

# *Moral Indignation, Criminality, and the Rioting Crowd in Macquarie Fields*

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## **Introduction**

On the night of Friday February 25<sup>th</sup> 2005 three young men in a stolen car crashed into a tree in a narrow street in the public housing estate of Macquarie Fields. Minutes before the impact, the car was pursued by two plain-clothes police officers in an unmarked car. The driver of the stolen motor vehicle, Jesse Kelly, survived the crash, while the two passengers, Dylan Raywood and Matthew Robertson, died in the impact. What ensued were four nights of unrest and intense commentary and coverage by media and politicians. It is estimated that between 100 and 300 people participated in the protest.

However simply one may describe such an event, social disturbances on that scale are rarely simple occurrences. Yet this knowledge did not deter media and some academic commentators from invoking abbreviated and spasmodic stimuli as an explanation for such events. Rather than endorse this superficial attempt at explanation this paper examines the case of Macquarie Fields from the perspective of the protesting crowd's moral indignation. The idea that the protesting crowd might hold a legitimate claim to sentiments of 'moral indignation' appears to have escaped both the public and intellectual imagination, which has focused almost entirely on issues of 'law and order' and been expressed in terms of 'outrage'.

The legitimacy of such sentiments must be placed in the context of the social environment of Macquarie Fields and in the relations between that community and authority. For this reason, the idea of 'established norms' or 'moral protocols' provides a point of guidance in understanding both the substance of relations before the event, and the mentality of the crowd during the event itself. A moral protocol can be defined as the form of behaviour consistent with the moral standards of the community. The 'standard' has a moral content shaped by economic, social and political circumstances and will necessarily vary within and between the different sections of society. That moral protocols exist does not require that they are always upheld or strictly adhered to. On the contrary, the breaching of protocols provides useful insights into the moral dynamics of a community, its tolerance of particular practices, and the role of agents who define these dynamics. The relations between community and authority in Macquarie Fields ought not to be trivialised by

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assuming that relations with police are typical of all relations with established authorities. Indeed, as this paper will demonstrate, the relations between the police and the community of Macquarie Fields are of a specific nature, best characterised by 'mutual suspicion'.

It has been the criminality of the 'mob' that has come to dominate the recent public discussion of such events. What has been ignored in the stress on criminal behaviour is the possibility that protest might be seen as justifiable by the participants if the normal protocols regulating police and community behaviour are not observed.<sup>1</sup> If the basis of mutual suspicion and common mistrust are acknowledged, the actions of protesters might be understood not as innate or socialised criminality, but an expression of a constrained moral indignation. It is, of course, implausible to rule out acts of criminality from all cases of riot or to argue that all riots are premised on a shared moral indignation.<sup>2</sup> However, riots often do share common threads, as do the events that lead up to the actual disturbance. Four basic threads can be identified, 1) the riot as a principled act, 2) a clear and collective sense of injustice, 3) a consensus on what injustice had occurred and 4) which agents in the community were responsible for the injustice occurring.<sup>3</sup> According to EP Thompson (1993:264–265), the act of 'riot is usually a rational response and it takes place, not among helpless or hopeless people, but among those groups who sense that they have little power to help themselves...'.<sup>4</sup> While not seeking to endorse the use of physical force, by either party, it must be said that if a genuine attempt is made to create the grounds from which the protests emerged, then we must first understand both the context and the relations involved.

## Understanding Riots and Riot Causation

Mandy Perrin, the editor of the *Macarthur Chronicle* newspaper, puts to us the challenge of understanding 'the reasons behind the riots' (*Macarthur Chronicle* 2005).<sup>5</sup> Not wanting to miss an opportunity to put their mark on the question, the usual commentators have invoked familiar responses to Perrin's challenge. As one might expect, the favoured explanations oscillate between poverty, social isolation, substance abuse and basic criminal instinct. Trying to be original, Vera Bertola, also of the *Macarthur Chronicle*, connects all four themes citing low intelligence, neurological problems, school truancy, and the possession of a weapon (*Macarthur Chronicle* 2005a). Continuing on with the weapons theme, 2SM chat show host Leon Delaney declared that the rioters were all heavily armed and behaving as though 'they were in the Middle East' (Sydney 2SM 2005). In wishing to avoid appearing apologetic to social disadvantage, that is, the art of acknowledging whilst not acknowledging it, both the State Premier and Police Commissioner conformed to more post-modern tactics, citing choice without context. When given an opportunity to express

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1 For a recent discussion of the ethical considerations surrounding the 'right to riot' see Jan-Khan (2003).

