

6. The First Conscription Campaign.¹

The tide in the labor movement against conscription of men for service in the European war progressed with text-book precision from the radical minority through the trade unions to the Labor party. A "citizen defence force," based on compulsory military training, had been Labor policy since 1902, and Commonwealth policy since the Defence Act of 1909; however, S. 49 of the Act specifically excluded compulsory service outside Australia,² and, at the outbreak of war, what the Commonwealth offered was an army of volunteers.

There was some feeling among socialists that sooner or later conscription would be introduced,³ but this was not yet an urgent question; of greater importance for the moment was the propaganda against the war and voluntary enlistment:

Oh, the fight is on in Europe,
And the mugs are wading in;
There is room for you, dear brother,
In the battle and the din;
So enroll and leave behind you
Home and wife and kiddies dear;
Go where lead is free for breakfast,⁴
And the bayonet's prod will cheer.⁴

For the first twelve months of the war, radicals and pacifists kept alive their agitation,⁵ but in an atmosphere that was far from encouraging: "Many of these pioneer anti-conscriptionists [and opponents of the war] were not of the Labor Movement; others were of the Left Wing of Labor. More or less, all were distrusted by the leaders of the Labor Party and of the trade unions."⁶ Indeed, the initial enthusiasm of the Labor leaders was scarcely dimmed. Meeting soon after the Gallipoli landing, the first major Australian

1. "Conscription" is used in the contemporary sense of compulsory enlistment for overseas service.
2. This section was included in the original Act of 1902 on Labor insistence, and carried through into the 1909 Act.
3. e.g. J.B. Howie, *The Socialist*, 4/9/14.
4. W.R. W[inspear] & K.N. Pepper: *Socialist Songs*.
5. For a detailed account, see *infra*,
6. M. Blackburn: *The Conscription Referendum of 1916*.

campaign, the delegates to the party's sixth Commonwealth Conference expressed their "confident hope that during the coming year [the King's] reign will be crowned by victory for the British and Allied armies in the great war of freedom and the realisation of an enduring peace."⁷

The planned break-through to the Black Sea had, by July 1915, bogged down on the slopes of Sari Bair; casualties were heavy, and the need of the Anzac brigades for reinforcements was great. In Australia, the Universal Service League was formed to urge on the government the need for conscription, and it attracted the support of prominent Labor and trade union enthusiasts for the war, as well as that of the most influential leaders of conservative opinion. It was the campaign of the USL, and the response of the government, which changed anti-conscription from the vague warnings of a "disloyal" minority of little popularity and less repute into a question of decisive importance for the whole of the labor movement. Coinciding with the war-time economic troubles, the struggle over conscription polarised the movement, isolating the leaders, encouraging the spread of radical ideas among the rank and file, and forcing the moderate centre - increasingly confined to a sadly diminished group of parliamentarians - to declare for one side or the other.

The introduction by W.M. Hughes, on 14 July 1915, of the War Census Bill, a measure designed to enable an accurate assessment of Australian resources, both human and material, precipitated the clash. The Prime Minister denied any intention of introducing conscription (although, he added, "I do not say that the future may not hold within its possibilities which may shatter our present concep-

7. Report, 6th Commonwealth Labor Conference (1915).

tion of what is necessary");⁸ but the War Census seemed to be a concession to the USL, and W. Finlayson spoke for a growing section of the movement outside when he claimed that the inevitable consequence would be compulsion.⁹ Queensland and Broken Hill unions declared their opposition;¹⁰ the Melbourne Trades Hall Council had, however, rejected a motion against conscription just before the introduction of the War Census Bill,¹¹ while the NSW Labor Council did not even discuss the measure. There was, so The Socialist said, still a lot of "patriotic high-falutin'" in the labor movement;¹² but this was largely dispelled over the next six months.

In July, the Victorian Socialist Party joined with other revolutionary groups to form the Anti-Militarist and Anti-Conscription League; this body had no sooner made its appearance than the Trades Hall Council was again involved in a discussion of the war. This time, the socialist faction was just strong enough; a motion asking that the Imperial Government state its terms for peace was carried, after an amendment declaring confidence in the Federal government's handling of the war was defeated by 51 votes to 50. The Council delegates, said one Melbourne newspaper, "edge as closely as they dare to the border line of disloyalty."¹³ The following month (September), the Trades Hall Council and a conference of Victorian unions both declared against conscription; the initiative came from members of the VSP.¹⁴ Victorian radicals were also involved in the No Conscription Fellowship, which VSP secretary R.S.

8. CPD, lxxvii 4834.

9. Ibid., 4871.

10. Brisbane Industrial Council, Minutes, 7/7/15, 21/7/15. (The key motion, moved by C. Anlezark, a member of the IWW, was carried 17/1.) Socialist, 30/7/15. Dale, op. cit., 177.

11. Socialist, 16/7/15.

12. ibid., 13/8/15.

13. Labor Call, 5/8/15. The quotation is from The Age.

14. Socialist, 24/9/15. Movers were A.D. Jones of the Agricultural Implement Makers and F. Hyett of the VRU.

Ross had helped to form; its president was Norman Grant, a well-known member of the Labor party, and it enjoyed considerable support among the party branches. The Fellowship's aim was to encourage men of military age to pledge themselves in advance to refuse conscription; originally formed on pacifist principles, its socialist members won a narrow majority in September 1915 for removing the reference to the sacredness of human life from its pledge,¹⁵ thus throwing the organisation open to all who opposed the war from whatever point of view.

The sequence of events was similar in New South Wales. The IWW Club had invited the other radical groups to join it in an Anti-Conscription League, and, on 30 September 1915, a week after the League was officially launched, its supporters succeeded in having the NSW Labor Council carry a motion rejecting conscription of manpower unless there was a corresponding conscription of wealth.¹⁶ "The tone of the debate," reported Labor Council secretary E. Kavanagh, "went to show that the consensus of opinion was that a man should not be compelled to give his life while the stay-at-home capitalist would lend his money to the country only when he was guaranteed a high rate of interest."¹⁷ From the unions, the debate passed to the Labor party. Holman and several of his Cabinet, as well as a number of prominent unionists,¹⁸ had lent their names to the Universal Service League; there had been "sheaves of corres-

15. Socialist, 24/9/15.

16. This qualified rejection was the position most often taken by trade unions at this time and indeed until conscription became an immediate issue in July 1916. Since many of those who moved for this policy were themselves socialist opponents of the war, it may be assumed that this formulation was used because it was calculated to appeal to a broad section of unionists who were angry about "war profiteering," but who were not yet opposed to the war itself.

17. Report, NSWLC, 31/12/15.

18. Including C. Thompson, sec. of the ARTSA, H. Lamond, manager of The Worker, and the secretaries of the FEDFA and the AMIEU.

pondence" from branches and unions protesting against this, and in mid-October the party executive resolved¹⁹ to inform these senior members of the party that it was "inadvisable for members of the Movement to publicly associate themselves with controversial issues upon which the Movement may be called upon to express an opinion."²⁰ There was as yet no threat of sanctions, nor even any pronouncement against conscription, but the direction was clear: no such action was taken against members of the party who were just as public in their opposition to conscription.

Anti-conscription sentiment was thus spreading steadily, when, towards the end of 1915, three events further consolidated the opposition of the movement generally towards the projects they believed the parliamentary leaders to be preparing.

The abandonment of the prices referendum on October 28 dispelled any hopes there may have been that the Commonwealth government intended to "conscript wealth" for the war effort. The effect on the movement was powerful: "[Hughes's] word could no longer be taken, and only his word stood between the people and Conscription."²¹

Then, on the basis of the War Census, the Commonwealth Statistician reported that there were 600,000 "fit" men of military age available for recruitment.²² The heroic Gallipoli campaign had petered out into a dispirited holding operation, and the evacuation was soon to begin; but in the seven months of bloody fighting, the Australians had suffered nearly 28,000 casualties - close to 15% of the total enlistments to that time.²³ Now Hughes announced that it

19. By a near two-to-one majority.

20. Official History of the Reconstruction.

21. Blackburn, op. cit.

22. Scott, op. cit., 310. "Men were deemed fit if they described themselves as being in good health, not having lost a limb, and being neither deaf nor blind"* - a formula which certainly encouraged, if it did not initiate, the soldiers' folklore about medical examination on enlistment.

23. Total enlistments August 1914 - October 1915: 198,000.

Ibid., 871. The casualties included 8500 killed.

* Should read: ". . . neither blind nor deaf."

was his intention to raise an additional force of 50,000 men, as well as providing the 9500 reinforcements which were needed each month to keep the existing units up to strength.²⁴ There were widespread complaints that governments and private employers alike were practising "economic conscription" to boost the recruiting figures - that is, that single men were being laid off or refused employment, so that they would be forced to enlist;²⁵ and there was the further fear of industrial conscription - the direction of labor at fixed wages, which had been embodied in the conscription measures recently passed by the British government.

Finally, a lively argument was precipitated by the decision of the War Council,²⁶ announced on 25 November 1915, to address three questions to every man of military age: are you prepared to enlist now? are you prepared to enlist later on? if not, why not?²⁷ The Melbourne Trades Hall Council at first urged unionists to boycott the questionnaire, but, after pressure from the Waterside Workers and other unions influenced by Hughes, the motion was rescinded; a socialist-inspired motion for a boycott was defeated on the NSW Labor Council; the Brisbane Industrial Council protested against the new recruiting methods, but divided equally on a proposal to withdraw trade union support from the Labor candidate in the by-election for Wide Bay, the seat vacated by Andrew Fisher on his departure for London.²⁸ The trade union movement was as yet far from unanimous, but the anti-government sentiment was growing.

24. Scott, op, cit., 310.

25. cf. Labor Call, 2/12/15; International Socialist, 22/1/16; ARTSA Minutes, 9/1/17. That these charges may not have been altogether lacking in substance is suggested by a statement of the managing director of the largest agricultural machinery plant in Victoria, H.V. McKay: "In this war we have all to make sacrifices. I have had to sacrifice some of my best workmen. And I am prepared to sacrifice more if my country needs it." (Qd. Labor Call, 13/1/16.)

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On 16 January 1916, the Prime Minister left Australia to visit London at the invitation of the Imperial War Cabinet. He departed in a flurry of denunciation of the IWW, "foul parasites [who] have attached themselves to the vitals of labor," and of "people who babble about peace."²⁹ Nevertheless, the debate continued. Late in January, the Annual Convention of the AWU unanimously supported an anti-conscription motion introduced by the radicals from Queensland and western New South Wales.³⁰ (It is strange that there should have been this unanimity in the AWU, whose leaders were anything but radical and were secure in their control of the union machine; however, the spirit of nationalism, of freedom from old-world entanglements, was not dead in the AWU - and besides the interests of the leaders, deeply involved in the power struggle inside the Labor party, for the moment ran parallel with those of the radical anti-conscriptionists.) In March, the Melbourne Trades Hall Council carried a socialist motion for the convocation of a Trade Union Congress to consider conscription;³¹ a move to empower the Council to call a general strike was however defeated in favour of a ballot of

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26. The Liberal Opposition had urged a National government; Fisher had given them only a War Council, consisting of equal numbers of government and opposition members, which had no executive powers but served a useful propagandist function.
27. Scott, op. cit., 311.
28. The Labor party lost the seat. The Worker attributed this to the "ingratitude" of the farmers, but it seems more likely that the outspoken trade union opposition to conscription had influenced patriotically minded electors adversely. The recruiting cards had the desired effect: enlistments jumped from 9000 in December 1915 to 22,000 in January 1916.
29. West Australian, 18/1/16.
30. Jauncey, op. cit., 126.
31. Labor Call, 23/3/16. There was an interesting tactical point in this, reflecting the alignment of forces in the trade union movement. The Trades Hall secretary, C. Gray, proposed that the question be referred to a meeting of the Grand Council of Labor (consisting of delegates from the state Labor Councils), to be held on 15 May 1916. The movers of the motion (F. Hyett and A.D. Jones) obviously felt that a stronger policy was likely

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unions in the event of the introduction of conscription.³² The question was "repeatedly" before the NSW Labor Council in the first half of 1916, usually introduced by the socialists in response to some new government hint or public demand; each time, it was denounced as "opposed to the best interests of the community," as "not necessary," as "mean[ing] the permanent establishment of militarism" in Australia. This did not mean that the Labor Council was against the war, the secretary explained; it recognised that this was not a class war but a war of nations, a war of "Militarism versus Democracy," but it was necessary to fight militarism at home as well as abroad - and that meant opposition to conscription.³³

From the unions, the debate moved into the Labor party, which had not yet (except for the delaying motion passed by the NSW executive in October 1915) formally pronounced.

The AWU having made its position clear, there was no doubt about the Queensland party. In March, the Labor-in-Politics Convention passed, without discussion or dissent, an AWU-inspired resolution opposing the introduction of conscription, but rejected a left-wing proposal that advocacy of conscription be declared to mean opposition to the principles of the labor movement;³⁴ this implied sanctions, and for this the party was not yet ready.

At the Victorian conference, a few weeks later, the Trades Hall influence was dominant,³⁵ and the union militants combined with the VSP-oriented wing of the party to throw out the most direct challenge yet offered to the conscriptionist politicians. With one dissentient,

31. [contd.] policy was likely to come from a congress at which unions were directly represented - including those large unions like the Miners' Federation which were not affiliated to the Labor Councils - and insisted on their resolution for a Congress on May 2.

32. *West Australian*, 13/3/16.

33. NSWLC Report, 30/6/16.

34. *Blackburn*, *op. cit.*

35. 118 delegates attended from unions, only 50 from local branches.

the conference pledged itself "to oppose by all lawful means the conscription of human life for military service abroad," and directed all affiliated unions and local organisations to oppose all Labor parliamentarians who supported conscription; should unions and branches not do the right thing, the executive was instructed to refuse endorsement.³⁶

The NSW conference met in May, and passed a similar resolution to that of the Victorian conference, on the motion of Arthur Rae, who had lost his Senate seat in 1914 because of his outspoken opposition to the war. Holman and his followers objected strongly - they were already identified with the Universal Service League - but the motion was carried, with only a handful against.^{36a}

The Victorian executive interpreted the anti-conscription resolution as authorising them to seek a pledge from all Victorian parliamentarians (both State and Federal) to support this policy, and Queensland followed them in this, despite the rejection by the Queensland conference of a motion in these terms. Most of the politicians from these two states signed without delay - the majority were against conscription, and those who were not went with the strength. But in New South Wales the majority of Cabinet was already committed to conscription; an election was due soon, and party unity seemed an urgent necessity. After four weeks of negotiations, a truce was agreed: the executive would postpone any further consideration of conscription, provided that members of parliament refrained from advocating it publicly.³⁷

36. Labor Call, 4/5/16.

36a. Int. Soc., 13/5/16.

37. SMH, 1/7/16. The SMH (5/1/17) interpreted this as the executive "coming to heel" - that is, agreeing that conscription should be an open question for members of the party. It is unlikely that either side so understood the executive's decision; at least, Holman did not claim this in his subsequent statements.

In May, the question passed back to the industrial movement. Five Labor Councils and 97 unions - not all, but "the most powerful and the most militant unions" - credentialled delegates to the Interstate Trade Union Congress, which claimed to speak for 280,000 unionists, near enough to half of all Australian trade union members. The Congress declared its "resolute hostility" to conscription, practically without dissent, after defeating a South Australian amendment (for which only 50,000 votes were cast)³⁸ which in effect accepted conscription if the Federal government decided that there was no other way of maintaining the Australian contribution to the war. Voluntary recruiting was supported, with 41,000 votes (the hard core anti-war group) against, and a motion calling on the Federal government to stop the robbery of the working class was carried unanimously. So far, these motions were purely declaratory; the conference then passed to their implementation. There was no argument about trade union support for the decisions of the party executives to apply sanctions against those parliamentarians who supported conscription; however, when it came to industrial action, the conference split. A militant motion directing a general strike in the event of conscription was narrowly defeated;³⁹ in its place, the conference agreed to Frank Hyett's motion for a ballot of unions - the same position as that adopted by the Melbourne Trades Hall Council two months earlier.⁴⁰ The Australian unions were fighting out one of the classic battles of the Second International - the use of the general strike for political ends. In the International, the question had been largely academic, what the unions would do in the event of war, but now, in Australia, it was being fought publicly,

38. Decision was by card vote, for the first time at an Australian labor or trade union conference.

39. By 129,730 votes to 103,728.

40. Report, Australian Trade Union Congress (1916).

and during a war, as a matter of immediate practical politics, and a frontal challenge to the government. The breach between politicians and unionists was not yet so complete that the challenge could be made, but the closeness of the vote suggested that, unless the government retreated, the day was not far off.

Throughout these months, the campaign of the Anti-Conscription Leagues continued. There were some reservations on the part of the official labor organisations,⁴¹ and some doctrinaire objections from the left,⁴² but the general picture was of wider and wider sections of the mass labor movement, political and industrial, working more and more closely with the revolutionaries. It was not an easy task; anti-conscription meetings were subjected to continual attacks by angry soldiers, generally men in training or awaiting embarkation; the "antis" were denounced from parliament, press and pulpit as cowards and traitors to the Allied cause; many of their leading propagandists were prosecuted under War Precautions Regulations which forbade statements likely to prejudice recruiting; their press was subject to severe censorship, and on occasions refused transmission through the post.⁴³ But, by July, as news of the first Battle of the Somme began to reach Australia, and as feelings grew more intense in anticipation of Hughes's return from England, Labor and trade union anti-conscriptionists worked amicably and energetically with socialists and syndicalists in a campaign which day by day grew stronger.

Relations between the Federal and NSW Labor governments and the rest of the movement deteriorated rapidly, as George Black, Chief Secretary in the Holman government, gave reluctant permission to

41. e.g. both the Melbourne THC and the NSW Labor Council early in 1916 withdrew the use of their premises from the Leagues.

42. e.g. the Melbourne branch of the ASP refused to support the United Peace and Free Speech Society, on the grounds that it was "partly bourgeois . . . [and] wholly antagonistic to the principles of socialism." (Int. Soc., 29/1/16.)

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the NSW executive of the party to hold an anti-conscription meeting in the Sydney Domain, at the same time stating that "if any statement were made which might lead to a disturbance the police had instructions" - not to deal with the disturbers, but "to stop the speakers promptly, and disperse the meeting";⁴⁴ and Acting Prime Minister Pearce ordered a raid on the Melbourne Trades Hall and the seizure of all copies of the manifesto issued in the name of the Interstate Trade Union Congress. Hughes arrived back in Australia on 31 July 1916, to find a movement which was already hopelessly divided on the principal proposal he had to put to it, the demand of the Imperial War Cabinet for more men, which, he now believed, could only be met by conscription. The political correspondents were already speculating on the possibility of a split. Hughes would, it was thought, carry a large section of his party with him, and would get enough support from the Opposition to enable him to form a new government; but, as for the organisations outside parliament, they "are so completely opposed to conscription, and are so intent upon securing the dismissal of Commonwealth Ministers whose administration has displeased them, that it is hard to see how a split in the party can be avoided."⁴⁵

Hughes's first public statements following his return⁴⁶ contained no direct reference to conscription, to the great disappointment of the Universal Service League, the Opposition and the daily press; however, he left little doubt about his intentions in the minds of those who heard him. The conscriptionists were anxious that the Prime Minister should declare himself immediately; they were confident that, once he had spoken, the opposition would melt away.⁴⁷ But Hughes knew better. While he was still in London, he had written

43. The most widely publicised prosecutions were those of K. Leslie of the ASP, L. Klausen of the IWW Club, J. Skurrie of the VSP, and Tom Barker and P. Mandeno of the IWW.

