EXPRESSIONS OF PROFESSIONALISM, URBAN ADMINISTRATION, AND THE SAINT JOHN POLICE FORCE, 1910-1920

by

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A Report Submitted in Partial Fulfilment of
the Requirements for the Degree of

Master of Arts

in the Graduate Academic Unit of History

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This report is accepted by the
Dean of Graduate Studies

THE UNIVERSITY OF NEW BRUNSWICK

August, 2019

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Abstract

In the early 20th century, police forces across North America began to reassess the nature of their role. As an immature profession, policing was dominated by a managerial class of police leaders that intended to establish occupational culture on their terms through positive action such as the establishment of professional bodies like the International Association of Chiefs of Police (IACP). In addition, politicians and civic innovators sought to mould police forces in their vision, usually with a keen eye on fiscal restraint and inhibiting the autonomy of the chief. As a result, rank and file police were confined to an ancillary role where their activities were essential, but their identity largely denuded. The unionization of rank and file police officers as an expression of professional identity was a response to these conditions. This report analyzes how this process unfolded for the Saint John Police Force between 1910 and 1920.

For Sara Burns and Robb Costello, good friends senselessly murdered alongside two civilians while doing their best to protect the city of Fredericton on August 10th, 2018.

You are remembered with love and respect for your sacrifice in the line of duty.

Table of Contents

Abstract ii

Dedication iii

Table of Contents iv

1.0 Introduction 1

2.0 Chapter 1
Crisis, Conflict, and the Role of Police Unionism in Occupational Identity 4

3.0 Chapter 2
Policing and Saint John in the Age of Progressive Reform 47

4.0 Chapter 3
Expressions of Professionalism and the Saint John Police, 1910-1920 81

5.0 Conclusion 119

Bibliography 122

Appendix I – Curriculum Vitae of Benjamin Thomas Griffin

Introduction

Largely ignored in the wider field of labour history, police unionism as a facet of occupational identity and professionalism demands greater attention. Building the narratives of the first struggles for unionization, and in this case the story of the Saint John Police Force in the early 20th century, is crucial to developing a more comprehensive understanding of how the average police officer began to shape their own occupational culture and conditions of employment.[1] In doing so, the nascent stages of police unionism demonstrate the shift towards representation of the occupation from below, as opposed to imposition of culture and authority from above through the office of the chief of police and their wider mandate under the Canadian Association of Chiefs of Police (CACP). Civic governance of law and order was also an important factor in determining the nature of policing in cities across North America. Ultimately, although "local issues tended to shape the initial organization stage,"[2] this struggle would be undertaken on a national level and became symptomatic of the question of who would speak for the profession.[3]

Police history is a field that suffers from a relative dearth of academic interest; few researchers have committed their careers to pursuing a deeper understanding of policing. This is strange for a society that both celebrates and vilifies its police officers across a range of

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[1] Although very little has been written in this area, Greg Marquis' 1986 article, ""A Machine of Oppression Under the Guise of the Law": The Saint John Police Establishment, 1860-1890," *Acadiensis*, vol. 16, no.1 (Fall 1986), is a valuable exception. Although not subject to peer review, Gerald Wallace, William Higgins and Peter McGahan wrote an important six-part series entitled the *Saint John Police Story*. Covering the years 1890-1965, they organized each installment by the tenure of the respective chief of police for that period. This report is greatly indebted to their labour in producing the two volumes liberally referenced throughout.

[2] Greg Marquis, *Policing Canada's Century: a History of the Canadian Association of Chiefs of Police*. (Toronto: Toronto University Press, 1993), 116.

[3] Ibid, 115.

media which are increasingly hysterical and news hungry. Police forces have long been subject to a degree of voyeuristic scrutiny, however, and contextualizing the reasons for this enduring interest can demonstrate how the history of law and order in Canada has shaped modern systems of justice.

This report addresses the gap in research on police unionism and early stage police professionalism in Canada and is comprised of three chapters which progress from the global to the local. Chapter one discusses the development of the police union movement and its historiography during the early years of the 20th century in both Canada and its closest comparisons, the United States and Great Britain. In that context, the Winnipeg General strike is analyzed as an example of how a multiplicity of factors played into that single event. These include, the nature and impact of labour activity in general, the unique pressures and fundamental social changes catalyzed by World War One, police officers and their negotiation of class complexity, and the establishment of professional associations that sought to dominate the conversation on policing. In addition, it analyses concepts of professionalism from the perspective of progressive reform and how they were applied to policing. Chapter two provides an historical profile for the city of Saint John before analyzing the general functions of its police force, the move to commission government in 1912, and the street railway strike and police response in 1914. It also discusses the philosophical and functional application of progressive reform as a key component of structural change during this era. Chapter three concludes with a close study of how the chief of police, commissioner of public safety, and rank and file officers of the Saint John police each pursued their own conceptions of professionalism and occupational identity during the second decade of the 20th century.

Official documentation and supplementary records of the Saint John common council provide the backbone of this analysis and demonstrate how disputed managerial oversight of

the police force was a critical factor in determining the outcome of this important dispute. This research will demonstrate how police unionism played an important role in the occupational and professional identity of Canadian policing during the early decades of the 20th century.

Chapter One

Crisis, Conflict, and the Role of Police Unionism in Establishing Occupational Identity

This chapter discusses the slender literature on the police union movement in Canada, the United States, and Britain. After establishing the global context of policing and union activity, it pays close attention to the Winnipeg General Strike as the primary example of labour revolt in Canadian history. It also assesses how the police played a conflicted role in the maintenance of public order at times of crisis. Further, this chapter discusses how emergent police unionism presented a challenge to the forerunner of the Canadian Association of Chiefs of Police (CACP), the Chief Constables Association of Canada (CCAC). The reaction of the CCAC from an administrative and managerial perspective played a significant role in defining the course of police unionization. Finally, it concludes with an analysis of how the reform and early professionalization of policing in North America were conducted as part of a wider program of progressive reform.

Canadian expressions of police unionism during this era were congruent with parallel movements in the United States and Britain. Thus, it is important to outline the global context that informed the Canadian experience. In Britain, the National Union of Police and Prison Officers (NUPPO) was formed in 1913 to address the usual concerns of pay, working conditions, and proper representation of the average 'bobby'. The solidarity of the NUPPO underpinned the August 30, 1918 strike of almost the entire London Metropolitan Force, which totalled some 12,000 men. The Liverpool police strike in the same month had an even greater impact on the social order. Shorn of approximately half their regular police protection, various enclaves of the city erupted and were scarred by violence and looting. The situation remained

grave for a period of three to four days until the military and the remaining officers regained control, but not without loss of life.[4]

The troubles in London, Liverpool and elsewhere between 1918 and 1919 were ideologically associated in conservative circles with radical labour and Bolshevism, both of which were perceived as threats to the western social and legal order. When the situation threatened to boil over into formal, collective alliances between police and other union bodies, the coalition government of David George decided to act. The response of this government was the *Police Act* of 1919, introduced as a control mechanism and legal framework for formal discussions on the future of policing. Under that legislation, the rank and file were guaranteed a forum in which to challenge police leaders on the conditions of the profession, albeit in what amounted to a state-sponsored union called the Police Federation that all officers were obligated to join. Further, they did not have any power over rates of pay, which remained under control of management.[5] Those police officers who had gone on strike met with an ignominious fate: they were fired without recourse and denied access to any accumulated pension benefits. Tellingly, the Lloyd George government reaffirmed its commitment to policing as the primary means of maintaining law and order (as opposed to imposition of the military) by reorganizing its policies in the face of widespread political unrest. In the establishment of the Police Federation and Lloyd George's decision to place his faith in the capacity of the civilian police to maintain social order, police action in Britain influenced the trajectory of the profession post-1919.[6]

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[4] Keith Laybourn, *Policing in England and Wales, 1918-1939: the Fed, Flying Squad, and Forensics*. (New York: Palgrave MacMillan, 2011), 14-50.
[5] Hervey Jeuris and Peter Feuille, *Police Unionism: Power and Impact in Public Bargaining*. (Lexington: Lexington Books, 1973), 119.
[6] Laybourn, *Policing in England and Wales*, 14-50.

As in Canada, many police unions in the United States had their early roots in rank and file organizations such as the New York City Patrolmen's Benevolent Association (1892). In Saint John, the Police Relief Association was founded in 1900 to provide better sick leave provision for officers unable to work.[7] Along these lines, police associations were usually founded in order to represent the concerns of the average policeman and lobby for better pay and benefits such as service pensions. Many of the associations inaugurated in the United States later sought formal affiliation with the American Federation of Labor. This was very much in keeping with a period where the "formation of a national professional or occupational association was not uncommon."[8] Indeed, the National Association of Chiefs of Police (later the International Association of Chiefs of Police) was founded in 1893 as the logical culmination of a professional identity that first arose in the 1870s.[9] Samuel Walker has observed that relatively static police salaries between 1900 and 1915 were a significant factor in precipitating the rise in police associations and other rank and file organizations. This was especially important in contrast to other blue-collar jobs where pay had risen by as much as 50% over a period where the cost of living had risen by 25%. Police pay and working conditions, over which the lower ranks had practically no influence, fell victim to a perfect storm of economic and social upheaval which essentially forced them to act.[10] When the cost of living doubled between 1915 and 1920 under the inflationary pressures of World War One, it was almost inevitable that general upsurges in union activity would also include the police, whose economic security was in jeopardy with the rest of labour.[11]

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[7] Gerald Wallace, William Higgins and Peter McGahan. *The Saint John Police Story: The Clark Years, 1890-1915*. (Fredericton: New Ireland Press, 1991), 21.
[8] Marquis, *Policing Canada's Century*, 55.
[9] Ibid, 59.
[10] Samuel Walker, *A Critical History of Police Reform*. (Lexington: Lexington Books, 1977), 111.
[11] Ibid.

In 1973 Jeuris and Feullie argued that the "spectre of the 1919 Boston police strike"[12] dominated the history of police unionism in the United States. On September 9, 1919, 1,127 police officers walked off the job and left behind 427 of their colleagues who remained on duty. While there has been some dispute as to the true level of violence that followed, stores were looted, violence was directed at *both* the striking police officers and those still at work, eight people died, and the city incurred property damage totalling around $300,000.[13] The perception of anarchy on the streets, accurate or otherwise, was magnified by the press and further inflamed by President Woodrow Wilson himself, who memorably argued that the strike represented a crime against civilization.[14] Moreover, the President claimed that police officers were bound by the same rules and expectations as soldiers, echoing a widespread belief in the efficacy of military command for the civilian police. Wilson's national statement on policing demonstrated the extent to which the application of the military model to American policing had become a universally accepted analogy.

Although police did retain a degree of autonomy in the day-to-day execution of their duties, by the early 20th century the military model overrode any sense of police as autonomous civic employees, at least from an occupational or professional perspective. Indeed, support for the introduction of military ideologies to American policing was evident before the close of the nineteenth century. At the proceedings of the sixth annual Chiefs of Police convention in May 1899, Colonel Phillip Dietsch of Cincinnati was recorded as stating that "Drilling is absolutely necessary to the attainment of a well-disciplined police department."[15] Police administrators and reformers alike shared the idea that to protect

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[12] Juris and Feuille, *Police Unionism*, 1.
[13] Walker, *A Critical History*, 117.
[14] Robert Fogelson, *Big City Police*. (Cambridge: Harvard University Press, 1977), 194.
[15] Colonel Deitsch to the Chiefs of Police of the United States and Canada, *Proceedings of the Seventh Annual Convention of the Chiefs of Police of the United States and Canada*, May 9, 1899, 17.

society from harm it was necessary to conduct a domestic war on crime. This position legitimated the notion that "All of urban America was a battlefield."[16] Ironically, Cincinnati was the site of a relatively successful three-day police strike in 1918, during which there was little in the way of public disorder. Police action secured a pay raise from the mayor but only on the compromise that the strike leaders face internal discipline for their role in the affair. This caveat protected city management from the embarrassment of admitting that its authority had been successfully challenged.[17]

Robert Fogelson has shown how the application of the military analogy had a significant impact in detaching the police from other urban departments, which were reformed along a model of corporate efficiency, not militarisation. In addition to distinguishing police departments from other urban institutions, the military model served to establish a coherent philosophical strategy for police reform. Further, invoking military principles had "profound emotional connotations"[18] that informed the conscious ideological shaping of occupational identity. Both police administrators and social reformers believed that the civilian orientation of policing was too polluted by localised political interference to retain any credibility for the future, and that the military model was the appropriate remedy. Despite having "no intention to convert police forces into military units, most reformers regarded the military analogy with unequivocal enthusiasm."[19] Philadelphia, under Mayor Rudolph Blankenburg's administration, is indicative of this model of reform.[20] After taking office in 1912 on a mandate to eliminate corruption using sound business techniques and efficient practices, Blankenburg oversaw the transformation of the department under men such as police superintendent James Robinson

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[16] Fogelson, *Big City Police*, 54.
[17] Juris and Feuille, *Police Unionism*, 113.
[18] Fogelson, *Big City Police*, 56.
[19] Ibid, 89.
[20] See Walker, *A Critical History*, 62-63 for information on the Blankenburg administration.

who "injected a strong dose of militarism into the Philadelphia Police Department."[21] Regular physical drills with an emphasis on hand-to-hand combat were instituted, along with new uniforms and a sixty-five-piece police band. Each of these changes reflected a belief that an "infusion of militaristic values … would impose a minimal amount of discipline in the department."[22] The concept of union solidarity[23] in the United States was therefore completely inimical to these values, where the chain of command, obedience, political neutrality, and supplication to authority were central tenets of military-style bureaucracies.

The impact of the events of 1918 to 1919 on the police union movement in the United States, Britain, and Canada was experienced differently in each nation. In the United States, Boston proved a breaking point for the governing authorities' patience with the militant police officer, especially in respect of how the military analogy reshaped concepts of police discipline. Indeed, the "equation of police unions with wild strikes and anarchy dealt a death blow to the vigorous young police union movement."[24] In fact, police unionism collapsed after 1920 and was little heard of until World War Two, at which time police chiefs mobilizing against a new wave of union energy used Boston as an example of everything bad about the movement.[25] As discussed above, police union activity in Britain produced a stern government response that led to the creation of the Police Federation, a type of company union. In contrast with the United States, where the rank and file lost any sense of an institutional voice or vehicle with which to drive their concerns, police officers in Britain were invited to share in a sense of burgeoning

[21] Ibid, 62.
[22] Ibid.
[23] Generally considered to be an organized group of workers speaking with a collective voice and a shared sense of occupational culture and direction in order to resist autocratic or dictatorial management and further their own objectives
[24] Walker, *A Critical History*, 117.
[25] Fogelson, *Big City Police*, 195.

professional identity, albeit one that was conceived to control the dangerous potential of organized and motivated police officers.[26]

In Canada, the police strikes of 1918 in Toronto and Montreal were further evidence that more aggressive expressions of rank and file identity were becoming problematic for government. In his article on police unionism in Toronto, Marquis demonstrated that police labour activity has a more diverse history than is usually acknowledged. Indeed, he explained how a dozen police unions formed and led by the rank and file were granted charters by the Trades and Labor Congress in the years following the end of World War One.[27] Further, he also argued that "Toronto constables were inspired by the 1918 police strike in England," and their wages impacted by inflation brought about by the war, both factors underscoring the increasingly global nature of labour activity.[28] When the Montreal police union went on strike in late 1918, "the city was racked by public disorder, crime, and vandalism." The agreement that followed was a partial victory for the police as it secured the removal of a disliked administrator and the "promise of a public inquiry."[29] Rank and file police were embedded to struggles that reflected wider changes in the organization of society, and Winnipeg was the apex of that process.

Police unionism arose at a time of fundamental shifts in the composition of western societies. The decade of the 1910s and the outbreak of World War One presented economic challenges that amplified the impact of these changes. Canada's population, for example, grew

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[26] Walker, *A Critical History*, 119-120.
[27] Greg Marquis, "Police Unionism in Early Twentieth-Century Toronto," *Ontario History*, vol. 31, no. 2 (June 1989), 113-114.
[28] Ibid, 114.
[29] Marquis, *Policing Canada's Century*, 117-118.

by thirty-four percent in the period 1896-1914.[30] Each member of this rapidly expanding population required clothing, housing, and feeding as the extreme inflation experienced during World War One pressed down on society. Change of this magnitude over such a short period produced a series of responses that were proportionately intense. Indeed, L.L Farrah Jr. has argued that although union activity in the western world was absolutely a revolt against pay, working conditions, and a shortage of food, it was also a protest against the war that had created those conditions in the first place.[31]

Many of those protesting on the streets of Canadian cities were immigrants encouraged to settle here in the period immediately preceding the Great War. This population explosion was (in part) the result of the expansionist economic policies of the Canadian government, led by Clifford Sifton (Minister of the Interior) and his colleagues in the Laurier administration.[32] Despite being encouraged to make Canada their home and playing a critical role in the settling of the Canadian west, immigrant labour was often blamed for increases in union activity and associated escalations in public disorder. Furthermore, the endemically skeptical Anglo-Canadian majority harboured an entrenched suspicion of foreign labour and any form of disruptive union activity that appeared 'alien' in design.[33]

In the broader context of international finance and the rapidly shifting sands of the Canadian economy in the generations before and after the end of the 19th century, Don Nerbas has argued that Canada's Anglo-elite consciously racialized itself as British in direct contrast to

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[30] Donald Avery, *"Dangerous Foreigners": European Immigrant Workers and Labour Radicalism in Canada, 1896-1932*. (Toronto: McClelland and Stewart, 1979), 16; Brian Douglas Tennyson, *Canada's Great War, 1914-1918*. (London: Rowman and Littlefield, 2015), 6. Further, between 1901 and 1911 Winnipeg saw a 300% explosion in population.
[31] L.L Farrah Jr., "Nationalism in Wartime: Critiquing the Conventional Wisdom", in *Authority, Identity and the Social History of the Great War*, eds. Franz Coetzee & Marilyn Shevin-Coetzee, (Oxford: Berghahn Books, 1995), 133.
[32] Avery, *Dangerous Foreigners*, 18-19.
[33] Ibid, 13-14

an ethnically diverse working class. Moreover, he has observed that while the war acted as a catalyst for a notable expansion in export markets that generated new wealth, it also produced systemic financial pressures that further inflamed the already delicate relationship between the bourgeoise and the blue-collar masses.[34] As inflation rose and working-class Canadians found it increasingly difficult to pay their bills, workers gravitated to unions as the only organizations conceived to fight for them.[35] Many Canadians came to believe "that the nation was desperately in need of an exorcism" from an insidious internal threat.[36] All told, the destabilizing changes of this era seeded a volatile context for the fear and disorder that followed, much of which was driven by the "red scare" of communism.

Marquis observed that by the end of 1918, organized labour in general had never been stronger.[37] In this context many Canadians entered 1919 in trepidation for the future of their nation. That trepidation only escalated when in Winnipeg on May 15, 1919, some 30,000 workers, upset by the breakdown in negotiations in the building and metal trades, left their posts to protest for improved working conditions, better pay, and acceptance of collective bargaining.[38] The result of collective action was a cessation in the rudimentary services of the modern city, culminating in no "telephone, telegraph, bread or milk delivery, no mail, garbage, streetcar, taxi, express or freight service, and no regular fire prevention service."[39] In a series of actions coordinated by the Central Strike Committee, private and public workers, including the

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[34] Don Nerbas, *Dominion of Capital: The Politics of Big Business and the Crisis of the Canadian Bourgeoise, 1914-1947.* (Toronto: University of Toronto Press, 2013), 12.
[35] Juris and Feuille, *Police Unionism*, 8.
[36] Steve Hewitt, *Riding to the Rescue*: *The Transformation of the RCMP in Alberta and Saskatchewan, 1914-1939*. (Toronto: University of Toronto Press, 2006), 45.
[37] Marquis, *Policing Canada's* Century, 113.
[38] Reinhold Kramer and Tom Mitchell, *When the State Trembled: How A.J. Andrews and the Citizens' Committee Broke the Winnipeg General Strike*. (Toronto: Toronto University Press, 2010), 15.
[39] David Bercuson and Kenneth McNaught, *The Winnipeg Strike: 1919*. (Don Mills: Longman Canada, 1974), 46.

Winnipeg police, faced off with the Citizen's Committee of 1000 which had been hastily established to deal with the strike. After more than five weeks of political rancour and various episodes of public unrest, matters came to a head on "bloody Saturday", the June 21st disturbance brought about when the Citizens Committee (supported by the Royal Northwest Mounted Police) successfully resurrected a skeleton service on the city's important street railway system.[40]

Kramer and Mitchell have argued that although Winnipeg manifested the most obvious, entrenched, and complicated tensions of the schism between workers and the ruling class in 1919, it was also a nexus for diverse conditions that were both national and international in derivation. Indeed, they suggest that in the wider context of the red revolution in Russia and post-war chaos in Germany and Italy, one might compare 1919 to 9/11 – the very real sense of a 'what next?' moment loomed large in the minds of all Canadians. Moreover, as a "shock to the gut" and visceral blow to the sense that post-war Canada would experience a period of relative calm, the strike threatened to destabilize the foundations of capitalist society in Canada and beyond.[41] As one "of the greatest ruptures between the workers and upper classes in the history of commercial society,"[42] the Winnipeg General Strike is a clear flashpoint and contextual anchor for the student of unionization in North America. Norman Penner has asserted that in the history of the Canadian labour struggle "no episode was more spectacular, explosive or meaningful" and that for the first time in Canadian history, a major city was cleaved into two opposing classes.[43] In a recent article, James Naylor wrote that "A profound

[40] Kramer and Mitchell, *When the State Trembled*, 193.
[41] Ibid, 8.
[42] Ibid, 11.
[43] Norman Penner, ed., *Winnipeg 1919: The Strikers' own history of the Winnipeg General Strike*. (Toronto: James Lewis & Samuel, 1973), ix.

sense of injustice among workers, along with growing demand for their labour in the war economy, fuelled a new militancy."[44]

The wider influence of the strike has also been emphasised by Greg Kealey in his article "1919: The Canadian Labour Revolt," wherein he described how events in Winnipeg received enthusiastic international support. In Italy, communist ideologue Antonio Gramsci welcomed the "revolutionary tide" and in Glasgow, Scotland, John Maclean celebrated "the great Canadian strike."[45] Both expressed solidarity with Canadian workers in their struggle against a ruling class and economic system they considered structurally penalising for the average citizen of western capitalist society. Kealey's explanation for events in Winnipeg is that while the war provided sparks that escalated union activity in 1919, changes in the relation between labour and capital can be traced back at least as far as 1912-13.[46] Indeed, the research of Kealey and other scholars has highlighted the continuity of working class dissent in pre- and post-war communities across Canada, in some cases to the turn of the century.[47]

The political impact of the Winnipeg strike was more conflicted and demonstrated the inherent complexities of labour disputes. While some of the city's postal workers were re-hired at the conclusion of the strike, it took ten years for them to finally receive back pay and a partial restoration of certain pensions. Many were never hired back and lost everything they had accumulated before the strike. On the other hand, three of the strike leaders who had been convicted for their role in the revolt were elected to the Manitoba Legislature in 1920 while still serving sentences for their involvement.[48] Simultaneously, many of the members of

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[44] James Naylor, "Standing Together," *Canada's History*, April 1, 2019, accessed on August 15, 2019 from https://www.canadashistory.ca/explore/peace-conflict/standing-together
[45] Greg Kealey, "1919: The Canadian Labour Revolt," *Labour / Le Travail*, 13 (Spring 1984), 33-34.
[46] Ibid, 16.
[47] Ibid.
[48] Bercuson, *The Winnipeg General Strike*, 96.

the Citizen Committee who had worked so diligently with the authorities (including the RNWMP) to break the strike in the first place, either consolidated or expanded their role in the social and political elite.[49] By contrast, some have argued that the city itself suffered the greatest damage, its growth and vitality forever afflicted by the scars of the struggle of 1919. In some quarters, the final victory of the citizens committee has been damned as a pyrrhic success.[50] Even more interesting, Kramer and Mitchell have argued that the ultimate outcome of the strike was to "recast the conflict over wages and power into the idiom of citizenship."[51] That is, who can belong and on whose authority, which at this point had been established as the various layers of Canadian government and their numerous articles of legal weaponry with which they had insulated the concept of statehood.[52] Naylor observed that after the strike, the electoral boundaries of the city were clearly marked between working-class neighborhoods, where labour and socialist candidates usually prospered, and middle-and upper-class areas where the Conservatives received solid support.[53] The diversity of factors that contributed to the strike are reflected in the historiography sketched above, which is not always in agreement. Fundamentally, however, the research suggests that the strike was tied to global shifts in the relationship between capital and labour. The Canadian conditions were a subset of international conditions and when Winnipeg became a national crisis, the reaction of the authorities was to gird itself against the opposition and assert control via the machinery of the state.