2 However, it is not uncommon for social historians to reveal that criminal action on the part of protesters was commonly the result of additional provocation by authorities or failure to abide by agreed codes of behaviour. For Australian examples see David Kent (1994:78), Cunneen and Lynch (1988) and Cunneen et al (1989).

3 As with the term 'crowd', 'riot' has been used with much caution, taking care not to conflate the notion with that of 'mob'. The term 'rioters', when taken as an expression of exercised morality exposes much of what the term 'mob' attempts to conceal and suppress.

4 This line of explanation is consistent with George Rude who, in criticism of Oscar Lewis's theory of a 'culture of poverty', argues against the characterisation of protestors as passive and accepting. See George Rude (1980:27) and Oscar Lewis (1966).

5 In the paragraph before advancing this challenge, and in a show of excellent editorship (and certainly not to pre-empt an explanation), Ms Perrin points out that 'the trouble' behind the riots 'was caused by a small group of less than 60 people -- mostly young men and youths'. *The Chronicle*, 8 March (2005), p11.

concern for underlying causes, the then State Premier, Bob Carr responded by saying 'I've always wanted to look at underlying causes, but the underlying cause is criminality' (*Stateline* 11/03/05).

In a less than impressive addition to the usual causal levers, David Burchill reportedly identified the 'ongoing correlation between rundown housing estates and crime', as if the relationship were obvious (*SMH* 2005).<sup>6</sup> Michael Bounds provided an explanation that is, in part, akin to that of Burchill, seeing the 'riots' as an 'outcome of the failure of governments to expedite the development of a mix of housing on these estates' (*SMH* 2005a). Equally unimpressive were George Morgan's comments, if they have been reported accurately, which suggest that riots can be explained by reference to the season; a result of the summer when young people are drawn into the habit of 'hanging out on the streets' (*SMH* 2005). These comments all share the common fault of subscribing to what Charles Tilly (1981:14) refers to as a 'tension-release' explanation, a view reliant on 'uncertainties, and stresses' accumulating 'until people find the opportunity to vent them in violence, protest, and cathartic mass action'. While Murray Lee managed to touch all matters peripheral to the question (*SMH* 2005b), it seems as if the only voice of reason is that of Ross Homel, who is represented as suggesting that perhaps the 'police had overreacted by chasing car thieves to their deaths' (*SMH* 2005).

Forty years of scholarship into popular protest by social historians have demonstrated riots to be embedded in custom and belief, and not random acts of indiscriminate criminality.<sup>7</sup> Based on identifiable moral protocols surrounding the political structure of the community, protests were necessarily characterised by a 'legitimising notion' (Thompson 1993:188). Commonly, protest exhibited a clear sense of expectation and entitlement conditioned by conventions of fairness and right (Charlesworth 1993). Protest reflected a shared feeling of moral indignation directed at those members of the community seen to be in breach of such norms. So entrenched in motive and belief were customary morals that rioters were themselves careful not to further offend their prescriptions, since it has been shown that riots too were bound by protocol (Kent & Townsend 2002, see in particular chapter 4). Viewed from this perspective, popular protests were clearly restorative in nature and not, as some have claimed, an opportunity to incite violence (Randall 1982).

That protesters felt a sense of legitimacy in their actions was reflective of both the manner in which they conducted themselves and of the offence they sought to address (Randall & Charlesworth 2000). Where offending parties had acted against the collective good of the community, and were out-of-step with clearly understood roles and norms, riots carried a notion of 'legitimacy' in so far that all parties clearly acknowledged the proper order of things, and importantly, how this order had been transgressed. Rioters understood their actions in terms of established rights and duties, defined by reciprocity and obligation between all members of the community without exception (Scott 1976).<sup>8</sup> Though some riots were more physical than others, violence was, on the whole atypical and, for the most part, constrained by explicit aims and disciplined objectives (Hobsbawm 1964, Thompson 1993:188).

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6 In another recorded interview Dr Burchill cites the 'affectionate but dangerous relationship' between 'young men and cars' (World Today ABC Online 2005).

