

University of Wollongong

Research Online

Faculty of Law, Humanities and the Arts -
Papers (Archive)

Faculty of Arts, Social Sciences & Humanities

2007

Breaking the iron collars

Rowan Cahill

University of Wollongong, rowanc@uow.edu.au

Follow this and additional works at: <https://ro.uow.edu.au/lhapapers>



Part of the [Arts and Humanities Commons](#), and the [Law Commons](#)

Research Online is the open access institutional repository for the University of Wollongong. For further information contact the UOW Library: research-pubs@uow.edu.au

Breaking the iron collars

Abstract

Review of Kevin Baker, "Mutiny, Terrorism, Riots and Murder: A History of Sedition in Australia and New Zealand", Rosenberg Publishing: Dural, 2006.

Keywords

breaking, collars, iron

Disciplines

Arts and Humanities | Law

Publication Details

Cahill, R. 2007, 'Breaking the iron collars', *Overland*, vol. 188, no. Spring, p. 94.

Breaking the Iron Collars

ROWAN CAHILL

Kevin Baker: *Mutiny, Terrorism, Riots and Murder: A History of Sedition in Australia and New Zealand* (Rosenberg Publishing, ISBN 9781877058493, \$29.95)

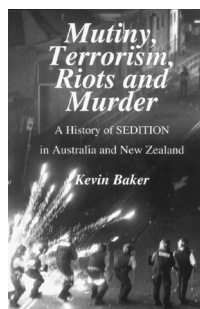
Author Kevin Baker is a retired professor of management from universities in Germany and China. His previous books include a history of the widespread 1947 mutiny in the New Zealand navy, and a general history of mutiny and insurrection in the armed forces of Australia and New Zealand, co-authored with the academic cleric Tom Frame.

Sedition is the theme of Baker's *Mutiny, Terrorism, Riots and Murder*. The book is about both New Zealand and Australia, but much of the material relates particularly to Australia where sedition is covered respectively by the *Commonwealth Crimes Act* of 1914 and the *Anti-Terrorism Act* of 2005. The legal definitions are broad; interpreted strictly, sedition law can apply to many areas of democratic activity. Sedition is also used as a general term to denote a wide range of thoughts, words and deeds involving resistance to established authority.

Baker combines these meanings, combing the histories of the two nations to write over two hundred pages, chronologically detailing rebellion from colonial times to the present. He kicks off with five declarations of martial law in Australia beginning in 1790, through to 1854 and the Eureka Stockade. As Baker comments by way of comparison, martial law has not been declared in the United Kingdom since the seventeenth century.

In 1829 the first Australian case of sedition came to court: Governor Darling (NSW) versus Atwell Hayes, publisher and journalist. Hayes was found guilty of seditious libel and imprisoned for criticising the government over the punishment of a convict who had been forced to wear an iron collar – not the way to treat an Englishman, argued Hayes.

The bulk of Baker's book deals with the general sense of 'sedition', involving various types of rioting, including 'race' and 'prison' riots, mutinies in the armed forces, attempts to overthrow established authority and attempted assassinations. Civil disobedience also gets a guernsey. Industrial strikes are excluded, unless they were widespread and seriously threatened civil order, as the 1923 Melbourne Police Strike (mutiny). Maori and Aboriginal colonial



conflicts with European invaders are also excluded; technically, they are not examples of seditious activity but actions against an alien authority.

As the title indicates, the book is about incidents and events; it is not about continuities, of people engaging over time with political systems,

variously organising, campaigning, struggling over matters relating to politics and social justice. Some of it is familiar territory: the Eureka Stockade, various forms of bushranging from 1790 through to the Kelly era, the gaoling of Communist Party leader Lance Sharkey during the Cold War. But three chapters on mutiny and resistance within the Australian and New Zealand armed forces will probably be familiar only to specialist readers and come as something of a wake-up to those torpedied by the Anzac myth currently being ladled out by neoconservative militarists. Baker has collected a great deal of this sort of unfamiliar data.

Baker argues that in the histories of Australia and New Zealand there are strong traditions of resistance – a seditious spirit deep in the national psyche of each country. The past quarter-century has been unusual because these traditions and spirit seem to have paled and “obedience to authority has been almost total”, a state of affairs which he reckons diminishes all of us, “and society with us”.

He devotes the last eight pages to trying to figure out why ‘obedience’ now dominates, and comes up with nineteen contributing factors. While agreeing with Baker’s general conclusion about ‘obedience’, I disagree with parts of his explanation. Overall, however, the discussion is thought provoking, and I recommend it, especially to activists who may wonder from time to time where all the angry people and dissenters are.

Baker’s book challenges quietist, complacent, consensual histories of Australia and New Zealand, the preferred political genre in these scoundrel times when ‘terrorism’ is a word used to tame and herd populations, and ‘sedition’ is a political-legal notion that has been dusted off to shape a battery of legislation and attitudes which gnaw away at our notions of democracy and justice.

Rowan Cahill is a labour movement historian and journalist.