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[49] Kramer and Mitchell, *When the State Trembled*, 321-322.
[50] Bercuson, *The Winnipeg General Strike*, 120.
[51] Kramer and Mitchell, *When the State Trembled*, 320.
[52] On June 6, 1919, the Immigration Act was amended to permit deportation without trial for those who sought to overthrow the government by force. See Bercuson, *The Winnipeg General Strike*, 76.
[53] Naylor, "Standing Together," https://www.canadashistory.ca/explore/peace-conflict/standing-together

Police and the Negotiation of Class

Although the Winnipeg General Strike was not typical, it can be studied as an exemplar of how union activity mobilized itself in Canada during the period under review. It is also instructive of how the police in that city grappled with the nuances of negotiating the boundaries of two camps. On the one hand, they had an obligation as agents of the state with a strict agenda to enforce law and order, to which the general strike was a serious challenge and widely perceived as a threat to constituted authority;[54] on the other hand, they flirted with union representation and collective bargaining in an early attempt to assert their occupational identity from their very own shop floor, the streets of a city under siege. Complicating this dichotomy is the reality that police have long occupied what Greg Marquis has identified as an "ambiguous class position," a conversation that demands further analysis.[55] In his article on the working men of the early 20th century Toronto Police, for example, Marquis identified various sociodemographic indicators that suggest the class composition of those men. As working-class aspirants to an emerging middle-class characterized by property ownership and the security of a pension on retirement, police officers represented a group intent on maximizing their opportunities in the increasingly class fluid societies of the modern age.[56] On the other hand, police officers tended to embrace the generalized roughness and masculinity of their professional culture and indulged in the sporting pursuits and leisure activities of the average working man.[57]

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[54] Ibid, 53-54.
[55] Greg Marquis, "Working Men in Uniform: The Early Twentieth-Century Toronto Police," *Social History*, vol. 20, no. 40, (November 1987), 277.
[56] Ibid, 260.
[57] Ibid, 271.

The prosecution of liquor law was also tied to working class culture. In 19th century Saint John, for example, police failed to achieve anything like the uniform enforcement of liquor laws in blue collar neighborhoods and were generally skeptical of any suggestion that moral reform could be effected through coercive legislation.[58] These nuances suggest that in the reality of their day-to-day lives as both human beings and agents of the state, police constables of this period occupied an ambiguous class position. Thus, when imbricated to the manifest complications of religion, ethnicity, and the increasingly fluid social landscape of the late 19th and 20th centuries, police officers occupied a liminal space between the working and middle-class.[59]

Likewise, Marquis has tied policing of this era to the functional reality of its activities and the sum of its day-to-day responsibilities. In his analysis of the early 20th century Toronto Police Department, he explained how police forces have supported the socially disenfranchised. Rejecting the historical tradition that typifies the police as a mechanism explicitly conceived to control the underclass, Marquis demonstrated how in addition to their responsibilities as a mechanism of justice the Toronto Police Department adopted the functions of a rudimentary social service agency. Perceptively, Marquis suggested a distinction in the categorization of the working class as clients, not necessarily victims.[60] For example, he outlined how the police served the lower classes in the following ways: through the work of the 'Morality Department' to support victims of domestic violence, including the collection of spousal support payments; the utilization of divisional police stations as rudimentary shelters for the homeless; and the appointment of female police officers to provide maternal counsel

[58] Marquis, "'A Machine of Oppression'," 67-68.
[59] Marquis, "Working Men," 277.
[60] Greg Marquis, "The Police as Social Service in Early Twentieth-Century Toronto," *Social History*, vol. 35, no. 50 (November 1992), 336.

and moral uplift.[61] Marquis convincingly argued that these functions established a pattern of social service that contradicts the argument that police preyed on the underclass to promote elitist ideologies. Although he does not hide from the contradictions of the moralizing mission that underpinned much of this activity, Marquis suggested that this "web of legitimation" illustrates how the Toronto Police Department was much more than its coercive contact with the community.[62] He presaged these arguments in his 1986 article on the Saint John Police Force during 1860-1890, suggesting that the public service orientation of police work limited their desire or wherewithal to implement a crime fighting mission.[63] Indeed, "Like it or not, the working class depended on the police."[64]

Furthermore, in his work on the state, community and petty justice in Halifax between 1815 and 1867, Marquis made parallel conclusions in his analysis of how the system functioned on a relatively democratic basis and did not exclude members of the lower caste. He argued that while the gradual formalization of justice moved the system beyond a set of minimum standards, Haligonians continued to take each other to court in the expectation of informal and accessible justice.[65] Marquis cautioned that while we cannot ignore the construction of systems that reflect the growth of state-based power, personal offences such as assault and property crime were prosecuted by members of every class. Likewise, John Weaver has observed that perpetrators of crime in 19th and early 20th century Hamilton, Ontario rarely constituted a 'dangerous class' to outsiders; most crimes were committed by and upon members of the same

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[61] Ibid, 339-357.
[62] Ibid, 357.
[63] Marquis, "'A Machine of Oppression'," 72.
[64] Marquis, "The Police as Social Service," 358.
[65] Greg Marquis, "State, Community, and Petty Justice in Halifax, Nova Scotia, 1815-67," in *Violent Crime in North America*, ed. Louis Knafla (Westport: Praeger Publishers, 2003), 24.

social and ethnic background.[66] In the "working face of legal order," there existed a sense that the law was something possessed by all, not the few.[67]

These arguments are also reflected in Marquis' article on police unionism in Toronto, where he questioned the common claim that police have always acted as an enemy of organized labour. Marquis demonstrated that this is not necessarily the case and that as an organization drawn from within the working class, the police did not "differ greatly from the average Toronto working man."[68] Marquis also explored how the long search for formal police unionization reflected a concomitant search for rank and file identity. Thus, as the average employee of the Toronto Police Department fought alongside their rank and file colleagues for collective representation and a formal affiliation to various bodies of labour representation, the relationship between the police and other union member organizations was complicated.[69]

Marquis also showed how the peaks and troughs of the Toronto Police union movement reflected wider struggles in the United Kingdom and across North America. Early police unionism is shown to be a precarious movement that progressed incoherently and was punctuated by various crises such as the Toronto police strike of 1918.[70] Finally, Marquis argued that the activity of the Toronto Police Association as a kind of proto-union challenged the power of police management and stimulated an occupational stance that resisted external oversight in the name of professional autonomy.[71] Thus, by analyzing the internal working of the early-twentieth century Toronto Police department and union activity by police officers,

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[66] John Weaver, *Crimes, Constables, and Courts: Order and Transgression in a Canadian City, 1816-1970*. (Montreal: McGill-Queen's University Press, 1995), 21.
[67] Marquis, "Petty Justice in Halifax," 2.
[68] Marquis, "Police Unionism in Early Twentieth-Century Toronto," 110.
[69] Ibid, 113-117.
[70] Ibid, 119.
[71] Ibid, 125.

Marquis demonstrated how men of the 'ambiguous class' had a complicated relationship with both their internal masters and the public they were expected to police.

Kramer and Mitchell have also argued that diagnosing the class position of police officers of this era is problematic, and especially so during the Winnipeg strike. Not only did the police fail to embody standard polarizations in class between the upper and lower strata of society, they also failed to conform to the more flexible tripartite model devised by Robert McDonald.[72] In her 2008 book on moral reform in English Canada, Mariana Valverde suggested that standard concepts of class composition were being challenged by a "fragmented, interactive, and multiple class formation."[73] In shifting between at least two classes on account of the factors explored above, the police of Winnipeg represented a complication of class instrumentality that undermined conventional wisdom.[74] Traditionally drawn from the same working-class communities they were expected to police and, in this case, potentially arrest their peers for acting or speaking out of turn, Canadian police at the turn of the century were attempting to balance the functional demands of their service with the complicated fluidity of their own class, which was almost exclusively Anglo-Celtic at this juncture.

The earlier police strikes in 1918 in Toronto and Montreal, home to Canada's two largest municipal departments, also demonstrated that Canadian police were willing to take

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[72] McDonald, author of a book on class and society in Vancouver between 1863 and 1913, suggests the following class model for society in early 20th century Canada. The 'upper class' was characterized by ownership of the means of production, namely land and capital. Their position was buttressed by a cadre of professionals and managers whose explicit support of their objectives afforded them access to this class. Below this sat a middle class of small business owners, professionals and managers who were not tied directly to the production of wealth. On the lowest rung were the working class, those bound to wage labour whether in a factory or an office. McDonald suggested that each of these strata were marked by an internal hierarchy where ethnicity, education, skill, religion etc. served to further delineate society in far more complex ways than previously acknowledged. See Kramer and Mitchell, 30, for further information.

[73] Mariana Valverde, *The Age of Light, Soap and Water: Moral Reform in English Canada, 1885-1925*. (Toronto: University of Toronto Press, 2008), 16.

[74] Kramer and Mitchell, *When the State Trembled*, 30.

serious action in order to force their objectives and challenge the traditional power of the chief and political oversight.[75] Indeed, police were making discretionary decisions on the streets that demonstrated their class, ethnic, and political leanings. A stark example of this ambivalence was observed in Winnipeg in January of 1919. When a group of returning soldiers violently targeted immigrants in response to information that some members of the immigrant community were praising the Russian Revolution, police chose to stand by and watch as the soldiers conducted a "schooling in Canadian morality."[76] By contrast, the Toronto union had organized in an act of self-preservation following widespread criticism that they responded with *too much* force in suppressing anti-foreigner riots during the summer of 1918.[77] However the police reacted to the dynamic challenges of this period, it was clear that their decisions would be heavily scrutinized and that the outcome of these conflicts would have a long-term bearing on the nature of Canadian policing.

Incidents of this kind represented a challenge to an economic system dependant on the logic that a worker – even a police officer who might sympathize with the ideologies of those opposed to the status quo – would conform to the expectations of a system that treated labour as a disposable input. A unionized or affiliated policeman, on the other hand, was much more problematic – floating in a liminal space between the margins of muscle for hire by the state and an autonomous figure in the wider context of international labour and the future of the western economy. William Banks, editor of the *Bulletin* publication circulated by the CCAC, called for police to remain neutral in the struggle between capital and labour, and to execute their duty as protectors of law and order above all else.[78] When the Winnipeg police union

[75] Marquis, *Policing Canada's Century*, 118.
[76] Kramer and Mitchell, *When the State Trembled*, 15-16.
[77] Marquis, *Policing Canada's Century*, 118.
[78] Ibid, 117.

voted in favor of the general strike on May 15th, this represented an enormous challenge to any sense of effective neutrality. Indeed, when most of the police force (approximately 90%) refused to backtrack and sign an oath of loyalty presented by the Police Commission on May 30th, they were summarily dismissed on June 9th.[79]

At a Victoria park meeting in the immediate aftermath of this decision, a formal representation of returned soldiers heartily supported the police refusal to sign the oath and lamented the fact that their specifically British liberty had been compromised in such a manner.[80] Despite this vote of confidence in the regular force, a reasonably well trained and stabilizing factor not unsympathetic to the strike, they were hastily replaced by a combined force comprised of 2000 untrained 'specials', many of whom ironically were returning soldiers now earning $6 a day as opposed to the $3 they received as a temporary discharge allowance, a recently strengthened detachment of the RNWMP, and a fully mobilized militia.[81] As discussed above, this was the escalation in repressive state power that ultimately effected a conclusion to the strike. It is telling that the regular police played such a minimal role in the denouement. This suggests that despite the relatively nuanced composition, attitudes, and functional realities of the municipal police, formal unionization and expressions of solidarity with labour were a step too far. The actions of police produced a firm response from the state which made a statement about how the unionization of police forces would be resisted.

Kealey has argued that to fully understand why workers reacted in the manner discussed above, one must conduct a more sophisticated analysis of Canadian labour history. By analyzing changes in the attitude of workers who were interviewed for the 1886 Royal

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[79] Kramer and Mitchell, *When the State Trembled*, 149.
[80] Penner, *Winnipeg 1919*, 127.
[81] Bercuson, *The Winnipeg General Strike*, 72.

Commission on the Relations of Capital and Labour and the 1919 investigations of the Industrial Relation Commission, respectively, he highlighted the contrast between relative deference and a "clarion cry for change."[82] Marquis has reminded us that the rank and file of the Toronto Police Department first threatened to strike in 1872, underscoring the reality that Canadian police were conscious of their own labour and burgeoning occupational culture long before the summer of 1919.[83] Just as events in Winnipeg did not erupt in an historical vacuum or from the single catalyst of World War One, the battle over the unionization of the Saint John police was contingent on multiple factors. The establishment of a police brotherhood in Saint John was in response to both local conditions and the congruent struggle for labour rights simultaneously in flux around the western world during the early 20th century. The rise of professional associations during this era reflected a growing belief in the rational management of resources during an age of reform and improvement.[84] Policing was to be no different in this regard.

Policing and Professionalism in the Age of Progressive Reform

The reform and early professionalization of policing in North America was conducted as part of a wider progressive movement to transform the functional apparatus and ideological foundations of urban administration. Many middle-class progressives and labour radicals since 1910 had "constructed public lives around the problems and challenges of capitalist modernity."[85] As a central mechanism of the state, the police were important to this process. Colin Howell has argued that, in general, progressivism called for scientific approaches to social and moral problems, a more positive and interventionist state, the establishment of effective

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[82] Ibid, 12.
[83] Marquis, "Police Unionism in Early Twentieth-century Toronto," 112.
[84] William M. Sullivan, *Work and Integrity: The Crisis and Promise of Professionalism in America.* (San Francisco: Josey-Bass, 2005), 94-97.
[85] Ian McKay, "The 1910s: The Stillborn Triumph of Progressive Reform," in *The Atlantic Provinces in Confederation*, eds. E.R Forbes and D.A. Muise (Toronto: University of Toronto Press, 1993), 228.

public-health systems, and the "transcendence of political partisanship and religious sectarianism."[86] Howell also argued that the majority of progressive reformers were drawn from an urban middle-class which included journalists, doctors, ministers, social justice advocates, lawyers, businessmen, feminists, ordinary people across the political spectrum, and even labour leaders. Valverde defined this group as a "subclass in social reform… composed mostly of professionals and charity workers, who acted partly to uphold the specific interests and perspectives of their professions but who were also connected to the large bourgeois culture of which they formed a part." [87]

Although activists often disagreed about what changes were necessary, Howell has observed of the first decade of the 20th century that "one can discern the general contours of a progressive impulse that resonated throughout all of North America, most particular areas of urban or industrial growth."[88] In accordance with such a diversity of influences and objectives, "The typical progressive reformer championed not one but many different reform causes."[89] In general, however, progressivism embraced a "hard-headed faith" in an efficient and scientific approach to urban administration, the peaceful resolution of labour disputes, more state involvement in society, a desire to soften political and religious divisions, and a commitment to social regeneration in all walks of life, from culture to sport.[90] As it was adapted into policing, early professionalism more interested in progressive era 'efficiency' and the application of

[86] Howell, "Industry, Urbanization, and Reform," 164. Colin Howell, "The 1900s: Industry, Urbanization, and Reform," in *The Atlantic Provinces in Confederation*, eds. E.R Forbes and D.A. Muise (Toronto: University of Toronto Press, 1993), 156-157.
[87] Valverde, *The Age of Light, Soap and* Water, 16.
[88] Howell, "Industry, Urbanization, and Reform," 156-157.
[89] McKay, "The Stillborn Triumph," 195.
[90] Howell, "Industry, Urbanization, and Reform," 156-157.

newly conceived business management techniques than it was a fully elaborated theory of police administration.[91]

Police unionization arose at a time when a progressive agenda was being vigorously pursued by its supporters in civic administrations across the continent. As such, the voice of the unions was an important counter narrative to 'change from above' and can be considered the first true expression of the rank and file seeking 'change from below.' McKay has argued that a "radical working-class revolt" challenged the predominance of the progressive agenda in the early 20th century and demanded that "social transformation itself be transformed to bring power to the disposed."[92] As discussed above, this was evident during the Winnipeg General Strike, when the unions spoke with a collective voice that shook the state. In Saint John, "the summer of 1914 belonged to the social reformers, rioters, and patriots."[93] The unionization of police forces was fundamentally entwined with the idea of professional representation in the age of progressive reform.

In general, civic administrators, chiefs of police, and rank and file police officers conceived of professionalism from their own perspectives. Naturally, these positions were usually derived of different backgrounds and formulated from their respective reasons for driving change. Despite these divergences, however, many of the functional changes sought and implemented within this triangular relationship were to the collective benefit of the profession or at the very least represented genuine attempts at positive change. Accordingly, this section discusses theories of professionalism and how they were adopted and modified by

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[91] H.V Nelles and Christopher Armstrong, ""The Great Fight for Clean Government," *Approaches to the History of Urban Reform*, vol. 2, no. 76 (1976): 50; David Bright, "Technology and Law Enforcement: The Transformation of the Calgary Police Force, 1900-1940", *Urban History Review*, vol. 30, no. 2 (Spring 2005), 30.
[92] McKay, "The Stillborn Triumph," 193.
[93] Ibid, 192.

police forces in North America. While some of these ideas undoubtedly converged in a shared concern for policing in general, others clashed in fundamental ways that threatened the smooth operation of law and order.

Progressive Philosophy and Professionalism in Policing

Samuel Walker theorized that the concept of professionalism for police forces began to develop a form of intellectual hegemony toward the end of the 19th century, when policing was a nascent occupation seeking to define its own path. Michael Davis suggested in his work on professional codes and ethics that in the age of standardization "The Police look like another attempt to make a previously disorderly process (relatively) uniform."[94] Integrated with this idea was the notion that professionally organized policing needed a set of underlying principles in order to ground concepts of progressive reform to the unique culture of policing. It was only natural, therefore, that police leaders and civic reformers began to explore "techniques of managerial efficiency [that] became the dominant motif of police professionalism."[95] Despite these advances, however, Davis has argued that "The police, if they are a profession, are certainly an odd one."[96] In addition, he iterated the reasons why the police have long appeared out of step with dominant conceptions of professionalism: for example, the awkwardness of their military bearing in a civilian environment, lack of formal educational requirements for access to jobs, and a poorly defined central function.

In his work on law and order in the city of Hamilton, Ontario between 1816 and 1970, John Weaver argued that changes and improvements to the administration of justice typified

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[94] Michael Davis, *Profession, Code, and Ethics*. (Aldershot: Ashgate Publishing, 2002), 177.
[95] Walker, *A Critical History*, xiv.
[96] Davis, *Profession, Code, and Ethics*, 175.

the "theme of evolving professionalization and centralization."[97] David Walcott has argued that the population explosion and concomitant social dislocation of the late 19th and early 20th centuries catalyzed a push to reform outmoded systems of urban management. Newly expanded and more diverse populations brought the threat of a significant increase in urban crime and stimulated a "gradual, painful process of professionalization" that embraced the business model of corporate America and transformed the administration of policing.[98] Michael Boudreau made similar observations in his analysis of the Halifax police between 1918 and 1935. Boudreau argued that although the Halifax police were no more than a quasi-professional entity, they nevertheless embraced changes that rationalized, professionalized, and bureaucratized the nature of their work.[99] These changes were implemented through the introduction of much better training, a commitment to developing police science as an agent of modernity, an underlying philosophical commitment to the betterment of society and, crucially, the establishment of policing as a viable career choice.[100] The efforts of the police unionization movement were congruent to this last objective, where better pay, improved working conditions, less authoritarian discipline from management, and the provision of decent pensions supported a burgeoning sense of professionalization among the rank and file.

Although the underlying motivations of police management and the rank and file were sometimes divergent, the functional changes they sought to effect tended to coalesce and were germane to shared occupational experiences. This made it much more difficult for external influences to discern the tensions that were involved with the battle over police

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[97] Weaver, *Crimes, Constables, and* Courts, 9.
[98] David Walcott, *Cops and Kids: Policing Juvenile Delinquency in America*. (Columbus: Ohio State University Press, 2005), 5.
[99] Michael Boudreau, *City of Order: Crime and Society in Halifax, 1918-35*. (Vancouver: UBC Press, 2012), 40.
[100] Walker, *A Critical History*, 33.

unionization. As such, progressive reform treated police forces as a single unified entity, not the more stratified and nuanced organizations into which they were gradually transitioning. The rush to devise and implement standardized procedures and policies as an organizing framework for urban administration, which was admittedly less than rapid in Saint John, meant that police forces were treated in a similar manner to other divisions of the modern city. Plainly, however, policing was and has remained different from the average branch of local government, for example roads and streets or sewage and sanitation. Treating police forces like conventional civic departments created tensions during progressive reform.

The rigorous application of progressive values to a social crisis was illustrated by New Brunswick's response to the 1918 epidemic of the Spanish Flu when Health Minister Dr. William Roberts "shut New Brunswick down, prohibiting for more than a month all gatherings of six or more people." While this example pertains to public health, it demonstrates how the "progressive state conceptualized civil society as an organism under attack and felt justified in suppressing the rights of the individual."[101] Progressive philosophy, therefore, supported a somewhat rigid and ideological program of change across the breadth of urban administration. It did not recognize the police as a unique actor in this wider system of social organization and thus could not reconcile some of the ambiguities and growing complexities inherent to the profession, especially the widening schism between management and the rank and file. This trend is reflected in the era of alcohol prohibition and the role the police were expected to perform as rigid enforcers of deeply unpopular legislation.

One challenge to police professionalism was morality enforcement. In his study on the role of prohibition and the genesis of provincial policing in Nova Scotia, John Phyne identified

[101] McKay, "The Stillborn Triumph," 217.

how alcohol was demonized by the middle and upper-middle class temperance movement in the name of the social gospel.[102] Crafting an ideology to match its objectives, the temperance movement – anguished by the perceived failings of modern industrial society – branded alcohol a criminogenic substance that amplified the deplorable morality of the underclass. This position justified the introduction of prohibition as a mechanism for control and punishment.[103] The instrumental challenge to the application of this ideology, however, was that police forces across North America were both incapable of and unwilling to enforce prohibition in the comprehensive fashion demanded by reformers.[104] Police were incapable through a simple lack of manpower and often unwilling because of their inherent class ambiguity and the way their leisure and social activities sanctioned working-class lifestyles.[105]

In fact, the early police of North America, described by police scholar Eric Monkkonen as "semiliterate members of the working class … charged with duties no one clearly understood,"[106] were accused of wasting away their shifts in the grubby bars and clubs that dotted their regular beat. In Saint John, for example, an embarrassing incident around 1890 exemplifies this practice. Sgt. Covay was accused by a local tavern owner of turning a blind eye to her licensing indiscretions in exchange for gifts and money. It was also suggested that he drank while on duty and became so intoxicated that he needed to sleep it off before returning

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[102] The social gospel was a protestant effort to apply the central tenets of Christianity to the perceived failings of modern, industrial society. Although its proponents believed that God was at work in social change, creating moral order and justice, the social gospel was equally willing to adopt the secular values of progressivism, Darwinism, and philosophical idealism to drive social change. See https://www.thecanadianencyclopedia.ca/en/article/social-gospel for more detail.

[103] John Phyne, "Prohibition's Legacy: The Emergence of Provincial Policing in Nova Scotia, 1921-1932," *Canadian Journal of Law and Society*, vol. 7, no. 2 (Fall 1992), 159-162.

[104] Examples of this failure can be found across the literature on policing, most notably in the work of Marquis, Weaver, Boudreau, McLeod, and Fogelson.

[105] Fogelson, *Big City Police*, 36-39.

[106] Monkkonen, *Police in Urban* America, 2.

to a beat he had abandoned for hours at a time.[107] Further misconduct was observed almost a generation later when between 1910 and 1915 numerous officers were suspended or dismissed from the police force for a variety of offences. The indiscretions ranged from Wilmer S. Belyea who in 1910 "reported at 7 p.m. staggering drunk" and was dismissed, to Sylvias Leighton who was terminated in 1912 for taking a bribe in exchange for protecting a dance hall frequented by prostitutes.[108] As suggested by examples of police misconduct in Saint John, many officers were of a class inimical to and indeed ignorant of progressive reform; to argue that rank and file police made a conscious decision to reject or enforce progressivism as they policed the streets is too simplistic. More accurately, they were of a class generally divorced from progressive reforms and were unlikely to either recognize or empathize with its programmatic objectives.

This was especially true from the perspective of social reform as a method of moral improvement, which can be viewed as a pejorative statement on human behaviour. Indeed, American thinker Hebert Croly suggested that in an age where faith in God was beginning to dwindle "a new spirit of professionalism could become the moral salvation of the individual… mediated through occupational and local institutions."[109] This philosophy was never likely to resonate with rank and file police officers. Indeed, even at their most socially mobile, most police officers came from blue collar societies which were subjected to intense criticism for their behaviour.[110] It is unsurprising, then, that in the heat of the battle between management and their labour representatives, Canada's police expressed a sense of

[107] Wallace, Higgins and McGahan, *The Saint John Police Story: The Clark Years*, 15-19.
[108] Ibid, 117.
[109] Sullivan, *Work and Integrity*, 109; see also Fogelson, *Big City Police*, 42
[110] Walcott, *Cops and Kids*, 11.

professional/occupational identity more closely aligned to the working-class than the urban middle-class and civic professionals behind progressive reform.