7 Select examples include Rose (1961); Thompson (1963); Rude (1964); Tilly (1971); Richards (1974); Williams (1976); Moore (1978); Stevenson (1979); Harrison (1983); Rule (1986); Randall & Charlesworth (1996); See (1997); Maya-Lopez (2003).

8 In *Customs in Common* (1993) Thompson describes custom as a 'lived environment comprised of practices, inherited expectations, rules which both determined limits to usages and disclosed possibilities, norms and sanctions both of law and neighbourhood pressures', p 102.

The terms ‘riot’ and ‘crowd’ usually assume a prior basis for their assemblage. In some cases of protest the unifying characteristics among rioters is made obvious by the nature of the riots themselves. For example, with enclosure riots participants are brought together by geographic factors. Similarly, crowds of weavers, colliers, miners, and even Luddites can be taken as each sharing common occupational characteristics.

Before the ‘riots’, few people had ever heard of Macquarie Fields. Located along the southern corridor of the motorway that eventually connects Sydney to Canberra (and much of the Sydney labour supply), Macquarie Fields is like many other suburbs scattered throughout south-western Sydney, in the sense that it has a high youth population, high unemployment rates (almost double the national average), and high rates of welfare dependency. Thus, unlike in many earlier riots, the crowd in Macquarie Fields cannot be thought of as unified by common occupation. Instead, we can take the crowd as having a shared occupancy in an estate afflicted by a range of social problems not uncommonly associated with long-term poverty and heavy structural barriers to upward social mobility.

Much media commentary has suggested that the rioters were reacting out of frustration, or poverty, or just out of an insatiable criminal urge. I want to demonstrate that there was a moral basis to the riot, and that in light of the reciprocal ties between police and community, the response by ‘rioters’ was not beyond what might be expected when such protocols are breached.

The general perception provided of rioters in the media was that of a Dionysian frenzy. To see this one need go no further than NSW Liberal MP Peter Debnam, of Vacluse, for a portrayal of the crowd as ‘criminals’ and ‘thugs’, who for their part in the ‘nightly war’ ought be ‘arrested’, prosecuted and gaoled (Hansard 2005). Reinforcing the ‘criminal’ element, one anonymous resident from the nearby suburb of St Andrews writes in a local newspaper that ‘it is glaringly obvious this rabid *mob* don’t truly care about their own dead, they’re thoroughly enjoying the excitement and destruction, and gloating over the publicity’ (*Chronicle* 2005b). In the same vein, (then NSW Opposition Leader) Mr John Brogden, championed a curfew and ‘lock-down’ of the suburb after ‘*mobs*’ had ‘ruled the streets for four nights’ (*SMH* 2005c). We ought not neglect the description of ‘cowardly louts’ made by Bob Carr (*Macarthur Chronicle* 2005c), or the label of ‘hardened career criminal’ he applied three days earlier on the front page of the *Sydney Morning Herald* (*SMH* 2005d). To insure against any measure of empathy with the ‘mob’, fears were raised that Kelly and his associates had been operating not only within the confines of a run-down, public-housing estate in Macquarie Fields, but in and around Sydney’s more affluent areas, such as Rose Bay and Manly (*SMH* 2005e). Between the media and conservative NSW politicians, the crowd had been dealt a swift serving of vilification aimed at minimising any support that might arise due to similar circumstances in other areas.

By Monday 28<sup>th</sup> February, sentiment had moved decisively in favour of the establishment, and against those involved in the ‘riots’. Upon hearing that Raywood and Robertson had allegedly committed 70 crimes between them, one radio talk show host used the word ‘terrific’ in describing the death of the two boys, asserting they were car thieves (Sydney 2SM 2005a). In fact, little sympathy appeared from outside the Macquarie Fields area, with talkback callers, such as Charlie, announcing his pleasure at the death of the two young men, and recommending that police ‘should beat the rest of them to a pulp’ (Sydney 2GB 2005). Another talkback caller, this time a John Laws listener, offered the suggestion that the army be called in to ‘beat the crap out of them’, an idea that Laws (thankfully) thought *might* ‘be going too far’ (Southern Cross Syndication 2005). One lady, from an adjoining suburb, described the people of Macquarie Fields (*without qualification*) as ‘nasty, dirty, filthy and uncouth’ (Sydney 2UE 2005).

