

INDUSTRIAL LEGALITY AND WORKPLACE CONTROL:
MERCHANT SEAMEN, THE PARK STEAMSHIP COMPANY,
AND THE CANADIAN SEAMEN'S UNION
1942-1948

by

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the degree of Master of Arts

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Abstract

Canada's modern maritime past is an understudied aspect of the nation's history. During World War Two the Canadian government undertook a rapid merchant shipbuilding programme and rebuilt the country's Merchant Navy by placing 176 vessels under the ownership of a Crown corporation, the Park Steamship Company Ltd.

This thesis examines the working lives and struggles of the merchant seamen who served on the Park fleet. It is particularly focused on the elaborate system of laws and routines which organised the bargaining relationship between employees and employers in this context. All sailors on the Park fleet were eventually covered by collective agreements negotiated by the Canadian Seamen's Union. They were incorporated into a system of "industrial legality", a term used to denote not only these contracts but also the whole network of laws and procedures through which the state sought to stabilise class relations in industry. This thesis examines the impact of industrial legality on the working and living conditions of the sailors who served on the Park vessels during and immediately following the Second World War.

Sailors did benefit from the collective agreements; wages and conditions on the Park fleet improved by the end of the war. At the same time they lost some of their ability to bargain at the ship level to a combination of union, shipping company, and government officials. However the new structures complemented rather than supplanted the old. Seamen continued to use traditional methods to shape their workplace throughout the war.

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Abbreviations and Glossary

AB – able seaman

AWOL – absent without leave

BCSU – British Columbia Seamen’s Union

CNS – Canadian National Steamship Company

CSU – Canadian Seamen’s Union

DEMS – Defensively Equipped Merchant Ships

DIBU – Deep-sea and Inland Boatmen’s Union

JAG – Judge Advocate General

MSFJO – Merchant Seamen’s Foreign Jurisdiction Order

MSO – Merchant Seamen’s Order

NBS – Naval Boarding Service

OS – ordinary seaman

RCN – Royal Canadian Navy

RN – Royal Navy

articles of agreement – each seaman signs this document which sets out the nature and duration of a voyage

black gang – refers to the firemen and trimmers who worked in the stokehold

foc’s’le (forecastle) – the crew accommodations

ratings – the unlicensed (non-officer) members of a ship’s crew

stokehold – the section of the engine room where the ship furnaces were fed with coal

Job Descriptions

Officers

Captain or Master – commands the vessel, in charge of navigation, discipline

First, Second, and Third Mates – licensed deck officers, supervise the ratings in the deck department

Radio Officer – normally one per ship but during WWII there were three

First, Second, Third, Fourth, and Fifth Engineers – these licensed seamen care for and repair engines and supervise work in the engine room

Ratings

Deck Department

Boatswain (Bo'sun) – takes orders from first officer, supervises deck gang in a foreman like capacity

Carpenter – cares for the windlass, takes soundings of tanks, and shores up the cargo during voyage

Able Seaman (AB) – steers ship, performs maintenance on ship and rigging, including painting

Ordinary Seaman (OS) – unskilled deck worker

Engine Department

Donkeyman – in charge of day to day work in engine room and cares for deck machinery and cargo winches while in port

Oiler or Greaser – oils bearings, polishes brass, and assists engineers

Fireman – on coal burning vessels shovels coal into and attends fires in boilers

Trimmer – on coal burning ships brings coal from the hold to the firemen, hauls and dumps ashes

Water Tender the equivalent to a fireman on diesel burning ships, ensures water in boilers is at right position and adjusts fires in boilers

Wiper – on diesel burning ships is the clean up man and assistant in engine work

Steward Department

Chief Steward – distributes stores, purchases fresh food in port, and may attend to personal needs of Captain, while not a licensed seaman normally considered an officer but on Park vessels included in the collective agreement covering unlicensed seamen

Assistant Steward – assists the chief steward in his duties

Chief Cook / Second Cook – prepare meals for both crews and officers

Mess Man / Mess Boy – serves food and cleans up the mess rooms, the mess man performs the duty for officers, the mess boy for unlicensed men

Chapter One: An Introduction to Industrial Legality and Seafaring Culture

Canada's merchant seamen have a proud, yet largely understudied, record of service during the Second World War. At the outbreak of war Canada could do little to assist the shipping lifeline to Britain. In 1939 Canada's Merchant Navy consisted of only thirty-seven ocean-going vessels, manned by 1,400 sailors.¹ By 1941 Axis submarines, surface raiders, planes, and mines were sinking three Allied merchant ships for every one built. These losses endangered delivery of the one million tons of supplies Great Britain required every week.²

The Canadian government added a merchant shipbuilding plan to its existing naval programme in early 1941 when the British government ordered twenty-six 10,000-ton dry cargo ships from Canadian shipyards. By the end of the war Canadian workers constructed 354 merchant vessels, the majority of which were leased to Britain. Canadian shipyards built three main types of British designed ships: 10,000-ton and 4,700-ton dry cargo ships and 10,000-ton tankers.³ On 8 April 1942 the Canadian government incorporated a Crown corporation, the Park Steamship Company Ltd., to hold title to Canada's wartime merchant fleet. By war's end about 12,000 men served on the 176 ships that comprised the Park fleet.

In fulfilling their union's wartime motto "We Deliver the Goods" Canada's merchant seamen fought two, sometimes contradictory, battles at once. Men from across the nation braved a casualty rate believed to have been proportionately higher than that

¹ John Kennedy, History of the Department of Munitions and Supply, Chapter 32 "Park Steamship Company Limited", (Ottawa: King's Printer, 1950), p. 383.

² Mike Parker, Running the Gauntlet (Halifax: Nimbus Publishing, 1994), p. 10.

³ For a list of the Canadian built ships see W.H. Mitchell and L.A. Sawyer, The Oceans, The Forts, and The Parks, (Liverpool: Sea Breezes, 1966).

faced by any branch of the military.⁴ At the same time these men struggled against the Canadian government and shipping companies, in an arena shaped by a system of industrial legality, to bring their living and working conditions up to those standards commonly found in shore employment.

The term industrial legality is often used to describe the framework of laws and procedures which surround the bargaining relationship between workers and their employers and outline the shape of Canada's industrial relations system.⁵ The pillars of independent trade unions, free collective bargaining, certification hearings, legally binding contracts, conciliation boards, grievance procedures, and a union dues check-off characterise a system of industrial legality. The system became formalised and state regulated during the war when the Canadian government introduced P.C. 1003 in February 1944. This Order guaranteed the right of workers to organise, defined unfair labour practices, and banned strikes and lockouts for the length of a contract. By legally securing the right to collective bargaining the Canadian government replaced the use of open force by the state with legally binding laws. By using lawyers and the courts instead of the police

⁴ The exact number of Canadian casualties is almost impossible to determine. Historian Mike Parker maintains that 1,600 died as a result of enemy action; Joseph Schull records 1,700 casualties but the Department of Transport recorded 1,146 deaths. Not included in these figures are those seafarers who died in accidents or through disease or illness. See Mike Parker, Running the Gauntlet, p. 14, Joseph Schull, The Far Distant Ships: An Official Account of Canadian Naval Operations in the Second World War, (Ottawa: King's Printer, 1950), p. 430, and Hon. Jack Marshall, Chairman, Standing Senate Committee on Social Affairs, Science and Technology: Proceedings of the Sub-Committee on Veterans Affairs and Senior Citizens, (Ottawa: 29 June, 1988, Issue No. 8), p. 8:29.

⁵ Michael Earle and Ian McKay, "Industrial Legality in Nova Scotia" in Michael Earle ed. Workers and the State in Twentieth Century Nova Scotia, (Fredericton: Acadiensis Press, 1989), p. 10.

Writing shortly after the Great War the Italian Communist Antonio Gramsci noted that industrial legality occurred when a union "acquires the ability to negotiate agreements and take on responsibilities. In this way it obliges the employer to acknowledge a certain legality in his dealings with the workers, a legality that is conditional on his faith in the union's *soberny* and its capacity to secure respect for contracted obligations for the working masses." David Forgacs, An Antonio Gramsci Reader: Selected Writings, 1916-1935. (New York: Schocken Books, 1988), p. 93.

and militia to coerce labour the government legitimised state involvement in industrial relations in the minds of workers.⁶

The nature of the seafaring industry conditioned the character and attributes of the system of industrial legality introduced to the merchant marine. The context of the maritime setting, with its long tradition of control, discipline, and written contracts set out in the Canada Shipping Act and the entrenched customs of individualistic, anarchistic protest shaped the system of industrial legality just as much as it shaped the industry. This study of the impact of unionisation and collective bargaining on the Park fleet demonstrates that it is often misleading to discuss industrial legality in general, sweeping terms. The specifics of an industry's nature and setting must be taken into account.

Unionisation, collective bargaining, and industrial legality were introduced to the Canadian deep-sea fleet when the Park Steamship Company signed a collective agreement with the Canadian Seamen's Union (CSU) in the hopes of securing industrial peace on merchant ships for the duration of the war. This is just one example of increased state intervention within the sphere of industrial relations and labour issues during the conflict. Legislation such as the National Selective Service restricted workers' freedom to move and brought state regulation to wages and working conditions.⁷ The government hoped this intervention would secure industrial stability for the duration of the war.⁸

Until relatively recently the standard interpretations of industrial legality centred on the positive aspects. Most works put forward the argument that the introduction of binding

⁶ Earle and McKay, "Industrial Legality in Nova Scotia", p. 13.

⁷ Laurel Sefton MacDowell, "The Formation of the Canadian Industrial Relations System During WWII", *Labour/Le Travailleur*, (vol. 3, 1978), p. 178.

⁸ Laurel Sefton MacDowell, "The Formation of the Canadian Industrial Relations System During WWII", p. 186.

contracts along with state-regulated laws and procedures such as formal grievance processes provided trade unions with legal security. This security allowed unions to move beyond battles over recognition to focus on the fight for higher wages and better conditions.⁹ In most cases it would appear that the labour movement either played a central role in demanding the system or at least largely bought into it once introduced.¹⁰

More recently some historians, while acknowledging the gains the system entailed, have argued that the legal recognition and regulation of the trade union presence resulted in a loss of direct worker power and control.¹¹ As historian Bryan Palmer observes, “As much as was gained by the arrival of industrial legality, then, so too was something lost. A part of that loss was the restructuring of industrial unionism away from its mobilizing movement-oriented character of the early 1940s and into its legalistic, business form of the post-war period.”¹² Industrial legality, with its formal and complex network of laws and procedures surrounding the collective bargaining process set limits on strike activities, encouraged trade union conservatism, bureaucratized many unions and labour leaders, and took power out of the hands of ordinary workers; for example, isolated, local strikes were redefined as illegal

⁹ See H.A. Logan, State Intervention and Assistance in Collective Bargaining: The Canadian Experience, 1943-1954, (Toronto: University of Toronto Press, 1956) and Laurel Sefton MacDowell, “The Formation of the Canadian Industrial Relations System During WWII”, pp. 175-196.

¹⁰ Laurel Sefton MacDowell argues unions fought for the legislation: see MacDowell “The Formation of the Canadian Industrial Relations System During WWII”, p. 175. Eric Tucker argues labour unions bought into the wartime legislation see: Tucker “Labour Law and Fragmentation before Statutory Collective Bargaining” in Mercedes Steedman et al, eds. Hard Lessons: The Mine Mill Union in the Canadian Labour Movement, (Toronto: Dundurn Press, 1995), p. 115.

¹¹ For example see the collection of essays edited by Michael Earle, Workers and the State in Twentieth Century Nova Scotia, Bryan Palmer, Working Class Experience: Rethinking the History of Canadian Labour, 1800-1991, (Toronto: McClelland and Stewart, 1992), Leo Panitch and Donald Swartz, “Towards Permanent Exceptionalism: Coercion and Consent in Canadian Industrial Relations” Labour/Le Travail (vol. 13, 1984), pp. 133-158, and Christopher Tomlins, The State and the Unions: Labour Relations, Law, and the Organized Labour Movement in America, 1880-1960, (Cambridge: Cambridge University Press, 1985).

¹² Palmer, Working Class Experience, p. 284.

wildcat walkouts.¹³ This rise of the sacred contract, complex bargaining procedures, labour bureaucrats and the resulting loss of self-activity weakened the militancy of many unions. The new system also worked to narrow labour's objectives to pork chop issues, at the expense of broader social and political aims.

The debate around the introduction of formal, state-regulated industrial legality by the Canadian government in the 1940s follows along much the same lines. Early works describe the process surrounding the government's introduction of new legislation during the war but do not really analyse its impact.¹⁴ They explain that when the war increased government involvement in the economy trade unions became more involved in politics. Labour began demanding a new status and the right to participate in the decision making process.¹⁵ The government eventually bowed to this pressure in 1944 and guaranteed collective bargaining rights with P.C. 1003, later expanded into the Industrial Disputes Investigation Act in 1948.¹⁶ Regardless of government motivations P.C. 1003 is often viewed as the birth of industrial legality.

Other historians regard P.C. 1003 as an extension of the old system and have begun to analyse the longer-term impact of the legislation introduced during the 1940s.¹⁷ In his unpublished study Peter McNinnis maintains that the wartime laws introduced to control labour, "accelerated a shift in union orientation away from militant self-activity at the point

¹³ Earle and McKay, "Industrial Legality in Nova Scotia", p. 10, 14.

¹⁴ See Laurel Sefton MacDowell, "The Formation of the Canadian Industrial Relations System During WWII" and H.A. Logan, State Intervention and Assistance in Collective Bargaining.

¹⁵ Laurel Sefton MacDowell, "The Formation of the Canadian Industrial Relations System During WWII", p. 178, 175. See also McNinnis, "Harnessing Confrontation", p. 4.

¹⁶ Laurel Sefton MacDowell, "The Formation of the Canadian Industrial Relations System During WWII", p. 186, 193.

¹⁷ Ian McKay, The Craft Transformed: An Essay on the Carpenters of Halifax, 1885-1985. (Halifax: Holdfast Press, 1985), p. 81.

of production to a structure premised upon legal and bureaucratic mechanisms to ameliorate labour-management conflict.”¹⁸ Bryan Palmer observes that both the patchwork of temporary wartime legislation and the 1948 Industrial Disputes Investigation Act were designed to manage relations between labour and capital with the aim of reducing class conflict.¹⁹ Historians who question industrial legality’s benefits do not renounce the reshaping of Canada’s industrial relations system during the 1940s but they do try to address the losses as well as the gains.

If there has been little historiographical debate surrounding industrial legality there has been even less around Canada’s modern maritime past. Until very recently, when compared to the golden age of sail, Canada’s oceanic age of steam received very little attention. In 1985 one researcher complained that secondary sources “were virtually silent on the topic”; there “simply did not exist a comprehensive account of Canada’s Merchant Marine at any stage of its growth and demise, let alone its wartime experiences.”²⁰ After a decade, we still lack a study of the inter-war Canadian Government Merchant Marine. Only the brief Second World War episode has drawn attention, presumably because this period marked only the second time Canada had a steam-powered merchant fleet of any size.

With a few exceptions, and following patterns established in the 1940s, authors who have studied the wartime experiences of Canada’s Merchant Navy have produced works which fall into one of two schools. In the first “ship-centred” approach writers rarely mention the men who sailed on the vessels, apart from occasional casualty figures. Instead

¹⁸ Peter McInnis, “Harnessing Confrontation”, p. 90.

¹⁹ Palmer, *Working Class Experience*, pp. 278-280.

²⁰ Kenneth MacKenzie, “The Preparedness of Canada’s Merchant Marine for Two World Wars, 1913-1947”, (paper presented to the Canadian Navy in the Modern World Conference, Halifax, 1985), p. 2.

these authors tend to focus almost entirely on merchant vessels and their escorts engaged in life-or-death battles with Axis U-boats, surface raiders, or aircraft.²¹

In contrast, a second approach, which could be termed the “simple hero” school, centres on the constant dangers faced by merchant seamen and the heroic way in which they ignored the dangerous odds and continued to sail in order to save Britain and ensure allied victory. A 1945 publication Canada’s Merchant Seamen, issued by the Minister of Transport, serves as a typical example of the wartime propaganda which developed this imagery: “No body of men has contributed more to the prosecution of the war effort than those gallant seamen who man the ships of the Allied Merchant Navies, and to which Canada’s contribution in ships and men has grown from small beginnings to now play a substantial role.”²² Such rhetoric can often be found in studies of the Royal Canadian Navy’s wartime exploits.²³

Decades later this romantic approach to merchant seamen remained popular. “You had hardly noticed them in Halifax in their shabby shore side clothes”, explained James Lamb in his 1986 book, On the Triangle Run, “They wore no uniform, but for all that they were the real warriors of the Battle of the Atlantic...”²⁴ This focus on the extraordinary

²¹ See David Syrett’s Northern Mariner articles including “The Last Murmansk Convoys, 11 March - 30 May 1945, vol. IV, No. 1 January 1994, p. 55-63, “The Battle for Convoy UC-1, 23-27 February 1943”, vol. VI, No. 1, January 1996, pp. 21-27, and S.C. Heal, Conceived in War, Born in Peace: Canada’s Deep Sea Merchant Marine, (Vancouver: Cordillera Publishing, 1992), S.W. Roskill, A Merchant Fleet in War: Alfred Holt and Co., 1939-45, (London: Collins, 1962).

²² Hon. L. Chevrier, Canada’s Merchant Seamen, (Ottawa: 1945), p. 1.

²³ See Frank Curry, War at Sea: A Canadian Seaman on the North Atlantic, (Toronto: Lugas, 1990), George Evans, Through the Corridors of Hell, (Antigonish: Formac Publishing Co. Ltd., 1980), Tony German, The Sea is at Our Gates: The History of the Canadian Navy, (Toronto: McClelland and Stewart, 1990), James Lamb, On the Triangle Run, (Toronto: Macmillan, 1986), Hal Lawrence, Victory at Sea: Tales of His Majesty’s Coastal Forces, (Toronto: McClelland and Stewart, 1989), and Joseph Schull, The Far Distant Ships.

²⁴ Lamb, On the Triangle Run, p. 41.

sacrifices made by merchant seamen, while a legitimate reflection of their wartime role, ignores the reality of their day-to-day lives and their struggles to improve them.

Some more recent works have expanded beyond these set moulds. Tony Lane's 1990 monograph The Merchant Seamen's War is perhaps the best study of British seafarers during the war. In part a sociological study Lane's book focuses on seafaring culture during the war and contends that the conflict did little to alter the average seaman's world view or behaviour.²⁵ Lane's work has no Canadian counterpart but Robert Halford's 1995 book The Unknown Navy does make an attempt to study systematically the growth and operation of Canada's wartime Merchant Navy using a variety of sources.²⁶

Other recent additions to Canada's modern maritime historiography include Eric Sager's 1993 Ships and Memories.²⁷ In this book Sager explores a number of themes including work, family, gender, and war based on oral interviews which recall a period stretching from the Great Depression to just after the Second World War. Mike Parker focused on the wartime experiences of Canadian seamen in his 1994 oral history Running the Gauntlet. Both studies more successfully document experiences than analyse historical problems.

While Canada's twentieth-century maritime history as a whole tends to be understudied the CSU stands as a notable exception. Many published and unpublished studies examine various aspects of this oft celebrated trade union. Although these works offer very conflicting interpretations of events most tend to relive the union's successes and

²⁵ Lane, The Merchant Seamen's War, p. 7.

²⁶ Robert Halford, The Unknown Navy: Canada's World War Two Merchant Navy, (St. Catharines: Vanwell Publishing 1995).

²⁷ Eric Sager, Ships and Memories: Merchant Seafarers in Canada's Age of Steam, (Vancouver: University of British Columbia Press, 1993).

lament the union's failures, especially the CSU's demise after a 1949 world-wide strike. By studying the union as an institution these writers tend to focus on shore-based events and as a result include only a cursory discussion, often limited to an introductory chapter, of the common union members and their everyday lives at sea and in port.

John Stanton set the trend for the loving, idealistic CSU history in his 1978 book Life and Death of the Canadian Seamen's Union which traces the interconnected rise and fall of the CSU and Canada's deep-sea fleet.²⁸ In 1986 the long-awaited results of the CSU History Project were published, eleven years after the committee was founded. Jim Green based his book Against the Tide on oral interviews and celebrates the CSU's democratic nature and its major achievements.²⁹

A few works do criticise the CSU.³⁰ These works, firmly fixated on the Cold War, contend that the CSU's Communist leadership used the union for its own, often sinister purposes. Such works rarely mention the union's rank-and-file members except to mention when they were duped into performing Moscow's bidding by their leaders. Jay White's 1995 article "Hardly Heroes: Canadian Merchant Seamen and the International Convoy System, 1939-45", while not of this Cold War vintage, also briefly addresses the CSU in a rather dismissive tone. White argues that the CSU did not experience significant wartime growth and rejects the idea that the union sparked a rise in seamen's radicalism. White

²⁸ John Stanton, Life and Death of the Canadian Seamen's Union, (Toronto: Steel Rail Publishing, 1978).

²⁹ Jim Green, Against the Tide: The Story of the Canadian Seamen's Union, (Toronto: Progress Books, 1986). For a very similar treatment see Dan Daniels, "The CSU Forever!", New Maritimes, (vol. 6, No. 1, Sept. 1987), pp. 4-11.

³⁰ J.A. (Pat) Sullivan, Red Sails on the Great Lakes, (Toronto: MacMillan and Co., 1955) and William Kaplan, Everything that Floats: Pat Sullivan, Hal Banks, and the Seamen's Unions of Canada, (Toronto: University of Toronto Press, 1987).

contends that many joined for convenience rather than out of a sense of commitment to the principles of industrial unionism.³¹

While most unpublished sources review the highlights of the CSU's existence and contain little analysis a notable exception is former CSU member Charles MacDonald's 1980 unpublished study "Betrayal: The History of the Canadian Seamen's Union".³²

Originally commissioned by the CSU History Project, the committee found the volume unsuitable. It is not known whether the committee reached the decision because of the author's uneven writing or his occasional criticism of the union's leadership. The book, while pro-CSU, is better balanced than most studies. It also provides an interesting discussion of the CSU's transformation from a Great Lakes union to an organisation dominated by leaders from the deep-sea fleet.

My own study seeks to break new ground in a number of areas: the emergence of industrial legality in Canada's deep-sea Merchant Navy from 1942-1948, the reality of the day-to-day lives of seamen in the Park fleet, and the way in which the Canadian Seamen's Union changed the regular working lives of Canadian deep-sea sailors.³³ It is based on previously understudied sources including ship logs, Naval Boarding Service reports, and other archival materials. Ships logs offer a valuable glimpse, albeit from the captain's point of view, into the day-to-day lives of sailors. Logs from thirty-one vessels were examined in

³¹ Jay White, "Hardly Heroes: Canadian Merchant Seamen and the International Convoy System, 1939-45", *The Northern Mariner*, (vol. V, No. 4, Oct. 1995), p. 20, 33.

³² For example see Joanne Miko, "The Rise and Fall of the Canadian Seamen's Union", (Guelph: University of Guelph, MA Thesis, 1974) and Kathleen Seaver, "The CSU-SIU Conflict", (Ottawa: Carleton University, Senior Year Thesis, 1978). A copy of MacDonald's manuscript resides in the federal Department of Human Resources library in Hull, Quebec.

³³ Unless otherwise indicated, references to "sailors" and "seamen" are limited to those men serving on the Park deep-sea fleet only and do not include those individuals working on the Great Lakes. The thesis' focus on the Park fleet's workforce has also meant that certain events (such as the 1946 Great Lakes strike), which did not dramatically alter or touch the lives of deep-sea sailors, were not examined.

detail (see appendix one). Ships were chosen for examination if other literature revealed that they had an especially poor or good reputation. These vessels were rounded out by a number of others picked to reflect the different sizes and classes of Park vessels and the different trade routes they plied.

Wartime conditions present both unique problems and expanded opportunities for the historian studying Canada's merchant seamen. The submarine attacks and escorted convoys were a short-lived wartime anomaly. However the Battle of the Atlantic also expanded the government bureaucracy and security apparatuses which surrounded the industry. The resulting documentation offers historians a wealth of primary sources, unheard of during peacetime. The wartime situation allows historians to supplement ship logs with reports from the Naval Boarding Service. This arm of the Canadian navy boarded each ship arriving at a Canadian port. Each boarding resulted in a short, written report which focused on ship conditions.

These sources are complemented by studying documents from a number of different government departments. The vital importance of wartime shipping led the government to appoint a Director of Merchant Seamen and a number of committees to study the shipping industry and the sailors who kept it sailing. Censored letters, while few in number, often provide insights into the lives of merchant sailors not provided by other sources. When exploring the impact of naval gunners on Park ships two interviews were used to round out the limited published material.³⁴ Personal experience and/or oral

³⁴ Two former DEMS gunners were interviewed for this thesis: James Keenleyside served on the *Kildonan Park* and the *Lafontaine Park*. Max Reid served on the *Beaton Park* and two non-Park ships. These interviews focused on their experiences as naval gunners on Park ships and specifically their relationship with the rest of the crew and their recollections of events which were recorded in the ship logs, including sit-down strikes which occurred on each vessel.

interviews tend to represent the basic primary source for writers studying Canada's modern merchant marine, perhaps because Canada's twentieth-century maritime history attracts more attention from capable amateurs than professional academics.³⁵ Personal memories are valuable; archival sources, which have been understudied to this point, are no less so.

This thesis will ask the following questions: What beneficial and negative impacts did industrial legality have for rank-and-file workers? To what extent does the evidence from the Park vessels confirm the assumption that the legislative changes of the Second World War marked a new beginning for Canadian workers, and to what extent does it suggest that working life was marked by continuities and traditions little affected by the legislative framework?

The CSU successfully bargained for improved wages and conditions; yet at the same time sailors had to live up to a contract in addition to their near-sacred articles of agreement. Shipping company and union officials had new incentives and powers to restrict the standard individual and collective responses to grievances but both types of actions continued nevertheless. The case of Canadian sailors and the CSU illustrates how difficult it is to discuss industrial legality theoretically, without taking into account the specifics of an industry. In the case of the Park fleet several important aspects of industrial legality were absent. While the CSU won union security, a collective agreement, and a grievance procedure it failed to win a dues check-off. Consequently union officials had to constantly work to ensure the men on each vessel were union members, and many of the most important union officials, rather than being bureaucrats, were ordinary workers.

³⁵ The works by George Evans, Doug Fraser, Jim Green, Robert Halford, Charles MacDonald, Mike Parker, Max Reid, Eric Sager, John Stanton, and Frederick Watt all rely on personal experiences or oral interviews to varying extents.

In addition, a long history of local bargaining existed in the merchant marine. Crews had often bargained aspects of their working conditions with their captains and would often refuse to work if their concerns were not addressed. During the war collective bargaining under the CSU complemented but did not replace the traditional, direct power of the seamen. In the end this unofficial direct action (labelled “crew troubles”) directly and indirectly accounted for many of the improvements in living and working conditions experienced during the war. Seamen were able to use their indispensability to place pressure on their employer and the government. However, industrial legality, and its transformation of spontaneous job actions into wildcat strikes, took away some of the seamen’s power to shape their working conditions at the ship level. The ban placed on direct job action undercut seamen’s power to shape their workplace and made it more difficult to generalise local grievances into national issues.

The introduction of restrictive legislation during the war, and the quick sale of the fleet after its conclusion, makes it difficult to say whether industrial legality brought lasting improvement for seamen. In the end extra-legal direct action taken by the crews supported union demands, enforced the contract at the ship level, and brought small but immediate improvements to the living and working conditions on Park ships. Yet after the war neither traditional bargaining techniques nor the procedures set out in the post-war industrial relations system could prevent the sale of the Canadian fleet, the loss of jobs for thousands of sailors, and the destruction of the CSU. The Canadian state’s ability to undermine the CSU was aided by the government’s direct structuring role in industrial relations.

An Introduction to Seafaring Culture

To examine the impact of the CSU on Canadian sailors it is first necessary to understand the traditional occupational culture with which union officials had to cope. By the time steam-driven vessels came into widespread use ships were no longer the “floating hells” they had been during the age of sail; work onboard ship had become safer and more regularised.³⁶ However seamen often remained isolated, exploited, and living on the fringe of society. In addition sailors were normally employed by the job and this casual employment often resulted in a casual outlook towards their career. Men constantly moved in and out of the seafaring industry, often returning to work only after their savings had been exhausted.³⁷ As a result threads of extemporaneous radicalism and demonstrative individualism were traditionally integral elements of seafaring culture.³⁸ Even before seamen organised themselves into unions they had learned to bargain with their employers and officers and to withdraw their labour to back their demands.³⁹ They also had to combat, both before and after unionisation, the legacy of division. The seafaring community was by no means homogeneous. Sailors were divided by a hierarchy which separated officers from crews and by a caste system which separated men in different departments. Canadian seamen were also divided by geography; sailors on the east and west coasts were traditionally represented by different unions.

³⁶ Malcolm Cooper, “Maritime Labour and Crew List Analysis: Problems, Prospects and Methodologies”, *Labour/Le Travail* (vol. 23, Spring 1989), p. 185.

³⁷ James Healey, *Foc's'le and Glory-Hole: A Study of the Merchant Seaman and his Occupation*. (New York: Merchant Marine Publishers Association, 1936), p. 55 and C.B.A. Behrens, *Merchant Shipping and the Demands of War*, (London: Longmans, Green and Co., 1955), pp. 160-161.

³⁸ Bruce Nelson, *Workers on the Waterfront: Seamen, Longshoremen and Unionism in the 1930s*, (Chicago: University of Illinois Press, 1990), p. 4, 25 and Tony Lane, *The Merchant Seamen's War*, p. 147.

³⁹ Eric Sager, *Seafaring Labour: The Merchant Marine of Atlantic Canada, 1820-1914*. (Kingston-Montreal: McGill-Queen's Press, 1989), p. 169.

Sailors who served in Canada's Merchant Navy during the war experienced a number of changes besides the physical dangers they faced. The war convinced the Canadian government to rapidly expand the nation's merchant fleet which in turn dramatically increased the number of Canadian sailors. This expansion prompted a search for new ways of controlling this much larger work force. In addition to the traditional methods of control wartime seamen faced new laws, naval power, and their own union's new regulatory ambitions. In the end these government control measures enjoyed only limited success; seafaring culture proved to be resilient. The men also benefited from a successful CSU deep-sea organising drive. The union won improved conditions, higher wages, and helped unite Canadian seamen, regardless of the department they worked or the region they sailed.

Despite the expansion and transformation of Canada's Merchant Navy many aspects of seamen's lives remained unchanged in the 1940s. The hierarchical divisions between officers and unlicensed crew members remained solidly in place. Individual and collective actions by merchant seamen, termed "crew troubles," continued throughout the war. Crew troubles took on two different, albeit related, forms. Individual sailors traditionally responded to poor conditions and perceived injustices by declining to sail with a vessel, going AWOL, or refusing to perform their duties. More pressing were the occasional sit-down strikes by entire departments or crews. The traditionally unruly sailor has led many writers to describe merchant seamen as "a breed apart". While their working conditions and even their workplace subculture were unique, during the 1940s Canadian seamen were unwilling to be treated as a substandard class of workers.

To better understand how Canadian seamen working on the Park fleet gained from unionisation, what they lost, and how the Canadian maritime model of industrial legality followed and differed from the classic model, chapter two explores the expansion and reorganisation of Canada's merchant marine during the early years of the war and sets out the structures, conditions, and traditions which shaped the model of maritime industrial legality with which the CSU would later contend. Chapter three examines how new attempts to regulate the industry and control its work force gave the state new channels to the ordinary sailor and increased its role in the workplace. Chapter four discusses the impact of the CSU on the working lives of seamen, how the character of the seafaring industry shaped the union's relationship to industrial legality, and how the CSU does not always fit the standard criticisms of industrial legality. Chapter five investigates the extent and nature of crew troubles on the Park fleet to demonstrate how traditional responses continued despite the new attempts to impose industrial peace. Chapter six reviews the impact of industrial legality and the CSU on the lives of seamen and concludes the thesis.

Chapter Two: The Wartime Expansion and Reorganisation of Canada's Merchant Navy

Before the war Canada's merchant fleet was insignificant. At the war's conclusion, with almost 400 ships, the government-owned fleet was the world's third largest. The 176 Park ships under direct Canadian control made 936 voyages and lost thirty-two men and six vessels.¹ Most of the remaining vessels were leased to Britain for the duration of the war.

The convoluted method by which management responsibilities for Park ships were assigned complicated the relationship between workers and management because it was often difficult to determine where responsibility lay. Yet there was much about the situation to which industrial legality was introduced that was shaped by the established practices and customs of seafaring culture. Poor conditions, a strict system of hierarchy and caste, nationalistic feelings, and the sailors' contradictory consciousness represent some of the elements in the environment in which the CSU had to operate and industrial legality evolved. This environment normally assisted but occasionally stifled the union's organisational attempts. This maritime context also included the Canada Shipping Act, a long-standing piece of legislation that had traditionally provided for a high level of state involvement in the industrial relations between maritime labour and capital.

The Construction and Operation of a Canadian Merchant Navy

When government bureaucrats drafted the plan to maintain ownership of the newly constructed vessels through a Crown corporation they used the name "Rock Shipping". Since this name would not sail with either the public or sailors they instead chose the Park Steamship Company. Each of the vessels bore the name of a Canadian national, provincial,

¹ Kennedy, History of the Department of Munitions and Supply, p. 387.

or municipal park. Officials chose the distinctive Park theme to reflect Canada's history and natural beauty and because there were many park names which could be applied to the multitude of new ships.²

Government officials did not originally intend that Park Company officials should play a direct role in the management or operation of the fleet. The Canadian Shipping Board controlled and co-ordinated Canada's wartime shipping. This board assigned Park ships to specific trade routes, decided when and where they would sail, and what they would carry. The Park Company chartered the vessels out to about twenty-five different private companies who actually operated the vessels.³ These managing firms were responsible for hiring crews, maintaining the ships, paying expenses, and collecting revenues. The Canadian government kept the high profits earned due to the wartime emergency and paid the operating companies a management fee plus a percentage of cargo earnings. However this hands-off relationship became blurred when the Park Company signed collective agreements with the CSU, making Park managers ultimately responsible for conditions on the vessels.

This co-operative arrangement between government and private business led one writer to label the Park Steamship Company "a strange creature."⁴ The government's reluctance to operate the fleet can be partly attributed to the poor financial showing of the Canadian Government Merchant Marine in the years following World War One, largely due

² Special thanks to Dr. Foster Griezic for providing the story behind the Park name.

³ Patronage became a large factor in the Park Company's assignment of vessels to managing companies. When Captain Kerr, a member of the Canadian Shipping Board (and owner of Kerr Shipping Co.), suggested that the Shipping Board hold a greater say in the allocation of ships to private companies the Park Steamship Co. jealously protected this right. See National Archives of Canada (NAC) RG 46, 3, vol. 2, 17 March 1943 board meeting minutes.

⁴ Halford, The Unknown Navy, p. 29.

to mismanagement and obsolete ships.⁵ However, the decision to operate the Merchant Navy in this way was not without precedent. The Canadian government looked to Britain, where government and shipping companies co-operated throughout the war, for models of state/shipping company collaboration.⁶ Many other Canadian wartime enterprises operated with a similar degree of government and industry co-operation. Within the Department of Munitions and Supply only nine of twenty-eight Crown corporations operated plants for wartime production. The rest fulfilled administrative and purchasing functions.⁷ Over half of the government's direct investment in war production facilities was spent on Crown corporations operated by private firms for a management fee.⁸ What was unusual about the Park Steamship situation was the number of operating firms and the signing of a collective agreement which often superseded the management prerogatives of the shipping companies.

Complexity characterised this wartime collaboration between capital and the state. For example, confusion emerged over whether the Park Company or the ship managers were the employers of seamen on Park vessels. On 4 November 1942 Canadian National (West Indies) Steamship Lines (CNS), one of the companies managing Park vessels, sent a letter to the Park Steamship Company asking for clarification of this point. "I find it a little difficult", wrote CNS secretary W.H. Hobbs, "to determine who is the employer of the

⁵ After the Great War Australia, Canada, France and the US maintained state ownership of merchant shipping fleets. Great Britain was one of few nations to sell the extra vessels to private concerns. Greg Kennedy, "Great Britain's Maritime Strength and the British Merchant Marine, 1922-1935", *The Mariner's Mirror*, (vol. 80, No. 1, Feb. 1994), p. 67.

⁶ Roskill, *A Merchant Fleet in War*, preface.

⁷ Paul Philips and Stephen Watson, "From Mobilization to Continentalism: The Canadian Economy in the Post-Depression Period" in Michael Cross and Gregory Kealey eds., *Modern Canada: 1930s-1980s*, (Toronto: McClelland and Stewart, 1984), p. 25.

⁸ Philips and Watson, "From Mobilization to Continentalism", p. 26, 28.

crews of the vessels subject to the Management Agreement, such opinion as I am able to form leaning towards the view that the manager is the employer.” The Park Company’s response affirmed Hobbs’s suspicions:

if a man is employed and paid by a company and is subject only to the orders of that company and subject only to dismissal by it, he is deemed to be the employee of that company. Under the Management Agreement the Manager will operate and manage the vessels as if they were their own. They should provide and pay the officers and crew and the management of these matters ‘shall be entirely under the control of the Managers.’⁹

Just a year later the Park Steamship Company involved itself in the management of the vessels and crews by signing a contract with the Canadian Seamen’s Union. The Park Company’s desire to keep its vessels sailing motivated its increased involvement in ship operations. The confusion over the location of ultimate responsibility made it difficult to formalise the labour-management relationship under a system of industrial legality. The complex lines of authority meant that both labour and operating firms had to negotiate with the Park Company staff over many workplace decisions instead of simply with each other.