Nevertheless, early systems of professional administration led by predominantly urban reformers defined the relationship between police and their masters in the early 20th century. Fogelson has argued that the reform movement "had an impact on the process of mobility, the distribution of power, and the struggle for status in urban America."[111] As such, this chapter now turns to a brief consideration of how professional identity in policing has been defined, both historically and by more contemporary sources that are linked to the development of policing and its occupational culture.

Professionalism in Concept and Action

As an example of how civic leadership could determine the trajectory of urban reform, James Couzens's tenure as commissioner for the Detroit Metropolitan Police between 1916 and 1918 is an interesting study. Neither a police professional nor a chief of police, his time as commissioner is also an interesting mirror to the work of Harry McLellan in Saint John. Couzens, who like McLellan was a businessman who later became mayor of his city, used his experience at the Ford Motor Company as the basis for the corporatization of civic administration.[112] In fact, his efforts to reshape the police force were indicative of progressive ideas in both concept and application. Also noteworthy is Couzens's role in the development of a street railway system, which as discussed is a key symbol of modernity and barometer of

[111] Fogelson, *Big City Police*, 12.
[112] Couzens also became a U.S senator between 1922 and 1936. Further, he was famously philanthropic and made donations totalling millions of dollars to various social causes including the Michigan's Children's fund, hospitals, and low-income housing projects.

urban services.[113] By instituting performance standards and evaluation, conducting statistical analysis, using labour as efficiently as possible, and dividing work into areas of specialized expertise, Couzens's program demonstrated how police reform was anchored to a wider progressive investment in the emerging philosophies of corporate America. Indeed, Walcott has observed how despite these ideas being replicated across the United States in the early twentieth century, "the spirit of police reform soared highest in Detroit."[114]

Walcott argued that Couzens's approach to justice reform in general helped shift the focus from the punishment to protection of young offenders. This transition was difficult for rank and file police officers to understand, however, and exposed the disconnect between middle-class urban reformers and working-class police officers tasked with managing recidivist youth. Social reformers like Couzens sought to unravel the complex causes of juvenile misbehaviour and prescribe systematic solutions that could 'rescue' misbegotten youth from the dangers of a life of crime; the police, although often sympathetic to the young offender, were more concerned with the symptoms than the causes of criminal misbehaviour. Accordingly, police intervened at a personal level and were more interested in correction and punishment than the concept of crime as the manifestation of complex and holistic influences on the individual.[115]

The general tendency of rank and file police officers to pursue a punitive and corrective approach to addressing juvenile crime was identified as problematic and subsequently rejected by famous police leader August Vollmer. Vollmer, who forged his reputation as an innovator with the Berkeley, California police force during the first two decades of the 20th century,

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[113] Before becoming commissioner of the police force, Couzens was commissioner of the street rail system between 1913 and 1915.
[114] Fogelson, *Big City Police*, 76.
[115] Walcott, *Cops and Kids*, 27.

argued that police officers had a moral as well as legalistic obligation to serve youth at the margins of society. To this end, in 1925 Vollmer developed a local stakeholder group designed to address predelinquent behaviours that he felt were strong indicators of future criminality.[116] Vollmer's reputation was built on his commitment to the reform and professionalization of policing. At its core, he considered technology, education, and specialized training fundamental components of police reform[117] and it was on this resume that in 1921 he was elected as president of the IACP.

As shown by Couzens' work in Detroit and Vollmer's ascent from Town Marshal of Berkeley to international police leader and educator in criminal justice, the early 20th century was an era when individual police managers, progressive reformers, and politicians could have a significant impact on the operational strategies and ideologies of policing. Nobody exemplified this trend more than more J. Edgar Hoover and his career with the FBI. First appointed head of the Bureau of Investigation (forerunner to the FBI) in 1924, he was in control of the organization until his death in 1972. Hoover, who straddled the transition between the first and second wave of police reforms, skillfully applied the tenets of progressive reform to validate his expanding agency through the application of technology, 'efficiency', and a singular commitment to crime control (which excluded most morality enforcement). Buttressed by a belief in intelligence collection – Hoover was an influential advocate for universal, mandatory

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[116] Nathan Douthit, "Police Professionalism", in *Police Forces in History*, ed. George Mosse (London: Sage Publications, 1977), 112. As part of his lifelong commitment to integrating academia with policing, Vollmer hired Elizabeth Anderson (Masters of Social Work) to implement her research on the subject of juvenile crime. In 1925 the use of academic research in the direct administration of policing was practically unheard of and considered a revolutionary approach. Anderson's expertise and recommendations were used in concert with other community resources Vollmer had mobilized to identify at-risk youth. Finally, Vollmer's officers were tasked with contacting these vulnerable individuals to establish a support network during their impressionable years. See William Oliver, *August Vollmer: The Father of American Policing*. (Durham: Carolina Academic Press, 2017), 413-414.

[117] Ibid, 247-288.

fingerprinting[118] – and a fetishization of guns, the FBI extended the reform mandate as "an eloquent testimony to the intensity of the law-and-order mood of the early 1930s."[119] Walker has insisted that one of the most disturbing aspects of this era was the "vicious quality of the rhetoric" used by public officials. Hoover chose the occasion of the 1934 Attorney General's Conference on Crime to call criminals "vermin of the worst type." At the same conference, Joseph Valentine, commissioner of the NYPD, characterized the crime problem as "an infamous, vicious, cancerous growth."[120] Hoover rode this wave of rhetoric to situate himself as the nation's top cop, and his agency as a byword for a newly established faith in federal agencies to solve problems at a local level.[121] As an "evangelist against crime" and advocate of the so called "machine-gun school of criminology," Hoover was an iconic figure in the rapid shift of North American policing towards a war on crime manifesto.[122]

As a transformational character and symbol of police administration for over two generations, Hoover was a unique figure in the history of North American policing. Furthermore, his career demonstrates how a "master bureaucrat" and "efficiency tsar" was able to flourish in an age where organization was paramount.[123] Ultimately, however, while Hoover's career is indicative of how police reform could be harnessed in pursuit of ideological change, concepts of professional policing were primarily articulated at an organizational level through the IACP and CCAC. These organizations were conceived to advance the concerns of the profession and provide a forum where police leaders could share ideas, foster innovation, inculcate occupational cultures, and insulate themselves from external criticism.[124] Vollmer was

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[118] Walker, *A Critical History*, 158.
[119] Ibid, 159.
[120] Ibid, 153.
[121] Douthit, "Police Professionalism," 330.
[122] Ibid, 332-333.
[123] Walker, *A Critical History*, 158.
[124] Monkkonen, *Police in Urban America*, 156-157.

perceptive enough to recognize the value of associating policing with the traditional professions, whereby a parallel organization like the IACP could build social and intellectual cache by modeling itself on already established institutions.[125] In an era where very few police leaders had completed university education or any other form of professional training, one might consider the professional organizations they established as a form of laboratory for the creation and dissemination of information for the development and codification of occupational knowledge.[126] Indeed, Vollmer used his role in the IACP to push for the improvement of the profession by hiring college educated young men. This was practically unheard of in the rough and tumble world of turn of the century policing.[127] In fact, formal training of any kind was a rarity and the programs that did exist were rudimentary.[128] In contrast, education was seamlessly integrated to the more traditional professions, which had established their own professional qualifications at a time when many police forces in North America were still grappling with the process of formalizing their operations.

William Sullivan has observed that the formation of professional groups such as the American Medical Association (1847) and the American Bar Association (1872) demonstrated how the professions fixed their position in the new economic order and committed themselves

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[125] Oliver, *The Father of American Policing*, 247.

[126] Their original mandate was articulated as a commitment to 'to serve the law enforcement profession and the public interests by advancing the art of police science'. Notwithstanding the bothersome conflation of policing with both art and science, this was an important statement on how police leaders saw themselves at this juncture. See Marquis, *Policing Canada's Century*, 58.

[127] As evidenced by John Edward Reilly's letter of application for the position of constable to the common council of Saint John, received on February 2nd 1914, most men were hired if they could demonstrate that they resided in the city and had paid tax there for some time. Others furnished the council with the references – such as returning soldier Angus E. Duguay in November 1919 – and most made a general statement about executing their duties with honour and good conscience. There does not appear to have been a formal application or assessment process. There is no evidence of an application to the common council for the period 1910-1920 that makes mention of an applicant's education or intellectual prowess. See PANB, RS427, *Minutes of the Common Council of Saint John*.

[128] Walker, *A Critical History*, 70-72.

to specialized and technical work via an internalization of knowledge.[129] Not only was this outlook congruent with the objectives of progressive reform, it also was grounded in a deep history of professional evolution. Indeed, the medical and legal professions were tied to the prestigious cultural heritage of the medieval guilds and a system of European universities that invoked a deep sense of mystique in the acquisition of knowledge beyond the layperson.[130] This was a gilded narrative that produced two distinct effects. One, it afforded its practitioners a sense of cultural, social, and historical superiority that underpinned both their practice and standing in the community. Two, it projected for its clients a sense of moral, intellectual, and professional competency that was anchored to a tradition of perceived excellence. Sullivan argued that understanding this history is "essential for understanding why professions are characterized as they are." That is, "learned and formally educated, publicly licensed, and supported by a collegial organization of peers committed to an ethic of service to clients and the public."[131] All told, the traditional professions established a robust defence against unwanted external reform. As "market shelters" for their practitioners and largely autonomous in regulating the mechanisms of training and access, the established professions insulated themselves against external meddling. Moreover, they were prominent in the community and therefore able to integrate themselves to the framework of progressive reform and ingratiate themselves to systems of urban control by forging links with business leaders and civic administrators alike.[132] As such, the traditional professions were protected by a multiplicity of factors that ensured their continuing autonomy and self-regulation.

[129] Sullivan, *Work and Integrity* 94-95.
[130] Ibid, 52.
[131] Ibid, 52-54.
[132] Ibid, 53.

Policing, by contrast, was an immature occupation without an intellectual tradition or body of work to justify strident assertions of occupational autonomy. This might explain why early conceptions of professional police identity vacillated between the military model and conventional progressive reforms: without a tradition or lineage of practice to fall back on, police chiefs were trying to effect reform in something of a contextual vacuum. As discussed, the eventual adoption of the military model was a critical moment in police history that catalyzed a series of important changes. For example, the shift to a military ethos minimized social service policing and replaced it with a philosophy of urban combat which detached police from their communities. In addition, centralizing authority in the hands of the chief separated management from the rank and file. This also authorized and validated the chief of police as the single source of professional identity which suffocated the voice of the rank and file. Marquis has argued that following a generation of law enforcement scandals that gave progressive reformers substantial ammunition to argue that change was essential, the formation of the National Association of Chiefs of Police (NACP) was an act of managerial self defence against the moral attacks of reformers and endemic instability of machine politics.[133] What is more, it afforded police leaders a site of professional refuge and a platform from which to establish an operational and ideological mandate. In addition, the NACP/IACP was a national forum wherein the big city chiefs worked to standardize their administrations and rehabilitate their image in the public eye.[134] Published proceedings of the annual conventions were also a method of communication which echoed the desire of the more established professions to

[133] Following increasing turn of the century panic over anarchist violence, the organization recognized its continental limitations and despite remaining largely American, changed its named to the International Association of Chiefs of Police (IACP). See Marquis, *Policing Canada's Century*, 59.
[134] Ibid, *Policing Canada's Century*, 61.

speak with a unified voice, albeit a voice that marginalized the average policeman and made him a mute adjunct of the wider civic machine.

Walker has argued that professionalization in this manner fostered a series of changes that undermined the administration of policing. As an immature occupation that lacked the social and historical capital of the traditional professions, policing could ill afford the insularity, secrecy, defensiveness, and inevitable separation from their communities that occurred through this process. Moreover, while the concentration of power with the chiefs of police was considered an appropriate remedy to the interference of machine politics and endemic urban corruption, it severely inhibited the professional identity of the rank and file. Furthermore, if one accepts the credo that "Decentralized control is part of what makes a profession possible,"[135] limiting the agency of police practitioners was (and remains) antithetical to fundamental concepts of professionalism. In the pseudo militarized and hierarchical environment of early 20th century policing, the rank and file became cogs to control rather than autonomous professionals in the mode of a lawyer, doctor, or priest.[136] As Davis has observed, "Codes that seem to come from above generally do not touch the world below."[137] Thus, as quasi-military organizations enforcing rigid control from above, the average policeman was almost completely neutered in the process of forging professional identity. This was critical during the battle over police unionization, when rank and file police recognized an opportunity to begin forcing their agenda. For their part, the IACP considered unionization completely antithetical to the professionalization of policing.[138]

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[135] Davis, *Profession, Code, and Ethics*, 210.
[136] Walker, *A Critical History*, 171-172.
[137] Davis, *Profession, Code, and Ethics*, 210.
[138] Juris and Feuille, *Police Unionism*, 4.

The Chief Constable's Association of Canada (CCAC), later the Canadian Association of Chiefs of Police (CACP), was established in 1905 as a national forum for the articulation of professional concerns.[139] Marquis has distilled the history of the organization into four distinct themes: technological development, politics and law enforcement, the growth and implementation of practical criminology, and the advent of professionalism.[140] The relationship of the CACP to the police union movement is considered in the context of its mandate to dictate the nature and trajectory of Canadian policing and professionalism from the top down.

The same factors that contributed to the Winnipeg strike – unemployment, soaring inflation, poor working conditions, and an ideological dispute over the future of capitalism – also compelled police workers across Canada to act. Beginning in 1918 and peaking the year after, police unions began to pop up around the country. The chiefs, civic managers, and other leaders in the justice system were less than enthusiastic about a new authority in police administration. In fact, when the Trades and Labour Congress of Canada began to grant police-union charters, it represented a subversion of the established authority of the chief of police and the "greatest internal challenge to date faced by police managers."[141] As discussed above, Marquis highlighted the important police strikes in Montreal, Toronto and Winnipeg as key indicators of how fundamentally police union action could challenge the social fabric.

This was especially concerning for organizations structured on obedience and adherence to bureaucratic rules.[142] The concept of unionized membership was anathema to the military model that had been adopted as the organizing principle for police services in North America. At the annual CCAC convention of 1919, Attorney General J.R Boyle of Alberta

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[139] Marquis, *Policing Canada's Century*, 5.
[140] Ibid, 7-10.
[141] Ibid, 116.
[142] Marquis, "Police Unionism in early Twentieth-Century Toronto," 111.

compared police strikes to military mutinies and suggested that disobedient police were a threat to democracy.[143] Notwithstanding this inherent tension and the clumsiness with which the military analogy was somewhat thoughtlessly grafted onto civilian institutions,[144] police managers within the CCAC and the average police officer on the street shared some of the same occupational concerns.[145]

In contrast, Toronto's rank and file harbored an entrenched dislike and distrust for their superiors. The authoritarian and paternalistic style of police management in Toronto at the turn of the century, buttressed by a lasting admiration for the military tenets of the British Army, naturally irritated a rank and file further displeased by a slew of unpopular policies such as ordering men to work far from their homes and timing their beats while on shift. While the rank and file believed in certain reforms as a way to improve pay, conditions, and increase the autonomy of the average constable, management believed that an increase in discipline and the overall standards of the police force would usher in a new age of professionalism.[146] It was this impasse and fundamental difference of opinion about the future of Canadian police services that caused rank and file police to seek unionization during the labour revolt of 1917-1919. While press, public, and other factions of organized labour expressed a degree of sympathy for the goals of rank and file associations (including the few formal unions), the CCAC

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[143] Marquis, *Policing Canada's Century*, 120.

[144] The history of police forces in North America is replete with examples of how policing has been tied to service functions and social support as much as it has pseudo-military deployment in the 'field' of their jurisdictions. While the ultimate recourse of lethal forces marks the police as a special group in civic administration, they are not the military and should not be theorized as such. In his classic tome, *Big City Police*, Robert Fogelson (89-90) discussed the illogical application of the military analogy and the problems this created in terms of detaching the police from the public they served. This also had the effect of narrowing police function to one of crime fighting at the cost of public service. Later stages of reform in the guise of professional efficiency, crime prevention, and community policing have all sought to mitigate some of the damage caused by the cleaving of the police from society in this manner. For information on the historical social service functions of the Canadian police, Marquis' article "Working Men in Uniform" is a good starting place.

[145] Marquis, *Policing Canada's Century*, 115.

[146] Marquis, "Police Unionism in early Twentieth-Century Toronto," 111.

was convinced that "the organization of trade unions by constables, particularly in light of recent events, was nothing less than a threat to the constitution." Indeed, the CCAC considered police unionism an affront to the principles of civil authority and rule of law over which World War One had just been fought for the loss of almost 61,000 Canadian lives.[147] Moreover, it was supposedly un-British at a time when pride in the Empire was a central facet of Canadian identity, any challenge to which was also considered a threat to the foundational ideologies of western democracy.

Furthermore, despite recognizing that police union demands were generally reasonable and that in essence, some of the requested changes would be of mutual benefit, the CCAC still strove to throttle the movement before it took root. In fact, in the summer of 1918 a CCAC committee met with the federal Justice Minister to request legislation banning all such groups.[148] Despite the request falling on deaf ears – the federal government did not have constitutional authority over municipal and provincial policing – Justice minister Newton Rowell did propose an order-in-council that prohibited the RNWMP from organizing or joining unions. This move signalled that the RNWMP was being considered for a more assertive role as an agent of federal authority, even if their capacity to do so was limited at this time. This was a challenge to a system where most police organizations – especially in urban areas – remained under the authority of city or provincial government. Nevertheless, it suggested that the RNWMP and later the RCMP had been redefined as a more 'reliable' option with which to police labour and that it could be mobilized as much as an ideology as a physical entity. This shift was perhaps best articulated in the earlier decision to draft the RNWMP into Winnipeg

[147] Marquis, *Policing Canada's Century*, 119.
[148] Ibid, 117.

alongside the 2000 'specials' who were sworn in at short notice by the Police Commission when the regular force was summarily dismissed for its perceived disloyalty.

More importantly, this change presaged the transition of the RNWMP into the RCMP in 1920 with a newly defined national mandate.[149] This had significant implications that transformed their original purpose as agents of Canadian expansion and security in the west.[150] In late 1919, Commissioner Bowen Perry argued that given their recent participation in strikes across the nation, municipal police forces could no longer be trusted where labour disputes were concerned: he argued that the "best interests of the nation would be served by extending the jurisdiction of the RNWMP to all of Canada."[151] According to Horrall, "Ottawa showed that it was prepared to assume powers unto itself when questions of national security arose. With the creation of the RCMP it gave itself a capability of enforcing that authority."[152] That being said, the new RCMP was a relatively small force. Much of their work was focused on intelligence gathering and dissemination to their political masters, rather than local policing which largely remained in the hands of the municipal forces.

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[149] Up until 1920, the RNWMP competed for attention (predominantly in security and intelligence matters) with the Ottawa-based Dominion police, originally established in 1868 to protect the buildings of parliament. The Dominion Police gradually expanded throughout the 19th century and absorbed national concerns such as fingerprinting. Further, they coordinated and enforced the War Measures Act during World War One, successfully carving out their own mandate as a federal agency of some importance. When the RNWMP began to develop their security and intelligence functions during the 1910s – with labour subversion a central focus – the two agencies were effectively working at cross purposes that were not fully reconciled in Ottawa. Accordingly, Commissioner Bowen Perry saw an opportunity to protect the future of the Mounties and recommended to Prime Minister Borden that a newly-formed RCMP should absorb the Dominion Police. He successfully argued that this would eliminate the inefficiencies of maintaining two competing intelligence agencies and thus on February 1st 1920 the RCMP absorbed the Dominion Police and in so doing secured its future as the principal federal law enforcement agency in Canada. See Horrall, "The Royal North-West Mounted Police and Labour Unrest in Western Canada, 1919," *The Canadian Historical Review*, for further info.

[150] Carl Betke, "Pioneers and Police in the Canadian Prairies," in *The Mounted Police and Prairie Society*, ed. William M. Baker (Regina, SK: Canadian Plains Research Centre, 1998), 32; R.C. Macleod, *The North-West Mounted Police and Law Enforcement 1873-1905*. (Toronto: University of Toronto Press, 1976), 3-8.

[151] S.W. Horrall, "The Royal North-West Mounted Police and Labour Unrest in Western Canada, 1919," *The Canadian Historical Review*, 61, no.2 (June 1980), 188.

[152] Ibid, 189.

Notwithstanding this reality and the fact that the RCMP did indeed expand to embrace this role with considerable gusto that secured its position at the head of a still limited system of federal policing,[153] their work was not without sympathy for 'the policed.' In 1906, for example, the RNWMP were called to deal with a burgeoning conflict in Lethbridge, Alberta. As in most strikes, the Lethbridge incident originated with a dispute over pay, hours, grievance procedures, and union recognition. In the spirit of the era, management at the mine refused to negotiate and most of the miners walked off the job. Despite an "enormous" RNWMP commitment to the strike, William Baker has examined the actions of both sides to understand why so little harmful violence took place.[154] Part of the reason for this, he argued, was that in contrast to other instances of labour unrest, the Mounties had been connected to the miners for two decades. Further, the miners themselves were far more rooted in the community than was usual for a typically transient group; approximately half had invested themselves in the city by way of buying land, a home, and starting families.[155] In addition, while not a meeting of minds by any stretch – police were disinclined to genuine sympathy for the miners' plight and the miners retained a wary skepticism of the police – the Mounties did not appear to operate as labour bullies on behalf of the mine owners. Likewise, the strikers' actions ultimately support Baker's argument that they "accepted the authority of law enforcement."[156]

Just as the union struggle of the Saint John Police must be seen on a continuum of historical antecedents in the labour history of various municipal forces, the labour relations of

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[153] See Steve Hewitt, ""While Unpleasant it is a service to Humanity": The RCMP's War on Drugs in the Interwar Period," *Journal of Canadian Studies*, 38, no. 2 (Spring 2004), for an example of how the RCMP mandate proliferated in the 1920s and beyond.
[154] William Baker, "The Miners and the Mounties: The Royal Northwest Mounted Police and the 1906 Lethbridge Strike," in *The Mounted Police and Prairie Society*, ed. William M. Baker (Regina, SK: Canadian Plains Research Centre, 1998), 145-146.
[155] Ibid, 147.
[156] Ibid, 167.

the RCMP should also be tied back to the key incidents that mark their history. Steve Hewitt, for example, has challenged the conventional demonization of how the RCMP handled the Estevan miners strike of 1931. When the local miners went on strike in search of improved pay and work conditions from the owners of the Bienfait mine, the Mounties were mobilized to police the problem. On September 29th 1931, following confusion over possible unrest at the nearby Traux-Traer mine which spilt and thereby weakened the RCMP contingent, a parade through Estevan catalyzed a violent clash that left three men dead, allegedly at the hands of the police.[157] Hewitt argued that although individual Mounties might have lacked authentic sympathy for miners who were working in comparatively better conditions and for more money than the police themselves, they were not ideologically opposed to the miners' position.[158] In fact, the Mounties did not automatically side with mine owners and some NCOs on the ground argued that it was the owners who sought to foment violence as a way of ending the dispute in their favour. Finally, Hewitt argued that it was incompetence as much as malevolent state corruption that produced the violence which ended the impasse.[159] The scholarship of Hewitt, Horrall, and Baker, underscores how police-labour relations were predicated on more complex histories than has previously been acknowledged.

Evidence of this complexity is seen in the long-term ramifications of Minister Rowell's intervention in the post-Winnipeg restructuring of national security policing. Indeed, his actions during 1919 set in motion a philosophy that culminated in legal suppression of a potential RCMP union for decades (other federal civil servants were granted that right in the 1960s). This became more important starting in 1928 when the RCMP took over provincial policing in

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[157] Steve Hewitt, "September 1931: A Re-interpretation of the Royal Canadian Mounted Police's Handling of the 1931 Estevan Riot," *Labour/le Travail*, 39 (Spring 1997), 173-174.
[158] Ibid, 165-169.
[159] Ibid, 176-178.

Alberta and Saskatchewan. In addition to their other roles this gave them "a regular policing job to play on the prairies"[160] and their provincial sponsors a union-free police force.[161] Tellingly, it was only in January 2015 that the Supreme Court finally ruled in favor of the RCMP's application to unionize and owing to the glacial crawl of the legal system, as of early 2019 this objective has yet to be realized.[162]

From a similar perspective, Marquis has analyzed the political dimensions of the relationship between policing, labour, and the role of civilian oversight in the administration of Canadian justice. He suggested that during the era under review, political interference in police matters caused consternation for the rank and file and management alike. For the administrators, political and government intervention was either lacking or heavy handed; Canadian police leaders later complained that political meddling was an explanation for the upsurge in police unions. This strategy deflected blame away from their office and shifted accountability onto an issue for which they could declaim any responsibility. The unions, meanwhile, agreed that police issues had been neglected by the authorities. In contrast to police leaders, however, the unions complained that managerial restrictions on rank and file culture choked their autonomy and weakened policing from the ground up.[163]

The published literature suggests four important themes for understanding the context of police union and labour activity in Canada. First, that local, national and international events coalesced in ways that were conducive to the rise of labour activity during this era, including municipal police forces like Saint John. The global cataclysm of World War One disassembled the social, political, and economic structures that had previously stabilized the western world.