44. SMH, 24-25/7/16.

45. Ibid., 5/8/16.

46. In Perth on July 31 and in Adelaide on August 6.

47. e.g. SMH, 29/7/16.

to Pearce regarding his fears of a possible German victory and his belief that the Australian forces should be, if possible, increased. Pearce had interpreted this as meaning conscription, and had asked the Labor Whip⁴⁸ to sound out the members of Caucus; meanwhile, he had himself consulted with a number of trade union leaders, but "the result of these inquiries did not reveal enthusiastic support."⁴⁹ However, Hughes did not believe that the opposition was truly representative; he was confident of his ability to win the movement over to his way of thinking, and he was not prepared to move until he had made the attempt. So, when he and Pearce met in Adelaide, it was agreed that he should make no public statement of his intention until he had talked to trade union leaders in Melbourne and Sydney.⁵⁰

The Prime Minister met his Cabinet in Melbourne on August 9, but opinion was divided, no motion was advanced, and no decision taken.⁵¹ The Labor Caucus was not due to meet until August 24 - a week before Parliament opened. In the intervening fortnight, the campaign continued. In Sydney, Hughes made up his differences with Holman, and reached agreement that they should "take the plunge and try to commit Labor." Holman began to sound out the NSW members, telling them that if they opposed conscription it would be the end of them politically - which seemed to them quite likely.⁵² The NSW Labor party held its first anti-conscription meeting on the Sydney Domain; estimates of the attendance varied between sixty and one hundred thousand, and the attempt of a party of soldiers to storm the platform was rebuffed.⁵³ Hughes addressed huge public meetings

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48. J. Page MHR, from Queensland, who was an anti-conscriptionist.
 49. G.F. Pearce: Carpenter to Cabinet, 136. However, Pearce said, "they certainly gave no indication of the bitter opposition that subsequently developed."
 50. Ibid., 136. Pearce records that he deputised for Hughes in Sydney, and among others met the leaders of the Miners' Federation. "They gave no indication of hostility . . . but asked that they should be kept fully informed of the Government's intentions.

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in Melbourne and Sydney, urging a more vigorous war effort, but still made no direct reference to conscription.

When Cabinet met before the Caucus meeting, Hughes presented his proposal for a referendum on compulsory overseas service. Later, he came under sharp criticism for this decision, but in reality he had little alternative. Opinions were divided as to how many "solid" anti-conscriptionists there were in the parliamentary party, but the stand taken by the party executives in the eastern states had had a powerful effect, and, while Hughes might have got an act through the House of Representatives, it would "certainly have been rejected in the Senate."⁵⁴ An attempt to act by legislation or by regulation would have split both Cabinet and Caucus and probably resulted in a deadlock between the two Houses, which could only have been resolved by a double dissolution - a process which would have taken at least six months.⁵⁵ On the other hand, a referendum had many attractions: it appealed to the democratic sentiment of the party; it provided those Caucus members who were not opposed in principle to conscription with a way around the party decisions; it enabled the Labor parliamentarians to avoid facing the electors.

50. [contd.] I learned long afterwards that they began to organise trades union opposition to conscription immediately after this meeting." This is clearly inaccurate; union opposition was well advanced long before this.
51. Pearce, op. cit., 137; Worker, 6/2/19.
52. J.T. Lang: I Remember, 65.
53. SMH, 14/8/16.
54. Pearce, ibid. Another conscriptionist Minister (W. Webster), however, said that Hughes "had no chance of carrying it in the House of Representatives, even if the entire Opposition had stood solidly behind him" (which they would have done). Argus, 26/12/17, qd. Jauncey: The Story of Conscription in Australia, 157-58.
55. The alternatives were amendment of S. 49 of the Defence Act, of a regulation under the War Precautions Act. The government was doubtful whether the W.P.A. empowered it to override the specific prohibition in the Defence Act, and in any case a War Precautions regulation could have been disallowed by resolution of either House. Blackburn, op. cit.

Above all, Hughes believed that the popular vote would be overwhelmingly in his favour - an opinion which was generally shared, even by his labor opponents. The success of the referendum would not of itself alter the law, but it would give the government a mandate. The party would be held together; the industrialists and "disloyalists" would be put in their place, and the authority of the parliamentarians restored; if the anti-conscriptionist minority were recalcitrant, they could be isolated and driven out. And, indeed, so it would have been - had Hughes's estimate of public opinion been correct.

By five votes to four, the Ministers approved the appeal to the people; in Caucus, after twenty hours of argument, "the terms of the 1916 referendum were practically endorsed by a bare majority of one on the votes of those present."⁵⁶ In Parliament, Hughes announced the terms of the compromise. The war situation was acute; the casualty lists for the last eleven days included 6743 names. If the Australian forces were to be kept up to their present strength, 32,500 recruits were needed during September and 16,500 a month thereafter. If insufficient recruits came forward during September, then single men would be called up for home service under the existing provisions of the Defence Act. A referendum on conscription for overseas service would be held in about eight weeks' time. But (and this was a partial answer to his critics) the government would not just conscript men; there must be equality of sacrifice, and they would not hesitate to compel the rich to sacrifice their wealth.⁵⁷ Two days later, Parliament adjourned, so that the Prime Minister could make a formal bid for trade union and Labor party support.

56. Webster, loc. cit.

57. CPD lxxix 8402-03.

The tactics were clear. Hughes well understood that the source of the trouble was the trade union movement, so his first appeal was to the political wing, where he could hope for support if any was to be found. If he could carry this off, he might at best influence, at least isolate the unions. On the other hand, an initial rebuff by the unions would surely have an adverse effect on the political wing. His objective was an instruction from the movement to the parliamentary party to support him in the campaign for a "Yes" vote,⁵⁸ but he got away to an unhappy start. On August 31 - the night after the announcement of the referendum proposals in Parliament - he met with the Victorian executive, but "not one voice outside his own said a word that night in support of conscription. Mr Hughes went home in high dudgeon."⁵⁹ And there was little hope with the parliamentarians: the executive had kept almost all the Victorian Caucus in line, even the party leader, George Elmslie, who was regarded with considerable suspicion because of his active support for recruiting,⁶⁰ while not one of the Victorian members of the Federal Caucus supported Hughes. As Holman said, the Victorian party was "in a most unfortunate position, having, apparently, succumbed almost unanimously to ^{the} pressure brought to bear by the workers."⁶¹ The night after this defeat, Hughes tried his luck with the Melbourne Trades Hall Council; but Melbourne was the centre of the Interstate Trade Union Anti-Conscription Congress (whose secretary was now John Curtin), and the THC overwhelmingly rejected the referendum proposal.⁶²

The results in New South Wales were equally unsatisfactory. The NSW executive had already, on the second day of the vital Caucus

58. Worker, 6/2/19.

59. Ibid., 6/2/17.

60. cf. Labor Call, 15/7/15: "The seven plagues of Egypt were blessings in comparison to the surfeit of sickenin' slosh with which people are being deluged by the Watts and the Hughes's, the Peacocks and the Elmslies. Liberal or Labor, the political recruiting agent is tarred with the same brush." Two members of the Victorian parliamentary party were eventually expelled.

61. SMH, 16/10/16.

62. Worker, 6/2/17.

meeting, abandoned its eight-week-old truce with the parliamentarians, and circulated all NSW members, both State and Federal, demanding that they declare themselves. However, Hughes was able to delay further the open breach; he appealed to the executive and to the Labor Council to defer their decision until he had had a chance to speak to them, and both organisations agreed. The special meeting of the executive was held on September 4. Hughes pleaded his case eloquently, producing some of the private information on the war that he had gathered in England, and throwing in for good measure a grave warning about the "Yellow Peril" in the Pacific, but he was unable to convince his listeners, and his proposals were defeated by 21 votes to five.⁶³ Later, Holman alleged - with justice - that the executive's decision had been pre-determined by the Industrialists.⁶⁴ Hughes had as little success with the Labor Council the following night. The argument went on until midnight, the meeting was reported to be divided and the discussion was adjourned, but it was clear that the majority were against the Prime Minister.⁶⁵ Only in the parliamentary party did Hughes have any substantial support. Holman and six of his Cabinet were committed to the referendum, and, while the other three Ministers were not enthusiastic, it was thought that they would at least be neutral. Of the other Caucus members, it was said that the majority were fence-sitting, waiting to see how the vote went; if the electors declared for conscription, then they too would be conscriptionists.⁶⁶ Meanwhile, party branches and unions in New South Wales were declaring their attitude, and the trend was strongly against the government. The Sydney Wharf Laborers' Union had followed Hughes for years; now 3000 watersiders, at a special

63. Official History of the Reconstruction.

64. SMH, 30/9/16.

65. SMH, 7/9/16.

66. SMH, 9/9/16.

stop-work meeting, resolved almost unanimously to oppose the referendum.⁶⁷

Finally, late in September, the NSW executive expelled Hughes from the party, and withdrew the endorsements of Holman, D.R. Hall (the NSW Attorney General) and two other prominent conscriptionists, and decided on an ultimatum to those parliamentarians who had not yet replied to the demand that they make their position clear: "Are you in favour of conscription^{or not.} Plain answer, Yes or No."⁶⁸ Hughes, Holman and their fellow sufferers protested vehemently against the disciplinary measures, but the party President, J.W. Doyle, replied - in reference to Hughes - that he had "been treated just as he must have expected, and certainly as he deserved."⁶⁹

The members of the NSW Caucus were reluctant to do anything which might widen the breach: an election was coming up, and they felt a special concern for the fate of the government and the unity of the parliamentary party. They rejected a motion declaring opposition to conscription to be Caucus policy, in favour of a further attempt to reach a compromise with the state executive. But the executive was adamant; not only did it reject the Caucus request, but it withdrew the endorsement of five more members, including two Ministers. The majority of the parliamentary party had been prepared for a compromise on Western Australian lines - that conscription should be an open question⁷⁰ - but the efforts to reach an understanding broke on the intransigence of the movement outside. For the politicians, it was worth almost any sacrifice to keep Labor in power - and, to many,

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67. Minutes, Sydney Branch WWF, 14/9/16. A move to despose Hughes as Federal President was however defeated.
68. SMH, 16/9/16.
69. Ibid., 20/9/16. Among the sufferers were Hector Lamond, manager of the Worker, and W.G. Spence MHR, the veteran President of the AWU (and Lamond's father-in-law), who were removed from their posts in the union.
70. The WA conference (the first to decide on the conscription issue) had given Labor parliamentarians a free hand; in the event, four of the five WA senators and a majority of the State members, led by Premier John Scaddan, declared for Hughes.

conscription did not even seem a sacrifice. But to most of the trade union movement, a Labor government, with conscription, was next door to worthless, and to allow men to speak for conscription in the name of the labor movement seemed to them to be more damaging than even the loss of a government - in which many of them in any case had no great faith.

In Queensland, Labor had been in office for fifteen months; the parliamentary party was under continual pressure from the AWU and the Brisbane Industrial Council, and its members were generally against conscription. Premier T.J. Ryan returned from England a couple of weeks after Hughes, and urged strongly the need for reinforcements, but he declared against the referendum. His party followed him, except for the Minister of Railways,⁷¹ who resigned. It was not without hesitation that some at least of the parliamentary party took this stand; but again it was the pressure of the unions which "swung the political wing into the fray."⁷²

South Australia was the last of the parties to decide. The conference opened on September 4, with conscription the main issue, and Labor Premier Crawford Vaughan chose this day to announce his support for the referendum. The "antis", led by F.W. Lundie of the AWU, tried to get conscription debated before Hughes could arrive to address the delegates; the agenda committee recommended that the debate be held on the day that Hughes was present. This was a test vote, and the latter won. Hughes's speech made a "profound impression," and the conference carried a resolution of confidence in the Federal government and a motion expressing opposition to the conscription of human life, but endorsing the holding of the referendum; there was no mention of action against politicians who advocated a "Yes" vote.

71. J. Adamson MLA.

72. Lane: Dawn to Dusk, 163-64.

The delegates also resolved their "unswerving devotion to the Allied cause" - a courtesy which had been neglected in Victoria and New South Wales.⁷³ Thus conscription became an open question for South Australian parliamentarians, and seven of the eight members of the Federal Caucus supported Hughes.

Behind the state Labor parties stood the unions. In the eastern states, it was the resolute opposition of the industrialists which determined the resistance of the party executives to Hughes's persuasive advocacy. In South and Western Australia, where the unions were in a weaker position in the party machine, and there was consequently no formal ban on politicians supporting the "Yes" campaign, it was the unions which provided the backbone of the "No" forces.

On the day following Hughes's announcement of the referendum, the committee of the Interstate Trade Union Congress had urged the convocation of special conferences of unions in all states to consider action and to direct unionists on how to vote. In Brisbane, a conference of unions, convened by the Industrial Council, unanimously decided for strike action in the event of conscription being introduced - even conscription for home service.⁷⁴ On September 21, the NSW Labor Council debated alternative proposals for a Council decision for a one-day stoppage, or a ballot of unions on the stoppage; the former won, by 97 votes to 72. In the visitors' gallery, a large crowd of spectators - described in press reports as members of the IWW and the Anti-Conscription League - cheered.⁷⁵ The following day, the executive of the AWU resolved to throw "the whole of the efforts" of the union into the "No" campaign - but decided against a strike.⁷⁶

73. SMH, 11/9/16.

74. Lane, op. cit., 170-71.

75. SMH, 22/9/16.

76. Ibid., 26/9/16.

The most important of the union gatherings assembled in Melbourne on September 23-24. It was convened jointly by the Trades Hall Council and the committee of the Interstate Congress, and attended by delegates from 106 Victorian unions, as well as visitors from all states except South Australia; the visitors said that the unions in their states had agreed in advance to be bound by the decisions of the conference. The decisions were for militant action. The introduction of compulsory home service was condemned - a measure of the growth of radical sentiment among the unions - and it was decided that stop-work meetings should be held throughout Australia on the day the call-up was proclaimed, to consider the recommendations of the executive for further action.⁷⁷ Unofficially, it was reported that the conference had "discussed a general strike through three sessions . . . if we lose the referendum. All sorts of rumours about that the numbers will be faked, and the men sent to the front."⁷⁸ Subsequently, John Curtin, as secretary of the Congress, announced that the stop-work meetings should be held on October 4. To Hughes, it seemed that the real purpose of the Congress was to foment a general strike and so prevent the vote being taken; the militants were hoping to bring about "something approaching civil war," and he appealed to unionists not to be misled by "reckless extremists, and ^{the} secret enemies of Britain, who wish her to be defeated."⁷⁹

A large number of NSW unions stopped work for the day, including the wharf laborers, nearly all the metal tradesmen, some sections of railway workers, and coalminers throughout the state. Direct actionists and other militants were prominent among the three thousand strikers who met in the Sydney Town Hall; however, the motion put to the meeting was moderate in tone - it demanded the withdrawal of the

77. SMH, 25/9/16.

78. Boote: Sidelights on Two Referendums, letter dated "September"

79. SMH, 4/10/16.

[1916].

call-up notices, but did not propose industrial action against conscription. The chairman appealed to those present to rely on the ballot box, and the motion was carried without dissent.⁸⁰ At the Barrier, where there had already been one stoppage against conscription, the AMA, with the support of a number of other unions, again closed the mines. "Never before," records George Dale, "was the enthusiasm equal to this great industrial protest."⁸¹ From Melbourne, it was reported that 70,000 workers had taken part in the protest. In Brisbane, "although . . . a few of the more timid unions did not partake in the demonstration, thousands of unionists marched in/^{the} procession from the Trades Hall. The protest was a powerful one and effectively demonstrated the bitter opposition of the workers of Brisbane to conscription."⁸²

To a conscriptionist like Hector Lamond (who had accepted the post of honorary organiser for the "Yes" campaign after his forced resignation from The Worker), it seemed that the tactics of the enemy demonstrated the growing influence of an "irresponsible and dangerous section led by the I.W.W.;" but that the "ghastly failure" of the strike proved that the rank and file were refusing to follow such leaders. To Mr Justice Heydon of the Industrial Court, the direct challenge to the government was "essentially an act of civil war. . . . It involves a revolution, a transfer of the means of government from the adult men and women of the Commonwealth to such of them as may be members of trades-unions."⁸³ A more sober estimate was given at the NSW Labor Council's post-mortem. Delegates from the unions which had stopped work condemned those which had failed to support them; one alleged that £33,000 had been spent to disrupt

80. SMH, 5/10/16.

81. Dale, op. cit., 217.

82. Lane, op. cit., 171.

83. SMH, 9/10/16, 10/10/16.

the strike. But, as secretary E.J. Kavanagh point^{ed}/out, the Council had no power to instruct - all that it could do was to recommend, and rely on the unions' sense of solidarity, which was not always present.⁸⁴

The one-day stoppage was in fact conceived rather as a warning than as a challenge. It owed something to the influence of the direct actionists, but more to the Victorian socialists and the industrialists in New South Wales; and it fell far short of the IWW conception of a general strike against conscription and war. It demonstrated the breadth of disillusionment with labor in politics; but it revealed that the majority of the industrial movement, including the giant AWU, was still prepared to rely on political action to achieve its ends - to resist conscription, yes, but only "by all lawful means." The split in the Labor party was still too recent, and the new alignments were still too obscure, for the mass of workers to feel that sense of angry desperation which is a necessary condition for a general strike. That was to come ten months later.

Although the Cabinet and Caucus debates had revealed the depth of the division in the party, the parliamentarians were reluctant to formalise the split. The first crack came with Hughes's introduction, on September 13, of the Bill for the referendum. The following day, Hughes announced the resignation from his government of F.G. Tudor, a member of the Commonwealth parliament since federation,⁸⁵ party whip and party secretary to 1908, and Minister for Customs in the Labor governments since then. Tudor had resigned because of his differences with the government over conscription.⁸⁶

84. SMH, 6/10/16.

85. For Yarra (Vic.).

86. Pearce (op. cit., 143) says that Tudor told him that he knew that conscription was right, but that "Richmond [his electorate] won't stand for it." This seems unlikely. The April-May [contd.]

Twelve days later, three of the leading anti-conscriptionists in Federal Caucus called a meeting of those opposed to Hughes, in an endeavour to force all members of the party to declare themselves. Hughes replied by issuing a list of those Federal members who would be available for the "Yes" campaign; they included four Ministers, and seventees others - with himself, a total of twenty-two. Provoked by this, Tudor issued a list of those opposed to the government's plans - a total of 34, but including no Ministers. As the campaign proceeded, the remaining members of Caucus made their positions clear, but there was still no formal split in the party.

On the eve of the poll, a stupid move by Hughes caused the resignation of three more of his Cabinet. At a public campaign meeting, Hughes had threatened that single men who had dodged the October 2 call-up would get "the surprise of their lives" when they went to record their votes; he proposed that electoral officers be instructed to ask all apparently eligible voters whether they had presented themselves in response to the call-up. The Executive Council at first refused to endorse this proposal, but Hughes reconvened it at a time when only the conscriptionist Ministers could be present, and the regulation was passed. Immediately, the three anti-conscriptionist Ministers⁸⁷ sent in their resignations "as a protest against what we consider to be the Prime Minister's undue interference with the conduct of the referendum."⁸⁸ In the event, the government withdrew the regulation, and the single men were left to cast their votes free of the threat of prosecution for draft-evasion; but Hughes's blunder had cut the Cabinet neatly in half, and prepared the ground for the coming division in the parliamentary party.

87. Senators Gardiner and Russell and W.G. Higgs MHR.

88. Qd. Jauncey, op. cit., 208.

86. [contd.] resolutions against conscription were all directed to Tudor as well as to Pearce (as Acting Prime Minister), which suggests that Tudor was then regarded as the leader of the anti-conscription faction in Caucus.