Early Conditions on the Park Fleet

Merchant seamen, who had encountered grave difficulties in the Great Depression, found an abundance of jobs and better conditions in the Second World War. Yet the nature of the British-designed ships and the method in which they were run ensured that Canadian merchant seamen worked and lived under austere conditions. Working conditions below deck were grim. The early Park ships were fuelled by coal, a technology nearly obsolete by the outbreak of war.¹⁰ Coal burners were constructed because the engines

⁹ NAC RG 12, vol. 1006, file 1459-26-2, 4 Nov. 1942, Park Steamship Company to Hobbs.

¹⁰ As the war progressed shipyards stopped building the 10,000-ton “North Sands” class of coal burning Parks and began turning out an oil burning class (the 10,000-ton Victory) and eventually another class (the 10,000-

could be built faster and were more easily maintained than modern oil or diesel engines. For the men coal burners meant hot, dirty, backbreaking work. Men, often wearing nothing but boots and a sweat rag, shovelled coal four hours on and four hours off into furnaces where temperatures could reach 130° F.¹¹ The Park engine rooms suffered from a lack of fans, made worse by an inadequate ventilation system, especially on the smaller 4,700-ton vessels. The wartime emergency also meant that young men under the age of eighteen occasionally worked as firemen or trimmers despite the fact Canada had signed an International Labour Organisation Treaty which set eighteen as the minimum age limit for stokehold work.¹²

Living conditions were no better. Living quarters for the crew were located in the aft of the ship resulting in a bumpy, uncomfortable journey across the ocean. Early Park vessels were equipped with substandard mattresses and the ratings' water supply had to be pumped by hand. Ships also lacked water coolers and fans. Not surprisingly these features were demanded by sailors on the tropical runs more often than by those on the wintry North Atlantic route. Those sailing the frigid "triangle run" had to contend with water pipes that froze in sub-zero weather, cutting off supplies of water for washing.

Poor food constituted a more serious problem for Canadian sailors. Despite the Canada Shipping Act's provision that a qualified cook had to be employed on all merchant vessels crew complaints about inedible and insufficient food were common on Park ships throughout the war. Park vessels lacked refrigeration so fresh food lasted only as long as

ton Canadian) which could be converted to burn either fuel. All of the smaller 4,700-ton Parks were coal burners throughout the war.

¹¹ Ronald Hope, ed., *The Seaman's World: Merchant Seamen's Reminiscences*, (London: Harrap, 1982), pp. 13-16.

¹² *Labour Gazette*, 1942, p. 659 and Parker, *Running the Gauntlet*, pp. 197-198.

the ice supply. Kitchen staff had to carry meals from the kitchen to the ratings in metal kits and because the department messes and galley were not located close to each other, men could expect cold meals.¹³ Members of the Park Steamship Company's Board of Directors were well aware of the problems created by having the mess rooms aft and the galley mid-ship. During a 23 November 1944 meeting they discussed crew complaints but decided to take no action to rectify the problem. Sitting in their Montreal office, the Board members decided that remodelling the ships would cost too much money and create unacceptable delays.¹⁴ The wartime emergency may have made lengthy refits undesirable, but the cost argument is less convincing. The government received earnings on operations of over \$80 million from the Park Steamship Company.¹⁵

Men also complained about poor pay during the early years of the war. No single issue seems to have created as much controversy or confusion as how much the men serving in Canada's Merchant Navy were paid, especially compared to men serving in the Royal Canadian Navy. One contemporary view, which can be heard to this day, is that men who served on Park vessels were mercenaries who received high pay and could quit whenever they liked.¹⁶ On the contrary: once men had signed ship articles desertion could mean months of hard labour.

The Department of Transport was well aware of the reality – that Canada's merchant seamen were initially underpaid for their long hours of dangerous work. In an 8

¹³ Carrying armloads of these trays across cargo cluttered and frequently stormy ship decks was also hazardous to the messboys who had to perform the duty.

¹⁴ NAC RG 46, vol. 1291, Minute Book #1, 23 Nov. 1944.

¹⁵ Kaplan, *Everything that Floats*, p. 6.

¹⁶ Lamb, *On the Triangle Run*, p. 41, Max Reid, *DEMS at War!*, p. 62 and Jay White, "Hardly Heroes", p. 21, 29.

June 1943 letter to the Honourable James MacKinnon, Minister of Trade and Commerce, the Canadian Shipping Board wrote, “The present rates of pay on Canadian merchant vessels are not considered equivalent to the remuneration granted for less sustained and no more dangerous work of a similar character in the Navy....”¹⁷ Before the CSU contract Park employees generally made less than their counterparts on Great Lakes vessels. In 1942 an able seaman serving on the Lakes made \$100 a month, an ordinary seaman \$75.50, a fireman \$93, and a trimmer \$75. Park-employed able seamen made \$56.20, ordinary seamen \$41.70, firemen \$58.50, and trimmers \$56.20.¹⁸ These saltwater wage rates do not include war risk bonuses, which by 1942 hovered around \$13 a month, depending on the managing company. At the beginning of the war Canadian seamen pressured shipping companies to pay a war risk bonus. Before the 1943 collective agreement standardised the bonus at \$44.50 each company determined a suitable rate and rates varied wildly.

There are two inter-related explanations for these poor living and working conditions. As a rule men had little attachment to their ship and shipping companies had little attachment to their crews. As a result, living and working conditions were not a high priority for ship owners.¹⁹ The British influence on the Canadian merchant marine also shaped the conditions on Canadian ships. The vessels were of British design and private operators, often Canadian subsidiaries of British shipping firms, followed the British lead in the treatment of crews. The conditions for ratings on British ships were made purposely miserable to encourage men to work their way up the ranks.²⁰

¹⁷ NAC RG 36, 3, vol. 3, 8 June 1943 draft letter from unidentified member of the Canadian Shipping Board to Hon. James MacKinnon, Minister of Trade and Commerce.

¹⁸ NAC RG 12, vol. 1493, file 8090-20, vol. 2.

¹⁹ Lane, *The Merchant Seamen's War*, p. 30.

²⁰ Halford, *The Unknown Navy*, p. 51.

Hierarchy and Caste on the Park Fleet

The men who sailed in these vessels were young (the average age was probably about twenty-five).²¹ It should also be recognised that while a large number of sailors were young there was also a significant number of older workers and that many had wives and families.²² Although wartime propaganda emphasised that seamen came from every region of the nation, most men who sailed in Canada's Merchant Navy tended to come from rural, economically-depressed locations in eastern Canada, Newfoundland, Ontario, and Quebec, as well as British Columbia.²³

These sailors were divided by a hierarchy between officers and crew and by a departmental caste system. They were united by nationalistic feelings and by the belief they were performing an essential service. The hierarchical, class divisions between officers and crew, common on British ships, were an integral part of the life of Canadian merchant sailors. On Park vessels the master, mates and cadets (officers in training), radio operators, and engineers were all considered officers. Officers were required to hold certificates or "licenses" which were obtained by writing exams. Ship crews were divided sharply along these licensed and unlicensed lines. Ship officers derived much of their authority and ability to discipline seamen from this hierarchy.

²¹ Green, *Against the Tide*, p. 98, MacDonald, "Betrayal", p. 168, and White, "Hardly Heroes", p. 30, 31. Unfortunately no comprehensive study of the ages and origins of Canadian wartime sailors exists. Jay White studied the details of 1,146 Canadian seamen killed by enemy action but this study is problematic because the majority of casualties occurred early in the war, before the rapid expansion of Canada's Merchant Navy changed its demographics.

²² White, "Hardly Heroes", p. 31, 32. Approximately 20% of the Canadian sailors killed in action listed their wives as next of kin.

²³ White, "Hardly Heroes", p. 32. West coast sailors are underrepresented in White's figures because his data overemphasise the east coast.

Officers and their crew had a working relationship but could not associate socially. A Canadian third mate who began his career during the inter-war years recounted, “You can’t really associate with the crew. The officers, you’ve got to keep your distance... You got to be strict. You can’t go ashore with them, or fraternise with them at all...”²⁴ This situation remained unchanged even during the war. “We weren’t allowed to mix with the crew,” explained Charles Macauley who joined the *Mount Douglas Park* as a cadet officer, “We lived amidships. We could be friendly and everything with them, but we couldn’t hang out back aft; the Old Man wouldn’t stand for that.”²⁵

Some sailors do not remember a hard-and-fast hierarchical system on Canadian vessels. One sailor recalled that while British ships had a common system, Canadian ships simply reflected the views of the master.²⁶ The ship board hierarchy may have been more pronounced on British ships, yet evidence of the hierarchy between licensed and unlicensed positions on Park ships exists. One former sailor, turned author, argues that the “sharp division and personal hatred” between deep-sea crews and officers was “an important reality on the deep-sea fleet”.²⁷ Officers wore uniforms with gold braid and began their careers as cadets instead of working their way up the ranks.²⁸ Park officers also received a higher war bonus than the ratings.²⁹ Even ship logs help demonstrate the divisions. When masters

²⁴ Sager, *Ships and Memories*, p. 95.

²⁵ Parker, *Running the Gauntlet*, p. 47. Even when ashore in Canadian ports officers and ratings did not mix. In 1942 Merchant Navy Officer Clubs were opened in Halifax and Montreal; unlicensed men had their own clubs. *Labour Gazette*, 1942, p. 794.

²⁶ Parker, *Running the Gauntlet*, p. 186.

²⁷ MacDonald, “Betrayal”, p. 49.

²⁸ James Keenleyside, interview by author, 2 September 1997.

²⁹ Halford, *The Unknown Navy*, p. 257.

wrote up officers in the ship's log for disciplinary offences they referred to the offender as Mr. second mate or Mr. third engineer.³⁰ Ratings were never referred to with this title.

Living quarters on the British-designed Park ships were designed to reinforce these divisions between officer and crew. The officers lived in cabins located in the more comfortable midship section while the crew lived in the stern. The two groups ate in separate mess rooms. Those men who served and cleaned in the officers' mess signed onto ship's articles as mess men while those who worked in the ratings' mess signed on as mess boys. Mess "men" were honoured by more than the more flattering title: they were also paid a higher wage.³¹ These divisions between officer and crew were not unique to British vessels and the Park fleet but some people did criticise the "British way" of running a ship.

Canadian seamen did sometimes challenge the old school, British way. Yet they did not seem to offer a fundamental challenge to the existing hierarchy. Most of the captains highlighted for specific criticism tended to be exceptional tyrants and not typical of modern British masters. Crew members accepted that orders coming from officers had to be obeyed but believed that this authority rested on technical knowledge and not greater personal worth. The manner in which orders were given could be questioned.³² No matter what their nationality, officers could not expect unquestioned loyalty if they did not show some respect to the men who served under them. One Canadian sailor complained of British officers by saying,

Now some of them weren't bad guys, but they came over with an air of superiority. I'm not sayin' they didn't know their jobs - but they came with an attitude of British

³⁰ NAC RG 12, B-14-C, 1987-88/133 Box 4, file 118, 10 April 1945 log entry.

³¹ In 1944 mess men made \$65.12 per month and mess boys \$59.20. The terms mess man and boy had nothing to do with age and were used by British as well as Canadian captains. See Articles of Agreement for the *Willowdale Park* opened 9 March 1944, NAC RG 12 B-14-C, 1987-88/133, box 29, file 222.

³² Lane, *The Merchant Seamen's War*, pp. 138-139.

superiority and it was sort of snap your fingers, and whistle at you, it happened to me many times. And I was in the black gang, and they'd whistle at you like a dog.³³

In this statement the sailor admits that officers were normally competent and does not question the right of officers to give orders. Instead he complains about the contemptuous manner in which they were given.

Orders to perform extra duties might also have been ignored or even dismissed with a plethora of oaths. During a May 1944 stop in Cuba an ordinary seaman on the *Kitsilano Park* refused to make coffee for his fellow Canadian third mate. While orders to perform his normal duties were obeyed demands for personal service from this junior officer were ignored. For this insubordination the master fined the man a day's pay.³⁴

The Park vessels were not only plagued by hierarchical divisions between officers and ratings but also by caste divisions between different working departments. "There was simply no tradition amongst ship's masters, or anyone else, of thinking of crews as organic communities," explains author Tony Lane. "The term 'crew' had no substantial meaning either".³⁵ This division of crews and departments "touches almost every aspect of ship board life."³⁶ The divisions were based mainly on the type of work performed. Men in both the deck and engine departments frowned on the men of the steward department for performing menial, unmanly duties. The sailors from the deck department regarded the work performed in the engine room as manly but quite unlike the work of a proper seaman. Men in the engine department, especially the firemen, took great pride in their ability to maintain a good head of steam but many in the stokehold were eager to gain enough sailing

³³ Sager, *Ships and Memories*, p. 145.

³⁴ NAC RG 12, B-14-C, 1987-88/133, box 55, file 445, 11 May 1944 log entry.

³⁵ Lane, *Grey Dawn Breaking*, p. 70.

³⁶ Lane, *Grey Dawn Breaking*, p. 102.

experience to escape the black gang. It would appear men in the steward department had no choice but to accept their lowly shipboard status.

These divisions also extended to the officer level. As an unnamed official tried to explain to American naval officers, engineers on merchant ships thought mates “a kind of dilettante” and mates considered engineers “a licensed grease monkey”.³⁷ While officers and ratings were often at odds a close working relationship meant that deck officers co-operated and identified with the deck ratings and the engineers with the unlicensed members of the engine room. Such co-operation between the officers and ratings of different departments helped prevent the often strained relationship between officers and the crew from reaching a breaking point.

Tony Lane argues these “rigid, caste-like beliefs and perceptions...were formed by the separation of work, eating and living arrangements of deck, engine-room and catering departments...”³⁸ Just as the officers were kept physically separate from the ratings, Park vessels had different living quarters for the different departments. Deck and engine ratings had separate cabins located on the second deck at the stern of the ship. Their mess rooms, also separate, were located on the level above their sleeping quarters. The cabins for the steward department were located on the upper deck around the engine casings. The donkeyman and bosun, the senior ratings from the engine and deck departments lived amidship under the bridge deck.³⁹ Maintaining such physical divisions between the

³⁷ NAC MG 30, E-435, vol. 1, file 1-10, “Addresses to sailors”, no date.

³⁸ Lane, *The Merchant Seamen's War*, p. 147.

³⁹ Allan MacNeish, “Cargo Ship Construction in Canada”, *Canadian Shipping and Marine Engineering News*, July 1942, p. 34.

departments cost the Park Steamship Company in terms of both money and efficiency but divided crews were easier to control.

There were circumstances on the wartime Park vessels which worked to overcome these departmental divisions. Rising feelings of Canadian nationalism united many Park crews. Demands by crew members to display the Canadian Red Ensign reveal some of the most obvious examples of Canadian nationalism. During the *Winnipegosis Park's* maiden voyage the crew "raised cain" when the vessel's English officers flew the British flag. In a fit of anger some of the men "tore it down and tramped on it and threw it overboard." These patriotic sailors became "quite happy again" after officers raised a Canadian flag over the ship.⁴⁰ The crew of another Park vessel refused to sail when the British master replaced the Canadian Red Ensign with a British flag. William Falconer recounted the tale: "We said to hell with this, if it's not a Canadian ship we're not sailing."⁴¹

Although Canada entered the war to fight alongside Britain, Canadian seamen and their British officers clashed continuously throughout the war. As one seaman, Stan Whigfield, explained: "Sometimes on board you'd wonder who the enemy was - was it the British or was it the Germans?...the majority of the officers were Limeys. Whether you were francophone or anglophone, it brought out a lot of Canadianism..."⁴² Such feelings were not restricted to Canadian sailors. Occasionally even members of the Canadian

⁴⁰ NAC RG 24, vol. 6854, NSS 8750-4778, Government Censored Letter 27 December 1943.

⁴¹ Parker, *Running the Gauntlet*, p. 200.

⁴² Quoted in Eric Sager, "Memory, Oral History and Seafaring Labour in Canada's Age of Steam", in Colin Howell and Richard Twomey eds, *Jack Tar in History: Essays in the History of Maritime Life and Labour*, (Fredericton: Acadiensis Press, 1991), p. 242.

Cabinet lamented the British influence in the Canadian merchant marine: “Even the Department of Transport, as one minister grumbled, was full of displaced Englishmen.”⁴³

The prevalence of wartime propaganda dealing with the merchant marine could account for some of the strong nationalistic sentiments expressed by sailors. This propaganda venerated the merchant seamen for the vital service they were performing for the Canadian nation and the war effort. During the war merchant seamen were celebrated as members of the “Fourth Arm” of the fighting service.⁴⁴ The government publicised the role of the merchant seaman by utilising several kinds of public media. During the war the Canadian Broadcasting Corporation ran a weekly radio show entitled “The Merchant Navy Show”. The show aired nationwide Friday evenings from 8:05 to 8:30 and featured a variety of acts including Ross Titus singing the Merchant Navy Song, comic Johnny Morgan, and plays such as “The Saga of the San Dimitrio”. This and other propaganda, including several movies, was designed to encourage young men to enlist in a rather romanticised Merchant Navy.

Canadian Merchant Seamen: Paramilitary Volunteers or Industrial Workers?

While merchant seamen were often celebrated as the fourth arm of the fighting service, they were also seen as civilian non-combatants free to participate on the open labour market.⁴⁵ Arthur Randles, the Director of Merchant Seamen, demonstrated this attitude when he pressured the Finance Department to exempt merchant seamen from

⁴³ Gerald Morgan, “Park Steamships: An Outline History”, Deep-Sea Shipping History Conference, Memorial University of Newfoundland, 1983, p. 6.

⁴⁴ In April 1943 the Minister of Transport, Hon. J.E. Michaud, stated, “Merchant Seamen virtually form the fourth arm of the fighting services, and despite their reticence to blazen abroad their heroic exploits we feel that in fairness to them and to their next of kin the Canadian public should be told of their work.” Quoted in Report of the Senate Committee on Social Affairs, Science, and Technology: Proceedings of the sub-committee on Veterans Affairs and Senior Citizens, Issue No. 1, Wed. 18 Oct. 1989, 14 Feb. 1990, p. 1:24.

⁴⁵ *ibid.*, p. 1:25.

paying income tax, a benefit provided to the Royal Canadian Navy. In September 1944 the Minister of Finance denied the request and wrote,

It has always been felt that a line must be drawn somewhere between civilian and non-civilian taxpayers....I can assure you that we approached the Merchant Seamen question with great sympathy last year and went as far as we thought we would be justified in going in view of the immense and insuperable difficulties of drawing a line between those who are not actually enlisted in the armed forces.⁴⁶

In May 1945, the preamble to the merchant seamen special bonus order re-emphasised the view of merchant seamen as industrial workers: “merchant seamen are... employed in a civilian capacity and receive remuneration determined by competitive conditions and in accordance with regulations generally acceptable to civilian employment.”⁴⁷

In 1945 the new Minister of Transport, Hon. Lionel Chevrier, demonstrated this ambiguity perfectly in a government publication. “The Government has shown itself fully sensible of the importance and valour of the gallant men who man our ships and subject to the limitations imposed by the civilian status of the Merchant Navy will continue to ameliorate their condition.”⁴⁸ In this passage he celebrated their service and at the same time stressed the fact that they were industrial workers. It would appear that most government officials referred to the Merchant Navy as a service when necessary for public consumption; otherwise the men who sailed on the vessels were regarded as industrial workers.

⁴⁶ Quoted in the Standing Committee on Veterans Affairs, Minutes of Proceedings and Evidence No. 8, submission by the Canadian Merchant Navy Veterans Association, 7 Aug., 1958, p. 275. The Canadian government’s treatment of merchant veterans demonstrates that politicians were prepared to recognise the seamen as members of a service until such recognition would cost money. Only in 1992 did the Canadian government finally award merchant seamen a form of veteran status.

⁴⁷ ibid., p. 275.

⁴⁸ Chevrier, Canada’s Merchant Seamen, p. 14.

Similarly most writers conclude that seamen viewed themselves as industrial workers.

Tony Lane wrote that during World War Two British sailors, “went on doing their job because in war, as in peace, they had to earn a living and it was simply unfortunate and could not be helped that going to sea had become so much more dangerous.”⁴⁹ Author Morgiana Halley suggests, “their views about themselves and their work altered little from what might be considered peacetime norms.”⁵⁰ Most writers who discuss Canadian sailors echo this view. Historian Jay White observes, “While it may be fashionable to portray merchant seamen as unheralded heroes of the Battle of the Atlantic, we need to recognise that they were fundamentally workers...”⁵¹ Tony German contends, “The vast majority simply ground on at the job because there was no where else to go, or it was less odious to them than the navy.”⁵²

Did Canadian seamen see themselves as industrial workers or as members of a non-uniformed service? There is evidence for both perceptions. As “industrial workers,” many Canadian sailors had recently joined the merchant marine; in contrast to their British counterparts, they were not generally continuing a long-standing pre-war tradition. On the other hand, as “non-uniformed service men,” many seamen who joined merchant vessels did so because they were too young for the armed forces. Jay White dismisses these young men as individuals seeking adventure and, more importantly, high wages.⁵³ Yet boys like Jim Boutilier, William Falconer, Earle Wagner, Bernard McCluskey, Robert Bradstock, and

⁴⁹ Lane, *The Merchant Seamen's War*, p. 9.

⁵⁰ Morgiana Halley, “Death Was Their Escort, and Glory Passed Them By: Life in the Marine Convoys of WWII”, *Northern Mariner* (vol. VII, No. 1, Jan. 1997), p. 45.

⁵¹ White, “Hardly Heroes: Canadian Merchant Seamen and the International Convoy System, 1939-45”, p. 29

⁵² German, *The Sea is at Our Gates*, p. 193.

⁵³ White, “Hardly Heroes: Canadian Merchant Seamen and the International Convoy System, 1939-45”, p. 29

Joseph Noade, all signed on to their first ships between the ages of fifteen and seventeen, specifically because they were too young for military service.⁵⁴

Others had been rejected by the military, sometimes all three branches, for medical reasons. The navy discarded Charles Macauley for having had polio as a child. The airforce rejected Bruce Duncan for being colour blind, Garfield Chinn and Doug Fraser had bad eyes, Percy Lambert was too small, Arthur Rockwell had varicose veins, and both Adrian Blinn and Roland Goulet had injured a foot in logging accidents.⁵⁵ Rejected by the military for being black, Doug Bauld fulfilled his desire to serve Canada in its Merchant Navy.⁵⁶ While these men were performing a job they also chose the profession specifically to serve in the war effort.

The question of the adoption of unofficial uniforms highlights the tendency of many merchant seamen to regard themselves as non-uniformed servicemen. As the war progressed government officials such as Arthur Randles, the Director of Merchant Seamen, and Captain Eric Brand, the Royal Canadian Navy's Director of Intelligence and Trade took notice of merchant seamen who began adopting a type of unofficial Merchant Navy uniform. There was no uniform for unlicensed ratings serving with the Park Steamship Company, save for a small pin with the initials MN. The government introduced this Merchant Navy badge on 26 August 1941 and by the end of hostilities the Department of Transport had issued 7,250.⁵⁷ Graduates of the Saint Margaret's training school wore bell bottoms as an unofficial uniform but many, stung by being called "pretenders", soon

⁵⁴ Parker, *Running the Gauntlet*, p. 62, 81, 179, 197, 234, 239.

⁵⁵ Parker, *Running the Gauntlet*, p. 45, 77, 168, 207, 195, 260.

⁵⁶ Parker, *Running the Gauntlet*, p. 119

⁵⁷ NAC RG 12, vol. 1432, file 8117-28 pt. 4, P.C. 6686 Merchant Navy Badges / NAC RG 12 vol. 1424, file 8117-23(3), 6 January 1948 memo by J.W. Kerr.

dropped the practice once they entered the manning pools.⁵⁸ The training school also sold sweatshirts imprinted with “Canada Merchant Navy”.⁵⁹

It soon became apparent that without an official uniform many men were creating their own. Government officials viewed this as a serious problem. The first month of 1944 saw an increased number of young men in uniform and the matter was referred to the Ministry of Transport.⁶⁰ During the summer of 1944 the Interdepartmental Committee on Merchant Seamen saw an “urgent necessity to identify young Canadian merchant seamen as volunteers in the ‘Fourth Arm of the Fighting Forces’”. They took the decision to devise uniforms, badges, and an insignia “the wearing of which should be optional”. The Director of Merchant Seamen then agreed to bring up the proposed solution with the Transport Department’s Director of Marine Services.⁶¹ Randles recommended a standard uniform consisting of a navy blue wind breaker with a Merchant Navy crest on the left arm.⁶²

After officials decided to create uniforms for Canada’s Merchant Navy bureaucratic delays kept interfering with their introduction. On 14 November 1944 regulations for the uniforms were finally prepared and awaited approval from the various departments and committees involved in the process.⁶³ Brand added his two cents to a January 1945 report which pointed out several Canadians were being caught ashore in uniforms consisting of blue battle dress with “Canada MN” shoulder badges by writing, “Cpt. Kerr has been

⁵⁸ Halford, *The Unknown Navy*, p. 155.

⁵⁹ Halford, *The Unknown Navy*, p. 155. A government booklet advertising its two Merchant Navy training facilities had at least one recruit wearing such sweatshirts in almost every photo. See *Training for the Merchant Navy* (Ottawa: Department of Transport, Issued by the Director of Merchant Seamen, 1942).

⁶⁰ NAC RG 76, 1-A-1, vol. 463, file 708755 pt. 2, 4 January 1944 meeting minutes.

⁶¹ NAC RG 76, 1-A-1, vol. 463, file 708755 pt. 2, 13 June 1944 meeting minutes.

⁶² NAC RG 24, vol. 6852, file NSC 8750-1 vol. 2, 5 February 1945 Arthur Randles to Mr. Macphail.

⁶³ NAC RG 76, 1-A-1, vol. 463, file 708755 pt. 2, 14 November 1944 meeting minutes.

holding this question up as only he can for twelve months.”⁶⁴ A month later Randles complained to Brand about the length of time Transport took in approving a design: “It is very difficult to see why it could not have been settled many months ago.”⁶⁵ When Transport officials finally came out with its uniform design Randles rejected their idea for a series of cap badges, buttons, and insignia as insufficient.⁶⁶ In the end Canada’s bureaucrats took longer to approve a uniform than it took for the Allied forces to defeat the Axis powers. When the war against Japan reached its successful conclusion officials decided uniforms were no longer needed.⁶⁷ This reversed the decision taken a year earlier to have uniforms in the post-war period in order to aid the building of a peace-time Merchant Navy.⁶⁸

It is extremely difficult to judge how many Canadians were actually wearing unofficial uniforms. Spencer’s Department Store placed half-page ads in the Vancouver Herald for merchant marine uniforms which included pea jackets, battle dress, blue raincoats, and Merchant Navy shoulder flashes. Both Randles and Brand believed the problem to be endemic. Randles estimated with a “modest guess” that half of Canada’s seamen were wearing some kind of uniform.⁶⁹ R.J. Orde, Judge Advocate General, pointed out there were so many “home brew uniforms on the street” it would be impossible to enforce regulations outlawing the wearing of military uniforms by civilians.⁷⁰ However two

⁶⁴ NAC RG 24, vol. 6853, file NSS 8750-3182, 13 January 1945 NBS report.

⁶⁵ NAC RG 24, vol. 6852, file NSC 8750-1 vol. 2, 22 February 1945 Arthur Randles, Director of Merchant Seamen to E.S. Brand, Director of Naval Intelligence and Director of Trade.

⁶⁶ NAC RG 76, 1-A-1, vol. 463, file 708755 pt. 2, 21 February 1945 meeting minutes.

⁶⁷ NAC RG 76, 1-A-1, vol. 463, file 708755 pt. 2, 2 October 1945 meeting minutes.

⁶⁸ NAC RG 76, 1-A-1, vol. 463, file 708755 pt. 2, 26 September 1944 meeting minutes

⁶⁹ NAC RG 24, vol. 6852, file NSC 8750-1 vol. 2, 19 February 1945 Arthur Randles to Mr. Macphail.

⁷⁰ NAC RG 24, vol. 3939, file NSS 1037-28-4-2 vol. 1, 22 November 1944 R.J. Orde, Judge Advocate General to Arthur Randles.

men who, between them, sailed on three Park vessels do not recall ever seeing men wearing unofficial uniforms.⁷¹

The whole decision to create a Canadian Merchant Navy uniform does contain elements of a top-down attempt to increase government control over sailors. The decision to design a standard uniform was taken to instil a sense of personal pride and esprit de corps in the seamen and to demonstrate to the public they were serving in the war effort.⁷² However the main impetus did come from Canadian sailors themselves.⁷³ Complaints of uniform violations were most often filed against the younger sailors. One naval report observed that “youngsters”, “especially from training schools” sailing on the *Riverdale Park*

⁷¹ James Keenleyside, interview by author, 2 September 1997 and Max Reid, telephone interview by author, 27 July 1997.

⁷² NAC RG 12, vol. 1101, file 11-40-19, 8 February 1944 meeting minutes. Canada seems to have been the only nation which came so close to introducing a Merchant Navy uniform. British seamen and their union strongly resisted the idea of uniforms. The leadership of America's two largest seamen's unions were also strongly against the idea of uniforms. When Eleanor Roosevelt proposed that merchant seamen receive their own uniforms union leaders fought against the idea, believing it to be the beginning of regimentation and a loss of rights. See John Bunker, *Liberty Ships: The Ugly Ducklings of WWII*, (Annapolis, Maryland: Naval Institute Press, 1972), p. 30 and Felix Riesenber, *Sea War*, (New York: Rinhart and Company, 1956), p. 108. In contrast to their Allied counterparts the CSU did not automatically reject the idea of uniforms. Randles asked the CSU for their input and in May 1944 the CSU asked members if they wanted a Merchant Navy uniform. Letters to the editor of the *Searchlight* came out both in favour of and against the idea. The majority of letters supported the plan, although crew members of the *Outremont Park* wrote that the “Lakes” might like it but “most of us salt water seamen feel, to use the vernacular, that it is ‘phony.’” It is not known what the CSU finally reported as to what Canadian seamen wanted. See *Searchlight*, May 1944 and *Searchlight*, Nov. 1944.

⁷³ At the start of the war some wanted to enlist merchant seamen directly into the military. In the opening months of 1941 Captain Kerr, Transport's Supervisor of Nautical Services, proposed the idea to have sailors enlisted “under semi-naval service articles, provided with uniforms, and given a status similar to that of members of the other services.” The idea never bore fruit because the British had not done it; in fact the National Union of Seamen and British ship owners had united to defeat a similar plan to make the British Merchant Navy an auxiliary of the Royal Navy. American officials, contemplating bringing the merchant marine under naval control decided that the project was too ambitious. Canadian officials were also concerned with upsetting the “private and competitive character of the shipping industry”. Instead the decision was taken to copy Britain and introduce a Merchant Navy pin. NAC RG 76, 1-A-1, vol. 463, file 708755 pt. 1, 27 January 1941 meeting minutes, Lane, *The Merchant Seamen's War*, p. 119, NAC RG 76, 1-A-1, vol. 463, file 708755 pt. 1, 27 January 1941 meeting minutes.

and *Gatineau Park* wore uniforms when ashore.⁷⁴ It would seem that many young sailors were breaking with the way in which merchant seamen had traditionally resisted the regimentation associated with uniforms. That these uniforms were worn ashore demonstrates these sailors wanted to be recognised by the public as men contributing to the war effort. The public, especially in non-coastal communities often viewed a merchant seaman in civilian clothes as a “slacker”, avoiding military service.⁷⁵ By wearing uniforms while ashore young merchant seamen seemed to want recognition for performing a service and to set themselves apart from those Canadians who were employed in shore jobs. This desire for recognition seems to signify a belief that, contrary to many subsequent scholars, they saw themselves as something more than workers employed on a floating factory.

The desire for uniforms and recognition seems to reveal a contradictory consciousness. Seamen were surrounded by propaganda which urged them to see themselves as heroes performing a vital part in the war effort. Merchant seamen seem to have been fiercely nationalistic and proud of their role as the “Fourth Arm” of the military. At the same time the harsh reality of their living and working environment at sea clashed with their patriotic feelings. The hostility shown towards their officers and the continued wildcat strikes illustrate how the reality of their lives proved stronger than the slogans contained in films, radio, and posters.⁷⁶ Government and shipping company appeals to the patriotism of seamen would only go so far.

⁷⁴ NAC RG 24, vol. 6854, file NSS 8750-4612, *Riverdale Park* 27 April 1944 NBS report. A similar situation occurred in the United States. While American union leaders came out strongly against the idea of uniforms many of their young countrymen wore unofficial uniforms while on shore. Riesenber, *Sea War*, p. 108, 161.

⁷⁵ Doug Fraser, *Postwar Casualty*, p. 132.

⁷⁶ Nelson Lichtenstein, *Labor's War at Home: The CIO in World War Two*, (Cambridge: Cambridge University Press, 1982), p. 197.

“A Smelly Antique”: The Canada Shipping Act and the Maintenance of Discipline

A crucial aspect of the standard industrial legality thesis is that, sometime in the first half of the twentieth century, there was a dramatic formalisation of industrial relations. The history of merchant seamen qualifies this impression. Legislation aimed at controlling the behaviour of ship crews, often at the most local and detailed level, pre-existed the twentieth century. The Canada Shipping Act had long legislated the nature of industrial relations in the seafaring industry. First introduced in the nineteenth century, the Canada Shipping Act (descended from Britain’s 1797 Mutiny Act) had become a sweeping 500-page document by the war’s outbreak. The Shipping Act obliged sailors to sign articles of agreement which set out specific terms of employment and penalties if they were breached. When a sailor signed his name to the ship’s articles of agreement he relinquished certain aspects of his personal freedom for the duration of the trip.

Written, binding contracts had a long tradition in the shipping industry. Their origins lay in pre-Christian times. The introduction of formalised articles of agreement during the nineteenth century meant sailors were among the first workers to sign written contracts which set out their obligations and the conditions of their employment.⁷⁷ During the age of sail seamen were some of the most litigious of nineteenth-century workers. The contractual nature of their employment led seamen to respond to breaches of the articles with court challenges or work stoppages.⁷⁸ However, before unions and collective bargaining, seamen could not often negotiate the terms of the Articles of Agreement they signed.

⁷⁷ Healey, *Fog’s’le and Glory Hole*, p. 14.

⁷⁸ Judith Fingard, *Jack in Port*, (Toronto: University of Toronto Press, 1982), pp. 6, 168, 180-81.

The Shipping Act did more than introduce written contracts. It also set out penalties for breaches of discipline. The Act outlawed desertion, insubordination, and strikes. Punishments ranged from hefty fines to lengthy prison sentences. The Shipping Act's main charges included the "wilful disobedience" of any "lawful command". If found guilty seamen faced one month in prison and a fine of two days pay. For "continued wilful disobedience" the sentence increased to three months imprisonment. For every day the sailor refused duty, a fine not exceeding six days pay or the cost of hiring a substitute was levied. A conviction for combining with other members of crew to disobey orders or to impede the navigation of a vessel could result in a maximum prison term of three months. At the judge's discretion these sentences could be with or without hard labour.

These codes of behaviour outlined by the Canada Shipping Act and the articles of agreement often directly clashed with the principles of collective bargaining and industrial legality. The Shipping Act's regulations infringed on sailors' rights to act collectively. Crew members who went on strike could be charged with combining to impede the progress of a vessel.⁷⁹ Similarly it became difficult to know if a captain's orders were still "lawful" if they violated a collective agreement. Even the CSU contract with the Park Company did not solve the problem since the agreement stressed, "Nothing in this agreement is intended to, and shall not be construed, to limit in any way the authority of the master, or other officers, or lessen the obedience of any member of the crew to any lawful order."⁸⁰ Throughout the war the Canada Shipping Act remained a principal source of power for shipping companies and ship masters. The wartime collective agreements were not supposed to undermine the

⁷⁹ The Canada Shipping Act was also used to imprison union officials during strikes. When CSU port agents boarded vessels they could be charged and imprisoned for boarding a ship without the Captain's permission.

⁸⁰ NAC RG 12, vol. 1293, November 1943 Collective Agreement.

traditional authority of the ship captains. Despite improvements in living and working conditions no attempt was made to change traditional social relations on board ship; the word of the master remained as good as the word of God. The introduction of industrial legality to the high seas was not meant to alter fundamentally the way Canadian vessels were operated.

Ship captains derived their power from the Canada Shipping Act and could exercise it arbitrarily. While on ship their word alone was law. The captain could impose fines, withhold leave or pay advances at port, or simply pay off a crew member he felt had violated the articles of agreement. During the war, ship masters made good use of their powers set out in the Shipping Act. The logs of Park vessels are filled with fines for offences ranging from absences without leave and drunkenness (the two most common), to “insolence”. A typical example of a logging for insolence occurred when a *Kootenay Park* crew member responded to an officer’s order to keep a closer lookout in the future with the term “bullshit”. The Captain fined the man a day’s pay.⁸¹

At the end of a voyage masters gave each crew member a rating on ability and conduct. Captains were supposed to assign one of two ratings to each category, VG (very good) or DR (decline to report). A DR rating was in reality a bad report and could hinder a sailor’s ability to get another job. There was no control over the assigning of ratings and perceived misconduct more often than not resulted in a DR rating not only for conduct but also ability.

