as encouraging a expanding racketeering issue rather than social problems. Crime Commission reports and the Waterfront Commission kept this construction alive through the 1950s and 1960s, and inspired theoretical modelling from Bell to Kimeldorf.

The potentially positive role of New York's government was minimised, with the example of the ILWU on the Pacific waterfront furnishing little in the way of an exemplar of how the state could move debates forward, since its leadership shared the

ILA's distaste of state interference.³ With the exception of Phillips and Whiteside, political stratagems were at best secondary to British analyses also.

Human agency and local action

The 'model' usually presented in Britain and America also dealt with the broad-brush 'economic' properties of dockwork, which quickly became identified with an institutional perspective. Although of value, it had the drawback of accepting that reforms were to be tied to outside constituents such as governments but rarely to rank and file actions. But as indicated in this thesis, there were extensive variations in dock practices and malpractices within and between ports, often unofficial in their origins but reinforced by and informed through port wide developments. An incredible number and range of practices operated by the rank and file away from formal controls and structures negated the hope that unionism would lead to the integration of labour, and thus to better discipline and higher output.

Ports were characterised by both common and, as importantly, unique ingredients of union and employer organisation, infrastructure difficulties, payments methods, employment duration, disputes processes and political supports. 'Each port is owned by a different type of authority,' according to the *Dock and Harbour Authority*, 'without any uniform set of conditions throughout the country. Accordingly each port presents its own peculiar problems.'⁴

Localised understandings in defence of established 'practice' or for new rights were a strong pressure through all post-1945 waterfront difficulties, stimulating debate and driving legislation but less studied and analysed than were port scale developments. Practices and malpractices were especially diverse in the largest two ports, the hubs of which are reproduced in diagrammatic form for the 1950s in Appendix G along with a depiction of the central waterfront area in Liverpool.

³ Professor Alan Block, who in other respects has offered well-sourced and thought-provoking accounts of criminality as a historical phenomenon, fell into this trap in his 'On the Waterfront Revisited,' *Contemporary Crises*, vol. 6, pp. 373-96

⁴ *Dock and Harbour Authority*, October 1955.

A creative interaction of human agency and the larger economic structure was occasionally evident in published materials, but the importance of the latter was generally over-estimated. Many descriptions therefore saw the dockworker as a passive 'victim' of the hiring system.⁵ The result of this deficiency was a somewhat mechanistic outlook between authors, with port employers in the driving seat and the rank and file angry but powerless. The positive role of unofficial stoppages, for example, in illuminating faults in port systems that led to reforms was not addressed well.

Chief among those who acknowledged local issues were Barnes and the Mayor's Committee (for New York) but without relating these to dockworker attitudes, making them appear perverse. British works did devote much more attention to unofficial action, in large part since it was so obvious from 1945. Nonetheless, this often became disconnected from local differences.

Unionism and docks malpractices

American materials also gave too much weight to waterfront unions' ability to centralise and then to eradicate malpractices, and too little to variations only nominally within their control. Given the unusually diverse nature of New York docks work, the ILA was more than aware of the acute organisational difficulties involved in even attempting to 'control' decision-making there. Similarly, in Liverpool and London localism was a force to be reckoned with which the formality of unionism masked but did not eradicate. Hill argued that dockworkers were, after engagement, 'often able to define industrial relationships on their own terms,'⁶ a point also made by Anna Green in her study of the New Zealand docks industry.⁷

Moreover, industrial pressure by the rank and file dockworker could be applied on employers even in the absence of unionisation, or where docks unionisation was

⁵ For example in: Cooke Johnson, 'Criminality on the Docks' in Davies, S et al (eds.), *Dock Workers: International Explorations in Comparative Labour History, 1790-1970* (Ashgate Publishing 2000), pp. 721-745

⁶ Hill, *The Dockers*, p. 126.

⁷ Green, A., 'Spelling, Go-Slows, Gilding Away and Theft: Informal Control Over Work on the New Zealand Waterfront 1915-1951', *Journal of Industrial Relations*, pt. 63, 1992, pp. 100-114

patchy in its coverage (as in Liverpool). In any case, non-union men were reputed to be the most prepared to deploy unofficial practices and malpractices.⁸

SPECTRUM FRAMEWORK

When studying similar practices between countries with different cultural, political and legislative frameworks, as this work does, the spectrum approach supplies a more useable and realistic alternative. Variables included in the other frameworks never seemed likely to supply a solution to the questions posed therein of ideological interpretation of economic characteristics. The very few attempts made to relate docks abuses across national borders, so far as New York and Britain were concerned, ended up as stereotypical and derivative in form.⁹

Two levels of systemic bias were identified in understandings of docks activities. First by governments, that differed in how they viewed docks practices. Second, as a knock-on effect, published authors also adopted values and frameworks that in effect underscored the positions of governments, most importantly demonstrated in the self-imposed constraints found in their works. This made international comparisons of the 'same' economic phenomena more difficult.

'Material,' 'structural' or 'organisational' constituents were of first-order significance in shaping malpractices, on a par with 'subjective' constructs. As Turnbull, Morris and Sapsford note, 'strike action on the waterfront was more frequent and often more intense than in other industries precisely because dockers were able to redefine 'background conditions' to their own advantage and because of their ability to seize available opportunities, most notably the 'variability' inherent in the job itself and the commercial pressures on stevedoring companies to turn vessels round.'¹⁰

⁸ Parliament Ministry of Labour Committee on Inquiry Under the Rt. Hon. Lord Devlin into Certain Matters Concerning the Port Transport Industry, *Final Report*, cmd. 2734 (1965).

⁹ See the recent works by Colin Davis in the bibliography and the article by Cooke Johnson.

¹⁰ Turnbull, P. Morris, J. and Sapsford, D., 1996, 'Persistent Militants and Quiescent Comrades: Intra-Industry Strike Activity on the Docks, 1947-89', *The Sociological Review*, vol. 44 no. 4, 1996, p. 720

Port failures interacted with sluggishly moving grievance-handling procedures, for example, and eroded the legitimacy among dockworkers of constitutional means of resolving differences. Speaking of New York's problems, the Mayor's Joint Committee on Port Industry in 1952 asserted that, 'There is more to operating this man-forsaken port, after all, than attacking evil-doers of whatever shape and variety. Enormous engineering problems are involved - problems which involve railroads, steamship lines, terminal operators and their complicated operational functions.'¹¹

While not denying the economic underpinnings of docks malpractices, explanations of docks malpractices based solely on 'material' criteria are not adequate, in two senses. First, they denied the politicisation of definitions of malpractices. Second, they gave insufficient attention to contextual factors in the area of sentiments and solidarities. Comprehensive explanations require that 'objective' (economic) processes be viewed as mediated through 'political' and 'legitimising' (subjective) understandings.

The spectrum framework is subdivided. First is the 'national' dimension in which perceptions of docks processes become stigmatised by wider political structures external to docks relations, with serious effects on related legislation and in the enforcement of violations of dock rules. Locally, within the docks industry, came a lower level of subjectivity, in differential and sometimes colliding thresholds of legality and legitimacy accorded to docks practices by the main interested parties.

Variants of this theme were identified and developed, varying by political organisation and dynamics (at a macro level) to earnings and by port developments on the micro scale. Issues of legitimate and illegitimate forms of cargo handling, shading across the two, intimately linked together 'working' practices and 'malpractices' conceptually and operationally.

Politicised definitions

The 'fact' of state involvement in docks was long recognised. What remained unexplored in the texts is the manner in which this conditioned interpretations of

¹¹ Mayor's Joint Committee on Port Industry, *The Decline of the Port of New York* (W.J. McCormack, 1952) p. 3

docks practices. Government policies or official commissions could confer 'invisibility' or 'visibility' to industrial malpractices as a social, economic or law enforcement 'problem' in a way unrecognised by most single-country sources.¹² Where powerful political or ideological variables were influential in conditioning the popular and academic perception of waterfront structures and practices, analyses frequently became biased and incomplete, as illustrated in chapter two

As a rule of thumb and under normal trading conditions, when organized labour was politically strong, docks 'malpractices' were either overlooked or left for internal committees to resolve (as with the British case). But where labour was but one institution among others competing for dominance or power in the political establishment, (the case in New York) its voice was less audible, and governments could afford to take a less sympathetic view of malpractices that in some sense were associated with unionism.

The political factor accounted for most of the perceived and reported 'differences' in the 'seriousness' and the extent of malpractices between these three ports. In New York, for example, by means of the organized crime issue, it was expected that more 'order' could be imposed on the waterfront, at a time when unionism (the ILA) had signally failed in the job. Since 'organised' crime was generally considered a greater public order menace than 'occupational' crime, or even run-of-the-mill waterfront 'corruption,' the organised crime label could be powerfully utilised to justify all manner of interventions. Cooke Johnson, for instance, refers to organized crime as 'big business' that comes in the wake of everyday 'corruption.'¹³

Through the use of the organised crime issue, the fact of state incursions into waterfront union practices was legitimised on anti-crime grounds and with broad support that extended to other AFL unions. For this to work, however, required evidence of a huge threat from racketeering that, in retrospect, the evidence failed to buttress, although labels from the period still resonate.

¹² Davies, P., Francis, P., Jupp, V., 1999, *Invisible Crimes: Their Victims and their Regulation* (Macmillan Press 1999); Croall, H., *White Collar Crime: Criminal Justice and Criminology* (Open University Press 1992)

¹³ Cooke Johnson, 'Criminality on the Docks,' p. 723

Docks level legitimacy and opportunity structures

Common between and within these ports was legitimacy based on repeated usage, and in which material properties and shortcomings revolving around poor facilities and communication networks were of primary significance. Questions of the 'legitimacy' of waterfront malpractices were more ones exercised and operated by the rank and file, although employers cooperated with those offering 'stability' and ultimate profitability.

Regardless of their legitimacy and the authority attached to them by workers, part of the dockwork abuse problem was clearly 'material' in its origins, since the distribution of malpractices closely followed the structural openings for them to take place, whether based on payments systems or on time factors, for instance. Much British dock strike activity for example, as Turnbull explained, was 'almost separate' from the daily struggles of 'industrial life on the waterfront.'¹⁴ Class conflict as an explanation for the existence of malpractices such as systematic pilferage was true only up to a point.

Malpractices like the Liverpool welt depended on the exercise of sheer industrial or economic power, made possible by the economic foundations of docks work and by bottlenecks to the efficient dispatch of commodities. Subjective ideas about the 'entitlement' of dockworkers to perform malpractices, for example, were secondary in this context, though no doubt used by those involved to justify them if they were caught or challenged. Accounting for the persistence of malpractices after the hiring question had been resolved, the centrality of turnarounds for employers was such that all manner of deals and agreements continued to be struck, many crossing over into illegality.

In a typical scenario, a Senate subcommittee eloquently told how in certain sectors of New York's port, 'The free enterprise system has been thrown off balance. Contracts

¹⁴ Turnbull, Morris and Sapsford, 'Persistent Militants and Quiescent Comrades,' p. 701

were not awarded on the basis of merit ... Profitability was not based on efficiency and hard work rather than on bribery, extortion and questionable connections.’¹⁵

CONCLUSION

Malpractices could vary widely in the same port and certainly between ports; depending on the criteria utilised, the outlines of bottlenecks and by social and political notions of legitimacy. Given similar industrial and economic situations, subjective concepts and constructs determined the timing, scope and - most important - the nature of state intervention.

Even where port malpractices existed, questions arose of how they should be defined, in what context, and for what reasons? The interplay of port capital, government dynamics and dock labour in Liverpool, London and New York produced variable outcomes in terms of the labels attached to their working practices. Confined to studies within one country or to within the same port, these dichotomies in how dock practices and malpractices were understood and signified have been obscured.

¹⁵ U.S. Congress Senate Committee on Governmental Affairs, Permanent Subcommittee on Investigations, *Waterfront Corruption: Report*, 98th Congress 2nd Session 1984, p. 2

APPENDIX A

DEFINITIONS IN COMMON USAGE

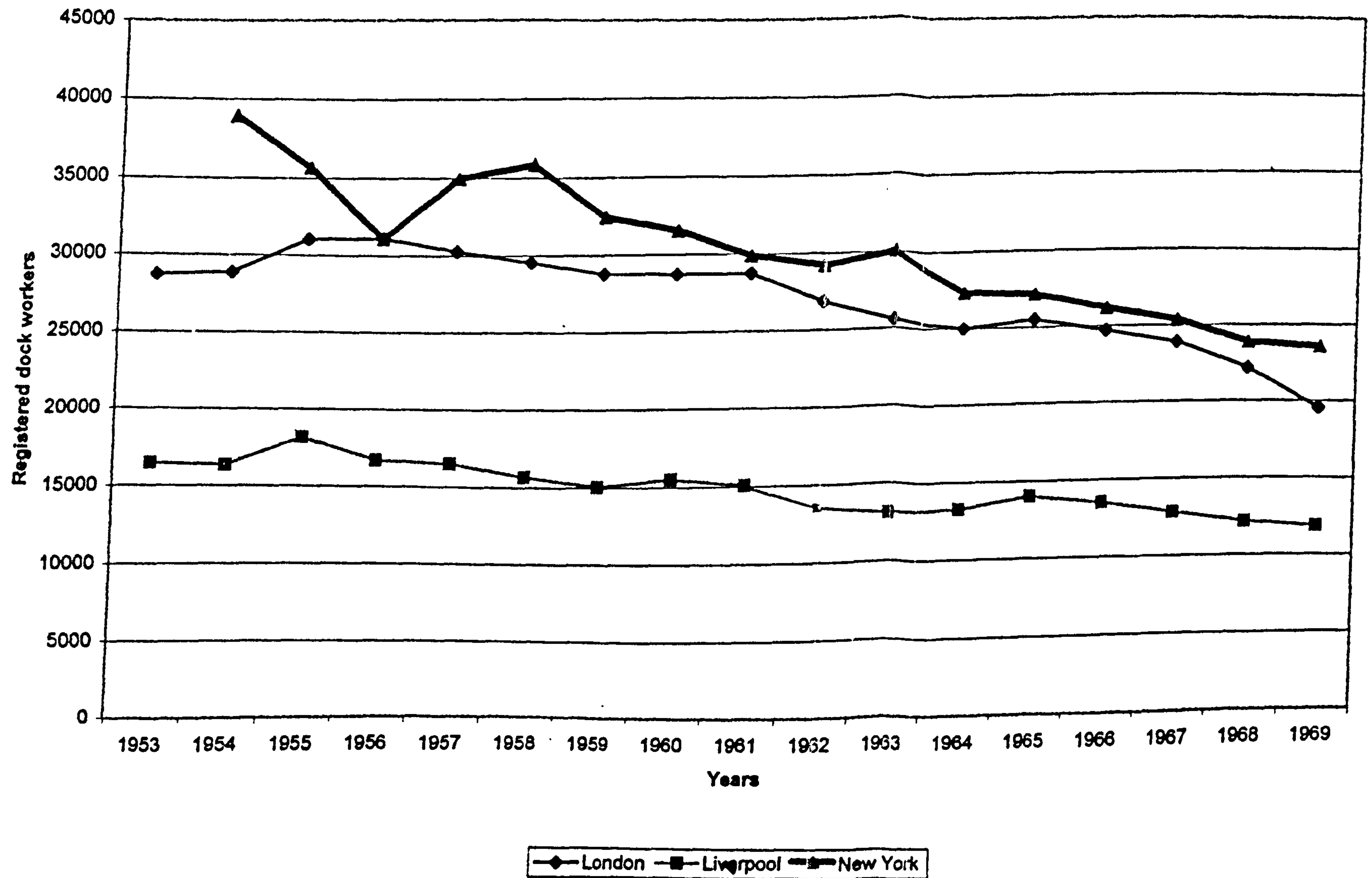
Break bulk cargoes - loose, non-containerised cargoes. Break bulk cargo is usually regarded as a subdivision of general cargo, not amenable to packaging or unitisation.