The story of the last fervid weeks of the campaign is well known.⁸⁹ The "Yes" meetings, usually in local town halls, at which Labor conscriptionists could not get a hearing. . . The "No" meetings, often in the open air, at which "young, able-bodied men, apparently of military age . . held up their hands, and many of them both hands," in support of the anti-conscription resolutions.⁹⁰ . . The intervention of Daniel Mannix, formerly of Maynooth and now Coadjutor-Archbishop of the Melbourne diocese, who, deeply distressed by the wrongs inflicted on his people during the Easter Rising, denounced the "sordid trade war" and those who would conscript Australians to fight it.⁹¹ . . The denial of Mannix by most of his fellow prelates and many of his influential co-religionists. . . The refusal of the Queensland Governor to preside over meetings of the Executive Council, so long as these included the new Minister for Railways, J.A. Fihelly, who had told the Queensland Irish Association that "every Australian recruit means another soldier to assist the British Government to harass the people of Ireland." . . The rumours that the Federal Government had relaxed the White Australia policy and that 250 "Asiatics" had already landed, and Hughes's description of this as an "absolute and infamous lie."⁹² . . The arrival off Fremantle of a boat-load of Maltese immigrants - indentured cheap labor, the unions said - and the diversion of the ship from eastern ports so that the anti-conscriptionists could not make political capital out of it. . . The civil disturbances at Broken Hill, the arrest of a number of IWW members, and the formation of "Labor's Volunteer Army," which pledged men of military age to resist conscription.⁹³ . .

89. The most detailed account is in Janney, op. cit.

90. SMH, 16/10/16.

91. C. Murphy: Daniel Mannix,*

92. SMH, 9/10/16 . Lang, op. cit., 67 f, claims credit for first thinking of the potential value of this story, which he suggests was the decisive factor in the "No" campaign.

93. The measure of the success of this was that only 206 men answered the call-up, while over 2000 had enrolled in the LVA. Dale, op. cit., 219.

* Should read: C. Bryan: Archbishop Mannix, Champion of Australian Democracy, 68-72.

The prosecution of conscientious objectors to the October call-up, and the ignorant and savage comments of many of the magistrates who tried them: "What - what! You say you object on the grounds of being a Christian? If everybody was like you, and sat down and did nothing, the Germans would soon be able to walk over us." Application refused.⁹⁴ . . . The arrest of various members of the IWW on charges of forgery, treason, murder, arson.

Of these colorful incidents, the last was the most significant. From the beginning, the conscriptionists had made very effort to identify the IWW as the moving force of the "No" campaign, and to identify the Labor anti-conscriptionists with the IWW. Then, into the middle of the campaign, was thrown the arrest of one group of IWW men on charges of forging and uttering large quantities of £5 notes, of another group on a charge of murdering a policeman, and of yet another group on charges of conspiring to burn down Sydney. "Australians! These are leaders of the No Party," said one leaflet. "Are they to be yours?"⁹⁵

Those left-wing Labor men who had opposed conscription even before the party decisions and had co-operated with IWWs and other radicals in the Anti-Conscription Leagues, condemned the arrests as a political stunt and charged that there had been collusion between the Commonwealth and New South Wales governments to ^{ensure that the cases} were timed for maximum political effect. The official machine, however, tried to escape the IWW tag. Once the party had decided to oppose Hughes, it had appointed J.H. Catts MHR, formerly in charge of recruiting, to direct its "No" campaign. Catts was an old antagonist of the IWW, and he formed a new organisation, the No Conscription Council, which could enter the campaign unembarrassed by the atmosphere of

94. SMH, 17/10/16.

95. DA, 4/11/16.

disloyalty attaching to the socialists and the IWW. When charges were made of IWW associations, Catts replied that "no person or organisation connected in any way with the IWW is associated with us."⁹⁶ This was literally true, but it is doubtful whether it was relevant, for it could hardly be denied that - as a Sydney newspaper placard said on the eve of the poll - I.W.W. ASSASSINS WANT YOU TO VOTE NO.⁹⁷

This section has been concerned not so much with the conscription controversy itself as with the internal politics of the labor movement's response. The anti-conscription campaign, at first very much the affair of an isolated and unpopular minority, coincided with growing working-class discontent, and anti-conscription became one (finally the most important) of the watchwords with which trade unionists challenged politicians for control of the movement. The primary motives were economic, and compulsory military service was early identified as a move by the "exploiters" to inhibit the struggle of the workers against war profiteering.⁹⁸ Besides, the exigencies of the power struggle within the party for the time brought the interests of the conservative AWU bureaucracy into harmony with those of the militant industrialists and even the revolutionaries whom otherwise the AWU leaders detested, and together these elements carried enough weight to defeat the politicians and their "national" policy. By polling day, October 28, the breach in the labor movement was complete; all that remained for after the referendum was the formal consummation.

96. SMH, 10/10/16.

97. DA, 21/10/16.

98. cf. Labor Call, 15/7/15.

7. The Conscription Vote.

The conscription referendum of 1916 lost out on both constitutional counts: neither a majority of voters nor a majority of states¹ supported the government's proposals.² To contemporary radical observers, the defeat of conscription seemed the direct result of the vigorous action of the labor movement and the solidarity of the working class, and in part this was true, for without the labor movement's campaign Hughes's proposal would certainly have been endorsed - this was shown by the Western Australian result. But a closer examination of the voting reveals that one in three or four Labor voters supported conscription - more than enough to provide the government with a handsome majority; while it was the big swing against the government of Liberal voters in the countryside which saved the day for the anti-conscriptionists.

Today, electoral analysis in Australia is made much easier by compulsory voting: it is now possible to determine reasonably accurately not only the net swing of votes between competing parties, but what proportion of each party's former voters must have changed sides to produce the net result. But voting was only made compulsory for Federal elections in 1924, so that, in comparing the Labor vote in 1914 with the "No" vote in 1916, there is the considerable difficulty of the substantial difference in the turnout of voters,³ for which no allowance can be made. However, some useful comparisons are possible (but with no pretence to absolute accuracy), by equating the Labor (1914) and "No" (1916) percentages, and the Liberal (1914) and "Yes" (1916) percentages, and investigating the swing.

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1. Both are required by S. 128 of the Commonwealth Constitution for a constitutional amendment, and although this referendum could have no constitutional effect, observers tended to see its results in these terms.
 2. Appendix IV.
 3. Ibid.

Taking the 1914 election as a starting point, in that year slightly more than seven in ten electors went to the polls, and, in all states except Tasmania, voted strongly for Labor. Participation in the election was notably high in South Australia, Victoria and Tasmania, and notably low in New South Wales, while the Labor majority was greatest in Queensland, New South Wales and South Australia.

The 1916 referendum, in which slightly more than eight in ten electors voted, showed some significant changes from the 1914 figures and established a pattern which was followed in the second conscription referendum in 1917. Overall, the Labor/"No" vote declined by 3.5%; only in New South Wales and South Australia did the vote improve slightly, while in Victoria, Queensland and Tasmania it declined by 5-6%, and in Western Australia slumped disastrously by nearly 25%.

There are three possible explanations for this:

(1) Normally uncommitted voters (that is, those who habitually abstained) may have voted "Yes," thus producing a swing against Labor. However, there was a wide spread of increased participation, and, if new voters had markedly tended to favour "Yes," there would have been some correlation between increased turnout and the swing to "Yes," but there was not.

(2) Opposition voters in both sides' blue-ribbon seats, who usually abstained because the results in their electorates seemed to be pre-determined,⁴ may have turned out on this occasion when the votes were counted by states and nationally rather than by electorates; and, as there were three times as many Labor blue-ribbon seats as Liberal,⁵ this may have made the difference. However, the voting

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4. The main interest in Australian elections is in the voting for the House of Representatives, rather than for the Senate in which each state constitutes one electorate. Thus a voter might abstain in a blue-ribbon seat, even though his vote could be of some significance in the Senate elections.
 5. In 1914, there were 21 Labor candidates, but only 7 Liberal candidates, who polled over 60% of the votes.

figures in the extreme electorates at either end of the scale showed absolute and not just percentage falls in the Labor or Liberal votes.

(3) There may have been a substantial movement among both Labor and Liberal voters to the opposition. This was in fact what happened, and it is possible to estimate what shift of voters must have taken place to produce the overall swing.

Throughout Australia, 32 Labor electorates⁶ and 12 Liberal electorates (including 8 in New South Wales and three in South Australia) voted "No" in 1916, while 10 Labor and 21 Liberal electorates voted "Yes."⁷ Breaking the electorates down into eleven groups (metropolitan and country electorates for each of the five mainland states, and Tasmania), it is clear that the Labor electorates tended to swing towards "Yes," or less strongly towards "No," while the Liberal electorates tended to swing towards "No," or less strongly towards "Yes." Accepting then that voters from both sides changed their allegiance, it is possible to construct,⁸ for each of these groups, a picture of the average swings both ways which come closest to explaining the net result. This is set out in the following table:

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6. Including Grampians (Vic.) and Wide Bay (Qld.), both lost to the Liberals in by-elections in 1915. If these are regarded as Liberal electorates, the contrast is even more striking.
 7. Appendix IV.
 8. By using the "chi-square" test. I am indebted to Mr H.P. Brown, Reader in Economics at the Australian National University, not only for telling me about this mysterious mathematical device, but, when I could not get the sums right, using his slide-rule on my behalf.

THE 1914 ELECTIONS AND THE 1916 REFERENDUM

	Labor ^a 1914	No 1916 ^a	Swing	ALP to Yes	Lib to No
NSW (M) ^b	52.3	55.4	+ 3.1	5.0	11.6 ^c
NSW (C)	51.1	59.8	+ 8.7 ^d	25.0	44.0 ^c
Vic (M)	61.3	51.7	- 9.6	15.6	0.6 ^c
Vic (C)	47.7	45.1	- 2.6 ^d	23.5	17.5 ^c
Qld (M)	58.6	50.7	- 7.9	[22.5]	[12.8] ^e
Qld (C)	58.5	53.2	- 5.3	33.3	35.0 ^c
SA (M)	65.4	55.3	-10.1	22.0	13.0 ^c
SA (C)	46.3	60.1	+13.8	** ^f	** ^f
WA (M)	50.3	27.8	-22.5	[57.8]	[13.2] ^e
WA (C)	56.9	32.6	-24.3 ^d	48.0	7.0 ^c
Tas	50.8	43.5	- 7.3	43.3	30.0 ^c

NOTES TO TABLE:

(a) The "Labor 1914" and "No 1916" columns are the arithmetical averages of the Labor/No percentages in each of the groups. This is not the same as the Labor/No percentage of the total votes cast in all the electorates in the group, as the electorates vary in size. It is not possible to make allowance for this difference, and this, along with the voluntary voting difficulty, limits the accuracy of the figures in the last two columns; however, these limitations do not invalidate the general tendency shown by the table.

(b) "M" = metropolitan; "C" = country.

(c) These are merely the figures which come nearest to explaining the net swing in each group of electorates - that is, which provide the best "fit." In some cases, the fit is much closer than in others; and in almost all cases some electorates diverge quite widely from the pattern, and require special explanation. See Appendix

(d) Eliminating Barrier, Hunter, Newcastle and Nepean (mining and industrial electorates) from the NSW Country group, the average net swing is + 13.1%; eliminating Ballarat, Bendigo and Corio (mining and industrial) from Victorian Country, the swing is - 2.0%; eliminating Kalgoorlie (mining) from WA Country, the swing is - 15.5%. This strongly confirms the general trend.

(e) These groups contain only two electorates; all that can be stated here is the swing which would meet both cases.

(f) The spread is so wide in the SA Country electorates that no

general figure can be given. Two possibilities are: (i) assuming that the ALP to "Yes" swing was the same as in the city electorates (22.0%), then the Liberal to "No" swing would have ranged from 33-60%; (ii) assuming that the ALP to "Yes" swing was about half that in the city electorates (i.e. 10%), then the Liberal to "No" swing would have ranged from 25-50%.

Only in three areas did Labor improve on its 1914 vote - in Sydney, and in the country electorates of New South Wales and South Australia; everywhere else, the Labor vote declined. But in all states except Western Australia, the "No" position was stronger in the country electorates than in the cities, and this was accounted for not by a smaller loss of Labor votes - Labor generally lost more heavily in the country electorates than in the city - but by a much larger gain from the Liberals.⁹ Labor lost least to "Yes" in Melbourne and Sydney, (indeed voters generally adhered more closely to their party allegiances in the cities than in the country), and gained most from the Liberals in the South Australian, New South Wales and Queensland country electorates.

Before drawing some general conclusions from this analysis, some points relating to observations commonly made about the conscription vote should be noted:

(1) The soldiers' vote. This was at first not published separately - because, it was given out, the British War Cabinet had asked the Commonwealth government to refrain. However, following republication in Australia of figures given in overseas papers suggesting that the soldiers had voted "No," Labor pressure on the government produced the statement that 72,399 soldiers had voted for conscription, and 58,894 against. Assuming that these figures were true,

9. This general tendency is even more marked when the predominantly mining and industrial electorates in the "country" groups are set aside; the seeming Western Australian exception is accounted for by the enormous loss of Labor votes in Kalgoorlie.

the pro-conscription majority must have come from men who had not yet tasted battle. It is known¹⁰ that Hughes's agents in London¹¹ had been unable to hold successful "Yes" meetings among the soldiers in France; and it is certain that the front-line soldiers voted strongly against conscription - Hughes was in fact preparing to publish advance figures of the soldiers' vote, on the expectation that they would favour "Yes," during the final stages of the campaign, but was unable to do so. In all probability, the imperial authorities requested that these figures be not published because of the likely adverse effect on Allied morale.

(2) The women's vote. Both sides made particular appeals to women voters, the "antis" relying on such harrowing slogans as: "Will you send another woman's son or husband to his death?"¹² It was thought that this propaganda might have had a considerable effect, but an analysis of the voting figures suggests otherwise. Everywhere except in the South Australian country electorates, the "masculinity" of the vote¹³ declined from the 1914 elections to the referendum; however, there is no overall correlation between increasing "femininity" and the "No" vote, and in fact, where any correlation seems to exist, it suggests that, except in Western Australia and Tasmania, the increasing women's vote favoured "Yes."

(3) The Catholic vote. Much attention has been paid to the possible effect of the Irish--Catholic vote on the referendum - quite understandably, considering the flamboyant part played by the Coadjutor-Archbishop of Melbourne (the only high-ranking cleric to adopt such a position) in the "No" campaign. However, an examination of the voting suggests that any effect Dr Mannix may have had on the outcome of the referendum was strictly limited - that, if he did succeed in convincing many Catholic voters that, because of Britain's

10. Scott, op. cit., 352, 379. Scott's comments on this incident are very guarded, but the implication is clear.

11. Notably Keith Murdoch, then beginning his newspaper career.

12. Qd. Scott, op. cit., 356.

13. i.e. the proportion of male voters to total voters.

inglorious role in Ireland, they should vote against conscription, he probably lost just as many Protestant votes to "No."¹⁴ There is no general correlation between Catholicity and the "No" vote: New South Wales and Victoria, both with a higher than average Catholic element in their populations, behaved oppositely, while the biggest movement towards "No" came in the South Australian country electorates, where the proportion of Catholics was well below the average; in Melbourne, where Dr Mannix's activities were concentrated, the Labor vote fell substantially, while in Sydney, where Archbishop Carr carefully refrained from supporting Dr Mannix, the Labor vote rose. Unfortunately, the breakdown made by the Commonwealth Census on religion is based not on electorates but on parishes and counties, so that no detailed comparison between religious affiliation and voting behaviour is possible;¹⁵ however, a close examination of the Victorian figures shows that the Yarra electorate, traditionally a Catholic stronghold, voted more heavily for "No" than the predicted swings would indicate, while Kooyong, traditionally Protestant, voted more heavily for "Yes."¹⁶ This seems to suggest that Dr Mannix's campaign did in fact cut both ways.

(4) The Labor conscriptionists. The attitude adopted by the sitting members does seem to have had some slight effect on the voting. Of the 36 Labor seats for which an average swing can be calculated, 13 were held by followers of Hughes and 23 by anti-conscriptionists. Of the former 13, five favoured "No" more than predicted; while of the latter 23, fourteen behaved thus; but in most cases the variation was not very big.

(5) The "German" vote. The Military Service Referendum Act

14. This is not meant in denigration of Dr Mannix, whose intervention showed a great deal of courage, determination and independence of mind.

15. A detailed investigation could perhaps relate parishes and counties to electorates; however, that is beyond the scope of this thesis. [contd.]

included a special provision that, in certain proclaimed areas where there was a high concentration of people of German origin or descent, the votes of such electors could be set aside and counted separately. Two areas were proclaimed - in south-eastern South Australia and in southern Queensland - and in both cases these votes overwhelmingly favoured "No." Whether this was because - as Jauncey romantically suggests¹⁷ - the German migrants were men of radical convictions who had left their native land to escape political repression, or, more simply, because people of German origin, even if they disapproved of the Kaiser's foreign policy, did not want to have to fight against their countrymen, there is no doubt about how they voted, or that their votes had a considerable effect on the overall result, especially in the South Australian country electorates.¹⁸

What conclusions then can be drawn from this analysis? The Labor party suffered a drift of votes to "Yes" - more in the country areas than in the cities where the unions were powerful and the Labor campaign was concentrated - but were able to win sufficient votes in the rural electorates to defeat the government's proposals. That this was a vote against conscription rather than against Hughes was sufficiently indicated by the Federal elections which came only six months later; here the farmers swung back to the government, only to return to "No" in the second conscription referendum in December 1917. Partly it was the German wheat-farming vote, but most significantly it was the NSW pastoral vote, that carried the day for "No."

16. Yarra: predicted "No" vote - 68.7%; actual - 70.2%. Kooyong: predicted - 34.7%; actual - 33.0%. However, there were other Victorian city electorates which varied more from the prediction.

17. Jauncey: op. cit., 217.

18. This is confirmed by the fact that the two Victorian electorates in which people of German origin or descent were concentrated (Wannon and Wimmera) both voted "No" more heavily than predicted.

Scott reports the fanciful suggestion that the farmers were terrorised into voting "No" by threats of IWW-type sabotage: "You may win at the poll, but afterwards what about your wool-sheds, homesteads, haystacks, barns and livestock?"¹⁹ But even assuming the truth of the implication, this greatly exaggerates the influence of the IWW among rural workers. More plausible is the warning given by George Black, the NSW Chief Secretary and a follower of Holman, a fortnight before polling day. He had had "a good lot" of correspondence from the country, he said, and "the writers tell me that Mr Hughes's action in calling up the men is prejudicing conscription in the country districts, both with the employers and the men. In some places shearers have been called out of the sheds. In addition to that harvesting is going on, and there is a dearth of rural workers."²⁰

Ultimately, the defeat of conscription came down to this: a good season, and a shortage of labor, caused initially by the high enlistment of country men²¹ and accentuated by the ill-advised call-up of October 2. To most farmers, wheat unharvested and sheep unshorn, cattle unslaughtered and cows un milked - these were the worst of all possible evils, and the farmers voted against them. The radicals had won the labor movement to anti-conscription, and the labor movement, despite the defection of many of its most able and influential leaders, had carried the majority of the working class with it; but it was the non-Labor farmers who won the referendum.

19. Scott, op. cit., 356.

20. SMH, 14/10/16.

21. The AWU for example claimed that 30,000 of its members were in the armed forces.

8. The Aftermath: The Labor Split.

Many members of the Federal Caucus had hoped that, after the bitterness of the referendum campaign had died down, it would be possible for the opposing factions to reconcile their differences and re-unite. Indeed, this was the position taken by the Western Australian party, and by the September conference of the South Australian party (although the council of the latter had, a few weeks later, resolved at the instance of the AWU and other unions that the advocacy of conscription was a violation of the principles of the movement).¹ But the gulf was already very wide: to the "antis", the labor conscriptionists were war-crazed Imperialists, indistinguishable from the Liberal opposition;² while, to the followers of Hughes, it seemed that their opponents were not just against conscription, but were already "hostile to the prosecution of the war effort."³

When Caucus met on 14 November 1916, the anti-conscriptionists, full of their success, were ready with the challenge. Almost without comment, W. Finlayson MHR (Qld) moved want of confidence in Hughes's leadership; from the chair, Hughes ruled the motion out of order, but his ruling was dissented from - his opponents had the numbers.⁴ Amendments were moved⁵ to refer the fate of the Ministry to the movement for decision; but, while the acrimonious debate was still proceeding, Hughes and two of his most devoted followers⁶ reached the conclusion that they could not win, that "it was palpably impossible to hold the party together/except at the price of surrender" - which might mean Australia's withdrawal from the war.⁷

1. Advertiser, 13/10/16.

2. cf. Labor Call, 23/3/16.