Captains might forgive fines for bad behaviour at the end of a voyage but any back talk often resulted in DR ratings. On 10 April 1945 the *Mount Douglas Park*’s second mate

⁸¹ NAC RG 12, B-14-C, 1987-88/133, box 20, file 190, voyage 27 Nov. 1942-17 March 1943 log book.

started a fight with the third mate. After the Captain chastised and fined the two Canadian officers the third mate complained that he had received the beating because the Captain did not know how to maintain discipline. The third mate did not get into any further trouble. The second mate received a second fine for disobedience after he repeatedly used the saloon while improperly dressed. At the end of the voyage the second mate received VG ratings for both ability and conduct. The third mate who had criticised the master received a VG rating for ability but a DR rating for conduct. The same thing often happened to unlicensed crew members if they complained about fines or threatened to bring any disputed issue to the attention of the shipping master. This ability on the part of captains to damage, if not ruin, a sailor's career demonstrates the arbitrariness of their power and the way in which the Canada Shipping Act continued to shape industrial relations in the merchant marine after the introduction of industrial legality.⁸²

The overlap between responsibilities set out in the Canada Shipping Act and the rights provided by unionisation and collective bargaining reflects how industrial legality was grafted on to, but did not replace, the existing system. It was within this complex system that the CSU had to act, a structure made even more confusing by new government attempts to control sailors. The confusion over ultimate managerial responsibility and elements of the seafaring occupation helped shape the environment in which the CSU and industrial legality operated. The Canada Shipping Act represents an integral part of this maritime setting for industrial legality. This piece of legislation had shaped industrial

⁸² In Canada and America these discharges were loose pieces of paper which sailors could throw away if they received a bad rating. In Britain and Europe seamen carried a continuous discharge book which made it harder to escape bad discharges. Fear of a Captain's ability arbitrarily to end a man's career led to strong resistance when the Canadian government tried to introduce a continuous discharge book in 1948.

relations in the seafaring industry, often through coercive state involvement, long before the CSU introduced collective bargaining to Canada's ocean-going fleet. However, as we shall see, the Canadian government would attempt to reshape this environment as the war progressed.

Chapter Three: Attempts to Regulate and Control Seamen

Industrial legality classically entailed an expansion in the role the state played in the direct regulation of the workplace. Manning pools, new laws, mandatory identity cards, increased contact between the Royal Canadian Navy and merchant marine: all these gave the state new powers to regulate the seafaring industry and its workers. Industrial legality also typically replaces directly coercive state activities such as breaking strikes with police and militia with indirect means such as laws and the courts. Yet the use of oppressive legislation and armed naval boarding parties to control merchant sailors demonstrates that state coercion remained a way of life for wartime seafarers.

Restructuring the Labour Market and the Introduction of Manning Pools

As Canadian shipping expanded at an incredible rate, the Department of Transport established several administrative offices to supervise the wartime Merchant Navy. On 19 May 1941, the government appointed Arthur Randles, a manager for the Cunard White Star Line, as the Director of Merchant Seamen. This office had a great influence on the lives of merchant sailors. Randles's responsibilities included the establishment and operation of training centres and manning pools as well as the welfare of all civilian sailors in Canadian ports. Arthur Randles also chaired the Interdepartmental Committee on Matters Relating to Merchant Seamen, originally assembled informally by the Minister of National Defence for Naval Services it received formal status on 15 June 1942. The committee studied "questions concerning the control and discipline of merchant seamen ashore in Canada and on board ship."¹ This committee, with representatives from several government departments, helped design and introduce most of the new government measures designed

¹ Labour Gazette, 1942, p. 793 and 795.

to control sailors. Perhaps more than any other individual Arthur Randles helped to shape the nature of the workplace seamen entered during the war.

The manning pools were one of the most important new facilities for Canada's merchant seamen. In 1941 the 450-bed Halifax manning pool opened and similar facilities soon appeared in Saint John, Montreal, and Vancouver. These manning pools presented a benefit to both sailors and ship operators. Canadian sailors who signed the pool agreement received a place to stay, cheap food, and some pay while in port.² Having sailors grouped in manning pools also made it easier to find men to fill required positions. The opening of merchant seamen clubs and homes in Halifax, Sydney, Saint John, and Montreal marked a further measure to improve the welfare of seafarers while in port.

The manning pools were partly designed to improve conditions for sailors while they waited on shore for another ship and Canadian seamen undoubtedly benefited. Yet the manning pools also meant that men were employed by an industry rather than by a specific firm. As a result Canadian sailors had little or no hope for advancement within a company's ranks and little reason to stay with a vessel. Without an attachment to a company seafarers had one less reason to be on their best behaviour and companies had little incentive to offer conditions which would encourage men to make their careers with a single company.

The manning pools were a significant place for interaction between sailors. Within the walls of these buildings Canadian sailors, many with little or no sea experience, became part of the seafaring community as they mixed and interacted with more experienced seamen. The second mate of the *Riverview Park* observed that once Merchant Navy training

² Halford, *The Unknown Navy*, p. 33, 42, 43.

school grads entered the pools, "They pick up a lot of ideas from the older hands." There is no elaboration on what type of ideas they picked up though it seems that the officer referred to the individualistic and disorderly elements of seafaring life.³

The shipping companies that managed Park vessels were supposed to hire their crews from the pools. In reality not all masters used the system and not all men joined the pools. For example, during the summer of 1944 the *Banff Park's* master hand-picked a crew then checked it through the pool because he did not like hiring men sight unseen.⁴ Government officials strongly discouraged this practice of hiring off the docks because it allowed men black-listed from the pool to continue to ship out. Masters also seemed to have an unofficial choice of men. In correspondence with R.B. Teackle, the Park Steamship Company's President, A. Hughes, the manager of the Elder Dempster shipping company, explained that, "As regards the manning of the ships, the Canadian manning pool officially delegates the crew to the various vessels, but we find in actual practice, that unofficially, the captain and officers can to a great extent pick their own men."⁵

Many sailors and officials had the misconception that men in the Canadian pool could refuse two ships but then had to accept a third; and the notion has survived until the present day.⁶ It is possible this became an unofficial practice but the Director of Merchant Seamen denied pools operated in this manner. In 1944, after a naval gunner serving on a Park ship wrote a report to his commanding officer complaining of the habit, Randles assured Brand that this was definitely not the way the manning pools were supposed to

³ NAC RG 24, vol. 6854, file NSS 8750-4258, 8 June 1943 NBS Report.

⁴ NAC RG 24, vol. 6853, file NSS 8750-3735.

⁵ NAC RG 12, vol. 1495, file 8892-35 vol. 1, 13 May 1943, A. Hughes to R.B. Teackle.

⁶ Parker, *Running the Gauntlet*, p. 33 and Max Reid, telephone interview by author, 27 July 1997.

operate.⁷ Later that year Randles wrote a similar letter to the Minister of Transport, J.E. Michaud, in which he reiterated that men had no choice of ship while in the manning pool.⁸ The lack of choice for sailors even extended to the nationality of the ship. Pool Directors were advised that while Canadians could be forced onto foreign vessels, it was not advisable.⁹

The government used the pool system as part of a conscious effort to impose a degree of regulation on what had traditionally been a very casual industry. In addition to ensuring the welfare of seamen while ashore, pools were designed to “maintain the supply of merchant seamen” and to “prevent waste in the use of seamen by regularizing the system of employment.”¹⁰ During the war the casual nature of the workforce would have hindered the smooth operation of the merchant fleet so the manning pools took away a seaman’s ability to choose which ship he would join. However this lack of choice discouraged many seamen from signing the pool agreement.

On 1 April 1944 the Canadian government introduced a new arrangement to try and overcome this problem. If a man signed an agreement to serve as directed for two years or for the duration of the war, whichever was shortest, he would receive a number of benefits. Benefits included a war service bonus equal to 10% of his total earnings at the end of each twelve months of service, two days per month of cumulative paid leave at the end of each year, round trip rail fare between a pool and his home, and basic pay for a maximum of twelve weeks if ill or injured. The government introduced the new arrangement to dissuade

⁷ NAC RG 24, vol. 6855, file NSS 8750-4896, 29 Feb. 1944, Arthur Randles to E.S. Brand.

⁸ NAC RG 12, vol. 1476, file 8020-14 vol. 1, 25 May 1944, Arthur Randles to Hon. J.E. Michaud.

⁹ NAC RG 12, vol. 1478, file 8020-85, 17 Jan. 1942, Arthur Randles to Cpt. J.W. Sutherland, Regional Director of the Halifax Manning Pool.

¹⁰ Labour Gazette, 1941, p. 957 and 1942, p. 794.

seamen from going to sea for a single voyage, then staying ashore until the money ran out or from quitting the industry altogether.¹¹ The CSU supported the new two-year pool arrangement but the government ignored its calls for an appeal board for those men blacklisted from the manning pools. In all 6,200 men signed the two-year pool agreement.¹²

Many seamen preferred the freedom of being able to pick their own ship and never joined the manning pools.¹³ While convoy destinations were supposed to be secret the type or even name of a ship often tipped off men as to whether the vessel would be sailing the frigid North Atlantic or in the sweltering tropics. Other ships, with reputations as bad feeders or despotic atmospheres, were to be avoided.

In this way the manning pools captured the double-sidedness of industrial legality. There can be no doubt that they represented an improvement for many sailors. At the same time, they eliminated some of their traditional autonomy. There can also be no doubt that they enhanced the state's ability to control seamen. Manning Pool Directors maintained discipline within the pools through the Merchant Seamen's Order (MSO), a harsher version of the Canada Shipping Act. Despite the Judge Advocate General's advice not to extend the MSO to cover seamen not serving on ships, Randles extended the Order to cover pools.¹⁴ The manning pool blacklist became a more important means to manage seamen behaviour. Men blacklisted from the pool would find it extremely difficult to find another job. Even men who escaped punishment in the courtroom could have their livelihood threatened by being blacklisted. Receiving a bad discharge from a ship's captain

¹¹ NAC MG 30, E435, vol. 3, file 3-1, June 1944 memo Review of the Canadian Merchant Navy Situation, E.S. Brand to Minister for National Defence.

¹² NAC RG 12, vol. 1424, file 8117-23(3), 4 April 1946, John MacCourt to W.H. van Allen.

¹³ Chevrier, *Canada's Merchant Seamen*, p. 10.

¹⁴ NAC RG 12, vol. 1482, file 8034-32, 21 April 1942, R.J. Orde to Arthur Randles.

could often be enough to be added to the blacklist. Randles seemed to micro-manage the blacklist and made sure that certain individuals who had caught his attention were not admitted.

The government closed the manning pools in July 1946, thereby cutting the pay of seamen who no longer received a salary while they were between ships. The pools were replaced in the first post-war contract by CSU hiring halls. These halls meant that the union controlled the hiring of salt-water crews, an ability specifically denied the union during the war.¹⁵ These hiring halls remained a better option to hiring off the docks and essentially provided the CSU with a closed shop. They also continued the process of formalising the workplace inherent in the system of industrial legality.¹⁶

Throughout the war the tendency of many seamen to exercise their freedom of choice and sign onto American ships became a problem in the eyes of Canadian officials. Canadian seamen were well aware that pay, living, and working conditions were better on certain foreign vessels, especially American-registered ships. At first a government committee examining the problem decided against any drastic action preventing Canadian sailors from leaving for the USA because no other civilians were restricted from migrating in search of higher wages. Instead they decided to put pressure on the groups recruiting Canadian seamen to cease and desist.¹⁷ Less than a year later, in light of a shortage of men willing to sail on Park vessels, Randles lobbied for a change in a draft order in council which regulated the departure of Canadian workers abroad to include sailors. As a result of this

¹⁵ Searchlight, 1 August 1946.

¹⁶ The demand by shipping companies in 1948 that the CSU give up the hiring halls (and thus the closed shop) led to the disastrous 1949 strike which destroyed the union.

¹⁷ NAC RG 76, 1-A-1, vol. 463, file 708755, pt 1, 2 Oct. 1941 Meeting.

lobbying the order was amended and any seamen leaving the country for work on a foreign vessel would require the Director of Merchant Seamen's written permission.¹⁸ In April 1944, Canada Customs began to control the exit of merchant seamen.¹⁹ The Canadian government's introduction of movement restrictions in order to maintain the smooth functioning of the country's merchant marine demonstrates one more element of the industrial legal system which shaped the lives of Canadian sailors.

The Introduction of Wartime Legislation

The Canadian government controlled seamen not only through a restructured labour market but also through the introduction of several new laws. The government introduced legislation which, despite claims to the contrary, had more to do with controlling the workers of a vital wartime industry than with guarding against subversives or saboteurs. In response to problems with Greek, Dutch and Norwegian sailors the government passed Order in Council P.C. 4751 in 1940. Alien seamen who refused to work in Canadian ports faced detention in immigration facilities and, at the Minister's discretion, could be used on labour projects. This measure was largely unsuccessful because men could only be held until they agreed to sign onto another ship. The government quickly expanded on its first attempt to control merchant seafarers.

At the very first meeting of the Interdepartmental Committee on Matters Relating to Merchant Seamen on 21 January 1941 E.S. Brand, Director of Naval Intelligence and Trade, brought up the "desirability of having greater legal powers over Canadian and British seamen."²⁰ Later that year the government expanded their attempts to control sailors with

¹⁸ NAC RG 76, 1-A-1, vol. 463, file 708755, pt 1, 14 July 1942 Meeting.

¹⁹ Halford, *The Unknown Navy*, pp. 85-87.

²⁰ NAC RG 76, 1-A-1, vol. 463, file 708755 pt. 1, 21 January 1941 meeting minutes.

the 4 April introduction of the Merchant Seamen Order (MSO), a law drafted by R.J. Orde, the military's Judge Advocate General (JAG). Despite the Order's radical departure from Canadian traditions officials like Randles supported it because they felt that the penalties outlined in the Canada Shipping Act were not severe enough for wartime.²¹

The Order applied to any sailor in a Canadian port on a merchant ship (with the exception of American vessels). Men responsible for delaying actions, or even thought likely to pose problems in the future, could be taken off their ship by a Naval Boarding Officer and the RCMP. After a ship's master laid charges a Committee of Investigation, made up of a representative from the RCMP and the Naval Control Service, examined the case and decided whether to take the accused man into custody and proceed to the next step, a Board of Inquiry. Representatives from the Navy along with the Departments of Immigration and Transport made up the three-man Board. Essentially a trial, the Board of Inquiry had to take place within ninety-six hours of the accused being taken into custody.²² Men who were convicted by this Board, the hearings of which were secret, had no right to appeal and faced up to three months of hard labour in prison.²³ Once this initial sentence expired it could be reviewed and extended to another term of incarceration up to six months, for a maximum sentence of nine months. The Board could also release men: entirely, to a ship, or to a manning pool. Detention became the preferred punishment.²⁴

²¹ NAC RG 12, vol. 1101, file 11-40-19, 7 March 1944 meeting minutes.

²² The Order was amended five times during the war to streamline its application. For example, Committees of Investigation originally had a member from the Department of Transport but manpower shortages made this unfeasible. Boards of Inquiry were originally to be held within 48 hours, later amended to 72 hours, but it proved too difficult to get all the members of the Board together within this time frame.

²³ Searchlight, June 1941.

²⁴ By the end of the war cases could also be settled by arbitration and increasingly this is how problems were settled. NAC RG 12, vol. 1101, file 11-40-22 pt. 1, Monthly reports list the number of investigations, inquiries, sentences and number settled by arbitration.

The knowledge that many seamen being convicted were juveniles under the age of eighteen led the government to include special provisions under the MSO for young offenders. At the end of 1942 officials decided that managers of Allied Merchant Seamen Clubs would act as custodians for those under eighteen.²⁵ Less than four months later the committee changed its mind and decided young offenders were being dealt with too leniently. Offenders would be placed in the custody of immigration authorities and, if their behaviour still did not improve, in gaol.²⁶

By the end of the war, 2553 cases had been dealt with by Boards of Inquiry. Over 46% of the cases had arisen from desertion, 17% from refusals to sail, 19% from refusal of regular duties, and 15% from delays to vessels. Only nine of the 2553 cases involved subversive activities and a total of 406 or 15.9% of the cases involved Canadian sailors.²⁷ The Order had an impact beyond this number of cases. The mere threat of charges under the MSO would often encourage sailors to modify their behaviour.

The Merchant Seamen Order co-ordinated Canadian state disciplinary action to a greater degree than that found in other Allied powers. Canada's Judge Advocate General admitted that the law "has no counterpart in the Empire."²⁸ These draconian regulations were justified by the need to prevent subversives from disrupting the ships. The preamble to the Order stated that,

present conditions affecting shipping across the Atlantic make desirable the adoption of a comprehensive policy that will avoid delay in departure of ships from Canadian ports, which may be caused by difficulties pertaining to the crew, such as

²⁵ NAC RG 76, 1-A-1, vol. 463, file 708755 pt. 1, 1 Dec. 1942 meeting minutes.

²⁶ NAC RG 76, 1-A-1, vol. 463, file 708755 pt. 2, 23 March 1943 meeting minutes.

²⁷ Larry Hannant, *The Infernal Machine*, (Toronto: University of Toronto Press, 1995), p. 135.

²⁸ Frederick Watt, *In All Respects Ready*, (Toronto: Prentice-Hall, 1985), p. 130.

being suspected of carrying on subversive activities either on board the ship concerned or otherwise.²⁹

Despite this ostensible concern about the danger of subversives, the MSO immediately became a key instrument for controlling traditionally unruly seamen. Operators of Great Lakes vessels were jealous of the opportunities for control offered by the MSO. On 16 August 1944 the Dominion Marine Association, of which 60% of Lakes vessel owners were members, unsuccessfully requested that the MSO be applied to the Great Lakes.³⁰

After the conclusion of hostilities with Germany Randles praised the MSO in a letter to Brand: "The operation of the Merchant Seamen Order, which was a unique instrument, has certainly been an operation crowned with success."³¹ "Success" here can be understood quite clearly in terms, not of checking "subversion," but of arming the government and shipping companies with an instrument so high-powered that even one of its supporters spoke of the MSO's "unusually drastic nature."³²

The legislation violated such principles of justice as the right to habeas corpus, the right to a public trial with a jury and before a judge, the right to legal counsel, and the right to be considered innocent until found guilty. Inevitably these violations of legal principles led to miscarriages of justice. In 1942 Brand suggested that the Judge Advocate General have the "power to review and if necessary quash proceedings by Boards of Inquiry." He believed that Boards "due to an insufficient understanding of the legal necessity to observe the provisions of the Order, had acted on evidence which was quite insufficient."³³ In other

²⁹ Quoted in Searchlight, June, 1941.

³⁰ NAC RG 24, vol. 3939, file NSS 1037-28-4-2 vol. 1, 16 Aug. 1944, Arthur Randles to R.J. Orde.

³¹ NAC RG 24, vol. 8173, file NSC 1700-273, 30 July 1945, Arthur Randles to E.S. Brand.

³² NAC RG 12, vol. 1432, file 8117-28 pt. 3, Sep. 1941 meeting minutes.

³³ NAC RG 12, vol. 1099, file 11-40-8 pt. 2, Minutes of a Meeting of the JAG, 4 Sept. 1942.

words men, unqualified to judge cases, but believing they were assisting the war effort, sentenced sailors to undeserved terms of incarceration.

It is not surprising that Boards made mistakes since men with inadequate training often judged the sailors. The Transport Department had an especially difficult time finding enough men to sit on the Boards. On 29 July 1941, Captain J.W. Kerr, Transport's Supervisor of Nautical Services, ordered overtaxed and disgruntled radio inspectors added to the list of those who could serve on Boards.³⁴ Then only a month later F.J. Maguire, an accountant with the Ministry of Transport in Montreal, informed Kerr he was pleased to be nominated and would do the best he could.³⁵ Such men did not have sufficient knowledge of legal procedures nor of the seafaring profession to be sentencing sailors to prison sentences.

Difficulties also emerged because men did not understand the measures being taken against them. In 1943 B.R. Magee, a Sub-Lieutenant in the Canadian naval reserves noted that approximately 40% of the sailors "have not thoroughly understood what the whole procedure was about" because of language difficulties. He asked that the government provide court interpreters.³⁶ Most accused sailors were also denied legal counsel. Two British seamen sentenced under the act, Dennis Cambell and Thomas Reilly, wrote a letter from prison complaining that during the Board of Inquiry they had had no opportunity for representation and that no evidence had been presented against them.³⁷ Orde officially discouraged the presence of defence attorneys at Committees of Investigation since the

³⁴ NAC RG 12, vol. 1432, file 8117-28 pt. 2, 29 July 1941, J. Kerr to Walter Rush.

³⁵ NAC RG 12, vol. 1432, file 8117-28 pt. 2, 26 August 1941, F. Maguire to J. Kerr.

³⁶ NAC RG 24, vol. 3939, file NSS 1037-28-vol. 28, 25 Feb. 1943 Memo: Remarks on MSO, 1941.

³⁷ NAC RG 12, vol. 1432, file 8117-28 pt. 4, 26 June 1942 censored letter written by D. Cambell and T. Reilly.

latter were just fact-finding procedures with “no power of final disposition”.³⁸ While this was true, a member of the committee would present evidence and their findings to the Board of Inquiry. Orde did recognise that it might be desirable to have lawyers present at the final Board.

More often than not such men convicted under the MSO faced detention. Foreign nationals were confined to immigration facilities; Canadian sailors (and foreigners if immigration facilities were not available) served their sentences in prison. Bureaucrats did acknowledge that prison sentences often carried an unfair stigma and issued an instructional circular to members of the Committees of Investigation and Boards of Inquiry criticising them for “relying too strictly on their powers to detain.”³⁹

Besides the stigma of hard labour prison sentences, these men also faced often appalling conditions. In response to calls for longer, more severe sentences Mr. Chevrier, from the Immigration Branch of the Department of Mines and Resources countered:

In my opinion it would be pretty difficult to send a man for a longer period than one month at Bordeaux [the prison where seamen convicted in Montreal served their sentence]. I don't believe you gentlemen know what these seamen go through out there, as they are kept in solitary confinement. Even ten days can often change a man.⁴⁰

The two British sailors who complained of their unfair conviction also criticised the poor conditions in their east coast prison. They made specific complaints about the lack of food and the infestation of vermin which made their cell “a veritable entomological heaven”.⁴¹

These complaints were dismissed as unfounded after an inspection of the east coast gaols

³⁸ NAC RG 24, vol. 3939, file NSS 1037-28-vol. 28, 3 April memo by R.J. Orde.

³⁹ NAC RG 12, vol. 1432, file 8117-28, pt. 2, Instructional Circular Number Three, (No Date circa 1941)

⁴⁰ NAC RG 24, vol. 11,993, 18 July 1944 meeting minutes.

⁴¹ NAC RG 12, vol. 1432, file 8117-28 pt. 4, 26 June 1942 letter.

holding sailors. Only a year and a half later, officials halted the incarceration of MSO cases in the Sydney and Cape Breton County gaols after a second tour found “deplorable conditions” in the two facilities.⁴²

While government officials involved with the drafting and execution of the MSO viewed the law as a success, it did not escape criticism. The two British seamen who wrote the letter complaining about their conviction and conditions of incarceration called the Board of Inquiry a “kangaroo court” and “comic opera court.”⁴³ Lawyers representing other seamen challenged the law in the courts, arguing it violated the principles of habeas corpus.⁴⁴ The MSO also suffered public censure in the House of Commons. In 1943 a Member of Parliament criticised several aspects of the bill including the fact men only had to be thought “likely” to do something to be convicted.⁴⁵ Perhaps in response to such criticism the Boards were told to use the “likely” provisions as little as possible.⁴⁶

The wide ranging powers offered by the MSO potentially provided Canadian shipping companies with a powerful weapon in dealing with labour issues. Administrators overseeing the legislation repeatedly gave explicit directions not to use the MSO in such cases. When wage disputes broke out on Park ships in 1942 Brand wrote Randles telling him to ensure the MSO would not be used to settle salary conflicts.⁴⁷ Similar instructions were issued after a strike on the *Mohawk Park*. In February 1944 the vessel’s crew refused to sail until they received steam percolators to replace defective hot plates which could only

⁴² NAC RG 12, vol. 1101, file 11-40-19, 14 Nov. 1944 meeting minutes.

⁴³ NAC RG 12, vol. 1432, file 8117-28 pt. 4, 26 June 1942 Censored Letter written by D. Cambell and T Reilly.

⁴⁴ Watt, *In All Respects Ready*. p. 130.

⁴⁵ Official Report of the Debates of the House of Commons, 1943, vol. V, p. 4942-4943.

⁴⁶ NAC RG 24, vol. 3939, file 1037-28-4-1, vol. 1, “Memorandum: Re drunkenness and other offences occurring on the high seas”, unsigned and undated (circa 1944).

⁴⁷ NAC RG 12, vol. 1482, file 8034-32, 12 April 1942, E.S. Brand to Arthur Randles.

heat one pot of coffee at a time and power pumps to replace hand-operated water pumps. The men eventually received the comforts they demanded and escaped MSO charges.

This dispute quickly became an important precedent. After becoming aware of the case the Department of Labour informed the RCMP that it wanted to get involved in such disputes before the invocation of the MSO.⁴⁸ While there do not seem to be any cases in which Department of Labour officials were involved in the process, the Naval Control Service did send a memo to the RCMP on West Coast informing them not to use the MSO to interfere with industrial disputes of a union nature.⁴⁹ The eagerness of Department of Labour officials to become involved in these disputes reflects the growing involvement of the Canadian state in industrial relations during the 1940s.

In reviewing the handling of the problem Orde stressed that the MSO should not be used in such labour disputes: "I am sure that considerable pressure would be exerted by labour intent to repeal or at least emasculate the Order." To ensure the MSO did not become a tool to solve labour problems Orde suggested either his or Brand's office be granted the power to decide when to invoke MSO cases. Brand and Orde then agreed that special instructions were needed to deal with crew-wide problems but that port officials should retain the right to deal with problems involving one or two people without interference.⁵⁰

The reluctance to use the MSO in labour disputes may also have been connected to defence lawyers' success in winning cases and reducing sentences. In 1943, on the *Green*

⁴⁸ NAC RG 24, vol. 3944, file 1037-28-6 vol. 7, 28 Feb. 1944, M. MacLean, Director of Industrial Relations to F.J. Mead, Deputy Commissioner of RCMP.

⁴⁹ NAC RG 24, vol. 3939, file 1037-28-4-1 vol. 1, 10 March 1944 Circular Memo to RCMP H Division - West Coast.

⁵⁰ NAC RG 24, vol. 6854, file NSS 8750-4535, 16 Feb. 1944, R.J. Orde to E.S. Brand.

Gables Park's first voyage crew members from the deck and engine departments refused to sail until two "dirty" and "incompetent" mess boys were replaced. The offenders were arrested under the Canada Shipping Act but their lawyer turned the case into an industrial dispute and won their release. While the men eventually won their battle and escaped detention the five ringleaders were blacklisted from the manning pool.⁵¹

While the MSO may have been rarely used when seamen collectively refused work, Randles and other officials ignored the fact many seamen customarily preferred individualistic approaches over mass sit-down strikes. The MSO introduced harsher penalties for actions such as desertion but it did not eliminate them. Industrial legality at sea coexisted with the individualistic, and now blatantly illegal, tactics adopted by merchant seamen as well as collective actions.

For example, soon after leaving Vancouver the crew of the *Rockcliffe Park* learned that their chief steward had ordered insufficient food for the voyage ahead. A week into the trip there were no vegetables or fresh fruit, the cooks had run out of flour to make bread, and even fresh water had to be rationed. Despite being in sight of San Francisco the Captain refused to stop and take on more stores. For two weeks the crew survived on the lifeboat emergency rations consisting of rice and macaroni. To make matters worse, bad water and a shortage of men in the stokehold meant that most of the ship's firemen became ill. After returning to Canada one fireman refused to stay on board the vessel despite assurances the food situation would improve. For his refusal to sail the man received a sentence of one month detention with hard labour under the MSO.⁵² Three weeks later the

⁵¹ NAC RG 24, vol. 6853, file NSS 8750-433, 20 Dec. 1943 NBS Report.

⁵² NAC RG 24, vol. 6854, NBS file for the *Rockcliffe Park*, 14 Sep. 1944 censored letter and 15 Sep. 1944 NBS Report.

rest of the crew refused to sail unless the master replaced the cook. These men had their demand granted and escaped any punishment.⁵³ In a similar case, five firemen from the *Wascana Park* escaped serious punishment and were fined \$25 each under the Canada Shipping Act for refusing to sail until potatoes were brought on board. Despite accusations that the Captain had pocketed the difference between what he charged the shipping company for victuals and what he actually bought, no charges were brought against the officer.⁵⁴

Such controversies placed sailors in a questionable legal position. As Orde observed in a letter circulated to Brand and Randles,

It seems unfair to send seamen to gaol for refusing duty on ships like this when the conditions leading to such refusals could so easily be prevented by the managers. There is a great tendency on the part of operators to condemn Canadian seamen generally without acknowledging that the way some of these ships are operated is bound to cause dissatisfaction and inefficiency on the part of crews.⁵⁵

Whenever he acted alone, a seaman remained vulnerable to lengthy prison sentences. The attempts to ensure that the rights of labour were not trampled on by the MSO failed to protect individuals. While industrial legality helped to protect the collective interests of unionised sailors, direct action by individuals became more heavily censored. This separation between the rights of the union and those of an individual sailor also tended to split the macro issues which concerned the union from the micro issues which affected the rank-and-file sailor.⁵⁶

⁵³ NAC RG 24, vol. 6854, NBS file for the *Rockcliffe Park*, 4 Oct. 1944 NBS Report.

⁵⁴ NAC RG 24, vol. 6855, file 8750-4646, undated censored letter from an unnamed sailor.

⁵⁵ NAC RG 24, vol. 6854, NBS file for the *Rockcliffe Park*, 14 Nov. 1944, R.J. Orde to E.S. Brand and Arthur Randles.

⁵⁶ Shortly after Germany capitulated and signed an unconditional surrender the Judge Advocate General suspended use of the MSO on the east coast to prevent any demands that it be rescinded in order to ensure

Even the drastic powers of the MSO were deemed insufficient. Officials considered a sit-down strike in Colombo by the crew of the *Kildonan Park* – to force the Captain to get medical treatment for a crew member suffering from venereal disease – a perfect example for the need to extend the MSO to foreign waters.⁵⁷ No action could be taken against the men at the time of the strike because no replacements were available. In June 1944, in response to this and similar incidents, the Canadian government expanded its powers of control to any port on the globe when it introduced new legislation called the Merchant Seamen's Foreign Jurisdiction Order (MSFJO). This Order could be used against sailors who deserted, went AWOL, refused to sail, or engaged in actions which caused delays outside of Canada. Penalties included fines of up to \$250, prison terms of up to six months (with or without hard labour), or both.

While the government considered the MSO a success the MSFJO failed miserably. Delays in the law's introduction foreshadowed further complications. During a May 1944 interdepartmental meeting officials complained that the law had been in the hands of the Department of Justice since 22 March but still had not been approved.⁵⁸ There is no indication that Justice officials found fault with the law. The draft legislation simply sank into the wartime bureaucratic quagmire.

The procedure for charging and convicting seamen hampered almost every attempt by captains to use the law to mete out punishment to sailors. Investigations had to be

that trouble makers on the west coast could still be charged under the Order until Japan's capitulation. NAC RG 12, vol. 1432, file 8117-28, pt. 5, 13 July 1945, R.J. Orde to Arthur Randles.

⁵⁷ NAC RG 12, vol. 1101, file 11-40-22 pt. 1, 22 May 1944, J.S. Thomson, Park Steamship Marine Superintendent to E.S. Brand. The man in question was originally diagnosed as suffering from chronic constipation and declared fit to sail by a port doctor. Earlier in the same voyage a man had died of small pox after a doctor declared him fit to sail.

⁵⁸ NAC RG 12, vol. 1101, file 11-40-19, 17 May 1944 meeting minutes.

conducted by British Naval Officers (holding a rank of Lieutenant Commander or higher) or by Canadian or British consular authorities.⁵⁹ Once the investigation had taken place and evidence against the offender collected, the ship would continue on its voyage. The actual trial and sentencing of the offender would not take place until the ship returned to Canada. The requirement for a formal investigation by an informed official and the long delays before trial proved to be the greatest shortcomings of the law.

A June 1944 incident on the *Kildonan Park* illustrates these faults. One month into a seven-month voyage, the *Kildonan Park's* Chief Officer took over command of the vessel after the Captain had to be removed for medical reasons. For the rest of the voyage this newly-promoted master proved unable to discipline or control the crew. On 24 November 1944 the Captain cancelled shore leave while docked in Algiers. Sixteen men from the engine and deck departments ignored the order and went ashore. The Captain's frustrations exploded into rage and he complained to the Port Security Office, the Naval Control Service, the British Ministry of War Transport, and the British Consulate. "I intend to take the strongest possible proceedings against them," he proclaimed. Four days later a Naval Officer mustered the crew on deck to investigate the situation but the crew refused to answer any questions. The master and the naval officer forwarded a report to the Judge Advocate General so that he could initiate legal proceedings against the men under the Merchant Seamen Foreign Jurisdiction Order. The lack of a proper overseas investigation meant that no charges could be laid and, to the first mate-turned-captain's horror, the men escaped punishment.⁶⁰

⁵⁹ NAC RG 12, vol. 1483, file 8034-67.

⁶⁰ NAC RG 12, B-14-C, 1987-88/133, box 38, file 305 and NAC RG 24, vol. 6855, NBS file for the *Kildonan Park*, Nov. 1944 Report.

A few months later the *Sibley Park's* master wanted to use the MSFJO against several members of his crew after they had caused him trouble in Algiers and Casablanca. Despite access to the ship's log and police statements the authorities could not charge the men because once again the Captain failed to conduct a formal investigation. Instead the ringleader received two months in prison under Canada Shipping Act charges. This case led Brand to complain to Randles, "For practical purposes, this Order is useless unless masters are fully versed in the required procedure in foreign ports, and are able to enlist the aid of a Lt. Cmd., equally well versed and willing to give the time and effort to an investigation."⁶¹ There does not seem to be any record of how many cases were tried under the MSFJO but it would appear to be an insignificant number. It would seem all the Order did was provide captains with something they could threaten their crew members with, and many did so regularly. By the end of the war in Europe military officials admitted the law's failure. In a 10 July 1945 letter the Judge Advocate General complained to Brand, Director of Naval Intelligence and Trade that, "Frankly, the experience which has so far been gained with the M.S.F.J.O. is not encouraging."⁶² This was no fault of the legislation itself but due to a failure of local administrators to carry out the directions provided to them, the cumbersome investigation procedure, and the possibility of a long delay until trial in Canada.

Canadian seamen could also be charged with offences under the laws of foreign countries. In 1943 a court in Trinidad sentenced two members of the *Port Royal Park's* stokehold department to two months of hard labour for refusing to carry out their duties.⁶³ On 18 July 1944 members of the *Kitsilano Park* went on strike in an Australian port over

⁶¹ NAC RG 12, vol. 1101, file 11-40-22 pt. 1, 12 Feb. 1945, E.S. Brand to Arthur Randles.

⁶² NAC RG 24, vol. 3941, file 1037-28-4-39 vol. 1, 10 July 1945, R.J. Orde to E.S. Brand.

⁶³ NAC RG 12, vol. 1495, file 8892-35 vol. 1, 25 November 1944, E.S. Brand to Arthur Randles.

poor food and other demands. The next day the strike collapsed and that afternoon three ring leaders, charged under the “Imperial Merchant Shipping Act” for refusing a lawful command, were sentenced to two weeks in jail.⁶⁴ On 16 December 1944 a Royal Naval Court in Taranto, Italy sentenced the *Algonquin Park*’s chief cook, a repeat AWOL offender, to two months in a military prison.⁶⁵

These new forms of legislation worked mainly because ship captains were willing, sometimes eager, to press charges. As in Britain, Canadian government officials encouraged masters to make use of the new wartime disciplinary procedures. Most captains, once aware of laws such as the MSO, were quick to use them for their own ends as “many shipmasters, long labouring under a belief in the inadequacy of their disciplinary powers, became enthusiastic in preferring charges against their unruly and disenchanted crew members.”⁶⁶ A captain’s previous power, mainly the ability to fine crew members, paled in comparison with the powers now granted them by the government. The indiscriminate use of these wartime regulations by ship masters led the Judge Advocate General to warn MSO Committees of Investigation and Boards of Inquiry not to take testimony by captains at face value.⁶⁷

In the summer of 1942 an unnamed member of the Naval Boarding Service made visits to Saint John, Halifax, and Sydney to investigate how authorities were applying the MSO. He observed that some masters were using the MSO to deal with trivial cases and to “enforce discipline in regard to matters which really should be enforced by the master

⁶⁴ NAC RG 12, B-14-C, 1987-88/133, box 55, file 445, *Kitsilano Park* voyage 28 Jan. 1943-28 Sept. 1944.

⁶⁵ NAC RG 12, B-14-C, 1987-88/133, box 93, file 963, 16 Dec. 1944 log entry.

⁶⁶ Lane, *The Merchant Seamen’s War*, p. 125.

⁶⁷ NAC RG 12, vol. 1432, file 8117-28 pt 2, 4 July 1941 Instructional Circular.

himself.”⁶⁸ The report went on to note that captains were using the Order to get rid of sailors they did not like rather than wait until the voyage was completed. Time did not change this practice. In 1944 a member of the Naval Boarding Service reported that after crew members of the *Sapperton Park* demanded that the chief cook be replaced the captain used MSO charges to get the man off the ship.⁶⁹ Such problems would not be solved until the end of the war, with the cancellation of the Order.

Administrative Changes: New Attempts to Track and Control Seamen

The Canadian government introduced several other measures besides strict laws to control seamen and ensure merchant ships sailed on time. In 1941 the British and Canadian governments began issuing identity cards with a section for fingerprints to all merchant seamen. A November 1941 Order in Council, enacted in response to American insistence on identifying sailors ashore, made it compulsory for Canadian sailors to carry their “Merchant Seamen’s Identity Certificate.” Completion of the certificate’s fingerprint section remained optional, though strongly encouraged. Copies of all fingerprints were sent to the Department of Transport and placed in a Central Index Register of Seamen. Introducing such cards allowed Canadians to get leave in U.S. ports, but as historian Larry Hannant remarks, “Fingerprinting was an excellent device to track deserters or dissidents.”⁷⁰ The cards were introduced not only to tighten security but also to control merchant seamen.

⁶⁸ NAC RG 12, vol. 1101, file 11-40-19, undated report to the Interdepartmental Committee on Matters Relating to Merchant Seamen.

⁶⁹ NAC RG 24, vol. 6855, file 8750-4896, 28 Nov. 1944 Report.

⁷⁰ Hannant, *The Infernal Machine*, pp. 132-134.