## Criminality or Moral Indignation?

If the peal of criminality rings loudly in radio and in parliament, its ring is a distinctly legal one. The positivist tone of legal distinctions seems to have the ability to silence all moral chords, even those that resonate loudly through community protest. George Rude (1978:2), in noting the difficulty of distinguishing between crimes committed during protest and crimes in general, sees the dilemma as resting within the positive nature of law. He states that 'the law knows no such distinction, and it never has: a breach of the law by a protester is at law a crime like any other'. The characterisation of protesters as 'criminal' denies subsequent questions relating to protest motives and belief, since the term 'criminality' automatically precludes any explanation explicitly containing or referring to moral causes.

We can better understand the Macquarie Fields incident by ignoring Bob Carr's statement that the 'police are dealing with criminality, and that criminality is at the core of this', and instead try to identify moral constraints upon action (ABC Online 2005). Certainly one cannot deny that unrest took place, or that such events offer opportunities for injury. According to media sources however, no injuries were reported by bystanders as being inflicted by protesters. What is interesting then is the level of discrimination applied by protesters in determining the legitimate and intended recipients of their actions. One eloquent example can be found in the experience of ambulance services operating in the local area over the four nights. Throughout the period in question, ambulance officers recorded a total of 16 call-outs to the Macquarie Field's riots. Of these 16 call-outs no injury was recorded to drivers or ambulance officers. Furthermore, officers also reported no obstruction or disruption by protesters whilst in the course of their duties. One vehicle was damaged, but in offering this information divisional staff were quick to acknowledge that this vehicle might have been easily mistaken as belonging to NSW Police (Personal Communication 6/04/05). The assault on Mr Greeks has also been used to highlight indiscriminate violence in the area, although on this occasion it has done more harm to the reputation of police than to rioters. While much has been made on the violence involved, there has been little commentary on why Mr Greeks may have in fact been assaulted. According to ABC Online's Jayne-Marce Sedgman, it was alleged that Mr Greeks had been communicating with the media, who were also considered an unwelcome presence. Moreover, it was alleged that Mr Greeks had been critical of rioters, in particular Jesse Kelly.

Beneath the rhetoric of criminality and violence, the entire incident seems to be surrounded by notions of mutual suspicion and moral indignation. A different account of where events first turned is provided by local Superintendent John Sweeney who suggested 'it started in response to a fire but police were met by two groups who took it upon themselves to hamper police in their work' (*Macarthur Chronicle* 2005d). In an alternative presentation, the 'two groups' could well be taken as a coherent group of between 50 to 70 residents, who rather than preventing police from undertaking legitimate tasks, engaged with police on the grounds of a perceived threat to Jesse Kelly's life. Reports circulated in the community of a young police officer approaching the wrecked vehicle with his firearm drawn. It does not matter whether this information was factually accurate. The point of importance is that the allegation was believed to be true, and that within the community the drawn firearm signalled a certain death sentence for Kelly. Thus, rather than impede police in their duties, there is a clear indication that the crowd had engaged with police, so as to allow the driver, Jesse Kelly, an opportunity to escape. However, a claim of action based on indignation need not rest on this version of events. Where sources do not report a drawn firearm, police are still confronted with a clear sense of moral indignation on the part of bystanders, who are recorded as hurling projectiles as an expression of blame for the deaths

of the two young men. What is to be taken from this is the understanding that collective protest is 'not the outcome of random psychologically determined human gathering', such as might be presupposed of a criminally motivated mob. Rather, collective action, in the context of indignation, conventions of order, and mutual suspicion reflect a sense of moral purpose greater than might be demonstrated in any one singular or individual action (Cerrah 1998:43).

For media consumers, the violent scenes of civic disobedience and unrest left many with images of aggressive and embittered poor youth that were, at the very least, affronting and disturbing. Perhaps the most enduring images associated with the Macquarie Fields incident is the blatant breach of civic responsibility by its residents, in particular the 'rioting youth'. For the most part, we come to associate the idea of civic responsibility with an adherence to law and order, something impartial and objective in the sense that it would extend to persons and institutions beyond our immediate and familial relations. In this form of civic responsibility, the duties of citizens are defined at law, and everyone is presumed to be held equally to account by the dynamics of order.