3. Pearce, op. cit., 140.

4. Ibid., 140. This makes improbable Scott's suggestion (op. cit., 364) that even at this stage a majority could have been won for a compromise.

5. By Sen. O'Keefe (Tas), one of those responsible for the surrender at the special executive meeting in January 1916 on the prices referendum, and M. Charlton MHR (NSW).

6. Senators Pearce and Givens.

7. Pearce, op. cit., 140.

In a dramatic gesture, Hughes interrupted the debate and led 24 of his followers out of the party room. The forty who remained confirmed the expulsion of the Prime Minister, and elected F.G. Tudor in his place as leader.

The formal seal was put on the split by the special interstate conference which met in Melbourne on December 4 to consider the party's future. The running was made by the Victorian delegates, who moved for the expulsion of all those Federal members who had supported conscription or had left the Federal parliamentary party to form another party. Alone of the state organisations, the WA party had not made anti-conscription an article of faith, and its delegates had come to the conference with instructions to try to heal the breach. If this were to be done, the Victorian motion would have to be split in two, and a distinction made between those who had followed Hughes into his new party, and those who had merely advocated conscription; this could have had no effect on the Federal situation, but it would have enabled the WA Labor conscriptionists to remain within the party. But the industrialists were firmly on top in the eastern states, and they were out for blood. The original Victorian motion was carried by 29 votes to 4, three WA delegates and one⁸ from New South Wales opposing it, while the other three Western Australians abstained. Conscription dominated the conference, but time was found to consider other questions then close to the heart of the labor movement - the resubmission of the referendum on Commonwealth powers, amendments to the Arbitration Act, and electoral reform.⁹

Provided the Labor conscriptionists could count on the continued support of the Liberal oppositions, they could still command sufficient votes in the parliaments of the Commonwealth, New South Wales and South Australia to continue to govern; however, it seemed to them

8. Sen. Gardiner.

9. Qld Worker, 14/12/16.

that the defeat of the referendum meant that "an election at that moment, with the reverberations of the conscription fight echoing in every corner, would probably bring in a Government pledged to outright disaffection."¹⁰ Accordingly, in New South Wales where an election was due late in 1916, and in the Commonwealth where one was due in mid-1917, Holman and Hughes devoted their talents for political manoeuvre to extending the lives of their parliaments; while the anti-conscriptionists, given new heart by a victory for which none of them had dared to hope until the last days of the campaign, were equally intent on forcing an early appeal to the electors.¹¹

The Commonwealth parliament met on November 29; Hughes announced himself as the leader of the "National Labor Party"¹² and named his new Ministry, all of them Labor conscriptionists. His thirteen followers in the House, together with the Liberal opposition, gave him a comfortable majority, which was consolidated by the formation of the National Federation in January 1917 and of a coalition government the following month. However, there were nineteen Labor anti-conscriptionists in the Senate - a majority of two against him. By diligent use of persuasion and pressure - one senator even alleged bribery¹³ - Hughes succeeded in convincing three of the four Tasmanian Labor Senators that their health could not stand up to a strenuous parliamentary session:¹⁴ one resigned and was, by prior arrangement with Hughes,¹⁵ replaced within a few hours by J. Earle, a former Labor Premier and a conscriptionist, who was appointed to the vacancy by the Tasmanian Executive Council, the state parliament not then being in session; another retired to hospital; while the

10. W.A. Holman: unpublished reminiscences, qd. H.V. Evatt: Australian Labor Leader, 417.

11. e.g. the Labor protests against the prolongation of parliament.

12. Apart from the parliamentarians who had followed Hughes, the new party consisted of a number of unions in W.A. and a few unions in S.A.

13. Senator Watson (Labor, NSW), CPD lxxxi 10847-48.

14. This was perhaps not difficult, as Tasmania had voted strongly for conscription, and a Labor majority in the Senate could have

third went on a long sea voyage - to recover his health, and to investigate trade possibilities in the Indies. Hughes had succeeded in having the House of Representatives pass a request to the Imperial government to legislate to prolong the life of the Commonwealth parliament; now he hoped, with his newly created majority, to get a similar motion through the Senate. However, the two Tasmanian Liberal Senators refused their support, the motion was not brought forward, and parliament was dissolved on 26 March 1917 - but by this time Hughes was no longer so reluctant about the dissolution, for the NSW election had intervened.

Holman had moved more quickly than Hughes towards a coalition. When the NSW parliament reassembled in November, he was confronted with a no-confidence motion from the new Labor leader, Durack. The debate lasted all through the night and until 11 o'clock the following morning; the Labor rump reserved their bitterest invective for their former comrades, the nominal opposition playing little part except to cross the floor and vote for Holman, helping to defeat the censure motion by 52 votes to 21. After three weeks of energetic horse-trading, in which positions were found for the former Opposition leader, Wade, and for such of Holman's ministerial colleagues as could not conveniently be fitted into a coalition government, the Premier announced his new Ministry.¹⁶ Almost its first act was to introduce legislation for the prolongation of the life of the Legislative Assembly; however, the public response was unfavourable, the parliamentary labor party was divided, and Holman decided to risk an election. His political judgement was strikingly

14. [contd.] meant a double dissolution in which the Tasmanian Labor Senators would almost certainly have lost their seats.

15. Worker, 25/10/17.

16. Lang, op. cit., 83.

confirmed: the Nationalist coalition won 50 seats (in a House of 90) to the Labor party's thirty-three.

Elsewhere, the position was not as bad, from Hughes's point of view, as might have been feared. In Queensland, there had been only a handful of defections from the party; the Ryan government was still popular, "No" had won in the referendum, and Hughes could have no great hopes. The Victorian party had also come through almost unscathed, but the state had voted for conscription, and the Nationalists had hopes of picking up seats in both Houses. South Australia had voted decisively against conscription, and the party had, at a special conference called in February at the instigation of the unions, repudiated the conscriptionists, who had walked out and set up a branch of the National Labor Party;¹⁷ most of the parliamentarians were with Hughes, but most of the unions and the popular vote were against him. The labor split had gone deep in both Tasmania and Western Australia; Labor governments had been defeated in both states during 1916, and the prospects looked good. Adding it up after the referendum, Hughes could reckon on carrying Victoria, Western Australia and Tasmania; now, with the NSW elections, he could hope for that state as well - and that meant the Commonwealth. Accepting his defeat in the Senate with a good grace, he dissolved parliament and announced a Federal election for 5 May 1917. He appealed to his record as war-time Prime Minister, and called on all those who wanted a "win-the-war" policy to give him their votes; at the same time, he declared that his government would respect the popular decision, and would make no further attempt to introduce conscription, unless the military situation made a further appeal to the people imperative. For the Labor party,

17. Worker, 22/2/17.

Tudor claimed that he would conduct the war effort "with vigour and determination" - and emphasised Labor's commitment to voluntary enlistment.

The results of the election far exceeded any expectations that Hughes and his followers could reasonably have had. In the biggest poll yet recorded in a Federal election (better than three out of four voters participated), the Nationalists scooped the pool in the Senate, and improved their position by four seats (from 49 to 53) in the House. Overall, the Labor vote dropped from its 1914 high-point of 55.1% to 43.9%;¹⁸ Labor polled best in Queensland and Victoria, where there had been least division in the party; and surprisingly poorly in South Australia, where participation fell off sharply, the abstention being greatest in the country areas and largely affecting Labor voters, except in Angas, the main centre of the SA German population, where some 4000 Liberal voters stayed away. Eleven Labor conscriptionists defended their seats, nine of them successfully;¹⁹ Hughes moved from West Sydney, which he was sure to lose, to Bendigo (Vic), which he won comfortably from Labor. Two seats were won, also from Labor, by followers of Hughes who had not previously been in the House of Representatives.²⁰ In addition, Labor lost six seats to candidates who, before the coalition, had been Liberals.²¹ Every one of the eight Labor seats which had voted "Yes" fell to the Nationalists, while none of the twelve Liberal seats which had voted "No" was captured by Labor (although the Labor vote increased substantially in some of them).²² In very

18. Appendix III.

19. Three NSW country seats, 1 Qld metropolitan, 1 SA metropolitan, 1 SA country, 1 WA metropolitan, 2 Tas.

20. Hector Lamond (Illawarra, NSW metropolitan); J. Story (Boothby, SA country).

21. 1 Vic metropolitan, 2 Vic country, 1 Qld metropolitan, 1 WA country, 1 Tas.

22. Appendix IV.

general terms, for the eastern mainland states, Labor held its position best in the metropolitan seats; its proportion of the total votes cast in these electorates fell, but this was not so much because of any major fall in the absolute Labor vote (although there was some decline) as because Liberal voters in what were normally blue-ribbon Labor seats turned out in thousands to vote for the "Win-the-War" candidates. In country seats formerly held by Labor, there was in general an absolute decline in the Labor vote and a swing to the Nationalists. This was most pronounced in the Barrier electorate; there, M.P. Considine, president of the Amalgamated Miners' Association during the 1916 strike, had won the Labor pre-selection despite (or, so far as the AMA was concerned, because of) his revolutionary views, but he was hard pressed to hold a seat in which Josiah Thomas (a conscriptionist who had transferred to the Nationalist senate team) had won 79.7% of the votes for Labor in 1914. The New South Wales and South Australian country seats, which had deserted their traditional allegiance to vote "No," reverted to type, the Labor vote declining both absolutely and proportionately in almost all cases.

The 1917 election, coming at a time of great political confusion, and on top of the intense emotions aroused by the news of the assaults and counter-assaults along the Hindenburg Line, was puzzlingly inconsistent in its voting pattern; there was not the regularity of movement which could be seen in the referendum. Personal factors were more than usually important, because of the chaos caused on the Labor side by the recent split; Hughes's Labor supporters in the eastern states came largely from the country electorates, and this helped to increase the uncertainty already felt, more strongly in the country than the cities, about Labor's attitude to the war.

Trying to draw some conclusions from the irregular and often contradictory data, what seems to have happened was that, except for some drift, the hard-core working-class vote in the eastern cities

was still solid for Labor; but, to the slight drift was added a substantial middle-class vote which normally abstained, and together these ate into the Labor percentages in the cities. In the industrial and mining centres outside the cities, there was a considerable loss of Labor votes to the Nationalists, which reflected the polarising influence of the 1916 strikes, the greater concern of country people for the war, and the greater middle-class pressure on the isolated mining communities; in these electorates, there was an important shift of working-class votes as well as a considerably larger turnout of anti-Labor voters. Among farmers, despite the opposition to conscription, there was an unwillingness to support a Labor party which was increasingly trade union oriented, and the government's stocks had risen with its considerable successes in handling the marketing problems associated with wheat, wool and sugar; the Labor vote in the farming electorates was considerably more stable than elsewhere, even, in a few cases, rising slightly,²³ but the anti-conscription sentiment was not carried through to the elections. The election results suggest that there was already, by mid-1917, a considerable section of working-class opinion, especially in the cities, which was at least unperturbed by allegations that the Labor party was half-hearted in its approach to the war effort - and possibly even beginning to approve of a movement in this direction; the savage general strike which followed three months after the election, the important changes in Labor party policy, the trend of by-elections, all suggest that this was the case.

23. Only 6 of the 75 electorates showed an increase in the Labor percentage - all but one of them in the country.

9. The IWW Twelve.

A continuing theme of both the referendum and the election campaigns was the attempt of the conscriptionists, later the Nationalists, to saddle the Labor party and the anti-conscriptionists with the Industrial Workers of the World. As its influence had grown, the IWW had increasingly become the bête noire of respectable opinion, conservative and labor alike. Deliberately and publicly, the IWW affronted the accepted values of trade unionism and arbitration, ethics and religion, parliamentary democracy and the monarchy, the sanctity of property and the purity of the race. It was held responsible for the strike wave, for the defeat of the politicians by the industrialists within the Labor party; most heinous of all, it was anti-conscription, anti-war, anti-British, pro-German - or so respectable opinion said. By the repetition of a familiar device - the slide from a few common characteristics to complete identity - conscriptionist propagandists, starting with the Prime Minister, sought to sheet these crimes home to the Labor party as well. To the IWW, these allegations were a medal awarded them for distinguished conduct in the class war: certainly they were disloyal - to capitalism; of course they encouraged strikes - against the system which robbed the workers of the proceeds of their labor; naturally they were against the war - a war which sent millions of wage-slaves to the slaughter so that their masters might grow fat. But to the Labor politicians, the accusations were a burden which had to be thrown off.

Reviewing its work in 1915, the IWW was proud of its achievement: "The organisation has steadily pursued its propaganda of Industrial Unionism and direct action. It has disposed of more revolutionary literature, and done more to alter the psychological outlook of the worker towards the present system of society, in the last twelve months than all the class war theorists have done in ten years. It

has established the right of free speech in many centres where the word of the capitalist had been previously law. When workers were gaoled for asserting that right, it has created such a state of working-class public opinion that the politicians were compelled to open the gaol doors and give public promises that there would be no repetition of the gaoling business.¹ And, above all, it has built up a press of its own,² and enrolled members so rapidly³ that in every camp in Australia where toilers slave for a master there will be found to-day rebels carrying on the revolutionary work and hastening the coming of the One Big Union of labor.

"Time is on our side; the class war is becoming more intensified; the chasm between the two classes is daily growing wider, and the need is becoming more apparent of an organisation that is not merely content with the theory of the class struggle as a subject to philosophise upon, with the co-operative Commonwealth as a distant and beautiful ideal, but is prepared to accept that struggle as a terrible reality and wage relentless war on those who would perpetuate it. . ."⁴

The very effrontery of the IWW, their willingness, even eagerness, to accept the consequences of their actions, won them the sympathy of a considerable section of the labor movement. A case in point was the prosecution in September 1915 of Tom Barker, a 23-year-old Englishman who had reached Australia and the IWW by way of five years'

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1. The reference was to the "free speech" fights in Sydney, Newcastle and Port Pirie, where itinerant agitators crowded the courts and (since they refused to pay fines) the gaols until their right to speak was conceded.
 2. Direct Action became a weekly in October 1915. Its circulation by then had reached 8-9000 - four or five times that of any of the socialist papers.
 3. Membership figures are not known. The "card-holding" membership was probably of the order of 1500. Locals had increased from 4 (Adelaide, Sydney, Broken Hill and Port Pirie) at the beginning of the war to 9 (the above, less Port Pirie, which had folded up,

[contd.]

service in the Royal Irish Guards and the great Waihi coal strike in New Zealand. Barker was charged with publishing a poster prejudicial to recruiting:

TO ARMS !!

Capitalists, Parsons, Politicians,
Landlords, Newspaper Editors, and
Other Stay-at-home Patriots.

YOUR COUNTRY NEEDS YOU IN THE TRENCHES !!

WORKERS,

FOLLOW YOUR MASTERS.

Defence counsel pleaded that, far from prejudicing recruiting, the poster would, if its advice were followed, encourage it; but Barker was convicted and sentenced to £50 or six months.⁵ There were immediate protests from the Brisbane Industrial Council,⁶ the NSW Labor Council, and a conference of unions which was meeting in Melbourne to discuss the one big union:⁷ the Barker case had been incorporated into the growing union hostility to the parliamentary labor parties, and the feeling was reciprocated.

Just before he left for London in January 1916, Hughes had denounced the IWW for its part in the Broken Hill 44-hours dispute and for the upsets in his own union, the Waterside Workers; by the time he got back in July, the position was much worse. The "direct action" slogan had spread to the pastoral industry and the coal mines, even though the specific tactics used were often not those advocated by the "Wobblies," and there were dark allegations of IWW responsibility for wild-cat strikes, "go slow" and other forms of sabotage from the

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3. [contd.] plus Fremantle, Perth and Boulder [W.A.], Brisbane and Mount Morgan [Qld.] and Melbourne) by the end of 1915.
 4. T. G[lynn] in Direct Action, 8/1/16.
 5. DA, 1/10/15. On appeal, the conviction was quashed.
 6. BIC Minutes, 30/9/15.
 7. DA, 2/10/15.

North Queensland sugar mills to the Government Clothing Factory in Melbourne, from the railway workshops in Sydney to the Trans-Australian construction jobs in South and Western Australia. The idea of the one big union was almost universally accepted in the trade union movement; and anti-conscription, starting as the concern of the IWW and the socialists, had become the official policy of the whole of the movement. By September 1916, the Sydney Morning Herald was complaining, with little exaggeration: "It is idle to deny the force and rapid spread of the doctrines of the I.W.W. They are spreading at a rate that is really appalling; and the war, and the slump that may follow, are giving and will give them an increased impetus. The actual membership of the I.W.W. organisation may seem insignificant, but its more or less constant followers in Sydney alone number between 20,000 and 30,600, and they are in numbers in all the unions - the more dangerous because the I.W.W. man is everywhere the most energetic as a doctrinaire, and the most enthusiastic."⁸ Even if there had been no conscription referendum, and consequently no urgent need for a whipping boy, this was no longer a challenge that could be ignored.

Conflict with the law had become a way of life for the IWW, and no-one was greatly surprised (or especially concerned) when its members and sympathisers were charged with offensive behaviour, abusive language or similar offences. But, in August and September 1916, a series of arrests and trials in which IWW men were concerned presented the organisation in a new light - and one which was extremely useful to the government and the conscriptionists.

On August 12, the NSW Police had warned the public of the widespread appearance of high-quality forged £5 notes.⁹ Five days later,

8. SMH, 30/9/16.

9. This account is taken from the SMH, August-September 1916.

four men appeared in the Central Police Court, Sydney, charged with forging and uttering. Among them were F.J. Morgan and J.J. Ferguson, two printers who worked on Direct Action. Early in September, J.B. King, a prominent IWW, and the brothers Davis and Louis Goldstein, owners of a small tailoring business and the former another Wobbly, were also arrested. On September 8, after the case had already been postponed three times, the accused, except for the Goldsteins, faced the Court. The Crown Prosecutor told the presiding magistrate that 5000 forged notes had been printed, of which only 800 had been recovered, and asked for a further remand. The magistrate reluctantly allowed this, and, for the first time, granted the accused bail - of £400 each. Morgan's bail money was supplied by Davis Goldstein. During the next ten days, the police worked hard on the Goldsteins, and finally persuaded them to turn informer - but in relation to other charges which were being worked up against the IWW rather than in the forgery case, so that their connection with the police was for the time to be kept secret. The case re-opened on September 19, and this time the Goldsteins appeared among the accused. Morgan failed to answer to his bail; Davis Goldstein had warned the police that Morgan intended to skip, but they had not acted, and the bail was estreated.¹⁰ No evidence was offered against one of the accused, who became the Crown's principal witness; after hearing the evidence, the magistrate ruled that Louis Goldstein had no case to answer, and discharged him; however, Davis Goldstein, with the remaining accused (all had pleaded not guilty), were committed for trial, and released on £800 bail.

The following Saturday, the IWW premises in Sussex Street, Sydney, were raided by the police; great quantities of documents and literature were seized, and four men among the many who were found on the premises - Charles Reeve, Thomas Glynn, Peter Larkin¹¹ and Jack

10. Morgan was in fact smuggled out of the country by seamen members of the IWW.

11. Peter Larkin was a brother of the Irish revolutionary James Larkin.

Hamilton - were arrested and charged with treason - that they (among many other things) "feloniously and wickedly did compass, imagine, intent, devise, or intend to levy war against the King within his Majesty's dominions."¹² Over the next fortnight, eight more men were arrested on the same charge - Thomas Moore, Donald McPherson, William Teen, William Beatty and Morris Fagin in Sydney;* Donald Grant in Broken Hill, where he was on a visit from Sydney; and J.B. King, out on bail in the forgery case. Reeve, Glynn, Larkin, Grant and King were or had been full-time officials of the IWW; Hamilton and Bessant printed the organisation's paper; McPherson was a wharf-laborer; Teen had recently worked in the railways and had been a member of the Council of the ARTSA;¹³ all, except for Moore, were members of the inner circle of the IWW.