Longshoreman - any person, other than a hiring agent, employed for work at a waterfront terminal to move commodities, to record-keep, or to supervise waterfront labour. By tradition, 'longshoremen' worked the oceanic, or deep-sea, ship, as opposed to the smaller and more regular inter-coastal and coastal ships. There was no precise counterpart of 'longshore' labour in Britain in the strict sense of the term. From about 1900, in New York, it became the norm to refer to all shipboard dockworkers as longshoremen.

Stevedore - *Liverpool*: 'stevedores' were loading dockers; 'stevedoring firms' were contractors, as in New York. *London*: 'stevedoring firms' were as in New York and Liverpool, contracted to load or discharge a vessel while in port. 'Stevedores' were also a specialised group of dockworkers, members of NASDU, employed to load vessels, which was considered a more skilled job than discharging and consequently attracting a higher status and pay. *New York*: usually describing an employing contractor who supplied labour for loading or unloading boats, working on contracts made with vessel owners or operators.

APPENDIX B

DOCK WORKERS' REGISTER STATISTICS



Sources: National Dock Labour Board Annual Report and Accounts, 1953-1969, Waterfront Commission of New York Harbor Annual Reports, 1954-69.

YEAR	LIVERPOOL	LONDON	NEW YORK
1953	16500	28713	N/A
1954	16376	28900	38934
1955	18173	31045	35657
1956	16716	31109	31084
1957	16532	30273	34961
1958	15695	29544	35841
1959	15066	28779	32441
1960	15529	28722	31543
1961	15098	28749	29865
1962	13544	26836	29178
1963	13113	25583	30026
1964	13283	24992	27282
1965	14033	25484	27114
1966	13551	24697	26127
1967	12845	23884	25312
1968	12186	22174	23862
1969	11885	19570	23554
1970	10797	16573	24271
1971	10738	15986	22683
1972	8728	12656	22046

APPENDIX C

QUESTIONS ASKED OF SUBJECTS

INTRODUCTION - what were the major problems you faced at work? Please give examples of those circumstances where dockworkers or port employers cut corners and bypassed the official machinery.

THE HIRING STRUCTURE – how did it differ by section, by type of engagement, was there a preference or seniority system in operation? How was the hiring foreman chosen? Explain any efforts to work-share. Were there any ‘decasualisation’ efforts? How many of the work gangs were employed on a regular basis? How did the structure of shipowning affect patterns of employment? What were the barriers to decasualisation of dock labour?

COLLECTIVE BARGAINING – were port employers always on the defensive? Were they fragmented in dealings with the major unions? Were there unwritten understandings? Were there local and port-wide agreements? What were the contractual arrangements for short-handed work gangs, overtime working and for night work? The formal arbitration process – was it fast and fair? Did it vary by time and place? What were the work disciplinary problems? Was the union involved in them? Were employers fearful of reporting stoppages?

VESSEL ORGANISATION – discussions on the structure of the vessel-level hierarchy, the hiring process, nepotism in the selection of gangs and individuals, relationships between the ship workers. Did this lead to favouritism?

RESTRICTIVE PRACTICES – issues related to complaints by employers about labour inflexibility, over-manning, absenteeism, overtime guarantees, rules on workloads, poor timekeeping.

CUSTOM AND PRACTICE – could these be sanctioned by the dockworkers, what were they, did they vary by time and place, what was their function?

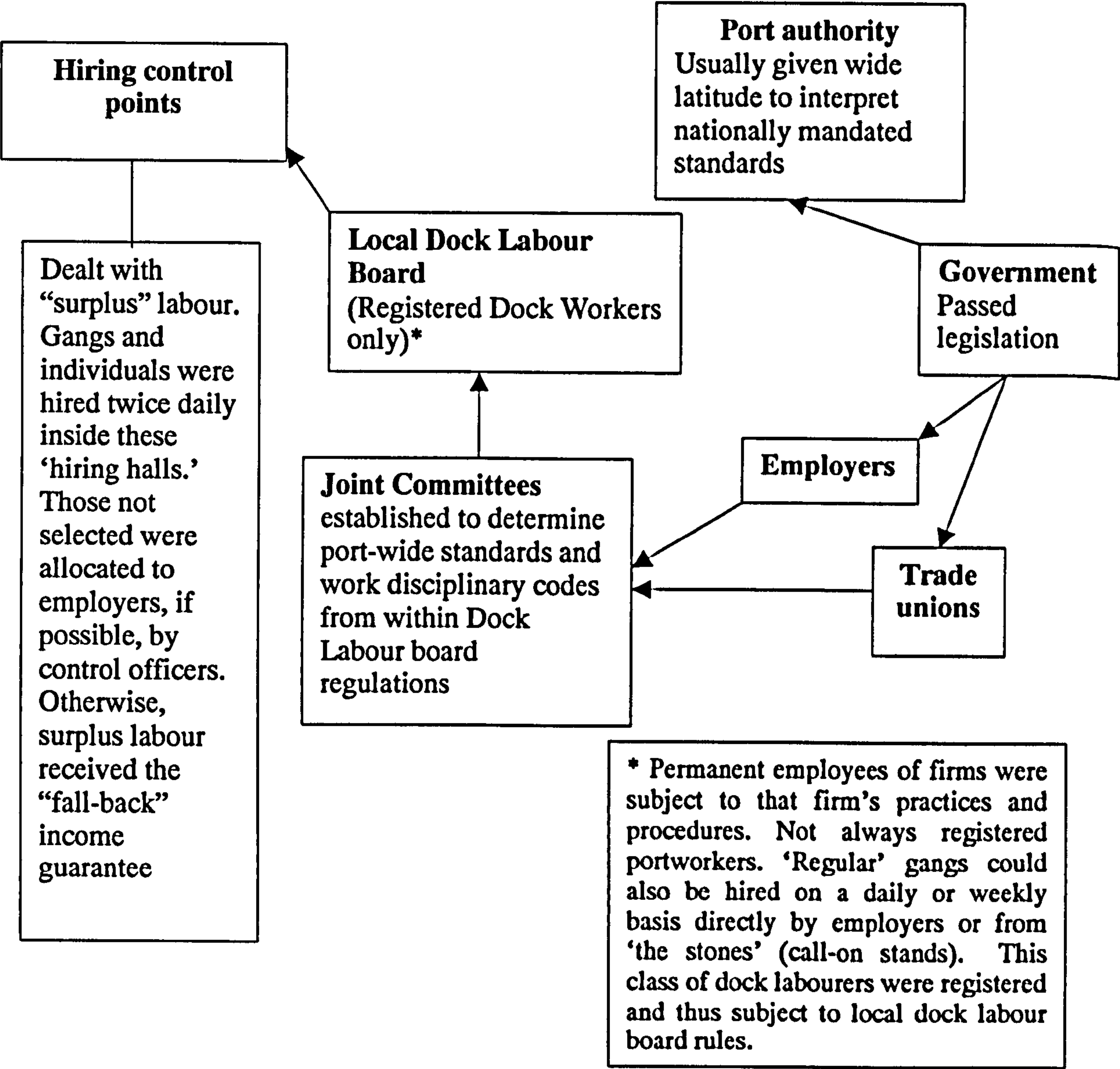
MALPRACTICES – questions about the deliberate slowing down of work to gain concessions, the slowness of the arbitration system as a contributory cause, what's meant by a 'malpractice', were smaller employers more likely to indulge in malpractices? Violence on the docks, payments systems, the casual system as encouraging abuses, management attitudes to malpractices, the New York State Crime Commission hearings in 1952-3, the role of 'go-slow' tactics, gambling and loansharking on the docks, the question of whether or not congestion contributed to malpractices.

UNION ORGANISATION – questions related to the decentralisation of decision taking, the 'communism' issue, autocracy of the top union elites, ethnic or religious affiliation of union branches, the closed shop or union shop, the structure of branch life, abuses in the selection of branch officials, balloting abuses. Were some branches more important than others? How were dock union branch officials elected?

POLITICAL ACTIVITY – how did political associations help the port union? Government involvement in New York docks and in Britain

APPENDIX D

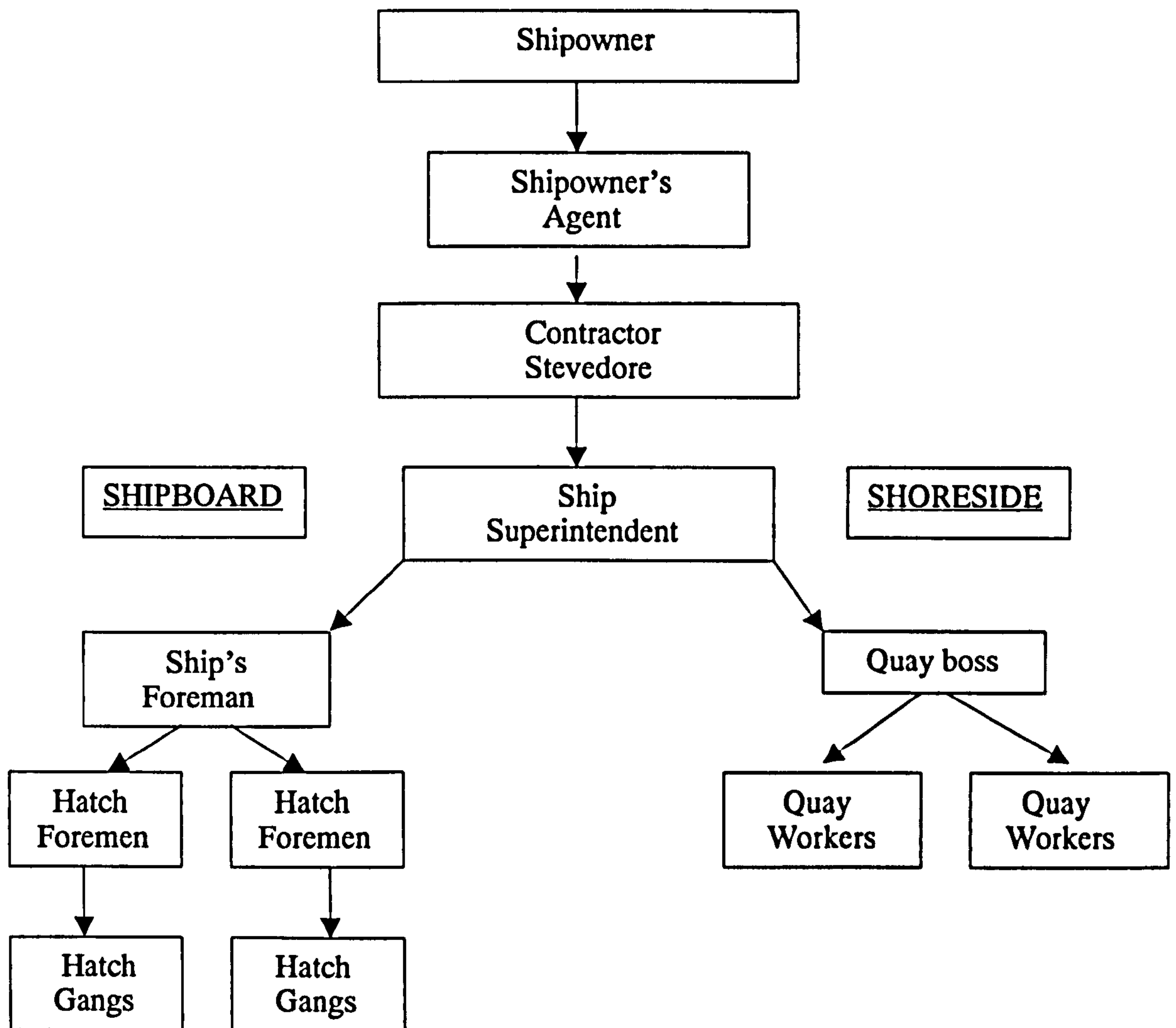
NATIONAL DOCK LABOUR SCHEME



APPENDIX E

LIVERPOOL AND LONDON

TYPICAL SHIPSIDE AND DOCKSIDE ORGANISATION PRIVATE SECTOR, BREAK BULK CARGO¹



¹ There were variations in the Port of London Authority sector and with smaller operations. The former had its own historic arrangements, while the hierarchy characteristic of smaller employers was flatter, with fewer administrative layers. Smaller contractors might, for example, hire labour directly rather than through a hiring foreman. Large jobs could have over one superintendent, e.g. a separate one for quayside labour. One superintendent might look after a pier comprised of several vessels.

NEW YORK

NEW YORK SHIPBOARD LABOUR ORGANISATION LOADING AND DISCHARGING

Stevedore contractor – the central employer of dock labour. Gave instructions to the vessel superintendent. Could be, in the old days, an ILA member. Some could come up from the ranks. Took instructions from the ship-owner.