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[160] Hewitt, *Riding to the Rescue*, 136.
[161] The RCMP later expanded operations to British Columbia on August 15 1950
[162] CTV News, January 16 2015.
[163] Marquis, *Policing Canada's Century*, 120-121.

Second, the Winnipeg general strike demands our attention as the apogee of this process – not only did it occur shortly after the war, its roots are interlaced to a much deeper, nuanced history of Canadian labour. It also demonstrated that police officers were conflicted in their approaches to policing labour unrest, and this sometimes resulted in a rebuttal of their obligation as agents of the state. Likewise, the police strikes in Toronto and Montreal demonstrated that Canadian police officers were willing to take serious steps to force their agenda on management. More than anything else, however, it complicated the question of who spoke for the police and saw the rise of greater rank and file identity. In Winnipeg, Toronto, Montreal, Saint John and elsewhere in Canada, police sought to navigate the ambiguity of their own class position. This was further complicated during a period where violence and disorder called into question their role as neutral mediators in clashes which were often rhetorically inscribed as a battle over the future of Canadian society. Third, professional policing in the age of progressive reform was never truly defined and was therefore applied unevenly and often through the military model, which as shown was problematic in a civilian setting. In addition, the CCAC (and IACP) were fundamentally opposed to the idea that the average police officer could speak for the profession and strove to throttle expressions of rank and file autonomy. This approach caused police unionism to dwindle in Canada after 1918-19.[164] Finally, despite serving to establish the RCMP as a watchword for sometimes dubious intelligence gathering on organized labour and the political left and the supposed iron fist of public order policing, much of their work on the ground was more complicated and human than that popular characterization. This is the context for later discussion of how, why, and under what specific conditions the Saint John Police fought for unionization.

[164] Ibid.

Chapter Two

Policing Saint John in the Age of Progressive Reform, 1910-1920

The Maritimes of the late 19th and early 20th centuries were marked by a fragmentation of identity that was influenced more by local than regional or national concerns. In fact, despite the growth of international industrialism, which tethered every citizen to wider systems of economy that gradually eroded the craft industries and mercantile trading systems that dominated pre-industrial New Brunswick, Saint John was typical in placing its own concerns above those of broader regional or national interests.[165] That being true, the Maritimes and industrial Saint John were pulled into a wider web of financial and cultural influences that originated from outside the region, often the burgeoning business networks of Toronto and Montreal.[166] Greg Marquis has stressed that individual Canadian police forces like those found in Saint John and elsewhere in small and medium-sized communities were "inherently local in terms of governance and duties."[167] Accordingly, case studies must simultaneously consider the wider issues at hand, in this case the police union movement around the turn of the century and global changes in the structures of western society.

This chapter bridges the gap between the global, synthetic nature of the broad histories explored in chapter one and the local, more granular histories of Saint John during this period. It explores the important events that led the rank and file of the Saint John Police to seek improvements in their economic status and conditions of work. This chapter will begin with background context on Saint John, especially the role of ethnicity and class in civic decision making. Second, the advent of commission style government in 1912, internal

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[165] Larry McCann, "The 1890s: Fragmentation and the New Social Order," in *The Atlantic Provinces in Confederation*, eds. E.R Forbes and D.A. Muise (Toronto: University of Toronto Press, 1993), 120-124.
[166] Ibid, 125.
[167] Marquis, *Policing Canada's Century*, 3.

problems with the police force, and the street railway strike of 1914 (and police responses to that incident) are discussed because of their contextual and material importance to competing expressions of professional identity that produced the police union in 1919. Finally, this chapter considers the systemic challenges and personality conflicts that dogged the police force in the first two decades of the 20th century.

The Saint John Community and the Local Police Function

As the oldest incorporated city in what would later become Canada (1785), the site of one of Canada's first labour unions with the advent of the Laborer's Benevolent Association (1849), a critical winter port, the largest urban area in the Atlantic region (1871), and site of significant industrial and maritime growth during the 19th century, Saint John has a distinguished past. In his 1985 account of the pre-Confederation period, *Saint John: the Making of a Colonial Urban Community*, T.W Acheson wrote that "The major themes and tensions recurrent in colonial society at large were intensified in the city of Saint John because the city was the stage upon which the leadership of the new and old economies played."[168] Perfectly situated on an excellent harbour, the town was well positioned to exploit its potential as a site of metropolitan financial expansion through shipbuilding and ship owning, especially as a conduit for the rest of the Empire. Indeed, Saint John shared the fortune of other colonial outposts with ready access to timber trades[169] and its success was heavily dependent on the British market and its huge naval industry.[170] Progress, both human and financial, was rapid. Between 1824 and 1861 the population of Saint John nearly quadrupled to approximately

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[168] T.W. Acheson, *Saint John: The Making of a Colonial Urban Community*. (Toronto: University of Toronto Press, 1985), 23.
[169] Ibid, 3.
[170] Phillip A. Buckner, "The 1870s: Political Integration," in *The Atlantic Provinces in Confederation*, eds. E.R Forbes and D.A. Muise (Toronto: University of Toronto Press, 1993), 62-63.

38,000. In 1820 the Bank of New Brunswick received its charter to commence operations as a central meditator of both private and government finance. By 1838 and in combination with the recently established Commercial Bank, it was estimated that Saint John bank loans may have been equal to the entire trade of the Province.[171] Prior to 1867, Saint John "controlled the province's banking and financial institutions, accounted for half the province's manufacturing output, and employed half its artisans." Furthermore, entering the 1870s Saint John was the biggest urban centre in the region and "the most dynamic in British North America."[172]

Despite these early and to a certain extent, enduring successes – by 1891 Saint John was leading all of Canada in the production of brass, nails, machinery, rope and lumber – a series of misfortunes drained the city of its economic vibrancy. First, the collapse of the market for wooden ships in the 1870s destroyed the timber trade and forced merchants to sink more of their own capital into international carrying trades, thus limiting their capacity to invest in the local and regional market. Further, access to capital into the 1880s was strangled by an unsophisticated finance model that was dependent on expensive loans from chartered banks for both start-up and operating expenses. In a decade where the population of the Maritimes fell by 12.5% and that of Saint John's from 41,000 to 39,000, the portents were worrying.[173] Second, the Great Fire of 1877 left 15,000 homeless, gutted the city of 1,612 houses, and caused total damages of approximately $27 million.[174] Third, a failure to fully industrialize and retain control of its banking and financial industries created a series of structural deficits in its economy.[175] As such, the financial impact of the world-wide depression, over-investment and

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[171] Acheson, *Saint John*, 19-21.
[172] Buckner, "Political integration," 63.
[173] Judith Fingard, "The 1880s: Paradoxes of Progress," in *The Atlantic Provinces in Confederation*, eds. E.R Forbes and D.A. Muise (Toronto: University of Toronto Press, 1993), 83-96.
[174] Buckner, "Political Integration," 63-64.
[175] McCann, "Fragmentation and the New Social Order," 149.

production in the cotton textile industry, a peripheral location that increased transport costs, and the relatively limited size of local and regional markets inhibited the city's capacity for sustained growth into the 20th century. As it dawned on investors that the rewards outside of the region were more profitable, they understandably shifted their investment away from the Maritimes. External capital and its "metropolitan ambitions" undermined the stature of the city and by extension, the entire region.[176] Indeed, the increasing 'nationalization' of Maritime banking meant that capital fled the city to outside concerns usually headquartered in Toronto or Montreal. Between 1900 and 1910, ten of the thirteen banks operating in the Maritimes shifted operations outside of the region.[177] Furthermore, Colin Howell has demonstrated how the Maritimes were also marked by the "emergence of an international labour market and the changing nature of the industrial workplace [which] resulted in a sense of class solidarity and a resistance to new forms of managerial discipline." Indeed, between 1901 and 1914 an enormous 1,986,146 work days were lost through strikes in the Maritimes.[178] Much of this unrest was caused by striking coalminers, of whom Ian McKay has written "They were giants: when they marched, the region shook."[179] The integration and importance of coalminers and their union representatives to the identity of local communities was indicated by their funerals, where as many as a 1,000 people would be in attendance, along with a band and the fraternal Order. The unions continued to fight for the right to mark the loss of their brothers in this way, even in times of fiscal restraint.[180]

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[176] Ibid, 150-152.
[177] Howell, "Industry, Urbanization, and Reform," 164.
[178] Howell, "Industry, Urbanization, and Reform," 167-168.
[179] Ian McKay, "The Realm of Uncertainty: The Experience of Work in the Cumberland Coal Mines, 1873-1927," *Acadiensis,* vol. 16, no. 1 (1986), 3.
[180] Ibid, 53-54.

Naturally, economic and demographic turmoil of this kind created as many challenges as opportunities. For example, the successful economy of the first half of the 19th century attracted an influx of new, cheap labour that arrived mainly in the form of British and Irish immigrants, at least up until 1850. Marquis has correctly observed of this group that "Because Saint John experienced relatively little immigration after 1850, the population that arrived in the 1820s, 30s and 40s had the greatest overall impact."[181] By the 1890s, in contrast to other regions of Canada, "the Maritime provinces were largely overlooked by late-nineteenth-century immigrants."[182] In addition to the variety of economic problems discussed above, early patterns of British immigration created a large pool of generally unskilled labour that depressed wages for the lowest rung of society and seeded some of the underlying conditions that catalyzed unionization efforts a generation later, such as those during the strike on the Saint John docks in 1891.[183]

Many of the new immigrants who flooded Saint John during the first half of the 19th century were Irish, a group that despite being relatively well received and integrated up to 1828, eventually splintered into their respective Roman Catholic and Protestant communities after 1840 on the back of native unease, sectarian division, and widespread poverty.[184] Irish Catholics post-1850 were increasingly assertive in expressing their religious and sociocultural identity, much of which proliferated through investments in the built environment and the establishment of churches, benevolent associations, and temperance societies. This served to separate them from the Protestant majority and ultimately led to more Irish Catholics coming

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[181] Greg Marquis, "Saint John as an Immigrant City: 1851-1951," *AMC Working Paper Series*, December 2009, 14. Accessed on April 4th 2019 from http://community.smu.ca/atlantic/documents/Marquis190finalrevised72610.pdf
[182] McCann, "Fragmentation and the New Social Order," 141.
[183] Ibid, 146.
[184] Acheson, *Saint John*, 92-114.

into conflict with the justice system.[185] One could argue that this was an important shift that further disenfranchised an already marginal and economically depressed group. Moreover, growing tensions between the two groups served to enflame many later problems that called for an organized (and costly) response from the authorities.

Two examples highlighted by Acheson stand out: first, in the 1840s and 50s more than 80% of those housed by the provincial lunatic asylum were Irish.[186] This is a remarkable statistic even in respect of the fact that by 1851, 45% of the city had been born in Ireland.[187] Secondly, a marked increase in the frequency and severity of sectarian violence during the 1840s played a significant role in the establishment of a full-time police force in 1849, a decision which "symbolized the collapse of the old order."[188] While class conflict and ethnic tension were not the only reasons a full-time force was instituted at this juncture, it did stimulate enough unease to suggest that the old system of ward-based justice was too small, too personal, and too limited to address the wider, structural issues that plagued a changing society. Problems of this magnitude stimulated the transition from local aldermanic oversight to professional bureaucratic structures managed by the city.[189] Marquis has argued that although ethnic and sectarian tensions did not dominate the social landscape, they did have the capacity to fracture the working class.[190]

Furthermore, a rapidly diversifying economy enhanced the stratification of Saint John society. In turn, the intrinsic inequalities of nascent capitalism produced enormous contrasts between the great wealth of the merchants and the deep poverty of immigrant labourers, who

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[185] Marquis, "Saint John as an Immigrant City," 22-31.
[186] Ibid 95.
[187] Ibid, 13.
[188] Ibid, 214-229. Also see Marquis, "The Saint John Police Establishment," 59.
[189] Acheson, *Saint John*, 227.
[190] Marquis, "The Saint John Police Establishment," 62.

lived and worked in the dirt and squalor of the areas around the harbour.[191] Moreover, accelerating industrialization in the 1890s further increased social divisions along both class and ethnic lines.[192] In addition, increases in labour mobility and a greater integration into the international labour market in the 1910s bred a greater sense of class solidarity more resistant to managerial discipline rooted in progressive trust in scientific efficiency.[193] Accordingly, the decades that bookended the turn of the century presented the city with some of its greatest challenges, especially from a socioeconomic perspective.

In the context of the factors outlined above, between 1860 and 1890 the city's population stagnated and its economic output entered a period of relative decline. Indeed, although the annexation of Portland in 1889 bumped the population up to more than 40,000 people, the original city of Saint John contained less people than in 1871.[194] As per census data compiled in his 2009 work on *Saint John as an Immigrant City: 1851-1951*, Marquis tabulated Saint John's population for the period under review as 51,759 in 1901, 53,572 in 1911, and 60,486 in 1921, demonstrating a period of stagnation followed by a decade of growth.[195] This was important as the police force did not hire significantly more staff to deal with the population increase following 1911. As will be discussed later, successive chiefs complained about this perceived oversight; staffing in terms of both numbers and quality became a central issue of the administration. While shifts in demography were important to the composition and nature of the city, labour activity increasingly had an impact on the city and its police.

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[191] Acheson, *Saint John*, 246.
[192] McCann, "Fragmentation and the New Social Order," 142-143.,
[193] Howell, "Industry, Urbanization, and Reform," 166-167.
[194] Marquis, "The Saint John Police Establishment," 60.
[195] Marquis, "Saint John as an Immigrant City," 14.

Following the Labourer's Benevolent Association strike of 1875, the Saint John common council authorized the chief of police to hire three additional "special" constables to help manage potential unrest. Rank and file members of the regular force were understandably upset to learn that they were now earning less than both the strikers and the specials drafted in to augment their usual complement. Sensibly, the council recognized the inequity of the situation and awarded them a pay bump to offset any damage to morale.[196] As discussed in chapter one, policing labour was often a contentious and ambiguous process for police officers deeply connected to the communities they were expected to control. Beginning with Chief Walker Clark in 1890 and escalating with Chief Simpson in 1915, senior police administrators also perceived the structural limitations of their organization in the face of great changes to the societies they were tasked with protecting. Navigating this period as a police leader was a challenge.

In his 1973 memoir concerning his life in Saint John, military career, and tenure as chief of police (December 1930 – fall 1941), Lt.-Col. E. M. Slader considered the significant social, economic, and governmental changes of this period. *From the Victorian Era to the Space Age* is an appropriate title for the revolutionary changes in society and technology that occurred during his lifetime. Slader was both a participant and observer in many of the key incidents that marked Saint John between the end of the 19th and middle of the 20th centuries. As such, his memoir suggests how citizens of this era experienced, perceived, and contextualized events over time. For example, he recalled the city before electricity and the automobile – both of which would later serve to liberate and challenge police forces in equal measure. Toronto, for example, saw their first recorded death by automobile in 1907, auto theft became a separate

[196] Ibid, 66.

statistical category in 1916, and the eventual "adoption of the automobile changed in no small way the kind of work done by the policeman on the beat."[197] Connections of this nature show how personal observations of local changes can be tied to broader themes in the literature. Accordingly, Slader's account is a window into how residents of Saint John experienced the changes that were realized in the transition between the 19th century, outlined above, and the 20th century with which this report is predominantly concerned.

Slader sketched a picture of a bustling city where "river steamers… resembling the Mississippi craft" alighted on the banks of the Saint John river full of product bound for the wharves or warehouses of the 1890s.[198] Naturally, this created many of the problems endemic to increases in economic and social activities that unfold in public spaces. Interestingly, unlike Quebec City, for example, Saint John never instituted a river/harbour police and thus the men of the regular force were charged with containing the distinct energies of life on the water, which was busy and usually consisted of petty crime, drinking, prostitution, and deserting sailors.[199] The early years of formalized policing in the city were rough, and resistance to police authority and continuing ridicule while working the beat was an issue throughout the 1860s. This problem was made worse in 1860 by Chief John Marshall's force-wide directive to relinquish their firearms. This was a sideways nod to the gentleman tradition of their British forebears that was also intended to mitigate the "warlike" connotations of officers walking the streets of Saint John armed with cutlasses and cavalry pistols. In 1872 amidst a rash of assaults

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[197] Bill Rawling, "Technology and Innovation in the Toronto Police Force, 1872-1925," *Ontario History*, vol. 80, no. 1 (March 1988), 66-67.
[198] Slader, *From the Victorian Era to the Space Age*, 14.
[199] Alan Greer, "The Birth of the Police in Canada," *in Colonial Leviathan: State Formation in mid-Nineteenth Century Canada*, eds. Allan Greer & Ian Radforth, (Toronto: Toronto University Press, 1992), 26.

on his officers, Chief Marshall abandoned this goodwill gesture and the men were subsequently rearmed.[200]

As with most North American cities of the early 20th century, the policing of Saint John was dominated by drunkenness and a broad sprinkling of other public order infractions such as fighting and profane or abusive language. The following table, drawn from the annual reports of the respective chiefs of police, illustrates the number of police officers that were employed in Saint John for the decade under review, the total number of yearly arrests, and public order offences resulting in arrest:

Table 1 – Employment and Arrest Statistics for the Saint John Police Force, 1910-1920

Year Ending	Number of Officers Including Supervisors and Chief of Police (Patrolmen in Brackets)	Total Arrests	Arrests for Public Order Offenses Including Drunkenness[201]	Public order Arrests as a Percentage of Overall Arrests (rounded up from nearest decimal)
1910	40 (28)	1576	1047	66%
1911	44 (32)	1744	1287	74%
1912	44[202]	1617	1169	72%
1913	41 (31)	1609	1111	69%
1914	45 (30)	1626	1006	62%
1915	49 (35)[203]	1549	925	60%
1916	49 (36)	2291	1384	60%
1917	51 (28)	1424	714	50%

[200] Marquis, "The Saint John Police Establishment," 62-63.
[201] The author has interpreted this to include offences such as Disorderly Conduct, Abusive Language, Breaking Windows, Breaking Doors, Hollering and Shouting, Fighting, Breach of the Peace, and Acting Suspiciously, for example. The author has attempted to ensure there is consistency with the type and spirit of the offences tabulated under the general category of public disorder and Drunkenness.
[202] Clark did not supply this number as part of a statistical overview, rather he commented in his report for the year ending 1912 that he wanted forty-four suits as "summer clothing for the entire force." See PANB, Report of the Chief of Police, Microfilm F284.
[203] By the time of Chief Simpson's first annual report for the year ending 1915, the term patrolmen had been replaced by constable.

1918	51 (27)	1289	558	43%
1919	52 (29)	1587	889	56%
1920	52 (31)	1786	1033	58%

The sudden drop in the ratio of constables to total police employees after 1916 is explained by the introduction of an increasing number of specialized positions. For the year ending 1917, for example, while only 28 constables were listed, a "Deskman," "Mounted Man," seven "Traffic Men," and a "Police Matron" were also employed by the force. Policewomen, however, were yet to be employed in a regular capacity by the end of the decade, a reminder that the force was far from fully modern at this time. Nevertheless, the increased specialization of police functions was a marker of early stage professionalization and further emphasizes the transition in focus from the administration of Clark to that of Simpson.

Serious and violent crime resulting in arrest was rare in Saint John during this period, with common assaults, resisting the police, vagrancy, and petty theft dominating arrest statistics. More serious crime included a spattering of murders over the decade, five robberies and two attempted robberies during 1914, fifteen instances of cutting and wounding in 1915, forty-four cases of break and enter during 1916, two episodes of shooting with intent in 1918, and a series of violent threats in the year ending 1919. The categorization and definition of crimes also shifted over the decade, especially following Simpson's arrival in 1915, which does make direct comparisons more difficult. Nevertheless, it is possible to read patterns into the continuities that are present in the data. The extensive proliferation of minor public order arrests as compared to the small number of serious crime arrests is consistent with North American policing of this decade. Despite massive social and economic changes during the 1910s, crime in Saint John as indicated by arrest statistics is shown to be reasonably constant.

The year ending 1916 stands out as an anomaly – twenty-eight percent more arrests than 1920, the year with the second highest number of arrests for the decade – and this deserves further analysis which is outside the immediate scope of this report.

As discussed, public drunkenness was an enduring challenge for police officers of this generation. Indeed, before the introduction of prohibition in New Brunswick on May 1st, 1917, drunkenness was by far the most common problem for the Saint John police. In fact, 1916 saw the highest number of arrests for intoxication since the annexation of Portland in 1889, with a total figure of 1,216, which was 42.8% of total arrests. Following the introduction of prohibition, the number of arrests for drunkenness fell to a low of 506 in 1918 (39.3% of total arrests) only to creep back up to 851 and 953 (53.6% and 53.4% of total arrests) in 1919 and 1920 respectively. None of this had much of an impact on the size of the force, which as illustrated above was by staffed of 49, 51, 51, and 52 officers between 1915 and 1919 respectively. Although they were supported in their enforcement by a small number of liquor inspectors, city police still shouldered much of the burden in dealing with public intoxication and violation of liquor laws.[204]

The administration of policing was also complicated by the complete absence of a welfare state. This made it "a hard time for the unfortunate" who, usually without work, took "to the streets [to] play a hand organ and collect pennies in a tin cup."[205] In his analysis of the vagrancy problem in Calgary between 1900-1914, David Bright argued that transients were defined in society as a class of their own which subverted the economic ordering of Canadian society. Furthermore, he suggested that their perceived indolence was a challenge to the

[204] For a full assessment of how prohibition unfolded in Saint John, see Wallace, Higgins, and McGahan, *The Saint John Police Story, Volume 2: The Simpson Years, 1915-1919*. (Fredericton: New Ireland Press, 1992), 75-88.
[205] Slader, *From the Victorian Era to the Space Age*, 20.

dominant hegemony of the Victorian 'work ethic' as the single most important catalyst for social growth and improvement.[206] Conceptually, he considered the 1892 introduction of vagrancy as a section of the Criminal Code as a conscious effort to cast a broad net over the socially disenfranchised. Unsurprisingly, many of these street people could not afford housing and, with no system of social care, would sometimes turn to casual crime in order to support a meagre subsistence. In addition to cleansing the streets of the undesirable, Bright argued that police manipulated the vagrancy provision as a method of prosecuting labour radicals in 1912.[207]

While there is some validity to Bright's thesis, he largely ignored the fact that in addition to enforcing the law against the working class, police forces were also the last refuge of an immature system that was struggling with the transition from Victorian stoicism to progressive social care. This was as true in Saint John as it was thousands of kilometres away in a rapidly modernizing western city like Calgary. Marquis has argued that for the period between 1860 and 1890 the public service orientation of the Saint John police limited their desire or wherewithal to implement a crime fighting approach.[208] While the absence of a proper welfare system placed additional burdens on the police, the station became a critical site of final refuge for the socially disenfranchised.[209]

Prior to the introduction of comprehensive welfare systems now typical of the modern western world, many of which began to fully mature during the interwar period, police services

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[206] David Bright, "Loafers Are Not Going to Subsist Upon Public Credulence: Vagrancy and the Law in Calgary, 1900-1914," *Labour / Le Travail*, vol. 36 (Fall 1995), 41.
[207] Ibid, 51.
[208] Marquis, "'A Machine of Oppression'," 72.
[209] Marquis, "'A Machine of Oppression'," 73. By the mid 1910s, however, the large-scale protection of the destitute seems to have ceased. As per chief Clark's report of 1915 and Simpson's of 1916, recorded vagrancy had dropped to 12 and 20 incidences, respectively. See PANB, reports of the chief, Microfilm F-284 and F-285.

across North America acted as a critical safety net for the protection of waifs and strays cast aside by the rest of society. Marquis has observed that in 19th century Saint John the police facilitated this charity with a dual purpose of genuine care and to keep an eye on a transient population most frequently associated with crime.[210] Marquis' reading is more nuanced than Bright's and in the opinion of this author, more representative of how police officers negotiated the human aspect of their role.

At the same time as police officers tried to care for the less fortunate in whatever limited manner they could, they were becoming more vocal and suggested that their employers were failing to care for them. Without improved pay and stable working conditions, or a coherent sense of its own professional identity, a career in policing was not attractive. As explored above in reference to police unionization and the wider concerns of organized labour, protecting the worker was a central tenet of that movement. It reflected the fact that workers were vulnerable to the vagaries of life and that systems of care were yet to be properly established; accordingly, police officers started to push for an improvement to conditions of employment. These efforts were the baseline for the later submission of their demands to city hall as a coherent body of members seeking formal unionization.