Not surprisingly the war increased contact between merchant and military navies. Naval personnel were prevalent on Canadian docks. If port authorities believed a particular ship would pose a problem they placed an armed naval guard on the gangway before sailing.⁷¹ The Naval Boarding Service (NBS) brought the Royal Canadian Navy into regular contact with merchant seamen. Boarding parties consisted of one officer or petty officer and four or five ratings, including one who had had engine room experience. The NBS reached its peak strength in 1944 when the department consisted of nineteen officers and eighty five ratings.⁷² Originally designed to check each ship leaving Canada for evidence of sabotage, NBS duties were expanded to include morale boosting activities. The boarding parties delivered magazines, donated clothing, and Christmas care packages directly to seamen. The NBS also became the conduit for merchant seamen grievances.

Naval Boarding Service involvement in an incident on the *Dartmouth Park* demonstrates the type of complaints they heard. On 28 December 1943, while boarding the *Dartmouth*, docked in St. John's Newfoundland, the NBS officer received an earful from the crew. They complained of a lack of heat in the crew's quarters, blocked toilets, the absence of toilet soap, inadequate bedding materials, insufficient locker space, no loudspeakers, poor food, and silverware that turned black while stirring hot drinks. Three delegates stated that if they did not receive satisfaction the crew would strike. During a NBS investigation it also became apparent that the master and second mate drank heavily while in port. The NBS representative pointed out to the crew that striking was a poor thing to

⁷¹ NAC RG 12, vol. 1101, file 11-40-22 pt 1, 9 Nov. 1944, E.S. Brand to Arthur Randles.

⁷² Marc Milner. "Naval Control of Shipping and the Atlantic War, 1939-45", *The Mariner's Mirror*, vol. 83, No. 2, May 1997, p. 177.

do in a foreign port during wartime. He was able to persuade the men not to strike and assured the men that the NBS would make representations to Ottawa.⁷³

The boarding parties acted as valuable sources of information. By early 1941 scrutinising vessels for signs of poor morale and labour trouble had become a vital part of their duties.⁷⁴ During the war Leslie Roberts, author of the semi-official publication Canada and the War at Sea, acknowledged the surveillance value of the NBS when he wrote, "The Boarding Service, by discreet conversation, was able to ascertain the general tone of the ship and to spot likely trouble makers."⁷⁵ Gradually the law and order authority of the NBS boarding parties was expanded as new laws such as the MSO were introduced and the NBS was made responsible for removing men to be charged under the act. Despite their expanded role these naval parties were trained not to strong-arm merchant sailors but to gain their trust.⁷⁶ In this regard they did succeed more often than not; merchant sailors accepted the NBS boarding parties and viewed them as a potential audience for their grievances. The NBS proved so successful that its operations were expanded to cover nine Canadian ports.

Wartime threats also led to the adding of Royal Canadian Navy personnel to ship crews. To protect merchant ships from air and sea attack the Navy placed a number of guns and defensive armaments on many merchant vessels, including the Park fleet, and created what were called Defensively Equipped Merchant Ships (DEMS). Some of the

⁷³ NAC RG 24, vol. 11-946, NBS report, 28 Dec. 1943. The Naval Boarding Service seemed to be the only arm of the Navy that merchant seamen tolerated. The adversarial nature of the relationship between the RCN and merchant marine was widely acknowledged.

⁷⁴ Hannant, The Infernal Machine, p. 136.

⁷⁵ Leslie Roberts, Canada's War at Sea, Volume II: Canada and the War at Sea, (Montreal: Alvah Beatty, 1944), p. 87.

⁷⁶ Watt, In All Respects Ready. p. 58.

larger Park vessels carried more weaponry than a naval frigate.⁷⁷ These weapons on the Park ships were manned by six or seven DEMS gunners who were assisted by members of the crew.⁷⁸

DEMS gunners signed onto merchant vessels as deckhands and were legally part of the ship's crew and subject to the captain's orders. By signing the articles of agreement the gunners could also claim to be sailors when in neutral ports or in case of capture.⁷⁹ On Park vessels the naval personnel slept in their own cabin, ate meals in their own mess and also had separate washrooms and toilet facilities.⁸⁰ The DEMS gunners did work with some of the men on ship, as gun crews included members of the deck, engine, and steward departments.

While DEMS personnel were assigned to Park vessels as gunners they soon began to perform regular duties in all three departments. The DEMS were eager to supplement their income with overtime pay. Many captains employed DEMS gunners to replace men who were sick, injured or who had jumped ship. During one Park vessel's voyage through the Red Sea, temperatures in the stokehold became so hot DEMS men had to serve as firemen and trimmers to replace the regular men who were passing out from the heat.⁸¹ On the 10,000-ton tanker *Willowdale Park* a 17-year-old mess man refused work for five days between 23-27 November 1944 complaining of sore feet. For the last two days of the man's absence the master paid a gunner to substitute.⁸² In the fall of 1945 the CSU

⁷⁷ Max Reid, telephone interview by author, 27 July 1997.

⁷⁸ Original plans to place up to fifteen gunners on the larger Park vessels were scaled back. Reid, DEMS at War! p. 2.

⁷⁹ James Keenleyside, interview by author, 2 Sept. 1997.

⁸⁰ Reid, DEMS at War! p. 64.

⁸¹ James Keenleyside, interview by author, 2 Sept. 1997.

⁸² NAC RG 12, B-14-C, box 29, file 222, *Willowdale Park* 27 Nov. 1944 log entry.

newspaper Searchlight reported that a worker from the *Mission Park* who had been laid up for a few days after having all his teeth extracted had been docked the \$12 paid to the DEMS gunner hired in his place but that the union had successfully got their member his money back.⁸³

Some captains viewed the gunners as an integral part of the ship's labour force. The master of the *Prince Albert Park* regularly used DEMS men to work in the engine room. A Naval Boarding Service officer reported that "The captain stated he did not know how the Park Steamships were going to run after the DEMS ratings were taken off them. He criticized the Park Steamship Company severely for allowing only three trimmers on a ship as large as this....His experience has been that the DEMS turn to help out wherever and whenever asked."⁸⁴ Park officials responded to the practice of assigning extra work to the DEMS personnel in a 21 August 1944 letter sent to all the managing companies. The letter made note of the fact that the DEMS gunners were increasingly being used as stokers in the engine room for which they received extra pay. The Park Company considered the utilisation of the men in this way acceptable in an emergency but not as a general practice.⁸⁵ Aside from this letter Park officials did little, if anything, to halt the practice and it seemed to continue unabated.

While the CSU claimed that DEMS gunners occasionally asked to join the union, the two groups were sometimes at odds.⁸⁶ The DEMS personnel offered a pool of labour which could be drawn on to counter work slowdowns or refusals to work. Whenever crew

⁸³ Searchlight, 8 Sept. 1945.

⁸⁴ NAC RG 24, vol. 6853, file NSS 8750-3725, 30 July 1945 NBS Report.

⁸⁵ NAC RG 24, vol. 6852, file NSC 8750-1 vol. 2, 21 August 1944 Circular Letter from Park Steamship Co. to all Managing Companies.

⁸⁶ Searchlight, 15 Oct. 1945.

members attempted to put pressure on officers by refusing overtime, the DEMS gunners could always be asked to substitute. Using DEMS men as scabs was less common, though it did happen. On one occasion the master of the *Lafontaine Park* ordered members of the DEMS department into the stokehold to fire up the boilers to raise the anchor after the crew went on strike over water which tasted like rust. The strike was broken and the ship sailed.⁸⁷ Cases such as this were not regular occurrences. There were never enough gunners to replace a ship's crew nor were they properly trained to assume all the work in the deck or engine departments.⁸⁸

The Royal Canadian Navy presence on Park vessels also offered masters an additional method of control to put down crew troubles. One DEMS veteran who wrote of his experiences observed that: "The discipline, stability and presence of the navy on board, provided a "settling" factor to the merchant crews. In some cases, the crews might not have otherwise sailed..."⁸⁹ During the previously-mentioned strike in Trinidad by crew members of the *Beaton Park* the captain spoke to the crew with a member of the DEMS standing beside him armed with a .303 Lee Enfield rifle.⁹⁰

It remains difficult to speculate what impact such actions would have had on the relationship between the DEMS and sailors. One veteran maintains that the union representatives understood that when the DEMS personnel performed work it was under the captain's orders and that they had to obey.⁹¹ Another man offers a conflicting opinion, and acknowledges tension often resulted when DEMS gunners performed duties the regular

⁸⁷ James Keenleyside, interview by author, 2 Sept. 1997.

⁸⁸ Max Reid, telephone interview by author, 27 July 1997.

⁸⁹ Reid, *DEMS at War!*, p. 69.

⁹⁰ Max Reid, telephone interview by author, 27 July 1997.

⁹¹ James Keenleyside, interview by author, 2 Sept. 1997.

sailors refused to carry out. It would seem unlikely that such actions would have been completely ignored by crew delegates and the more militant union members. Yet overall, the evidence suggests that the ordinary working and living relationship between the DEMS gunners and the merchant sailors can be described as co-operative and friendly. The memories of the two veteran DEMS gunners back up the idea that the military and non-military personnel got along. James Keenleyside states that the DEMS “had a very compatible arrangement with the merchant crew” and a “good relationship”.⁹² Max Reid recalls that there was a “good rapport” between the two groups.⁹³

This close relationship could withstand the general conflicts between the military and merchant navies. The DEMS gunners socialised with the merchant sailors at work and when ashore. Nor did the gunners differentiate themselves from the rest of the crew by wearing their uniforms while on ship. The DEMS relationship with their RCN counterparts might also have pushed these gunners towards their comrades on board ship. James Keenleyside explains that the DEMS gunners, dressed in their civilian clothes and serving on civilian ships, were “considered the bums of the navy.”⁹⁴ As a result of their close working relationship and the protection role the DEMS gunners played it is not surprising these two groups of men would get along despite the fact they were occasionally at odds when it came to labour issues.

This cordial relationship might have changed if merchant sailors had known that the government used the DEMS presence to keep tabs on the Park crews. The junior DEMS officers on ship were encouraged to act as spies by Captain Eric Brand, Director of Naval

⁹² James Keenleyside, interview by author, 2 Sept. 1997.

⁹³ Max Reid, telephone interview by author, 27 July 1997.

⁹⁴ James Keenleyside, interview by author, 2 Sept. 1997.

Intelligence. At the close of 1943 Brand began sending Randles reports given to him by DEMS officers. He prefaced these reports by writing, "I am encouraging these D.E.M.S. officers to give me the "low down" on conditions in general as well as pure D.E.M.S. matters.... We must never quote these special reports; lest my D.E.M.S. officers come to be thought of as "snoopers"."⁹⁵ Brand admitted such reports were "something in the nature of spying" and reiterated the need to use the reports carefully and keep them secret.⁹⁶

The reports typically discussed the state of crew morale, any specific crew troubles the ship had experienced, the level of union militancy and the names of union department delegates. Sub Lieut. R. McNulty's July 1944 report on the *Prince Albert Park's* voyage from Durban to Trinidad serves as a typical example. McNulty reported that there was little friction between officers and crew, perhaps because "The union has very little hold on this ship." The author explained that grievances were discussed with the CSU's delegate for the deck department, and if more action was needed he took them to the captain "whose word is final". McNulty closed his report by commenting on the ship's reputation for excellent food.⁹⁷ The DEMS gunners were a temporary expedient; at the end of the war the DEMS personnel were discharged, their quarters turned into cargo space, and the guns melted into scrap.

In some ways wartime is an inopportune moment to study the impact of industrial legality on seamen. Legally binding laws and an acceptance of the state's involvement in the industrial relations system were supposed to replace the use of naked force by the state to ensure industrial peace. Yet during the war force such as "sail or jail" legislation and armed

⁹⁵ NAC RG 12, vol. 1495, file 8892-35 vol. 1, 13 Dec. 1943, E.S. Brand to Arthur Randles.

⁹⁶ NAC RG 24, vol. 6855, file NSS 8750-4883, 2 March 1944, E.S. Brand to Arthur Randles.

⁹⁷ NAC RG 24, vol. 6853, file NSS 8750-3725, 21 July 1944, R. McNulty to E.S. Brand.

naval boarding parties became a part of life for seamen. However, measures such as manning pools and identity cards do fit the standard critical interpretation of industrial legality. These measures introduced the state into the lives of seamen to a far greater degree than ever before and encouraged them to accept the state's right to shape the workplace. The government's expanded role and attempts to shape the seafaring industry during the war illustrate how the introduction of industrial legality expanded the state's role in labour-management relations, often to the detriment of workers.

Chapter Four: The Emergence of the CSU as a National Deep-Sea Union

The purpose of this chapter is twofold. It aims to analyse the CSU's strengths and weaknesses to illustrate how the introduction of a union and industrial legality changed the lives of Canadian seamen. While working and living conditions on Park vessels improved and a traditionally divided workforce became unified, these benefits were offset by a formal contract and a no-strike pledge which reduced the customary bargaining and militancy at the ship level. The CSU thus reflected industrial legality's often double-sided character.

This chapter also intends to show how in many ways the CSU failed to fit the classic model of industrial legality, the common features of which include standardised certification procedures, union security, collective agreements, grievance procedures, and a dues check-off system. The complex, specialised nature of these procedures typically transformed union leaders into bureaucrats, more attached to the system than to their members. Not all of these features can be applied to the CSU. While the union did secure a collective agreement with established grievance procedures, it failed to win a dues check-off; and the steady influx of new workers meant it had to constantly work to keep ships organised. The use of working sailors in key union posts also often prevented the bureaucratisation of union officials. The differences between the CSU and classic union experience with industrial legality thus demonstrates the danger of using a cookie-cutter approach to studying this complex development.

The CSU's Salt Water Expansion

In April 1943 the CSU began a deep-sea organising drive and Canadian seamen quickly united under the union's banner. After several months of negotiations described by

the CSU as “friendly” and “co-operative”, the union signed its first collective agreement with the Park Company.¹ The CSU assertion that the deal was made with little trouble has been echoed by historians such as Jim Green who wrote that on the East Coast the “union was recognized without even a shrug.”² At first glance it would seem surprising that the Park Steamship Company would sign a deal with the CSU, a union whose leaders had been interned as communists and which had struck Great Lakes shipping in 1940.

Recognition of the CSU’s presence was in fact given grudgingly. Behind the scenes many government officials adopted an anti-CSU attitude and resisted the union’s attempts to organise seamen. In May 1942 the CSU released a “Victory Program for Canada’s Inland and Deep-sea Shipping”. The plan contained proposals to improve the efficiency of shipping and announced the CSU’s willingness to provide the sailors to man the first ten Park vessels. In a 4 September 1942 letter to the Deputy Minister of Transport, Arthur Randles dismissed the CSU’s programme: “I can find no merit in the proposals of the Union. The Union itself is staffed by men who are not practical seamen.”³ Randles also felt that the CSU’s status as a Great Lakes union should disqualify it from organising the Park fleet. As he remarked to Halifax pool director, J.W. Sutherland, “The CSU have never had any stake or interest in men sailing on foreign articles. They are endeavouring now to get into that line and there is no particular service they can render to the Canadian government.”⁴ Randles informed all the pool directors not to allow CSU officials to enter the pools in order to recruit members or collect dues.

¹ Refer to Appendix Two for a copy of the agreement.

² Green, *Against the Tide*, p. 97.

³ NAC RG 12, vol. 1493, file 8090-20 vol. 2, 4 Sep. 1942 Arthur Randles to Deputy Minister of Transport.

⁴ NAC RG 12, vol. 1493, file 8090-20 vol. 1, 12 Feb. 1943 Arthur Randles to J.W. Sutherland.

Even within the CSU executive controversy raged over whether or not to organise the Park fleet. At least one CSU representative argued against representing deep-sea seamen. In response to the CSU's "Victory Programme" Ernie Donne, the union's acting Secretary-Treasurer responded, "To me it seems the height of sheer ignorance and irresponsibility for anyone in this organisation to presume that this union was and is in a position to supply men of the required ratings to man the ten vessels." Donne insisted that the CSU had to consolidate its position on the Great Lakes before any attempts were made to represent the Park fleet,

I am quite in agreement with the National Secretary that the Halifax Office should be closed... The argument that we should have an office down there because of the salt water program we have presented to the Government is a lot of tome [sic] foolishness in view of the precariousness of our existence here on the lakes and the fact that we have no membership down the coast and so far the V-P has not been accepted.⁵

These concerns were ignored and a drive to organise the east coast Park ships launched.

On 30 June 1943 the Park Company's Board of Directors asked J.E. Michaud, the Transport Minister, whether to negotiate with the CSU. He responded that to refuse would be inconsistent with the recent government order allowing collective bargaining.⁶

Undoubtedly more important than the need to appear consistent was the fact the CSU "had demonstrated its ability to hold up sailings of the company's vessels, without any

Randles was mistaken. Between 1938-39 the CSU had organised and signed a deal covering the CNS Lady Boats which sailed between Canada and the West Indies. See Searchlight, Feb. 1939. In 1940 the internment of east coast organiser Charles Murray and the Canadian military's requisition of the Lady Boats forced the CSU to abandon its saltwater division temporarily.

⁵ NAC MG 30, A-124, vol. 4, file 4-2, 20 June 1942 Ernie Donne, acting CSU Secretary-Treasurer to Pat Sullivan, CSU President. Shortly after writing this letter Donne joined the RCAF and did not rejoin the CSU after the war.

⁶ On 1 December 1942 Mackenzie King had introduced an Order in Council authorising employees of Crown corporations to join the union of their choice.

agreement.”⁷ The CSU also organised in a wider context of increased trade union organisation and militancy. In 1943 a wartime strike wave peaked and one out of every three trade union members were involved in strike activity.⁸ The Battle of the Atlantic was too vital to risk any disruption over union recognition such as a repeat of the eleven-week Kirkland Lake strike.

A formalised, legal union certification process and the resulting legal protection offered unions is often held up as an example of industrial legality’s double-sided nature. The legal framework surrounding the certification process supposedly redirected efforts away from organising and mobilising at the local level towards legalistic, bureaucratic labour boards thus weakening union militancy.⁹ Such criticism cannot be applied to the CSU during the war years. The seafaring industry’s casual nature, with its steady flow of men in and out of the profession and the custom of employing workers by the industry instead of by a single firm, meant that the CSU had to work to keep ship’s organised. The collective agreement introduced a measure of union security but the absence of a closed-shop clause meant that the CSU had to work throughout the war to maintain the loyalty of Canadian seamen.¹⁰ This was done in large part by having each rank-and-file member act as an organiser and sign up the non-union men in the crew.

⁷ NAC RG 46, vol. 1291, Minute Book #1, 30 July 1943 meeting.

⁸ MacDowell, “The Formation of Canada’s Industrial Relations System During World War Two”, p. 176.

⁹ Panitch and Swartz, “Towards Permanent Exceptionalism: Coercion and Consent in Canadian Industrial Relations”, p. 145.

¹⁰ After hearing from CSU officials that they would attempt to get a closed-shop clause in the next collective agreement Arthur Randles wrote E.S. Brand called the idea a “pipe dream” and stated “The Government will not recognise a closed shop in a Crown company.” Randles’s prediction proved accurate; the CSU did not secure a closed-shop clause during the war. Only after union hiring halls replaced the manning pools in 1946 and the union won a union security clause in the 1947 deal could the union be sure that sailors signing onto ships in Canadian ports were union members. NAC RG 12, vol. 1101, file 11-40-22 pt. 1, 19 July 1944, Randles to Brand.

The CSU's Strengths

The CSU did negotiate improvements in the living and working conditions of sailors working on Park vessels. Even before the CSU and the Park Company signed the November 1943 deal covering east coast vessels, the union had become involved in negotiating disputes between seamen and the companies. For example, in June 1943 crews of four Park vessels refused to sign on after a wage cut. The companies got CSU staff involved in the dispute and upon receiving assurances that the wage issue would be looked into CSU leaders told their members to man their ships.¹¹ The CSU also made presentations, before the November 1943 contract, to the Wartime Labour Board to ensure that men working on the 4,700-ton vessels were paid the same wage as those who served on 10,000-ton ships.¹² The collective agreement both formalised and expanded the negotiation process leading to new gains.

The Park Steamship Company became ultimately responsible for working and living conditions on the ships it owned when it signed the collective agreement. The 1943 deal brought immediate improvements to the working and living conditions of Canadian merchant seamen. The eight-hour day became standard on deep-sea vessels and crews received a 20% raise. Its ability to win substantial wage gains represents one of the CSU's greatest successes. By the end of the war Canadian merchant seamen earned more than

¹¹ Searchlight, June 1943.

¹² Searchlight, June and July 1943. Park officials argued that men on the 4,700-ton ships should be paid less because the crews were smaller.

their counterparts in the Royal Canadian Navy and more than their civilian counterparts in the British Merchant Navy.¹³

The CSU also secured a substantial monetary gain in the form of a \$44.50-a-month, tax-free, war risk bonus. Men only received the war bonus pay if they were working on a ship; they did not receive it while waiting in the manning pools. Until 1944 those under twenty-one received half that paid to their seniors. Ship masters seemed to consider the bonus as part of a man's regular wage. When they fined crew members for various offences they often stressed that the fine of one or two days' pay included the war bonus. Shipping company officials stressed that the risk allowance "had to be granted as a war bonus and not as an increase in wages" so that it would "automatically cease" after the war.¹⁴ It is noteworthy that war bonuses constituted such a large percentage of their pay. A similar situation existed for British sailors. The war bonus for seamen of both nationalities made up about 40% of their respective wages.¹⁵ In 1944 an able seaman received a base pay of \$89.93 a month but with the war risk bonus and a 10% bonus for signing the two year pool deal he earned \$147.87. Before bonuses an ordinary seaman made \$69.93 and after \$125.87. Fireman earned \$92.43 without bonus pay and \$150.51 once bonuses were tallied.¹⁶

¹³ However they earned far less than American sailors who benefited from an extremely generous bonus system. Canadian sailors received remuneration one-half (sometimes not even one-third) that paid to US sailors. NAC RG 36, 3, vol. 3, 8 June 1943 draft letter. These comparisons with foreign sailors can be misleading. While Canadian merchant seamen made more than their English cousins, men in the Royal Canadian Navy also received higher wages than their Royal Navy counterparts. Curry, *War at Sea*, p. 109.

¹⁴ NAC RG 12, vol. 1006, file 1459-26-1, 18 Oct. 1939 R.B. Teakle, General Manager CNS to S.J. Hungerford, CNR President.

¹⁵ Arthur Marsh and Victoria Ryan, *The Seamen: A History of the National Union of Seamen, 1887-1987*, (Oxford: Malthouse Press, 1989), p. 156.

¹⁶ Jack Marshall, chairman, *Standing Senate Committee on Social Affairs, Science, Technology: Proceedings of the Subcommittee on Veterans Affairs and Senior Citizens*, 14 Feb. 1990, Issue No. 9, p. 1A:19.

While the wages paid to civilian seafarers may have seemed large compared to those paid in the Royal Canadian Navy, more useful are comparisons between wages paid to Canadian sailors and other Canadian workers. The wages of a Canadian merchant seaman were comparable to those paid to a Canadian shore worker.¹⁷ In 1942 the average Canadian wage was \$114.48 a month and increased to \$128.16 by 1945. Wages in the manufacturing sector were slightly higher. In 1942 the average wage in Canadian manufacturing industries was \$127 a month but war time gains pushed this wage to \$140.16 by 1945.¹⁸ Many merchant seamen sailing for the Park Company could have made more building the ships in the yard than they did sailing them in convoy. The Yarrows Shipyard in Esquimalt, British Columbia paid an average of \$137.92 in 1942, \$169.48 in 1943, and \$174.08 in 1944.¹⁹ Many Canadian sailors were not willing to accept different treatment from that accorded to land-based occupations. The wartime emergency forced the government to concede to the union's wage demands rather than face a disruption in shipping.

The CSU also successfully prevented the attempt by E.F. Riddle, the President of the Park Steamship Company, to eliminate the war bonus. Even before the peace treaties were signed Riddle applied to the National War Labour Board to have the war bonus cut. While the CSU worked within the existing legal framework to protect its members the union also engaged an unorthodox strategy to sway the Board's opinion. On 13 September 1945 the chairman complained to the union that members of the Board had received a

¹⁷ Comparisons between wages of sailors and shoreworkers should be qualified by acknowledging that, unlike most shore workers, seamen received room and board while serving onboard ship.

¹⁸ Jan Drent, "Labour and the Unions in a Wartime Essential Industry: Ship Yard Workers in BC, 1939-45", *Northern Mariner*, (vol. VI, No. 4, Oct. 1996), p. 52.

¹⁹ Drent, "Labour and the Unions in a Wartime Essential Industry", p. 52. The wage for 1945 is unavailable. Average BC wages were also slightly higher than the rest of Canada.

deluge of telegrams on the issue. The chairman reminded the union of the proper procedure for Board submission and warned of “the serious impropriety of the pressure tactics.” He then threatened that if he discovered the union had organised the campaign he would postpone hearings until the union disassociated itself from the campaign.²⁰ Under a system of industrial legality legal concerns reduced the importance of public opinion. The 1946 deep-sea contract finally incorporated the \$44.50 a month bonus into the basic pay seamen received. This represented a major victory for the CSU. The union successfully overcame shipping company plans to eliminate the bonus after the war.

The first collective agreement also established several amenities for the crew and improved their living conditions. Men were supposed to receive a locker, soap, fresh linen every ten days, and fresh towels every week. Fans were to be installed in the foc’s’le and all dishes were to be crockery when possible. Meals were also supposed to improve following the agreement; crew and officer meals were to be similar, fresh fruit had to be supplied every day (when possible) and while in port men were entitled to a half quart of milk a day. While these comforts were supposedly guaranteed by the union contract crews had to be vigilant and willing to take action to ensure shipping companies lived up to the deal.

The CSU also made headway in the fight to secure refrigeration and water cooling systems onboard Park vessels. Crews of some ships had secured these systems but during the October 1944 contract negotiations the CSU made the installation of refrigerators and water coolers on all ships an issue.²¹ In November 1944 the Park Steamship Company

²⁰ NAC RG 27, vol. 3522, file 3-26-10-4, pt. 1, 13 Sept. 1945 memo “Canadian Seamen’s Union re: Park Steamship Company vessels”.

²¹ The Canadian Seaman, 3 Oct. 1943.

compromised and agreed to fit two ships from the east and west coasts with refrigerators and water cooling systems on an eight-month trial basis.²²

While the CSU could not control the weather it attempted to moderate its impact. During a cold snap in the first week of February 1945 114 CSU members signed a telegram to the Prime Minister and complained that frozen water lines made the vessels “unfit for human habitation.” Union officials forced the managing companies to live up to the contract and pay for the men to sleep ashore. Sailors from other Allied nations discovered this and began to demand the same treatment. Warmer weather thawed the pipes and averted a showdown between these sailors and their shipping companies.²³

CSU leaders could not of course secure everything their membership would have liked. Despite the installation of refrigerators and water coolers on some ships, as late as November 1945 other vessels still sailed without these conveniences.²⁴ Complaints about poor food and incompetent cooks continued throughout the war. Nevertheless, in the face of protests and strikes by crews, the Park Steamship Company and the managing firms bowed to many CSU demands.

While Canadian seamen benefited materially during the war the same cannot always be said for their union. The CSU never won an automatic dues check-off. In some ways the CSU and its members suffered because the union almost always seemed short of cash. One former CSU member claims that by 1945, “The union was having a hard time collecting the assessments needed for its own survival.”²⁵ At the same time the average

²² Searchlight, November 1944.

²³ NAC RG 12, vol. 1495, file 8892-35 vol. 2, 9 February 1945 telegram, and Searchlight, March 1945.

²⁴ Searchlight, 1 November 1945.

²⁵ MacDonald, “Betrayal”, p. 217.

seaman often gained from closer, more personal contact with union staff. Union officials also had to listen to the rank-and-file; they could never take its financial support for granted.

Regardless of any financial difficulties the CSU continued to make gains for their members. Such victories intensified a sense of rank-and-file empowerment that was heightened by a rising wave of Canadian nationalism. Belonging to a proud, all-Canadian union intensified a sense of nationalism already flourishing in the wartime environment. Canadian sailors continued to take measures to identify their vessels as Canadian. The men sailing on the *Windermere Park* distinguished themselves from American vessels by painting a large maple leaf on the forward part of the bridge while anchored at the Filipino island of Leyte. When the vessel returned to Vancouver officials demanded the offending design be painted over.²⁶

Clashes between British officers and their Canadian crews also continued unabated after the CSU appeared on the scene. One such incident occurred on the *Kildonan Park* while the ship was at sea on 24 July 1944. The ship's Canadian carpenter ignited the incident when he refused to follow an unspecified order by the Chief Officer. The crew member interrupted the vessel's Liverpoolian Captain (a first mate who had been promoted after the master had been removed for medical reasons) attempts to reprimand him with "profane language" and then began "shouting something about the Canadian flag" and said "We will get all you British officers out of Canadian ships; and you will have a lot of trouble before this voyage is over."²⁷

²⁶ NAC RG 24, vol. 6855, file NSS 8750-4811, 4 April 1945 NBS Report.

²⁷ NAC RG 12, B-14-C, 1987-88/133 box 38, file 308, 24 July 1944 log entry.

Such incidents remained common. On 5 February 1945 two men from the *Outremont Park*, a twenty-year-old from BC and a twenty-two-year-old from Oshawa, were returned to the ship by Oran port authorities. The officials complained that the men had used “foul and subversive language concerning everything British” and had criticised the Allied policy in North Africa.²⁸ The British Ministry of War Transport officer told the master that, had it not been for the impending deadline of the ship’s convoy’s departure, the men would have been arrested and charged before a military court.

Both sailors denied the charges. One responded with a letter (which was very unusual), arguing the charges were “very erroneous and unjust.” The other sailor denied complaining about the “limey bastards on board.” He remarked that the second engineer – a forty-two-year-old from Plymouth – was the only limey and that he and several members of the crew were going to give him a beating. The man then refused to serve on watch with the second engineer and that night several men broke into the galley and fouled the department with rubbish and human excrement.²⁹ At least some of the *Outremont Park*’s crew seemed to be, at the very least, severe critics of their British officers, if not ardent Canadian nationalists. The presence of Canadian nationalism within the CSU and its rank-and-file membership was important because it helped unite the men.

Friction also developed between Canadian and foreign crew members. The Park ships were supposed to be manned by Canadians as much as possible, and failing that, by subjects of the British Empire. However, the government expanded the Merchant Navy

²⁸ The following information is found in, NAC RG 12, B-14-C, 1987-88/133 box 56, file 451, ship log for 28 Sep. 1944-26 Feb. 1945.

²⁹ This nationalistic dispute may have contained elements of a personal conflict. All three men had served on the *Algonquin Park* before signing onto the *Outremont Park*.

with little consideration as to where these sailors were to come from. Park vessels sailed with ratings from the four corners of the globe up to and after the end of the war.

While both sailors and their union eventually began to question the continued use of foreign sailors there was little the CSU could do to halt the practice. Only seamen on individual ships were willing to use wildcat strikes to address the issue.

Specific objections to foreigners were raised by the crews of the *Rocky Mountain Park* on 23 November 1943, the *Prince Albert Park* exactly one month later, and both the *Port Royal Park* and *Tweedsmuir Park* in June 1944. Canadian seamen often demanded that foreigners be signed off Park vessels if Canadians were available. The men argued that these foreigners did not pay taxes in Canada and displaced Canadians trained at government expense.³⁰ The twin June incidents led government officials to believe that the CSU encouraged its members to stir up trouble if non-Canadians were onboard Park vessels.³¹ It does not appear that the CSU actually organised the June job actions. When men from the *Port Royal Park* refused to sail on 19 June 1944 CSU port officials sympathised with their members' fear that they would be replaced by sailors signed on in India and Africa but they would not condone the strike and tried to get the men to return to work.³² Interestingly, unlike on British vessels, such foreign workers were paid the same wage rate as Canadians. Nevertheless foreign sailors could have been used to divide the union and dilute its strength on Canadian ships.

³⁰ NAC RG 24, vol. 6852, file NSC 8750-1 vol. 1, 19 June 1944 NBS Report for *Port Royal Park*.

³¹ NAC RG 12, vol. 1101, file 11-40-22 pt. 1, June 1944 Monthly Report of the St. John NBS from E.S. Brand to Arthur Randles and NAC RG 76, 1-A-1, vol. 463, file 708755 pt. 2, 15 March 1945 meeting minutes. The CSU's Sixth Convention, held 25 February - 1 March 1946 did pass a resolution calling for a Canadians only rule on Canadian deep-sea vessels but the goal was never fulfilled.

³² NAC RG 24, vol. 6853, file NSS 8750-3911, 17 June 1944 NBS Report.

Although it is impossible to claim no Canadian sailors were racist it should be pointed out that most demands to remove foreigners did not appear to be racially motivated. When the crew of the *Port Royal Park* refused to sail in June 1944 until five men of colour were signed off they claimed not to be against the colour of the men and pointed out that there was a black Canadian present on the ship. When a large number men on the *Tweedsmuir Park* threatened not to sail the same month they did so due to the presence of an Australian seaman.³³

Racial tension did of course exist, especially before the CSU. In October 1943 the Captain of the *Algonquin Park* signed off six firemen who could not deal with the heat and replaced them with five Arabs and one Indian. The Captain wrote to the ship's operators that: "All possible is being done to avoid friction between the Arab and White firemen, such as separate watches, separate rooms, etc."³⁴ After organising the saltwater fleet CSU officials made a concerted effort to overcome racism. Union staff fought bigotry by ensuring that black Canadians were not only admitted to manning pools but also signed on to ships.³⁵ Collective agreements contained the clause "The Companies and the Union agree that in the employment of unlicensed personnel, there shall be no discrimination because of race, colour or creed."³⁶ The union also used the Searchlight to educate its membership on the way racism divided and weakened sailors through a number of editorials and cartoons, especially after the war.³⁷

³³ NAC RG 12, vol. 1101, file 11-40-22 pt. 1, June 1944 Monthly Report of the St. John NBS.

³⁴ NAC RG 12, vol. 1495, file 8892-35 vol. I, 16 October 1943 J.A.T. Llewellyn to McLean Kennedy Ltd.

³⁵ NAC RG 12, vol. 1493, file 8090-20, vol. II, Nov. 1943 by Arthur Randles and Searchlight, 5 June 1945.

³⁶ "Memorandum of Agreement For Canadian Registered Deep Sea Dry Cargo Freight Vessels As Agreed to By East and West Coast Canadian Shipowners and Canadian Seamen's Union", Effective Oct. 15, 1947, copy in author's possession.

³⁷ For example see the 1 December 1945 article and 18 April 1946, 16 May 1946, 5 September 1946 cartoons published in the Searchlight.

Perhaps not surprisingly the CSU did not completely succeed. While docked in India in September 1944 the *Bowness Park's* Captain sparked a strike by the deck and engine departments when he canceled shore leave. The men made eight demands, the second of which was getting rid of the men of colour in the galley. One oiler complained that he would rather have a dog prepare his meals than a black man. The Captain acceded to the demand once two crew members agreed to help out in the kitchen.³⁸ The men won all their other demands as well but nine men were charged and sentenced to six weeks in prison by Indian authorities.

The CSU also failed to completely eliminate some of the other ways sailors were divided. Even after the men were represented by the CSU, hierarchy remained an integral part of life on ship. Violating the unwritten rules and mixing socially with the crew could still damage an officer's career. When the *Beaton Park* returned to Vancouver in 1945 the British Captain paid off his British first mate for mixing too much with the unlicensed personnel.³⁹ While the collective agreement supposedly ensured officers and ratings received the same food they continued to eat in separate messes. Neither the CSU nor sailors themselves made any concerted effort to break down the traditional divisions between officers and crew.

While the CSU did not fundamentally change the relationship between officers and crews the collective agreement did make one small alteration. The contract signed by the Park Steamship Company and the CSU included the chief steward with the other unlicensed ratings. Doing so conflicted with the traditionally held view that the man holding this

³⁸ NAC RG 24, vol. 11, 920, file 14-5-1, vol. II, 26 February NBS Report.

³⁹ NAC RG 24, vol. 6854, file NSS 8750-4719, 13 January 1945 NBS Report.

position was an officer. A 1936 study of the American merchant marine profession maintained that chief stewards, while not licensed, worked in an “executive capacity”.⁴⁰ At the outbreak of war Britain’s Royal Navy absorbed civilian passenger liners into military service. Some chief stewards refused to continue working because they would be classified as petty and not full officers.⁴¹ On Park ships chief stewards often had more in common with officers and often sided with them during disputes.⁴² This Canadian anomaly continued until 1947 when chief stewards were removed from the CSU’s bargaining unit.

While the officer/crew hierarchy remained solidly in place throughout the war there were examples when officers supported the demands of their crew. When the crew of the *Tecumseh Park* refused to sail out of Port Alberni from 18 to 20 November 1944 until the promises of bunk lights and more time ashore were fulfilled, government officials attempted to charge the men under the Merchant Seamen’s Order. The ship’s master refused to file charges as he believed blame lay with the managing agents and not the crew.⁴³ In another case of solidarity the officers of the *Rupert Park* came to the aid of the ratings during a November 1945 voyage. The crew signed two petitions and threatened to strike to get rid of an incompetent chief steward but the master ignored the men. The officers responded to this stubbornness by handing the master a petition of their own which read, “We the undersigned officers of the S.S. Rupert Park are not satisfied with the present chief steward for the reason that the food is insufficient in quantity and variety.”⁴⁴ After nearly two weeks of delaying tactics this combined action on the part of the officers and crew finally forced

⁴⁰ Healey, *Foc’s’le and Glory Hole*, p. 32.

⁴¹ Lane, *The Merchant Seamen’s War*, p. 22.

⁴² Green, *Against the Tide*, p. 101, 103.

⁴³ NAC RG 12, vol. 1100, file 11-40-14, pt. 2, 27 December 1944, E.S. Brand to Arthur Randles.