Ship superintendent – non-union, in charge of the entire job. Would instruct the ship foremen on what to do and how many work gangs to engage. Some came originally from rank and file gangs. There could be separate pier and ‘upland area’ superintendents. Attached to up to three berths. In charge of both loading and discharging. After the establishment of the Waterfront Commission, they could not be ILA members.

Ship foreman/ship boss/general foreman – in charge of a single ship labour process. Generally a former rank and filer. Kept his ILA membership. Allocated the hatch gangs, could hire the gangs, and could, with the ship superintendent, hire the other supervisors. Could have assistants on the larger jobs and so-called ‘pushers’ underneath them charged with keeping the work gangs from slackening off work. Reported to the stevedore contractor. A regular employee.

Dock bosses/walking bosses/head checkers – organised the terminal or pier labour. Hired the checkers. Sometimes several dock bosses to a pier. ILA members. Regular workers. Were rarely former rank and file members. Could be separate dock bosses for longshore and checker labour. Told the hatch bosses what to do.

Timekeepers and clerks – usually kept on. Reported to a head clerk. Did the union check-offs. Clerks reported to the timekeeper.

Hiring foreman/head stevedore/hiring boss./hiring agent – did the daily hiring. In theory could be laid off; but in practice usually kept on. Instructed by the stevedore

contractor. Separate hiring bosses for different types of labour. Performed the lower level work disciplinary functions. After 1953 could not be ILA members.

Hatch foremen/hatch bosses/gang bosses – virtually all were former rank and file. ILA members. Had to shape daily and could be laid off if no work, but as experienced men they were rarely unemployed. Not always necessary on a smaller job. Responsible for assuring that the cargoes discharged or loaded correctly and quickly.

Hatch gang members – in the 1950s, the standard complement was of about twenty men in a hatch working gang, later reduced to seventeen.

Sources: interviews in New York City; Kelly, J. W., *Labor Problems of Longshoremen in the United States* (Boston University Ph.D. 1941), pp. 59-60; New York State Crime Commission, *Public Hearings (No. 5)*, vol. 1 pp.126-8, 290-1, 304-5, 576-7, vol. 2 p. 851, vol. 3 pp. 1813-4, vol. 5 pp. 3749-50.

APPENDIX F

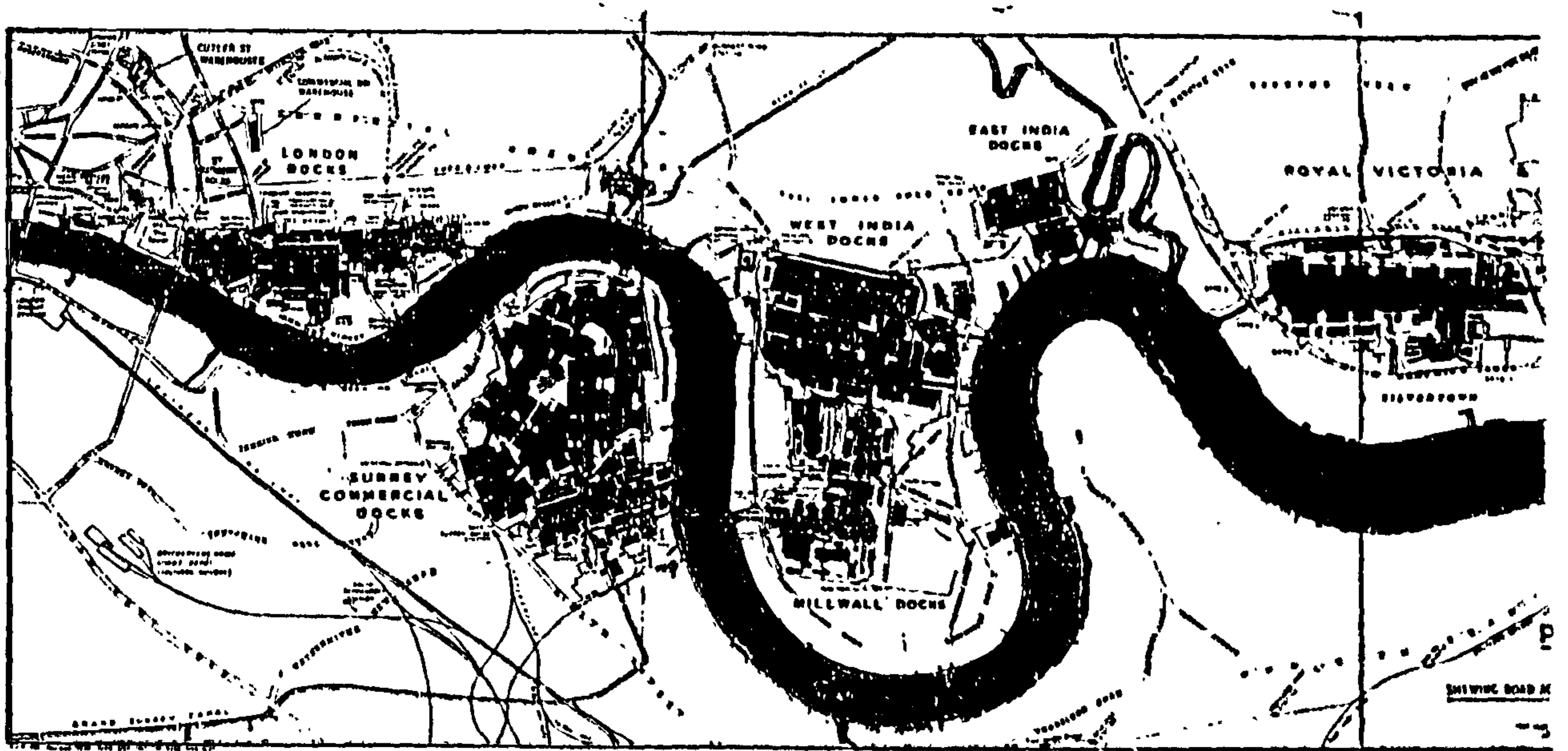
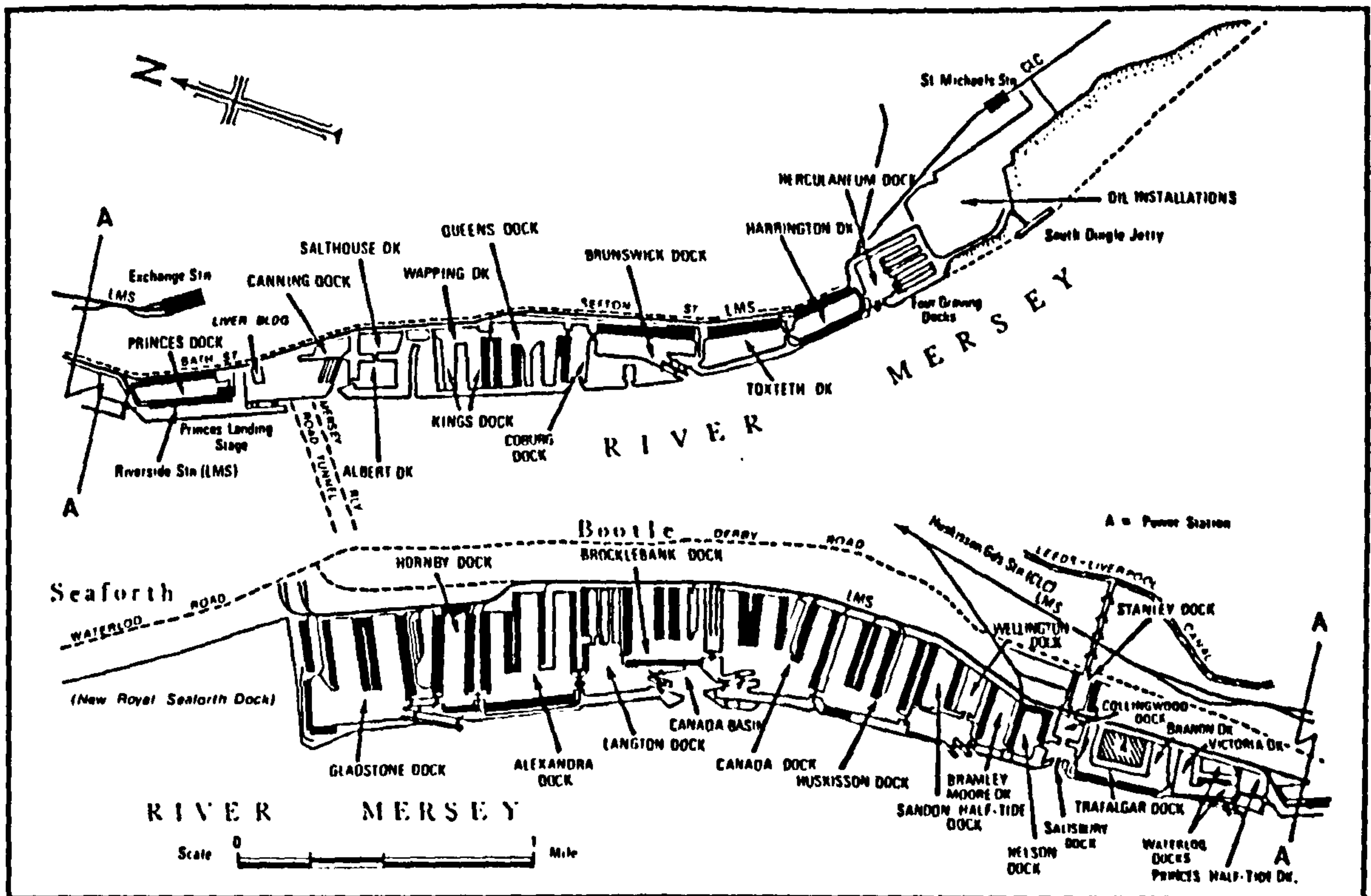
ILA ADMINISTRATIVE HIERARCHY

The basic administrative structure of the ILA ran as follows: the ILA Convention, meeting every four years, was the 'supreme council' of the organisation. When the Convention was not in session, the union executive council took major decisions, composed of twenty-three vice-presidents representing the four ILA Districts, including the Atlantic District. The ILA President was the functional head at all Conventions and at meetings of the Executive Council had the authority to hire and fire organisers. All union Locals - up to sixty-seven in New York in the early 1950s - were affiliated with port-wide District Councils. Four District Councils, composed of union Local representatives, adopted their own constitutions to deal with matters affecting their own union Locals and memberships. Through the New York District set up, each Local's negotiations in the port were coordinated with those Locals in the same waterfront section. Work gang sizes, pensions and allied questions were the business of the New York District Council, acting in this capacity like joint committees in Liverpool and London.

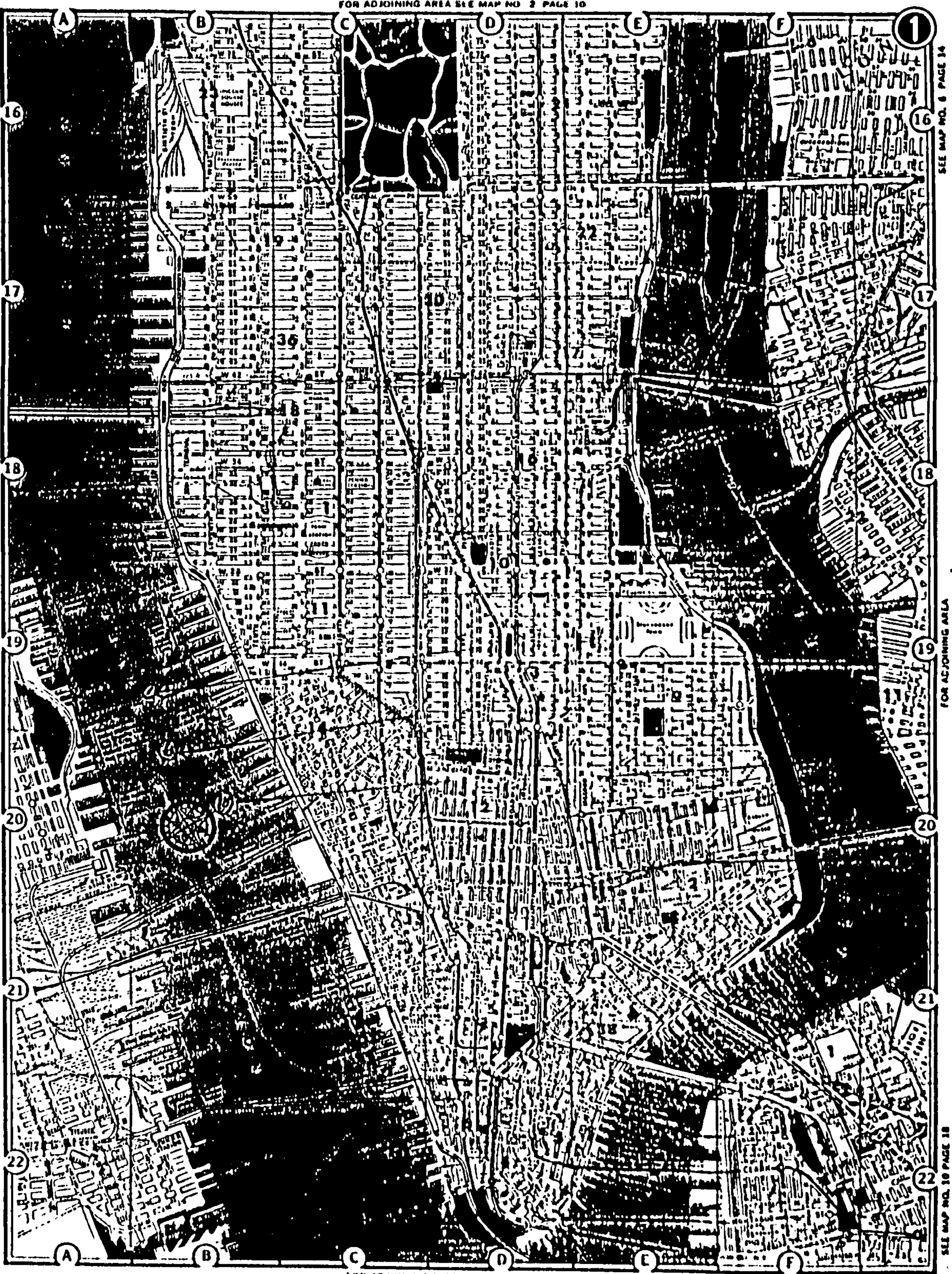
Sources:

Hoffman, M. E., *A Contemporary Analysis of a Labor Union. International Longshoremen's Association AFL-CIO-Canadian Labor Congress, Development-Structure-Functions* (Temple University, 1966); New York State Crime Commission, *Public Hearings (No. 5)*, vol. 5, pp. 3628-30; International Longshoremen's Association, *Statement of the International Longshoremen's Association, AFL, on the Report, dated January 22, 1952, of Industrial Commissioner Corsi's Board of Inquiry* (New York, 1952), pp. 7-8.