While these arrests were taking place, and the detectives were working up their case, a police constable in Tottenham, a mining town in central New South Wales, was murdered - shot in the back through an open window as he sat working at his desk. Three arrests were made, and, on October 4, the coronial inquiry found that these men - Franz Franz (he was born in Australia of German parents, but the name was emphasised), and the brothers Ronald and Herbert Kennedy - had done the murder. The Kennedys were well known locally as members of the IWW, and it was suggested that the murder arose out of a fracas a few days earlier, in the course of which the dead constable had booked Ronald Kennedy for offensive language. According to the police witnesses, Ronald Kennedy and Franz had admitted their guilt, the latter saying that he had been "led astray by the I.W.W.;" Herbert Kennedy had however denied that the IWW believed in assassination and had affirmed his innocence. All three were committed for trial on October 18.¹⁴

12. SMH, 25/9/16.

13. *Infra*, 245.

14. SMH, September-October 1916. J.D. Fitzgerald: *Studies in Australian Crime (First Series)*, 144 ff.

* The group should include Bernard Bob Bessant.

The preliminary hearing in the treason case opened on October 10, in a glare of publicity and with the passions of the conscription campaign at their highest pitch. The conscriptionists took full advantage of their opportunity, the Prime Minister setting the pace. At Ballarat on October 9, Hughes, with a fine disregard of the laws on contempt of court, told his audience: "The IWW and some other organisations¹⁵ . . . not only preach but practice sabotage; that is to say, the wilful destruction of factories, machinery and plant. Nor do they stop even there; but, for reasons that will be obvious to every citizen of the Commonwealth in the course of the next few days, I will not^{now}/catalogue their crimes, except to remind the people of the Commonwealth that they are to a man anti-conscriptionists."¹⁶ At Bendigo, Hughes thrilled his audience by reading a letter written by the prominent socialist and peace advocate Adela Pankhurst¹⁷ to Tom Barker, in which she said that it was the IWW which had forced the Labor politicians to take a stand against conscription. At Hobart, on the day before it was submitted in evidence, Hughes produced a letter written by Frank Anstey MHR to Barker, at the time of the latter's prosecution over the "recruiting" poster, in the course of which Anstey said: "I am with you to the hilt. . . Good luck to you."¹⁸ Day by day, the newspapers ran the reports of the preliminary hearings cheek by jowl with stories about the conscription campaign. The "antis" fought back vigorously: "They don't attempt to besmirch other organised bodies in that way. They don't announce 'Member of the Millions Club Arrested for Wife Beating;' or 'Liberal Pickpocket Caught Red-Handed;' or 'Methodist Communicant Convicted of Murder;' or 'Conscriptionist Gets Five Years for Larceny.'"¹⁹ But much of the mud must have stuck.

15. The "other organisations" were not specified.

16. Qd. DA, 21/10/16 (my emphasis).

17. A member of the British suffragette family.

18. Qd. DA, 21/10/16.

19. H.E. B[oot] in The Worker. Qd. "A Challenge to the People who Malign the Industrial Workers of the World."

The prosecution played on the theme stated by the Prime Minister; Lamb K.C. reminded the Court (and the newspaper readers) that "at the moment[when]the words of Mr Hughes were illuminating the minds of patriots, the blazing Co-operative Building was illuminating the skies over the city."²⁰ The accused were charged with treason, he said, but they might equally well have been charged with arson or conspiracy; the gravamen of the charge was that these twelve men had conspired to burn down Sydney.

The case for the prosecution was made by four Crown witnesses - the Goldstein brothers, H.C. Scully, a chemist who claimed to have been an accomplice in the plans for incendiarism, and F.J. McAlister, a police informer inside the IWW; their evidence was supported in some respects by that of police witnesses.

Pieced together, the essence of their story was this. From the beginning of the war, the IWW, as syndicalists and anarchists, advocates of direct action and sabotage and the "propaganda of the deed,"²¹ turned towards arson. There had been discussions, in which Scully had participated, about the technique of fire-setting. After Barker's arrest in September 1915, there was much talk of using the "black cat" and the "wooden shoe" - cant terms for sabotage - to get him out of gaol. However, he was not imprisoned, and nothing came of the talk. In March 1916, Barker was again convicted of offences against the War Precautions Act; he was sentenced to twelve months, his appeal was dismissed on 4 May 1916, and he was sent to gaol. IWW agitators publicly advocated sabotage to secure Barker's release - "For every day Barker is in gaol, it will cost the capitalists £10,000" were Donald Grant's famous "fifteen words"²²

20. SMH, 11/10/16.

21. Although this term, from the literature of continental anarchism, does not seem to have been used in Australia.

22. "Fifteen Years for Fifteen Words" was the title of a pamphlet by H.E. Boote on Grant's case.

- and, during June and July, there were five large fires in Sydney business premises, causing damage estimated at £500,000. Crown witnesses deposed that two of the accused had boasted to them of the IWW's part in some of these fires. Barker was freed by executive pardon on August 7, after serving only three months of his sentence.

Following the return of Hughes, his proposals for conscription were debated throughout the labor movement. The IWW urged sabotage as the best tactic - "Far better to see Sydney melted to the ground than to see the men of Sydney taken away to be butchered for any body of infidels," said Peter Larkin on the Sydney Domain - and, on the night of Hughes's speech to parliament, another serious fire lit up the Sydney skies.

During August and September, the IWW was engaged in serious preparations for further fires. The Crown witnesses gave evidence of conversations respecting fires, the purchase of fire-dope, the instruction of IWW men in its use, the drawing of lots to select fire-setters. Between September 8 and 12, it was alleged, there were no less than twelve attempts to start fires in Sydney business premises - none of them successful. During the raid on the IWW hall, large quantities of cotton waste were found in the building (which also served as a printery), and one of the accused was said to have made an incriminating admission about this material. Three others of the accused were alleged to have had fire-dope in their possession at the time of their arrest.

It was an exhaustive case, supported by a wealth of circumstantial detail: the IWW doctrine provided the motive; the possession of fire-dope created the opportunity; and the admissions proved the deed. The accused reserved their defence, and were committed for trial.²³

23. This summary of the Crown case is based on the reports in the SMH, October 1916, and the account in the Report of the Street Commission (1918), the first of two Royal Commissions to inquire into the IWW trials.

Between the preliminary hearing and the trial, the point was hammered home by the arrest in Western Australia, on the advice of the Commonwealth (not the New South Wales) authorities,²⁴ of eleven members of the IWW in that state on charges of seditious conspiracy. The essence of the case was the same as that in Sydney: the accused had conspired to commit acts of sabotage, the destruction of property; however, no overt acts were alleged. Bail was refused to all the accused except one, and the trial was set down for December 7.²⁵

Over these weeks, the forgery and murder trials were disposed of. The accused in the forgery case were convicted, except for Davis Goldstein, who had given evidence in the conspiracy trial and in respect of whom the Crown entered a nolle prosequi; they were sentenced to from three to seven years.²⁶ Franz Franz and Ronald Kennedy were found guilty of the murder of the constable, and were sentenced to death; Herbert Kennedy was discharged.²⁷

24. The reply of the W.A. Attorney-General to a question in parliament indicated that the Commonwealth had approved the choice of prosecuting counsel, and had agreed to meet the costs of the prosecution. WAPD liv 1618.
25. Prominent among those arrested were Montague Miller, an 84-year-old veteran of the labor movement whose radical career had begun at the Eureka Stockade in 1854; Michael Sawtell, a young agitator of a philosophical turn of mind, whose swag, when he was arrested 400 miles north of Perth, was found to contain books by Emerson and Ruskin; and Jack O'Neill, first secretary of the Fremantle local and a journalist on the Perth Truth, whose satirical pieces signed "Cresset" had often enlivened Direct Action.
26. One, J.B. King, appealed, but his appeal was disallowed.
27. Of this case, a writer in Direct Action said: "It is a sad, and a mad, and a bad thing for a man, or men, to murder anyone - even a policeman. . . But what about the hangman who committed two murders for nothing at all, but his blood money?" But of another case which occurred in these months - the arrest for the murder of a Greek shopowner named Pappageorgi of one James Wilson, who, according to the police, blamed the IWW for his lapse into crime, the same writer said: "Those workers whose brains are so deranged by the system as not to know the difference

[contd.]

By the time the Central Criminal Court proceedings opened in the arson case, the conscription vote had already been taken, and "No" had won. But the atmosphere was still highly charged: the community was hardly calm enough to look dispassionately at the issues raised in the trial; and it was even rumoured that on the morning the trial opened, the presiding judge, Mr Justice Pring, was heard pacing his chambers and muttering agitatedly about the coming revolution.²⁸

The Crown case added little to the evidence presented in the preliminary hearing. Half way through the trial, leading counsel for the defence - James, K.C. - returned his brief; he had been appointed Minister for Public Instruction by the Holman government. The defence decided against putting any of the accused into the witness box, and relied solely on cross-examination, the prisoners' unsworn statements from the dock, and defence counsel's final plea. The IWW reply to the Crown case was that the prosecution was the outcome of a conspiracy between the Commonwealth and NSW governments to discredit the anti-conscription movement on the eve of the referendum; that the IWW doctrine of sabotage meant not the destruction of property but the "conscious withdrawal of industrial efficiency;" that the only evidence against the accused of incendiarism was that of four informers, one of them a police agent and the other three buying immunity from prosecution on various serious charges; and that the police had themselves concocted large parts of the evidence in order to secure a conviction.

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27. [contd.] between social war and garrotting, are respectfully requested first to earn a stretch on their own responsibility,* and on release to become agents for the police after the manner of their kind. . ." DA, 6/1/17.
28. P.J. Brookfield MIA, NSWPD lxxix 205-06.

* Should read: " . . between social war and individual garrotting, are respectfully requested first to earn a stretch in gaol on their own responsibility . ."

Right to the last moment, the IWW men were confident of an acquittal; following counsel's final plea, Tom Barker wrote: "We are optimistic, and will never look back if the boys come out."²⁹ Even after Mr Justice Pring's four-hour charge to the jury, which went strongly against the accused,³⁰ the atmosphere in the court-room was hopeful. The jury were out for five hours, and, during this time, the prisoners spoke freely with their friends. The long minutes during which the foreman of the jury reported that he and his colleagues had found every one of the twelve guilty - one on one charge, four on two, and seven on all three - were all the greater shock. "Wives and mothers and sisters of the accused broke into hysterical weeping, and some of the unfortunate men themselves were visibly affected," wrote one observer of the court-room scene.³¹

Mr Justice Pring asked the prisoners whether they had anything to say before he passed sentence on them. "Have I anything to say against a Star Chamber?" asked Peter Larkin. "I am not guilty, even if all the juries in the world say I am. I leave it to my own class who know me . . . and I say again 'if my class condemns me I am prepared to take the medicine.'" Each of the twelve, from the dock, declared his innocence of incendiarism. They were agitators, members of the IWW, and what some of them had said could be interpreted, by the yardstick of capitalist justice, as sedition - this they were proud to admit. But, as Reeve said, "to think that my name as an industrialist is to be besmirched with such a foul crime as arson is something that revolts my nature."³²

29. Letter of December 1, 1916.

30. Except in the case of Beatty, where Pring J. warned the jury that the sole evidence against the prisoner was that of an accomplice, and said: "I do not say that you must not convict, but that you ought not to convict." Nevertheless, Beatty was convicted on all three counts.

31. Qld. Worker, 7/12/16.

32. Speeches from the Dock of New South Wales and West Australian I.W.W. Members Convicted of Treason.

It was no new experience for Mr Justice Pring to pass sentence in cases of this kind. In 1909, he had journeyed to Albury to try Mann, Holland and others concerned in the Broken Hill lockout; in 1910, he had tried Peter Bowling; in 1911, he had tried Scully and other leaders of the Lithgow miners' strike. It was felt among those who sympathised with the Twelve that he had been specially selected to preside over this case; and certainly he brought to the case a profound conviction that ideas of social revolution were a dark and destructive force within the community.

To the prisoners, he said: "Each of you has attacked the verdict of the jury. I have only to say that in my opinion the jury has done no more than its duty. It has been extremely patient and careful throughout the case, and no one who has heard the evidence could possibly doubt the correctness of the verdict it has given. . . . You are members of an association which I do not hesitate to state, after the revelations in this case, is an association of criminals of the very worst type and a hotbed of crime. . . . One of your counsel has described the crime you are charged with as the act of devils, and I think he was right. I am going to pass a sentence which I do not think personally is commensurate with the terrible crime you have committed, but I will rather lean to the side of mercy than of vengeance. . . ." ³³

King - five years. Reeve, Larkin, Bessant, Moore - ten years. Hamilton, Beatty, Fagin, Grant, Teen, Glynn, McPherson - fifteen.

33. Qd. NSWPD lxxix 125.

Within a few weeks of the conviction of the Twelve, the Commonwealth government set out to smash their organisation. On December 15, Hughes introduced an Unlawful Associations Bill, the purpose of which was to declare the IWW illegal. "I say deliberately," he said, "that this organisation holds a dagger at the heart of society, and we should be recreant to the social order if we did not accept the challenge it holds out to us. As it seeks to destroy us, we must in self-defence destroy it."³⁴ The Labor party was critical: there were already ample powers to deal with treason and sedition in the state laws, and this Bill was so wide in its scope that it could be used against almost any opponents of the government. The party criticised - and then announced that it would vote in favour. This was a dilemma which was later to become characteristic of Labor oppositions: in fact, they had serious objections to the Bill, but they felt that to oppose it would damage their credit with the electorate. It was, said a writer in the Queensland Worker, a contemptible business.³⁵

Twelve of the leading propagandists and organisers were serving long sentences for forgery, arson and sedition; dozens of others were in for shorter terms; following the seizure of membership lists, many of the fellow-workers were out of a job; the organisation was formally declared illegal; their paper was denied transmission through the post - but still the Wobblies were not destroyed. In Direct Action (which appeared almost without interruption) and from soap-boxes and stumps throughout Australia, its agitators continued to hurl defiance at the master class and the Rabelaisian "collection of bunco-steerers, has-beens, dead-beats, homeless dogs, once-wassers, would-to-godders, political mediocrities, municipal

34. CPD lxxx 10100.

35. Qld. Worker, 4/1/17.

muddlers, oldest inhabitants, mouth-fighters, blue-eyed boys, workshys, and slow-downers" who constituted the Nationalist party.³⁶

Throughout the most systematic harassing that any Australian working-class organisation had undergone, the IWW's sense of itself as the first flowering of an inexorable historical process, and the quasi-religious fervour of its adherents, kept the organisation alive and even growing until the final moment of physical suppression. It was a remarkable movement.

The immediate task was the Release of the Twelve. The members formed themselves into "Workers' Defence and Release Committees" (which became a legal front for the IWW after the passage of the Unlawful Associations Act), and sought the assistance, financial and otherwise, of other sections of the labor movement. Agitators were despatched to the wharves and the workshops, the coalfields and the metal mines, the railway construction camps, the meatworks and sugar mills of Queensland and New South Wales; the veteran Monty Miller, now out on bond, came east to join their ranks.³⁷ The headlong passage of the Unlawful Associations Act produced only the declaration that "the IWW has no present intention of closing up."³⁸

Their appeal was simple, directed to the class sentiment of the workers: "These vindictively sentenced men are men of our class; they lived among our class; worked with us and fought unceasingly for the uplift of our class. You know these men! You know from the evidence that they are not convicted nor sentenced on the strength of that evidence. This is the first stamp of the 'Iron Heel' in the face of Labor! . . . We, the working class, cannot afford to lose

36. Tom Barker, DA, 27/1/17.

37. Three of the accused in the W.A. trial had been discharged; the other eight were sentenced to two years' imprisonment, but sentence was suspended on condition of their entering into a £50 bond. There was a shocked, almost a sad tone in the comments of the prisoners on Mr Justice Burnside's decision - what had they done to deserve not to go to gaol? cf. M. Miller, DA, 17/3/17.

38. DA, 6/1/17.

* Should read: " . . . of being closed up."

their services, and we are going to fight like tigers to see that the capitalist class does not keep them from us. Can we count on your help?"³⁹

They had three things in their favour: the hatred of the surviving labor movement for Hughes and Holman; the attempt to identify the anti-conscription cause with the IWW, which was soon turned about to identify the release campaign with anti-conscription; and Mr Justice Pring's reputation as a judge who was hopelessly biased against labor. Against them was the suspicion of most of the movement that the Wobblies were in fact saboteurs, incendiarists, given to practising the violence and lawlessness they preached. But, within a few weeks of the conviction of the Twelve, their guilt or innocence had become almost irrelevant; what was important was their martyrdom.

At first, support came largely from those sections of workers who had been most subjected to IWW agitation - miners, navvies, shearers, watersiders. Those who had moved into the vacant executive positions were optimistic: "Unions here all ready, moving towards a general strike, and will make these arrests part of their grievance."⁴⁰ But the official trade union movement was cautious, confining itself to a demand for a Royal Commission to investigate the convictions, while the Labor party had not yet moved, except to repeat its disclaimer of any link with the IWW.

The turning point was H.E. Boote's article, "Guilty or Not Guilty," which appeared in The Worker of 7 December 1916. It was "a worry for him, as the AWU has reason to hate the IWW,"⁴¹ but, with Lamond out of the way,⁴² he was much more his own master. The organ-

39. DA, 9/12/16.

40. E.A. Giffney, Sec.-Treas. IWW, letter to Melbourne local, 26/9/16. "IWW Appeal to Unionists and the General Public."

41. Sidelights on Two Referendums, 62.

42. Supra, 186.

ised labor movement and the IWW, he proclaimed, had nothing in common "but a desire to serve and save the exploited millions." But, during the referendum campaign, it had served the conscriptionists' purpose to tar their opponents with the brush of IWW criminality; and, once this had been done, the IWW leaders had no chance of justice. The evidence against them was "tainted," the court "dominated by class partisanship," and the convictions "a grave judicial scandal."

"Whether these men, or some of them, are guilty or not guilty of incendiarism, we do not know," he wrote. "But we are perfectly certain that the charge of exciting sedition, when levelled against industrial agitators, is only a weapon for repressing the expression of working-class discontent and upholding the moral code of exploitation. And we do not hesitate to declare the belief that, on the more serious charge of firing buildings, and of conspiring to secure the release of Barker by unlawful means, the evidence on which these men were convicted was ROTTEN through and through. . . Organised Labor . . . should not rest until the prisoners are set free, or their criminality established, on testimony less grotesque, less tainted, and less obviously twisted and distorted to the needs of an unscrupulous prosecution."

There was no man more widely known and respected in the movement than Boote. He had been the foremost publicist for the "No" cause; he was universally recognised as honest, courageous and sincere; he was free of the suspicion of corrupt machine politics which clung to most of the AWU; and the effect of his intervention was immediate. It gave the radicals justification and encouragement, cut the ground from under the feet of those who had been satisfied to accept the IWW's guilt, and stirred many to action who would otherwise have been reluctant or afraid to speak. More unions joined in the demand for a Royal Commission, though few would accept the suggestion of the

Barrier AMA that there should be a general strike "until constitutional government is restored in New South Wales and members of the IWW gaoled in Sydney and Broken Hill are released."⁴³ Significantly, in Victoria, the Labor party joined with the Trades Hall Council to hold a public protest meeting. This was the first break-through in the Labor party, and it was not surprising that it came in Victoria rather than in New South Wales. But when a leading Broken Hill unionist told the NSW parliamentary Labor party that "the IWWs are not going to serve the sentences, and if [they] did not attempt to release them, the workers would have to begin by tossing the politicians out and make room for someone who would put up a fight,"⁴⁴ he was not so much exaggerating as anticipating. The AMA was as good as its word: at the next pre-selections, the miners' vote went overwhelmingly to P.J. Brookfield for the state seat and M.P. Conside for the Federal; both were well-known as militants in the 44-hours dispute and prominent advocates of the release of the Twelve.