But what of the responsibility of civic institutions, and those people and organizations who represent them. Do they not have obligations also as a part of this broad, encompassing and objective dynamic? Part of the problem in locating moral obligation on the part of authority may rest on the supposed difficulty of attributing to them the status of a moral agent. In presenting a correlation between (im)partiality and (dis)interest Alan Wolfe (1989:107) asserts that 'what has traditionally made the state seem incapable of acting as a moral agent is the supposition that while individuals have interests, the actions of governments can rest on *disinterest*.' Though the idea of a moral state may appear an evasive notion, the principle of moral obligation has not been overlooked when attention is turned to school institutions (Wilson 1974:99). Why is it that we are able to make moral demands of educational bodies, such as schools, but not of other recognised stations of authority? Whether the responsibilities of authority can be easily defined is less significant than the acknowledgement that the reciprocal nature of responsibility and authority is sufficient to prove that these responsibilities exist and this should never be forgotten.

Civic responsibility is a broad term that has a history of narrow application, for it does not capture the moral protocols beyond those imposed by authority. Nor for that matter, does it infer a sense of obligation on the part of authority. Edwin Schur suggests that there can be a clear distinction between two types of rules. For his part, he distinguishes between explicit legal rules (or positive rules), and 'others' of a more generalised nature, such as 'informal norms'. While Schur (1971:102) may be correct in proposing that informal norms do not automatically generate specific rules (in the positive sense), he fails to recognise the degree to which rules of convention prevail over their positive counterparts, and the tone of reciprocity explicit in agreed moral protocols.

Rob White demonstrates a related difficulty posed by 'informal policing' and the bolstering of police powers. An increase in police powers is seen as problematic by White as it can be thought of as diverging from the supposed accountabilities of positive law. He states (1997:259) that 'without any real formal criteria for the use of intervention powers, the actions of police are, in essence, arbitrary and are not subject to the usual accountability requirements of the law'. The term 'formal criteria' here is related to the substance of a criminal event or act. In the absence of such criteria for constraining police action, one ought to pose the question 'what constraints are available then, if not those of a conventional or moral kind'?

## Mutual Suspicion: Community and Authority

It is easy to treat suspicion as little more than a first person bias, a perception held independently of the character of the person(s) against whom the suspicion is directed. Given that suspicion can appear external to any account of the character(s) in question, other than their existence, one might suppose that suspicion bears much similarity to paranoia on the part of the beholder(s). In order to think of suspicion as something attributed to experience, and grounded in belief, one must necessarily hold an element of truth or warrant as concerns first person perception. Often there is something to be said about traditional suspicions, more still when the suspicion is mutual and based on common mistrust. Such is the case in Macquarie Fields.

From the police perspective, there are clearly incidents where the basis of suspicions are confirmed, such as residents being caught red-handed with stolen goods. Likewise, where communities consistently claim ill-treatment at the hands of police, there must exist something more substantial than aged anecdotes (e.g., that cops have it in for locals) to sustain suspicion. If this were not the case, community suspicion would be barren prejudice. As character descriptors of relations between the community and police in Macquarie Fields, 'mistrust' and 'suspicion' have a long history. Certainly they might be thought of as obstructions to community harmony, yet, mistrust and suspicion are not strictly incompatible with the idea of a functioning community. This is not to say that mistrust and suspicion are positive grounds on which to base a community. In fact, communities appear to function poorly when characterised by degrees of mutual suspicion and common mistrust.<sup>9</sup> Suspicion in this way holds the dialectical property of a tension between what is unwelcome yet necessary. This dialectical tension might be expressed by the idea that the police are an unwelcome presence, but are tolerated on the grounds that they provide a necessary good to the community. The importance of that community good, and the vulnerability it exposes of those dependent upon it, leaves the provider of this service with an authority over the community or a point of leverage by which power can be abused. Suspicion may arise on grounds of acknowledging the ease at which this important community role might be abused, but even still, it would be insufficient to sustain ongoing suspicion. Ongoing suspicion is attached to the police when it is assumed that their role is being abused as a feature of the service being delivered. Mistrust and suspicion become character markers of such agents, and it is presupposed that these agents are always abusing community trust, always at odds with the collective good, and more often than not, in breach of understood moral protocols.