APPENDIX G LIVERPOOL AND LONDON PORTS



NEW YORK HARBOUR



APPENDIX H

INTERVIEWEES - BIOGRAPHIES

LIVERPOOL

LIVA

A South End docker from 1960 and after 1967, allocated to a permanent employer until 1989, when he left the industry.

LIVB

He was formerly a Chief Officer in Liverpool, working for the Cunard Line. He was transferred to Southampton in the early 1950s and a few years later became head of the stevedoring section of Cunard in New York port. He left Cunard in the late 1950s to part own a container service in New York port and was later a manager for the Grace Line in New York.

LIVC

This interviewee was a registered docker employed as a holdsman or ship hatch labourer in Liverpool from 1965-95, when he was sacked after a lockout.

LIVD

Worked on the Liverpool docks from 1960 as a porter, crane driver, checker, freight clerk, deck worker and stowage worker. He still works on the docks.

LIVE

Worked as a holdsman in Liverpool between 1933 and 1973, with a break between 1940-45 to serve in the army. Retired due to ill health in the early 1970s.

LIVF

An author of the British labour movement, joining the Trotskyist movement in 1938 and in 1944 joined the Revolutionary Communist Party and was later an editor. Now retired, living in Liverpool.

LIVG

Began work in Liverpool docks in 1966, as a clerk for a stevedoring firm. In 1972, transferred to the port authority in Merseyside, working mainly in the general cargo area until 1987. In 1995, he was sacked during a docks dispute. From 1991-2000, functioned as the Secretary of TGWU docks branch 6/605 in Liverpool.

LIVH

Worked in the Liverpool docks from 1964-95, at first part of the 'unofficial movement' in the port. He was elected a shop steward in 1967 when the system was instituted. Now retired.

LIVI

Worked in the Liverpool and Birkenhead docks from 1960 in various capacities, as a timekeeper, a foreman, a supervisor and a superintendent. Today he is a berth manager.

LIVJ

Started as a quay porter in 1965 in Liverpool.

LIVK

He worked as a holdsman and checker in the Port of Liverpool from 1939 on the North End docks, retiring from the docks in 1972. From 1955, he was a NASDU member in Liverpool.

LIVL

Began on the Liverpool docks in 1956. From 1972, the portorage superintendent on the north side docks in charge of eighty-four staff working for the Mersey Docks and Harbour Board. In 1983 he resigned over a dispute with shop stewards as to 'who was in charge.'

LIVM

From 1996-99, Deputy Commissioner for the Rights of Trade Union Members.

LONDON**LONA**

Worked in London, during the 1970s, as a tally-clerk, shipworker, superintendent and berth superintendent, finishing in the late 1970s as a terminal manager until it closed in about 1987. Presently works at Tilbury container base.

LONB

Started with the PLA in the 1930s, following his father. After the war, he became a Traffic Officer and later a Dock and Traffic Manager, ending up as the Chief Docks Manager. He retired in 1975.

LONC

Worked in the docks in London in 1951 to 1993.

LOND

From 1976, he worked in the shipping industry in various capacities in smaller British ports, as a stevedore and for a substantial period was involved in industrial relations issues. Now a port consultant

LONE

He worked in the London docks from 1965 through 1989. From 1965 to the amalgamation with the TGWU, he was in NASDU. This interviewee was a union activist and was sacked in 1989 during a national dock strike.

LONF

Worked as a 'ganger' and docker in London from about 1953 in the Surrey docks in London, later in the Royal Docks. Also acted as a shipworker and ship superintendent.

LONG

Came from a long docking family in London, starting work in 1948 as a registered docker. He subsequently served as a TGWU Branch officer and on various TGWU committees including the National Committee, finally becoming chairman of the Docks Group in London.

LONH

He entered the docks at Tilbury in 1965 as a registered OST clerk, then acted until the 1980s as a clerical superintendent, now working in the post of Clerical Manager in the Tilbury container depot.

LONI

He began work for the Port of London Authority in 1958, first as an office worker, then a traffic manager. Later worked in central policy development and served as a member of the London Dock Labour Board and on various joint industrial committees. He worked as a manager in the Tilbury container depot and the PLA consultancy company. Since 1990, has worked as an independent port consultant.

LONJ

From 1965, he was a NASDU member on the Royal docks, London, later working for Scruttons on the quayside and as a delegate and shop steward. Became a union delegate in 1972 until being sacked in 1989. In the early 1980s, he became a TGWU delegate, when NASDU amalgamated with it.

LONK

From 1946 to about 1960, branch secretary for one of the tally clerks' branches of the TGWU in the India and Millwall Dock, London. Retired in the mid-1970s.

LONL

A member of NASDU from 1955, and from about 1960 served as a union delegate. He was a member of NASDU's executive and in 1968 was elected union secretary. Shortly afterwards he became Blue union general secretary. After the amalgamation of the NASDU and TGWU, he became a TGWU officer and retired in 1991.

LONM

He entered the docks industry in 1948 in London and did 'all the jobs' including a stint as member of Islington Trades Council, treasurer of the London Labour Party, while serving on many port committees. He is now retired.

LONN

Entered the East India Docks, London, in 1960 working for Scruttons-Maltbys. He worked as a casual to 1966, but with the Devlin reforms became a regular worker and in 1969 was made permanent. He was sacked in 1989 during an industrial dispute.

LONO

Was an economist for the Docks Board in Britain during the late 1950s, then operated as a ports consultant and worked for the National Docks Labour Board Scheme ports in a marketing capacity.

LONP

After 1945, employed by the Shipping Federation, involved with working conditions in the London enclosed docks. He was a senior manager in Scruttons, the largest stevedoring company in the Port of London. Now retired.

LONQ

Was a rank and file London docker from 1960 until he was sacked in 1989 during the national docks strike.

LONR

Involved with the watermen's and lightermen's union until its amalgamation with the TGWU. Later he became a TGWU Regional Secretary for London and the south-east of England

LONS

He joined the PLA in 1936, after 1945 becoming a PLA Traffic Officer, director of industrial relations and Chief Docks Manager. Retired from the PLA in 1970 and later worked in Felixstowe and Bristol in senior managerial posts. He left the industry in 1984.

LONT

Started in the docks in London in 1951 as a casual hatch man. From 1951, LONT was a docker, TGWU delegate and shop steward. Was one of the London dockworkers jailed in 1972 for refusing to cooperate with a judgement of a Industrial Relations Act court. Finished dock work in 1980.

LONU

Worked in the docks in London from 1950 in the enclosed docks. About seven years later, he became a delegate for NASDU, and in the 1950s served on the union executive. Through to 1967, he served as union president 'on and off' in the (dockers' section). In 1982, when the union amalgamated with the TGWU, he was elected to various TGWU committees until taking severance in 1984.

NEW YORK CITY

NYA

Still works as a ship agent, broker, vessel manager, operating and chartering ships

NYB

He began on the Brooklyn waterfront in 1952, starting in the hold of a ship, then as a crane man. He left the Brooklyn docks, as a Local 1814 member, in 1967.

NYC

Began working on the Brooklyn Docks in 1952 as a ILA Local 1814 member and retired, with the GAI, in about 1990. During this time, he was a hold worker, a checker and a dockworker.

NYD

He started on the docks in 1954, in Local 1814, Brooklyn as a holdsman. Worked in Staten Island with ILA Local 920 from 1983-98, as its secretary-treasurer.

NYE

Worked in the merchant marine from 1963-4, running in and out of Bayonne, NJ, supplying military bases. He finished in 1969-70 working on cargo-carrying ships. Now in charge of the South Sea Seaport Museum library

NYF

Writer on American maritime union affairs and on the history of the National Maritime Union. Has also had two articles published related to Irish New York longshore workers.

NYG

He is a marine journalist who later worked for a tugboat company. The co-author of a book on New York port

NYH

Started in 1968 as a seaman and shipyard worker. From about 1970 to 1984, worked on the New York docks, mostly as a casual worker, in Brooklyn with ILA Boilermakers' Local 67.

NYI

Worked for Moore-McCormack from 1945 to 1983, ultimately making the rank of vice-president and working across the port. He is now retired, helping run the library of the Maritime College at Throggs Neck, New York

NYJ

About 1945 started on the docks, working on the South Brooklyn piers in the Bay area. From at least 1958, drove a hi-lo truck. Left the docks industry in 1972 on medical grounds.

NYK

Began working in 1945-6 on the west side piers of Manhattan as a checker and then worked in Brooklyn in the Local 1814 section. Became a Chief Clerk, working with a night gang on the docks for almost ten years. His father was a President of the ILA. Today, he represents the ILA as General Counsel.

NYL

From 1974, worked for a stevedoring company on the Brooklyn waterfront and left the firm in 1993 to join the Port Authority. He is now head of labour relations in the organisation.

NYM

His father was a founder in Italy of the Italian Socialist Party and in New York was a longshoreman and a leader of the 1907 strike. The interviewee became a lawyer and was involved in the post-1945 rank and file strikes in Brooklyn. Severed his links with the docks in about 1952.

NYN

Began his docks career in 1943, working on ships. Worked for the Grace Lines, New York, in 1956-7, on loading and supervising ships, operating a terminal and negotiating with the union. Later worked for the New York Port Authority.

NYO

A former U.S. seaman, he has knowledge of some New York longshore work.

NYP

Worked in the treasurer's department of the NYSA-ILA funds for eleven years until fired. Was a shop steward in ILA Local 1809.

NYQ

Started on the New York docks in 1959 as a Local 920 (Staten Island) hold man, then as a crane driver. He is now a Local 920 shop steward.

NYR

Presently the New York City Central Labor Council AFL-CIO Director of Public Policy and Worker Education, a post has held since 1996. Has experience of the New York labour movement for over thirty years.

NYS

Began on the New York waterfront in 1941 in Brooklyn in a hatch gang, then as a checker and later a dock boss. Still works on the docks, on Staten Island

NYT

Began about 1951 in the New York docks with Local 1814. Retired on medical grounds in about 1977. Began in a hatch as a casual worker, got into a hatch gang, then he became part of a regular gang.

NYU

A renowned writer famous for his screenplay of the motion picture film 'On the Waterfront.' Has a continued interest in the NY waterfront.

NYV

Began in 1946 with Local 306 in Hoboken, New Jersey. When it was abolished, he moved to Local 1198. Began in a hatch gang, then worked as a driver, hatch foreman, shop steward, etc. Retired in 1996 and died in the autumn of 2000.

NYW

His law firm was general council for the ILA until Tommy Gleason took it over. His father was General Counsel for the ILA in the 1950s.

NYX

Started work in 1949 in Brooklyn with Local 968, the 'Negro' local, later moving to Local 1814. Now works on Staten Island with Local 920.

NYY

Worked in New York docks from 1954 in most sections of the port. Now works in New Jersey, living there during the week. Was, and is, a checker but if there was no checker's work going, he would shape up.

ACKNOWLEDGEMENTS

This work could never have been completed without the help of many people in this country and in the United States. All of them gave generously of their time and expertise. In no particular order, they are:

United Kingdom

William Kenefick, Fred Lindop, Roy Mankelow, Jim Phillips, Keith Sinclair and Peter Turnbull, for their unstinting advice; also archivists Bob Aspinall and Irene Dykes, the former who provided me with full access to the collections in the Museum of Docklands, and Irene for letting me see TGWU Biennial Delegate Conference reports. Richard Temple at Warwick University's Modern Records Centre was always happy to search for obscure records on request. Tower Hamlets Public Library chief librarian Christopher Lloyd was an enthusiastic supplier of east London materials. Finally, my gratitude goes to John Green and Gareth Hatton for helping with software and the technicalities of transferring data between computers.

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Extended appreciation is given to my University supervisors, Sam Davies, Peter Gill and David McEvoy, who corrected my countless mistakes of grammar and structure and showed immense patience throughout. Interlibrary Loans staff at the Liverpool John Moores University was unfailing in their efforts to supply the overseas materials that this work depended upon.

My thanks, finally, go to all those who gave of their time to be interviewed.