The lawyers for the IWW had filed notice of appeal on 8 December 1916. While the case was pending, Boote was charged with contempt of court over his article, "The Case of Grant."⁴⁵ The charge was dismissed, but the prosecution did not pass without comment - the labor movement felt strongly that much more serious contempts had been committed by Hughes and other conscriptionists while the men were awaiting trial, and had gone unpunished. The appeal court found that two of the Twelve - Glynn and McPherson - had been wrongly convicted on one count, and directed that their sentences be reduced to ten years, but otherwise the sentences were ordered to stand.⁴⁶

43. Undated press clipping. The AMA also donated £100 to the campaign fund and appointed two of its officials (H. Melrose, a "fellow-worker," and George Kerr, president of the union) to work as full-time propagandists.

44. DA, 3/2/17.

45. *Qld. Worker*, 4/1/17.

46. 17 SR [NSW] 81 (1917).

The failure of the appeal - JUDGES REFUSE TO SCAB, headlined Direct Action⁴⁷ - took much of the heart out of the campaign. The Defence Committee was satisfied that further appeals to "the masters' court" would serve no good purpose. They appealed to the prisoners, who agreed; the Twelve were, the Committee portentously announced, "now prepared to leave their destiny in the hands of the class to which they belong."⁴⁸ The Committee had, in fifteen weeks from early December, raised over £1000, distributed 160,000 leaflets,⁴⁹ and 10,000 pamphlets, and organised hundreds of meetings for its speakers. They had enlisted the sympathies of a large number of unions, and were beginning to make inroads into the Labor party. The AWU Convention, too, had declared for a Royal Commission, despite the piquant reservation of its general secretary⁵⁰ that the union should not lick the hands of those who were stabbing it in the back.⁵¹ But they were not able to persuade the unions to take industrial action: once the immediate anger against the convictions had passed, trade unions and parliamentarians alike turned to a political solution, the Royal Commission. The IWW protested that no Commission could be impartial, complained of apathy, appealed rather sadly to the workers not to forget the men in gaol, but to no avail. When industrial action might have been possible, there was not the support; now that they had won more support, the moment had passed. But the continued campaign had an important side-effect: the organisation itself was given a tremendous boost. Members were recruited by the hundred - perhaps by the thousand, considering the casual way in which the Red Cards were handed out at a shilling a time. New locals were formed and old ones revived. The circulation of Direct Action

47. DA, 17/3/17.

48. Ibid.

49. Including 100,000 copies of Boote's "Guilty or Not Guilty."

50. E. Grayndler MIA (NSW).

51. Qld. Worker, 8/2/17.

soared to 12,000 and perhaps more by mid-1917. Thousands continued to flock to the IWW meetings, to sing the songs and listen to the truths of the class war, industrial unionism, the lazy strike, and the Release of the Twelve. The Prime Minister was both exasperated and alarmed.

On 18 July 1917, Hughes introduced a Bill to amend the Unlawful Associations Act, providing that associations defined as unlawful in the Act could be so proclaimed by the Governor General (this got round the need to pass a new Act every time an illegal organisation changed its name), their property seized and their members gaoled for six months (this essential provision had been lacking in the first Act).⁵² Like its predecessor, this Bill was rushed through both Houses with a minimum of delay.⁵³ The Opposition was in the same cleft stick, and again they allowed the Bill to pass with no real fight.

Under the existing Act, the police had raided the IWW Hall on July 23. A meeting was in progress - a thousand men and women were inside and as many more outside in the street. The crowd was held and searched, the records and literature seized. The police found little to interest them (other than a large number of cards carrying the cryptic slogan: "If water rots your boots, what will it do to your stomach?" - a new angle on sabotage), and no arrests were made. But the Wobblies knew that the new Act was the final test: "We will go to Long Bay. We will go through hell and fire and water, and insects like Hughes and all his slimy crawling sattelites will never stay us. We will answer the call in our hundreds and ^{our} thousands, the

52. Similar penalties were provided for those who assisted an unlawful organisation by giving it money or printing its publications.

53. Hughes, CPD lxxxii 230 ff.

spirit of the wealth producers who have toiled and groaned and died [within] us."⁵⁴

The end was not long in coming. No sooner had the IWW been proclaimed under the new Act than they were raided again; the last issue of Direct Action (that of 18 August 1917) was seized, those present were arrested, and the hall was sealed. Nearly a hundred Wobblies answered the call;⁵⁵ disdaining to conceal their membership,⁵⁶ one after another they mounted the stump to offer themselves as sacrifices for the movement; in batches of five or six, they appeared before the Central Police Court and proudly took their six months of "building the structure of the new society within the goals of the old."⁵⁷ The movement which had declared politics impotent and the state a fraud was crushed by politics and the state. Its courage, its fervour, its biting humour, its wholehearted advocacy of the rights of the workers and its total rejection of the values of bourgeois society had won for it the support and often the devotion of all kinds of people - footloose bachelors and settled family men, respectable workers and reputed criminals, men who fought with their poems and men who fought with their fists. But its existence was in the hearts of the few hundred who preached its message and the minds of the tens of thousands who listened; when the testing time came, devotion was not matched by organisation, and the IWW (Australian Administration) was out of business.

54. Wyatt Jones, DA, 18/8/17.

55. Among them Monty Miller, now 85 years old.

56. It was curious that the IWW, which had made a virtue of ignoring the law, should have preferred this death-by-immolation to the creation of an illegal organisation. Surviving IWW opinion rationalises this as courage; but for a serious revolutionary organisation it was stupidity. Tom Glynn later described it as "misplaced bravado." (Aust. Comm., 11/3/21.)

57. This is John dos Passos's adaptation of the phrase from the IWW Preamble, in his novel, U.S.A.

Except for their work for the Relief Fund and their continued propaganda, the contribution of the Wobblies to the release campaign was, after September 1917, marginal. It was by now accepted that only political pressure could get the Twelve out of gaol, and the leadership of the campaign necessarily passed to politicians and to trade unionists with access to the parliamentary Labor party. More than ever convinced by his analysis of the evidence that the Twelve were victims of a frame-up,⁵⁸ H.E. Boote renewed his demand that the case be re-opened; his eloquent pleading was taken up eagerly by those in the trade union movement who were already convinced, and won many converts among those who were not; finally, he, along with E.E. Judd, a member of the Socialist Labor Party and a delegate from the Municipal Workers' Union to the Labor Council, persuaded the Council in January 1918 to appoint a committee of investigation.⁵⁹

Afraid that the police would get wind of the threat to their case, Judd, who had been appointed investigator, went about his work quietly, with the help of Boote and ^{of} P.J. Brookfield and T.D. Mutch, parliamentarians who were sympathetic to the cause. His first move was to interview Scully, who was known to be dissatisfied with his share of the reward distributed after the convictions were secured,⁶⁰ and, it was thought, was likely to talk. In a series of statements, Scully said that to his knowledge a number of the men were innocent of the crimes charged against them, and that important parts of the prosecution's case had been concocted by the police. On Scully's suggestion, Judd then interviewed Davis Goldstein, who made similar

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58. cf. Boote's pamphlets, Guilty or Not Guilty? and The Case of Grant.
59. The committee comprised W. Muir (Boilermakers), chairman; W. O'Connor (Coal Lumpers); J.S. Garden (Sec., Labor Council); P. Shirley (Bookbinders); E.E. Judd.
60. Scully had instituted proceedings against the government claiming £2000 for services rendered in securing the convictions.

allegations. From Scully and Goldstein, Judd's trail led to a detective who was said to be unhappy about his part in the trials, and to a number of other people who were thought to have information supporting Goldstein's allegations of corruption and chicanery.

Early in July 1918, Judd was tipped off that Scully had been smuggled out of Australia by the police. He called his committee together hurriedly, and they deputed Brookfield to raise the matter in the House. The Attorney-General, D.R. Hall, denied any knowledge of Scully's departure, but promised to make inquiries from the Federal government;⁶¹ the Acting Premier, G.F.C. Fuller, allowed his statement to pass without comment, although, as it later emerged, he had in fact approved the payment of Scully's fare.⁶²

The next day, Hall returned to the House somewhat chastened. "This morning I proceeded to take steps ^{to see} that none of our officers did anything to arrange for [Scully's] deportation and to communicate with the Federal authorities on the matter," he said, "and I learned to my surprise that Scully left Australia last month. I shall go further and inform the House that Scully's passage from Australia was arranged for by the police. . . ."⁶³ Later in the day, Brookfield resumed the attack. Hall, feeling his weakness, promised that the government would consider getting Scully back, if Brookfield would give them all the information he had; but this Brookfield refused to do, unless the government guaranteed that it would not be handed over to the police. Finally, Hall conceded the point: Brookfield's information, he promised, would be considered only by a Cabinet sub-committee.⁶⁴ Hall announced the following day that the government would take steps to have Scully returned from the United

61. NSWPD lxxi 669.

62. cf. Brookfield, *ibid.*, 754.

63. *Ibid.*, 676.

Ibid., 692 ff. (64)

States, and would appoint a Commission to inquire into the allegations against the police. The honours were with the campaigners for release - even without the official support of the Labor Opposition, they had forced the government to concede their principal demand, a re-opening of the case.

A brief parliamentary recess gave the government time to recover from its initial shock and to get its tactics straight. It was committed to an inquiry - in fact, the Inspector-General of Police had also asked for one (Brookfield alleged by pre-arrangement with the government) - but it was determined that this should be defined as narrowly as possible. On August 14, Hall moved for the appointment of a commission "to make inquiry relating to certain charges made against certain members of the New South Wales police force."⁶⁴ The Opposition, which had been caught as much unawares as the government by Brookfield's disclosures, was by now convinced that there were sound reasons for questioning the validity of the convictions, and that they had nothing to lose by backing the demand for an inquiry - and quite a lot to lose, in the way of trade union support, if they failed to act. The Labor leader, John Storey, demanded that the terms of the inquiry be extended to cover the guilt or innocence of the prisoners, but on this the government refused to budge. They would not grant a wider inquiry unless Brookfield produced new evidence which threw doubts on the convictions; Brookfield, supported in this by the Opposition, maintained that the evidence already produced was quite enough to warrant a full inquiry.

The Bill passed both Houses on the same day, and the Commission was given to Mr Justice Street of the NSW Supreme Court. During the course of the inquiry, and following continued Opposition pressure, the Attorney-General wrote to the Commissioner asking that he should

64. NSWPD lxxi 726 ff.

also report to the government if anything emerged during the inquiry which raised doubts as to the guilt of the convicted men; this the Commissioner agreed to do.⁶⁵

The Street inquiry opened on 21 August 1918, sat for nearly 50 days, and took a thousand pages of evidence; the Commissioner's report was tabled in the Legislative Assembly, on the request of Labor member A.W. Buckley, on 28 August 1919. It was a bitter blow to the release campaigners. They had believed that, in the statements of Davis and Goldstein and Scully, they held winning cards; however, the police got to Goldstein in the week before the Commission opened, and, when he got into the witness box, he recanted on his recantation. Scully was harder to pin down: under cross-examination by counsel for the police, he insisted that he had given a statement to Judd in the terms alleged, but said that this was not meant to be the literal truth - it was rather a series of notes suggesting further lines of inquiry. The police solidly denied all the allegations against them of corruption and concoction of evidence, in testimony that was on the face of it well rehearsed, and even when the testimony against them was over-whelming. And, on all points - although he confessed himself somewhat puzzled as to the motives of Goldstein and Scully and doubtful about some of the actions of the police - Mr Justice Street preferred the present stories of the two Crown witnesses to their previous confessions, and the evidence of the police witnesses to almost any of that given against them.

"I have to report," he wrote, ". . . that the charges of misconduct made against members of the police force . . . have not been established as a fact, . . . that nothing has been brought before me which raises any suspicion in my mind that misconduct, in fact, took place, though it could not be proved . . . [and] that no fresh facts

65. Report, Street Commission, 3.

have been elicited before me raising any doubts in my mind as to the guilt of the convicted men. . . ." ⁶⁶

It was said by Brookfield, Judd and Mutch that the difficulty was with the onus of proof: Mr Justice Street had accepted the position, as put by the Crown, that, since the police were in effect the accused parties, he could only "refer adversely to the existing record of guilt if in the face of that record the innocence of the men in gaol had been more or less established affirmatively;" this, and his refusal to review the substantive evidence against the convicted men, had made the defence task impossible. ⁶⁷ Boote went so far as to describe Mr Justice Street as "a blind judge." ⁶⁸ But the real trouble was that the judge would not conceive of police corruption, of the police even embroidering a case to make it better, let alone fabricating a case altogether; and consequently, when evidence discreditable to the police was presented, he strained the facts to their utmost to allow the police a way out.

The government was jubilant: the administration of justice had been vindicated, and there, at last, was an end of the matter. The Opposition, which from the outset had been half-hearted, now felt that they could do no more. From prison, one who had served with nine of the Twelve in various gaols reported that "the message given to me for industrial unionists on the outside was that . . . [the prisoners] are grateful for everything that has been done on their behalf, but that the immediate aim must be job organisation and job control with its logical outcome, job action, to secure their release. Their desire is that members and sympathisers should get into and utilise every society and combination that is in a position to assist in that end." ⁶⁹

66. Report, Street Commission, 56, 57.

67. Undated press clipping.

68. Boote: Set the 12 Men Free, 3.

69. Breakers of Men, 25.

The first round of the release campaign had been tough going, and it had seemed to prove the futility of reliance on political or legal action; the inquiry had been held, and the men were still in gaol. If ever there was an occasion for direct action, sabotage, the general strike, this - as the remnant of the Wobblies were quick to point out - was it; but there were few left to listen.

10. The General Strike.

Since the foundation congress at Paris in 1889, the general strike had been one of the most bitterly argued issues in the Second International. On one side were the French, with their fragmented trade unions, their divided political movement, and their strong anarchist strain, who saw the general strike as the means of simultaneously hamstringing the political state and breaking the hold of capitalism on the means of production; on the other were the Germans with their centralised trade unions and their growing representation in the Reichstag, who feared that the general strike would provide the bourgeois state with an excuse to crush their movement. As the debate developed, the positions became clear. For the general strike, it was argued that the united strength of the workers was irresistible: labor was the sole creator of value, and, if the workers simultaneously withdrew their labor, capitalism could not survive. To this, the French syndicalists and those German socialists who (like Rosa Luxemburg) were influenced by syndicalism later added the argument that, since the strike was the method of action spontaneously chosen by the workers, it could be expected that, as the situation of the workers became more desperate, this action would naturally extend until it became the social revolution. Two main points were made in opposition: first, that, if there was sufficient unity of purpose among the workers to make possible a general strike, this unity could equally well return a socialist majority at the polls (an argument used particularly by the socialist parliamentarians); secondly, that the advocates of the general strike ignored the repressive powers of the bourgeois state, and the need for political struggle to take over the state (a line favoured by the doctrinaire Marxists). As industrialisation developed in Europe and production was concentrated into bigger units, willy-nilly strikes grew more extensive. Instead of isolated local stoppages, whole industries ceased work: this was not the general strike as it had been understood, but industrial action

on such a scale as to precipitate new thinking about tactics within the labor movement. From the Belgian general strike of 1893 in support of universal suffrage, the European working-class organisations began to use industrial methods for particular political ends. The debate developed new orientations: the German leaders conceded that the general strike might be a useful defensive weapon - to resist, for example, reactionary attempts to destroy parliamentary democracy; many trade union theorists urged the superiority of short, big strikes in support of immediate demands, rather than small, protracted ones; while the French and American syndicalists and the German minority pressed home the point of the general strike as the sword of the revolution. Finally, from the Copenhagen Congress of 1910, as the European socialists awakened to the growing danger of war, the general strike came to be regarded (the Germans still dissenting) as the most effective means of working-class action against war.

Although Australian labor, except for the small socialist parties, maintained no official links with either the Second International or the International Trade Union Bureau, the argument over the general strike was not without its local echoes. The strikes of the 1890s had had many of the features which continental socialists associated with the general strike, but they had failed, and the unions had turned to politics. However, from 1911, they had been confronted with the newly imported faith of the IWW that emancipation could only be achieved by "an organisation formed in such a way that all its members in any one industry, or in all industries if necessary, cease work whenever a strike or lockout is on in any department thereof, thus making an injury to one an injury to all."¹ To the parliamentarians and the traditional trade union leaders,

1. IWW Preamble, Appendix V.

the IWW call to general strike seemed (as it did to their European brethren) "general nonsense:"² working-class unity could more conveniently be expressed through the ballot box, and, with the introduction of arbitration, the strike itself was an outmoded weapon.

With the experience of Labor governments and of mass strikes, the IWW critique of traditional industrial tactics took on new significance. The weakness of the Barrier strike of 1916 was that it was not complete; the strength of the coal strike was that it tied up every mine; the political general strike received official union recognition (although far from universal support) in the struggle against conscription. But by now the IWW was already reconciling itself to its minority position; despairing of ever knocking any sense into the hundreds of thousands of "Scissor Bills"³ who were the majority of the working class, its propaganda emphasised rather the lazy strike and the fifty-one varieties of industrial sabotage. The slogan of working-class solidarity - "an injury to one is an injury to all" - had gained wide currency, but the revolutionary significance attributed by the syndicalists to the general strike had not, so that, when the general strike came in 1917, it resembled more the projection of the Sorelian myth contained in French theorising⁴ than the climactic blow against capitalism envisaged by the American progenitors of the IWW,⁵ and it took the remnants of the Australian IWW - who were in any case preoccupied with defending themselves against government suppression - as much by surprise as anyone.

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2. The comment was made by the Germans at the Brussels International Socialist Congress in 1891.
 3. Scissor Bill, he wouldn't join the union,
Scissor Bill, he says, 'Not me, by Heck!'
Scissor Bill gets his reward in Heaven,
Oh! sure. He'll get it, but he'll get it in the neck.
("Scissor Bill," by Joe Hill. Songs of the I.W.W., 15.)
 4. cf. E. Pataud & E. Pouget: Syndicalism and the Co-operative Commonwealth.

[contd.]

The general strike of 1917 - "the biggest industrial upheaval ever experienced in Australia"⁶ - exploded out of a dispute in the Government Tramway Workshops at Randwick (Sydney) over an issue that was anything but clear, and not particularly important.⁷ But such was the temper of railwaymen and workers generally that, within a couple of weeks, the handful of engineers who originally struck had grown to nearly 70,000 workers - better than one in four of all NSW unionists, and the AWU, the state's biggest union, was at no time involved in the strike.

Government employees, particularly those in transport, had long had substantial grievances: their pay compared unfavourably with that in private industry, they had been for a long time denied the benefits of arbitration, and now the war situation was imposing new strains on an already resentful body of workers. Drought and the difficulty of marketing the wheat crop, the free transport of troops and war materials, the rise in the price of coal following the 1916 strike, mounting interest bills and higher wages⁸ had converted a pre-war profit of £210,000, earned by the NSW Railways and Tramways, into a loss, by 1916/17, of £406,000.⁹ Those in charge of the railways were faced with the characteristic dilemma of government enterprises in an inflationary situation (which was in this case accentuated by the serious loss of revenue): how to make ends meet without incurring the political liability of raising charges to an economic level. There are only two ways out of this: either losses must be met by subsidies from general revenue, or costs must be cut. The government chose both, and this involved, in the words of the Railway Commissioners, "increasing the engine miles per engine-man's shift . . . [and] sustained pressure upon the staff as a whole to obtain a

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5. cf. W.D. Haywood & F.D. Bohn: Industrial Socialism; D. De Leon: The Preamble of the I.W.W.
 6. Report, NSW Labor Council, 31/12/17.
 7. This is my comment; contemporaries regarded the issue as both crystal clear and very important.
 8. Wages had not however risen commensurately with living costs.
 9. Reports of NSW Railway Commissioners, 1915, 1916, 1917.
cf. evidence of Commissioner Fraser to Curlewis Commission.

fair individual and collective effort."¹⁰ For the unions, one word was sufficient to describe (and to condemn) this policy: speed-up.