Indeed, any argument of proposed moral indignation as a factor in the Macquarie Fields protest depends on identifiable, commonly understood protocols between the community and the police. It must then be demonstrated that the proverbial 'line in the sand' had been crossed, prompting the riotous response. The model that is being drawn here is contingent upon strong assumptions about the Macquarie Fields community, the police, and their relationship. It assumes that both community and police hold a position of mutual suspicion as regards the other. From the calls for increased police numbers in the Macquarie Fields area we might naturally deduce that Macquarie Fields is an area with a high rate of crime. We might also deduce that due to this high rate of crime police might quite naturally see certain groups within the community as potential offenders. It is, after all, the role of police to ensure community safety by preventing and acting upon criminal conduct. NSW Police

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9 See for example Edward C Banfield (1958).

Minister Carl Scully, noting the good work of police officers and the status enjoyed by them in the community, stated 'Members of the community ... welcome police in their area' (Hansard 2005a).

However, among Macquarie Fields residents the suspicion of the police, and perceived injustice, it would appear, is long standing. Young people, as the common target of suspicion, also have their own suspicions about the presence of police officers in their neighbourhoods. One local resident has been quoted as saying that 'all the cops around here are trigger-happy and leadfooted'. While another, that 'we put up with this shit from the coppers all the time. They come around to our houses everyday and harass us. They have no respect for our families or our friends' (*Sun-Herald Online* 2005). According to one 26-year-old resident, 'for the past 12 years the cops have been coming here and throwing blokes into the back of paddy wagons and taking them on joy rides where they beat the shit out of them. It's no wonder everyone who lives around here hates the f---ing cops' (*SMH Online* 2005). A contributor to an Internet based discussion forum replicated these very sentiments writing, 'the police deserve to be smashed. Their culture is nothing but thuggery and brutality' (*SMH Online* 2005a). Thomas Kelly was recorded as saying 'this sort of thing is happening every day. The cops used to say to us: 'Why don't you steal a car, so we can chase you'. We're all worried about who will be killed next' (*World Socialist Web Online* 2005). One longer term resident described general police behaviour toward the community as 'a little bit rough', alleging that during the 'riots' boys had been fired upon with rubber bullets and 'chewed up by dogs' (2GB 2005a). So strongly held is the suspicion of violence by police against youth that according to Peter Perkins, 'Kelly was now frightened for his life and feared surrender'. Concerned for his safety, Mr Perkins advised that 'if we surrender on our terms it's going to be much safer than if he's down a back alley or just disappears' (*SMH* 2005f). Allegations of taunts and unfair treatment by police appears to be prevalent. One talkback caller, speaking on the popular John Laws program, noted that police had harassed the boys in Macquarie Fields with raids and socially discriminatory taunts to the effect that they were only 'rabbits in Housing Commission slums' (*Southern Cross Syndication* 2005a).<sup>10</sup>

If communities such as Macquarie Fields can be characterised by poor relations between themselves and authority, and the basis of these relations are embedded in mistrust and suspicion, where the police are believed to always 'cross the line', then what is present in these events that make them stand out from the events of everyday life?

## **Grounds for Moral Indignation and the 'Line in the Sand'**

That both parties tolerate one another is suggestive of agreed limits, or an understood 'line in the sand'. After all, and in spite of common mistrust and long held antagonisms between the agents in question, riots are not regular occurrences. But in late February 2005 there was a common and unifying perception among members of the crowd that the limits of acceptable behaviour had been transgressed. Overstepping the limits of tolerated conduct or conventional notions of order, lends a weight of legitimacy to collective action, including a level of indirect support from non-protesting members of the community, persons that would in other circumstances feel offence at such actions.

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10 It may be unclear whether the term 'rabbit' is a reference to mating habits, or to pests, or to game, but in either reading we can take it as uncomplimentary.



To illustrate this principled 'line in the sand' I argue that there are three ideas of immediate import. These ideas can be identified as 1) precedent 2) the suspicious character of the events surrounding the deaths 3) the response to the riot by police. Through these elements we can derive a clearer sense of indignation felt by the rioters and the community. Let us address each idea in turn.

*Precedent:* To begin with, there was a (recent) precedent where police had chased a suspect down the same street, with the suspect hitting the same tree. It was well known that a high-speed pursuit in that location could have dangerous or fatal consequences. Donald Kelly, no doubt remembering the crash only a few weeks before, notes that it was clearly an unsafe line of engagement by police, stating, 'they [the police] should have called it off. Look at how narrow the street is. It's no wonder they [Kelly, Raywood and Robertson] went into a tree. They [the police] were lucky the car didn't go into a house' (*Sun-Herald Online* 2005).