SOURCES - ABBREVIATIONS

ARCHIVES AND LIBRARIES

CA – Cunard Archives
LRO – Liverpool Records Office
MID – Museum in Docklands
MMM – Merseyside Maritime Museum and Archives
MOL – Museum of London
MRC – Modern Records Center
NYMA – New York Municipal Archives
NYPL – New York Public Library (Manuscripts and Archives Division)
PRO – Public Records Office
WA – Wagner Archives
XIIR – Xavier Institute of Industrial Relations

WATERFRONT ORGANISATIONS

AFL – American Federation of Labor
ALU – American Longshoremen's Union
BPA – British Ports Association
CIO – Congress of Industrial Organizations
DWRGLU – Dock, Wharf, River and General Labourers' Union
IBL – International Brotherhood of Longshoremen
ILA – International Longshoremen's Association
ILWU – International Longshoremen's and Warehousemen's Union
LEDEA – London Enclosed Docks Employers' Association
LPEA – London Port Employers' Association
LUPA – Longshoremen's Union Protective Association
LWA – London Wharfingers Association
MDHB – Mersey Docks and Harbour Board
NAC – National Adjustment Commission
NAPE – National Association of Port Employers
NASD – National Amalgamated Stevedores' and Dockworkers' Union
NDLB – National Dock Labour Board
NJCDL – National Joint Council for Dock Labour
NTWF – National Transport Workers' Federation
NUDL – National Union of Dock Labourers
NYSA – New York Shipping Association
NYT – New York Times
PEA – Port Employers' Association (London)
PEA – Employers' Association of the Port of Liverpool
PLA – Port of London Authority
PLEC – Port Labour Executive Committee (London)
TGWU – Transport and General Workers' Union
TUC – Trades Union Congress

SOURCES

ARCHIVES and LIBRARIES

ENGLAND

British Library, London
British Library of Political and Economic Science, London
British Library Newspaper Library, London
Cunard Project, Liverpool University
Kingston-upon-Hull Central Library, Local Studies Library
Liverpool Record Office and Local Studies, Central Library, Liverpool
Manchester Central Library, Social Sciences Library
Merseyside Maritime Museum, Liverpool
Modern Records Centre, Warwick University
Museum in Docklands Project, London
Museum of Labour History, Manchester
Public Records Office, Kew, London
Transport and General Workers' Union Library, London
Tower Hamlets Local History Library, London
University of North London Learning Centre

NEW YORK CITY

Brooklyn Public Library
Columbia University, Butler Library
Fordham University, Xavier Institute of Industrial Relations
Hoboken Public Library
Jersey City Public Library
National Archives and Records Administration (New York branch)
New York Historical Society
New York Municipal Archives
New York Public Library
New York University, Tamiment Institute Library and Wagner Labor Archives
New York Waterfront Commission
South Street Seaport Museum Library

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MERSEYSIDE MARITIME MUSEUM

Employers' Association of the Port of Liverpool

Mersey Docks and Harbour Board/National Docks Labour Board

MODERN RECORDS CENTER, WARWICK UNIVERSITY
MSS. 126/uncatalogued
MSS. 126 (Transport and General Workers' Union)
MSS. 159 (Trades Union Congress)
MSS. 234 (Road Haulage Association)
MSS. 292 (Trades Union Congress)
MSS. 360 (National Amalgamated Stevedores and Dockers; National Joint Council for the Port Transport Industry)
MSS. 367 (Shipping Federation; National Maritime Board; UK Chamber of Shipping London Deep Sea Tramp Shipowners' Association)
MSS. 371 (audio tapes)

MUSEUM IN DOCKLANDS (LONDON)
British Ports Association
London Enclosed Docks Employers Association
London Port Employers Association
London Wharfingers Association
Port Employers Association
Port Labour Executive Committee
Port of London Authority Annual Reports
Port of London Authority Minutes of Proceedings
Uncatalogued records:-
London Chamber of Commerce reports
Port of London Joint Committee minutes
Port Employers in London minutes
National Council of Port Labour Employers reports
Ocean Shipowners Group Joint Committee minutes

MUSEUM of LONDON
Audio tapes - DK

PUBLIC RECORDS OFFICE (LONDON)			
BK 1	LAB 2	LAB 76	MT 63
BK 2	LAB 8	MT 10	ZLIB 2
BK32	LAB 10	MT 48	

NEW YORK

BROOKLYN PUBLIC LIBRARY, BROOKLYN COLLECTION
‘Vincent J. Longhi’ file
‘Waterfront’ file

COLUMBIA UNIVERSITY, BUTLER LIBRARY
Frank Hogan papers

FORDHAM UNIVERSITY, XAVIER INSTITUTE OF INDUSTRIAL RELATIONS	
Box 2	Box 11
Box 10	Box 25

HOBOKEN PUBLIC LIBRARY

'Waterfront' folder

JERSEY CITY PUBLIC LIBRARY

'Waterfront' folder

NEW YORK MUNICIPAL ARCHIVES

Brooklyn District Attorney, Murder Inc Collection, Box 8

LaGuardia Papers Subject Files

James J. Walker Subject File

Office of the Mayor (LaGuardia) Civilian

Mayor Hylan Papers

NEW YORK PUBLIC LIBRARY, MANUSCRIPTS DIVISION

Vito Mancantonio papers

**NEW YORK UNIVERSITY, TAMIMENT INSTITUTE LIBRARY AND
WAGNER LABOR ARCHIVES**

ILA Collection (boxes)

Marine Workers Historical Collection, National Maritime Union

Daniel Bell Papers

**International Longshoremen's Association Proceedings of Conventions (on
microfilm)**

"New Yorkers at Work" (audio tapes)

NEW YORK WATERFRONT COMMISSION

Annual Reports

Published reports of the New York State Crime Commission on waterfront crime

**New York State Crime Commission, Sanderson and Porter, *Study of the Port of
New York* (New York 1953)**

BIBLIOGRAPHY

ARTICLES

'A Day in the Docks', 1879, *Scribner's Magazine*, vol. 18, pp. 32-47

Adams, T., 1990, 'Labour and the First World War', *The Journal of Regional and Local Studies*, vol. 10 no. 1, summer, pp. 23-47

Alderman, G., 1976, 'The National Free Labour Association', *International Review of Social History*, vol. XXI, pp. 309-336

Austin, A., 1951, 'The Revolt Against Joe Ryan', *The Nation*, 1 December, pp. 473-4.

Barton, H. and Turnbull, P., 2002, 'Labour Regulation and Competitive Performance in the Port Transport Industry' *European Journal of Industrial Relations*, vol. 8 no. 2, pp. 133-156

Bean, R., 1972, 'A Note on the Knights of Labor in Liverpool, 1889-90,' *Labour History*, vol. 13 no. 1, winter, pp. 68-78

Bean, R., 1976, 'Employers' Associations in the Port of Liverpool 1890-1914,' *International Review of Social History*, vol. XXI, pp. 358-382

Bean, R., 1982, 'Custom, Job Regulation and Dock Labour in Liverpool, 1911-39,' *International Review of Social History*, vol. XXVII part 3, pp. 271-89

Bean, R., 1983, 'The Port of Liverpool Employers and Industrial Relations' in Anderson, B. L. and Stoney, P. J. M. (eds.) *Commerce, Industry and Transport*, Liverpool University Press, pp. 95-120.

Bell, D., 1951, 'Last of the Business Rackets', *Fortune*, June, pp. 89-91+.

Block, A., 1982, 'On the Waterfront Revisited,' *Contemporary Crises*, vol. 6, pp. 373-96

Bown, A. H. J., 1953, 'Port and Shipping Turn-Round', *The Dock and Harbour Authority*, January, pp. 264-6+

Brinton, W. C., 1914, 'Contrasts of New York and Foreign Harbors,' *Review of Reviews*, vol. 49, May, pp. 577-86

Brinton, W. C., 1915, 'New York Harbor and the Nation's Foreign Trade', *World's Work*, vol. 31, December, pp. 203-20

Broeze, F., 1991, 'Militancy and Pragmatism: An International Perspective on Maritime Labour, 1870-1914', *International Review of Social History*, vol. XXXVI, pp. 165-200

Broodbank, J. G., 1926, 'The Appropriate Type of Authority', *Public Administration*, vol. 4, pp. 309-17

Brooks, R. C., 1909a, 'Attempted Apologies for Political Corruption', *International Journal of Ethics*, vol. 19, April, pp. 297-320

Brooks, R.C., 1909b, 'The Nature of Political Corruption', *Political Science Quarterly*, Vol. XXIV no. 1, pp. 1-22.

Cave, F. H. et al, 1955, 'Shipping in Port', *Journal of the Institute of Transport*, July, pp. 151-8

Clarke, M. J., 1978, 'White Collar Crime, Occupational Crime, and Legitimacy', *International Journal of Criminology and Penology*, vol. 6, May, pp. 121-36

Clarke, M., 1980, 'Syndicated Crime in Britain', *Contemporary Crises*, vol. 4, pp. 403-20

Commons, J. R., 1906, 'Types of Labor Unions: The Great Lakes', *The Quarterly Journal of Economics*, vol. 20, pp. 59-85

Connolly, J. B., 1903, 'New York Harbor', *Harper's Magazine*, vol. 3, July, pp. 228-36

Cook, A. H. and Gray, L. S., 1966, 'Labor Relations in New York City', *Industrial Relations*, vol. 5 no. 3, pp. 86-104

Cooke Johnson, L., 2000, 'Criminality on the Docks' in Davies, S et al (eds.), *Dock Workers: International Explorations in Comparative Labour History, 1790-1970*, Aldershot: Ashgate Publishing, pp. 721-745

Cresson, B. F., 1921, 'The New York Port Problem', *The Dock and Harbour Authority*, March, pp. 153-6

Cunningham, B., 1948, 'British and American Port Administration Systems Compared', *The PLA Monthly*, July, pp. 111-12+

Davies, S. 2000, 'Employers and Dock Labour: Employment, Work and Industrial Relations in International Perspective' in Davies, S et al. *Dock Workers*, Aldershot: Ashgate, pp. 604-626.

Davis, C. J., 2000a, "'Launch Out into the Deep and Let Down Your Nets': Father John Corridan, S.J., and New York Longshoremen in the Post-World War 11 Era", *Catholic Historical Review*, vol. 86, January, pp. 66-84.

Davis, C. J., 2000b, 'New York City and London Dockworkers: A Comparative Perspective of Rank-and-File Movements in the Post-Second World War Era', *Labour History Review*, vol. 65, no. 3, pp. 295-316.

Davis, C.J., 2000c, 'Working with the Hook: A Comparative Study of London and New York Dockworkers, 1945-1955', *The London Journal*, vol. 25 pt. 2, pp. 79-95.

Davis, C.J., 2000d, 'New York City and London, 1945-1960', in Davies, S et al (eds.), *Dock Workers: International Explorations in Comparative Labour History, 1790-1970*, Aldershot: Ashgate Publishing, pp. 213-230.

Davis, C.J., 2000e, 'Formation and Reproduction of Dockers as an Occupational Group,' in Davies, S et al (eds.), *Dock Workers: International Explorations in Comparative Labour History, 1790-1970*, Aldershot: Ashgate Publishing, pp 542-559.

'Discipline on the Docks', 1950, *The Economist*, 20 May, pp.1108-9

Doyle, J., 1996, 'Striking for Ireland on the New York Docks', in Bayor, R.H. and Meagher, T. J. (eds.), *The New York Irish*, Baltimore: The John Hopkins University Press, pp. 357-373.

Drury, H. B., 1921, 'The Labor Policy of the Shipping Board', *Journal of Political Economy*, vol. XXIX no 1, pp. 1-28

D'Sena, P., 1989, 'Perquisites and Casual Labour on the London Wharfside in the Eighteenth Century', *London Journal*, vol. 14 no. 2, pp. 139-47

Farberman, H. A., 1975, 'A Criminogenic Market Structure: The Automobile Industry', *The Sociological Quarterly*, vol. 16, pp. 438-57

Fennell, P. and Thomas, P. A., 1983, 'Corruption in England and Wales: An Historical Analysis', *International Journal of the Sociology of Law*, vol. 11, pp. 167-89

Fisher, J. T., 1998, 'John M. Corridan, S.J., and the Battle for the Soul of the Waterfront, 1948-1954', *U.S. Catholic Historian*, vol. 16 no. 4, pp. 71-87

Fisher, J. T., 1999, 'The Priest in the Movie: *On the Waterfront* as Historical Theology' in Macy, G. (ed.) *Theology and the New Histories*, (annual publication of the College Theology Society, vol. 44) pp. 167-85.

Fortune, 1937, 'On the Beach', vol. 15 (February) pp. 72-81+

Freeman, I. H., 1951, 'New York's Port: Rule by Rackets', *New York Times*, 9 December.

Gordon, L., 1937, 'The Port of London Authority', in Robson, W. A. (ed.), *Public Enterprise*, London: George Allen and Unwin, pp. 21-57.

Green, A., 1992, 'Spelling, Go-Slows, Gilding Away and Theft: Informal Control Over Work on the New Zealand Waterfront 1915-1951', *Journal of Industrial Relations*, pt. 63, pp. 100-114

- Groom, P., 1965, 'Hiring Practices for Longshoremen', *Monthly Labor Review*, vol. 88, pp. 1289-96
- Hey, K. R., 1983, 'Ambivalence as a Theme in "On the Waterfront" (1954): An Interdisciplinary Approach to Film Study' in Rollins, P. C. (ed.), *Hollywood as Historian*, Lexington: Kentucky University Press, pp. 159-189
- Hutchinson, J., 1969, 'The Anatomy of Corruption in Trade Unions', *Industrial Relations*, February, pp. 135-50.
- Jacobs, J. B. and Tacher, T. D. 11, 1989, 'Attacking Corruption in Union-Management Relations: A Symposium', *Industrial and Labor Relations Review*, vol. 42 no. 4, pp. 501-7
- Jenkins, P. and Potter, G.W., 1986, 'Organized Crime in London: A Comparative Perspective', *Corruption and Reform*, vol. 1, pp. 165-87
- Jenkins, P. and Potter, G. W., 1988, 'Before the Krays: Organized Crime in London, 1920-1960', *Criminal Justice History*, pp. 209-30
- Jensen, V. H., 1957, 'Dispute Settlement in the New York Longshore Industry', *Industrial and Labor Relations Review*, vol. 10, pp. 588-608
- Jensen, V. H., 1958, 'Hiring Practices and Employment Experience of Longshoremen in the Port of New York', *International Labor Review*, vol. LXXVII no. 4, pp. 342-69
- Johnson, L.C., 2000, 'Criminality on the Docks'. in Davies, S., *Dock Workers*, Aldershot: Ashgate, pp. 721-745.
- Kimeldorf, H., 1985, 'Working Class Culture, Occupational Recruitment, and Union Politics', *Social Forces*, vol. 64 no. 2, pp. 359-76
- Leshner, R. A., 1926, 'The Problem of the Port of New York', *The Dock and Harbour Authority*, February, pp. 99-103, and March, pp. 136-8
- Levy, P. B., 1989, 'The Waterfront Commission of the Port of New York: A History and Appraisal', *Industrial and Labor Relations Review*, vol. 42 no. 4, pp. 508-23
- Lindop, F., 1983, 'Unofficial Militancy in the Royal Group of Docks 1945-67', *Oral History*, vol. 11 no. 2, pp. 21-33
- Lindop, F., 1998, 'The Dockers and the 1971 Industrial Relations Act', *Historical Studies in Industrial Relations*, nos. 5 and 6.
- 'The London Irish', 1901, *Blackwell's Edinburgh Magazine*, vol. CLXX, no. MXXIX, July, p. 124-34

'Longshore Labor Conditions and Port Decasualization in the United States', 1933, *Monthly Labor Review*, vol. 37 no. 6 (December) pp. 1299-1306

'Longshore Labor Conditions in the United States - Part 1', 1930, *Monthly Labor Review*, vol. 31 no. 4 (October) pp. 1-20

'Longshore Labor Conditions in the United States - Part 11', 1930, *Monthly Labor Review*, Vol. 31 (November) pp. 11-25

Lonschein, A. J., 1991, 'On the Waterfront', *Portfolio*, (New York), vol. 4 no. 2, pp. 1-10

Lovell, J., 1977, 'The Irish and the London Dockers', *Bulletin for the Society for the Study of Labour History*, vol. 35, pp. 16-7

Lovell, J., 1987, 'Sail, Steam and Emergent Dockers' Unionism in Britain, 1850-1914', *International Review of Social History*, vol. XXX11, pp. 230-49

Mackie, T. and Marsh, D., 1995, 'The Comparative Method' in D. Marsh and G. Stoker (eds.) *Theory and Method in Political Science*, Basingstoke: Macmillan Press, pp. 173-187.