The regular constables of the Saint John police understood their occupational and social vulnerability long before 1919. As early as December 31, 1909, twenty eight members of the force signed a seven point petition submitted to the mayor and aldermen of city council asking that they increase wages to match the cost of living. This action was congruent to wider labour issues that were prevalent across society during this period and police were deeply imbricated to the wider "challenges of urban and industrial life under capitalism."[211] In addition

[210] Marquis, "'A Machine of Oppression'," 73.
[211] Ian McKay, "The Stillborn Triumph," 193.

to asserting that present wages were "inadequate to provide them and those dependent upon them with a living," members also pointed out that by contrast with other Canadian police forces, they were working longer hours with less rest.[212] By making this request the police officers of Saint John suggested the future direction of police labour in Canada – better informed, more assertive, and cognizant of the economic precariousness of their employment. Although it is important that this document was signed by the regular men of the force and suggested a growing sense of solidarity and cohesion in forging their occupational identity, in many ways these requests were just echoes of what Chief Clark was asking for at the end of the 19th century. In fact, even at the outset of his tenure in May 1890 Clark "regretted that the force did not have a pension in place," asserted that his department was too small to deal with the demands of a growing city, and argued that the "hours on each shift were too long" for the efficient administration of justice.[213] Thus, the occupational and functional concerns of both the office of the chief and the regular man on the beat were strongly correlated. In fact, although separated by twenty years, their respective ideas are connected by a contiguous sense of occupational frustration and one must ask why such apparently reasonable observations fell on deaf ears. To that end this report turns to consider how a change in the structure of local governance further emboldened civic attitudes already resistant to police reform.

Saint John and the "Fight for Clean Government"

Changes in the structures of government were common during the age of progressive reform. As discussed in chapter one, this was a movement which sought to bring order, professionalism, and democratic ideals to the management of society between 1890 and 1920. In the United States, reformers were especially concerned with reducing the impact of machine

[212] PANB, RS427, *Minutes of the Common council of Saint John*, January 14, 1910.
[213] Wallace, Higgins, and McGahan, *The Saint John Police Story: The Clark Years*, 11.

politics, a system blamed for infecting civic administration (including policing) with inefficiency, incompetence, and widespread corruption.[214]

While Canadian police forces were considered more restrained and less ethically compromised than their American counterparts,[215] the social reform movement in Canada nevertheless embraced many of the same principles and employed much of the same rhetoric in order to push the progressive agenda. For example, the 1908 New Brunswick provincial election saw John Douglas Hazen's Conservative party sweep to power on a progressive mandate that embraced a more scientific and efficient approach to government.[216] The broad spectrum of reform ideologies appealed to a growing belief in modernity as an agent of both change and salvation, often through the application of business strategies that were beginning to find favor across the continent, including within the Maritimes.[217] In the final days of his campaign for election as Commissioner in 1912 (along with seventeen other candidates), Harry McLellan[218] went before the people of Saint John to state that "Wastefulness, profligacy, or favoritism in public expenditure is nothing short of criminal."[219] While exhortations of this nature were common to the principles that underpinned progressive reform, especially when it was typified by "a hard-headed faith in the efficient and 'scientific administration of the social

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[214] Fogelson, *Big City Police*, 49.
[215] For information on how the Toronto police of the 1880s compared favorably to their counterparts south of the border, see Nicholas Rogers, "Serving the Good: The Development of the City Police Force 1834-188," in *Forging a Consensus: Historical Essays on Toronto*, ed. Victor Russell (Toronto: Toronto University Press), 129.
[216] Ibid, 160.
[217] Ibid, 163.
[218] McLellan was a native son of the city, small business owner, and member of the Masonic lodge. Commentators observed that he possessed an "enterprising and energetic spirit" that drove him to an electoral victory with more votes than any other candidate. McLellan was installed on a four-year term, which was the term of office for all commissioners when the new system was implemented. See Wallace, Higgins and McGahan, *The Saint John Police Story: The Clark Years*, 95-96.
[219] Ibid.

system,"[220] McLellan was also appealing to the older idea of economy in civic government, which had previously experienced success with the election of Hazen's government in 1908.

In *Big City Police*, Robert Fogelson discussed how the corporate model came to dominate progressive thinking from the turn of the century. Enthusiasm for scientific management and the efficiencies associated with corporate organization were embraced by urban reformers who believed that the administration of North American cities was wasteful and far too personal.[221] Furthermore, there was growing consensus among supporters of commission government in Canada that the enterprise of city government had become "rotten" on the invidious practices of an aldermanic system that was considered easily corruptible and inefficient. For example, an 1894-5 judicial inquiry "revealed widespread bribe-taking among aldermen of Toronto."[222] To stop the rot, progressives "championed gradual social reform to extend democracy to the social and economic spheres through governmental planning, subvention, and the regulation of the economy for social justice."[223]

Government initiatives and the expansion of state services through new systems of civic control were fundamental to these changes. In their 1976 analysis of this period, H.V. Nelles and Christopher Armstrong refuted the common suggestion that all government reform was driven by a detached elite who reshaped the structures of civic control in a "drive to make the city more like a modern corporation."[224] While it remains true that progressive reforms usually included a shift towards the appointment of professional experts and a general emphasis on improving the efficiency of local affairs, Nelles and Armstrong argued that "urban

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[220] Howell, "Industry, Urbanization and Reform," 156.
[221] Fogelson, *Big City Police*, 53.
[222] Nelles and Armstrong, "The Great Fight," 53.
[223] Sullivan, *Work and Integrity*, 100.
[224] Nelles and Armstrong, "The Great Fight," 50.

reformers in Canada could not monopolize power" and were, in fact, "democrats despite themselves."[225] There are, of course, competing interpretations of how progressivism manifested in practice. Fogelson, for example, has argued that the philosophy of progressive reform was inherently *anti*-democratic in nature. For example, he asserted that it was largely predicated on the moralizing superiority of a well-to-do middle and upper-middle class elite striving to establish formal structures that would protect them, their property, and their values from the perceived dangers of a growing underclass.[226] Nelles and Armstrong, by contrast, claimed that the tangible impact was of potential benefit to the working class, and specifically so in the case of Saint John.[227]

Entering 1911, the Saint John council was comprised of Mayor James Frink (who served from 1910 to 1916) and seventeen aldermen elected directly from the city's wards. As aldermen were responsible directly to their wards – which according to Saint John's 1911 census population of 53,572 were populated by 3,151 people on average – some argued that this was rife for corruption. Ian McKay characterized the wards as "havens of bosses and liquor sellers" and they were also criticized for being inefficient on the basis that too many opinions led to muddled decision making.[228] Furthermore, Howell observed that newspapers like the Saint John *Standard* advocated taking power away from elected aldermen and placing it in the hands of businessmen who would be less prone to mixing civic affairs with party politics.[229] The earliest supporter of the change to commission government in Saint John was the Board of Trade who hoped that an increase in administrative efficiency and the advent of a

[225] Ibid, 51-52.
[226] Fogelson, *Big City Police*, 44.
[227] Nelles and Armstrong, "The Great Fight," 55.
[228] Ian McKay, "The Stillborn Triumph," 200.
[229] Howell, "Industry, Urbanization and Reform," 188-189.

"businessmen's government" would attract outside investment to the city.[230] Further, a citizen's committee comprised of a cross section of ethnic, religious, and labour representatives was formed to canvass the opinion of the electorate. Both groups put pressure on the sitting aldermen who understandably were unenthused at the prospect of losing their authority to make decisions on behalf of their wards. Eventually, concerted lobbying forced the aldermen to place the decision in the hands of a royal commission tasked with assessing the value of what McKay called the "most drastic model of urban reform."[231]

Commission government for Saint John was devised around the idea that a mayor would oversee four elected commissioners responsible for separate divisions of the city administration.[232] The basic structure of common council was retained but in an effort to drive more efficient management of the city, the proposal advocated that just the mayor and four commissioners would enjoy executive power.[233] While the aldermen remained in situ, their power was stripped away and their positions became somewhat titular. Walter Allingham, president of the Saint John District Trades and Labour Council, argued that holding five men accountable would be much easier than keeping an eye on seventeen. Furthermore, "working men were among the staunchest supporters of commission government in Saint John."[234]

During further discussion, the provincial government arranged a plebiscite on the issue and labour issues featured prominently in the debates that followed. Nelles and Armstrong argued that "organized labour chose to cooperate with the Board of Trade in promoting the plan because they regarded it as one means of democratizing government."[235] When the votes

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[230] Nelles and Armstrong, "The Great Fight," 54.
[231] McKay, "The Stillborn Triumph," 200.
[232] Nelles and Armstrong, "The Great Fight," 54.
[233] The four portfolios were Public Safety, Water and Sewerage, Public Works, and Public Lands.
[234] Nelles and Armstrong, "The Great Fight," 55.
[235] Ibid, 54-55.

were tallied on April 18, 1911, supporters of the proposed system celebrated a successful transition to commission government.[236] The following day the Saint John *Telegraph* ran a front page that read "Commission Carried By Immense Majority" of 3,893 to 1,647.[237] In addition, there was a collective sense in Saint John's labour circles that commission government provided the best opportunity for electing a working-class representative. Although that objective was not realized – Allingham finished fourth in the primary but was unsuccessful on election day – referendum and recall provisions were devised. The provision stipulated that if fifteen percent of the voters signed an application indicating their dissatisfaction with one or more of the commissioners, they could be recalled to a new election against fresh candidates.

Nelles and Armstrong argued that this was inherently democratic and a natural handbrake on any official who might overstep the boundaries of their mandate, another perceived boon to the working-class elector.[238] The provision proved crucial in 1918 when McLellan and Thomas Hilyard were subjected to recall and subsequently defeated during their controversial handling of the police union dispute. Furthermore, commission government enjoyed enduring popularity among the working class of Saint John, who maintained their support for the concept until other groups voted to abandon it in 1936. Contemporary commentators, however, complained that a recall mechanism activated by just fifteen percent of the electorate could be manipulated by minority voices. Indeed, this was a debate of significant importance that carried weight far beyond Saint John. In some circles, the notion of a recall mechanism was considered a challenge to the integrity of Canadian governance. William S. Fielding, Liberal Member of Parliament, former premier of Nova Scotia between

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[236] Turnout was 70% and commission government was approved by a count of 3,893 to 1,647. See Nelles and Armstrong, "The Great Fight," 55.
[237] *The Daily Telegraph*, April 19 1911.
[238] Nelles and Armstrong, "The Great Fight," 55.

1884 and 1896, and editor of the Montreal *Journal of Commerce*, argued that the future of democracy itself was at stake and that with the recall of McLellan and Hilyard the voters in Saint John had "grossly neglected the duties of citizenship."[239] Fielding also invoked the spirit of World War One to argue that minority leadership was dangerously autocratic and that the associated principles of organized labour in Canada, tarnished by their association to alien ideologies, were a threat to civilized society.[240]

Other jurisdictions in Canada echoed Fielding's concern about commission government for municipalities. For example, a 1912 royal commission in British Columbia formally rejected it on the explicit basis that it was not sufficiently democratic. More philosophically, various municipal experts considered commission government and its implicit adoption of corporate and authoritarian structures an affront to the heritage of British Liberty and parliamentary sovereignty. To those who shared Fielding's concerns, commission government was damned by its similarities to European and especially German systems of governance, which were admired for their efficiency but derided for their heavily autocratic and paternalistic erosion of individual autonomy. By 1914 the worst excesses of Germanic bureaucracy were being demonized as a dangerous and alien "Hunnish autocracy" with no place in the corridors of Anglo-Canadian governance.[241] Finally, some Canadian commentators such as Harry Bragg, editor of the *Municipal Journal*, argued that Canadian civic government was simply above the "dead level" of the business world.[242] In this manner, the battle over police unionization and the earlier shift to commission government in Saint John were connected to wider debates on

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[239] Wallace, Higgins, and McGahan, *The Saint John Police Story, Volume 2: The Simpson Years, 1915-1919*. (Fredericton: New Ireland Press, 1992), 121.
[240] Ibid.
[241] Nelles and Armstrong, "The Great Fight," 57-58.
[242] Ibid, 58.

the future of Canadian labour and the shape of western democracy in the second decade of the 20th century.

The Saint John Police – Rancour, Turmoil, and the Street Railwaymen's Strike of 1914

On the morning of May 7, 1912, Harry R. McLellan was sworn into office as the new Commissioner of Public Safety for the city of Saint John.[243] The candidates did not run for a specific office; the specific position of each commissioner with exact responsibilities was to be determined following the election.[244] Nevertheless, McLellan soon made it clear that despite various prominent citizens suggesting that as a political newcomer he consider the Water and Sewage Department, he had his eyes firmly set on Public Safety, responsible for police, fire, lighting, market and public buildings.[245] Almost immediately after taking office, he began a review of the police force. McLellan's electoral victory provided a position from which to exert significant influence over the police; this proved ominous for Walker Clark, who had been chief since May 23rd, 1890. The department suffered under the scrutiny of a man who, as discussed above, ran for office on a progressive platform that promised to enforce a program of "rigid economy."[246] Indeed, McLellan's plan to eradicate any perceived waste in the administration of public monies led to a protracted campaign of investigations, recriminations, and ultimately the resignation of Chief Clark himself in early January, 1915.[247] In a clear attempt to establish control over the police force, McLellan sought and was granted authority by common council to

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[243] Wallace, Higgins and McGahan, *The Saint John Police Story: The Clark Years*, 95-96.
[244] Wallace, Higgins and McGahan suggested that these decisions were made after casual conversation between the newly elected commissioners. Commission government was so new to the city that they had apparently neglected to establish a process for matching individuals to the most suitable portfolio. See *The Saint John Police Story: The Clark Years*, 96.
[245] Ibid.
[246] Ibid.
[247] For a full account of this period and the rather complicated machinations that bubbled under and around the police force during this period, see *The Saint John Police Story: The Clark Years*, 95-130.

commence an investigation into the department just two months after his election to office. This investigation drew strident conclusions from the 400 plus pages of testimony he accumulated.[248]

McLellan's more memorable accusations were punctuated with claims "that the men were absolutely ignorant of rules and regulations"; "that the Chief must be held liable for an attempt to shield his department from public censure;" and "that the Chief exhibited an utter lack of knowledge regarding the actions of the members of his force."[249] In his first annual report to the Common council for the year ending 1912, which was separate from his formal investigation but included reference to its findings, McLellan concluded that "It would not do for me to attempt, at this time, to make suggestions for the improvement of the Police Department, as they would be so numerous that it would make a very lengthy compilation."[250] Clearly, his ire was set and the battle lines had been well and truly drawn.

Among McLellan's proposed remedies for the perceived sorry state of the force was "A complete reorganization of the department."[251] Such reorganization would not come easily, if ever, and the impasse would prove ugly and entrenched. In fact, the battle would rumble on, bitterly and in public, between May 1912 and January 1915. For example, the November 18, 1913 issue of the *Saint John Standard* salaciously indulged in a blow-by-blow account of Chief Clark's response to accusations of corruption.[252] Their coverage of this single sitting of the

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[248] There were two investigations commenced on McLellan's direct request and a subsequent provincial inquiry by W.B Chandler, which dealt with direct charges submitted against Clark through the common council

[249] Wallace, Higgins and McGahan, *The Saint John Police Story: The Clark Years*, 103-104.

[250] PANB, microfilm F284. City of Saint John Annual Reports, *Report of the Commissioner of Public Safety*, 1913. It should be noted that McLellan was commissioner for Public Safety, which also included the fire department. None of my research has indicated any of the disorder and conflict between McLellan and the fire department that so typified his relationship with the police force.

[251] Wallace, Higgins and McGahan, *The Saint John Police Story: The Clark Years*, 104. He did not specify what this reorganization might consist of.

[252] *Saint John Standard*, November 18, 1913.

inquiry ran to more than three pages. A sense of confusion and discord pervaded the department during this period, especially at the higher levels.

Since the inception of the police force in 1849, common council controlled the size of the force, wages and conditions, and received applications for employment on which they made the final decision. The chief was responsible for the day-to-day administration of the force, including the discipline of his subordinates. Unlike the police forces in Moncton and Fredericton, however, the provincial government was responsible for the appointment and dismissal of the chief of police. Naturally, the city administration was concerned that the absence of "home rule" in this context fundamentally undermined the autonomy of local officials and vested power in a distant provincial body that was ignorant of Saint John's needs.[253] By December 1913 McLellan, motivated by his desire to remove Clark from office, had convinced common council to take drastic measures. Where the city needed to persuade the provincial government to amend legislation in order to grant council power over the appointment of the chief, McLellan introduced a resolution in council that sought to swerve around the legal roadblock. "Unanimously supported, the plan was to replace the police force with a local constabulary, which would be entirely under the control of the city."[254] Under obligation of provincial law, Clark would necessarily be retained as chief; but stripped of his entire force he would essentially become "a head without a body." Ultimately, the resolution was stalled by Clark himself, who secured an injunction from a superior court judge that blocked council's resolution to reduce the department to one man. Matters came to a head in January 1913 when the "city applied to the Supreme Court… to have Clark's injunction dissolved."[255] Days of legal wrangling eventually produced an act (passed on March 20, 1913)

[253] Wallace, Higgins and McGahan, *The Saint John Police Story: The Clark Years*, 59.
[254] Ibid, 105.
[255] Ibid, 108.

that vested authority for the appointment of the Chief of Police in the City of Saint John but *only* upon a vacancy occurring in that office.[256] Thus, Clark was entrenched in his position by an act of law and the conflict with McLellan was further enflamed by this contentious compromise.

In response, common council almost immediately approved McLellan's request for a second investigation into the police force, ostensibly designed to force Clark from office and finally deliver full control of the police force to local officials. Further embarrassment was inevitable and public dissemination of the allegations amplified its effects. Given the above, it is no surprise that the allegedly weak police response to the street railway strike in 1914 received significant censure. But how fair was this criticism, and to what extent did the processes that informed police behaviour as alleged on that day maintain or evolve during the 1910s?

As discussed above, Canadian cities of this era were relatively orderly and widespread breaches of the public peace were both quite rare and usually characterized more by drunkenness than organized violence. Saint John was entirely typical in this regard. For example, out of a total number of 1,626 arrests for the year ending 1914, the following can be categorized as a threat to the public peace: 841 were for being drunk, 52 for lying and lurking, 36 for disorderly conduct, 21 for breaking windows and doors, and 19 for fighting. For 1919, out of total number of arrests of 1,587, drunkenness accounted for 851, 27 for lying and lurking, disorderly conduct was not categorized as such, 11 were arrested for breaking glass, and only five for fighting.[257]

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[256] Ibid, 109.
[257] See PANB and the Annual Report of the Chief Constable, microfilm F284 and F285 respectively for further information.

A much more significant disruption was experienced during the New Year's eve riots of 1911; faced with a dangerous and deteriorating situation as street cars were damaged and the city placed on edge, police were called to keep order. Slader reflected that the inebriated crowd of revellers "transformed into a mob" and caused significant damage to streetcars and city-owned property.[258] Ultimately, the police drew their weapons but did not see fit to shoot, perhaps because they feared the ramifications of using lethal force. In fact, the main complaint of one citizen was not that individual members tasked with keeping order that night failed to act – indeed, he praised their restraint – but rather that only *two* men had been assigned to this duty in the first place: he observed that "The police force seems to be all right, but no force of men are of much effect unless they are properly captained."[259] The tone of his critique presaged McLellan's later rhetoric, when he asserted that "…the Chief was not conversant with the actions of the officers under him" and "is incompetent to direct such a department in such a manner as to meet with the hearty co-operation of his men."[260]

On the eve of the street railwaymen's strike, the police force under Chief Clark had a history of perceived poor performance which provoked the censure of citizens and the authorities alike. Moreover, McLellan was clearly motivated to use these failures as further ammunition to undermine Clark's leadership. William Chandler's[261] subsequent provincial investigation into Clark's conduct – stimulated by McLellan's second investigation and authorized by Common council – suggested that the antipathy between the two men was a

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[258] Wallace, Higgins and McGahan, *The Saint John Police Story: The Clark Years*, 92-93.
[259] Ibid.
[260] PANB, Microfilm F284, *Report of the Office of Public Safety* for 1912.
[261] Chandler was a Moncton lawyer appointed by Premier James Kidd Flemming to complete an investigation into Clark's conduct. The inquiry was initiated in March 1914 when council submitted an official complaint to the government and asked that they intervene. Many of the grounds for this complaint were drawn from McLellan's investigations into Clark's administration. See Wallace, Higgins and McGahan, *The Saint John Police Story: The Clark Years*, 122.

result of McLellan's desire to take greater control of the department.[262] It must have been abundantly clear to Clark that McLellan was deeply motivated to amplify any failures in order to justify his position on Clark's leadership. His and the department's actions during the railwaymen's strike have been criticized, both at the time and retrospectively. These perceived failings were used by McLellan to justify his position and finally force Clark from office.

During the early 20th century the routine operation of street rail services could be indicative of the smooth administration (or not) of the rapidly modernizing Canadian city, including Saint John. Just as the advent of conventional steam railway had a transformative effect on North American life during the 19th century and tethered the state to the idea of modernity and economic development,[263] the later innovation of street cars was also recognized as an important "symbol of civic progress."[264] Its introduction to previously distant areas of rapidly growing cities increased urban integration and suggested further electrification of an exciting, more comfortable future. Central to the progressive idea of the 'city beautiful,' electrified technologies such as street rail represented a quantum leap in standards of urban living.[265] Furthermore, street rail was important as transit for the working class to travel to work and became a central facet of these struggles, which often became militant and violent in the passions they aroused. This being the case, it is important to stress that the operation of street rail services was often a flashpoint at the centre of these conflicts. As early as the strikes of 1906, for example, the city of Winnipeg felt forced to call upon troops with machine guns to suppress the destruction of street cars in protest at the introduction of strikebreakers from the east coast.[266] During the general strike of 1919, normal operation of the street railway service

[262] Ibid, 129.
[263] Nerbas, *Dominion of Capital*, 5.
[264] Wallace, Higgins, and McGahan, *The Saint John Police Story: The Clark Years*, 124.
[265] Sullivan, *Work and Integrity*, 121-123.
[266] Bercuson, *The Winnipeg General Strike*, 6.

marked the start and end of the dispute.[267] In fact, the iconic image of the upturned rail car has become celebrated in art and culture. While these events are not directly analogous to what happened in Saint John, they underscore important historical continuities that foreground this topic, for example the growing concept of consumer rights and the political backlash associated to public displeasure with monopolies and poor service, and the concomitant support for workers of these companies during strikes and lockouts.

In addition to changing the nature of urban life in the early 20th century, there is evidence to suggest that the interruption of street rail services was a yardstick for measuring the relative militancy of labour during union unrest. In Winnipeg, Crown Attorney Robert Graham argued that "If you can operate the street cars, the strike will collapse, as that will be the most cogent evidence that you have control of the situation."[268] Sympathy strikes in Moose Jaw and Vancouver also relied upon street rail workers as a key component in their strategy to destabilize the social order.[269] As such, the calculated interruption of street rail service was a blow to the organization of modern Canadian cities, including local governments and their police. As a powerful symbol of urban order, modernity, and civic control, the street railway systems of Canada functioned as physical and philosophical barometers for the relationship between a society and its masters. Accordingly, police, public, and local government responses to the street railway crisis in Saint John illustrate how this dynamic process unfolded in relation to local concerns.

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[267] At the denouement of the strike on June 21st, 1919, the assembled crowd flipped a streetcar form its tracks, smashed the windows, and set it ablaze. As a symbol of 'business as usual', labour activists felt that street rail could not be allowed to operate, or the integrity of the strike would be fatally compromised. See Kramer and Mitchell, 193.
[268] Kramer and Mitchell, *When the State Trembled*, 110.
[269] Kealey, "Labour Revolt," 30-32.

As observed in Winnipeg where the dispute arose from much deeper connections with labour activity, Babcock argued that in light of conditions particular to localized tensions between labour and management, the 1914 street railway strike represented a flashpoint for various factors germane to Saint John as a hotbed of union activity.[270] Indeed, there is evidence to suggest that the railway strike was not an isolated event but rather an extreme peak on a longer continuum of labour struggles. For example, in 1901 the Saint John Fabian Society was formed to address the perceived greed and market manipulation of the capitalists and advocated for public ownership of utilities and more respect for labour.[271] Later, in 1917, the high cost of living and struggle for union recognition produced incidents that were just as violent as those during the street railway strike. McKay recalled that before the end of a strike by plumbers and steamfitters, an employee's summer home was burned down, a man accused of strikebreaking was killed in the street, and several strikers were arrested for intimidation.[272] Each of these examples demonstrates that Saint John has long been tethered to class divisions that produced organized, systematic, and sometimes destructive responses from labour, their representatives, and their sympathizers.