*Suspect character of the events surrounding the death:* The idea of suspicion is again a prevailing force in the creation and emergence of moral indignation. To put the notion of indignation into spatial terms, one might consider the line as the point of acceptable behaviour, or the boundary of tolerance. Much of what transpired before the 'crossing of the line' can be considered as unwelcomed, but nonetheless contained within the everyday context of the relationship between police and community. The details can be taken as being of an accumulative nature, where suspicion and mistrust compounds, and the sense of injustice is heightened. Of particular interest then are the events relating to the deaths of Raywood and Robertson that constitute a consolidation of the perceived character of police and gave rise to the indignation in the community. A clear example, to begin with, is the chase itself. We have already noted a precedent on the matter indicating the safety ramifications of pursuit in that location. The chase itself has elements of the personal about it. The pursuit car was 'unmarked' and the two officers that had engaged the stolen vehicle in the chase were also dressed in 'plain clothes'. It was later announced (by police) that all three offenders (Kelly, Raywood, and Robertson) were known to the police. Although there exists a general expectation that police will act immediately on alleged incidence of law breaking, one cannot disregard the importance of caution and safety. This stands out as a good reason for not pursuing the young men, since if their identities were known to police (as they were), there would be other opportunities to apprehend them, opportunities that were less risky to the offenders and the community.

Suspicion regarding the intentions of police is well illustrated by one resident who, in recounting the moments after the fatal crash, recalled the event: 'I heard the wheels screeching and then this almighty bang...when I went out there was a young copper with his gun drawn who went up to the car...then he shone his torch in and realised he's got two dead' (*Sun-Herald Online* 2005). A talkback caller from Macquarie Fields, appearing on the ABC's 'The World Today' advanced an account of deep suspicion, 'Eyewitnesses saw what happened, but I think the police are trying to cover it up. What happened was, they didn't just bump into the tree, there was an unmarked police car with a detective in it, and there was ... anyways, apparently he bumped into the car and forced it into the tree' (*World Today ABC Online* 2005). This was confirmed by another resident and talkback caller, who in the presence of her daughter and fellow residents, witnessed the fatal accident, and suggested that the police forced the stolen vehicle into the tree (*ABC 702 Sydney* 2005). Though Kelly later admitted to losing control of the vehicle, rather than being bumped by police, the story (however false) moved quickly throughout the community and was consistent with its suspicions regarding the character and behaviour of the police.

There were other grounds for the community's indignation. Joanne, a relative of one of the young men killed in the police chase on the 25<sup>th</sup> February, revealed that police officers were not prepared to tell family members whether the young man was in fact alive or dead. As a further indication of suspicion, she stated she was concerned that the two deceased boys had been left in the wrecked vehicle overnight (Sydney 2GB 2005c).<sup>11</sup> In a radio interview Jamie Raywood, the father of Dylan Raywood, stated that upon arriving at the scene of the accident, a police officer took him aside and assured him that his son was still alive. He was also, according to the radio interview, advised to leave the scene and to go home. Mr Raywood alleged that police laughed at him while knowing that his son had died in the accident (Sydney 2GB 2005d).<sup>12</sup>

*The Response to the Riot:* Peter Perkins states in the local newspaper that 'I don't support the violence but rioting was a last-ditch attempt by people to show their anger and frustration. The anger was already there. When the police bring in military-style tactics such as dogs and riot gear, it's too much' (*Macarthur Chronicle* 2005e). Zero-tolerance advocates aside, there remains debate over which forms of response are most appropriate in the case of community riots. The points of contention, one would imagine, would necessarily arise on matters relating to the appropriate course of action, its likely impact on current and future community relations, the use of force and (for some) the minimisation of potential harm to all involved.

Due to the potential for physical and social harm, it may be contended that the use of force does not fit with the idea of 'public order' (Jefferson 1990). A counter argument may be posed which suggests that force can be used in a fashion that is both conducive to, and representative of, a good 'public order'. PAJ Waddington asserts that force, when applied under conditions of military order, is an effective measure of quelling riots. He argues that paramilitary force is often misrepresented as an excessive use of force where the structures of military order are absent as measures of control and strategy. One must take this as an assumption on the part of Waddington, that rioters are 1) in breach of an acknowledged social order 2) undisciplined 3) in need of a good measure of discipline so as to bring them back into line!