Matthews, D., 1991, '1889 and All That', *International Review of Social History*, vol. XXXVI, pp. 25-58

McElroy, F. S. and McCormack, G. R., 1944, 'Injuries and Accident Causes in the Longshore Industry' *Monthly Labor Review*, vol. 58 no. 1 (January) pp. 1-7

McIlroy, J., 1998, 'Financial Malpractice in British Trade Unions, 1800-1930: The Background to, and Consequences of, Hornby v. Close', *Historical Studies in Industrial Relations*, no. 6, pp. 1-64

Meyers, H. B., 1968, '"Wrangdoodle" Time on the Docks', *Fortune*, 1 September, pp. 85-6+

Miller, R., 1969, 'The Dockworker Subculture and Some Problems in Cross-Cultural and Cross-Time Generalisations', *Comparative Studies in Society and History*, vol. 11, pp. 302+

Morris, R., 1988, 'The Incurable Waterfront and Its Decline: Inquiries and Royal Commissions into Ex-Officio Payments and Illegal Activities, 1958-1984', *Labour History*, no. 55, pp. 71-81

Needleman, M. L. and C., 1979, 'Organizational Crime: Two Models of Criminogenesis', *The Sociological Quarterly*, vol. 20, pp. 517-28

- Neve, B., 1981, 'The 1950s: The Case of Elia Kazan and "In the Waterfront"' in Davies, P. and Neve, B (eds.) *Cinema, Politics and Society in America*, Manchester University Press, pp. 97-118
- Nossiter, B.D., 1955, 'Waterfront War: Round Two in New York', *The Nation*, 8 October, pp. 298-302.
- Pelling, H., 1956, 'The Knights of Labor in Britain, 1880-1901', *Economic History Review*, vol. IX, pp.313-31
- Phillips, J., 1995, 'The Postwar Political Consensus and Industrial Unrest in the Docks, 1945-55', *Twentieth Century British History*, vol. 6 no. 3, pp. 302-19
- Phillips, J., 1996, 'Inter-Union Conflict in the Docks, 1954-1955', *Historical Studies in Industrial Relations*, vol. 1 no. 1
- Pinto-Duschinsky, M., 1977, 'Corruption in Britain', *Political Studies*, vol. XXV, no. 22, pp. 274-84
- Poole, E., 1908, 'The Ship Must Sail on Time', *Everybody's Magazine* (New York), vol. XIX, pp. 176-86
- 'Report of Board of Inquiry on Longshore Industry Work Stoppage, October-November 1951 Port of New York', 1952, *Industrial and Labor Relations Review*, vol. 5 pt. 3 (April) pp. 426-38
- 'Restrictive Practices in the Dock Industry', 1952, *The Dock and Harbour Authority*, vol. xxxii, no. 378, pp. 393-4
- Reuter, P., 1985, 'Racketeers as Cartel Organizers' in Alexander, H. E. and Caiden, G. E. (eds.), *Politics and Economics of Organized Crime*, Lexington, Mass.: Lexington Books, pp. 49-65.
- Rosenblatt, M., 1945, 'Joe Ryan and His Kingdom', *The Nation*, vol. 161 no. 21 (24 November), pp. 548-50.
- Ross, P., 1968, 'Distribution of Power Within the ILWU and the ILA', *Monthly Labor Review*, vol. 91, pp. 1-7
- Salerno, T. J. and Salerno, T. N., 1981, 'United States v. Scotto: Progression of a Waterfront Corruption Prosecution from Investigation Through Appeal', *The Notre Dame Lawyer*, vol. 57 no. 2, pp. 364-88
- Saposs, D. J., 1958, 'Labor Racketeering: Evolution and Solution', *Social Research*, autumn, pp. 253-70

Sasuly, R., 1956, 'Why They Stick to the ILA', *Monthly Review*, (New York) vol. 7, pp. 366-71

Schneer, J., 1980, 'Ben Tillet's Conversion to Independent Labour Politics', *Radical History Review*, vol. 24, pp. 42-65

Schulberg, B., 1963, 'The Waterfront Revisited', *Saturday Evening Post*, 1 September, p. 28-32+

Short, A., 1934, 'Labour in the Port of London', *The PLA Monthly*, April, pp. 177-8

Smith, D. C., 1978, 'Organized Crime and Entrepreneurship', *International Journal of Criminology and Penology*, vol. 6, pp. 161-77

Smith, D. C., 1980, 'Paragons, Pariahs, and Pirates: A Spectrum-Based Theory of Enterprise', *Crime and Delinquency*, vol. 26, pp. 358-86

Smith, D. C., 1982a, 'Ideology and the Ethics of Economic Crime Control', in Elliston, F. and Bowie, N. (eds.), *Ethics, Public Policy, and Criminal Justice*, Cambridge, MA: Delgeschlager, Gunn and Hain, pp. 133-155

Smith, D. C., 1982b, 'White-Collar Crime, Organized Crime, and the Business Establishment: Resolving a Crisis in Criminological Theory', in Wickman, P. and Dailey, T. (eds.), *White-Collar and Economic Crime*, Lexington, MA: Lexington Books, pp. 23-38.

Smith, D.C., 1991, 'Wickersham to Sutherland to Katzenbach: Evolving an "official" definition for organized crime,' *Crime, Law and Social Change*, vol. 16, pp. 135-154.

Squires, B. M., 1919a, 'The New York Harbor Strike', *Monthly Labor Review*, vol. 8 no. 2, pp. 24-27.

Squires, B. M., 1919b, 'The Strike of the Longshoremen at the Port of New York', *Monthly Labor Review*, vol. 9 no. 6, pp. 95-115

Squires, B. M., 1921, 'The National Adjustment Commission', *Journal of Political Economy*, vol. 29, pp. 543-70

Stedman Jones, G., 1973-4, 'Working-Class Culture and Working-Class Politics in London, 1870-1900', *Journal of Social History*, vol. 7, pp. 460-99

Szasz, A., 1986, 'Corporations, Organized Crime and the Disposal of Hazardous Waste: An Examination of the Making of a Criminogenic Regulatory Structure' *Criminology*, vol. 24 no. 1, pp. 1-27

Taft, P., 1958, 'Internal Affairs of Unions and the Taft-Hartley Act', *Industrial and Labor Relations Review*, vol. 11 no. 3, pp. 352-9

Taft, P., 1963, 'On the Origins of Business Unionism', *Industrial and Labor Relations Review*, vol. 17, pp. 20-31

Taplin, E., 2000, 'The History of Dock Labour: Liverpool, c. 1850-1914,' in Davies, S. et al (eds.), *Dock Workers: International Explorations in Comparative Labour History, 1790-1970*, Aldershot: Ashgate Publishing, pp. 442-469.

'The Hobbs Bill to Outlaw Labor Racketeering', 1943, *Congressional Digest*, vol. 22, (June-July), pp. 163-192.

Tobin, A. J., 1951, 'Port Facilities at New York: A Comparison Between British and American Methods', *The Dock and Harbour Authority*, vol. 31 no. 364, pp. 311-4

Turnbull, P. and Sapsford, P., 1992, 'A Sea of Discontent: The Tides of Organised and 'Unorganised' Conflict on the Docks' *Sociology*, vol. 26 no. 2, pp. 291-309

Turnbull, P. and Sapsford, P., 2001, 'Hitting the Bricks: An International Comparative Study of Conflict on the Waterfront' *Industrial Relations*, vol. 40 no. 2, pp. 231-257

Turnbull, P. Morris, J. and Sapsford, D., 1996, 'Persistent Militants and Quiescent Comrades: Intra-Industry Strike Activity on the Docks, 1947-89', *The Sociological Review*, vol. 44 no. 4, pp. 692-727

Tyler, G., 1953, 'The Waterfront: Loot, Blood and Politics', *New Republic*, 5 January, pp. 6-7

Velie, L., 1952, 'A Waterfront Priest Battles the Big Port's Big Boss', *Collier's*, vol. 129 (16 February), pp. 18-19+

Vorse, M.H., 1952, 'The Pirates' Nest of New York', *Harper's Magazine*, vol. 204, April, pp. 27-37.

Waters, R.C., 1993, 'Leadership and Its Consequences: Technical Change in the Longshore Industry' *Industrial Relations*, vol. 32 no. 2, pp. 262-71

Weiler, P., 1982, 'British Labour and the Cold War: The London Dock Strike of 1949,' in Cronin, J. E. and Schneer, J. (eds.), *Social Conflict and the Political Order in Modern Britain*, London: Croom Helm, pp. 146-178

Welling, K.M., 1980, 'On the Waterfront: from Maine to Texas, a Crescent of Corruption', *Barron's*, vol. 60 (21 January), pp. 4-8+.

Whiteside, N., 1979, 'Welfare Insurance and Casual Labour: A Study of Administrative Intervention in Industrial Employment, 1906-26', *The Economic History Review*, vol. 32, pp. 507-22

Whiteside, N., 1985, 'Public Policy and Port Labour Reform: The Dock Decasualisation Issue, 1910-50', in Tolliday, S. and Zeitlin, J. (eds.), *Shop Floor Bargaining and the State*, Cambridge University Press, pp. 75-104.

Winslow, C., 1993, 'On the Waterfront: Black, Italian, and Irish Longshoremen in the New York Harbor Strike of 1919', in Rule, J. and Malcolmson, R. (eds.), *Protest and Survival: Essays for E. P. Thompson*, London: Merlin Press, pp. 355-393

Winslow, C., 1998, '"Men of the Lumber Camps Come to Town": New York Longshoremen in the Strike of 1907,' in Winslow, C. (ed.), *Waterfront Workers: New Perspectives on Race and Class*, Chicago: University of Illinois Press, pp. 62-154.

BOOKS

Abadinsky, H., 1990, *Organized Crime* (3rd ed.), Chicago: Nelson-Hall.

Adams, G., 1973, *Organisation of the British Port Transport Industry*, London: National Ports Council.

Allen, V. L., 1957, *Trade Union Leadership*, London: Longmans, Green and Co.

Anderson, J., 1980, *Anchor and Hope*, London: Hodder and Stoughton.

Archer, D. and Gartner, R., 1984, *Violence and Crime in Cross-National Perspectives*, New Haven: Yale University Press.

Asbury, H., 1989, *The Gangs of New York*, New York: Old Town Books (1st eds. 1927 and 1929).

Ayers, P., (n.d.), *The Liverpool Docklands*, University of Liverpool

Bard, E. W., 1942, *The Port of New York Authority*, London: P. S. King and Staples.

Barnes, C. B., 1977, *The Longshoremen*, New York: Arno Press (facsimile of 1915 ed.).

Bell, D., 1965, *The End of Ideology*, New York: The Free Press.

Block, A., 1980, *East Side West Side*, Cardiff: University Cardiff Press.

Block, A. and Chambliss, W., 1981, *Organizing Crime*, New York: Elsevier North Holland.

- Bloomberg, J., 1979, *Looking Back: A Docker's Life*, London: Stepney Books.
- Bone, K. (ed.), 1997, *The New York Waterfront: Evolution and Building Culture of the Port and Harbor*, New York: The Monacelli Press.
- Booth, C., 1969, *Life and Labour of the People in London*, 1st series, volumes 3 and 4. New York: Augustus M. Kelley (1st ed. in 1889 and 1891).
- Branson, N., 1979, *Poplarism 1919-25: George Lansbury and the Councillors' Revolt*, London: Lawrence and Wishart.
- Breuilly, J., 1992, *Labour and Liberalism in Nineteenth Century Europe: Essays in Comparative History*, Manchester University Press.
- Briggs, A. and Saville, J. (eds), 1967, *Essays in Labour History*, London: Macmillan.
- Broodbank, J. G., 1921, *History of the Port of London*, vol. 2. London: Daniel O'Connor.
- Brown, R., 1972, *Waterfront Organisation in Hull 1870-1900*, Hull: University of Hull.
- Brown, R. D., 1978, *The Port of London*, Levenham: Terence Dalton.
- Bryant, A., 1960, *Liquid History*, London
- Bullock, A., 1960, *The Life and Times of Ernest Bevin: Volume One, Trade Union Leader 1881-1940*, London: Heinemann.
- Bullock, A., 1967, *The Life and Times of Ernest Bevin: Volume Two, Minister of Labour 1940-1945*, London: Heinemann.
- Bulmer, M., 1982, *The Uses of Social Research*, London: George Allen and Unwin
- Bulmer, M (ed.), 1987, *Social Science Research and Government*, Cambridge University Press
- Bunker, J. G., 1979, *Harbor and Haven: An Illustrated History of the Port of New York*, Woodland Hills, CA: Windsor Publications.
- Buttenwieser, A. L., 1987, *Manhattan Water-Bound: Planning and Development from the Seventeenth Century to the Present*, New York: New York University Press.
- Campbell, R., 1977, *The Luciano Project*, New York: McGraw-Hill.
- Capper, C., 1862, *The Port and Trade of London*, London: Smith, Elder and Co.