Saint John experienced one of its more troubling episodes of civil unrest with the Street Railwaymen's strike in the summer of 1914, shortly before the outbreak of World War One. In the same way that its introduction elsewhere in North America improved the physical experience of urban spaces, street rail made the city smaller and members of every social class shared in a common sense of progress. In his 1982 analysis of this incident, Babcock explained that as an organization concerned principally with profit and deeply connected to the politics of

[270] Robert Babcock, "The Saint John Street Railwaymen's Strike and Riot, 1914," *Acadiensis*, vol.11, no.2 (1982), 10.
[271] Howell, "Industry, Urbanization, and Reform," 168.
[272] McKay, "The Stillborn Triumph," 219.

the period, the Street Railway Company was extremely unpopular with the average citizen.[273] As tensions between management and the workers escalated, the employees of the company began to consider how they might utilize the collective power of their labour in the face of perceived mistreatment. These interrelated and contingent tensions ultimately resulted in the formation of Local 663 under the wider umbrella of the Amalgamated Association of Street and Electric Railway Employees. The company retaliated by hiring a private detective to spy on its own employees and further antagonized the situation when they fired Fred Ramsey, the union president appointed just three weeks earlier.[274] By late Spring 1914 the stage had been set for the almost strike that commenced on July 24.

Despite little violence during the first two days of the strike, attitudes soured on news of strikebreakers and additional private detectives making their way from Montreal. In a parallel response to what occurred in Winnipeg in both 1906 and 1919, escalating tension brought about a violent conclusion to the conflict in Saint John: two streetcars were overturned and destroyed, every window in the traction company's office was smashed, and protestors poured cement into a dynamo, which cut power to the city and plunged it into darkness.[275] This was a significant incident which produced howls of contempt and disgust from the city's newspapers. They reported that the "veneer of civilization" had been pulled away to reveal the "primitive savagery" and "unbridled passions" of the city's residents.[276] In addition, total financial losses to the company were calculated at $15,560.[277]

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[273] For example, when the workers took their protest to the streets, many of the estimated 10,000 plus crowd stood beside them in moral support. See Babcock, 4.
[274] Babcock, "Street Railwaymen's Strike," 13.
[275] Ibid, 3.
[276] Ibid.
[277] Wallace, Higgins and McGahan, *The Saint John Police Story: The Clark Years*, 124.

Babcock has refuted the popular notion that 'mob mentality' galvanized the assembled crowd to behave in a manner anathema to their nature – an explanation Slader proposed[278] – suggesting instead that the Saint John rioters were selective and purposeful in their choice of targets.[279] Irrespective the nature and motivation of the unrest, any disorder that caused the mayor to ascend the fountain in Market Square to read the *Riot Act*[280] would usually stimulate a robust response from the local police. The evidence clearly demonstrates that this did not happen. Arguably, police inaction in the face of clear danger to life and property is a barometer for the state of the force at this critical juncture. Furthermore, it could also suggest a sense of sympathy on behalf of the police for fellow workers.

Babcock has argued that the "handful of police on duty seemed unable or unwilling to maintain control."[281] Likewise, Slader suggested that "The police were powerless… two were thrown through plate glass windows and all more or less mauled."[282] Indeed, despite Officer Fred Lucas firing off a total of five rounds from his revolver in contrast with 1911 (three as a warning and two in the direction of the crowd when they failed to disperse, injuring one man), he was ultimately disarmed and had to be rescued by a detective. The police drew back and the Royal Canadian Dragoons, mobilized at Chief Clark's behest via county Judge J. Gordon Forbes, were asked to disperse the crowd. As this unit consisted only of Lieutenant Hubert Stethen and six soldiers, Babcock characterized their actions as "one of the more foolhardy cavalry charges in the annals of Canadian military history" and it was met with shock and disgust in the newspaper reports that followed.[283] Slader considered the operation a "fiasco." Ultimately, a

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[278] Slader, *From the Victorian Era to the Space Age*, 47-48.
[279] Babcock, "Street Railwaymen's Strike," 4.
[280] Ibid, 19.
[281] Ibid, 17.
[282] Slader, *From the Victorian Era to the Space Age*, 45.
[283] Babcock, "Street Railwaymen's Strike," 17.

militia force containing Slader was deployed to quell the unrest and as they marched down King Street the "crowd melted and took flight in all directions."[284] Clearly the authorities shared a degree of culpability for the disconnected and erratic manner they responded to this crisis, but to what extent did the police react in a fashion consistent with their recent past?

The *Daily Telegraph's* front page ran the accusatory headline that that the police "Made No Serious Attempt At Preserving the Peace." Furthermore, much of page two was given over to repeating the concerns of the "respectable classes," who questioned the whereabouts of the authorities at the outset of the incident.[285] As part of his widespread inquiry into the police force, Chandler's review of this matter concluded that the police "wholly failed to deal with the situation," that an organized response by a decent number of men would have curtailed the disorder, and that Chief Clark "should have gone to the scene… and to have done something to get the policemen together… but apparently it never occurred to him to do anything of this kind."[286] Notwithstanding the issue of a critical lack of manpower and the chief's advancing years, Chandler was clearly deeply unimpressed by Clark's conduct during the crisis.

In mitigation of how the police struggled to quell the unrest, Slader offered this defence: "The police, as usual, received no assistance from the public in their attempt to protect life and property. It was impossible because of the lack of communication to concentrate any number of constables in any one spot."[287] For his part, Chief Clark defended himself on two occasions. First, during the immediate aftermath of the strike in his interview with a *Telegraph* reporter. Clark explained that initially he reached out to "Col. MacLean" and

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[284] Slader, *From the Victorian Era to the Space Age*, 47.
[285] *The Daily Telegraph*, July 24, 1914.
[286] Wallace, Higgins and McGahan, *The Saint John Police Story: The Clark Years*, 128-129.
[287] Slader, *From the Victorian Era to the Space Age*, 48.

then the sheriff but was unable to speak with either of them. In what one can only presume was a last resort, Clark eventually contacted Lieutenant Stetham via telephone at the local armory and requested the assistance of the dragoons. He also defended his decision not to go to the scene, arguing that he could not give instructions from the eye of the storm. Lastly, he asserted that "I am satisfied that everything was done that could be done."[288]

Chief Clark's second act of self-preservation took place in the pages of his annual report. In the euphemistic parlance of a seasoned administrator, the Chief called the riot a "regrettable incident" and argued that the event was neither predictable nor preventable. Second, he directly addressed his critics and suggested that the number of men at his disposal was "entirely inadequate for such a crisis."[289] Clark concluded in strident fashion by asserting that "I greatly deplore the disgraceful results… at the same time I attach no blame to myself or the officers under me."[290] Despite the passage of time Clark clearly felt justified in maintaining his rebuttal of the charges against him and his men. This being the case, why did he feel emboldened to do this, especially given the universal disapproval of how he and his force handled the riot? The answer lies in analyzing his annual reports for the years 1911-1915. In them Clark made numerous and repeated requests for the manpower, technology, and equipment he considered critical for the successful administration of the force. In doing so Clark was articulating his conception of police professionalism that will be addressed in chapter three.

Considering the state of the police force at the end of 1914 – rocked by the events of that year, newly tasked with the additional demands of a world war only just begun, and

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[288] *The Daily Telegraph*, July 24, 1914.
[289] Following further research, I have been unable to locate a record of the exact number of men on duty. On page 124, *The Clark Years* refers to a "handful of men."
[290] PANB, Microfilm F284, *Report of the Chief of Police*, January 4th, 1915.

seeking a new chief for the first time in almost a quarter of a century – it is not surprising that great challenges lay ahead. Entering 1915, however, there was little doubt that "the commissioner of public safety was the one in charge of the police."[291] The selection of David Simpson as an outsider most recently employed in Edmonton as the head of detectives was also telling. Indeed, his unfamiliarity with the city combined with the endemic skepticism of parochial natives – the *Standard* reported "vigorous opposition" to his appointment by Commissioner Frank L. Potts (Public Works)[292] – helped concentrate power in McLellan's office. Thus, the police had been conditioned by the events following McLellan's election and despite significant turnover and the hiring of a new chief, many of the systemic problems evidenced during the street rail strike would bleed over into the second half of the decade.

This chapter has discussed the period immediately preceding the organization of the Saint John police union in 1918/19. It considered the history of the city of Saint John to contextualize and situate the period under review. Close attention has been paid to how the shift to commission government in 1912 had a significant impact upon the strategic direction and oversight of the police force. The election of Commissioner McLellan catalyzed a reassessment of how policing would be conducted in Saint John and reflected wider shifts in how progressive reform was reshaping the focus and nature of government. The street railway strike of 1914 is indicative of how urban reform, labour history, and the administration of Canadian policing were comingled in a complex system of shifting interests and public crises.

[291] Wallace, Higgins and McGahan, *The Saint John Police Story: The Simpson Years*, 15.
[292] The *Saint John Standard*, January 16, 1915. It should be noted that Potts cast the lone dissenting vote. See Wallace, Higgins and McGahan, *The Saint John Police Story: The Simpson Years*, 9.

Chapter Three

Competing Expressions of Professionalism and the Saint John Police, 1910-1920.

Although what constitutes professionalism remains in dispute from both an historical and contemporary perspective, the literature discussed to this point demonstrates that the following tropes were usually present as it was applied to policing in the early 20th century: centralization of control in the chief of police under a pseudo militarized chain of command; the standardization of policies and procedures intended to limit police discretion; external pressure from progressive reformers to enforce the law as a moral corrective; trust in technology as a universally beneficial agent of change; the accretion of occupational authority under newly conceived representative bodies at the management level like the IACP and CCAC, to the detriment of rank and file autonomy; and, faith in bureaucracy and corporate methodologies as inherently efficient and therefore applicable to policing.

These are the factors by which professionalism, or more accurately, proto-professionalism, was experienced by the Saint John Police between 1910 and 1920. Given that police leaders, academics, and the rank and file alike have still not established a comprehensive understanding of professional policing, historical professionalism in policing was far too immature to be assigned a solid definition. The idea of proto-professionalism therefore delimits the obligation to fix historical policing to a single set of values; those listed above are reflective, not restrictive. In an age of enormous change and social flux, policing was organizing itself through a self-referential process that included the chiefs, civic management, and the rank and file. This chapter examines the culmination of these factors as 'change from below' in response to 'rule from above'.

Before conducting an analysis of the primary material at hand, it is necessary to pause and explore in more detail how the formal mechanism by which the Saint John police operated in the twenty years that preceded 1910. When Chief Clark took office on May 23, 1890, he was perceived as something of a reformer.[293] In 1902, for example, Clark issued a general order instructing his men to cease the practice of eliciting confessions through inducement, fear, or false hope.[294] This was genuine progress and illustrates how policing was becoming more professional during this era, and that the conduct of police officers on duty was the true measure of professionalism. In a similar fashion, Clark met with his men on his first evening as chief to establish expectations in terms of dress and deportment. He also advised them that regular drill was being instituted, that each officer was now expected to keep a daily log of his activity, and that pending the approval of common council, they would soon be provided with a police manual he had written.[295] As observed in chapter two, this last point would be an ongoing bone of contention and the failure of council to approve his manual undermined his mandate for the duration of his administration. In fact, Clark's authority was inhibited by a series of factors out of his control.

First, since the formation of the police force in 1849, common council had retained control over the size of the department and wages paid. Second, power to appoint the chief remained with the provincial government. This was especially relevant when McLellan agitated for Clark's removal; rather than simply lobby council for Clark's dismissal, he was forced into a concerted and fractious campaign at the provincial level to engineer his demise. Third, in 1901 the provincial Board of Public Safety drafted a set of regulations for the "General Government of the Police Force of the City of Saint John," among which pay, hiring conditions, and an order

[293] Wallace, Higgins and McGahan, *The Saint John Police Story: The Clark Years*, 26.
[294] Ibid.
[295] Ibid, 11.

that the force should not consist of more than thirty-five men were the most contentious. Importantly, and confusingly, caveats were inserted that granted authority to both the chief of police and common council. For example, point number seven asserted that "Members of the Force are to obey at all times to conform to and obey all orders promulgated from time to time by the Chief of Police which are not inconsistent herewith." And on the other hand, point number eight suggested "These orders and regulations may be changed from time to time at the will and pleasure of the Common council."[296] Thus, the board of safety crafted an incoherent set of orders and regulations intended to bureaucratize and rationalize the administration of the police force without conferring the power or clarity required to do so. As such, subsequent conflict between the office of the chief, common council, McLellan, and the regular members of the police force was inevitably difficult to reconcile.

As observed by Wallace, Higgins and McGahan, Clark's tenure as chief was also marked by continued civic frugality. The years 1890-1900 were especially difficult as the city struggled with rising debt and heavy taxation. The city fathers were understandably concerned with municipal spending and targeted the police force for significant cuts. They tried to cut the force to twenty-eight men, fought to eliminate more expensive senior positions and, bizarrely, attempted to prohibit the chief from leaving the city without explicit permission. They also refused to cover the cost of a telephone at the chief's home until 1901.[297] Many of council's decisions around this time created a ripple effect with unforeseen consequences. For example, their refusal to grant sick pay in accordance with a Board of Public Safety recommendation inspired the incorporation of a Police Relief Association in March 1900. With twenty-nine founding members, the fund collected monthly dues that were used to support disabled

[296] Ibid, 25.
[297] Ibid, 20-21.

officers when they were unable to work.[298] One might consider this an early signpost on the road to the unionization of the Saint John police, and especially important as it represented an expression of occupational solidarity and cohesion that was difficult for external actors to suppress.

In general, the stewardship of the police force by common council was a critical factor in how the department conducted its affairs. This was true even after the shift to commission government, when the power of McLellan's personality further complicated the administrative confusion of this system. Moreover, the events of the two decades leading up to 1910 are evidently connected to the period between 1910 and 1920, when many of the decisions made in the preceding era continued to have an impact on the force.

As shown in chapter two, the records of the common council of Saint John are a rich source of evidence for exploring the important events of this era.[299] Conflict was often laid bare before members of council and there appears little artifice with how plainly and often passionately debates were presented before the men of these chambers. Thus, many of the documents under review can be read as authentic accounts of what was occurring in the city at this time. As with any significant or meaningful ideology or zeitgeist, certain buzzwords tend to encapsulate a sense of the wider movement. 'Efficiency' was a progressive byword for the execution of formal responsibilities in a modern and professional manner. For example, Clark's report for the year ending 1910 cites the implementation of a "Police Signal System and Patrol

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[298] Ibid, 21.

[299] Using official reports as the basis for much of this analysis presents a methodological challenge. Clearly, official reports can be created to present a false or flattering impression of their authors and the work discussed therein. Indeed, they can conceal as much as they reveal. Nevertheless, where progressivism and professional police reform were part of a programmatic attempt to standardize operations – all of which required bureaucratic documentation – official reporting is valuable because it was an exercise in the idealization of agendas. Therefore, formal reporting can be read as an authentic representation of how the respective parties conceived of their role in this process. While their operational realities might have differed wildly from their philosophies, this only demonstrates how official reports can be used to hold people accountable to a concrete version of their ideas.

Wagon Service as most essential for the welfare and efficiency" of running the department.[300] While it undoubtedly made sense to introduce a system that would afford the public much quicker access to a means of calling for help, especially as this system was being implemented across North America, Clark failed to provide evidence that supported his request. Vollmer, for example, convinced the town of Berkeley in 1906 to install the first red light alarm system in North America.[301] In 1913, Winnipeg invested in the Siemen's alarm-telephone system and by the early 1920s, Vancouver's signal system was dealing with an extraordinary 200,000 calls per year.[302] These advances vastly reduced officer response times since before the introduction of motorized vehicles to policing, officers walked large beats somewhat randomly and had no way of being reached aside from citizens stopping them on the streets. Flashing light systems and call boxes provided officers with a primitive connection back to a central dispatch and/or indicated where in the vicinity an emergency call was coming from. In contrast, they also allowed management to impose more control on officers on the beat, who were now connected to their supervisors more directly than ever before.[303] Clark could have referenced this or other innovations in his requests to council and it is surprising that he failed to do.

As it was, Clark's first report for the decade did touch on other standard fare for this period. He made it clear that "duty well done" is the sole factor for "special consideration or advancement." While these sentiments are generically consistent with progressive values and occupational probity, they are rather empty echoes of broad values that should be organic to public service. Of more interest is Clark's reminder that the manual of regulations he wrote and submitted for printing in 1892 was still outstanding. This suggests that Clark was committed to

[300] PANB, Microfilm F284, *Annual Report of the Chief of Police* for the year ending 1910.
[301] Oliver, *The Father of American Policing*, 181.
[302] Marquis, *Policing Canada's Century*, 168.
[303] Ibid.

a process of standardization and bureaucratization long before internal disputes undermined his administration. Further, he claimed that the officers and patrolmen of the department shared in his frustration that the manual had failed to materialize – if true, this indicates how management and the rank and file were commonly interested in the collaborative improvement of policing.

In addition, adequate staffing remained a primary concern. In fact, Clark continued to demonstrate that the police force was worse off numerically than in 1890 and that "The City requires better police protection than is now afforded; the requirements are much too great for the present Force to adequately handle."[304] These observations appear prescient given the events of July 1914. He went on to suggest that an additional 10-12 officers were needed; this would have represented an approximately twenty-five percent increase in the force, which then stood at 40. It was not only Clark making these requests – on September 12, 1910, a member of the public wrote an exasperated letter to the common council asking that he be allowed to employ a police officer at his own expense. Also telling, perhaps, is that his communication was not considered in Council until the following February. While the name on the letter is unclear, his message is not: "the present Police Force… do not seem capable whether by reason of small number of them or otherwise to protect property in North Street in the City of Saint John… I am writing to ask for liberty to appoint someone at my own expense to… protect my property on that street."[305]

Clark's report for the year ending 1910 is also important for its reference to his attendance at the "Annual Convention of the Chief Constables Association of Canada" hosted in Vancouver, B.C. During this trip he was appointed President of the association, which he

[304] PANB, Microfilm F284, *Annual Report of the Chief of Police*, January 1911.
[305] PANB, RS427, *Minutes of the Common council of Saint John*, February 6th, 1911.

believed was a referred honor for the city of Saint John. He also participated in a variety of discussions that indicate the ideological leanings of Canadian policing at this time. For example, he listed "Undesirable Immigration" and "Anarchist" as the themes of two of the sessions. As noted in chapter one, these subjects were central to how western societies experienced the decade, firstly during the build up to and the duration of World War One and secondly during the labour crisis of 1918 and 1919. Clark's participation in a session on "The Most Efficient Way of Running a Police Department" also underscores that the managerial focus at the highest level of Canadian policing in 1910 was interlaced to progressive values.[306]

In his reports of 1912 and 1913, Clark returned to many of the same points. In 1912, for example, the "welfare and efficiency" of the department remained his central concerns but they also remained undefined, limiting his ability to make substantive changes. In terms of dealing with crime, he argued that strength in the "system, adequacy of numbers and integrity" of a police force increased its capacity to "effect prevention and bring about detection". But his rhetoric is absent further analysis other than to suggest that an uptick in arrests from 1,576 in 1910 to 1,744 in 1911 (just over 10%) was "made up largely by arrest for drunkenness" (see Table 1 and analysis above). He also argued that the police department would be automatically improved by the introduction of new technologies such as signal boxes, the telephone, automobiles, fingerprinting, and electrification, which in general saw a wide range of applications and were often cited as a means of achieving new levels of professionalism. No doubt Clark cast envious eyes in the direction of Moncton, which by 1908 had secured a patrol wagon, new uniforms and updated equipment for its police force.[307]

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[306] PANB, Microfilm F284, *Annual Report of the Chief of Police* for the year ending 1910.
[307] Wallace, Higgins and McGahan, *The Saint John Police Story: The Clark Years*, 80.

His arguments for investing in these technologies, however, lacked a sense of objective justification or statistical robustness; in fairness this was common to the era and indicative of how police usually lacked significant formal education, even those who operated at the highest level. Nevertheless, with the exception of arguing in his report of 1913 that every patrol box "is in a sense an officer on guard" and that the installation of such boxes would improve police coverage of a growing city, he was unable to demonstrate a tangible benefit for the proposed investments.[308] Clark did not explain how any of these changes would address increasing public intoxication, for example, which was much more a socioeconomic issue than it was a problem that could be solved by advances in the technology and efficiency of policing. As such, Clark's reports demonstrate that he did not establish a philosophy of coherent reform tied to the specific requirements of his department and jurisdiction; rather he sought common improvements which were assumed to be valuable in and of themselves. That is not to say that he was wrong to seek these changes, which generally were beneficial to the administration of policing, but his concept of reform is very much proto-professional in nature: reactive, assumptive, and short on evidence.

Further to the above, Clark's report for 1912 also hints at the growing tendency in policing to reject external criticism and proceed with enforcing law and order from the increasingly narrow perspective of the police themselves. Using the analogy of a citizen who demands immediate police action when a boy's ball breaks a window yet "considers it an impertinence" when police try to enforce snow clearance laws, Clark lamented the impossibility of reconciling the "infinite variety of clashing private interests and indulgences" that bedevilled the work of the average officer. In response, he suggested that "the work of

[308] PANB, Microfilm F284, *Annual Report of the Chief of Police* for the year ending 1912.

enforcing all laws and ordinance of the city, while they continue to be an obligation upon the police, will be pushed steadily forward."[309] Despite the tendency to turn inwards and away from external critique, by the end of 1913 his frustration with common council led him to side with the critics, about whom he remarked: "The citizens are calling day and night for police protection, and I am not in a position to give them what they reasonably ask for and expect."[310]

In the understandable disappointment and frustration plainly expressed between 1910 and 1914, Clark was really grappling with the complexities of his position, which were common to chiefs of police across North America. On the one hand, he was a leader of men and an internal disciplinarian tasked with running an efficient force. On the other hand, he was subservient to the commissioner of public safety and common council for the support he needed to meet public expectations. In addition, until the province relinquished the authority to appoint and dismiss the chief of police, both the common council and the chief himself were denied full clarity and autonomy of office. Thus, these tensions helped define his professional ethos, which was essentially committed to an unchanging template of reforms from a specific occupational context: a pension for long serving members, a manual of instruction, a police signal system, and additional manpower to police the city with greater efficiency and efficacy.

In his final report for the year ending 1914, shortly before he was forced to resign in early January 1915, Clark supplemented his usual concerns with a commentary on "Juvenile Offenders." As discussed with reference to Vollmer and Couzens, juvenile crime was a central focus of progressivism. From Clark's perspective it was "the most sinister" indicator for the future of Saint John (this remained an issue until the 1940s when Saint John finally organized a juvenile court, after which juvenile crime was still problematic). As with many police chiefs and

[309] PANB, Microfilm F284, *Annual Report of the Chief of Police* for the year ending 1911.
[310] PANB, Microfilm F284, *Annual Report of the Chief of Police* for the year ending 1912.

civic managers of this era – Vollmer and Couzens were atypical in their seemingly genuine desire to protect and rehabilitate youth – Clark blamed a lack of parental supervision and "lenient courts" for the exploits of "lawless youth."[311] Interestingly, the incoming chief was much more vociferous in his condemnation of how the justice system was pandering to young offenders. In his report for the year ending 1915, Simpson argued that "too many obtain their liberty on suspended sentence" and that given the high rate of recidivism following a first brush with the law, it should be a "necessity to make them fear the result of their crimes and give adequate punishment as a preventative."[312] As juvenile crime in Saint John continued to rise – 86 arrests in 1915 (5.5% of all arrests), 105 in 1916 (4.5% of all arrests), and a significant jump to 225 in 1917 (15.8% of all arrests)[313] – Simpson paid increasing attention to diagnosing the causes of the problem and recommending appropriate punishments.

The intensity and fervor of Simpson's interest in juvenile crime subsequently escalated in line with the statistical jump in arrests. In his report for the year ending 1916, Simpson wrote that juvenile offenders "obtain their liberty much too easily" and that "There is no doubt in my mind that the increase of Juvenile crime is attributed to this feeling of immunity from corporal punishment". Moreover, he felt obligated to defend his profession against the pitfalls of trying to rehabilitate rather than punish criminal youth, asserting that "Police officers have increasingly difficult tasks in holding down all forms of disorder on account of contempt for the law and its agents engendered by this atmosphere of feebleness in its enforcements." Furthermore, Simpson was extremely critical of the justice system, arguing that judges who "lavish a few soft words on these young criminals and thieves that infest our Police Courts is

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[311] PANB, Microfilm F284, *Annual Report of the Chief of Police* for the year ending 1914.
[312] PANB Microfilm F284, *Annual Report of the Chief Constable* for the year ending 1915.
[313] Statistics extracted from the *Annual Report of the Chief Constable* 1915 though 1917, the first of which was drawn from the Provincial Archives of New Brunswick, Microfilm F284. The second and third from Microfilm F285.

only, in my experience, adding fuel to the fires that are already fast covering the whole Dominion."[314]

By 1918, Simpson appeared positively irate at the increase in juvenile crime cited above, arguing that "amended legislation is necessary so that corporal punishment may be administered to such an extent as to be adequate as a preventative." Furthermore, he chastised the justice system for "coddling" young offenders and asserted that "the real deterrent, apart from committal to an Industrial or Reformatory school… is whipping." The absence of a juvenile court was also causing consternation with organizations outside the justice system, although they were lobbying the mayor and council to do something about it from a very different perspective. On November 21, 1919 for example, the Board of Trade submitted a letter endorsing the action of the St. John City and County Children's Aid Society, which was pressing the authorities to establish a juvenile court.[315] Likewise, on January 13, 1920 the St. John Womans' Council submitted a letter in which they argued that "the problem of handling the delicate subject of Juvenile Courts is one that has long confronted… those who are interested in the future citizenship of Canada." In addition, they argued that "this was a question of economy which must be faced and solved by business men," and that "A few dollars used to pay the salary of a far seeing person in the form of a juvenile judge would lessen amazingly the cost of maintenance of criminals of more mature years."[316] The letter concluded with an assertion that "we owe it to the children and ourselves to spare them to the memory and disgrace of a public police court experience which so often gives the final urge to a downward course." In their twin appeals to the efficiency of business practice and social

[314] PANB, Microfilm F284, *Annual Report of the Chief Constable* for the year ending 1916.
[315] PANB, RS427, *Minutes of the Common council of Saint John*, November 24, 1919.
[316] PANB, RS427, *Minutes of the Common council of Saint John*, January 13, 1920.

regeneration through the improvement of state administration, the St. John Womans' Council was clearly interested in using progressive reform as a vehicle for change.