⁴⁴ Only the first engineer and first radio officer failed to sign.

the Captain to sign off the chief steward. He was signed off with “very good” discharges for ability and conduct and would not be hindered from finding another job.⁴⁵

When officers on Canadian merchant vessels were organised into trade unions in the post-war period they and the CSU agreed to co-operate.⁴⁶ At the end of 1947 the CSU and officer unions announced a “Year of Maritime Unity” and agreed not to sign a contract unless the shipping companies signed with the others.⁴⁷ That Christmas season many officers followed their union instructions and refused to sign on to vessels in order to force the companies to negotiate. On 3 March 1948 the officer unions launched the first legal strike on the Canadian deep-sea fleet. The CSU backed the officers in both actions and even bolstered their picket line during the March strike. Despite this support officer unions would later fail to back up the CSU.⁴⁸ Perhaps more importantly for the average seaman the union co-operation did not change the relationship between officers and crew onboard ship.

The CSU, organised along industrial lines, experienced more success altering the relationship amongst the men of different departments. While departmental rivalries were never completely abolished, by the end of the war strategies such as having regular ship union meetings attended by all crew members succeeded to a large degree. Not surprisingly men still tended to develop stronger bonds with the men with whom they lived and worked. However the traditional departmental divisions rarely got in the way of organising a

⁴⁵ NAC RG 12, B-14-C, 1987-88/133, box 4, file 119, 11 Nov. 1945-17 Jan. 1946 *Rupert Park* ship log.

⁴⁶ Deck officers were represented by the Canadian Merchant Service Guild, engineers by the National Association of Marine Engineers, both affiliated with the Trades and Labour Congress of Canada. Radio operators were unionized by the Canadian Communication Association, affiliated with the Congress of Industrial Organisations.

⁴⁷ *Searchlight*, 20 Nov. 1947.

⁴⁸ MacDonald, “Betrayal”, p. 332.

successful ship level job action. The CSU actions appear to have encouraged co-operation and collective, inter-departmental rather than individual actions; but the union proved unable to overcome all departmental divisions.

While co-operation between the deck and engine departments became relatively common on Park vessels the steward department remained on the outside looking in. On the *Algonquin Park*, a ship the CSU used as an example of union operations, there were repeated problems getting the steward department ratings to attend union meetings.⁴⁹ Steward departments often failed to take part in wildcat strikes. Shortly after the 1943 agreement the deck and engine ratings of the *Lansdowne Park* went on strike over bad food, lack of advance money, and the refusal of the Captain to sign them off. The Captain noted that no one in the steward department would take part in the illegal work stoppage.⁵⁰ Obviously men had to eat during strikes and cooks could not always lay down their spatulas in solidarity with the rest of the crew. More importantly, the incessant complaints and sometimes physical violence in response to inedible meals and shabby service undoubtedly created a certain degree of animosity between the steward department and the rest of crew.

The CSU did unite seamen traditionally divided by geography. Canadian sailors had always been represented by different unions on the east and west coasts. Despite the fact Park vessels operated on both coasts the first contract covered only east coast seamen. On the west coast two unions competed to sign up men sailing on Park vessels. The B.C. Seamen's Union (BCSU), an affiliate of the American based Seafarer's International Union fought with the Deep-sea and Inland Boatmen's Union (DIBU) for the loyalty of Canadian

⁴⁹ NAC MG 30, A124, vol. 4, file 4-2, The CSU and You, pamphlet #2 - "CSU Membership Meetings Aboard Ship", p. 10.

⁵⁰ NAC RG 24, vol. 6853, NSS 8750-4380, 6 December 1943 NBS report

sailors.⁵¹ The DIBU had a similar organisational structure, militant reputation, and Communist background as the CSU while the BCSU was more conservative. At the end of August 1944 the DIBU merged with the CSU as an autonomous west coast district and was included in the November 1944 collective agreement.

Not surprisingly, given the DIBU's background, Park Steamship Company officials preferred to deal with the BCSU.⁵² During the fall of 1944 the Department of Labour sponsored a vote to decide which organisation would represent west coast seamen (despite the earlier merger with the CSU the names DIBU and BCSU still appeared on the ballot). A month before the vote the Park Steamship Company prevented DIBU officials from boarding vessels by suspending their dock passes in order to allow the BCSU time to import more organisers from the US.⁵³ Despite these efforts the DIBU won the vote and the CSU finally represented Canadian seamen from coast to coast.

Men sailing on one of the thirteen 10,000-ton Park tankers had to wait even longer before being covered under a collective agreement. Tanker crews applied for CSU membership in the spring of 1944 but not until that fall were all tanker crews under CSU certification.⁵⁴ These men then had to wait until 3 May 1945 before the CSU managed to sign a national collective agreement which covered tankers.⁵⁵ The tanker-managing companies including Esso and Imperial Oil, both vehemently anti-union, had successfully resisted signing with the CSU until this point.

⁵¹ The CSU was also an affiliate of the SIU but its charter prohibited it from organising west coast sailors.

⁵² Government-intercepted telephone conversations between Hugh Murphy, the leader of the BCSU, and his American bosses reveal that Murphy believed that Park Company President, E. F. Riddle, favoured their union to the DIBU. NAC RG 12, vol. 1493, file 8090-20 vol. 2, censored telephone conversations 9 Dec. 1943 Murphy with unnamed Seattle official and 13 Jan. 1944 Murphy with SIU President Harry Lundberg.

⁵³ The Canadian Seaman, 24 Nov. 1944.

⁵⁴ Searchlight, April 1944, Nov. 1944.

⁵⁵ The Canadian Seaman, June 1945.

Winning the first national deep-sea agreement, covering crews of freight and tanker vessels on both coasts, was just one of several union victories. The CSU also proved very successful in securing improved wages and shipboard conditions. In addition the CSU helped unify workers in an industry traditionally divided by vocation, geography, and race. However these achievements did have a cost. As we shall see, the union's no-strike pledge and the collective agreement stifled the ability of seamen to be free-standing and engage in protests either individually or at the ship level. In addition, the CSU flourished within a context heavily influenced by political decision-making over which it exercised little influence. The union's inability to obtain positions on any of the committees or boards which shaped Canada's Merchant Navy proved to be a tragic flaw when war ended.

The CSU: An Instrument of Liberation or an Agent of Control?

While sailors won many benefits in their collective agreements they also illustrate the double-sided nature of industrial legality. The long history of informal contracts in the shipping industry established a tradition of individual and collective attempts to force masters to live up to agreements. By the outbreak of the Second World War the introduction of steamships and unions transferred much of the bargaining process out of the hands of individual seamen. Sailors increasingly dealt with grievances through a union instead of individual litigation.⁵⁶ Sit-down strikes became blatantly illegal as collective agreement language backed up the clauses in the Canada Shipping Act outlawing collective action. Formal collective agreements meant that union leaders had to increase their control over workers and ensure that they lived up to the terms of the contract.

⁵⁶ Eric Sager, *Seafaring Labour*, p. 256.

Many wartime workers also had to contend with no-strike pledges. Like many unions, the CSU took a no-strike pledge to assist the war effort.⁵⁷ The union announced its no-strike pledge in its 1942 “Victory Program for Canada’s Inland and Deep-sea Shipping”. Despite its democratic reputation CSU leaders made no attempts to consult the rank-and-file before taking the no-strike pledge.⁵⁸ Sullivan and other CSU leaders wrote the document while they were imprisoned in an internment camp. Perhaps because they had not consulted the membership union officials had to remind sailors to honour the pledge. In a March 1945 editorial entitled “No Strike Against Victory,” the union executive stated, “We adopted the “No-Strike” pledge and will honourably adhere to it, simply because there is a war against Fascism...”⁵⁹

The 1943 contract formalised this no-strike pledge and made controlling the rank-and-file even more important to CSU leaders. The collective agreement negotiated between the CSU and the Park Steamship Company stated “there shall be no strikes, lockouts or stoppages of work for the life of this agreement.”⁶⁰ Voyages were to be completed regardless of any company violations of the contract. Disputes were to be settled by the

⁵⁷ Green, Against the Tide, pp. 89-90, 100 and Kaplan, Everything That Floats, p. 35.

Unlike many Communist unions the CSU supported the war from the start and did not label the conflict an “imperialist war” after October 1939. Nor did the CSU make any attempts to hinder the war effort by disrupting Great Lakes shipping; before 1942 Canada still lacked any substantial deep-sea fleet (see Green, Against the Tide, pp. 76-78 for a discussion of the 1940 Lakes strike). See Green, Against the Tide, pp. 74-78, Kaplan, Everything That Floats, p. 27, Ivan Avakumovic, The Communist Party in Canada: A History, (Toronto: McClelland and Stewart Ltd., 1975), p. 140 and wartime issues of Searchlight for a comparison of the CSU’s and the Canadian Communist Party’s approaches to the war. The CSU leadership did increase its support for the war after Germany’s invasion of the Soviet Union transformed the war into an epic struggle between the forces of National Socialism and Communism, by taking (and trying to force its members to follow) a no-strike pledge.

⁵⁸ Martin Glaberman contends that few unions which took the no-strike pledge consulted their membership beforehand. Glaberman, Wartime Strikes, pp. 4-5.

⁵⁹ Searchlight, March, 1945.

⁶⁰ NAC RG 46, vol. 1275, file “History of the Park Steamship Company”, Nov. 1943 contract. P.C. 1003 had also banned strikes for the life of a collective agreement.

contract's grievance procedure. While Canadian seamen did not always observe the no-strike clause, the signing of a collective agreement did impose a degree of control over sailor behaviour. The no-strike clause forced union officials to be more careful when deciding which wildcat actions could be supported.

Both the Park Company and CSU used the contract to justify the restriction of individual worker actions. Shortly after the CSU signed their first contract with the Park Company they issued a special bulletin which stressed the need to live up to the contract's terms. "When we demand that the Park Steamship Company and their various agents live up to their obligation under the terms of the contract, we must also live up to ours. Co-operation is not a one way street!"⁶¹ Such obligations were internalised by workers. As former seaman Sidney Martin explained to one author,

You see, my idea is, I don't give a damn how left wing we are, if we sit down and make an agreement with an employer, and fight like hell with him to get an agreement for the guys, you got to live up to that! And if you don't live up to it, you might as well call it off. Or you're not going to get another one. And then where would you go?⁶²

The collective agreement brought benefits to workers but they were balanced by new restrictions on the ability for seamen to utilise direct action.⁶³

By the end of the war there were complaints that the contract had created new problems. In a January 1945 monthly report on the situation in Saint John, Brand informed

⁶¹ NAC RG 24, vol. 1493, file 5090-20 vol. 2, undated CSU bulletin.

⁶² Sager, *Ships and Memories*, p. 146.

⁶³ The CSU executive cannot be accused of being ignorant of some of the dangers of industrial legality. The CSU executive criticised a proposed labour bill in the 26 June 1947 *Searchlight* by writing, "The new Labour Bill creates a series of hurdles which will further procrastinate peaceful settlement of existing labour disputes and eventually cripple the trade unions." Like most unions with communist leadership the CSU soon found itself too preoccupied with fending off attacks from both business and government leaders to launch any real resistance to the new labour legislation. See also Eric Tucker, "Labour Law and Fragmentation before Statutory Collective Bargaining" p. 115.

Randles, “as for Park’s agreement, the whole set up is now disintegrating into a childish squabble about overtime, duties, charges and counter charges every time a Park ship arrives in Port.”⁶⁴ Sailors themselves often took action to force the companies to live up to the contract; CSU port agents simply responded to these rank-and-file demands.

CSU leaders did try to reform the behaviour of their membership after the introduction of collective agreements. Union officials and newspaper articles in the union newspapers regularly pleaded with seamen to live up to the contract or reform their unruly behaviour. Articles or editorials appeared in Searchlight in June and November 1943, April and November 1944, and March 1945. The Canadian Seaman ran similar articles in September, October, November, and December 1944 and January 1945.⁶⁵ On 4 December 1944, the Pacific Coast district of the CSU passed the following resolution, “Be it resolved that the national executive board call on the crews to refuse to further condone individuals who, by their actions, cause disruption on board ship and bring the union into disrespect in the eyes of the public.”⁶⁶ Despite these pleas by union officials they were unable to end traditional responses to poor working conditions.

Union officials also tried to convince the rank-and-file to cease the customary practice of signing off or deserting unpalatable vessels. “If conditions are not to our liking aboard any ship, or if they do not conform to union conditions, our task is to fight to improve them,” explained a union bulletin. “This cannot be done if we are going to walk off every ship we don’t like.”⁶⁷ It would appear most men ignored this instruction. Seamen

⁶⁴ NAC RG 12, vol. 1101, file 11-40-22 pt. 1, 5 Feb. 1945, E.S. Brand to Arthur Randles.

⁶⁵ Such editorials continued to appear after the war, see Searchlight, 12 February 1948.

⁶⁶ The Canadian Seaman, 8 Dec. 1944.

⁶⁷ NAC RG 24, vol. 1493, file 5090-20 vol. 2, undated CSU bulletin.

serving on ships with poor conditions often demanded to be paid off (or deserted) rather than attempting to improve the situation.⁶⁸

When crew members ignored these instructions and took matters into their own hands union officials often tried to convince them to end their wildcat strikes. In early June 1943 (before the collective agreement), the crews of four Park ships refused to board them when they discovered their pay had been cut. When the CSU received assurances from the Park Steamship Company that this grievance would be examined, they told their members to man the ships.⁶⁹ In June 1945, firemen on the *Rupert Park* announced they were on strike until the company installed water coolers on the ship. Two days after the strike began CSU officials sent a telegram advising the crew to “proceed without further delay”. The shipping company promised that water coolers would be installed upon the vessel’s return to Canada. Only when sufficient ice was brought on board did the men agree to sail.⁷⁰

The CSU became involved in another *Rupert Park* strike when the crew attempted to have the chief steward replaced. The vessel’s twenty-one-year-old donkeyman represented the crew during the various negotiations from 9 November - 4 December 1945. The CSU advised the crew not to strike but to contact the Naval Authorities in Port through the Captain and to follow the “correct procedure.”⁷¹ These two delays on the *Rupert Park* were unusually long and gave the shipping company time to call in the CSU to have the union put pressure on its members to return to work. During the war these types of sit-down strikes were more often settled quite quickly, before authorities had time to call on the union.

⁶⁸ NAC RG 24, vol. 6853, file NSS 8750-4340, 21 Jan. 1945 NBS report.

⁶⁹ *Searchlight*, June 1943

⁷⁰ NAC RG 12, B-14-C, 1987-88/133 box 4, file 119, May - 10 Sep., 1945 log book.

⁷¹ NAC RG 12, B-14-C, 1987-88/133 box 4, file 119, Nov. 1945 - 17 Jan. 1946 log book.

Union attempts to convince men to return to work occasionally brought praise from naval personnel. Twenty-four hours before its sailing time the crew of the *Port Royal Park* refused to sail until five foreigners were replaced by Canadians. While the CSU officials who communicated with the crew were sympathetic they refused to back the strike because the collective agreement banned strikes and said nothing about excluding foreigners from working on Park ships. "I would also like to point out that during the dispute I received the wholehearted co-operation of the CSU," wrote the NBS officer who worked with the two CSU officials during the incident. "The two representatives Messrs. Toner and Fidler did all in their power to assist in convincing the men that they should sail on the ship."⁷²

The union also occasionally turned its back on union members who had landed themselves in hot water. On 9 June 1944, twelve crew members of the 10,000-ton tanker *Silver Star Park* refused duty in New York. While the CSU had not yet negotiated a contract for tanker crews, many men who sailed on these ships belonged to the union. The men had been on a twelve-month voyage with a bad cook and inflexible British master who had refused to allow the men to wear shorts in the tropics. These crew members held up the vessel for five days and caused it to miss its convoy. After the men were repatriated to Montreal for trial the CSU decided that the crew members' actions had been unjustified and withdrew its support.⁷³ The men received one-month prison sentences after they pleaded guilty to charges under the Canada Shipping Act.⁷⁴

⁷² NAC RG 24, vol. 6853, file NSS 8750-3111, 17 June 1944.

⁷³ NAC RG 24, vol. 6855, file NSS 8750-4831, 9 June 1944 NBS report and NAC RG 46, vol. 1291, Minute Book # 1, 20 June 1944.

⁷⁴ NAC RG 12, vol. 1101, file 11-40-19, minutes of 1 March 1944 meeting. The depositions taken in the US proved unsuitable for MSO charges.

In theory the collective agreement established new and improved channels to settle grievances, ending the need to resort to job actions. The Canada Shipping Act's procedures to deal with food and water complaints were entirely inadequate. At least three crew members had to bring the complaint before another captain, consular officer or shipping master. This official would then investigate the complaint and decide whether the food or water were substandard and inform the ship's Captain of his findings. If both men agreed there were no grounds for complaint the complainants could be forced to forfeit a week's wages. More often than not, port authorities sided with the ship's master and dismissed the complaint.

Since the evidence in most cases balances the word of the captain against that of the crew it is difficult to say how often such food complaints were justified. However an occasion in which an NBS officer accompanied the *Glacier Park* on a 1944 voyage gives some insight into how some of these issues were investigated. In his report after sixty days on the vessel the NBS observer stated that the food's "grade is of the lowest quality". The Captain, apparently drunk for most of the voyage, ignored complaints by the crew and threatened men who complained about the food with iron shackles and salt rations. Upon arriving in Bombay the NBS official brought the food problem to the port's chief DEMS officer. This officer "investigated" the men's complaint by asking the chief steward about the quality of food. The chief steward's reply that the meals were satisfactory was good enough for the DEMS officer and he dismissed the complaint. When they heard the news half the crew blocked the gangway and refused to let the chief steward return from shore leave. Unfortunately authorities transferred the NBS official to another ship and the tale

ends.⁷⁵ The case is significant because though complaints of substandard food had supposedly been investigated, the DEMS officer simply took the chief steward's word and did not perform any real inspection. Such actions would not have encouraged crew members to follow proper procedure in the future.

The grievance procedure set out in the collective agreement represented an improvement but failed to meet the needs of sailors. According to the contract, grievances which could not be quickly solved by union representatives would be referred to a Port Committee made up of two representatives each from the union and company. If the Port Committee could not agree the matter would be sent to arbitration. This procedure remained under-utilised for the life of the union.⁷⁶ Such lengthy, complicated methods were completely inadequate to deal with life onboard deep-sea vessels.⁷⁷ The thought of several more months of bad food obviously did not appeal to the aforementioned crew of the *Glacier Park*. Grievances had to be solved immediately. Men were unwilling to depart or continue on long voyages before their complaints were addressed.

The failure to follow proper grievance procedures led the executive of the BC Deep-sea and Inland Boatmen's Union to remind members that they must settle their grievances through the union office and the National War Labour Board: "Remember you are organised men. Do things in an organised manner."⁷⁸ The wartime experience of Canadian seamen demonstrates that while unionised sailors were radical and willing to take direct action on an individual or collective basis their leaders were often irresolute and

⁷⁵ NAC RG 24, vol. 6853, file NSS 8750-4340, undated report by RCNVR Galt.

⁷⁶ MacDonald, "Betrayal", p. 438.

⁷⁷ MacDonald, "Betrayal", p. 540.

⁷⁸ The Canadian Seaman, 15 Sep. 1944.

encouraged their men to follow proper grievance procedures as an alternative to direct action.

The CSU at the Ship Level

The authors who have examined the CSU have focused primarily on the union leadership's battles with shipping companies and government officials in board rooms and court houses. A study of the most basic union activities, the ship board meeting and the lowest-ranking union representatives, creates another perspective on the union.⁷⁹

Shipboard meetings were supposed to be held at least once every two weeks. At these meetings men brought their "beefs" to the attention of department delegates who would raise them with the ship's master. Regular meetings were designed to prevent the escalation of tensions to a critical level. Since such meetings were new to Canadian merchant vessels, the men had to be reminded of their purpose and to hold them regularly. In 1944, Bill McIntyre, the editor of The Canadian Seaman, wrote "it seems to me that there is a misconception of that organized activity, a ship's committee...." He told crews to hold regular meetings whose purpose was to encourage better co-operation between crews and officers, advocate self-discipline of the crew, and preserve crew rights.⁸⁰ These meetings were obviously designed to introduce some level of union control over disorderly seamen. By holding regular meetings and dealing with complaints as a group, individual actions such as desertion could be curtailed and misbehaving sailors could be warned.

The Searchlight and The Canadian Seaman also regularly carried examples of meeting minutes and invited crews to submit them for publication. The minutes of such

⁷⁹ Jim Green refers to these ship meetings and delegates in Against the Tide but usually only to demonstrate the CSU's democratic nature.

⁸⁰ The Canadian Seaman, 15 Sep., 1944.

meetings reveal what types of issues were important to the crew. The most constant feature of such meetings were discussions of food. More often than not, whether it be good or bad, food topped the meeting agenda.⁸¹ Twenty minutes of each meeting were supposed to be spent discussing something that would increase rank-and-file understanding of the CSU or the labour movement in general. However meeting minutes never seemed to mention such topics of discussion.

During the war the CSU published a pamphlet which described the membership meetings during part of a voyage of the *Algonquin Park* and praised them as an “example of democracy at work”.⁸² The booklet provided examples of the type of things to discuss and the methods in which to address “beefs”. Reading between the lines reveals an imperfect system. The ship left Canada on 18 December 1943. On 19 February 1944 a crew meeting passed a resolution stating any man who missed a meeting without an excuse had to pay a \$1 fine.⁸³ The booklet provides no explanation but it is likely uneven attendance was the problem. The roll call at the 4 March meeting found all men not working present except for members of the steward department. As a result men at the meeting voted to remove the steward department delegate and elected a new one.⁸⁴ On 27 March the chief steward received an order to attend meetings or have his union book lifted.⁸⁵ The fact that the steward department had attendance problems at the meetings could also signify continued divisions between the different departments.

⁸¹ The Canadian Seaman 13 October 1944 and 5 January 1945.

⁸² NAC MG 30, A124, vol. 4, file 4-2, The CSU and You, pamphlet #2 - “CSU Membership Meetings Aboard Ship”, p. 1.

⁸³ ibid., p. 7.

⁸⁴ ibid., pp. 10-11.

⁸⁵ ibid., p. 13.

Finding volunteers to take charge of meetings also proved to be a problem. Two men occupied the position of chairman, one held the chair four times and the other three. A single individual occupied the position of recording secretary five times with two others holding the position for a single occasion. A chief steward from an unnamed ship echoed these findings when he complained to the editors of Searchlight that ship meetings lacked membership involvement and that few people would accept nominations for the positions of chairman and secretary.⁸⁶

This non-participation in duties should not automatically be interpreted as evidence that Canadian sailors were not militant union members. It is not surprising that ship meetings did not operate perfectly. What is significant is most Park vessels did seem to hold some sort of regular meeting.⁸⁷ It also appears that, even if they were not willing to chair them, men were usually present for the meetings. It must also be remembered that informal shop floor activities are a better indication of militancy.⁸⁸ Being unwilling to chair a meeting does not mean a member was not willing to take part in a wildcat strike.

These ship meetings were important because they seemed to unify crews. The constant turnover and casual nature of the profession meant crew members had to develop bonds with each other every voyage. Meetings helped to develop such connections and to overcome the previously mentioned department caste system. On British merchant ships, "There were no rituals or working practices intended to weld the aggregate of men together as a team... Collective rituals, such as the musterings for religious services and the

⁸⁶ Searchlight, 16 January 1947.

⁸⁷ The 20 May 1948 Searchlight stated that nearly all deep-sea vessels had ship committees but complained that few Great Lakes ships had more than a ship delegate and some had failed to elect any representative.

⁸⁸ Glaberman Wartime Strikes, p. 23.

distribution of pay aboard naval ships, were an important means of creating and sustaining a sense of belonging to a distinctive community.”⁸⁹ On vessels represented by the CSU, ship board union meetings acted as such an important collective ritual. Meeting together and sharing the same complaints and problems did assist in breaking down at least some of the divisions between ship crews.

The department meetings could also be used to discipline union members. On 21 February the *Algonquin Park's* Captain complained to the ship's union delegates about the poor work habits of a trimmer. On 14 February the trimmer had not performed his work satisfactorily and on 21 February he was discovered reading a novel in the mess room instead of working. He then refused to go on the 8-to-12 watch because he did not like the other men on that shift. During a union meeting fifteen men voted to force the trimmer to work the 8-to-12 watch while three were willing to let him work the 4-to-8 watch.⁹⁰

These department delegates were an integral part of CSU operations. The CSU contracts secured the right for each department to elect a delegate to present grievances to the captain. These delegates helped settle grievances at the ship level, ensure crew members were active union members, and maintain contact with the union's port officials.⁹¹ The CSU considered these delegates to be the key to the entire agreement because they would settle grievances and enforce the contract's provisions.⁹² These delegates were even more

⁸⁹ Lane, *The Merchant Seamen's War*, p. 70.

⁹⁰ NAC MG 30, A124, vol. 4, file 4-2, *The CSU and You*, pamphlet #2 - "CSU Membership Meetings Aboard Ship", p. 8. Unfortunately the minutes do not list whether the three men who were willing to let the trimmer escape the 8-to-12 watch were the three firemen who would have to work with him.

⁹¹ Green, *Against the Tide*, p. 26.

⁹² *Searchlight*, November 1943.

important during war because military control of ports often prevented shore delegates from boarding vessels.⁹³

In Everything That Floats, William Kaplan emphasises the importance and groundbreaking nature of securing the right of delegates to present grievances to the captain within the collective agreement.⁹⁴ The idea was not completely new. Custom on deep-sea vessels allowed for the informal nomination of crew members to represent certain departments, or the entire ship, before the master.⁹⁵ The CSU had secured similar delegate rights on the Great Lakes in 1938 and the American National Maritime Union had similar delegate rights.

Delegates were usually elected to the position by the crew members but could be appointed by CSU leaders until members elected one themselves.⁹⁶ While it is possible loyal Communists were sometimes appointed, it appears that the CSU exercised little control over the process of selection or the men who occupied the position. Ship officers and government officials often complained about “self-appointed” union delegates. During the summer of 1945 the *Prince Albert Park*'s officers complained about the behaviour of a man who acted as a “self-appointed union delegate” and called him the “leader of frivolities” after a series of drunken binges by crew members in port. The “self-appointed” label could simply be an example of hyperbole on the part of ship officers. However, with no checks on the system, it is probable some men simply adopted the title.⁹⁷

⁹³ Searchlight, October 1939.

⁹⁴ Kaplan, Everything that Floats, p. 37.

⁹⁵ Lane, The Merchant Seamen's War, p. 147. Simply formalising the custom did not automatically achieve miracles. Some Captains would simply pay off delegates they did not like.

⁹⁶ Searchlight, 20 May 1948.

⁹⁷ NAC RG 24, vol. 6853, file NSS 8750-3725, 13 July 1945 NBS Report. Randles hated the whole notion of having unlicensed crew members presenting suggestions, requests, and demands to ship captains. “I am personally very much opposed to the appointment of crew delegates on board ships of the Empire,” Randles

Government officials, such as Arthur Randles, believed that the CSU should perform as unions elsewhere were performing: generally as a disciplinary agent, and more specifically controlling the selection of department delegates. Industrial legality was characteristically tilted against spontaneous expressions of rank-and-file activism. Throughout the war there were attempts to have the CSU appoint department delegates. In March 1945, after several instances of crew troubles were blamed on the actions of department delegates, members of the Naval Boarding Service extracted a promise by Saint John CSU officials that "The union will now appoint ships delegates instead of allowing the crew to appoint their own in an effort to prevent young and inexperienced men running the ship."⁹⁸ In this instance it appears the local CSU officials overstepped their authority. Randles tried to straighten out the confusion over whether or not delegates were to be appointed or elected. In a letter to Brand, Randles reported that he expected the next contract to specify the appointment of delegates by the union instead of the crew; however subsequent collective agreements failed to force the CSU to appoint the delegates.⁹⁹ It appears Randles did extract a promise from union leaders that they would increase supervision over the delegate election process. In Randles's mind the CSU promises went unfulfilled. In a 30 July 1945 letter he complained that the delegate selection remained haphazard "despite the union promise that they would supervise it."¹⁰⁰

informed Brand, "and I am hopeful that this iniquitous system may be done away with." He also referred to department delegates as "an Americanism which I deplore." Randles felt that the delegates stirred up trouble and impeded discipline onboard ship. NAC RG 24, vol. 8173, file NSC 1700-273, 30 July 1945, Arthur Randles to E.S. Brand, NAC RG 24 vol. 3943, file 1037-28-6 vol. 7, 29 February 1944, Arthur Randles to E.S. Brand, NAC RG 76, 1-A-1, vol. 463, file 708755 pt. 2, 27 February 1945 meeting minutes.

⁹⁸ NAC RG 12, vol. 1100, file 11-40-14, pt. 2, St. John NBS Monthly Report for March 1945.

⁹⁹ NAC RG 12, vol. 1100, file 11-40-14, pt. 2, 14 April 1945, Arthur Randles to E.S. Brand.

¹⁰⁰ NAC RG 24, vol. 8173, file NSC 1700-273, 30 July 1945, Arthur Randles to E.S. Brand.

Many ship captains agreed with Randles's belief that department delegates interfered with ship discipline. If they did not appreciate the delegates' advice or complaints they could simply sign them off the ship. After a 1944 strike in Ceylon by members of the *Kildonan Park* shipping authorities transferred the master to the *Algonquin Park*. Upon taking command of his new ship the Captain disregarded the department delegates and later, without cause, paid them off.¹⁰¹ Other masters actually welcomed the provisions for department delegates. In the fall of 1943 the *Mount Douglas Park's* master told a Naval Boarding Service party that he appreciated the delegates because it meant he only had to deal with one man instead of the whole crew. The delegates also promised him that they would ensure that the rest of the crew kept their quarters clean.¹⁰²

By the post-war period more captains had learned to use the delegates to their advantage. While discharging a potentially explosive cargo of nitrate in Tocopilla on 11 July 1947 the Captain of the *Lake Babine* (formerly the *Beaton Park*) had the three union delegates stress to the rest of the crew the danger of smoking. On the same voyage the Captain used the delegates to inform the crew about restrictions on bringing foreign currency and goods into China.¹⁰³ Delegates were not only recruited to disseminate information but also to restrain unruly crew members. When the *Grafton Park* docked in Cape Town during a 1948 voyage the Captain ordered the engine room delegate to put a violently drunk fireman to bed.¹⁰⁴ Like many changes introduced by industrial legality it appears department delegates faced simultaneous acceptance and resistance. Shipping companies and officers may have

¹⁰¹ Searchlight, November 1944.

¹⁰² NAC RG 24, vol. 6953, file NSS 8750-4401, Oct. 1943 NBS Report.

¹⁰³ NAC RG 12, B-14-C, 1987-88/133, box 29, file 225, *Lake Babine* Log Book, 27 Jan. 1947-9 Oct. 1947.

¹⁰⁴ NAC RG 12, B-14-C, 1987-88/133, box 56, file 452, *Grafton Park* Log Book, 21 Aug. 1947-3 May 1948.

desired the stability an effective and mature union would have brought to vessels, but they were often unwilling to alter the established way of doing things or accept provisions that they felt undermined their authority. Only over time, once the delegate system had a chance to prove itself, did the system become incorporated into the ship workplace.

It is possible to investigate the backgrounds of some of these department delegates. The ages and origins of fifty-one men who acted as delegates during and in the years immediately after the war were examined (see table one, located between pages 105 and 106 for details).¹⁰⁵ The sample is too small to reach any definitive conclusions but does reveal some trends. It appears that the ages of delegates reflected the typical ages of sailors and they were often quite young. The average age was twenty-seven; 18% were under the age of twenty, 51% were between the ages of twenty and twenty-nine, 24% were between the ages of thirty and thirty-nine, and only 4% were over the age of forty.

Not only were there few older sailors contained in the sample but men who held the positions requiring the most experience were also underrepresented. Only seven delegates from the sample were bosuns, carpenters, or donkeymen. It is only possible to speculate why the men chosen for the department delegate jobs were not the older and more experienced men on the vessel. The foreman-like capacity of these positions undoubtedly led to some friction with the rest of the crew.¹⁰⁶ It is also conceivable older men had little attachment to the union and did not want the job. In addition only five delegates from steward departments are evident. This does not automatically mean the steward department

¹⁰⁵ Unfortunately no comprehensive list of delegates exists. Delegate names used in the study were culled from issues of *Searchlight*, ship logs, and NBS boarding reports. These names were then looked up in the Articles of Agreement to discover their age and other data.

¹⁰⁶ The bosun and donkeyman also had their accommodations located in the midship, separated from the rest of the crew.

Table One
CSU Department Delegates

<u>Name</u>	<u>Position</u>	<u>Age</u>	<u>Origins</u>	<u>Ship*</u>	<u>Date**</u>
Orville Bondy	fireman	20	ONT	Wiona Park	?
Brabent	bosun	51	PQ	Algonquin Park	1944
William Broadbent	fireman	23	?	Outremont Park	46/1/19
Donald Brown	AB	36	BC	Beaton Park	43/12/1
Joseph Buote	AB	20	PEI	Beresford Park	47/3/17
G. Burus	AB	36	Sask.	Rupert Park	45/5/10
Harold Butler	AB	21	NFLD	Eastwood Park	summer 45
T.E. Clark	mess boy	17	BC	Wiona Park	?
Norman Connor	donkeyman	26	MAN	Mohawk Park	1946
Richard Coronado	AB	32	ONT	Beaton Park	43/12/1
Douglas Daniels	oiler	36	PQ	Dartmouth Park	43/12/24
Gordon Drake	AB	23	PQ	Outremont Park	46/1/19
Joseph Dupre	AB	23	BC	Lake Babine (Beaton)	47/10/9
F.L. Erikson	greaser	20	BC	Beaton Park	Jan-44
Furness	OS	17	ONT	Algonquin Park	1944
John Garret	AB	21	NS	Eastwood Park	fall 1946
Henry Goutouski	fireman	18	ONT	Kildonan Park	?
Herbert Green	OS	21	ONT	Beresford Park	47/3/17
John Greenhalgh	bosun	38	PQ	Beresford Park	47/8/28
Leo Gusba	AB	18	ONT	Dartmouth Park	43/12/24
William Hrooshkin	fireman	19	Sask.	Beaton Park	43/12/1
Joseph Hudon	AB	25	PQ	Beresford Park	47/8/28
Norman Humble	oiler	25	ONT	Beresford Park	47/3/17
William Jackson	mess man	22	PQ	Eastwood Park	fall 1946
R. Jones	AB	19	BC	Algonquin Park	1944
George Kelly	donkeyman	35	ONT	Prince Albert Park	Jul-45
David Kirby	AB	19	ONT	Prince Albert Park	Jul-44
Allan LaLumier	fireman	34	PQ	Prince Albert Park	Jul-44
Stanley Landin	AB	24	PQ	Kildonan Park	?
Llyold Langille	AB	43	?	Beresford Park	47/8/28
Laycock	carpenter	63	ONT	Algonquin Park	1944
John Leblanc	greaser	21	NB	Laurentide Park	?
J. Logan	chief cook	39	ONT	Mohawk Park	1946
G. Lyons	carpenter	41	BC	Mohawk Park	1946
G.Wm. Mackenzie	chief cook	31	USA	Lansdowne Park	Dec-43
Robert Metcalfe	fireman	22	MAN	Dartmouth Park	43/12/24
Albert Miller	AB	29	BC	Wiona Park	?
Walter Miller	greaser	38	NS	Lake Babine (Beaton)	47/10/9
Allan Mowat	AB	18	ONT	Beaton Park	43/12/1
Maurice Nantel	mess man	19	PQ	Kildonan Park	?

E. Reid	fireman	25	ONT	Kildonan Park	?
Seems	AB	25	?	Algonquin Park	1943
Cyril Serois	oiler	24	PQ	Grafton Park	47/8/21
Harry Sharpe	donkeyman	21	MAN	Beaton Park	45/9/11
Allan Slade	fireman	33	UK	Algonquin Park	1943
H. Smith	OS	20	?	Mohawk Park	1946
G.D. Snook	AB	20	NFLD	Eastwood Park	Dec-45
F. Stevenson	fireman	21	?	Eastwood Park	Dec-45
Joseph Sutherland	AB	42	NS	Kildonan Park	?
K. Williamson	oiler	20	NS	Lansdowne Park	Dec-43
E. Wilson	AB	23	BC	Coronation Park	?

* While some delegates were found to have held the position on several different ships only the first ship where they served as a delegate was recorded.

** The date refers to the day the Articles of Agreement which contain the biographical information were opened, or when this is uncertain, the date of the incident which induced union or government officials to mention the individual.

Source: Delegate names were found in ship logs, NBS boarding reports, and issues of Searchlight. These individuals were then looked up in ship Articles of Agreement to find the biographical information.

did not elect delegates (though it is suggestive) but the fact that their names were rarely mentioned in the records does show how rarely this department became involved in labour disputes.

While many delegates came from the Maritime provinces on the east and west coast and a smattering from the Prairies the sample seems to indicate that Ontario and Quebec contributed more than their fair share of delegates. This may simply reflect the fact men with sailing and union experience on the Great Lakes had joined the deep-sea fleet.

Regardless of their age or origins these delegates were key union officials. On long, distant voyages they were the only ones who could negotiate with “management” in order to ensure that the collective agreements were followed, grievances were settled, and that regular union business continued to be conducted. The fact that delegates were volunteers and held the position while still working prevented them from becoming over-bureaucratized and divided from the rank-and-file membership, thus avoiding one of the main pitfalls of industrial legality.

The same can not be said of the CSU’s next level of official, the port agent. Port agents were paid union staff who boarded ships in Canadian ports and settled lingering grievances. They were also responsible for meetings, education, and the “general life of the union”.¹⁰⁷ While these officials did not necessarily suffer from over-bureaucratization they were separated from the rank-and-file. More often than not these port agents had little knowledge of local issues and relied on the delegates and ship crews for information.