- Carpenter, J. T., 1950, *Employers' Associations and Collective Bargaining in New York City*, Ithaca: Cornell University Press.
- Charity Organisation Society, 1908, Special Committee on Unskilled Labour, *Report and Minutes of Evidence*, London: June.
- Clarke, E. T., 1902, *Bermondsey: Its Historic Memories and Associations*, London: Elliot Stock.
- Clegg, H. A., Fox, A. and Thompson, A.F., 1964, *A History of British Trade Unions Since 1889*, vol. 1. Oxford: Clarendon Press.
- Clifton, G. C., 1992, *Professionalism, Patronage and Public Service in Victorian London*, London: The Athlone Press.
- Coates, K. and Topham, T., 1994, *Making of the Labour Movement: The Formation of the Transport and General Workers' Union, 1870-1922*, Nottingham: Spokesman Books.
- Collins, F. A., 1924, *Our Harbors and Inland Waterways*, New York: The Century Co.
- Commons, J. et al, 1926, *History of Labor in the United States*, New York: Macmillan.
- Condit, C. W., 1981, *The Port of New York*, Chicago: University of Chicago Press.
- Croall, H., 1992, *White Collar Crime: Criminal Justice and Criminology*, Buckingham: Open University Press.
- Cunningham, B., 1925, *Port Administration and Operation*, London: Chapman and Hall.
- Cunningham, B., 1926, *Port Economics*, London: Pitman.
- Cunningham, B., 1928, *Port Studies*, London: Chapman and Hall.
- Dash, J., 1987, *Good Morning Brothers*, London Borough of Tower Hamlets
- Davies, P., Francis, P., Jupp, V., 1999, *Invisible Crimes: Their Victims and their Regulation*, Basingstoke: Macmillan Press.
- Davies, S., 1996, *Liverpool Labour*, Keele: Keele University Press.
- Davies, S. et al, 2000, *Dock Workers: International Explorations in Comparative Labour History, 1790-1970*, Aldershot: Ashgate Publishing.
- Davis, J.H., 1993, *Mafia Dynasty: The Rise and Fall of the Gambino Crime Family*, New York: HarperCollins.

- Devonport, Viscount, ca. 1935, *The Travelled Road: Some Memories of a Busy Life*, privately published.
- DiFazio, W., 1985, *Longshoremen, Community and Resistance on the Brooklyn Waterfront*, South Hadley, MA: Bergin and Garvey.
- Duffy, F. J. and Miller, W. H., 1986, *The New York Harbor Book*, Falmouth, Maine: TBW Books.
- Edelhertz, H. and Overcast, T. D., 1993, *The Business of Organized Crime*, Loomis, CA: The Palmer Press.
- Edelstein, D. and Warner, M., 1979, *Comparative Union Democracy*, New Brunswick, NJ: Transaction Books.
- Elmers, C. and Warner, A., 1991, *Dockland Life*, London: Mainstream.
- Evans, H., 1961, *Governmental Regulation of Industrial Relations: A Comparative Study of United States and British Experience*, Ithaca, NY: Cornell University State School of Industrial and Labor Relations, April.
- Evans, N., McKay, D., Garratt, M., Sutcliffe, P., 1993, *The Abolition of the Dock Labour Scheme*, London: Department of Employment, Research Series No. 14.
- Fenton, E., 1975, *Immigrants and Unions, a Case Study*, New York: Arno Press.
- Fijnaut, C. and Jacobs, J. (eds.), 1991, *Organized Crime and Its Containment: A Transatlantic Initiative*, Klewer Law and Taxation Publishers
- Frankel, E. G. and Marcus, H. S., 1973, *Ocean Transportation*, Cambridge, Mass: MIT Press.
- Fraser, F., 1994, *Mad Frankie: Memoirs of a Life of Crime*, London: Little, Brown and Co.
- Fyrth, J. (ed.), 1993, *Labour's High Noon: The Government and the Economy, 1945-51*, London: Lawrence and Wishart.
- Galenson, W., 1960, *The CIO Challenge to the AFL: A History of the American Labor Movement 1935-41*, Cambridge, Mass.: Harvard University Press.
- Ginger, A.F. and Christiano, D.(eds.), 1987, *The Cold War Against Labor, Volume One*, Berkeley, CA.: Meiklejohn Civil Liberties Institute.
- Goldstein, J., 1952, *The Government of British Trade Unions*, London: George Allen and Unwin.

Gompers, S., 1925, *Seventy Years of Life and Labour*, London: Hurst and Blackett.

Gordon, L., 1938, *The Public Corporation in Great Britain*, London: Oxford University Press.

Goss, S., 1988, *Local Labour and Local Government*, Edinburgh: Edinburgh University Press.

Goulden, J. C., 1972, *Meany: The Unchallenged Strong Man of American Labor*, New York: Atheneum.

Griffith, J. I., 1959, *The Port of New York*, New York: Arco Publishing.

Hanham, F. G., 1930, *Report of Enquiry into Casual Labour in the Merseyside Area*, Liverpool: Henry Young and Son.

Heidenheimer, A. J., 1970, *Political Corruption: Readings in Comparative Analysis*, New York: Holt, Rinehart and Winston.

Hill, S., 1976, *The Dockers: Class and Tradition in London*, London: Heinemann.

Hobsbawm, E. J., 1968, *Labouring Men: Studies in the History of Labour*, London: Weidenfeld and Nicholson (1st ed. in 1964).

Hodson, G., 2000, *The Gentleman from New York*, New York: Houghton Mifflin.

Hovey, J., 1990, *A Tale of Two Ports: London and Southampton*, London: The Industrial Society.

Hunter, B., 1994, *They Knew Why They Fought*, London: Index Books.

Hunter, B., 1997, *Lifelong Apprenticeship: The Life and Times of a Revolutionary Volume 1: 1920-1958*, London: Index Books and Porcupine Press.

Hutchinson, J., 1972, *The Imperfect Union: A History of Corruption in American Trade Unions*, New York: E. P. Dutton.

International Longshoremen's Association, 1943, *Brief of International Longshoremen's Association (AF of L) in Support of its Labor Policies in the Port of New York with Particular Reference to War-Time Needs and in Opposition to Proposals for Industry Committee for Marine Shipping industry*, 28 May. National Archives and Records Administration: RG 46, SEN 83A-F10. Committee on Interstate and Foreign Commerce, Subcommittee on Water-Front Investigation, Crime General CR-29. Exhibit 75.

International Longshoremen's Association, 1951, *The ILA Program to Improve and Further Stabilize Labor and Industrial Conditions in the Port of New York*, New York, 6 December.

International Longshoremen's Association, 1952, *Statement of the International Longshoremen's Association, AFL, on the Report, dated January 22, 1952, of Industrial Commissioner Corsi's Board of Inquiry*, New York.

Jackson, M. P., 1973, *Labour Relations on the Docks*, Farnborough: Saxon House.

Jackson, M. P., 1991, *Policy Making in Trade Unions*, Aldershot: Avebury.

Jensen, V. H., 1961, *Hiring Arrangements and the Rule-Making Process in Certain European Ports and in the Port of New York*, Ithaca, NY: Cornell University Press.

Jensen, V. H., 1964, *Hiring of Dock Workers and Employment Practices in the Ports of New York, Liverpool, London, Rotterdam, and Marseilles*, Cambridge, Mass.: Harvard University Press.

Jensen, V. H., 1974, *Strife on the Waterfront: The Port of New York Since 1945*, Ithaca: Cornell University Press.

Johnson, M., 1950, *Crime on the Labor Front*, New York: McGraw Hill.

Jones, D.C., 1934, *The Social Survey of Merseyside*, vol. 2, London: Hodder and Stoughton.

Jones, J., 1986, *Union Man*, London: Collins.

Jupp, V., 1989, *Methods of Criminological Research*, London: Unwin Hyman.

Jupp, V., Davies, P., Francis, P. (eds.), 2000, *Doing Criminological Research*, London: Sage.

Karson, M., 1958, *American Labor Unions and Politics, 1900-1918*, Boston: Beacon Press.

Kenefick, W. and McIvor, A. (eds.), 1996, *Roots of Red Clydeside 1910-1914?*, Edinburgh: John Donald.

Kimeldorf, H., 1988, *Reds or Rackets? The Making of Radical and Conservative Unions on the Waterfront*, Berkeley: University of California Press.

Kimeldorf, H., 1999, *Battling for American Labor: Wobblies, Craft Workers, and the Making of the Union Movement*, Berkeley: University of California Press.

Kimeldorf, H. and Regensburger, W., 1987, *Insurgent Workers: Studies of the Origins of Industrial Unionism on the East and West Coast Docks and in the South During the 1930s*, Los Angeles: University of California Institute of Industrial Relations.

Kisseloff, J., 1989, *You Must Remember This: An Oral History of Manhattan from the 1890s to World War II*, New York: Schocken Books.

Kray, R., 1991, *Born Fighter*, London: Arrow Books.

Larrowe, C. P., 1955, *Shape-Up and Hiring Hall: A Comparison of Hiring Methods on the New York and Seattle Waterfronts*, Berkeley: University of California Press.

Lee, R. A., 1990, *Eisenhower and Landrum-Griffin*, Lexington, KY: University Press of Kentucky.

Lee, R. M., 1993, *Doing Research on Sensitive Topics*, London: Sage.

London Borough of Newham, 1986, Council of the, *West Ham 1886-1986*, London: The Plaistow Press.

Lovell, J., 1969, *Stevedores and Dockers: A Study of Trade Unionism in the Port of London, 1870-1914*, London: Macmillan.

Lynch, A., 1994, *Weathering the Storm: The Mersey Docks Financial Crisis 1970-74*, Liverpool University Press.

MacElwee, R. S. and Taylor, T. R., 1921, *Wharf Management, Stevedoring and Storage*, New York: D. Appleton.

Magden, R. and Martinson, A. D., 1982, *The Working Waterfront: The Story of Tacoma's Ships and Men*, Tacoma: ILWU Local 23.

May, T., 1997, *Social Research: Issues, Methods and Process*, Buckingham: Open University Press.

McCabe, J. D., 1970, *Lights and Shadows of New York Life*, New York: Farrar, Straus and Giroux, (1st ed. in 1872)

McCarthy, T., 1988, *The Great Dock Strike 1889*, London: Weidenfeld and Nicholson.

McKelvey, J., 1953, *Dock Labor Disputes in Great Britain: A Study in the Persistence of Industrial Unrest*, Ithaca, NY: New York State School of Industrial and Labor Relations.

McKay, R. C., 1969, *South Street: A Maritime History of New York*, Riverside, Conn.: 7 C's Press (1st ed. in 1934)

- Mellish, M., 1972, *The Docks After Devlin*, London: Heinemann.
- Mers, G., 1988, *Working on the Waterfront: The Ups and Downs of a Rebel Longshoreman*, Austin: University of Texas Press.
- Millis, H. A. and Brown, E. C., 1950, *From the Wagner Act to Taft-Hartley*, Chicago: The University of Chicago Press.
- Minkin, L., 1992, *The Contentious Alliance: Trade Unions and the Labour Party*, Edinburgh: Edinburgh University Press.
- Montgomery, D., 1987, *The Fall of the House of Labor*, Cambridge University Press.
- Moore, W. H., 1974, *The Kefauver Committee and the Politics of Crime 1950-1952*, Columbia, Missouri: University of Missouri Press.
- Morton, J., 1994, *Gangland Volume 2*, London: Little, Brown and Co.
- Morton, J., 2000, *East End Gangland*, London: Little, Brown and Co.
- The New Survey of London Life and Labour Volume 11*, 1931, London: P. S. King.
- The New Survey of London Life and Labour Volume 111*, 1932, London: P. S. King.
- (New York) Citizens' Waterfront Committee, 1946, *The New York Waterfront*, New York
- New York Shipping Association, 1959, *Progress Report 1959*, New York
- Ogg, E., 1939, *Longshoremen and Their Homes*, New York: Greenwich House.
- Oram, R. B., 1970, *The Dockers' Tragedy*, London: Hutchinson and Co.
- Owen, D., 1900, *The River, the Docks and the Port*, London: Ferry and Sons.
- Pasley, F. D., 1932, *Muscling In*, London: Faber and Faber.
- Pelling, H., 1960, *American Labor*, Chicago: University of Chicago Press.
- Perlman, S., 1928, *A Theory of the Labor Movement*, New York: The Macmillan Co.
- Phillips, G. and Whiteside, N., 1985, *Casual Labour: The Unemployment Question in the Port Transport Industry 1880-1970*, Oxford: Clarendon Press.
- Phillips, J., 1996, *The Great Alliance*, London: Pluto Press.

- Porter, S. (ed.), 1994, *Survey of London Volume XLIII: Poplar, Blackwell and the Isle of Dogs*, London: The Athlone Press.
- Pritt, D.N., 1963, *The Labour Government 1945-51*, London: Lawrence and Wishart.
- Ramirez, B., 1978, *When Workers Fight: The Politics of Industrial Relations in the Progressive Era, 1898-1916*, Westport, Conn.: Greenwood Press.
- Raymond, A., 1954, *Waterfront Priest*, New York: Victor Gollancz.
- Rolph, C. H., 1962, *All Those in Favour?* London: Andre Deutsch.
- Rush, T. E., 1920, *The Port of New York*, Garden City, NY: Doubleday, Page and Co.
- Russell, M., 1966, *Men Along the Shore: The ILA and Its History*, New York: Brussel and Brussel.
- Sanderson, B., 1967, *Ships and Sailing Wax*, London: Heinemann.
- Sayre, W. and Kaufman, H., 1965, *Governing New York City: Politics in the Metropolis*, New York: W. W. Norton.
- Schneer, J., 1982, *Ben Tillet: Portrait of a Labour Leader*, London: Croom Helm.
- Schweitzer, P. and Wegner, C. (eds.), 1989, *On the River: Memories of a Working River*, London: Age Exchange.
- Sexton, Sir J., 1936, *Sir James Sexton Agitator*, London: Faber and Faber.
- Shadwell, A., 1920, *The Problem of Dock Labour*, London: Longmans, Green, and Co.
- Sinclair, K., 1995, *How the Blue Union Came to Hull Docks*, Hull: privately printed.
- Smith, D. C. 1975, *The Mafia Mystique*, London: Hutchinson.
- Smith, J. D., 1990, *The Attlee and Churchill Administrations and Industrial Unrest, 1945-55: A Study in Consensus*, London: Pinter.
- Smith, S. T., 1942, *Red Hook Section of Brooklyn*, New York School of Social Work. August.
- Swanstrom, E. E., 1938, *The Waterfront Labor Problem: A Study in Decasualization and Unemployment Insurance*, New York: Fordham University Press.
- Taft, P., 1970, *Corruption and Racketeering in the Labor Movement*, (2nd ed.) Ithaca, NY: New York State School of Industrial and Labor Relations.