Its implementation added the final degree of heat to a situation which was already close to boiling over. In the early days of the war, railworkers had protested indignantly against retrenchments;¹¹ although the government was primarily motivated by the difficulty of raising loan money, the retrenchments were inevitably thought of as "economic conscription." The wage-freeze had caused bitter resentment, and the long delay in hearing railworkers' claims, even after the Wages Boards re-opened in May 1915, left "the whole of the service . . . seething with discontent;"¹² and when the Wages Board determination of a minimum daily wage of 8/9 was finally announced, it was condemned as "woefully inadequate."¹³ The locomotive crews had a long-standing complaint against delayed starting times and broken shifts, which involved them in being on the job for long periods for which they got no pay.¹⁴

Into this cauldron was thrown the Commissioners' determination to raise output in the workshops by introducing a system of job-records (the "card system") which would enable them to cost each job more accurately, and at the same time to investigate the individual performance of every worker. The Commissioners denied any intention of speeding up the conscientious worker, claiming that all they wanted to do was to improve the efficiency of the workshops and to weed out the incapable and the unwilling; the unions may not have known of the dictum of the founder of the science of industrial efficiency (the American Quaker F.W. "Speedy" Taylor) that "all employees should bear in mind that each shop exists first, last, and all the time, for the purpose of paying dividends to its owners,"¹⁵ but they had heard

10. Report of NSW Railway Commissioner, 1917, 4.

11. Supra, 129.

12. ARTSA Minutes, 9/11/15.

13. Ibid., 7/12/15.

14. Loco. Engine Drivers' Association, statement of 8/8/17. Strike Report, 87A.

15. J.A.C. Brown: The Social Psychology of Industry, 14.

of the "Taylor system," and from June 1915 they were resisting its introduction.¹⁶

One of the Commissioners' worries was the spread of IWW ideas through the services under their control. As early as February 1915, the journal of the Tramway Employees' Association reported a serious discussion of the "scientific strike" - that is, methods by which the service could be sabotaged - at a general meeting of the union. The great majority of members were opposed to these tactics; however, the Association's secretary reported that "a relatively large number . . . are inclined to view sabotage proposals seriously" - by which he meant the regulations strike.¹⁷ This was a rank and file move; later in the year, the union executive declared itself in favour of "legal and constitutional methods of redressing our grievances as against the tactics of the IWW socialists and red ragers, who favor strike, direct action and sabotage."¹⁸

Early in 1916, Commissioner Milne complained publicly of posters which were appearing in the Randwick workshops: SLOW WORK MEANS MORE JOBS - MORE JOBS MEANS LESS UNEMPLOYED - LESS COMPETITION MEANS HIGHER WAGES, LESS WORK, MORE PAY;¹⁹ while Chief Commissioner Fraser personally observed men who were derisively going through the motions of working, but actually producing nothing.²⁰ In March, William Teen, later one of the IWW Twelve, appeared on the Council of the Amalgamated Railway and Tramway Servants' Association as a delegate from the Randwick branch; a fortnight later he was dismissed from the service; in July he persuaded the ARTSA Council to appoint a sub-committee to investigate the possible use of sabotage; and the

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16. ARTSA Minutes, 8/6/15, 9/11/15. The authorities denied that they were introducing the Taylor system, but the unions so regarded it.
17. News clipping (source unnamed) in IWW Minute Book. Among the means suggested were switching destination signs, slow running, cutting off the power.
18. DA, 11/12/15.
19. Int. Soc., 11/3/16.
20. Curlewis Commission, Report, 9. This may well not have been ideologically motivated - it may have been no more than the normal resentment against being watched.

union's campaign to have him reinstated only ceased with his arrest for treason.²¹ In June 1916, the Commissioners again tried to introduce a job-card system at Randwick; this was frustrated by the refusal of the men to operate it, and by direct pressure on the Minister for Railways through the Industrial Section of the Labor party and the party executive.²² After the police raids on IWW headquarters at the end of July, and the seizure of membership lists, a handful of IWW men (doubtless all who could be identified) were dismissed, or suspended until they had signed a declaration that there were no longer in sympathy with the IWW;²³ this was not, however, likely to have inhibited the more determined: "The IWW does not believe in capitalist morality. . . We will say, act, and be anything the boss wants us to, if it will suit our purpose. . . If the boss is going to force us to change our names, play the hypocrite, and tell lies in order to get a job, then upon him will be the blame, and not us."²⁴ ARTSA secretary Claud Thompson, a moderate who was already in trouble with his executive over his earlier support for the Universal Service League, panicked and demanded that two of the members of the union's Council provide declarations that their names were not on the IWW lists; he was forced to withdraw and apologise,²⁵ and, in December, the union protested against the sentences passed on the IWW Twelve, while expressing its "total disagreement" with IWW tactics.²⁶ Early in 1917, Commissioner Fraser again complained of IWW activities in the workshops - the workers had, he said, slowed down by 15% in the last seven years. "At the present rate," commented Tom Barker in Direct Action, ". . . the boss will be in dungarees about 1955. . ."

21. ARTSA Minutes, 13/3/16, 31/3/16, 17/7/16.

22. Ibid., 21/6/16. The ARTSA tried unsuccessfully to have the party withdraw endorsement from the Minister (H. Hoyle MLA). Ibid., 14/7/16, 31/8/16.

23. DA, 2/12/16, 6/1/17.

24. N. Rancie, DA, 2/12/16. cf. Lenin's often quoted statement: "It is necessary . . . if need be - to resort to all sorts of stratagems, manoeuvres and illegal methods, to evasion and

[contd.]

[Slowing down] is a more effective way of dealing with the working class nightmare unemployment than soup-kitchens and unemployment parades. . . .²⁷ The steady pressure was, however, too much for the ARTSA; in March 1917, the annual conference resolved in favour of the expulsion of IWW men who were members of the union.²⁸ Meanwhile, the president of the Tramway Employees' Association had in December condemned IWW infiltration; but Direct Action denied that there was any large number of IWW men in the Association - it was rather that the idea of the One Big Union was at last "beginning to bear fruit."²⁹

The facts of IWW influence in the NSW railways and tramways have been worth detailing because they are important to an understanding of the IWW's part in the general strike. These points seem clear:

1. There were some IWW men in the government transport services, but they were few.³⁰

2. They had won a slight, but nothing like a majority, influence on the leading committees of the two main unions.

3. IWW concepts - particularly those of "go slow" and working-class solidarity - were winning a growing number of adherents among railway and tramway workers, especially those in the workshops; however, this did not imply acceptance of the whole range of IWW tactics and ideology.

4. There was a substantial body of discontent in the services, deriving from economic grievances rather than ideology, which was expressed in the adoption of these IWW slogans. Thus, the rank and file of the two unions tended to run ahead of their officials in their response to immediate situations.³¹

24. [contd.] subterfuges in order to penetrate the [reactionary] trade unions, to remain in them, and to carry on Communist work in them at all costs." V.I. Lenin: Selected Works, X, 95.

25. ARTSA Minutes, 17/11/16, 4/12/16.

26. Ibid., 12/12/16.

27. DA, 22/1/17.

28. Ibid., 24/3/17.

29. Ibid., 23/12/16, 30/12/16.

30. A Nationalist MIA, who apparently had had access to the lists
[contd.]

After the failure of the June 1916 attempt to introduce the card system, Commissioner Fraser reached an understanding with the unions that there would be no changes in the conditions of work for the duration of the war, provided that the men were not immoderate in their wage claims. The men took this to mean that there would be no further attempt to introduce the card system. However, on 20 July 1917, without prior advice to the unions, a new system was introduced at Randwick. The engineers were the first to be affected; meeting on the job on July 24, they decided, without reference to their union executive, that they would not work with the cards. That night, T.D. Mutch MIA warned the government of serious trouble ahead.³² Two days later, the Electrical Trades Union, which also had members at Randwick, raised the matter with the Labor Council, whose executive proceeded to discuss the dispute with the Amalgamated Society of Engineers, which was not itself affiliated with the Council; the Society agreed to keep its men at work until a conference of all the unions concerned could be held, and a mass meeting of engineers accepted this, while restating their determination not to work under the new system. The engineers sent a deputation to the Railway Commissioners on July 28 to ask them to withdraw the cards, but the Commissioners would not budge. The conference of unions was held on July 30, and was attended by delegates from the two principal railways and tramways unions, as well as from the eight metal trades unions and the four building trades unions whose members were involved; the union leaders "were unable to restrain their members from ceasing work, and thus defying all union authority,"^{32a} and the conference resolved that, unless the cards were withdrawn, the strike would start on August 2. The officers of the Labor Council

30. [contd.] seized by the police, alleged shortly before the strike that there were 6 to 12 men who were or had recently been IWW members still in government employ. NSWPD lxvii248.

32a. NSWLC Report 31/12/17.

[contd.]

refrained from voting on the grounds that they would not be responsible for events over which they had no control.

Still hoping to avoid the strike, Labor Council secretary E.J. Kavanagh took a union deputation to the government; the Minister for Railways gave the standard reply - this was a departmental matter, and they would have to see the Commissioners. The deputation offered the Commissioners a settlement based on a continuation of work under the old conditions, and the appointment of an independent tribunal whose findings the unions would undertake to accept; but the furthest Commissioner Fraser would go was to promise an inquiry after the men had given the system a three months' trial. Kavanagh urged the strike conference to accept this offer, but the union delegates declared that it would be "futile" to put such a proposal to the men; the strike decision was reaffirmed, and the unions' ultimatum was delivered to the authorities on the morning of August 1. Later in the day, the union representatives met with the Acting Premier (G.W. Fuller) and the Minister for Labor (G.S. Beeby); it was the unions' impression that Fuller was prepared to compromise, but that Beeby, a "Labor renegade," was determined on a showdown.³³ The ultimatum was rejected, and, by the night of August 2, 5780 railway and tramway men had downed tools. A week later, 30,000 men in New South Wales (including 21,000 railwaymen) were on strike; two weeks later, nearly 50,000 were out; while the peak of 69,000 was reached when the strike was five weeks old.³⁴

31. This was confirmed by the increasing isolation of Thompson on the ARTSA executive as its composition changed to reflect more directly the feeling of the men on the job; by the wild-cat strikes in the workshops and the goods yards; and by the movement of tramway workers out of the TEA into the ARTSA which, notwithstanding the strictures of the left wing, was regarded as being the more militant of the two unions and the closer to current concepts of industrial unionism.

32. NSWPD lxvii 186-87.

33. Lang: I Remember, 107.

34. This account is based on the Strike Report, Chap. 1, and the NSW Labor Council Report, 31/12/17.

The card system was a small issue to precipitate such a big strike. There is no doubt that the organisation of work in the railway workshops was antiquated and inefficient. The introduction of some means of recording jobs was not unreasonable, and, even after the strike had been broken and the men forced to go back under the system, they still had no substantial complaints about the way it worked: there was only the rankling suspicion that there was worse to come, that eventually the attempt would be made to force all to measure up to the pace of the fastest.³⁵ The Commissioners were, however, on weaker ground when they insisted that the introduction of the cards was an administrative measure, involving no change in the "conditions of work," for how this term was to be defined was surely a matter for agreement rather than unilateral decision.

But neither side in fact believed that this was the real issue. For the unions, The Striker declared:³⁶ "No sane man believes that it is the card system [the government is] troubling about. That is only the thin end of the wedge intended to split Unionism, and bring about a general reduction in wages, longer hours, and more degrading conditions of labour. What has been the meaning of all Beeby's recent attacks on Unionism and his threats of new industrial legislation? The answer is to be found in the present industrial upheaval." While the Nationalists regarded the strike as "an organised attempt to take the reins of government out of the hands of those duly elected by the people to carry on the affairs of the country. . . It is . . . a belated effort by those who were defeated [in the recent elections] to set aside the will of the people."³⁷ Indeed, Acting Premier Fuller claimed

35. Curlewis Report, xvi. It is remarkable that there was not stronger union objection to the system, if Commissioner Fraser's statement that, since the strike, the workshops were turning out 50% more work with 10% less staff is to be believed (ibid., 5). But the secretary of the Tramway Employees' Association seems to have reflected the attitude of unionists (rank and file as well as leaders) when he told the Commission that the men "thought that

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that "this strike is the result of certain secret meetings held in Sydney a short time ago, at which unions were asked to agree to come out in a general strike without ballot or notification, from a secret executive, which had been formed," [sic] the purpose of this operation being "not to remedy grievances, but to achieve political ends."³⁸ More flamboyantly, for public consumption, the NSW government declared:

"The Enemies of Britain and her Allies have succeeded in plunging Australia into a General Strike. For the time being they have crippled our Country's efforts to assist in the Great War. AT THE BACK OF THIS STRIKE LURK THE I.W.W. AND THE EXPONENTS OF DIRECT ACTION. Without realising it, many Trades Unions have become the tools of Disloyalists and Revolutionaries. . . Who is for Australia and the Allies?"³⁹

What was the truth of the matter? The government seems to have genuinely believed that its authority was under challenge; this was made clear by Fuller in his first statement after the strike had broken out - that the government must act "to retain the control of affairs," and not allow it to pass to the small, unpatriotic and irresponsible coterie which was running the unions in New South Wales.⁴⁰

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35. [contd.] . . . the card system . . . must be intended to be used as a weapon of oppression rather than as a system of costing." (Ibid., 29, my emphasis.) This was, it should be noted, after the system had been in operation for several months.
36. Special issue of the Worker (13/8/17), issued in 12,000 copies.
37. W.M. Hughes, CPD lxxxii 1061. Hughes's reference was to the Federal elections; his statement is cited because it is the most authoritative expression of the general Nationalist position.
38. Statement of 13/8/17. Strike Report, 100A.
39. Statement of 11/8/17. Ibid., 81A-82A.
40. NSWPD lxvii 434

There was no genuine industrial question involved, Fuller argued, and therefore the government could not be said to be against the unions: what was at stake was "the uprearing of syndicalism, naked and unashamed."⁴¹ But whether this was so or not, it is clear that the dispute could have been resolved in industrial terms. The government could have accepted the unions' offer without any great loss of face, and probably without even sacrificing the card system; instead, and in the face of the certain knowledge that the dispute would spread,⁴² it chose to regard this as the occasion for a trial of strength. From beginning to end, it did not move from its original position of demanding unconditional surrender, and in this it had the full support of both the Commonwealth government and the employers' organisations. For the Commonwealth, Hughes rejected all Labor demands for intervention, although he had created ample precedent for such a move during the mining strikes the previous year;⁴³ while the Chamber of Manufacturers gave what help it could, by offering to declare a general lockout,⁴⁴ and, when the government called for "free labor," by encouraging employees to volunteer.⁴⁵ On the government side, there were a number of factors at work: fear of the growing militancy and strength of the unions; the resentment of former Labor men against the treatment they had received during the 1916 crisis; the knowledge of the insistent requests from the Imperial War Cabinet for more troops; and, underlying these, the

41. Statement of 13/8/17. Strike Report, 99A.

42. cf. J. Storey, leader of the parliamentary Labor party (NSWPD lxvii 433): "We are going to have a general strike, if no one will interfere and try to stop it." Also Fuller's passing comment (*ibid.*, 434): ". . . if the strike spreads, as it probably will . . ."

43. CPD lxxxii 1143-44.

44. cf. "Arius": *Social Unrest . . . and its Causes*, 122.

45. *The Striker*, 13/8/17.

recognition that the unanimity of the unions against conscription implied a serious threat to their most deeply-held objective - the successful prosecution of the war. The defeat of conscription had demonstrated the extent of the trade union menace; the Nationalist election victories had revealed the isolation of the unions; the dispute at Randwick merely provided the occasion for the confrontation.⁴⁶

What of the unions? While there is sound reason to think that the government welcomed the showdown, there is little evidence to support - and much to contradict - the government's contention that the unions were challenging its ability to rule. The circumstances of the origin of the strike hardly lend weight to the conception of an unscrupulous minority which, having taken over the leadership of the unions, was manipulating a mass of deluded and reluctant workers to overthrow the government,⁴⁷ and the way in which the strike spread confirms this estimate. The general picture was stated succinctly by E.J. Kavanagh in his report on the strike: "the difficulty was not in getting men to come out, but to keep them in."⁴⁸

In the first three days, the decision of the engineers to stop work was supported by other railwaymen, not by direction of their unions, but on their own initiative - either directly in sympathy

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46. I am not suggesting that the government deliberately provoked the dispute in order to smash the unions, as many labor leaders suggested at the time, but merely that the growing division within the community over the war, coming on top of the ever-present economic disputes, made such a clash inevitable. That it started in the railways was accidental - although this was not without value to the authorities, as they were able to present the issue as one of a challenge to elected government.
47. According to the unions, the mover and seconder of the strike motion (presumably that carried by the conference of unions on July 30) were in fact both Nationalists. NSW Labor Council Report, 31/12/17.
48. Ibid. This was a general comment of contemporary labor observers - e.g. H.E. Boote: "Seems as if a general strike would be popular. The trouble is to keep the men at work." Sidelights on Two Referendums, . Letter dated "August," [1917].

with the strikers, or because they would not work with non-union labor. Only on August 5 did mass meetings of the ARTSA and the Sydney branch of the Locomotive Engine-Drivers' Association decide to withdraw all labor from the service, the engine-drivers, the elite of railwaymen, voting by about 300 to 20 in favour of striking;⁴⁹ the following day, the Strike Committee declared a total railway and tramway stoppage, but this did not greatly affect the number of strikers - most of those who supported the strike were already out. The stoppage was most general among traffic and workshops employees; the salaried officers did not strike, while many of the permanent way employees, scattered throughout the state, remained at work, and the AWU did not call the construction workers out at all.

It was the same with the other large sections of workers who were involved - principally the miners, the road transport workers and the maritime workers.

Three days after the strike started, four of the largest mines on the south coast closed down because there were no trains to carry the men to work; gradually, as other mines ran out of coal-trucks, they too ceased operations. This was the decision of the companies, not of the men. The first actual strike was at the Bulli pit, on August 7, where the men refused to work because one of their number had travelled by train. The stop-work decision of the members of the Engine Drivers' and Firemen's Association,⁵⁰ who supplied the power for the mines, affected all the northern pits, and, by August 7, J.M. Baddeley, the president of the Miners' Federation, estimated that 9000 miners were idle - and there had been no Federation decision for a stoppage. Over the next three days, the delegates' boards on the three coalfields decided that all those pits which were still

49. Social Unrest, &c., 120.

50. i.e. the stationary engine drivers.

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working should close down, on the grounds that the coal they hewed might be handled by "scab" labor in the railways; as the decision filtered back through the lodges, pit after pit stopped, until by August 21 the tie-up was complete. But this had not been directed by the militant leaders of the Federation: in fact, Willis and Bad-dely, who had led the successful 1916 strike, were against another strike at this time, because the tactical position of the miners - determined always by the stocks of coal at grass - was not good, and because the agreement which concluded the previous strike had stipulated that there should be no further stoppages for the three years it was to last. However, the decision of the men left the leaders no choice.

The coal-miners were joined - after the government had decided to introduce "free labor" into the mines - by the metal miners at Broken Hill, who voted, with only 29 against, to strike in sympathy. The Barrier men, as was their tradition, demonstrated their solidarity on the streets; in the course of one of their processions, they clashed with police who had been imported from South Australia to keep order; this special force was withdrawn after municipal workers refused to remove the night-soil from any police quarters or hotels where the police were served with food or drink.⁵¹

One of the few cases of a union executive taking the initiative was the direction of the Carters' Union to its members not to handle goods in or out of railway premises; however, it was the rank and file of the union which extended the dispute by refusing to handle goods to or from the waterfront when watersiders stopped work on August 9.