While a bureaucratization of union staff is one criticism of industrial legality it would be easy to take this criticism too far when dealing with the CSU. There are several examples

¹⁰⁷ MacDonald, “Betrayal”, p. xi, 508.

of port agents discouraging members from taking strike action and of encouraging striking men to return to work. Yet, there are just as many examples of instances of port agents encouraging resistance. The militancy of port agents seemed to vary from individual to individual, and even from incident to incident. In some cases these port agents were seamen who showed leadership abilities and alternated between working at sea and in the union post.¹⁰⁸ In other cases it appears that port agents were appointed because of their Communist background rather than their seafaring experience. The CSU employed Jack Shaw, a man with no sailing experience, as a CSU agent in a number of different ports during the war.

Regardless of their qualifications port agents had little influence over the membership. Naval Control Service officers in Saint John complained that the union's two shore delegates "are actually quite ineffectual in their dealings with the crews; it would appear that their main occupation is the distribution of CSU literature, collection of dues and listing of complaints, but any discipline of the crews appears to be outside their scope."¹⁰⁹ Port delegates did not exercise much control over the rank-and-file and the union did not exercise much control over the port delegates. After CSU crews on three ships (not part of the Park fleet) docked in Halifax and Saint John struck for better wages and conditions Randles observed, "H.Q. in Toronto appears to have ineffectual control over their port delegates, all of whom present demands and conduct negotiations with individual ships without any uniformity or apparent control."¹¹⁰ In another case a bosun,

¹⁰⁸ Green, *Against the Tide*, p. 130.

¹⁰⁹ NAC RG 24, vol. 11,988, November 1944 Naval Control Service monthly Report.

¹¹⁰ NAC RG 12, vol. 1493, file 8090-20 vol. 2, Oct. 1943, Arthur Randles to Jellicoe, Halifax regional manning pool director.

labelled an “agitator” and “troublemaker” by Randles, somehow got hold of a CSU receipt book and temporarily collected dues in Saint John without authority. Pat Sullivan agreed the man was a rogue and expressed relief when he shipped out. That month the same man acted as a department delegate on the *Port Royal Park* during a strike over demands which Sullivan agreed were unreasonable. Despite his activities it does not appear the union took any steps to discipline the bosun.¹¹¹

Of course officials became further separated from the membership the higher their position in the union. Men occupying CSU executive offices quickly began to co-operate and work closely with shipping officials. As Randles wrote to Eric Reford, an official for his former employer in 1944, “The Canadian Seamen’s Union’s relations with me were hostile at first, but we are now extremely cordial.”¹¹² Randles’s statement would suggest that at least some members of the CSU executive began to see benefits in co-operating with government officials. Some comments and union paper articles would indicate that the CSU’s executive often viewed the actions of its membership as problematic and divergent from the union’s goals. However, this may have had more to do with the wartime no-strike pledge than the limits imposed by collective agreements and industrial legality. While the CSU leadership spoke out against wildcat strikes they did little to actually halt the practice.

¹¹¹ NAC RG 12, vol. 1493, file 5090-20 vol. 2, 27 September 1943, Arthur Randles to Charles Stewart, St. John manning pool director. In another example the union did act to reign in CSU port agent. During November 1943, shortly before the CSU signed its collective agreement with the Park Steamship Company, two ships docked in Saint John came close to sit-down strikes after being visited by a port delegate named Harry Davis. Davis first went to sea in 1939 and helped to lead the Park Company organisational drive. After Sullivan received complaints from Randles the union wired Davis and told him to keep his hands off. Sullivan later replaced another port delegate and tried to remove Davis but had trouble finding a replacement. Eventually the Montreal port delegate, Jack Shaw, was assigned to handle Saint John as well. Both Randles and the Saint John manning pool director preferred Shaw (a man with no sailing experience) to Davis whom they described as “dogmatic and argumentative”. In 1947 the CSU membership elected Davis to the position of union president. NAC RG 12, vol. 1493, file 5090-20 vol. 2, 24 November 1943, Charles Stewart to Randles.

¹¹² NAC RG 12, vol. 1493, file 8090-20 vol. 2, 3 March 1944, Arthur Randles to Eric Reford.

Government bureaucrats often complained that the CSU did not do enough to control its members.

The CSU was democratic union in a bottom-up and anarchistic (rather than “top-down”) sense.¹¹³ Ship crews took action based on their knowledge of the situation. The union lacked the ability to control its rank-and-file members. Throughout its life the CSU had an extremely loose organisational structure. There were some attempts to centralise control. In 1939 the union’s nearly autonomous locals were replaced with a series of branches, each responsible for a specific region. The Atlantic region’s Halifax office served the deep-sea sailors. This reorganised structure did not solve the problem. In a 1941 report to the CSU National Executive Meeting in Montreal Acting-President Dewar Ferguson wrote, “Our main weakness is due to the fact that we have not had a unified and centralized national leadership.... As a result much decentralization has taken place, and each local more or less functions independently.”¹¹⁴ As a result of this decentralisation staff working in the CSU head office had trouble keeping up with changing local situations. As a result port agents and the rank-and-file themselves had a great deal of leeway. More often than not CSU leadership reacted to events rather than precipitating them.

When considering why the CSU did not take stronger measures against their members it must be remembered that until it organised the Park ships in 1942 and 1943, the CSU had represented men of Great Lakes, not deep-sea, ships. Not until the post-war period did deep-sea members come to dominate the union and enter leadership positions. It cannot be presumed that a ship is a ship and a crew is a crew whether they sail on the

¹¹³ Daniels, “The CSU Forever!”, p. 11 and Green, *Against the Tide*, pp.xii-xiii.

¹¹⁴ NAC RG 12, vol. 1493, file 8090-20 vol. 1, Report by D. Ferguson, CSU acting-president, at National Executive Meeting, 27-28 November 1941.

Great Lakes or the ocean.¹¹⁵ There were fewer divisions, less discipline, and more interaction between officers and ratings working on the Great Lakes. On many Lakes vessels the ship officers recruited crew members from their home districts. The officers on vessels plying the Lakes generally worked their way up the ranks where deep-sea officers often started off as cadets, training to be officers from the start of their careers. Men who worked deep-water vessels spent far longer periods of time at sea and sailed to distant, foreign ports. These men also worked year-round instead of seasonally as on the Great Lakes. Lakes men often remained tied to shore communities whereas deep-sea men became isolated.¹¹⁶

The CSU's inexperience in dealing with this type of sailor is demonstrated by the fact the two men who worked on the first Park contract had no deep-sea experience. Dewar Ferguson had only Great Lakes experience and Jack Shaw had no sailing experience at all.¹¹⁷ The inexperience in dealing with foreign-bound vessels may have hampered the CSU's ability to control traditional responses to dissatisfaction and left a union without a formal disciplinary procedure unprepared to deal with deep-sea sailors.

Of course the CSU did have problems that other unions did not. Each ship in the Park fleet was like a separate factory. As a result the CSU had to keep tabs on the equivalent of 176 shop floors without the advantage of having union locals. The fact that its deep-sea membership worked on isolated, often distant ships made it even more difficult for the CSU executive to communicate with its rank-and-file. The CSU could keep in

¹¹⁵ Labour relations on vessels which went on short coastal voyages, usually small tankers, bore a closer resemblance to Great Lake ships rather than the deep-sea ships which sailed to distant, foreign ports.

¹¹⁶ MacDonald, "Betrayal", p. 229.

¹¹⁷ MacDonald, "Betrayal", p. 174.

contact with sailors in Canadian ports through shore delegates but typically the only ways to keep in touch with members at sea during the war were telegrams and letters.

Only after the war, when union hiring halls replaced the manning pools, did the CSU introduce an internal method to maintain discipline. Procedures for holding five-man trial committees to hear charges were established. Offences such as being drunk on the job or misconduct on the ship would be punished by fines and repeat offenders could be expelled from the union.¹¹⁸ Charles MacDonald, author and former CSU member, believes that work stoppages and misbehaviour were not sufficiently opposed within the union.¹¹⁹ During the war the CSU attempted to act as a disciplinary force on Canadian seamen; it simply was not an effective mode of control. While government officials believed the CSU could have disciplined its rank-and-file members the union leadership never took any substantial steps to do so. Despite its reputation as a manipulative Communist union the evidence suggests that the CSU encouraged democratic tendencies. The anarchic organisation of the CSU led to a decision-making process which often started and stopped at the ship level. Obviously government and shipping company officials interpreted this as a greater problem than the CSU leadership.

In many ways the case of the CSU on the Park fleet fits the standard criticisms of industrial legality. The introduction of trade unionism and industrial legality to the Park vessels did bring substantial material benefits to the men who sailed in Canada's merchant marine. The collective agreement negotiated by the CSU secured better salaries, reduced hours, improved comforts, and standardised the working and living conditions on Park

¹¹⁸ Searchlight, 16 January 1947.

¹¹⁹ MacDonald, "Betrayal", p. 541.

ships. The CSU also proved largely successful in unifying a traditionally divided workforce. However these gains were not achieved without a cost. Union officials encouraged their membership to replace the individualistic behaviour of seamen with a more orderly mode of conduct. The CSU's no-strike pledge and the restrictions introduced by the collective agreement also compelled the union's leadership to attempt to limit the ability of ship crews to launch job actions and to convince them to follow proper grievance procedures.

While this double-sided nature of industrial legality fits the standard model, in other ways the CSU experience lacks many of the standard elements of industrial legality, illustrating the danger of making generalisations. The nature and customs of an industry would appear to shape any introduced system of industrial relations. The CSU had to keep in close contact with seamen because, in the absence of a check-off, it had to continuously work to ensure ship crews were union crews. The CSU's anarchistic method of operations and lack of centralisation meant that ship crews continued to hold a substantial degree of decision-making power and did not suffer from an over bureaucratisation of their leadership.

Chapter Five: “Crew Troubles” on the Park Fleet

Wartime commentators adopted the term “crew troubles” to describe the diverse forms of conduct adopted by seamen which often threatened to hinder the smooth operation of shipping. Crew troubles fell into one of two categories. The first type were problems of an individual nature: men failing to join ships, deserting ships, going AWOL, becoming drunk and disorderly, refusing to turn to, and repudiating orders given by superior officers. The second sort of trouble resulted from collective action, refusals to work by entire departments or even entire crews.

The individual actions which troubled officials reflected the individualistic behaviour typical of the profession. They were often responses sailors traditionally used to deal with bad conditions. Collective refusals to work were the most effective means seamen could employ to exert control over their workplace. Crew troubles of all forms continued throughout the 1940s despite the introduction of wartime regulations which made them blatantly illegal and subject to harsh penalties. It would appear that the rise of a legal trade union, collective bargaining and industrial legality complemented but did not supersede more traditional ways of bargaining.

Individual Crew Troubles

Crew troubles of an individual nature were viewed as a serious problem during the war. Government and union officials from several Allied nations often equated the troubles with irresponsible behaviour. Leaders of America’s two largest seamen’s unions blamed bad behaviour on bad characters, dope fiends, and the “near idiot street fighters” who were allowed to sail because of manpower shortages.¹ British officials also placed the blame for

¹ Reisenberg, *Sea War*, p. 98-99.

crew troubles squarely on the shoulders of the seamen themselves. Many believed wartime British sailors were too young and/or irresponsible and lacked a commitment to seafaring. Even worse were those who signed onto a ship to avoid military service or because they could not find employment elsewhere due to poor health, aptitude, or attitude. One British Captain complained that the shortage of men forced him to sign on “the sweepings of hell”.²

Canadian officials echoed these explanations and added a few of their own. The previously mentioned tensions between Canadian ratings and their British officers were the most common explanation for the numerous crew troubles. Officials believed that Canadian sailors, often new to the sea, simply could not adapt to the British way of doing things. British ships were supposedly run with tighter discipline and harsher conditions. Conversely, experienced British officers could not adapt to green Canadians. Rumours also circulated in Canadian ports that the British officers who served on Park ships were unwanted, third-rate officers who were sent to Canada as a form of punishment.³ A 1945 letter from a member of the Naval Boarding Service to his commanding officer reflects these sentiments. “Experience seems to show us that a lot of our headaches onboard these [Park ships] is too many British officers...”, he argued. “Too many of our Park ship crews are beefing about the British ‘crowd’ amidships.” His solution: two “canucks” for every two British officers.⁴

Statements from some former Park crew members offer an explanation for the problem between British officers and Canadian crew members that goes beyond laying

² Lane, *The Merchant Seamen's War*, pp. 118-119.

³ MacDonald, “Betrayal”, p. 167.

⁴ NAC RG 24, vol., 11-989, 29 March 1945 report to Lt. Cmdr. Anstersen.

blame on two different ways of doing things. Some evidence suggests that British officers who served on Canadian ships may have treated their crew members slightly differently than British officers on British ships. One often heard of the air and attitude of “British superiority” which many officers brought with them to Canadian ships.⁵ A former cook on Park vessels remembered that much of the tension between the British and Canadians could be attributed to their “holier than thou attitude”. Whenever a Canadian rating made a mistake British officers would respond with “what can you expect from Canadians anyway?”. The oaths “bloody Canadians” or “bloody colonials” were also popular with many British officers.⁶ By the summer of 1944 the British officer presence became less of a factor; out of the 800 officers required for the Park fleet 600 were Canadian and only 146 came from the UK.⁷ Despite this change in officer demographics, crew troubles continued.

In actuality actions labelled as misbehaviour were often conscious actions taken in response to working or living conditions. Individual actions such as going AWOL (the most common), desertion, or refusing to report for work were the easiest and customary way in which to express dissatisfaction.⁸ If men did not feel they received enough leave they would go AWOL. If living or working conditions were unacceptable a sailor might pack his bags and desert.

CSU officials constantly pleaded with their members in the union newspaper to change this type of behaviour. In a June 1943 Searchlight editorial, even before the CSU had secured a collective agreement, union president Pat Sullivan criticised those men who

⁵ Sager, Ships and Memories, p. 145.

⁶ NAC MG 30, A-124, vol. 5, Jack Corrigan interview.

⁷ NAC RG 76, 1-A-1, vol. 463, file 708755 pt. 2, 17 May 1944 meeting minutes.

⁸ Lane, The Merchant Seamen's War, p. 144, 147.

quit ships or deliberately got fired for jeopardising the Allied war effort.⁹ Edward Reid, a CSU Halifax port delegate, wrote an article in which he complained about the frequency of AWOL offences.

Several complaints have come into this office, to the effect that many of the younger members are going adrift once too often. By the looks of some of the loggings, for being adrift on some of the Park vessels, you would think that a few of the boys thought they were on a Cook's tour.¹⁰

Despite these pleas by union officials these anarchic, individual actions continued throughout the war.

Men continued to respond to discipline they felt undeserved by taking individual action. On the morning of 20 February 1943, S. Paynlir of the *Prince Albert Park* received a fine of one day's pay for refusing to muster for a lifeboat drill. He complained, "This is not justice I had just come off watch." On the 21st and 28th he simply refused to work during the midnight to 4 am shift.¹¹ Men also went AWOL to receive the amount of shore leave they felt they deserved. While docked in Liverpool in January 1944 an unrepentant fireman from the *Gatineau Park*, who had been absent without leave for eight days, responded to a fine equivalent to six days pay by saying, "I asked you for leave and you would not give it to me."¹² Occasionally CSU port delegates encouraged these traditional responses. During the summer of 1945 a seaman, disgusted with the filthy conditions on his ship, asked for advice from Jack Shaw, the CSU port delegate in Saint John. Shaw told the man that because the master would not sign him off he should just quit the vessel. After the sailor packed his bag

⁹ *Searchlight*, June 1943.

¹⁰ *Searchlight*, November 1944.

¹¹ NAC RG 12, B-14-C, 1987-88/133 box 57, file 46, 20, 29 Feb. 1943 log entries.

¹² NAC RG 12, B-14-C, 1987-88/133 box 41, file 325, 10 Nov. 1943-9 April 1944 ship log.

and left the ship, Department of Transport officials planned to prosecute him for desertion.¹³

While going AWOL or deserting were the most common methods for individual sailors to express dissatisfaction, others showed more flair. One fireman on the *Mount Douglas Park* demonstrated his imagination after the confiscation of his home-made still. Four days after the discovery of the still he climbed the ship's funnel to write "disparaging words against the officers and crew" with white paint in 18" letters.¹⁴

A study of official log entries from various voyages for eight different ships helps to show what type of offences were committed most frequently on Canadian ships.¹⁵ No obvious difference in the number or type of offences could be found between voyages before or after the arrival of the union. A total of 423 offences were classified.¹⁶ Absences without leave made up the most prevalent offence accounting for 64% of the total. Disobediences accounted for 13%, desertions 10%, offences related to alcohol 9%, and miscellaneous offences which included blackout violations, thefts, and assaults the remaining 4%. Although a thorough-going, extensive statistical analysis lies outside the scope of this thesis, these data allow for some tentative generalisations about trends. They can also permit comparison with the offences committed by British sailors. An examination of ship

¹³ NAC RG 24, vol. 3939, file NSS 1037-28-4-2, vol. 1. The records do not show whether the sailor was successfully prosecuted.

¹⁴ NAC RG 12, B-14-C, 1987-88/133 box 4, file 118, 3 March 1946 log entry.

¹⁵ The eight ships were the: *Algonquin Park*, *Beaton Park*, *Gatineau Park*, *Glacier Park*, *Kitsilano Park*, *Liscomb Park*, *Point Pelee Park*, and *Riverview Park*. The ships and voyages were chosen to reflect the different type of Park vessels, trade routes, and the gradual introduction of collective agreements to different elements of the Park fleet.

¹⁶ AWOL loggings were recorded as one offence regardless of the length of time absent from duty. AWOL cases also often were associated with drunkenness. When this occurred they were recorded as strictly AWOL offences. Infractions committed by DEMS gunners or when directly linked to sit-down strikes were not included.

logs from British merchant ships arrived at similar results. Tony Lane's study found that being absent without leave was the most common offence at 66%, various disobediences made up 11%, desertion 8%, drink offences 5%, and various miscellaneous charges made up 7%.¹⁷

An examination of these offences reveals which departments were committing the most offences. Ratings from the engine department were the most frequent transgressors at 54%, followed by the deck department 24%, steward department 19%, and officers 3%. To put these data into perspective, on a fully-manned 10,000-ton Park vessel the engine department made up 31% of the crew, the deck 27%, the steward 20%, and the officers 22%. Lane found that on British ships engine department ratings chalked up 42% of the loggings, the steward department 30%, the deck department 23%, and officers 3%. The number of offences committed by the catering department is higher in Lane's statistics than in the Canadian records partly because some of the ships Lane examined were troop transports with large catering staffs.¹⁸

The engine department, with arguably the worst working conditions, not surprisingly generated the most offences. The steward department which provided employment for the youngest and most inexperienced members of the crew did not seem to chalk up offences out of proportion to its percentage of the crew. This observation is noteworthy since government officials frequently blamed Park ship crew troubles on the fact that Canadian crews were often young and inexperienced.

¹⁷ Lane, The Merchant Seamen's War, p. 114. Lane offers no explanation why his percentages do not add up to 100%.

¹⁸ Lane, The Merchant Seamen's War, p. 112.

While many individual offences were committed after injustices or in response to poor conditions (both real and perceived), occasionally one does feel sympathy for the officers who had to try to maintain discipline. The seafaring vocation did seem to attract many dubious characters. Before the *Algonquin Park* even had had a chance to leave Canada on its maiden voyage the Montreal police had removed a twenty-three-year old able seaman from Pembroke and charged him with robbery with violence.¹⁹ On other occasions violent criminals sailed on Park ships and made life unbearable for officers and ratings. During a 1944 voyage a member of the *Beaton Park* boasted to his shipmates that he was a convicted murderer out on a ticket of leave. On 15 February 1944, this sailor assaulted the chief engineer and threatened the chief steward and second steward. After the assault the three men, along with the first mate handed the master a petition demanding the man be signed off. A month later the ship officers wrote another petition which stated: "We the undersigned find it almost impossible to carry on the normal work of the ship "*Beaton Park*", due to, insubordination, intimidation, and threats of actual violence in the deck department, and rank insults, and insubordination in the engine-room department." After the voyage the man was blacklisted from the manning pools but he somehow later managed to get readmitted to the Vancouver pool. Officials from the North Pacific Shipping Company complained that the RCMP dragged its feet instead of trying to apprehend the man.²⁰

Some cases of individual transgressions can be attributed to the attempts of young and inexperienced Canadian men to become "real" seamen. The ability to recount tall tales

¹⁹ NAC RG 12, B-14-C, 1987-88/133 box 93, file 963, 10 May 1943 log entry.

²⁰ See NAC RG 12, B-14-C, 1987-88/133, box 29, file 225, 15 Feb. 1944 log entry, NAC RG 12, vol. 1495, file 8892-35, 10 March 1944 Report, NAC RG 12, vol. 1100, file 11-40-14 pt. 2, Report on the *Beaton Park*.

and “exemplary deeds” formed an integral part of seafaring culture.²¹ As one Canadian sailor explained, “you’re not counted a seaman if you can’t keep your end up.”²² The desire to become part of the seafaring community encouraged new Canadian sailors to seek out adventures of their own so they could recount the tale in the foc’s’le or tavern. Canadian seamen would have been indoctrinated into seafaring society when they mixed with older, experienced sailors in the manning pools, seamen’s homes and bars, and of course while working and living on ship. Neither the war nor the CSU appearance on Park vessels changed this element of seafaring culture.

When the men of the *Beaton Park* were banned from any future shore leave by the chief of police in Supe, Peru in November 1944 “on account of their riotous behaviour” it is doubtful that their fellow sailors would have thought any less of them.²³ It would have been difficult to top this tale but three firemen from the *Kootenay Park* may have tried. During the first week of January 1944 two Canadian and one Scot firemen were arrested by the RCMP in Duncan, BC for the theft of a bus.²⁴

Illicit acts such as borrowing lifeboats for trips ashore were “hard currency in oral legend” and if the seaman happened to miss his ship while ashore that was simply part of the story.²⁵ When three naval gunners and two brothers from the deck department “borrowed” a life boat from the *Gatineau Park* in the fall of 1944 and rowed ashore they may have been already thinking of the yarn they could tell the next day. Unfortunately for the five young men, the oldest of whom was twenty, the lifeboat leaked when they

²¹ Lane, *The Merchant Seamen’s War*, p. 149.

²² Sager, *Ships and Memories*, p. 15.

²³ NAC RG 12, B-14-C, 1987-88/133 box 29, file 225, 30 Nov. 1944 log entry.

²⁴ NAC RG 12, B-14-C, 1987-88/133 box 20, file 190, 8 Jan. 1944 log entry.

²⁵ Lane, *The Merchant Seamen’s War*, p. 149.

attempted to return to their ship. The case outraged shipping company, government, and navy officials and all agreed to make an example of the five men (no one seemed concerned the lifeboat had proved unseaworthy). The navy punished the three gunners with ten days in cells and stopping their pay for three days. The two sailors left with their ship before they could be punished in the civilian courts and it is not known what happened to them upon their return to Canada.²⁶ However two months later in Wallaroo, Australia nine firemen from the *Green Gables Park* who had stolen a lifeboat to take French leave each received a month in gaol.²⁷

Obviously such cases are extreme examples of the types of trouble sailors got into when they went ashore. However ship logs do not reveal how many other lesser adventures led to AWOL charges or were the reason ships were missed. It is possible that many of such cases were simply lesser examples of the same process – a formula which did not change simply because a state of war and a trade union were added to the mixture.

The broaching of cargoes was another consistent problem on Park vessels, liquor being the most commonly pilfered item. Canadian vessels were by no means the only nationality to suffer from the looting of cargoes; it commonly occurred on British ships.²⁸ Such actions cannot be blamed only on unlicensed sailors.²⁹ An examination of twelve

²⁶ NAC RG 24, vol. 6853, file NSS 8750-3803, 7 October 1944 NBS Report.

²⁷ NAC RG 24, vol. 6853, file NSS 8750-4433, 1 December 1944 NBS Report.

²⁸ Lane, *The Merchant Seamen's War*, p. 138.

²⁹ It is likely that the stevedores who loaded the ships were responsible for some of the broached cargoes blamed on seamen. While loading the *Kildonan Park* in Saint John the stevedores stole and sold five gallons of methyl alcohol from the ship's Red Cross cargo, with tragic consequences. Two men from the ship were hospitalised, one later died, and six others became ill but were able to proceed on the voyage. A further thirteen people living in the city also died after consuming the toxic cocktail. NAC RG 12, vol. 1101, file 11-40-22 pt 1, extract of Monthly Report of the Naval Control Service, St. John, June 1944.

cases where liquor cargoes were broached reveals that at least three times officers were involved in the actual theft or consumption of the pilfered item.

While broached liquor cargoes often resulted in riotous behaviour for the rest of the voyage, if men continued to behave themselves such thefts did not automatically blacken an officer's opinion of his men. The officers from the *Riverdale Park* called the ship's workers a "good crew" despite a broached liquor cargo.³⁰ The wide variance in penalties for such thefts also reveals a certain ambivalence toward the practice. In 1942 five members of the *Gatineau Park* were tried in a Liverpool police court and fined £5 each after they broke into the whisky cargo.³¹ In 1943 the *Glacier Park's* Captain punished an oiler with a fine of six day's pay and the forfeiture of another five after he stole sixty bottles of whisky from the ship's cargo. That same year a member of the *Prince Albert Park's* engine room pleaded guilty to broaching the ship's cargo and was sentenced to two months of hard labour (six other men who pleaded not guilty were released). Unionisation had little impact on the practice. Towards the end of the war it seemed that cargo theft had become a science. E.S. Brand estimated that every Park vessel carrying liquor in February 1945 suffered the pilferage of its cargo of aqua vitae.³²

It is extremely difficult to determine if Canadian sailors were on par with seamen from other nationalities or if crew troubles were more prevalent on Park vessels.³³ Many voyages ended without the captain having to enter any fines in the ship's log. During a July 1944 meeting Lieutenant Ogilvie admitted that "as a rule" Park ships did not give the naval

³⁰ NAC RG 24, vol. 6855, file NSS 8750-4612, 31 November 1944 NBS Report.

³¹ NAC RG 12, B-14-C, 1987-88/133 box 41, file 325, 21 Nov. 1942-1 Feb. 1943 log book.

³² NAC RG 12, vol. 1100, file 11-40-14 pt. 2, 7 March 1945, E.S. Brand to Arthur Randles.

³³ A statistical survey comparable to Tony Lane's which analysed the number of offences per ship is beyond the scope of this thesis.

authorities more trouble than ships from other nations.³⁴ A February 1945 memo offered a very different view and claimed, “While Canadian seamen are considerably fewer in number than those of other nationalities yet proportionately more trouble is now being experienced by the authorities in regard to Canadian seamen.”³⁵ Those who attended the annual Gatineau Conference of Naval Control Service officers in 1945 were “unanimously of the opinion that the personnel conditions on Canadian merchant ships are a disgrace to the industry and to Canada, resulting in the present state of indiscipline which they consider to be the worst among all merchant ships of the allied nations.”³⁶

It is conceivable that Canadian officials overemphasised the wild and undisciplined behaviour of the seamen who served on Park vessels.³⁷ Lane attributes repeated complaints about the poor behaviour of British sailors to the “standard sounding-off of shipmasters and chief engineers...sanctified in centuries of use.”³⁸ In addition Canadian naval and government officials were dealing with merchant sailors on a large scale for the first time since the Great War. Halifax, and to a lesser extent other Canadian ports, became key staging areas for the convoy system. As a result officials in Canadian ports had to accommodate a seafaring community of a size and international character to which they were not accustomed. This inexperience may have led officials to magnify the problem posed by Canadian sailors.

³⁴ NAC RG 24, vol. 11,993, 18 July 1944 meeting minutes.

³⁵ NAC RG 76, 1-A-1, vol. 463, file 708755, pt. 2, Proposed resolution to be forwarded by the Interdepartmental Committee on Matters Relating to Merchant Seamen to the appropriate Departments of Government, undated memo (circa Feb. 1945).

³⁶ NAC RG 76, 1-A-1, vol. 463, file 708755, pt. 2, Report of the 20-22 March 1945 Gatineau Conference.

³⁷ Both James Keenleyside and Max Reid agree that Canadian seamen were neither better or worse behaved than the sailors of other nations. James Keenleyside, interview by author, 2 Sept. 1997; Max Reid, telephone interview by author, 27 July 1997.

³⁸ Lane, *The Merchant Seamen's War*, pp. 119-120.

Collective Crew Troubles

While individual actions by crew members reflect a traditional and important way sailors dealt with injustices both perceived and real, crews also engaged in collective action to right wrongs. Collective refusals to work, or threats to strike, were a way in which seamen bargained at the local level with ship officers.³⁹ For example, during an eleven-month voyage the *Algonquin Park's* crew struck after having to deal with an incompetent chief steward and poor food.⁴⁰ Just over half way through the voyage, on 15 July 1943, the ship's chief steward menaced a member of the crew with a black jack and then threatened to get a revolver. A search of his room failed to turn up a firearm but he then threatened the first mate with a knife when denied shore leave. New Zealand police arrested the man but he was able to avoid his one-month prison sentence by paying a fine. On 31 August the master chastised the chief steward for handing out stores in excessive amounts and demanded to see the stock book so that he could check the supplies. The Captain also noted that the store room had become so filthy that the smell had begun to bother the men who lived in nearby cabins.

On 3 September the Captain fined several men from the engine department for being repeatedly absent without leave. One thirty-three year old English fireman complained that he had to go ashore because he could not work on the food they were fed onboard the ship. The next day the same man refused to work and claimed that the ship's food caused him "to vomit at frequent intervals". He refused to see a doctor and informed

³⁹ While sit-down strikes were not uncommon it should be stressed that they rarely delayed a ship for any significant length of time or caused it to miss its convoy.

⁴⁰ The incident is reconstructed from the ship's log see NAC RG 12, B-14-C, 1987-88/133 box 93, file 963, Log Book for voyage 1 Dec. 1942 to 16 Dec. 1943.

the Captain he was “fed up with the rotten ship” and was “going to do everything possible to get his discharge.” That day the master wrote in the log that,

The demeanour of this man throughout the voyage has been one of passive resistance. He has been absent from duty periodically everyday in all the ports we have touched on en route to Calcutta. He is a bad example to the younger and less experienced members of the crew. It is the opinion of the English officers and myself that he is a menace to good discipline, the safety of the ship and crew and to the war effort in general.

On 7 September the fireman refused to take his place at the twelve-pound gun during a practice drill and again the next day when the gun fired on a suspicious object. A week later he persuaded more of the crew to join his protest action. While docked in Calcutta on 14 September 1943, several men from the deck and engine departments refused duty because they objected to that morning’s breakfast, recorded by the Captain as scrambled eggs, bread, marmalade, jam and coffee or tea. The crew informed the master that the “food was bad and unfit for human consumption.” They added that the menu was monotonous and the quantities insufficient.

The next morning’s log entry recorded that sixteen firemen and sailors refused to turn to even though they had been provided with curry and rice at their request.⁴¹ Despite protests from the crew, the Captain singled out the fireman as the ring leader and had him arrested on charges of continuous and wilful disobedience. When the remaining strikers refused duty for a third day they were told to put their grievance in writing. The Port Health Officer came aboard and said that the food was of good quality and the men had no reason to complain and suggested a Food Committee to solve the problem. The master agreed to the idea and the men agreed to resume work the next day. From 23 to 25

⁴¹ Curries were a common breakfast on British ships.

September three men went AWOL to serve as witnesses at the fireman's trial. Despite these efforts a Magistrate Court found the man guilty and sentenced him to six weeks "rigorous imprisonment." Before the end of the voyage two other firemen deserted with their belongings.⁴²

Sketchy details make it difficult to determine how prevalent such actions were on Canadian ships.⁴³ It appears many ships had no problems at all, while others suffered from repeated strikes. Even the NBS reports are a cryptic source of information. For example one NBS report for the *Winnipegosis Park* mentions, but does not describe, three sit-down strikes in a seven-month voyage. The ship's log contains no mention of the events.⁴⁴ In other cases ship logs reveal problems but officers did not bring them to the attention of the naval boarding parties. Some captains may have been reluctant to bring every incident to the attention of government officials for fear of being replaced by a master who could maintain discipline. Others may have preferred to deal with the troublemakers themselves.

Department of Labour records add little to understanding how prevalent wildcat strikes were on Park ships. The Labour Gazette does not record any strikes of Park ships in 1942, 1944, 1945, 1946, or 1948. In 1943 four strikes (all occurring before the November collective agreement), affecting a total of ten ships were recorded and in 1947 only two

⁴² Such collective actions were rooted in tradition. In Jack in Port Judith Fingard observed that crew work stoppages were "a traditional form of collective protest by seamen" throughout the nineteenth century. Eric Sager also notes: "In a workplace where labour was usually applied by the co-ordinated action of men working in groups, the co-ordinated withdrawal of labour occurred naturally and frequently." Fingard, Jack in Port, pp. 154-55, Sager, Seafaring Labour, p. 168.

⁴³ The Royal Canadian Navy experienced its own crew troubles during the war. In 1943, after the *Iroquois* Commander (described as "autocratic and harsh") stopped shore leave, the men locked themselves in the mess decks and refused to work. Upon hearing the news the Commander had a heart attack and was replaced by the First Lieutenant. The men returned to work and no charges were laid. German, The Sea is at Our Gates, p. 157. A sailor in the RCN who wrote of his war experiences also describes two near riots on Canadian vessels when Commanders cancelled shore leave. These and similar incidents were almost always fuelled by rum. Curry, War at Sea, pp. 70-72, 93, 105, 110, 111.

⁴⁴ NAC RG 24, vol. 6855, file NSS 8750-4778, 8 June 1944 NBS Report.

strikes affecting a total of three Park vessels were recorded.⁴⁵ The large gap between the number of strikes recorded in official statistics compared to the number referred to in ship logs and NBS reports indicates a serious gap in strike statistics for this period.

Each protest and strike was distinctive, yet many combined common themes. Table two, located between pages 127 and 128, summarises the details of one hundred collective refusals to work and threatened work stoppages between 1942 and 1948.⁴⁶ This table documents the particularly protest-prone departments, the leading issues, and the degree of workers' success.

When officials referred to work stoppages, more often than not they announced that a ship's "crew" had struck. Unfortunately they seemed to have used the term even when only a single department had stopped work, making it hard to determine how many men and departments actually took part in the actions. In many cases officials did stress that only members of the deck and engine departments had struck and it would appear likely that on many occasions strikes by a ship's "crew" did not include the steward department.

Although men from the engine department were more likely to transgress on an individual level they would not appear more likely to act collectively. There were twelve occasions where it is clear men from the engine room acted without support from other departments but fourteen cases in which men from the deck department acted without

⁴⁵ The Labour Gazette, 1943, pp. 314, 634, 1525 and 1947 p. 1544. It appears to be recorded as a "real" strike, the shipping company and union officials had to become involved in the dispute. Strikes which involved only ship officers and crew members escaped the attention of authorities and thus were excluded from the records.