Simpson, on the other hand, fulminated that the system should "Give them something to be remembered on their first trip, and in nine cases out of ten you will never see that boy back again. I am speaking from experience, as I have used the birch rod so successfully that I can vouch for its usefulness."[317] Simpson also lamented the attitude of the public in general, suggesting that in concert with the judges and police magistrates the whole system was "far too sentimental."[318] His solution? "What I advocate for the City of St. John is a Naval Training Ship." The chief's approach was out of step with many trends at the time. Simpson was born in Scotland and had been employed in policing since 1869 when he took his first job as a constable with the Kilmarnock police force. He later worked for another Scottish police force and before emigrating to Canada, and as a constable in England where he interestingly was employed in 1895 as a bodyguard for ex-Emperor Wilhelm II of Germany on occasion of his visit to the Earl of Lonsdale. Simpson was thirty-five when he emigrated to Canada in 1904, so perhaps his punitive stance was somehow informed by his experiences in the United Kingdom. Unfortunately, that is unknown.[319] In proposing a solution that used labour as both punishment and moral corrective – the assumption was that hard work and structure would correct the behavioural defects manifesting as criminal acts – the chief was advocating for a justice model

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[317] PANB, Microfilm F285, *Annual Report of the Chief Constable* for the year ending 1917.

[318] By this point, police magistrate the Honorable Robert J. Ritchie, who had a history of conflict with both the police force and the office of the chief, was coming under increased scrutiny. Ritchie, who ran the court with little regard for the opinion of the police – "I don't want to hear that policemen are sitting in judgement on what I do here. It's nobody's business but mine" – was by 1918 fighting to remain in power. It is unlikely he had little sympathy whatsoever for Simpson's opinion on the way he conducted his affairs. By July 1918, however, council had resolved to petition the provincial government for Ritchie's superannuation. It took another three years to achieve their aims but eventually, Ritchie retired after thirty-found years of presiding over the daily docket. See Wallace, Higgins and McGahan, *The Clark Years*, 82-90, and *The Simpson Years*, 101-104.

[319] Wallace, Higgins and McGahan, *The Saint John Police Story: The Simpson Years*, 9.

also under review in Calgary, where a more fluid and transient population created a significant issue with vagrancy (see chapter two). There, prison farms were proposed as sufficiently punitive, morally corrective, and an economic benefit through free labour.[320]

While neither of these proposed solutions were successfully implemented, they both speak to a facet of policing ideology that while disputed in some quarters, Simpson clearly embraced: punishment over rehabilitation. This was true even while police forces were still operating as a last refuge, wherein he observed "the neglected little ones may find rescue." Sympathy, however, was in short supply for those who reappeared before Saint John's courts, Simpson argued in 1918 that "it is time a move was made to exact punishment sufficient to control and prevent a recurrence of the wholesale robberies these young thieves are capable of committing."[321] Simpson's views on this issue opposed the stance of the St. John Womans' Council and Board of Trade, both of which were invested in the rehabilitative potential of an increasingly professional state.

Balanced against his generally conservative ethos, however, was Simpson's admiration for the Children's Aid Society, a largely volunteer organization operating on the principle of social uplift. The society appeared to support the work of the police and Simpson dedicated a significant portion of his report to thank those who contributed to "work of paramount importance… involving the conditions of about five hundred children."[322] For a city of approximately 60,000 people this was a not insubstantial figure. Moreover, it demonstrates how the traditional social service function of the police remained important during an era of progressive reform that was supposed to bureaucratize and standardize programs of social

[320] Bright, "Loafers are Not Going to Subsist," 52-53.
[321] PANB, Microfilm F285, *Annual Report of the Chief Constable* for the year ending 1917.
[322] PANB, Microfilm F284, *Annual Report of the Chief Constable* for the year ending 1916.

improvement. As such, Simpson's obvious distaste for the court system was mitigated by his appreciation for the work being carried out on behalf of children he considered truly unfortunate. His professionalism in this respect, while firmly rooted in an occupational reflex to condemn and punish transgression, is softened by his clear recognition that caring for children was a valuable if onerous aspect of early 20th century policing. Despite the inherent contradictions in Simpson's approach to police leadership, one might suggest that these reflect the contradictions of the era, when an increasing focus on the military analogy clashed with a diverse field of progressive agendas.

In general, Simpson's reports were significantly more comprehensive than Clark's. Accordingly, his professional vision was communicated with greater clarity and his complaints to council were better grounded in evidence to support his argument. For example, as early as April 23, 1915, Simpson, representing both the office of the chief of police and the regular members, submitted to council a lengthy document outlining his "desire to bring about a much needed improvement in pay and hours… which will have a lasting and beneficial duty."[323] This observation was predicated on research which led him to argue that Saint John's police officers were paid much less in comparison with similar police forces around Canada. Simpson also referenced the war and increased cost of living as significant factors necessitating a raise. Moreover, Simpson's complaint encompassed a broader perspective in his references to the Metropolitan Police of London and how additional hiring and increased pay rendered them "materially augmented to cope with war conditions."[324] He lamented that "in this city, no such

[323] PANB, RS427, *Minutes of the Common council of Saint John*, June 2nd, 1915.
[324] The 'Met', as they were known colloquially, had been a model and exemplar for police forces in the Anglo-Canadian world since their inception in 1829.

provision has been made" and because the country was at war, "many important additional duties"[325] had fallen upon the police.

In accordance with his later annual reports, Simpson used the early months of his tenure to complain about manpower, suggesting that even "under normal conditions the police of this city are numerically weak to the extent of at least thirty men." By the time of the budget debates of 1916, he had calculated that each officer was technically responsible for 310 more people in 1915 than 1911.[326] In his annual report for the year ending 1915 Simpson argued that with conditions "very much different to any other time in the history of the city, [and] with the extra duties which have fallen upon the police on account of the present European crisis… the Force is numerically weak to the extent of at least fifteen men."[327] One notes that Simpson had downgraded his estimation of how many extra men were required from thirty in April to fifteen the following January, perhaps indicative of council's resistance. Critically, however, and in contrast to the stagnation experienced under Chief Clark, Simpson also stressed that the police force had to improve the quality of recruits. Indeed, he argued that as an onerous occupation demanding greater "physical fitness, endurance, courage and general ability than is expected from the average artisan… it is desirable to attract the very best material…" In sum, he stressed that "I am compelled to point out that with the present rate of pay and conditions it is impossible to get men eligible for the police force."[328]

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[325] PANB, RS427, *Minutes of the Common council of Saint John*, June 2nd, 1915. Simpson never really clarified the exact nature of these additional duties. He did refer to work undertaken alongside the military police and an enhanced need for tight security around critical infrastructure, but he never verifies how this impacted his capacity to appropriately address regular policing issues. He seemed to take it for granted – perhaps rightly – that the war added an additional layer of work that produced an evident increase in work.

[326] For reference, each police officer (of any rank) conducted on average approximately thirty-two arrests in 1915. As per table one, the average was approximately 39 in 1911. This demonstrates that while the ratio of citizens to police officers rose, the number of arrests per police officer had declined.

[327] PANB, Microfilm F284, *Annual Report of the Chief Constable*, January 11, 1916.

[328] PANB, RS427, *Minutes of the Common council of Saint John*, June 2, 1915.

As with Clark's earlier claim that the rank and file shared his desire to organize and improve their work with the publication of the police manual, Simpson's comments on the need to improve pay and conditions were reflected in the demands of rank and file police officers during their struggle to unionize in 1918-19. Simpson, however, argued that although these improvements were critical to the professionalization of policing, their introduction was contingent on the gradual replacement of an entire generation of established patrolmen, the backbone of the force, who were considered unsuitable and inherently unprofessional. Thus, while the chief of police and the rank and file shared some of the same objectives, their motivations could be entirely divergent.

Simpson's formal reporting has significant implications for understanding the administration of policing in Saint John for it suggests two things. One, that Simpson had conducted a rational, evidence-based investigation into the comparative state of his force with respect to not just other policing agencies, but also the prevailing impact of the war; and two, he had diagnosed a critical weakness in the current system of pay and conditions (as seen this was common in all labour circles of this era) that fundamentally undermined any efforts to improve standards of policing in the city. With many qualified and eligible men fighting in Europe, and capable candidates at home seeking better employment in other positions, Simpson surveyed a depleted pool of applicants that did not meet his preferred standards. As an implicit disapproval of his force, which in general he defended and supported in the pages of his official reporting, Simpson was signalling that in order to conduct his vision of reform, the profession needed an upgrade through "a better class of applicants."[329]

[329] PANB, Microfilm F284, *Annual Report of the Chief Constable*, January 11, 1916.

In contrast to Clark, admittedly from another generation, seemed relatively pleased with the officers at his disposal and generally deflected any blame for poor performance onto the common council and their refusal to give him more bodies, Simpson clearly recognized that fully reformed and professionalized policing could only be achieved through the recruitment of what he regarded as better staff. His reports also touched on many of the common interests of the progressive police chief. For example, he lamented the absence of a telephone system for the Western Division, which had been relying upon the good grace of the local druggist for access to a telephone in this location (rectified in 1917);[330] lauded the usefulness of technology such as fingerprints and photography; argued that "Motor Patrol and Automobile are very much needed;" celebrated the successful implementation of prohibition and the subsequent drop in arrests associated to this legislation;[331] appended to his report for 1917 an entire supplement on the need for traffic police, along with handy hints for all road users and a statistical analysis of how car ownership in New Brunswick had ballooned from fourteen in 1910 to seven thousand in 1917;[332] strove to "uplift the force to a higher state of efficiency"; and, as discussed at length above, tried to use the status of this office to influence the protection, prosecution, and punishment of juvenile offenders.

Although Simpson's reports, which to some extent were aspirational rather than realistic, illustrate that his administration was well integrated with some facets of progressive reform, his conceptions of professionalized policing were defined by three central concerns. First, was his scathing indictment of how the justice system was failing both the youth of Saint John and the guardians tasked with curtailing their delinquent behaviours.[333] Second, were his

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[330] Ibid.
[331] PANB, Microfilm F285, *Annual Report of the Chief Constable* for the year ending 1917.
[332] Ibid.
[333] While this attitude was common among police, it was not typical of progressive reform in general, especially from the perspective of improving social justice for all.

opinions on police reform and staffing requirements augmented by examples from other jurisdictions. Third, was his recommendation that pay and conditions must rise to attract better quality applicants. As such, Simpson's articulation of professional concerns was better formulated and more comprehensive than his predecessor's. Although both men expressed ideas for reform that echoed rank and file concerns, Clark appeared to align himself to their objectives and sought improvements intended to uplift the existing administration. Simpson, by contrast, was interested in improving pay and conditions only to attract a better class of recruit in order to gradually replace incumbent staff.

Rounding out the decade in charge of the Saint John Police was John. J. Smith, a sergeant popular with the rank and file who was promoted to chief in January 1919 when Simpson left for an Inspectorship with the Saskatchewan Provincial Police.[334] Smith's reports do not contribute much to our analysis of this period. Finding that Simpson did not prepare a report for the year ending 1918, Smith submitted statistical information only and did not comment on any of the issues at hand. For the year ending 1919, Smith touched on matters of progressive and professional concern, but his commentary was brief and relatively neutral. For example, he asserted that "The Prevention and detection of offences committed by juveniles are the most difficult problems that the police and detective department[335] have to contend with" but he did not conduct a powerful critique of the justice system in the manner of Simpson. Likewise, he made a polite complaint about how the "strictness" of the provincial Prohibition act stripped patrolmen of their discretion as it "compels the Police to arrest all

[334] Wallace, Higgins and McGahan, *The Saint John Police Story: The Simpson Years*, 119-125.
[335] It is interesting that Smith chose to separate the (presumably) uniformed police and his detective division. This occupational divide has been of significant interest to many scholars of police history and therefore Smith's comment is worthy of attention with respect to early 20th century conceptualizations of how police forces were being structured. The specialization of different police functions is a mark of 20th century professionalism.

drunks found on the public streets." Finally, he made short statements on motor vehicle law, prohibition violations, and enemy aliens, and thanked local resident John H. Hamilton for his continuing good grace in allowing police to use his telephone in the continued absence of this equipment across the police network. Ultimately, however, Smith's reports do little to demonstrate that he was overtly concerned with the professionalization of policing, at least during the early stages of his tenure.

Harry R. McLellan and civic professionalism, 1912-1918

As discussed in chapter two, the allegations flowing from McLellan's first investigation into the day-to-day operation and overall administration of the Saint John police were an embarrassment for Clark's regime. McLellan argued in his report for 1912 that he was motivated by a "sincere desire to make any improvements necessary for the efficiency and welfare of the department."[336] Furthermore, he outlined a standard progressive agenda for change and argued that the central focus of his investigation was to determine whether a "system prevailed in the direction of the department, as would commend itself as being conducive to the necessary standard of efficiency required by such a department." As a businessman before his move into politics, it was unsurprising that he placed so much value on efficiency. On the mandate of his administration for 1912 he asked somewhat rhetorically, "What do citizens of this city require of members of this Commission? That they perform their duties or that they extend sympathy?"[337] This attitude was typical of how the business world

[336] PANB, Microfilm F284, *Annual Report for the Department of Public Safety* for the year ending 1912. Interestingly, one observes a contemporary echo in the 2019 'Vision Statement' of the Saint John Police Force, the first half of which reads "To be partners with the people of Saint John in enhancing safety, security and quality of life by enforcing the law and preventing crime." See http://www.saintjohn.ca/en/home/cityhall/protectiveservices/police/about/policeadministration/missionandvision.aspx

[337] PANB, Microfilm F284, *Annual Report for the Department of Public Safety* for the year ending 1912.

criticized civic administrations for operating on bloated budges that paid little attention to efficiency.

In contrast to Clark, however, McLellan did attempt to establish what this meant for a system of policing, for example "The capacity of the force for the prevention and detection of crime."[338] Furthermore, his investigation focused on a set of organizational values and individual skills that revealed his conception of professionalism in the age of progressive reform. He contended that hiring standards were far too low, extending to a cursory examination of the candidates physical standing only; the oft-requested police manual embedded in all of Clark's reports was actually a modification of the 1892 original, "too lengthy and bulky for practical use;" and that patrolmen had very little training and a concomitant lack of job knowledge; patrolmen had an "infinitesimal" amount of confidence in their superior officers; officers were blind to the performance of their subordinates and thus had an inverse belief in their ability and conduct; and that by failing to detect or curtail the poor performance of those operating on his watch, the Chief was completely ignorant of his force.[339] McLellan's opinions suggest that by the standards of a modernized, evolving, or progressively reformed police force in the era of early professionalism, he considered the Saint John police woefully deficient.[340]

In concluding his report, McLellan argued that his findings proved "the incompetency of the Chief," of police, "That the general efficiency of the Force is far below the standard

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[338] PANB, RS427, *Minutes of the Common council of Saint John*, November 11, 1912.
[339] Ibid.
[340] As an external reformer it is unlikely that his opinions were given much credibility by members of the occupation, who would have distrusted his opinions and viewed him as an outsider ignorant to the realities of their job. Marquis has observed that police officers of all ranks were deeply suspicious of whether any 'professional' reformer without a working knowledge of police work could truly understand the nature of their craft. See Marquis, "Police Unionism in Early Twentieth-Century Toronto," 111.

which should exist," and that "the Department is completely void of a proper knowledge of Police duty, and there is no system of discipline in dealing with, or in the promotion of men." In addition, he chastised the Clark for trying to "shield his department from public censure," thus suggesting implicit disapproval of the occupational reflex to turn inwards at times of crisis (which is typical of all professional bodies). Further to this, a final statement, handwritten and initialled by McLellan, was obviously added to the typed document sometime after the original was completed. It made dark allusions that the broken relationship between patrolmen and their superiors had caused such upset that "The system at present existing is largely one of espionage among members of the department." Failing to clarify what he meant by "espionage" – although one can only presume from his report that the alleged collusion and corruption he found endemic to Clark's administration justified this claim[341] – McLellan also argued the police were incapable of fulfilling their mandate or unwilling to do so. That is, they failed to exercise "their power and ability in the pursuit of criminals and others who violate crime regulations… made for the good government and peace of the community."[342] Thus, in addition to condemning the police force as a broken part of urban administration, McLellan was arguing that its fundamental limitations were hindering their capacity to serve the community. All told, he condemned a failed organization in desperate need of widespread reform. The question is, what did he suggest in order to fix it?

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[341] McLellan found it difficult to provide concrete evidence of formal corruption. The closest he came was when he enlisted the help of Detective William Sullivan of the Burns Detective Agency out of Boston. Sullivan, who was first employed by the city in late 1913 to investigate a series of suspicious fires, found police protection wanting and determined the cause to be the ongoing squabbles between McLellan and Clark. Sullivan took it upon himself to "test the integrity of these public officials," a process which led Clark to suggest McLellan might be bought. When McLellan reacted angrily to the attempted bribe and Sullivan identified himself, the ruse was turned back on the chief and his head was allegedly turned by the offer of a $100 kick-back if he greased the wheels of a deal for the sale of the market building. Nothing was ever proven but Clark's reputation was undoubtedly damaged by this episode. See *The Saint John Police Story: The Clark Years*, 118-122.

[342] PANB, RS427, *Minutes of the Common council of Saint John*, November 11, 1912

While the recommendations that followed his first investigation were rather vague and preliminary, during his Moncton address to the eighth annual convention of the Union of New Brunswick Municipalities in October 1913, McLellan had a platform to lecture on the topic of police administration.[343] Accordingly, he espoused a comprehensive manifesto for the conduct of police officers, and argued that the chief should be the central example and arbiter for these standards. Anchored by "the two capital D's in police work – Discipline and Discretion,"[344] McLellan described a set of professional principles that in some cases still echo in the ethical considerations of modern Canadian police forces. For example, he argued that where police officers had almost limitless discretion and lawful authority to use force when necessary, "if he oversteps the legal boundary in the slightest degree he is then answerable to the law."[345] Likewise, he linked the topic of police vigilance to the objective of preventing rather than prosecuting crime, a precursor to modern notions of community or preventative policing: "the police officer who keeps his beat free from crime deserves more credit than the man who only counts up the number of convictions he had obtained for offences committed within it." Furthermore, McLellan listed interpersonal skills that are now automatically expected of the public servant: civility, good temper, respect for others, and a sense of duty without being overzealous or "meddlesome."[346] It should be stressed that these traits were not a given in the blue-collar world of early 20th century policing; when Vollmer was contemplating his offer to become Berkeley Town Marshall in 1905 (population in 1910 of 40,000), his family reminded

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[343] Wallace, Higgins and McGahan, *The Saint John Police Story: The Clark Years*, 111.
[344] Ibid.
[345] This principle is now guided by section 25 of the Criminal Code and subject to scrutiny in the media every time a police officer uses force in a questionable manner.
[346] McLellan seemed to be harking back to Robert Peel's nine principles of good policing, upon which he founded the London Metropolitan Police in 1829. Many modern police services still cite Peel and consider him relevant to contemporary policing. The Ottawa Police Service, for example, under the 'Our History' portion of their website has a page dedicated to Peelian thinking: https://www.ottawapolice.ca/en/about-us/Peel-s-Principles-.aspx

him that policing – and by extension, police officers themselves – were a social disgrace.[347] While McLellan clearly shared in this sentiment and laid the blame squarely at Chief Clark's door, his proposed remedies were consistent with reform ideologies of the era and seem generally sound.

In fact, during his elaborations on the function and value of discipline, he made observations that echo contemporary views on good leadership. He argued that while discipline was an absolute necessity of policing that "distinguishes an organized body from a rabble… it should not be enforced by an habitually harsh, nagging or dictatorial manner." Moreover, possibly reflecting on what he perceived as the disconnect between Clark and the men beneath him, McLellan argued that "it is necessary to lead police officers by taking a personal interest in their work… and giving advice on their actions… and thus to inspire them with confidence rather than to drive them."[348] Despite this seemingly sensible approach to the principles of sound leadership, he was unflinching when it came to obedience to higher authorities, which he considered central to the efficient administration of policing

Michael Davis has observed that police forces have long considered obedience an important facet of pseudo-military virtue that helps define their operations.[349] In Moncton, McLellan argued that "Police officers should be impressed with the necessity of absolute obedience to all who are placed in authority over them, and the rigid observance of every regulation made for their general conduct." This he considered "essential to the existence of an efficient police force" and that "good conduct and cheerful submission" through absolute obedience to power and total adherence to policy was the only path to promotion and a

[347] Oliver, *The Father of America Policing*, 140.
[348] Wallace, Higgins and McGahan, *The Saint John Police Story: The Clark Years,* 111.
[349] Davis, *Profession, Code and Ethics*, 175.

successful career in policing. Furthermore, he stressed that the standardization of policing through regulations was "necessary for the purpose of ensuring uniformity in discipline, action, conduct, and appearance."[350] While McLellan's commitment to standardization through regulation was a common trope of progressive reform, his musings on obedience suggest a militarized approach to policing administration that clashed with his more liberal ideas on leadership and discretion."[351]

Given that these tensions have existed since the inception of uniformed policing, it appears McLellan was attempting to reconcile the business world to which he was accustomed with the rule-driven hierarchies inherent to policing. To some extent the position he took was deeply ironic, especially as he was seemingly untroubled by paradoxes in his personal ideology. On the one hand, for example, he witheringly characterized Clark "as autocratic as the Czar of Russia."[352] On the other hand, in the months that followed Clark's departure he was quick to argue that as commissioner for public safety he was solely responsible for the administration of policing in Saint John. Further evidence of McLellan's unconventional approach to police administration can be observed in the sad story of Frank O'Leary, who originally joined the police force in 1911 when he was twenty-one. When O'Leary was absent from the force for two days without giving reason, Clark found him unfit and chose to fire him. McLellan, apparently unmoved by O'Leary's lack of professionalism, or perhaps to thumb his nose in Clark's direction, almost immediately re-hired him as a special officer doing court duty directly under McLellan's supervision. Later that year O'Leary was shot and killed in the process of arresting

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[350] Wallace, Higgins and McGahan, *The Saint John Police Story: The Clark Years*, 111-113

[351] This is an important contrast, for as Davis has observed, balancing discretion with explicit instruction is a central challenge of general duty policing, where every interaction is unique and "there is no certainty, no single 'right answer', since (by definition) good judgment has no algorithm. See Davis, *Profession, Code and Ethics*, 181.

[352] Wallace, Higgins and McGahan, *The Saint John Police Story: The Clark Years*, 108.

John Braman, a local youth who had confessed to his role as part of a larger gang responsible for a series of recent burglaries.[353] Notwithstanding his untimely demise at the age of just twenty-three, the O'Leary story underscores the extent to which the already complicated administration of policing in Saint John was further destabilized by McLellan's election in 1912.