- Taplin, E., 1985, *The Dockers' Union: A Study of the National Union of Dock Labourers, 1889-1922*, Leicester University Press.
- Thompson, P., 1967, *Socialists, Liberals and Labour: The Struggle for London 1885-1914*, London: Routledge and Kegan Paul.
- Thompson, P., 1988, *The Voice of the Past*, (2nd ed.) Oxford: Oxford University Press.
- Tillett, B., 1931, *Memories and Reflections*, London: John Long.
- Tull, G. J. D., 1959, *The Port of London Authority 1909 to 1959*, London: PLA.
- Turnbull, P. Woolfson, C. and Kelly, J., 1992, *Dock Strike: Conflict and Restructuring in Britain's Ports*, Aldershot: Avebury.
- Undy, R. and Martin, R., 1984, *Ballots and Trade Union Democracy*, Oxford: Blackwell.
- University of Liverpool, 1956, Social Research Series, *The Dock Worker: An Analysis of Conditions of Employment in the Port of Manchester*, Liverpool University Press.
- Vale, V., 1971, *Labour in American Politics*, London: Routledge and Kegan Paul.
- Waller, P. J., 1981, *Democracy and Sectarianism: A Political and Social History of Liverpool 1868-1939*, Liverpool: University of Liverpool Press.
- Weekes, B. *et al*, 1975, *Industrial Relations and the Limits of Law*, Oxford: Basil Blackwell.
- Wilson, D. F., 1972, *Dockers*, Fontana/Collins
- Wrigley, C. (ed.), 1982, *A History of British Industrial Relations 1875-1914*, Brighton: Harvester Press.
- Wrigley, C. (ed.), 1987, *A History of British Industrial Relations Volume 11: 1914-1939*, Brighton: The Harvester Press.
- Wrigley, C. (ed.), 1996, *A History of British Industrial Relations, 1939-1979*, Cheltenham: Edward Elgar.

DISSERTATIONS, PAPERS AND THESES

- Axelrod, D., 1967, *Government Covers the Waterfront: An Administrative Study of the Background, Origin, Development, and Effectiveness of the Bistate Waterfront Commission of New York Harbor, 1953-1966*, New York: Syracuse University, D.P.A.

Frees, W. A., 1970, *Labor Racketeering in the International Longshoremen's Association and Its Impact on the Port of New York*, New York: John Jay College of Criminal Justice. Masters' Degree

Gillespie, J. A., 1984, *Economic and Political Change in the East End of London During the 1920's*, University of Cambridge. Ph.D.

Halstead, K. A., 1982, *The Economic Factors in the Development of Urban Fabric of London's Docklands 1796-1909*, City of London Polytechnic. Ph.D.

Hoffman, M. E., 1966, *A Contemporary Analysis of a Labor Union. International Longshoremen's Association AFL-CIO-Canadian Labor Congress, Development-Structure-Functions*, Labor Monograph No. 7. Philadelphia: Temple University.

Johnson, T., 1963, *The Waterfront Commission of New York Harbor: A Case Study of a Bi-State Regulatory Agency*, New York: Columbia University, Ph.D.

Kelly, J. W., 1941, *Labor Problems of Longshoremen in the United States*, Boston University. Ph.D.

Mankelow, R., 1994, *The Effects of Modernisation and Change in the London Docks: With Particular Reference to the Devlin Reforms and Events Since 1967*, Ph.D. Robinson College, Cambridge.

Mello, W., 1997, *Pete Panto: Rank and File Radical on the Brooklyn Waterfront*, New York: New School of Social Research, October.

Mello, W., 1999, *The Origins of the Rank and File Reform Movement on the New York Waterfront 1945-1948*, New York: New School of Social Research, Spring

Morgan, R., 1983, untitled research paper presented to the King's College Research Centre Seminar. Now held as part of the 'Port & Dock Labour and Strikes' Collection at the Museum of London's Museum in Docklands Library & Archive.

Murphy, M. J., 1961, *An Administrative Study of the Origin and Development of the Waterfront Commission of New York Harbor Through 1958*, Masters degree. City College of the City of New York.

Page, R., 1959, *The Dock Companies of London 1796-1864*, University of Sheffield. M. A.

Pattison, G. W., 1970, *The London and India Dock Companies 1864-1909*, University of London Ph.D.

Walsh, N. G., 1982, *The Effects of Labor Racketeering in the Marine Transportation Industry of New York Harbor*, State University of New York Maritime College. M.Sc.

OFFICIAL REPORTS

British Transport Commission, 1951, Transport Act 1947, *Reports by Docks and Inland Waterways Executive on Review of Trade Harbours, 1948-50*, London: British Transport Commission.

Hughes, J., 1968, *Research Paper 5 (Part 2) Trade Union Structure and Government*, Royal Commission on Trade Unions and Employers' Associations. London.

London County Council, 1957, *London Statistics*, volume 1, 1945-1954

McCormack, W. J., 1952, *The Decline of the Port of New York: A Report to the Mayor*, W. J. McCormack.

(New York City), 1916, Mayor's Committee on Unemployment, *Report on Dock Employment in New York City and Recommendations for its Regularization*, New York, October.

New York Harbor, Waterfront Commission of, 1956, *In the Matter of the Application of John W. McGrath Corporation for License as a Stevedore: Report of Hearing Officer*, New York, 7 September.

New York Harbor, Waterfront Commission of, 1960, *Special Report of ... to the Governors of the States of New York and New Jersey*, New York, December.

New York, Port of Authority, 1946, *Economic Importance of Coastwise Shipping to the Port of New York District: Preliminary Report*, New York.

New York, Port of Authority, 1956, *The Port and the Community*, New York.

New York State, 1987, Organized Crime Task Force, *Corruption and Racketeering in the New York City Construction Industry: Interim Report*, New York: June.

New York State, 1989, Organized Crime Task Force, *Corruption and Racketeering in the New York City Construction Industry: Final Report*, New York: December.

New York State Senate, 1911, *Report to the Legislature of the State of New York by the Commission ... to Inquire into the Question of Employers' Liability and Other Matters: Third Report - Unemployment and Lack of Farm Labor*, Senate document no. 49.

New York State Crime Commission, 1952, *Interim Report of Evidence Adduced by ... Relating to Six Brooklyn Locals of the International Longshoremen's Association*, New York, September.

New York State Crime Commission, 1953a, *Public Hearings (No. 5) ... Pursuant to the Governor's Executive Orders of March 29, 1951 and November 13, 1952*, 5 volumes. Albany, NY.

New York State Crime Commission, 1953b, *Fourth Report*, Albany, NY: 20 May.

New York State Crime Commission, 1953c, *Record of the Public Hearings...on the Recommendations of the New York State Crime Commission for Remedying Conditions on the Waterfront of the Port of New York*, New York, 8-9 June.

New York State Crime Commission, 1953d, Sanderson and Porter, *Study of the Port of New York*, New York.

United Nations, 1967, Department of Economic and Social Affairs, *The Turn-Around Time of Ships in Port*, New York

U.S. Commission on Industrial Relations, 1916, *Final Report and Testimony*, 64th Congress 1st Session

U.S. Department of Labor, 1920, *Reports of the Department of Labor 1919*, Washington, D.C

U.S. Department of Labor, 1932, Bureau of Labor Statistics, no. 550, *Cargo Handling and Longshore Labor Conditions*, Washington, DC

U.S. Department of Labor, 1964, *Manpower Utilization - Job Security in the Longshore Industry Port of New York: Report and Findings*, Washington, DC: 1 July.

U.S. Federal Bureau of Investigation, file numbers 63-914 and 92-915, Subject file 'Patrick Joseph Ryan.'

U.S. Federal Bureau of Investigation, file numbers 62-72482, 62-72482, 161-11315, 'Theodore Gleason.'

U.S. National Adjustment Commission, 1919, *Chairman's Report for the Period Ending December 31, 1918*, Washington, D.C

U.S. National Adjustment Commission, 1920, *Report of the Executive Secretary ... for the Period January 1, 1919 to June 30, 1920*, Washington, D.C.

U.S. Office of the Federal Coordinator of Transportation, 1936, Section of Labor Relations, Section of Research, *Hours, Wages, and Working Conditions in Domestic Water Transportation*, Vol. 1.

U.S. President's Commission on Organized Crime, 1985, *The Edge: Organized Crime, Business, and Labor Unions Appendix*, October. Washington. D.C.

U.S. President's Commission on Organized Crime, 1986, *The Edge: Organized Crime, Business, and Labor Unions*, March.

BRITISH PARLIAMENTARY PAPERS (in chronological order)

House of Commons Paper 454, 1863, Select Committee on the Thames Conservancy, *Report...Together with the Proceedings of the Committee, Minutes of Evidence, Appendix, and Index*, ordered to be printed 16 July.

Royal Commission on Labour, 1892, *Digest of Evidence Taken Before Group B*, vol. 1. cmd. 6708-11.

Royal Commission on Labour, 1894a, *Fifth and Final Report*, cmd. 7421

Royal Commission on Labour, 1894b, *Fifth and Final Report*, (part 2) cmd. 7421-1

Royal Commission on the Port of London, 1902a, *Report ... Appointed to Inquire into the Subject of the Administration of the Port of London*, cmd. 1151.

Royal Commission on the Port of London, 1902b, *Minutes of Evidence*, cmd. 1152

Royal Commission on the Port of London, 1902c, *Appendices to the Minutes*, cmd. 1153

Departmental Committee on the Checking of Piece-Work Wages in Dock Labour, 1908, *Report*, cmd. 4380

The Industrial Council, 1913, *Minutes of Evidence Taken Before the Industrial Council*, cmd. 6953

Transport Workers - Court of Inquiry, 1920a, *Report and Minutes of Evidence*, vol. 1. cmd. 936.

Transport Workers - Court of Inquiry, 1920b, *Vol. 11. Appendices, Documents, and Indexes*, cmd. 937

House of Commons, 1920c, *Report by a Court of Inquiry Concerning Transport Workers - Wages and Conditions of Employment of Dock Labour*, cmd. 55.

Ministry of Labour and National Service, 1949, *Review of the British Docks Strikes 1949*, cmd. 7851.

Ministry of Labour and National Service, 1951, *Unofficial Stoppages in the London Docks*, cmd. 8236

Port Transport Industry: Report of a Committee Appointed on 27 July, 1955, to Inquire into the Operation of the Dock Workers (Regulation of Employment) Scheme, 1947, cmd. 9813, 1956.

Ministry of Transport, 1962, *Report of the Committee of Inquiry into the Major Ports of Great Britain*, cmd. 1824.

Ministry of Labour. Committee on Inquiry Under the Rt. Hon. Lord Devlin into Certain Matters Concerning the Port Transport Industry, 1965, *Final Report*, cmd. 2734.

Report of Inquiry into the Locally Determined Aspects of the System of Payment and Earnings Opportunities of Registered Dock Workers in the Port of Liverpool (including Birkenhead) by A. J. Scamp, London. October 1967.

Royal Commission on Trade Unions and Employers' Associations, 1968, *Selected Written Evidence Submitted to the Royal Commission*, London: HMSO.

Department of Employment and Productivity, 1971, *British Labour Statistics: Historical Abstract 1886-1968*, London: HMSO.

Royal Commission on Standards of Conduct in Public Life, 1976, *Report*, cmd. 6524

U.S. CONGRESSIONAL REPORTS (in chronological order)

U.S. Congress, 1901, House, *Reports of the Industrial Commission on Labor Organizations, Labor Disputes, and Arbitration, and on Railway Labor*, (vols. 9, 17). 57th Congress, 1st Session.

U.S. Congress, 1938, Committee on Commerce and Committee on Education and Labor, *Amending the Merchant Marine Act of 1936*, hearings 75th Congress 3rd Session.

U.S. Congress, 1949a, House. Committee on Education and Labor, *Amendments to the Fair Labor Standards Act of 1938*, hearings 81st Congress 1st Session

U.S. Congress, 1949b, Senate. Committee on Labor and Public Welfare, *To Clarify the Overtime Compensation Provisions of the Fair Labor Standards Act of 1938, as Amended*, hearings 81st Congress 1st Session.

U.S. Congress, 1951b, Senate. Special Committee to Investigate Organized Crime in Interstate Commerce, *Organized Crime in Interstate Commerce*, hearings part 7: New York-New Jersey. 81st Congress 1st Session and 82nd Congress 2nd Session

U.S. Congress, 1953a, House. Committee on Merchant Marine and Fisheries, *Port of New York, Subsidized Lines, Subsidy Contracts, and Port Security*, hearings 83rd Congress 1st Session

U.S. Congress, 1953b, House. Committee on the Judiciary. Subcommittee No. 3, *New York-New Jersey Waterfront Commission Compact*, hearing 83rd Congress 1st Session

U.S. Congress, 1953c, Senate. Committee on Interstate and Foreign Commerce, *Waterfront Investigation*, hearings 83rd Congress 1st Session

U.S. Congress, 1953d, Senate. Committee on Interstate and Foreign Commerce, *Waterfront Investigation: New York-New Jersey: Interim Report*, Report No. 653. 83rd Congress 1st Session

U.S. Congress, 1955, House. Committee on Merchant Marine and Fisheries, *Labor-Management Problems of the American Merchant Marine*, hearings 84th Congress 1st Session

U.S. Congress, 1963, House. Committee on Merchant Marine and Fisheries, *Maritime Labor Legislation*, hearings 88th Congress 1st Session

U.S. Congress, 1981, Senate. Committee on Governmental Affairs. Permanent Subcommittee on Investigations, *Government's Ability to Combat Labor Management Racketeering*, hearings 97th Congress 1st Session

U.S. Congress, 1984, Senate. Committee on Governmental Affairs. Permanent Subcommittee on Investigations, *Waterfront Corruption: Report*, 98th Congress 2nd Session.

U.S. Congress, 1988a, Senate. Committee on Governmental Affairs. Permanent Subcommittee on Investigations, *Organized Crime: 25 Years After Valachi*, hearings 100th Congress 2nd Session

U.S. Congress, 1988b, House. Committee on Governmental Operations, *Waste, Fraud, and Abuse at Federally Funded Wastewater Treatment Construction Projects: The Potential Effects of Organized Crime Infiltration and Labor Racketeering in the New York Construction Industry*, hearing 100th Congress 2nd Session.