⁴⁶ Ship logs, NBS boarding reports, reports by port officials and occasionally censored letters provided the details for these work stoppages. Unfortunately the details were for the strikes were sketchy

Table Two
Collective Job Actions on Park Vessels, 1942-1948

<u>Date</u>	<u>Ship (Park)</u>	<u>Departments</u>	<u>Issue</u>	<u>Action</u>	<u>Outcome</u>	<u>Locatio</u>
06/08/42	Point Pelee	deck/engine(18)	?	strike	failure	Cd
10/09/42	Point Pelee	deck/engine(11)	shore leave	strike	failure	foreign
21/09/42	Gatineau	deck/engine	cash advance	strike	partial victory	Cd
27/10/42	Mount Douglas	crew	wage increase	strike	victory	Cd
27/10/42	Mohawk	crew	wage increase	strike	victory	Cd
27/10/42	Tecumseh	crew	wage increase	strike	victory	Cd
Oct-42	Beaton	crew	allow union rep board	strike	victory	Cd
Oct-42	Kootenay	crew	allow union rep board	strike	victory	Cd
Oct-42	Green Gables	crew	allow union rep board	strike	victory	Cd
Oct-42	Mohawk	crew	allow union rep board	strike	victory	Cd
20/02/43	Kitsilano	deck (4)	clothing	strike	partial victory	Cd
09/04/43	Port Royal	crew	food	threat	failure	foreign
15/05/43	Algonquin	crew	wage increase	strike	victory	Cd
30/05/43	Glacier	crew	living conditions	strike	?	Cd
22/06/43	Mount Douglas	crew	hot plates/water pump	strike	victory	Cd
Jun-43	4 (unnamed)	crew	wage increase	strike	partial victory	Cd
18/07/43	Kitsilano	deck/engine	food	threat	failure	foreign
03/08/43	Victoria	crew (8)	?	strike	failure	foreign
Jul-Sep43	Dartmouth	crew	mail,food,water	4 strikes	?	foreign
1943	Mohawk	deck/engine	new chief steward	slowdown	victory	foreign
04/09/43	Manitou	deck/engine	get messboys	strike	partial victory	Cd
14/09/43	Algonquin	deck/engine	food	strike	failure	foreign
16/09/43	Dartmouth	crew	new 1st Mate	strike	victory	foreign
23/09/43	Rocky Mountain	engine	remove foreign firemen	strike	failure	foreign
Sep-43	Port Royal	?	living conditions	strike	failure	Cd
Sep-43	Stanley	?	living conditions	strike	?	Cd
26/10/43	Mount Douglas	crew	raise, union rep board	strike	victory	Cd
26/10/43	Tecumseh	crew	raise, union rep board	strike	victory	Cd
Oct-43	Laurentide	engine	halt desertion charge	threat	victory	Cd
Oct-43	Montmorency	firemen	man short	strike	victory	Cd
06/12/43	Lansdowne	crew	allow crew to sign off	strike	failure	foreign
20/12/43	Green Gables	deck/engine	new messboys	strike	partial victory	Cd
28/12/43	Dartmouth	crew	living conditions	threat	failure	Cd
12/43-6/44	Winnipegosis	?	living conditions	2 strikes	?	foreign
12/43-6/44	Winnipegosis	?	medical attention	strike	?	foreign
16/01/44	Beaton	deck/engine	bad water	strike	failure	foreign
29/01/44	Kildonan	crew	medical attention	strike	victory	foreign
02/02/44	Silver Star	deck/engine	new messboys, cooks	threat	failure	foreign
09/02/44	Mohawk	deck/engine	coffee maker, water	strike	partial victory	Cd
12/03/44	Mount Douglas	crew	food	strike	victory	foreign
Mar-44	Clearwater	deck/engine	overtime pay/conditions	strike	failure	foreign
10/05/44	Mt. Revelstoke	crew	food	threat	victory	at sea
09/06/44	Silver Star	deck	new cook	strike	failure	foreign
17/06/44	Port Royal	crew	remove foreign workers	threat	failure	Cd
29/06/44	Runnymede	engine	man short	strike	victory	Cd

Jun-44	?	crew	reverse 3 dismissals	strike	failure	Cd
05/07/44	Runnymede	engine	remove inefficient man	strike	victory	foreign
07/07/44	Green Gables	deck/engine	water pump	strike	victory	foreign
13/07/44	Mount Robson	crew	cash advance	threat	failure	foreign
Jul-44	Lafontaine	crew	water cooler	strike	victory	foreign
Jul-44	Lafontaine	crew	repair water cooler	strike	victory	foreign
10/08/44	Wascana	engine	demand for potatoes	strike	victory	foreign
19/08/44	Kildonan	deck (6)	refused to trim coal	strike	victory	foreign
26/08/44	Strathcona	firemen	?	strike	failure	foreign
Aug-44	Chippewa	deck	refused to trim coal	strike	victory	foreign
11/09/44	Crescent	crew	allow crew to sign off	strike	failure	Cd
26/09/44	Bowness	deck/engine	new cook	strike	victory	foreign
04/10/44	Rockliffe	crew	new cook	strike	victory	foreign
28/10/44	Windermere	deck/engine	retain cook	strike	failure	foreign
05/11/44	High	deck	water	strike	?	foreign
05/11/44	High	deck (2)	refused to work crane	strike	victory	foreign
09/11/44	Dominion	crew	new cook	strike	victory	foreign
11/11/44	Beaton	deck (4)	claimed holiday	strike	victory	foreign
18/11/44	Tecumseh	crew	living conditions	strike	victory	foreign
28/11/44	Sapperton	deck/engine	new cook	threat	victory	Cd
12/12/44	Green Gables	crew	living conditions	threat	?	Cd
1944	Stanley	crew	living conditions	strike	victory	Cd
1944	Mafair	crew (16)	living conditions	strike	failure	Cd
1944	Stanley	firemen	retain engineer	strike	failure	Cd
02/01/45	Green Gables	deck	new bosun	threat	victory	foreign
03/01/45	Silver Star	crew/jr. Officers	new 1st Mate	threat	?	Cd
28/01/45	Glacier	engine	conditions, esp. food	strike	failure	Cd
21/02/45	Dufferin	crew	buckets for water	strike	partial victory	Cd
27/02/45	Prince Albert	deck	new bosun	strike	victory	Cd
14/04/45	Glacier	deck	refused to work in hold	strike	victory	at sea
18/04/45	Algonquin	crew	statutory holiday	strike	victory	foreign
03/05/45	Green Gables	firemen (7)	refused to trim coal	threat	partial victory	Cd
15/05/45	Green Gables	deck	retain AB	threat	failure	Cd
17/06/45	Rupert	deck/engine	water cooler	strike	partial victory	Cd
06/07-45	Westbank	crew	new 1st Mate	strike	partial victory	foreign
14/07/45	Algonquin	crew	retain chief steward	strike	failure	Cd
28/08/45	Glacier	firemen	man short	strike	victory	?
02/09/45	Algonquin	crew	retain chief steward	strike	failure	Cd
27/09/45	Garden	crew	new cook	threat	partial victory	foreign
14/10/45	Cromwell	crew	retain bosun	strike	partial victory	Cd
04/12/45	Rupert	deck/engine	new cook	threat	victory	foreign
1945	Laurentide	?	medical attention	strike	victory	foreign
22/04/46	Mohawk	crew	ship delegate rights	strike	?	Cd
25/05/46	Waihemo*	deck	man short	strike	partial victory	Cd
27/08/46	Waihemo	deck/engine	remove passenger	strike	victory	foreign
20/01/47	Outremont	crew	?	threat	failure	foreign
28/01/47	Cpt. Polemis*	crew	medical attention	strike	failure	foreign
04/04/47	Grafton	deck	statutory holiday	strike	victory	foreign
20/07/47	Beresford	engine	?	slowdown	partial victory	at sea
22/07/47	Cpt. Polemis	deck/engine	living conditions, water	strike	failure	Cd

02/08/47	Cpt. Polemis	crew	?	strike	failure	Cd
21/08/47	Cpt. Polemis	deck	man short	strike	victory	Cd
20/04/47	Waihemo	crew	shore leave	threat	failure	foreign
1948	Brazilian Prince	deck	fridge	strike	victory	?
Jun-48	Highland	crew	food	strike	failure	foreign

* The Waihemo was formerly the Dominion Park. The Captain Polemis was formerly the Dartmouth Park.

"Date" and "Ship" refer to the time and place of each job action.

"Departments" refers to which departments were involved in the job action.

"Issue" refers to the issue which sparked the job action.

"Action" refers to whether or not the men threatened to strike or actually struck the vessel. Crews would often threaten to strike a few days before their vessel's scheduled departure actually forced them to stop work.

"Outcome" refers to whether or not men achieved what they struck for, partial victories were recorded if men compromised. For example, negotiating a lump sum payment in lieu of having mess boys on the vessel.

"Location" refers to whether the job action took place in a Canadian or foreign port.

Not included in this table were the two strikes by the officer unions in 1947 and 1948.

Source: Details of job actions were found in ship logs, NBS boarding reports and issues of Searchlight and The Canadian Seaman.

support. The steward department, with the least leverage, seemed to avoid involvement in sit-down strikes. As a department, firemen and trimmers were vital to the ship's operation and their refusal to work could paralyse a vessel. Even in port, the coal fires were required to maintain power. Similarly the deck crew's labour was needed to shift a vessel out of port and to steer once at sea. Obviously men had to eat even when on strike but it seems even during work stoppages the steward department normally continued to feed the officers. No evidence could be found of a strike by members of the steward department alone; a strike by cooks may have inconvenienced the rest of the crew but it would not have stopped the ship's progress.

These job actions can also be examined to determine whether the nature of job actions changed over time and to compare the different elements of the Park fleet. Strikes affecting more than one vessel were rare (table two contains only three examples and it is likely this includes all multiple ship strikes) and occurred in the first two years of the war, before the collective agreement. It is however noteworthy that two of the three occurred on the west coast in 1942, one over the right of union staff to board vessels and the other to win wage increases. The only multiple ship strike to hit east coast ships crewed by CSU men occurred in 1943 when shipping companies attempted to sign men on to vessels at a pay rate less than they received in the manning pools. Despite its militant reputation the CSU did not launch this strike. Union officials were forced to respond to the spontaneous actions of ship crews. These wage and union rights issues were quickly resolved and did not resurface during the war.

While the major issues were quickly resolved crews continued to address local problems by threatened or actual strikes. A sit-down strike often resulted in a long list of demands making it hard to determine which issue the men felt most important. A specific issue often sparked a strike leading to a flood of other concerns. Conditions onboard ship remained an area of repeated conflict throughout the Park fleet. Refusals to work were often related to food. Twenty-eight cases were found in which men demanded better food or water, the removal of a particularly bad cook or chief steward, or occasionally the keeping of a favourite cook. Thirteen cases of job actions were linked to improve their living conditions. Men demanded such comforts as fans, more frequent bedding changes, and repairs to leaky pipes. Crews also attempted to determine who worked on ships. In ten cases men took action and demanded the removal of a crew member (not including cooks and stewards). Most often the offending crew member was an officer who had struck a crew member or someone whose inefficiency had increased the workload of the rest of the department. Men also went on strike to secure medical treatment for fellow crew members and to avoid working on statutory holidays while in port.

Which departments took part in a strike sometimes depended on the reason behind the job action. Men in the engine department often refused to sail to avoid going to sea undermanned and were more likely to strike without the backing of other departments over poor food. Refusals to work by only the deck department were often linked to demands to perform duties in the engine room or cargo holds.

It does not appear that the ship's location influenced a crew's decision to refuse to turn to.⁴⁷ Forty-eight cases occurred in Canada, forty-seven in foreign ports, three at sea, and two are unknown.⁴⁸ Rather than following procedures outlined in the collective agreement and waiting until a return to Canada, when union and shipping officials could be called in to help resolve the dispute, men tried to solve the problem where it occurred. Anxious to avoid endangering their ships and their own lives (and risking charges of mutiny) disgruntled sailors almost always waited until docked at port rather than taking action at sea.

No matter where the refusal to work occurred or what sparked it, victory normally seemed to be an all-or-nothing affair. Whether the men took action in Canada or a foreign port did not seem to be decisive in determining victory or defeat. In nine cases it is difficult to determine whether the crew's demands were filled. On forty-five occasions the men seemed to win outright, in thirty-two they failed to win any concessions at all, and in only fourteen examples did the men and officers compromise, giving the crew at least a partial victory. Most failures occurred after armed naval boarding parties threatened the men with the command "sail or jail" or simply removed the ringleaders. It is noteworthy that the men seemed to win just as often as they lost. Ships had to sail, so strikes had to be settled quickly. Manpower shortages often meant seamen had to be satisfied instead of removed. It should be noted that victory could often be fleeting as protest ringleaders often faced charges and prison sentences upon a ship's return to Canada.

⁴⁷ It is possible the number of Canadian incidents is overemphasised because NBS boarding reports are only available for Canadian ports.

⁴⁸ NFLD ports were considered Canadian ports for the sake of this comparison because CSU officials could be easily contacted and involved in the dispute.

The crews serving on east coast ships, west coast ships, and tankers on both coasts won collective agreements, and were thus incorporated into a system of industrial legality at different times. Yet there is no dramatic difference in the frequency of sit-down strikes between the different elements of the Park fleet. A comparison of strikes on dry cargo vessels between January 1943 and September 1944, when the east coast ships had a collective agreement and the west coast ships a union but no contract shows no great discrepancy between the two coasts. Industrial legality may have classically reduced worker militancy but such a criticism does not fit the case of the Park fleet. The customs and conditions of the industry proved stronger than the newly introduced industrial relations system.

The frequency and nature of job actions after the war is especially difficult to ascertain.⁴⁹ After the war the military shut down the Naval Boarding Service and ended the reports which provide a valuable record of crew troubles. Ship logs for the period 1946-48 do indicate that collective crew troubles continued. The anti-strike language in the collective agreement also indicates sit-down strikes continued to be a concern. The 1947 contract contained the standard no-strike clause as well as the statement that, "In no event shall the members of the unlicensed personnel tie up or delay any vessel of the Companies for the settlement of any grievances."⁵⁰ Private shipping companies no longer had the same incentive to provide good conditions which may have led to more problems. At the same

⁴⁹ Only seventeen job actions included in table two definitely occurred after V-J Day (14 Aug. 1945).

⁵⁰ "Memorandum of Agreement for Canadian Registered Deep Sea Dry Cargo Freight Vessels As Agreed to By East and West Coast Canadian Shipowners and Canadian Seamen's Union", Effective 15 Oct. 1947, p. 5, in author's possession.

time the end of the war, and the urgent need for shipping, undoubtedly undermined much of the seamen's power.⁵¹

In 1948 A. McCallum, the General Manager of the Shipping Federation of Canada, complained to CSU President Harry Davis that: "Unnecessary delays to vessels due to crew action are still in (sic) bugbear to the Canadian deep sea operator."⁵² It should however be noted that shipping companies always looked for ways to discredit the CSU. McCallum also wrote this letter just before 1948 contract negotiations were opened; during these negotiations the shipping companies refused to sign an east coast contract and forced the CSU into a strike which ultimately destroyed the union.

Disturbances which broke out in the post-war period were often sparked for the same reasons as during the war, poor conditions. As the government privatised the fleet companies moved to reduce costs and conditions deteriorated. On 22 July 1947 while docked in Pugwash, Nova Scotia the deck and engine ratings aboard the 4,700-ton *Captain Polemis* (formerly the *Dartmouth Park*, a ship with a history of trouble during the war) refused work. They complained the ship lacked a continuous supply of fresh water, needed repairs, and required fumigation. The men resumed duties the next day but not before five men deserted the vessel. On 2 August 1947 the crew held a union meeting an hour before sailing time, then informed the Captain they would refuse to sail until their complaints were addressed. The crew had claimed they had the union's backing but later that afternoon the union instructed the men to sail, an order they obeyed.

⁵¹ In the post-war period men were not as likely to succeed and had to compromise more frequently. Of the seventeen strikes five were successful, seven failed outright and crews had to compromise on four occasions (with one unknown).

⁵² NAC RG 27, vol. 1804, file 760-2-48, 17 July 1948, A. McCallum to Harry Davis.

More trouble erupted at sailing time on 21 August. The crew refused to handle the mooring ropes because the vessel was short-handed as several men were ashore without leave. The crew then exchanged blows with the deck officers to prevent them from performing the job. In the end the Captain waited until the AWOL crew members returned. The next month a new master signed on, ending the crew troubles on the vessel.⁵³

The Relationship Between Conditions and Crew Troubles

Despite an obvious reluctance of government officials to admit it, the origins of much of the crew trouble experienced on Park vessels can be traced back to conditions which often failed to measure up to shore standards. Canadian naval officials recognised that poor conditions on foreign vessels were often to blame for crew troubles but when they accounted for problems on Canadian vessels poor conditions were generally the last explanation they used.⁵⁴ Already noted were the type of conditions which encouraged crew members to either desert the ship individually or refuse to work collectively.⁵⁵ The type of Park ship which had the most design flaws also experienced the most crew troubles. The smaller, 4,700-ton ships repeatedly developed reputations as troublemakers.⁵⁶ At the beginning of the war men who sailed on the 4,700-ton ships were paid less. This class of ship also lacked proper ventilation in the stokehold. Ventilation shafts were lengthened part way through the war but the improvement proved inadequate and fans were not made

⁵³ The Captain and officers were Scottish, although the master listed his wife's address as Montreal. NAC RG 12, B-14-C, 1987-88/133 box 61, file 495, 17 July 1947-5 Nov. 1947 *Captain Polemis* log book.

⁵⁴ Watt, *In All Respects Ready*, p. 38.

⁵⁵ It is likely that certain managing companies had more problems than others. Unfortunately a study of these variations is beyond the scope of this thesis.

⁵⁶ For example see the *Dartmouth Park* and *Rockcliffe Park* NBS Boarding Reports.

standard equipment until near the end of hostilities. The 4,700-ton ships also lacked any refrigeration. As a result fresh food only lasted as long as the ice.

While top officials often failed to acknowledge these problems, lesser officials tried to address them. On 4 January 1945 N. Rattenbury, a Naval Control Service officer in Saint John, wrote to Captain Brand and told him that men on the 4,700-ton Parks suffered from a lack of fans in stokehold and the absence of refrigeration. One British official also criticised the poor conditions on the 4,700-ton vessels. After boarding the *Kensington Park* the British Security Co-ordinator in Los Angeles reported that, "This type of ship always seems to have crew-trouble – even beyond the usual in coal burners. It could be a natural reaction from the definitely bad and uncomfortable quarters in which the men have to live."⁵⁷ Even Randles admitted at a 17 May 1944 meeting that 75% of the crew troubles on Park ships were related to poor food, often linked to insufficient refrigeration space.⁵⁸

It would be easy to overemphasise the frequency of these dramatic sit-down strikes and other collective refusals to work. Yet these job actions are important because of the number of times they successfully improved the lives of seamen in the short and long terms. For example, a wildcat strike might have resulted in an immediate improvement in the quality of food through the removal of an incompetent cook. These repeated job actions over food issues also aided union demands to have refrigerators placed on Park vessels. By the end of the war new Park ships were launched with conveniences such as fans, ventilators, and loudspeakers as standard issue in response to constant crew complaints.

⁵⁷ NAC RG 24, vol. 6855, file NSS 8750-4662, undated Ship Inspection Report, British Security Co-ordinator, Los Angeles.

⁵⁸ NAC RG 12, vol. 1101, file 11-40-19, 17 May 1944 meeting minutes.

While government and shipping company officials equated crew troubles with unlicensed ratings, officers contributed to the problem indirectly and directly. Officials who dealt with officers and crews on a regular basis recognised that problems could often be traced back to the vessel officers.⁵⁹ Lieutenant Ogilvie of the Naval Control Service also admitted that fault for crew troubles lay on the part of officers and masters “in occasional cases”.⁶⁰

The 4,700-ton *Dufferin Park* provides a perfect example of master-originated troubles. During the vessel’s maiden voyage the Captain drank heavily. He was eventually removed by the RCMP after he threatened a fireman and the first mate with a gun in a drunken rage because the fireman requested permission to go ashore to seek treatment for his injured arm. The *Dufferin Park*’s second master repeatedly squared off against his crew throughout the war. When the ship returned to Halifax in the middle of December 1943 most of the crew signed off because the Canadian Captain seemed to be stuck in the previous century. He ran the ship with an iron hand and did not provide fresh milk or vegetables to the crew. Two months later when the ship tied up in Saint John the men continued to complain about the food and the fact the Captain and chief steward did not get along.

After returning to Canada from a voyage to the West Indies in July 1944 most of the men and several officers signed off and refused to sail with the Captain. The Norwegian first mate complained that the master interfered in all the ship’s operations and that food

⁵⁹ For example see the 21 August 1945 NBS Report which called the *Gatineau Park* one of the worst Park ships afloat and suspected the Captain’s attitude for being the root cause. NAC RG 24, vol. 6853, file NSS 8750-3803, 21 August 1945 NBS Report

⁶⁰ NAC RG 24, vol. 11, 993, 18 July 1944 meeting minutes.

quality suffered from a lack of refrigeration. Park Steamships investigated these complaints but the managing company defended the Captain. They claimed that only fourteen men had actually signed off (though admitted that this included four officers), that the master was a stern disciplinarian but a good Captain, and that no fridges were needed on ships travelling to the West Indies during the fall and winter.

New officers did not change the situation. Some of the men admitted the master was a good seaman but the undercurrent of resentment against the Captain remained. After loading the vessel at the end of December, stevedores in Saint John nicknamed the ship the "Sufferin' Park" and the second mate threatened the Captain's life in the Merchant Navy officer's club. The CSU's business agent in Saint John investigated crew complaints and reported that during the previous voyage the men had been fed rotten meat on several occasions. The meat was so foul on one occasion the cook had refused to prepare it but the chief steward had informed him that if he did not the men would go hungry. The report also mentioned that the Captain had hit and kicked a man during the voyage and called one of the trimmers a "bastard".

These problems finally reached a boiling point in February 1945. On 21 February running water had to be shut off but the Captain failed to provide buckets to the men. The crew struck the ship and demanded one bucket of water per man each day. The boarding officer criticised the Captain for not providing buckets to the men in his report. The ship's officers complained that the master purposely failed to provide the buckets to goad the men into striking. The Captain also refused to charge or sign off the department delegates who led the strike because he preferred "to deal with them in his own way." Obviously the new

bureaucratic structures designed to deal with discipline problems only supplemented, rather than superseded, an old system centred on the authority of the master. Remarkably the ship still sailed on time.

After returning to Halifax in July 1945 the boarding officer called the *Dufferin Park* “the unhappiest ship” he had ever seen. The men’s living quarters were in such a filthy state that the naval boarding party expressed surprise that the six men of colour (five Jamaicans and a man from the Dominican Republic) kept their quarters cleaner than the Canadians. The boarding party also heard accusations that the Captain had ordered a union delegate, discharged from the Army because he suffered from “cerebral haemorrhages”, back to work after he complained he was feeling ill. The report concluded that the Captain was “over severe” and suffered from “sadistic tendencies”.

Government officials took no action. By March 1945 the ship had gone through seventeen deck officers in eighteen months. As late as August 1945 naval boarding parties continued to record the same complaints. It is noteworthy that despite these conditions the men only struck the vessel once. Individual men dealt with this master by waiting out the voyage, then signing off.⁶¹

While the *Dufferin Park*’s Captain may have been extreme he was not an exception. At least twenty-three vessels from the Park fleet experienced problems with licensed personnel who had drinking problems. The problem may have been even more extensive as several of the cases of drunken officers were not discussed in ship logs or NBS reports

⁶¹ The story of the *Dufferin Park* was reconstructed from the NBS Reports NAC RG 24, vol. 6854, file NSS 8750-4534 and the 8 December 1944 report by the CSU port agent see NAC RG 12, vol. 1100, file 11-40-14 pt. 2 and the ship’s log NAC RG 12, B-14-C, 1987-88/133, box 26, file 211.

but in censored letters written by sailors. Such cases demonstrated the double standard which existed between officers and ratings.

It is true that captains or officers were not completely a law unto themselves. But the penalties of removal or blacklisting were awarded only to those who had made a spectacle of themselves or imperilled their crews. When the *Crescent Park* took on cargo in the Port of Spain, Trinidad in 1944 an absolute breakdown in discipline took place. During the voyage twenty-three cases of whisky were broached from the ship's cargo. Undoubtedly as a direct result it was reported that after the vessel's arrival all unlicensed ratings as well as the master and chief engineer were drunk. Representatives of the managing company who made several visits to the ship reported that the two officers were never really sober the whole time the vessel remained anchored. The master was also seen drinking in his cabin with firemen and on one memorable occasion the Captain and chief engineer performed a dance for the stevedores with men from the stokehold as partners.⁶²

While in San Pedro the master became violently drunk and shot a hole in the deck of the firemen's mess and hit a man with the butt of the gun. Six crew members deserted upon reaching New York. For his finale a very drunk Captain fell off the gangplank into the water while being removed by authorities in New York. The ship returned to Canada on 8 September 1944, still under the Captain's command. The Naval Boarding Service officer found it to be "one of the dirtiest ships seen in a long time." Three days later the entire crew refused to turn to and demanded to be paid off. A CSU port delegate eventually convinced the deck department – but not all firemen – to continue working until the

⁶² NAC RG 24, vol. 6854, file NSS 8750-4444, censored 18 January 1944, G. Huggins and Co. Ltd to R. Teakle.

authorities investigated the matter. The establishment of a trade union on the deep-sea fleet did provide seamen with a new way to register their complaints. A CSU port delegate, Jack Shaw, held a meeting on 15 September with the department delegates, the Captain, first mate, chief steward, a representative from Canadian National Steamships, and (at Shaw's request) a Naval Boarding Service Officer. The meeting discussed the fact the ship had sailed with only one lifeboat and the shooting on the part of the master. The Captain had felt justified shooting into the firemen's cabin as they were a "bunch of animals".

Interestingly the meeting did not raise the Captain's drinking problem. It seems crews were often quite tolerant of such behaviour. In other cases of hard-drinking masters, sailors often failed to bring the matter to the attention of authorities.⁶³ Shaw ended the meeting by censoring the crew for its poor behaviour and for the dirty ship.⁶⁴ This is undoubtedly an example of how union staff could become separated from the rank-and-file.⁶⁵ Not surprisingly, Randles blacklisted both officers from Canadian manning pools.⁶⁶

The CSU Connection to Crew Troubles

It is also difficult to gauge whether job actions increased or decreased after the introduction of a legal trade union to the deep-sea. Approximately 40% of the actions studied occurred on ships before the crew had a collective agreement. It should be noted that the mere signing of a contract did not always introduce the CSU to ships. Many crews were made up of union members long before the collective agreement and negotiations

⁶³ See RG 24, vol. 6855, file NSS 8750-4445, Aug. 1944 censored letter and NBS reports for the *Chippewa Park*.

⁶⁴ The story of the *Crescent Park* was reconstructed using reports on the vessel in NAC RG 12, vol. 1100, file 11-40-14 pt. 2 and NAC RG 24, vol. 6854, file NSS 8750-4444.

⁶⁵ It should be remembered that Jack Shaw lacked any sailing experience and may have always been separated from the rank-and-file to an extent.

⁶⁶ Officers were rarely replaced in the middle of a voyage. Poor officers had to be tolerated because of the shortage of their specialised knowledge during the war.

took place between the union and Park Steamship officials to settle disturbances before the contract. The problem is further complicated by the rapid increase in the number of vessels launched. One does get the sense crew troubles were less of a problem on some of the newer, oil burning ships which also came equipped with more conveniences.

The role of the CSU in the prevalence of Park ship crew refusals to work must be considered. More often than not the union attempted to reduce the level of crew troubles on Park ships. Already mentioned were the attempts by union officials to convince striking crews to return to work. These attempts to end crew troubles extended to the highest levels of the CSU. Pat Sullivan regularly co-operated with Arthur Randles to try and limit crew troubles. Frederick Watt, present for some of the meetings between the two men wrote, "If there was one factor above all others in the change for the better it was the relationship which developed between Randles and Pat Sullivan..."⁶⁷ It is noteworthy that Randles communicated with the CSU through Sullivan. During most of the war Sullivan held the position of Secretary-Treasurer of the Trades and Labour Congress of Canada and as a result had little to do with the day-to-day operations of the union.

Attempts by CSU leaders to bring the membership into line may have had some measure of success. "Generally speaking we believe the situation is improving rather than deteriorating", the Park President informed C.D. Howe, "due, to some extent at least, by what we feel is the honest attempt on the part of the Canadian Seamen's Union to educate and discipline their members."⁶⁸ Yet overall the CSU failed to control the rank-and-file.

The CSU was not alone in its inability to convince their membership to live up to contracts

⁶⁷ Watt, *In All Respects Ready*, p. 214.

⁶⁸ NAC RG 24, vol. 3942, file 1037-4-47, vol. 1, 15 March 1944, E.F. Riddle, Park Steamship Company President to C.D. Howe, Minister of Munitions and Supply.

and utilise proper grievance procedures. Officials of other unions admitted that they exercised little control over their membership.⁶⁹ A 1 October 1944 RCMP security bulletin also hinted that this lack of control was not limited to the CSU: "Thus it is found that during the war years organizations have exploited their positions to the point where parent organizations are losing their control of the locals; particularly is this true of C.I.O. industrial unions."⁷⁰ While the government may have hoped a system of industrial legality would have reduced industry disputes during the war, rank-and-file behaviour did not always live up to expectations.

While some government officials praised the efforts of CSU officials to keep their members in line, others blamed them for not doing enough to discipline its members. In December 1944 Eric Brand wrote to Arthur Randles and offered his explanations for a perceived increase in crew troubles on Park ships. Brand believed that the problems could be blamed on the lack of "solid seafaring traditions" and "the steadying influence of an old established union". To counter the habit men had of deserting a ship immediately after signing ship articles Brand believed that training schools, manning pools, and the CSU should co-operate in order that Canadian sailors would "be indoctrinated concerning the sacredness of articles as a binding contract." Randles responded by writing, "I don't know what more can be done by us. If only the union would act it would help."⁷¹

⁶⁹ McInnis, "Harnessing Confrontation", p. 79.

⁷⁰ Gregory Kealey and Reg Whitaker eds., RCMP Security Bulletins, The War Series, Part II 1942-45, (St. John's: Canadian Committee on Labour History, 1993), p. 193.

⁷¹ NAC RG 12, vol. 1100, file 11-40-14 pt. 2, 12 December 1944 Arthur Randles to E.S. Brand. Criticism of the CSU continued relatively unabated throughout the war. Officials often blamed the CSU for not doing enough to control its membership or for actually encouraging sailors to create problems. NAC RG 12, vol. 1101, file 11-40-22 pt. 1, 5 February 1945, E.S. Brand to Arthur Randles.

Until the union's demise, CSU leaders complained to the rank-and-file about tie-ups over minor issues which violated the collective agreement.⁷² However, as Nick Buzowski, CSU and Park veteran, has argued,

It wasn't the union itself that pulled the wildcat strikes. It was the members of the ships. More often than not they never inquired of the union whether they should tie it up. It was after it was tied up that the union got a call. Then they went down and tried to settle the beef.⁷³

From these and previous examples it would appear that many contemporaries and some historians may have overstated the radicalism and militancy of CSU leaders.⁷⁴

Some have blamed the Communist leanings of the CSU leaderships for the wartime crew troubles. Frederick Watt, the head of the Halifax Naval Boarding Service during the war, described the CSU leadership "as red as the background of the hammer and sickle flag" and blamed the crew troubles on Canadian ships on the "predominately Communist or Communist-oriented" ships' delegates and union representatives.⁷⁵ It is impossible to determine how many union positions were filled with communists and difficult to conclude how much communist beliefs trickled down to the membership.⁷⁶

The CSU did try its best to plant and nourish radicalism in its rank-and-file. The union encouraged education and political awareness amongst its membership. To educate its membership the CSU passed a resolution in 1944 to establish libraries with left-wing

⁷² Searchlight, 12 February 1948.

⁷³ Sager, "Memory, Oral History and Seafaring Labour in Canada's Age of Steam", in Colin Howell and Richard Twomey eds., Jack Tar in History: Essays in the History of Maritime Life and Labour, p. 238.

⁷⁴ Head office attempts to control seamen were thwarted by a series of problems. Charles MacDonald blames this on the confrontational attitude adopted by CSU leaders when organising the Park fleet. CSU officials then failed to temper this approach for the life of the union or to oppose wildcat strikes or misbehaviour by its membership. See MacDonald, "Betrayal", p. 507, 511.

⁷⁵ Watt, In All Respects Ready, p. 214.

⁷⁶ In 1949 the Deputy Minister of Labour informed the Under-Secretary of State for External Affairs there were 250 communists in the CSU. NAC RG 27, B-3, vol. 835, file 1-28-1 vol. 1, 26 August 1949, A. MacNamara to A. Heeney.

literature ranging from the Communist Manifesto to books by Upton Sinclair onboard all ships.⁷⁷ Of course the mere presence of such literature does not guarantee that seamen actually read it; you can lead a man to Marx but you cannot make him believe in class. The left-wing literature provided by the union also had to compete with magazines and books supplied by the Imperial Order of the Daughters of the Empire.⁷⁸

In July 1945 the CSU encouraged men to apply to attend a “leadership school” in Montreal; graduates of the school would then form the next generation of CSU officials. The week long course would instruct promising department delegates on such topics as the duties of a department delegate, the CSU constitution, contracts, the Canada Shipping Act, labour law, education and political action, and the history of the union and the labour movement in general.⁷⁹ Monetary difficulties delayed the opening of the school until 1947 when Leo Huberman conducted classes for sixty sailors from both salt and freshwater ships.⁸⁰ The school instructed men the “proper” way to handle complaints as a department delegate; that is to say without resorting to work stoppages.⁸¹ Whether these training sessions would have increased the level of bureaucratisation in the next generation of union officials and cut them off from the wider membership as implied in the critical interpretation of industrial legality is impossible to determine. The CSU was destroyed three years after the school’s establishment.

⁷⁷ Other books in ship libraries included The Labour Spy Racket, a record of company police brutality and spies by Leo Huberman, Erika Manns’s School for Barbarians, documenting the Hitler Youth, and Labour’s New Millions by Mary Vorse.

⁷⁸ NAC RG 24, vol. 11,988, Nov. 1944 meeting of the St. John Naval Control Service.

⁷⁹ Searchlight, 5 July 1945.

⁸⁰ Searchlight, 16 January 1947.

⁸¹ Green, Against the Tide, p. 157.

The school was also designed to instil a sense of radicalism and class consciousness among participants. According to author Tony Lane any attempts to politicise and radicalise sailors would have fallen on stony ground. He contends that men serving on British ships, with a few exceptions, tended to be apolitical.” He points out that few British seamen owned books other than technical manuals and that most tended to be “incurious” while in foreign ports.⁸² Lane concludes by arguing that British seamen possessed a level of political knowledge and interest that was average amongst the population.⁸³ Historian Jay White contends that carrying a CSU union card was often simply a matter of convenience, not a commitment to union membership or a sign of radicalism:

much of their anger seems to have been directed against other seamen, in clashes over simmering grievances, personal grudges, and national rivalries. There, it appears, were primary causes of labour unrest and worker discontent among mariners during the war, not rising radicalism that culminated in the notoriously violent post-war confrontations with hard nosed ship owners and anti-labour governments.”⁸⁴

White’s argument is flawed for several reasons. The author describes the reasons for petty squabbles and fights between sailors themselves while ashore, then extrapolates this as the cause for labour unrest. By doing so the author ignored the type of sit-down strikes which frequently occurred on Park vessels. White also paints all seamen with the same brush, leaving no room for national differences between sailors or the range of political viewpoints within the rank-and-file.

Former CSU member Nick Buzowski suggests that lots of political discussion took place on Park vessels. Supposedly political discussion became the favourite way to pass the

⁸² Lane, *Grey Dawn Breaking*, p. 147.

⁸³ Lane, *The Merchant Seamen’s War*, pp. 87-93.

⁸⁴ White, “Hardly Heroes”, p. 20, 33.

time, followed in popularity by playing cards.⁸⁵ Another stalwart CSU member Steve

Tokaruk explains,

they had the usual talk that seamen have about girls in port, or the talk about ships, but I found that there were other conversations, well-directed – that is really where the unofficial union meeting took place. Every evening on the hatch there was a union meeting, in a way. I mean, it wasn't an official union meeting that went down in the minutes...⁸⁶

The complaints from the officers on at least one ship demonstrate that the CSU successfully radicalised at least some of its membership. After returning to a Canadian port in January 1945 officers from the *Mount Douglas Park* complained of repeated problems with the men working in the stokehold and claimed that the black gang was “practically communistic.”⁸⁷

A different perspective is offered by another veteran seaman, Paul Brick: “Politics on board ship, particularly Canadian ships, the older people were rather cynical about it. We paid very little attention to politicians.”⁸⁸ Brick’s reference to “older people” is interesting. It could be possible that the younger or less experienced members of the crew were more radical or idealistic. Or it may be that men such as Buzowski and Tokaruk, who were very active CSU members, overemphasised the political awareness of their shipmates.⁸⁹ It would seem, at least for a small number of seamen, that industrial legality and CSU membership did expand their level of political awareness.⁹⁰

⁸⁵ NAC MG 30, A-124, vol. 5, notes of interview with Nick Buzowski.

⁸⁶ Sager, *Ships and Memories*, p. 144. Tokaruk was a non-communist CSU delegate. *Green Against the Tide*, p. 87.

⁸⁷ NAC RG 24, vol. 6853, file NSS 8750-4401, 11 January 1945 NBS Report.

⁸⁸ Parker, *Running the Gauntlet*, p. 42.

⁸⁹ It should also be noted that it is possible to be politicised in terms of class consciousness without caring about politicians.

⁹⁰ It does seem significant that Canadian seamen were often quite young. George Degesse alludes to the power of youth on Park vessels. On one occasion his ship missed its convoy after the crew refused to work all night to have the boilers ready. The crew seemed unconcerned when a Naval Party came on board: “We

It is unlikely that the CSU directly fomented agitation on Park vessels, either during or after the war. Yet at the same time the mere presence of the union in the merchant marine helped to generalise specific issues. For example there were several strikes over issues such as mess boys, foreigners on Canadian ships, and the installation of water coolers. When men on one ship won concessions on an issue it became difficult to deny to the rest of the fleet. The success of certain actions would have only encouraged more. Word of gains would have spread as men moved from ship to ship, read a union newspaper, or spoke to a port agent.

It would also appear that while the CSU attempted to discourage wild-cat strikes its structures for onboard union representation, specifically the crew meetings and delegates, seemed to encourage crew militancy. Designed in part to overcome the traditionally individualist responses to poor conditions these meetings facilitated collective actions. The crew meetings and election of ship delegates, introduced by the CSU, probably played a key role in encouraging collective action. Regular ship meetings helped to unite crews traditionally divided by a constant turnover and by departmental divisions. Union officials had to inform crews continuously on how to conduct proper meetings but it would seem that once these structures were put in place they channelled individualistic seamen into collective responses to problems. Throughout and immediately following World War Two the individualistic, anarchistic behaviour of seamen could not be fundamentally altered either by wartime apparatuses or industrial legality. Canadian seamen also continued to bargain at the local level and would freely engage in work stoppages to strengthen their

were all young. You don't give a damn... We were so sure we were right we thought it was a farce," explained Degesse. NAC MG 30, A-124, vol. 5, notes of interview with George Degesse.

position. In this respect, seafaring culture proved more resilient than the structures introduced by industrial legality.

Conclusion: The Impact of Industrial Legality on Merchant Seamen

It seems unrewarding to study industrial legality in theoretical terms or at broad institutional levels in order to determine its impact on workers. Only by scrutinising the specific nuances of an industry, including the nature of the occupation, its workers and the character of the union concerned, can one effectively come to terms with the impact of industrial legality on the working experiences and daily lives of workers. An examination of legal trade unionism's impact on sailors employed on vessels owned by the Park Steamship Company during and immediately following the Second World War illustrates how such structures complemented rather than replaced existing arrangements as well as the potentially double-sided consequences of industrial legality.

During the wartime shipping crisis the Canadian government decided not only to construct merchant vessels for Great Britain but also to rebuild the Canadian merchant fleet. Many of the approximately 12,000 sailors who sailed on the Park Steamship Company's vessels had little or no sailing experience. While these seamen were inexperienced they entered an industry with established traditions which often dictated the nature of their employment. Established conventions in the seafaring industry meant that the living and working conditions of sailors received little attention.

As a result of the wartime emergency government officials introduced several new structures which reorganised the industrial relations in the merchant marine. Some, such as the manning pools, were largely beneficial. Others, such as the Merchant Seamen's Order and the Merchant Seamen's Foreign Jurisdiction Order, were more draconian. The war also increased the amount of contact between the merchant and regular navy through the Naval

Boarding Service and the Royal Navy gunners who manned the Defensively Equipped Merchant Ships. These new wartime structures had a common theme: that of increasing control over the seamen. The often directly coercive nature of the wartime legislation and contact between the merchant and regular navies illustrates how industrial legality did not automatically reduce the use of force to control workers.