Evidence of McLellan's growing bravado and political confidence at this time was observed following the summary dismissal of Sgt. William Finley, a member of the old guard hired in 1892 who was dismissed in early 1915 by the new chief on McLellan's request. When news of Finley's dismissal reached the communities of Carleton and the North End where he had walked the beat with public support and some distinction, a delegation of religious leaders and businessmen called on the chief to ask for an explanation.[354] The recently appointed Chief Simpson meekly deferred to McLellan and argued that as he had only been in the city a few weeks, the commissioner was in a better position to respond. McLellan arrogantly rejected the delegation's questions by asserting that "I don't care. I am going to run the police department. I am at the head of it and I am going to run it."[355] McLellan, who effectively stood in for the new chief and spoke on behalf of the department, also insulted the deputation by declaring "I don't care about you." Clearly, his observations on the principles of measured leadership did not extend to the administration of his own affairs. In asserting his authority in such a brazen and aggressive fashion, McLellan was establishing a professional agenda that was grounded in the hardening stance of his political office. This was important to the battle over unionization, which commenced in September of 1918. When his personal autonomy and the associated integrity of local government were placed in jeopardy by the threat of unionized police, he

[353] Ibid, 122-124.
[354] Rev. W.R Robinson (pastor of Ludlow Street Baptist Church), Rev. H.E. Thomas (pastor of Carleton Methodist Church), W.D. Baskin (an ex-alderman and merchant), and J. Willard Smith (ship broker and merchant). See Wallace, Higgins and McGahan, *The Saint John Police Story: The Simpson Years*, 13.
[355] Ibid, 14.

completely rejected their proposal on the basis that unionization was inimical to managerial oversight.[356]

During his campaign for re-election in the spring of 1916, which also included a plebiscite on commission government itself, McLellan defended the system against rumblings that it "promoted oligarchy or constituted an unrepresentative system." As an important functionary and prominent symbol, his defence of the system was by association a defence of himself. He argued passionately that terminating commission government would be akin to "the civic tragedies which have in other cities marked the suppression of the people's civil rights." Furthermore, he argued that the electorate had a choice for the future of Saint John, asserting the vote was sufficiently important that "upon that issue rests the determination of whether this city is to go forward or backward."[357] By associating his candidacy to the values of progress and reform McLellan was asking the voters to put faith in his vision of modern, robust civic professionalism. Ultimately, his success on election night[358] contributed to the "Reaffirmation of Saint John's political system" and "ratified McLellan's control over the police force."[359]

From the early years of his tenure, McLellan had taken a serious interest in the composition, behaviour, and quality of the rank and file. He did this not only in terms of his scathing opinion on Clark's leadership but also as a critique of council and their unwillingness to invest in what he considered appropriate wages. This was apparent in late 1912 when he observed during the ongoing fallout of the Clark investigation that "you cannot secure brains or

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[356] Ibid, 108.
[357] Ibid, 26-29.
[358] McLellan won 2,697 votes, second only to Fred Fisher who won just 167 more. Commission government was endorsed against a return to ward government by a margin of 4,169 to 1,846. See the *Saint John Standard*, April 11 1916.
[359] Wallace, Higgins and McGahan, *The Saint John Police Story: The Simpson Years*, 28-29.

brawn without paying for it." Furthermore, he anticipated Simpson's later comments on the need of good men, arguing that "if you wish to make your police department efficient you must make the remuneration from the position worthy of the seeking of such applicants as you think necessary to make up such a force."[360]

McLellan's support for increasing wages to attract better candidates highlight two facets of his approach to managing the police force. First, he manipulated this situation to argue that even though a raise in pay was essential, Clark was incapable of managing the department along modern lines and therefore any funding for wages was contingent on the reorganization of the department, including Clark's removal from office. Second, it underlined how his concept of professional reform began to shift and crystalize throughout his long campaign to remove Clark from office; from the generally coherent and reasonable operational expectations he would present in Moncton, many of which could be applied in a contemporary setting, to the politically motivated entrenchment that began to define his tenure following Clark's departure, much of which was intended to increase his own political capital. Indeed, his obsession with efficiency and obedience show how his management of the police force was informed by dual pillars of progressive reform, at least from a rhetorical perspective, which informed his attempt to wrest control from the chief of police. In turn, this strategy enabled him to absorb the authority inherent to the military model of policing and assume the mantle usually reserved for the chief himself.

All told, McLellan's complicated and controversial pursuit of reform was much better aligned to that of Simpson, with whom he shared a seemingly authentic desire to upgrade policing. As discussed, however, this was very much conceived as reform from above with

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[360] Wallace, Higgins and McGahan, *The Saint John Police Story: The Clark Years*, 107-108.

McLellan calling the shots. The rank and file, who developed a sense of their own identity and recognized that social and political conditions were receptive to the organization of a police union, committed the ultimate subversion of the commissioner's credo: disobedience.

The Saint John Police Protective Association and the battle for unionization in 1918-19.

In early December 1913 the regular officers of the Saint John police lobbied common council for an increase in pay to offset growing inflationary pressure on their meagre wages. They argued that it had become "very hard to meet the necessities of life and to keep up a respectable appearance on our present salary."[361] This was a direct echo of the submission they had made to council in December 1909, where the same concerns about a living wage were respectfully communicated. Poor wages and an inability to get ahead had been plaguing the Saint John police for many years; as far back as the dysfunctional watch of 1842, the guardians had been struggling to make ends meet. Acheson observed that chaotic administration forced the watchmen into a hand to mouth existence and when the city fell into financial crisis and simply stopped paying them, "their families were reduced to the verge of starvation."[362]

Over seventy years later, the police of Saint John were likewise in crisis, albeit not quite as severe. In deference they did "humbly pray for your favorable consideration [to] grant us this small favor, which we so sadly stand in need of before Christmas."[363] In contrast with Simpson and McLellan, who perceived wage increases as a way to attract better men and lift the overall standards of policing, the existing police officers were more concerned with keeping their heads above the poverty line. As discussed above, the tacit approval of the wage increase

[361] PANB, RS427, *Minutes of the Common council of Saint John*, December 17, 1913.
[362] Acheson, *Saint John*, 223.
[363] PANB, RS427, *Minutes of the Common council of Saint John*, December 17, 1913.

that followed this submission was manipulated by McLellan in order to make it contingent on Clark's removal from office. The patrolmen were being used as pawns in the power struggle between the commissioner and the chief of police. Their very real and apparently authentic concerns were complicated by ongoing political chaos and this inhibited the power of their voice.

Turmoil of a different kind was experienced in early 1915, shortly after Simpson's appointment as chief when McLellan was asserting his authority. Turnover during the year was huge: thirty-four constables were appointed, seventeen resigned, and fifteen were dismissed (by Simpson with McLellan's support).[364] Further, between early February and late April, twenty-one special officers in plain clothes were hired to augment a regular force that was weakened by constant changes. Although a small number of this group were eventually hired as permanent members of the force, they were poorly received by the community. The injection of so many outsiders must have destabilized any sense of occupational solidarity that might have been latent within the rank and file. This was especially true when McLellan, and to a lesser extent Simpson, oversaw a series of transfers and demotions that precipitated the resignation of various "old stalwarts" and the necessary addition of the maligned specials. [365] Three years later, the situation would be very different.

By early September 1918, more than half of the Saint John Police Force began the process of formal organization as a union affiliated to the Trades and Labor Congress of Canada.[366] When McLellan and Simpson got word of their activities – conducted under the

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[364] At the end of 1914, the force was made up of forty-five members. See Table 1, drawn from PANB, Microfilm F284, *Annual Report of the Chief of Police* for the year ending 1914.
[365] See Wallace, Higgins, and McGahan, *The Saint John Police Story: The Simpson Years*, 10-12 for background on this paragraph.
[366] In the fallout from a police commission inquiry into their conduct during a riot against immigrant businesses, Toronto police announced their union in early October 1918. A four-day strike soon followed.

auspices of the Saint John Police Protective Association – they immediately rebuffed the idea as a threat to their authority. They also suggested that any association with an outside body was inherently incompatible with the administration of municipal services. William Fielding, discussed in chapter two with reference to commission government, called the police union a "very dangerous movement" and that the reasons "against an affiliation of a police force… with a trade union… are so clear that it is not easy to see how thoughtful people can view such a movement with approval."[367] One notes that while the men did acknowledge that war in Europe was underway and that the "the very greatest respect must be manifested by peace officers for the carrying out the laws of our country and for constituted authority," this did not inhibit the officers from pursuing their disruptive objectives.[368] Even in this context and under threat of termination within forty-eight hours, the rank and file did not back down. In an important first expression of occupational identity through unionization, more than two dozen officers appended their signature to a letter submitted to the chief on September 12.[369]

This document served two purposes. Firstly, it established that the men were intent on affiliating with the Trades and Labour Congress of Canada and that their resolve was unlikely to be easily broken. Indeed, they asserted that "We have, sir, acted cautiously in arriving at our decision and have deliberated seriously upon the result of our action." Further, they acknowledged the inflammatory potential of their actions and offered an olive branch: "We know, sir, that our position is so exacting that we will willingly submit to the heads of our department the constitution by-laws, rules and regulations governing our organization and if

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Police in Montreal struck in December that year. Police in Saint John were not acting in isolation but as part of a wider labour movement that included police as a particularly controversial element.

[367] Wallace, Higgins, and McGahan, *The Saint John Police Story: The Simpson Years*, 121.

[368] Ibid, 107.

[369] Ibid, 107. The author is unsure exactly how many men chose not to sign this document. The department had thirty officers entering the year so one can only assume a small number failed to do so.

there be therein anything that might be reasonably construed by such heads as conflicting with the proper discharge our duties as police constables we are prepared to submit to a proper adjustment of the objectionable provisions."[370] In addition to suggesting an open discourse on the nature of their organization, it is clear the patrolmen were seeking to define the context of future discussions by using *their* mandate as the basis of that process. These statements underline that they understood the gravity of their position, the probable ramifications of maintaining their stance, and that to achieve anything meaningful, driving an agenda on their terms was going to be vitally important.

Secondly, and crucially, the letter shows how the men thought about the nature of their craft and how unionization might challenge predominant notions of how the profession should operate. For example, they assured that they were "firm in our attitude that we will always regulate our conduct in all matters with regard that we are a body of men sworn to perform properly the functions of the office police constables." Moreover, they appealed to the interests of progressive reform, arguing that "We are simply taking steps to organize ourselves, and we believe it will operate towards bettering the efficiency of the department." Furthermore, echoing McLellan's Moncton speech, they were at pains to communicate that "we are ever ready to obey just, fair and reasonable commands of our superior officers so as to preserve law and order in the community." Finally, they promised an "honest effort to act prudently and in strict accord with the duties incumbent on police constables" and "We realize to the fullest extent that at all times our first duty is the protection of citizens and their property, irrespective of class."[371] Given the total reorganization of the department following

[370] Ibid, 107-108.
[371] Wallace, Higgins and McGahan, *The Saint John Police Story: The Simpson Years*, 107-108.

Clark's departure, one can only assume that unionization was also perceived as beneficial to job security, especially as policing was in the process of becoming a more viable career choice.

As a set of collective values, the carefully constructed rhetoric of the patrolmen's letter conformed to the relatively broad consensus around police professionalism of this era – organized, efficient, rule-governed within the existing hierarchy, enduringly obedient, and anchored to public service. While their ideology of reform may not have differed fundamentally from that of general police reform, their attempt to organize as a union affiliated to the TLC was a threat to the established administration of policing in Saint John. The men were fired upon failing to withdraw and the battle entered its critical phase. A telegram of support from their peers in Hamilton, who were simultaneously embroiled in their own push to unionize, reminded the dismissed officers that they were part of a wider movement.[372] Their hastily assembled replacements were drawn in part to the opportunity by a simple advertisement in the *Saint John Standard*: "Wanted for police service immediately. Thirty men, ages twenty-five to forty… Send applications with copies of three testimonials to the undersigned. D.W. Simpson. Chief Constable."[373]

When the common council finally agreed to meet with a delegation of the local Trades and Labour Council in mid-September 1918 to discuss the ongoing furore, Commissioner Hilyard (Water and Sewerage) asserted in conventional fashion that "This was not a labour question, for a police force was more of a military than a civil organization."[374] By contrast, Commissioner Fred Fisher tabled a motion that McLellan be relieved of his position, arguing that the police force should be allowed to organize and affiliate themselves to the TLC. Fisher

[372] Ibid, 108.
[373] The *Saint John Standard*, September 21, 1918.
[374] Wallace, Higgins and McGahan, *The Saint John Police Story: The Simpson Years*, 108.

remained the only dissenting voice and the common council resolved to endorse McLellan's argument that a unionized police force was an undemocratic subversion of civic oversight. The council's position and that of the majority of the commissioners was thus entrenched. A surprisingly neutral Board of Trade – as a business institution they were seldom pro-labour - suggested that the police be given a hearing before a conciliation board. This powerful body could have worked against the police but recognizing the seriousness of the dispute they displaced their responsibility onto a third party and as such maintained a middle ground between council (who at first rejected the idea of conciliation) and the police association.[375] When Hilyard made an ill-advised comment linking Canadian unionization to German propaganda, the confrontation between the city and its police generated wider interest.

The city's other unions were upset by the prospect of the police union having its charter denied, with one labour supporter arguing that "The charter for the police hangs on the wall… If it is pulled down other charters might be hauled off."[376] The Labour Council formed a committee comprised of delegates from each sector of the local union movement and subsequently tabled a motion that called on the city to reinstate the dismissed policemen within twenty-four hours. Once this had been formally rebuffed, the labour groups formed a second committee solely designed to mobilize the electorate and recall McLelllan and Hilyard, whose anti-police union stance had come to define their administrations. Indeed, McLellan was vilified by his opponents as "the Kaiser of St. John" and as one who should be replaced by someone more sympathetic to the labour movement.[377]

[375] Ibid, 109.
[376] Ibid.
[377] Ibid, 107-111 for the full narrative account of this period.

One of McLellan's responses to the increased scrutiny of how he was handling the crisis was to advocate for and pursue an increase in police wages "motivated solely by a desire to afford the citizens of St. John the necessary amount of police protection they were entitled to." He also suggested that the police force suffered by failing to retain good men and argued that "The employee of any civic department cannot be expected to pursue a philanthropic course towards the city." Although McLellan was no doubt motivated by a degree of self preservation and the expedient demands of the situation, his support for appropriate pay and the value of efficiency were consistent with his earlier expressions of proto-professionalism. For example, he argued that "In order to secure a maximum of efficiency in police work, it is necessary that the members of the department are interested in their work, and realize that brain as well as manual labour must be performed."[378]

His opponents were unimpressed by McLellan's rhetoric. John Thornton (manager of Consumers Cordage Co. Ltd.) and John B. Jones (registrar of births, deaths, and marriages) commenced their campaign by arguing that McLellan had treated the police under him not as citizens "but as slaves… humiliated by the Commissioner on many occasions." By contrast, the calm and studious language of the patrolmen discussed above was indicative of a group treading very carefully onto new ground. As the turmoil of the recall election reverberated around Saint John – the December 28 issue of the *Daily Telegraph and Sun* ran a substantial article about the public meeting held to canvass the thoughts of McLellan and Hilyard shortly before the election[379] – the fired patrolmen were effectively sidelined until the recall vote.

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[378] Ibid, 111-112.

[379] Of note was McLellan's off-colour comment about Joseph Dryden, an antagonistic member of the crowd of whom he stated: "There is one: it's a pity the Germans didn't get more like him." The *Daily Telegraph and Sun*, December 28, 1918.

McLellan's final hurrah as Commissioner was what amounted to his 'stump speech' at the Imperial Theatre a few days before the recall vote, which was essentially a contested referendum on whether to endorse the sitting commissioner or replace him with his opponent. In defence of his tenure and justification of his stance on the proposed police union, he was unbowed: "Understand me well – I have no brief against labor but in this issue I have and am still objecting to the principle of members of a police force being affiliated with trade and labor unions." He also addressed rumours that if he and Hilyard were to be re-elected, organized labour would conduct a general strike in solidarity with an as yet unofficial police union. To this he responded, "I cannot credit such nonsense" and concluded by urging the electorate to see through what he considered the "clumsy and transparent" strategies of labour that he suggested were designed to engineer an artificial crisis on the coattails of the police association.[380] The voting public was unconvinced and after McLellan and Hilyard were subsequently defeated following the recall election on December 30, incoming Commissioner of Public Safety John Thornton reinstated the dismissed men several days later.[381] The electorate had effectively signalled that they wanted the council and civic commissioners to reconsider their position on the policing crisis. As such, it was unsurprising when on January 7t, 1919 council passed a resolution for the dispute to be placed before the federal Department of Labour. The common council also asked for a Conciliation Board under The Industrial Disputes Investigations Act to finally "settle the question at issue between the City and Police Association."[382]

[380] The *Saint John Standard*, December 28, 1918.
[381] Wallace, Higgins and McGahan, *The Saint John Police Story: The Simpson Years*, 118.
[382] PANB, RS427, *Minutes of the Common council of Saint John*, January 7, 1919.

The report of the Board of Conciliation and Investigation was certified in Ottawa on February 24 and it represented a victory for the police association, with some conditions.[383] The board recommended that the "Police Protective Association of St. John be permitted to retain the Charter which has been issued to it by the Trades and Labour Congress of Canada by which they are affiliated with therewith."[384] This recommendation was qualified by further instruction that the constitution and by-laws of the association be drafted and approved by a joint committee comprised of the association and Common council to guard against any "conflict with their duties as policemen." Further recommendations were made to "revise and amend the manual of rules and regulations for the government of the Police Department of the City of Saint John" and to reimburse each of the dismissed policemen for the period of their forced absence from work to the time of their reinstatement.[385] Despite some delays while council stalled on implementing the board's recommendations in the months that followed the decision, "at their meetings in July and August the Association resolved to print the constitution and bylaws in book form." Aside from the implementation of an eight-hour shift – which the common council considered financially ruinous should it set a precedent for the rest of the civic workforce – many of the recommendations approved by the joint committee formed to execute the board's decision were adopted into the "Constitution and Laws of the St. John Policemen's Federal Protective Association."[386]

Despite earlier demands that asked council to consider the liveability of wages and the general conditions of the job, this document was the first formally recognized expression of the

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[383] The board was composed of chairman, Colby Smith, Allan Wetmore from the Board of Trade on behalf of the city, and James Sugrue from the Trades and Labour Council on behalf of police. The final decision was certified by Gideon Robertson, Minister of Labour for the government in Ottawa.
[384] PANB, RS427, *Minutes of the Common council of Saint John*, March 18, 1919.
[385] Ibid.
[386] Wallace, Higgins and McGahan, *The Saint John Police Story: The Simpson Years*, 132.

occupational identity and internal standards of rank and file police officers in Saint John. As such it represents a carefully crafted sense of how the rank and file of the Saint John police perceived themselves in relation to the broader development of more professionalized policing in the early 20th century. The objectives of their Association were stated in two parts: "To bring the Police Department to a higher standard of efficiency" and "To get better working conditions for its members and to see that all brother officers get just and fair treatment." The first of these is concurrent to the general progressive ideals supported by Simpson and McLellan, both of whom had departed the city at this point.[387] The second suggests a newly emboldened rank and file keen to pursue improvements from the ground up, not the top down, and to likewise resist the imposition of autocratic pressure from above. Indeed, by defining their own working conditions the rank and file were establishing the formal boundaries of their practice. For example, the section on working conditions established a formal grievance procedure that should, in theory, have protected members from unfair management practices.

Although the joint committee left open the caveat that their recommendations were subject to sanction by the chief of police and commissioner of public safety, the following conditions were established: promotion based on seniority from within the ranks; a formal grievance procedure administered by a Board of Conciliation; the provision of modern equipment for all members before being sent on duty; relief from traffic duty for at least one hour per day; provision for sick pay for officers whether injured on or off duty; and fourteen

[387] Simpson resigned in December 1918 when he was finally successful in securing an Inspectorship with the newly formed Saskatchewan Provincial Police, a position he had been interested in for at least six months. In his resignation letter to McLellan, Simpson commented how he had always felt himself an outsider in Saint John. Further, he referenced the recurring elements of his platform for more professional policing – better salaries, a pension fund, and "the full cooperation of the Police Court," each of which he considered "necessary to keep a Police Force together with any measure of efficiency." See *The Saint John Police Story: The Simpson Years*, 113.

days vacation for those having served at least one year.[388] Organization as an affiliated union enabled the rank and file to flex their growing autonomy and pursue their own interests inside a formally approved framework. Further, it also stated that no strike "sympathetic or otherwise shall be resorted to under any circumstances provided both parties comply with the provisions of these sections."[389] The constitution of the rank and file thus standardized future relationships with management and council and guarded them against the worst excesses of those respective administrations.

The professional ideologies of chiefs Clark and Simpson, commissioner McLellan, and the rank and file grappled with how to improve policing from the standpoint of their own objectives. As discussed in chapter three with regards to professionalism, North American policing in the early 20th century was an immature occupation. In the early years of building occupational identity and establishing modern administrative practices in predominantly urban settings, police services were affected by the inherent tension between the military model and progressive reform. These tensions can be observed in how the chiefs, McLellan, and the rank and file expressed deeply related but critically distinct conceptions of nascent professionalism.

[388] Ibid, 136-137.
[389] Ibid, 136.

Conclusion

As indicated at the introduction to this report, research on the history of police unionization as a facet of occupational identity and professional development is sorely lacking. Furthermore, analysis of the rank and file police officer as a critical actor in the complex relationship between civic oversight, the office of the chief of police, and the communities they policed is largely absent. It reflects a wider trend in the overall historiography on municipal policing in Canada, which suffers from a lack of depth, diversity, and sophistication. This report has sought to address those gaps in the following ways. It has demonstrated through both global and local analysis how rapid and comprehensive changes to the structures of western society in the early 20th century produced conditions where crises such as the Winnipeg General Strike and Saint John street railwaymen's strike occurred. These incidents brought into focus questions of who controlled the police, how their mandate and operational objectives were formulated, and to what extent their class composition dictated the way they executed their responsibilities.

By extension, the unionization of Canadian police forces was an important chapter in how workers responded to the challenges of a rapidly diversifying economy, of which police officers were a complex and fluid group. This was apparent in their policing of labour militancy in cities across Canada, where the more nuanced historiography has demonstrated that police officers were not simply oppressors of labour. In many cases the police expressed either sympathy or outright support for the people destabilizing the environments they were directly employed to sustain. These factors were present in Saint John at the turn of the 20th century, when changes in the nature of the city, the shift to commission style government, and the street railway strike – a case study in the growing militancy of labour in general – were tied to broader shifts in the Canadian political and social landscape. Further, the election of

commissioner McLellan as a unique and powerful personality in 1912 complicated a system of police oversight that was already hamstrung by the dilution of local authority through provincial law. As a result, both the office of the chief of police and McLellan himself were frustrated in pursuit of reform. While the evidence demonstrates that each of these men pursued a distinct program that reflected their individual agendas, their collective efforts were part of a yearning for greater professionalization under the wider umbrella of progressivism, which was the underlying philosophy to which civic change was anchored. Complicating this process was the growth of rank and file identity, the culmination of which was the successful unionization of the Saint John Police as a local affiliate of the TLC between 1918 and 1919. This complicated the question of who could speak for the profession, which to this point had been the chief through his membership of the IACP/CCAC and to a lesser extent, ambitious civic reformers such as McLellan, who sought to control police on behalf of their sponsors in urban administration.

This report has shown how policing is often a nexus for a diversity of factors that manifest at times of crisis. This case study of the Saint John Police between 1910 and 1920 has demonstrated that police reform and professionalization unfolded during a period of enormous unrest from both a global and local perspective. As such, future research could use this model to explore how municipal police forces in Canada were both influenced by and responded to changes in society that shaped their service delivery. The relationship between a police force and its community is often reduced to crime statistics and official reporting, and this report is limited to an extent by a reliance on these sources. Further research should augment this methodology by using additional archival and newspaper sources, other available media and, if possible, the personal narratives and human stories of individual police officers to enhance the value of official reporting and secondary analysis. This is especially true of the rank and file,

whose story suffers from both a lack of source material and, crucially, a lack of interest in their contribution to the administration of justice since the inception of formalized policing in Canada.

In addition, there is much to write on the history of policing in the Maritime provinces. This is true in almost every context, from the individual police forces whose stories remain largely untold, to the structures of police management, training, oversight, and operational records within those organizations. There is ample scope to conduct further work on the relationship between the rank and file and their respective managers in both police forces and those employed within urban administrations, such as local councils and other structures of government. Policing remains an obsession of the general public and police officers who meet with crisis at the sharp end of that system are vilified, deified, and mythologized in equal measure. One of the roles the historian can play is to conduct appropriately sourced and nuanced research that demonstrates how systems of policing have evolved, why police officers act the way they do, and how we might improve service delivery in the future. This is the challenge in my next work, a history of the Atlantic Police Academy which will analyze how professionalized pre-police training was established in this region, review how curricula were introduced and modified over the last forty years, and assess the extent to which occupational culture has been shaped by that process.

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APPENDIX I

CURRICULUM VITAE or *CV*

Benjamin Thomas Griffin

Universities attended

University of New Brunswick, Fredericton: 2017-2019
Master of Arts in History.

University of New Brunswick, Fredericton: 2008-2010.
Master of Arts in English and Creative Writing.

Keele University, Staffordshire, England: 2003-2004
Master of Arts in American Literature and Culture.

Keele University, Staffordshire, England: 2000-2003
Bachelor of Arts (Hons) in English Literature and American Studies (minor fields in Contemporary European Politics and Chemistry).

Publications

Academic:

Book review in *The Fiddlehead* and two entries in the *New Brunswick Literary Encyclopedia* (online).

Creative:

My work has appeared in literary journals such as *Vallum* and QWERTY.

Conference Presentations

2018 - Orono, ME. UMaine-UNB International Graduate Student Conference. "From seizing pigs to seizing liquor: Canadian Municipal Policing and Law as Ideology from the mid-18th Century to World War II."