While Waddington *may* be correct in the assertion that using military staff can reduce the incidence of excessive force in quelling riots, he fails to examine the implications of paramilitary tactics being deployed by *non-military* personnel (Waddington 1993). Furthermore, Waddington, in line with the above-noted assumptions, does not allow for what further damage might be done to police-community relations, when it is authority that is presumed to have breached the prevailing order, and not the community.

One might suggest, as Waddington has, that forceful tactics would be popular among the community, as a means of regaining order. However an older male resident, when interviewed by ABC reporter Michael Vincent shows a distinct tolerance towards the rioters. When questioned after three nights of rioting he gave the following responses:

Macquarie Man: 'Well, I just thought the riots started again and I came out about five minutes after the police arrested everybody. I stayed inside because bottles were being broken in my yard and rocks and everything in there, and they ripped up all my pavers in the yard and throwin' them at the police, so...'

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11 Joanne also cites widespread harassment by police and that by her account another young man had also been killed in a police pursuit only a few months before this incident.

12 Mr Raywood, too, asserts the prevalence of harassment by police in the area.

The interviewer, Michael Vincent, poses the following question to the resident '*Were you worried at all?*' To this, the resident replies casually: 'No, no. I wasn't worried about it as long as they don't come in my yard to destroy my house, or I'd just come out with a baseball bat and sort 'em out' (World Today ABC Online 2005a).

Clearly the resident was prepared to turn a blind-eye toward his pavers being used as fodder against the police, making clear his loyalties. Interestingly, the ripping up of his pavers did not register as an attempt to destroy his property nor to wreck his yard, thus avoiding the wrath of his bat!

Historically speaking, these expressions of indignation are not uncommon; and not without comparable results and explanations. Indeed much can be learnt in relation to the Macquarie Fields 'riots' from historical studies of the moral context of riot and protest. An entry from the Annual Register of 1766 records that 'in the neighbourhood of Salisbury [the people] rose, and having found in Bradley mill, as they said, flour, corn, ground chalk, lime, and horse-beans, they took an aversion to all bolting-mills, and accordingly destroyed seven or eight' (Annual Register 1776:21–25). We see that, in this example, a suspicion that the miller adulterated flour was confirmed by the community and led to an atypical level of destruction. Likewise, the burning down of a local police station and courthouse in Palm Island had occurred only after suspect circumstances had been alleged regarding the death of Mulrunji Doomadgee who had died while in police custody (ABC PM Radio Online 2005). Moral indignation itself does not emerge until suspicion is confirmed and where evidence is provided that the suspect agent had acted to the detriment of the collective good. In the case of the Bradley Mill, the underhanded practices of the miller were confirmed for the Salisbury crowd by the corrupting elements of ground chalk, lime and horse beans. The incident at Palm Island demonstrates similar sentiments of popular outrage as a response to the idea that authorities had failed to meet even the most basic of moral obligations.

## Concluding Comments

As with seminal works on crowds and protest in eighteenth and nineteenth century Europe, the obstacles to clearer understanding appears not in the complexity of events, but the apparent vulgarity of the crowd. Though social historians have paved the way for dismantling and rebuilding the foundations of working-class historiography, the historical machinery of the elite remains consistent in its methods of exclusion, manipulation and misrepresentation of events. It is all too easy to subscribe to the 'criminality' explanation for social unrest, such as occurred in Macquarie Fields. The spasmodic or pressure-valve view of events also presents its own appeal. While the former ought to be rejected outright, as a matter of intellectual resistance, there are traces of the practical that might be extracted from the latter approach. This acknowledgement must however be coupled with warnings. Acknowledgement of the context of poverty (or housing), for example, does not dictate that poverty be given as an immediate cause.

Some may feel a sense of discomfort with the extent to which allegation and hearsay can be invoked as legitimate levers for action. To this, the reply must take the shape of a reminder. What is important is the apparent consistency of information within the community, and the degree to which events corroborated existing notions of suspicion and mistrust. When it seemed that the police had crossed the line of acceptable behaviour the reaction of the crowd was consistent with its own protocols and collective sense of moral indignation.

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