These new structures partly, but not completely, offset the increased bargaining leverage seamen gained from the wartime need to keep the ships sailing. The need to avoid a long struggle over union recognition encouraged the government to bargain with the Canadian Seamen's Union. By the end of the war legal trade unionism and formalised collective agreements changed the lives of all seamen employed on the Park fleet. While the new system did benefit sailors in some ways and restricted their freedom of action in others, in the end the new system only complemented the old. The direct power of sailors established in a long tradition of local bargaining continued and accounted for much of the wartime improvements in the working and living conditions of sailors.

That is not to say that Canadian seamen sailing on Park vessels did not benefit from unionisation. The CSU successfully negotiated with the Park Steamship Company and government officials to win higher wages and war bonuses. The collective agreements also secured improved working and living conditions including the eight-hour day and such small but vital comforts as better mattresses, fans, water coolers, and refrigeration. There can be little doubt that life in the Canadian merchant marine improved greatly by the end of the war. Once they won the right to unionise and bargain collectively like shore workers, sailors

also began demanding similar conditions. During the 1940s Canadian merchant seamen were no longer willing to be considered “a breed apart.”

The CSU also enjoyed varying levels of success when dealing with the traditions which surrounded the seafaring industry. The hierarchical divisions between officers and crew members remained largely unchanged. While the collective agreements stated that the food served to officers and ratings had to be similar, the two groups remained physically divided. Neither union officials nor the rank-and-file made any real push to change fundamentally the way ships were run. While crews elected department delegates to make presentations to the ship master they did not question the right of the officers to issue orders as long as they were reasonable and based on knowledge. Ship captains often resisted new structures (such as the union delegate system) which they saw as a challenge to their authority and the often strained relationship between the two groups remained firmly in place.

The introduction of legal trade unionism did bring a level of co-operation between different departments on Park vessels. The interdepartmental rivalries, which seem to have plagued crews on the ships of other nations, were largely overcome by the CSU. It would appear that the regular shipboard union meetings helped bridge the traditional gap between the men who performed different duties. This process did not succeed completely; divisions remained between the steward and other two departments.

Despite the material gains and beneficial changes in workplace relations, the collective agreements negotiated between the CSU and Park Steamship Company did take something away from crew members, demonstrating the double-sided nature of industrial

legality. Direct action taken by seamen, often in the form of sit-down strikes, frequently won improved conveniences on individual ships before their inclusion in the collective agreement. These direct actions also backed up union demands during negotiations.

The introduction of the collective agreement meant sailors were obliged to live up to the contract, whether or not shipping companies did the same. Yet throughout the war sailors had to fight to ensure that the collective agreement's theoretical benefits were made a reality. The contract's no-strike clause redefined sit-down strikes as illegal wildcats and reduced the ability of ship crews to make decisions based on local issues. Union officials also had to carefully chose whether or not to back ship level job actions taken by its rank-and-file. The wartime introduction of industrial legality thus threatened to limit the might of seamen at very height of their bargaining power. The fact that these actions continued demonstrates that industrial legality did not automatically stifle the militancy of workers, who also stuck by their traditional means of protest.

A study of Canada's wartime merchant mariners and their union also helps shed light on the CSU, that much-debated labour organisation. It would appear much of the CSU's reputation as a Communist union, exerting undue control over its members, is undeserved.¹ At the same time, the argument that the CSU was a completely democratic labour organisation is also flawed.² The CSU's organisational and disciplinary structure would be better described as anarchical rather than democratic. The CSU made attempts to reduce the stereotypical unruly behaviour of sailors and the number of sit-down strikes its

¹ See Kaplan, Everything That Floats, for a discussion of how the CSU's Communist leadership supposedly controlled the rank-and-file.

² See Green, Against the Tide, for a celebration of the CSU's democratic nature.

membership initiated. However the CSU lacked a centralised structure or disciplinary process which would have enabled it to exert much control over the rank-and-file.

Despite the shipping company, government, and union attempts to channel sailors' energy into legal procedures the enforcement of the collective agreement and the achievement of small but key improvements in the lives of Canadian seamen was often achieved only when sailors engaged in traditional, but now extra-legal, forms of direct action labelled "crew troubles". Industrial legality cannot be labelled as a "bad" or unfortunate development; the lives of Canadian sailors did improve during the war. At the same time it could not replace older deep-sea traditions. As Canadian seamen looked forward to a better future they gazed back to the lessons and tactics of the past.

An ideal system of industrial legality assumes that both sides, labour and capital, bargain and operate in good faith. However, industrial legality proved to be a temporary flag of convenience used by Canadian shipping companies; as soon as possible they stopped dealing with the CSU, then with Canadian seamen altogether. After the end of hostilities the Canadian government sold off the Park ships, to private companies. These firms soon transferred the vessels to foreign flags or sold them to foreign buyers and began replacing Canadian seamen with cheaper labour.³ Shipping companies, the Canadian government, and an American union also worked together to destroy the CSU. A last-ditch 1949 world-wide strike failed and the Seafarers International Union replaced the CSU on what remained of the Canadian fleet. The government delivered the final coup-de-grâce and highlighted the danger of relying on government granted "rights" in December 1950 when the Canada

³ The complex tale behind the sale of the Park vessels remains to be written but John Stanton, Life and Death of the Canadian Seamen's Union, Jim Green Against the Tide, and Charles MacDonald, "Betrayal" all address the issue in depth and its connection to the CSU's demise in 1949.

Labour Relations Board decertified the union on the grounds that it no longer represented the majority of employees and that it was “a Communist-dominated organization, and is not a trade union entitled to certification”.⁴

Industrial legality did nothing to help Canadian sailors stop the scuttling of the fleet or save their union of choice and by 1954 the Canadian merchant marine consisted of only ten vessels and seamen were represented by a union plagued by thugs and corruption.⁵ Canadian seamen had helped win the war but they and their union could do little to prevent shipping companies from winning the peace.

⁴ Stanton, Life and Death of the Canadian Seamen's Union, p. 178-182.

⁵ MacDonald, “Betrayal”, p. 512.

Appendix One
List of Vessels for Which Ship Logs were Examined in Detail¹

Algonquin Park
Banff Park
Beaton Park
Beresford Park
Crescent Park
Dartmouth Park
Dufferin Park
Gatineau Park
Glacier Park
Grafton Park
Green Gables Park
Kawartha Park
Kildonan Park
Kitsilano Park
Kootenay Park
Laurentide Park

Liscomb Park
Mohawk Park
Outremont Park
Point Pelee Park
Prince Albert Park
Port Royal Park
Riverview Park
Rondeau Park
Runnymede Park
Rupert Park
Strathcona Park
Wascana Park
Wentworth Park
Willowdale Park
Winnipegosis Park

¹ Source: Ship Logs are preserved at the National Archives of Canada, RG 12, series B-14-C, Central Registry of Seamen, accession 1987-88/133.

APPENDIX TWO
1943 Collective Agreement Between the Park Steamship Company and the CSU

MEMORANDUM OF AGREEMENT made this 19th day of November, 1943

between the Park Steamship Company Limited (hereinafter called the Company) and the Canadian Seamen's Union (hereinafter called the Union)

Whereas the Company is operating steamships in the interests of the Government of the Dominion of Canada.

Whereas the Union is an organization composed of unlicensed personnel of crews engaged on such ships.

And Whereas the parties are desirous of promoting collective bargaining and the stability of industrial relationships in the manner and upon the terms herein set out,

Now, therefore, this agreement witnesseth that in consideration of the premises and of the mutual entry into this Agreement, the parties hereto do hereby agree with each other as follows:

Article I.

Section 1. Union Recognition. The Company recognizes the Union as the sole Collective Bargaining Agency for the unlicensed personnel from time to time employed by the Company on dry cargo ships operated by the Company from the East Coast of Canada.

It is understood and agreed that this clause does not affect unlicensed officer personnel such as Cadet Officers, Junior Engineers and Junior Officers.

Article II. General Rules.

Section 1. Port Committee Arbitration. The Port Committee shall consist of two representatives from the Union and two representatives from the Company who shall meet in the Port of Montreal. It shall be the duty of the membership of the Union and representatives of the Company to refer all disputes or grievances to the Port Committee in writing and it shall be the duty of the Port Committee to meet within 48 hours after receiving such written notices, Saturdays, Sundays and holidays excluded. In the event that the Port Committee cannot agree, the matter shall then be referred to an arbitrator appointed by and acceptable to all members of the Committee. If failing of agreement as to the selection of this arbitrator he shall be named by the Minister of Labour of Canada.

The decision of the arbitrator shall be binding on both parties.

Before the provisions of the above Section shall take effect every effort shall be made to settle the question to the mutual satisfaction of all concerned through conference between union representatives and company officials.

Stoppage of Work. There shall be no strikes, lockouts or stoppage of work during the life of this agreement.

Section 2. In the event of any question of violation of this Agreement or disputes of any nature, either by members of the Union or by the Company, the crew shall proceed with and complete the voyage, and the dispute shall be referred to the Port Committee within 24 hours after the arrival of the vessel at an Eastern Canadian Port, Saturdays, Sundays and holidays excluded.

In no event shall members of the unlicensed personnel tie up any vessels of the Company for the settlement of any grievance.

Section 3. Obligations of Union Representatives - Passes. The Company agrees that by the distribution of passes, authorized representatives of the Union may board the Company's vessels for the purpose of consulting with the seamen employed thereon; provided, however, that the Union representatives shall not violate any provision of this agreement or interfere with or retard the work of the vessels.

Failure on the part of any union representative to live up to all the terms and conditions of this agreement, including the provisions for the adjustment of all disputes in accordance with the terms as provided in this agreement shall be sufficient grounds for revocation of any pass issued to such representative. The Union agrees to turn in any pass so revoked.

Section 4. Ship's Delegates. One man in each department on each vessel shall act as delegate for such department. Such delegates are privileged to present to the Master through their superior officers, on behalf of the members of their department, facts and opinions concerning any matter wherein adjustment or improvement is thought proper. Any matter so presented which is not adjusted satisfactorily to all concerned shall be referred to the Port Committee upon vessel's arrival in an Eastern Canadian Port, for adjustment, as provided in this agreement. Such delegate shall in no way interfere with the operation of the ship or the ship's discipline.

Section 5. Emergency Duties. Any work necessary for the safety of the vessel, passengers, crew or cargo, or for the saving of other vessels, lives, or cargoes shall be performed at any time on immediate call by all members of the Unlicensed Personnel, and notwithstanding any provision of this agreement which might be construed to the contrary, in no event shall overtime be paid for work performed in connection with such emergency duties, of which the master shall be sole judge.

Section 6. Drills. Whenever practicable, lifeboat and other emergency drills shall be held on weekdays between the hours of 8 a.m. and 12 noon. Preparations for drills, such as stretching fire hoses, and hoisting or swinging out boats, shall not be done prior to signal for such drills, and after drill is over, all hands shall secure boat and gear and replace in safe custody fire hose. In no event shall overtime be paid for work performed in connection with such drills.

Section 7. Commencement of Overtime. Overtime shall commence at the time any employee shall be called to report for work outside of his regular schedule, provided such member reports for duty within fifteen minutes. Otherwise overtime shall commence at the actual time such employee reports for duty, and such overtime shall continue until the employee is released.

Section 8. Computation of Overtime. When overtime is less than one hour, overtime for one hour shall be paid. When overtime worked exceeds one hour, the overtime work performed shall be paid for in one-half hour periods, and fractional part of such period shall count as one-half hour. When men on their watch below are called out to work on overtime and then knocked off for less than two hours, excepting where a man is recalled for his regular duties, overtime shall be paid straight through, but this shall not apply to men who are used for docking or undocking or to knocking off for meals.

Section 9. Checking Overtime. After overtime has been worked, the men shall sign the overtime book in possession of the senior officer, stating the hours of work and the nature of the work done.

Section 10. Payment of Overtime. All money due crew for overtime work shall be paid at the time of signing off or in any event, not more than 24 hours after the vessel pays off.

Section 11. Relieving for Time Off. Mutually satisfactory arrangements for relieving each other in order to secure time off in port may be made between the unlicensed personnel and the senior officer of the department involved. In no event where mutual arrangements have been made will overtime be paid for the person carrying out the duties.

Section 12. Changing Watches. Time customarily used in changing and relieving watches shall not be considered as overtime.

Section 13. Penalty Cargoes. (a) When members of the Unlicensed Personnel are required to clean holds in which penalty cargo had been carried, they shall be paid for such work, in addition to their regular wages, at the rate of straight overtime for the watch on deck, and overtime and one-half for the watch below.

(b) For the purpose of Paragraph (a), the following shall be considered penalty cargoes: in bulk or in bags; arsenic, bones, green hides, caustic soda, soda ash, creosoted lumber, bone meal, chloride of lime, lampblack or carbon black, sulphur, manure, kainite, superphosphate, potash, cement.

(c) On vessels carrying the following penalty cargoes in quantities of 24% or more of her cargo on that voyage, the Company agrees to pay the members of the Unlicensed Personnel, in addition to the regular monthly wages, ten dollars per month, from the time the penalty cargo is started to be loaded until penalty cargo is completely discharged: green hides, bones, lampblack or carbon black, sulphur, or manure.

(d) On vessels carrying explosives in fifty-ton lots or over, the Company agrees to pay the members of the Unlicensed Personnel, in addition to their regular wages, ten dollars of basic wages per month while such cargo is on board the vessel. Such cargo time to start from day first sling load is aboard until day last sling load goes over the ship's side.

(e) When members of the Unlicensed Personnel are required to work explosives, they shall be paid for such work, in addition to their regular monthly wages, at the rate of \$1.50 per hour.

(f) For the Purpose of this agreement explosives shall consist of the following items: black powder, blasting caps, detonating caps, dynamite, T.N.T., and all other explosives and highly inflammable materials.

(g) No additional wages or payments as provided in subsection (d) shall be paid on account of cargo intended for the use of the Armed Forces.

Section 14. Discharging Ballast. Whenever members of the crew may be required to discharge ballast out of holds, or handle or discharge ballast on deck, the watch on deck shall receive straight overtime at the rate of 50 cents per hour for such work. The watch below shall receive time and one-half for the same work. Day men shall receive straight overtime between the hours of 8 am and 12 noon. After 5 pm and before 8 am weekdays, Saturdays afternoons, Sundays and Holidays, day men shall receive time and one-half overtime. If watches are broken, day men's scale shall apply to the entire crew.

Section 15. Longshore Work by Crew. In the event that any member of the said crew is required to perform any work usually done by longshoremen, such as driving winches for the purpose of handling cargo or the handling of cargo, he shall be paid, in addition to his regular wage, the applicable rate at that point payable to longshoremen, but in no event at a rate less than sixty cents per hour. If such work is required to be performed on Sundays or on holidays the rate shall be time and one-half.

Section 16. Port Time. The words "in port" shall mean from the time a vessel is at its dock and properly secured, or from the time the anchor was dropped in any safe port, during the trip for the purpose of loading or unloading cargo, until the raising of anchor or casting off lines from dock.

Section 17. Sailing Time. When sea watches are set, all crew members shall be required to report on board and be available for duty not less than one hour before time posted on sailing board.

Section 18. Holidays. When a vessel is in Port, all Dominion or Statutory holidays shall be observed and the usual practice, where they fall on a Sunday, the Monday shall be considered a Holiday provided such procedure is being adhered to by shore establishments. When a vessel is at sea, they shall be considered as Sundays.

Section 19. Overtime Rates. For purposes of this agreement, the overtime rate shall be as follows:

Carpenter, Bosun, Donkeyman, Chief Steward, Chief Cook – 55 cents per hour

AB, Oilers, Firemen, Trimmers, 2nd Cook, 2nd Steward, Messmen – 50 cents per hour

OS, Deck boys, Galley Boy – 30 cents per hour

Section 20. Lockers. One locker shall be provided for each employee so that each employee shall have one locker of full length, whatever space permits, with sufficient space to stow a reasonable amount of gear and personal effects.

Section 21. Washrooms. Adequate washrooms shall be made available for the unlicensed personnel. Washrooms to be equipped with a sufficient number of shower baths which shall be adequately equipped with hot and cold water.

Section 22. Cleanliness of Quarters. All quarters assigned for the use of the unlicensed personnel are to be kept free from vermin insofar as possible. This is to be accomplished through the use of fumigating facilities provided for by the Company, or fumigating the quarters every six months with an approved disinfectant.

Section 23. Other Conveniences. (a) Bed linen to be supplied in sufficient quantity, to allow of change of at least once in every ten days. (b) face and bath towels to be issued each week conditional on return of used towels. (c) two boxes of matches to be issued to each man each week. (d) soap to be supplied in sufficient quantity (e) fresh fruit to be supplied each day, when possible. (f) fresh milk to be supplied in port; approximate allowance per man, half quart per day. (g) meals served to crew to be similar to those served to officers. (h) wages to be paid to crew at end of each week, (this to mean advances in port but only when funds are available and man had money standing to his credit). (i) no field days to be worked without payment of overtime. (j) electric fans to be placed in all foc'sles. (k) it is agreed that all dishes provided for the unlicensed personnel shall be of crockery when available.

Section 24. Coffee Time. Fifteen Minutes shall be allowed for coffee at 10 am and 3 pm or at a convenient time near these hours.

Section 25. Meal Hours – Relieving For Meals. The meal hours for the unlicensed personnel employed in the deck and engine departments shall be as follows:

Breakfast – 730 am to 830 am, Dinner – 1130 am to 1230 pm, Supper – 5 pm to 6 pm, Breakfast in port shall be – 720 am to 8 am. Meals to be completed within prescribed period.

(a) The twelve to four watch on sailing day is to knock off at 11 am in order to eat at 1130 am and to be ready to go on watch at 12 noon.

(b) These hours may be varied, but such variations shall not exceed one hour either way, provided that one unbroken hour shall be allowed at all time for dinner and supper when the vessel is in port. When watches are broken, if one unbroken hour is not given the men involved shall receive one hour's overtime, in lieu thereof, at the regular overtime rate. This subsection shall apply to day men in port and at sea.

Section 26. Room and Meal Allowances. When the Company does not provide room and board, members of the Unlicensed Personnel shall receive 75 cents per meal. When men are required to sleep ashore Two Dollars shall be allowed for room per night.

Section 27. Travelling. Members of the Union when transported by the Company during the course of their employment, shall be provided with transportation by rail or bus, including berth when travelling by night, and with subsistence at the rate of three dollars per day, in addition to their regular monthly wage. When travelling by water, second class or tourist transportation may be provided, this to include berth and meals.

Section 28. Return to Port of Signing. In the event a ship of the Company is sold, or laid up, the crew shall be repatriated to the port of engagement, with subsistence, transportation and wages as provided in previous sections of this agreement.

Section 29. Authority of Master and Obedience of Crew. Nothing in this agreement is intended to, and shall not be construed to limit in any way the authority of the Master, or other officers, or lessen the obedience of any member of the crew to any lawful order.

Section 30. Crew Duties. Members of the Unlicensed Personnel shall perform the necessary and customary duties of their department, and the recognized duties of their particular rating.

Section 31. Night Lunches. (a) If the crew works overtime all night, men shall be provided with a lunch at midnight – one hour to be allowed for such a meal if work continues.

(b) If the crew works as late as 9 pm coffee and lunch shall be served. Fifteen minutes shall be allowed, and shall be included in overtime if work continues.

(c) If the crew works as late as 3 am coffee and lunch shall be served. Fifteen minutes shall be allowed, and shall be included in overtime if work continues.

(d) When crew is called to work overtime, after midnight, coffee shall be made and be ready at time of calling by the watch or watches, and allowed during fifteen minutes readiness period.

Section 32. Division of Wages of Absent Members. (a) When members of the Unlicensed Personnel are required to do extra work because the vessel sailed without the full complement required by the vessel's certificate, the wages of the absent members shall be divided among the men who performed their work but no overtime shall be included in such payments.

(b) When men standing sea watches are promoted for the purpose of replacing men who are injured or sick, they shall receive the differential in pay only.

(c) But in no event shall any member of the Unlicensed Personnel work more than eight hours in any one day without the payment of overtime, except as provided in Sections 5 and 6 of this Article.

Article III. Wages and Bonuses. (a) The following scale of monthly wages and bonuses shall be paid to classifications covered by this Agreement and shall be effective from September 1, 1943.

<u>Rating</u>	<u>Basic Wage (month)</u>	<u>War Risk Bonus</u>	<u>Cost of Living Bonus</u>	<u>Total</u>
bosun	\$77.50	\$44.50	\$18.42	\$140.42
Carpenter	\$84.00	\$44.50	\$18.42	\$146.92
AB	\$70.00	\$44.50	\$18.42	\$132.92
OS	\$50.00	\$44.50	\$18.42	\$112.92
Chief Steward	\$115.00	\$44.50	\$18.42	\$177.92
1 st Cook	\$102.00	\$44.50	\$18.42	\$164.92
2 nd Cook	\$59.50	\$44.50	\$18.42	\$122.42
2 nd Steward	\$68.00	\$44.50	\$18.42	\$130.92
Utility Man	\$40.00	\$44.50	\$18.42	\$102.92
Deck Boy	\$43.00	\$44.50	\$18.42	\$105.92
Mess Man	\$59.50	\$44.50	\$18.42	\$122.42
Oiler	\$73.00	\$44.50	\$18.42	\$135.92
Fireman	\$72.50	\$44.50	\$18.42	\$135.42
Trimmer	\$67.50	\$44.50	\$18.42	\$130.42
Donkeyman	\$75.50	\$44.50	\$18.42	\$138.42

(b) The Cost of Living Bonus as above set out shall be varied from time to time according to the amount fixed or determined by the National War Labour Board or approved by Order in Council under the War Measures Act.

Article IV. Deck Department. Working Rules

Section 1. Work in Port. (a) The hours of labour shall be eight hours between the hours of 8 am and 5 pm weekdays, Saturdays 8 am to 12 noon. All work performed in port after 5 pm and before 8 am Saturday afternoons, Sundays, and Holidays shall be paid for at regular overtime rates, except as otherwise provided in this agreement.

(b) When vessel is in port and men are called back after 5 pm and before 8 am or on Saturday afternoons, Sundays, or Holidays for the purpose of shifting ship, a minimum of two hours overtime shall be paid for each call, except where men are knocked off for a period of two hours or less, in which case time shall be continuous.

Section 2. Work Performed at Sea. All work in excess of eight hours between midnight and midnight of each day shall be paid for at the regular overtime rate, except as provided in Article II, section 5.

Section 3. Securing Cargo in Hold. (a) If cargo is not properly secured by the longshoremen before going to sea, the watch on deck shall be paid at the regular overtime rate as provided in article II, section 15.

(b) On Deck The watch on deck may be required to secure cargo on deck without the payment of overtime between the hours of 8 am and 5 pm weekdays; Saturdays 6 am to 12 noon. If the watch below are called out to secure cargo on deck, they shall be paid at the regular overtime rate, except as provided by Article II, section 15.

(c) Any work necessary for the safety of the vessel, passengers, crew or cargo, shall be performed at any time on immediate call by all members of the Unlicensed Personnel, and notwithstanding any provisions which might be construed to the contrary. In no event shall overtime be paid for such work performed in connection with such emergency duties.

Section 4. Work at Sea. No work except for the safe navigation of the vessel is to be done after 5 pm and before 8 am. Sanitary work shall be done between 6 am and 8 am without the payment of overtime.

Section 5. Cleaning Bilges. When members of the Deck Department are required to clean bilges, or rose boxes wherein the remains of grain or organic fertilizer is present, the watch on deck shall be paid at the regular overtime rate, and the watch below at the rate of overtime and one-half. This is also to apply to bilges that have been flooded with fuel oil. In other cases the cleaning of bilges and rose boxes shall be considered a routine duty.

Section 6. Routine Work. In all ports, members of the Deck Department may be required to chip, sougee, scale, prime and paint the vessel over sides.

Section 7. Carpenters Work. (a) Carpenters shall paint, chip or clean the windlass and take soundings, shore up cargo and do customary carpenter's work aboard the vessel.

(b) Carpenters shall be required to stand by the windlass when mooring or unmooring or anchoring.

(c) The Boatswain shall stand by the windlass and take soundings when no carpenter is carried.

(d) In port, when carpenters are required to take soundings after 5 pm or before 8 am Saturday afternoons, Sundays, and Holidays they shall be paid overtime for such work performed.

Section 8. Watches. (a) Sea watches shall when practical be set not later than noon on the day of departure, except when the vessel sails before noon, in which event sea watches shall be set not later than the departure of the ship to sea. The setting of sea watches earlier than provided herein shall be optional with the Master.

(b) When a vessel arrives from sea, watches may be maintained until twelve noon on such day of arrival. If arrival occurs after twelve noon, watches shall be broken when the vessel is moored at the loading or discharged berth.

(c) In all open roadsteads and ports where vessel does not lie alongside a dock, watches shall be maintained or broken at the discretion of the Master.

(d) In all ports when vessel is alongside a dock, watches shall be broken if the scheduled stay of vessel will exceed twenty-four hours. When scheduled stay of vessel will be less than twelve hours, watches

shall be maintained; between twelve and twenty-four they may be maintained at the discretion of the Master.

- (e) In port, sailors may be required to stand gangway watches between the hours of 5 pm and 8 am without payment of overtime, except on Saturday afternoons, Sundays and Holidays. Sailors standing gangway watch shall care for the lights about the deck, including cargo light, if being used and shall assist the officer on watch in tending mooring, lighter, and gangway lines. This does not mean the actual rigging or stowage of cargo lights.
- (f) Sailors standing gangway watch on Saturday afternoon, Sundays or Holidays shall be paid overtime for such watch, provided sea watches are broken.

Section 9. Arrival in Port. The day the vessel arrives from sea at a port of call shall be considered the day of arrival and subsequent moves within that port shall be considered as shifting ship.

Section 10. Shifting Ship. All the shifts within the same port shall be paid for at the regular overtime rates. No overtime shall be paid for shifting ship between the hours of 8 am and 5 pm weekdays, and Saturdays between the hours of 8 am and 12 noon. All shifts between the hours of 5 pm and 8 am weekdays and Saturday afternoons, Sundays and Holidays shall be paid for at the regular overtime rates.

Section 11. Departure. The day of departure shall be the day the vessel leaves for sea from the port from which the vessel is cleared, and sea watches shall be set and maintained from that port.

Section 12. Cargo Gear. Rigging up or securing cargo gear shall be done by the watch on deck between the hours of 8 am and 5 pm weekdays and 8 am and 12 noon Saturdays without payment of overtime. Overtime shall be paid to the watch on deck for such work performed after 5 pm and before 8 am and on Saturday afternoons, Sundays, and Holidays.

Section 13. Watches at Sea. The sailors shall, while at sea, be divided into three watches, which shall be kept on duty successively for the performance of ordinary work incident to the sailing and management and upkeep of the vessel.

Section 14. Washing Down. When members of the Deck Department are required to wash down on Saturday afternoons, Sundays, or Holidays, they shall be paid overtime, except where sanitation makes it necessary.

Section 15. Docking and Undocking. When men off watch are called upon to assist in docking or undocking, they shall be paid for such work at the regular overtime rate.

Section 16. Cleanliness of Toilets. Ordinary Seamen on duty shall be required to keep the toilets of the Unlicensed personnel of the Deck Department clean at all times and such work to be performed between 8 am and 5 pm weekdays and 8 am to 12 noon on Saturdays; provided, however, he shall be allowed one hour's overtime for performance of this work on Sundays and Holidays.

Section 17. Cleanliness of Quarters. The Unlicensed personnel of the Deck department shall keep their respective living quarters clean at all times. This is to be done between the hours of 8 am and 5 pm weekdays, 8 am to 12 noon on Saturdays, on the Company's time.

Section 18. Laying Dunnage of Cargo. When the crew are required actually to lay dunnage for cargo, they shall be paid at the regular overtime rate for the watch on deck and overtime and one-half for the watch below. This does not mean handling dunnage in order to clean holds, but only refers to actual flooring off with dunnage for cargo.

Article V. Engine Department

Section 1. Setting Watches. Sea watches shall when practical be set not later than noon of the day of departure, except when vessel sails before noon, in which event sea watches shall be set not later than one hour before scheduled departure.

Section 2. Breaking Watches. In all ports when vessel is alongside a dock, watches shall be broken if the scheduled stay of vessel will be less than twelve hours, watches shall be maintained. Between twelve and twenty-four hours, they may be maintained or broken at the discretion of the Master.

In all open roadsteads and ports where vessel does not lie alongside a dock, watches shall be maintained or broken at the discretion of the Master.

Section 3. In Port. All work on Saturday afternoons, Sundays and Holidays shall be paid at the overtime rate.

Section 4. Vessels Carrying Donkeyman. (a) When cargo is being worked with ship's winches after 5 pm on arrival day, the donkeyman shall oil winches and look after the deck machinery until midnight; after midnight an oiler shall be detailed to oil winches and look after deck machinery until 8 am.

- (b) On other than arrival days a Donkeyman shall oil winches and look after the deck machinery between the hours of 8 am and 5 pm.
- (c) In the event a Donkeyman is not available an oiler may be assigned to his duties. If an oiler is not available or obtainable any member of the Engine Department, with oiler's qualifications, may be assigned by the Engineer in charge.
- (d) Either the watertender or fireman, but not both, shall receive overtime while cargo is being worked with the ship's winches at all times between the hours of 5 pm and 8 am and on Saturday afternoons, Sundays and Holidays.
- (e) After 5 pm until midnight on days of arrival, the fireman or watertenders, but not both, detailed to look after plant, shall continue on sea watches until midnight, and shall take care of auxiliaries, ice machine and tend water, in addition to maintenance of steam and shall receive overtime until midnight, except as otherwise provided.
- (f) In port, firemen, or watertenders, but not both, shall maintain a regular donkey watch between the hours of 5 pm and 8 am without payment of overtime except as provided in (d) of this section. On Saturday afternoons, Sundays or Holidays, they shall receive the regular overtime rate. Donkey watches shall be maintained for the purposes of keeping steam for the auxiliaries, winches, and the safety of the ship.

Section 5. Vessels carrying 3 Firemen or 3 Firemen-Watertenders and 3 Oilers and no Donkeyman. (a) On days of arrival, if cargo is to be worked with ship's winches after 5 pm firemen and oilers shall remain on sea watches until midnight.

- (b) The oilers shall take care of the winches at all time while in port, if being used to work cargo, and the fireman shall take care of the entire plant while the oiler is on deck attending winches.

When watches are broken and cargo is worked with ship's winches after 5 pm and before 8 am, it shall be the duty of the oilers, as assigned by the chief engineer, or engineer in charge, to put in time in addition to their regular day's work for the purpose of oiling winches, and they shall be paid at the regular overtime rate while performing such duties after 5 pm and before 8 am and on Saturday afternoons, Sundays and Holidays.

In the event an oiler is not available or obtainable, any member of the Engine Department with oiler qualifications may substitute for the oiler.

It shall be the duty of the oiler to turn the steam on deck and prepare the winches for working cargo if required.

- (c) Both the oilers and the firemen shall receive overtime while cargo is being worked with the ship's winches at all times between the hours of 5 pm and 8 am weekdays, Saturday afternoons and Holidays.
- (d) In Port, firemen shall maintain a regular donkey watch between the hours of 5 pm and 8 am without payment of overtime except as provided in (c) of this section. On Saturday afternoons, Sundays, and Holidays they shall receive the regular overtime rate, donkey watches shall be maintained for the purpose of keeping steam for the auxiliaries, winches and the safety of the ship.

Section 6. Duties of Oilers - On Sea Watches. (a) Shall perform routine duties, oil main engine, watch temperatures, and oil circulation, oil auxiliaries, steering engine, tunnel bearings and ice machine. They shall pump bilges, assist in the use of automatic soot blowers and tend water where gauges and checks are in the engine room and no watertenders are carried.

- (b) Oilers shall do no cleaning or station work, but they shall be required to leave safe working conditions for their relief, keeping main engine, auxiliaries, and spacing around same, and first grating clean of oil before leaving watch.
- (c) Shall assist the engineers in maintenance work in engine room. He shall not be required to do any cleaning of boilers, painting, cleaning paint, polishing work, wire brushing, chipping sealing. Their work shall be confined to maintenance and repair work only, including work on deck machinery.

Section 7. Duties of Fireman at Sea Watches. (a) shall perform routine duties necessary for the maintenance of steam on the boilers but shall not be required to leave the confines of the fire room, to oil auxiliaries or any other work not connected with the steaming boilers.

- (b) Blowing tubes shall not be a part of the firemen's recognized sea duty on ships where tubes are blown by hand. Blowing tubes shall not be a part of the firemen's sea duty under any circumstances, on any ship that has only one fireman on watch with no watertender; provided however, that the fireman on watch may be required to assist in blowing tubes to the extent of helping to open and close breeching doors, and turning steam on and off. Where automatic soot blowers are used, firemen will handle valves connecting with same.

Section 8. Duties of Firemen - On Day Work - All Vessels. (a) In Port firemen on day work shall be required to do general cleaning, polishing and painting work in the fire room and engine room, sponging and blowing tubes, and assist the engineers in making general repairs.

- (b) They may also be required to wash down steam and water drums or water tube boilers or water side of Scotch boilers, also scaling of boilers where shore labour is not available.
- (c) When required to do any cleaning of boilers and fireboxes other than the above, they shall be paid overtime.

Section 9. Duties of Trimmers. (a) Trimmers on Sea Watches shall perform the routine duties, they shall see that there is sufficient supply of coal conveyed from the bunkers to the stokehold for the firemen to maintain steam; pull ash pits and dump ashes. Watches shall be four hours on and eight hours off. They shall assist the firemen in maintaining the cleanliness of the stokehold.

(b) In Port. They shall be required to clean and paint the stokehold and engine room; but painting the fidely shall not be done in the tropics; wash down fire room tank tops, but when required to clean tank tops or bilges by hand they shall be paid overtime.

(c) Coaltrimmers shall be paid overtime when required to clean inside of boilers. However, coaltrimmers may be required to wash boilers with hose and to assist in hauling up sacks and help cleaning stokehold without payment of overtime.

Section 10. Shifting Ship. The day vessel arrives from sea at a port of call shall be considered the day of arrival, and any subsequent moves from that port occurring in that port shall be considered as shifting ship.

All shift within the same port shall be paid for at the regular overtime rate as herein specified. No overtime shall be paid for shifting ships between the hours of 8 am and 5 pm. All shifts between the hours of 5 pm and before 8 am weekdays, Saturday afternoons, Sundays and Holidays, shall be paid for at the regular overtime rate.

Section 11. Departure. The day of departure shall be the day the vessel leaves for sea from the port from which the vessel is cleared and sea watches shall be set and maintained from that port.

Article VI. Steward's Department. Working Rules.

Section 1. Working hours at Sea and in Port. The hours of labour for the Stewards' Department shall be eight hours in a spread of twelve hours.

Section 2. Holidays While in Port. On all Dominion or statutory holidays while in Port, the members of the Steward's Department will be paid regular overtime rates for all hours worked.

Section 3. Routine Work. The regular routine laid out below shall be carried out within the regular hours specified under Sections 1 and 2 and it shall be the duty of the Steward's department to organize their work so this can be accomplished.

(a) Routine duties for members of the Stewards' department shall be the supervision, preparation and the serving of the regular meals; the cleaning and maintaining of the quarters of the Licensed Personnel and passengers. All dining and mess rooms, smoking and lounging rooms, washrooms, toilet facilities, galley, pantries, store rooms, linen rooms, and all departmental equipment.

Section 4. Chipping and Painting. (a) Members of the Stewards' Department shall not be required to chip or scrape paint, nor shall they be required to do any painting, but they may be required, upon the payment of the regular overtime rate to paint the decks of the officers' quarters, mess rooms, inside passage ways and store rooms.

(b) Only members actually performing this work shall be compensated for actual hours worked.

Section 5. Steward's Stores. (a) Members of the Steward's Department shall not be required to carry any stores or linens to or from the dock, but when stores or linens are delivered aboard ship, they shall assist in placing same in their respective places and overtime shall be paid for such work to all men required to put in more than eight hours work that day.

(b) Daily supplies of provisions such as milk, bread, and vegetables shall be stored away without the payment of overtime.

Section 6. Shifting Ship. The day vessel arrives from sea at a port of call shall be considered the day of arrival, and any subsequent moves in that port shall be considered as shifting ship and overtime shall be paid as follows: (a) All shifts in that port; Overtime shall apply the same as in Article VII, section 2 (a), covering Holidays.

Article VII. Effective Date of Agreement.

Section 1. This agreement shall become effective.

(a) as to wages and bonuses from September 1, 1943.

(b) as to working conditions, as of the date the agreement is ratified and shall continue from year to year unless written notice of a desire to terminate or modify is filed by either party thirty days prior to September 30th of each year.

Provided however, that when notice to terminate or modify has been filed the parties undertake, subject to the legal obligations of the parties, to negotiate for amendment or substitution of such agreement and during such period of negotiation extensions of not more than thirty days shall be mutually agreed upon by the Company and the Union, and during such period of extensions this agreement shall remain in full force and effect.

Nothing herein contained shall be deemed to override or conflict with the Canada Shipping Act, 1936 which shall govern wherever applicable.

It is further agreed that payment of the War Risk Bonus as specified in Article III hereof shall cease from and after the cessation of hostilities.

This agreement has been signed by both parties on the understanding that overtime clauses shall not become effective until approval has been secured from the National War Labour Board for the proposed rates and conditions of overtime as outlined herein.

Also it is understood that ratings under twenty-one years of age will receive Cost of Living Bonus of 18.4% of their basic wage, unless and until representation now being made by the Union result in a direction to the Company by the Government to pay the full Bonus regardless of age.

Source: NAC RG 46, Series E-VI, Volume 1275, File "Canadian Seamen's Union -- Dry Cargo Agreement, 1943-46.

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