The wharf laborers were already in dispute with the shipping companies when the general strike broke out; their claim for a varia-

51. Dale, op. cit., 232-36.

tion of their award to provide for a minimum wage of 2/6 an hour was before the Arbitration Court, and the delay was causing much dissatisfaction. The strike committee was anxious to keep the waterfront out of the dispute, but, at a stopwork meeting on August 9, the "apostles of the general strike"⁵² convinced the men that they should not return to work until the card system had been withdrawn; the wharf strike quickly spread to Newcastle and interstate. Two days later, the Seamen's Union instructed its members throughout Australia to stop work; this was an executive decision, but it too had the warm support of the members of the union. The coal lumpers had already decided at a mass meeting not to handle any coal destined for the railways, and from August 13 they stopped work altogether, even on the military transports.⁵³

Those unions whose members were engaged in the production and distribution of food placed themselves at the disposal of the strike committee, which decided against calling them out; but slaughtermen and retail butchers stopped work regardless.⁵⁴

The picture then was one of union after union moving into action, not because the leaders so ordered, but because the members so demanded. "I never hoped to live to see the workers so united," wrote H.E. Boote in The Worker. ". . . This revolt against governmental tyranny is a spontaneous manifestation of feeling. The men took matters into their own hands. The officers had nothing to do but voice the demands of the rank and file. . . One after another the Unions rushed to the assistance of their mates who were attacked. They needed no prompting. They did not wait to be appealed to. With a passion for class loyalty as grand as unparalleled they took the

52. NSW Labor Council Report, 31/12/17.

53. The account of the spread of the strike is based on the Strike Report, Chap. 1. The interpretations are mine.

field and swept to battle. . ."⁵⁴ Only after the government's rejection, on August 8, of the proposal of the "key" unions (the maritime unions, the miners, carters, butchers and gas workers, who were not yet involved in the strike) that Mr Justice Edmunds of the NSW Industrial Court arbitrate the dispute, did the Defence Committee take a more active line: many unionists, said A.C. Willis of the Miners' Federation, were urging a general strike, but "the Committee intended to bring out the unions just as occasion warranted."⁵⁵ But mostly the men anticipated the call. The tactical situation was not particularly favourable, and the time was of the government's choosing, but the accumulated frustrations of the war years burst through the limits the union leaders tried to impose and spread over into a general strike.

There was this much to be said for the government's contention that the unions were seeking to overthrow its rule, that the NSW Labor Council had commented, in its June 1917 report, that "even with the Tories in office, there is nothing - except the workers' indifference - to prevent the governmental centre of gravity being shifted from Parliament House to the Union offices,"⁵⁶ but this was a piece of ideological bravado, rather than a practical threat, and insofar as Fuller had any specific point of reference for his repeated claim that the unions had secretly planned a general strike, it seemed to be to the 1916 decision (which may have been re-affirmed early in 1917) to use this weapon in the event of conscription. Certainly, there was no indication, despite the instruction of the party executive to the parliamentary party to support the unions, that the Labor party had any such intention: the efforts of the parliamen-

54. Worker, 16/8/17.

55. Ibid. By August 12, Willis was being described (probably accurately) as the "head of the strike committee." Statement of Fuller, 12/8/17, Strike Report, 98A.

56. NSW Labor Council Report, 30/6/17, qd. Worker, 2/8/17.

tarians were directed towards a quick settlement, as the Labor leader John Storey made quite clear: "If it be possible for one to take no attitude, I will plead guilty to the offence. . . The attitude labour representatives have taken in the past has been one of endeavouring to settle industrial difficulties without humiliating either side. . . That is all we are asking for today."⁵⁷ Not even the revolutionary socialists saw the strike as a serious challenge to the government? for both the Australian Socialist Party and the Socialist Labor Party, its main significance was that, win or lose, the workers would get a valuable lesson in the need for industrial unionism⁵⁸ - but the Workers' International Industrial Union,⁵⁹ the form of industrial organisation favoured by both parties (although they spread their favours between two rival factions) had fallen into a sectarian decline which the strike did nothing to arrest. And as for the IWW, its members were by now too busy lining up for their six months under the Unlawful Associations Act to take any important part in the strike. IWW slogans appeared occasionally in the daily processions which the strikers held through the city streets, and no song could have been more appropriate than the popular

Casey Jones kept his junkpile running;
Casey Jones was working double time;
Casey Jones got a wooden medal,
For being good and faithful on the S.P. line.⁶⁰

But the IWW, what remained of it, was highly critical of the conduct of the dispute, which was far removed from their concept of a well-run general strike. "We must have scientific organisation, which means all workers in the one industry in the one union and all industries linked up into one concrete body of the working class with a General Executive Committee controlling the whole dispute. This

57. NSWPD lxvii 489.

58. cf. Int. Soc., 14/8/17; People, Sep. 1917.

59. The new name for the Detroit IWW, adopted in the United States in 1915 and in Australia in 1916.

60. "Casey Jones, the Union Scab," by Joe Hill. Songs of the IWW, 39.

does not exist among the transport workers today. They have not even got a loose federation of all crafts which some call one big union. Almost a score of different unions are on strike, and each union seems to be trying to settle the trouble in its own little way. There is no publicity, and the great bulk of strikers know very little about what is going on. So far there has been no official mass meeting of all unions on strike and no responsible official has appeared on the platform to explain to the strikers what business is being transacted, and how the prospects are looking. No strike bulletins have been issued, and no leaflets or papers explaining the cause of the strike. . . . This very lax and inefficient system only spreads discontent among the men, and they at last become tired of hanging around doing nothing and hearing nothing, and getting dissatisfied, defeat will follow."⁶¹

Most of these criticisms were well founded, but, remarkably, the unsystematic organisation and the poor publicity had little effect on the morale of the strikers. Some railway and tramway workers (particularly in the traffic sections) began to drift back to work from August 8, but the strike continued to grow for another four weeks, until finally the intransigence of the government, the evident weakening among the railwaymen, and the growing distress caused the Defence Committee to declare a surrender.

From the beginning, the government had made it clear that it intended, if it could, to smash the strike. The distance between the parties was not great, the unions insisting on the withdrawal of the card system and an immediate inquiry, and the government on a three months' trial followed by an inquiry, but it became obvious in the first week of the strike that neither side would budge. On

61. N. R[ancie], DA 18/8/17. (This was the last issue before the paper was suppressed.)

the fifth day, August 6, the government presented its ultimatum to the railwaymen: either return to work by August 10, or lose the "special rights and privileges" now enjoyed as government employees,⁶² and face the prospect of the recruitment of volunteer labor to replace those on strike.⁶³ Anticipating that the unions would ignore this call, the government advised the leading country centres of its intentions, and the local organisations of the Farmers' and Settlers' Association and the Primary Producers' Union busied themselves with organising volunteers.⁶⁴ On August 8, with the rejection of their arbitration proposal, the key unions threw in their lot with the Defence Committee.

A few hundred of the 21,000 striking railwaymen returned to work on August 9-10, but not enough to affect substantially the thin emergency services the Railway Commissioners were attempting to provide. When it was apparent that there would be no large-scale resumption, the government announced that all men on strike were to be dismissed from the service, that application would be made to the courts to cancel the registration of the unions involved, and that volunteers would be introduced forthwith to operate public transport services.

From August 14, volunteer strike-breakers were encamped in the Sydney Cricket Ground; later, other camps were opened at Newcastle and on the coalfields and at Taronga Park, the site of the Sydney zoo, which drew from a contemporary ballad-monger the following indignant lines:

The monkeys at Taronga Park
 When they see these Loyalists' clothes,
 Ointment please, we want no nuts,
 Their paws up to their nose (smell).⁶⁵

62. i.e. seniority and superannuation rights.

63. Statement of 6/8/17, Strike Report, 79A.

64. Strike Report, 50A. Countrymen were preferred because they were unlikely to have been influenced by militant unionism.

65. Broadside, probably written by Jack Bradshaw, the "last of the Australian bushrangers."

The greatest number in the three principal camps at any one time was 4244, reached on September 2; in all, the government was able to organise some 170,000 man-days of strike-breaking labor (compared with three million man-days lost in New South Wales by men on strike), at a total cost of some £42,000.⁶⁶

Over the next two weeks, the government set out to rationalise what public services could still be operated, by introducing gas and electricity rationing, by commandeering all coal stocks and coalmines and all motor and horse-drawn vehicles and certain shipping; it also declared that no merchant should increase the price of foodstuffs over that prevailing on August 1 without the consent of the Necessary Commodities Control Commission. Confronted with the maritime stoppage, the Commonwealth government opened National Service Bureaus in the various states, through which volunteer labor was recruited to man the waterfront and the NSW coalmines.

The efforts of the government were successful in preventing a total power blackout, keeping limited (and gradually expanding) transport services going, and ensuring the distribution of the reduced food supplies which were reaching the city, but the dislocation was tremendous.

On August 16, three of the leading members of the Defence Committee (Kavanagh, Willis and Claud Thompson) were arrested on charges of conspiracy; later, A.W. Buckley MLA⁶⁷ was added to this group, and leading members of the seamen's and watersiders' unions were also arrested.⁶⁸ The arrests were only of symbolic significance - there was as yet little evidence of any serious weakening of the strikers' determination - but they may have contributed to the change in the position taken by the Committee, which, on August 20, proposed

66. Strike Report, 77a, 139A, 141A. These figures do not include the man-days of those unionists who remained at work.

67. Buckley was a former tramways employee and (he said for only a short time) member of the IWW.

68. None of those charged were convicted; the trials took place in mid-November, well after the strike was over.

the resumption of work under a modified card system, provided that there was no victimisation.⁶⁹ The government, however, remained adamant - it would withdraw neither from its commitment to the card system nor from its promise to the loyalists of preferential treatment, and, on August 24, over 2000 railwaymen having already drifted back to work and the miners having rejected the government's plea to resume, it announced that it would negotiate no further with the Defence Committee. Bluff and endurance are always important elements in a prolonged strike, and in both the government, with the full support of the employers,⁷⁰ had the advantage. From August 31 - despite a great mass meeting on that day of metal trades unionists which resolved unanimously to continue the strike⁷¹ - the Defence Committee began serious negotiations for a compromise, the Lord Mayor of Sydney⁷² acting as intermediary. The Mayor made several offers to the government, each conceding a little more, until finally the strikers were left with no other concessions than the immediate appointment of a Royal Commission into their grievances (except for the card system, which was reserved for investigation three months later, as the government insisted), and the right of appeal against the refusal of the Railway Department to re-employ them. The government's rejection of Meagher's first proposal was met by the Defence Committee statement that "we are resolved to carry on the fight to the bitter end," and the threat that the AWU and other unions would be asked to join in the boycott of "black" goods.⁷³

69. This was a secret feeler, which the unions publicly denied.

70. cf. J.G. Farleigh MLC to a private meeting of the Chamber of Manufacturers, towards the end of the strike: "There was never a better time for a decision to be come to than now. It was an uncongenial time from the point of view of the agitator and the irresponsible." Qd. Worker, 20/9/17.

71. Reports of attendance varied from 5000 to 8000 of some 10,000 in the trade.

72. R.D. Meagher, who had followed Holman out of the Labor party.

73. Strike Report, 33A.

The threat was idle, however; the AWU leaders had already made it quite clear that they had no intention of allowing their union to be drawn in. The Lord Mayor's final proposal, already an admission that the unions were beaten, drew from the government the curt comment that they had nothing to add to their previous offer, and that "no good purpose will be served by continuing this correspondence."⁷⁴ Finally, after two days of negotiations between the NSW Industrial Commissioner and the Defence Committee, the unions agreed to return to work on the government's terms: the card system was to be retained; the "loyalists" were confirmed in their positions; on the unions' request, a clause was written in that "work shall be resumed without resentment, and employment offered without vindictiveness," but there was no qualification to the right of the Railway Commissioners to exercise absolute discretion in filling vacancies, other than the vague requirement that they should give "prior consideration" to the claims of their former employees.⁷⁵ The surrender was unconditional, and the government's victory complete; "the Strike Committee, worn out by its ceaseless labors, depressed by the distress existing amongst the thousands of families that looked to it for aid, and relying upon certain verbal assurances which were conveyed to it from members of the Ministry, had given way."⁷⁶

As it was at the beginning of the railway strike, so it was at the end: the men, still more determined than their leaders, "declared that they had been sold, and . . . angrily denounced the action of their Executive."⁷⁷ Those who reported for duty on September 10 found that they were required to sign an application form which gave them no rights at all over their conditions of re-employment;⁷⁸ many refused to sign, and left the job. There was uproar at the mass meeting of metal trades workers that night, and the chairman closed

74. Strike Report, 34A.

75. Ibid., 35A; Edmunds Commission Report, xxix ff.

[contd.]

the meeting without putting the back-to-work motion to the vote - it would, he said, have been defeated by 4000 votes to 1000.⁷⁹ By the night of September 11, 7400 railwaymen - nearly half of those who had seen the strike through - had still refused to accept their defeat. The government was in no hurry; there was in any case insufficient coal on hand to resume full services, and the men were given ample time to savour the bitter fruit. Gradually, the railwaymen, except for sections of the metal tradesmen, signed the re-admission forms; the metal trades unions first declared the strike off in private shops, and at last, on September 19, after the Defence Committee had thrown its hand in, in the railways.

The government, however, was not content that the unions should concede defeat: as the Minister for Labor told a meeting of "loyalists" at the Sydney Cricket Ground, this was not merely "a trial of strength between the Government and a few unionists" - the government was determined to break the grip of "the revolutionary and extreme element" on the trade unions, to "get the good, loyal, sane unionist back into^{the} control of his own affairs."⁸⁰ Commissioner Fraser had already advised his departmental heads that there were 3000 men who would not be re-employed when the strike was over, and in the event some 2200 were refused their jobs (although most of these were subsequently declared eligible, so that by September 1920 only 440 remained on the black-list of "undesirables.")⁸¹

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76. H.E. B[oot], Worker, 13/9/17. The "verbal assurances" were that the government should continue to recognise the unions, and that the old hands should be re-employed (though without any undertakings about victimisation). Edmunds Commission Report, xl.
77. Worker, 13/9/17.
78. Strike Report, 125A.
79. Worker, 13/9/17. The chairman was A.T. Padgen, president, ASE.
80. Speech of 29/8/17, Strike Report, 139A-140A.
81. Edmunds Commission Report, xxvi-xxviii.

But this was not enough: the authorities had their own ideas about what sort of unions were wanted in the government transport services, and, on the application of the Railway Commissioners, the four unions most directly concerned had been deregistered by the NSW Industrial Court on August 23.⁸² Now, a week after the strike was declared off, Commissioner Fraser told the departmental heads: "The Government had no intention at all of having/one big Public Service Union, but they do desire that the railway and tramway men/should belong to various Public Service Unions - craft unions and that sort of thing."⁸³ Above all, it was desired that government employees should not belong to unions whose membership extended beyond the public service. So the Commissioners took six men off their normal duties, and paid them for a total of 468 days to organise the new unions;⁸⁴ when the government was charged with this in the House, the Acting Premier denied all knowledge, in circumstances which caused Mr Justice Edmunds to describe his evasion as "a deliberate attempt to suppress the truth."⁸⁵ With this backing, the new unions could hardly fail. The applications of the old unions for re-registration were refused during November, and six sectional unions, of the kind favoured by the authorities, were registered in their place.⁸⁶

82. Strike Report, 165A. Deregistration involved inter alia loss of rights to apply for or have enforced an industrial award; provided the union was strong enough, this would not necessarily have a serious effect, as it could use direct bargaining methods. But after the strike the NSW unions were in no position to enforce their demands. See J.H. Portus: The Development of Australian Trade Union Law, 168 ff.

83. Edmunds Commission Report, lxviii.

84. H.V. Evatt: The Strike of 1917 and the Aftermath, 2.*

85. Edmunds Commission Report, lxxix.

86. One of the old unions was re-registered by legislation in 1918 and the other three in 1920; the surviving sectional unions amalgamated to form the National Union of Railwaymen; this division exists among NSW railwaymen to the present. Two Royal Commissions (Curlewis J., 1918, and Edmunds J., 1920) sat on the railwaymen's grievances concerning the card system and victimisation, but the last of the black-listed strikers were not re-admitted to the service until 1925, and then only after successive Labor governments had legislated to this end.

* Should read: "The 1917 Strike and the Aftermath."

With the defeat of the railwaymen, the reason for the strikes of miners, maritime workers and carters had disappeared, but the resumption of work was not so simple. The government was determined that the services of the "loyalists" should be retained, that it should be established once and for all that industry could run without the consent of the unions. While the unions - especially after the harsh conditions imposed on the railwaymen - were equally determined that there should be no victimisation, that they should go back to work as a body and should not be compelled to work with "scabs."

On September 10, the day the railwaymen began to report for duty, negotiations began between the government and the miners. The government offered a return to work on pre-strike conditions, provided that the miners refrained from declaring any pits "black" (about twelve of the eighty-odd pits had already been re-opened with free labor) and recognised the right of the government-appointed managers to exercise their discretion over whom they re-employed. The union refused to recommend acceptance of these terms; nevertheless, they were conveyed to the men, who turned them down almost unanimously.⁸⁷ After another fortnight without wages, the miners were feeling the pinch, and the Federation moved to re-open discussions; the government produced a detailed plan for establishing conciliation machinery in the coal industry, but would make no concession on the question of victimisation, and the Federation repeated its refusal. Sensing that the miners were beginning to weaken, the government called the union's bluff by advertising its intention to re-open the mines for anyone who wished to work, regardless of the union's attitude. Retreat was now inevitable; what was important was to keep it orderly, so that the union would not be destroyed. The miners resolved to accept the

87. Strike Report, 41A-42A; Worker, 20/9/17.

government's terms, and to return to work in a body; the government, however, insisted on its point that the men make individual application for re-employment, which they were finally forced to do, and work was generally resumed.⁸⁸ The miners had lost eight or nine weeks' work; one pit was entirely staffed with "free" labor;⁸⁹ some hundreds of volunteers were engaged in a dozen or so other pits, and were given preference of employment following the resumption; some 350 miners had their applications for re-employment rejected;⁹⁰ it was reported, however, that the volunteers were resigning from their jobs, doubtless suffering under that silent hostility which is always an effective way of dealing with an unwanted workmate, nowhere more than underground. Badly beaten though they were, the miners had this consolation: they had returned with their union more or less intact, and still the recognised organisation of the men.⁹¹

The watersiders were less fortunate. From the beginning of the strike they had been largely replaced by volunteers; an attempt by the Waterside Workers' Federation to call the strike off had failed when most of the branches had refused to obey the direction, and Mr Justice Higgins had cancelled preference in employment for the members of these branches;⁹² on September 19, the Sydney branch had decided to call the strike off, but when the men applied for engagement the following day, there was no work for them. A fortnight later, the Federation asked the shipowners to confer on a general

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88. There was some delay on the northern fields, when it seemed that some pits would be declared "black." When the government refused to open any pits unless all were manned, the northern miners were forced to give in too.
89. Richmond Main, which had been handed over to the Victorian government to supply that state's coal requirements, and was staffed with labor recruited in Victoria and protected by a special squad of Victorian police.
90. Worker, 18/10/17.
91. Strike Report, Chap. IV.
92. Brief History of the Waterside Workers' Federation, 30-32; Strike Report, 134A ff.

resumption, but the owners refused; they had in the meantime instituted a new system of hiring labor under which, instead of the old system of casual work, most wharf-lumping would be done by permanent hands, registered with the shipowners' Labor Bureau, and paid a regular weekly wage.⁹³ To register, a watersider had to have "a reasonably clean record and physical fitness" and no association with the IWW; the Federal government had also instructed the shipowners that aliens were to be kept out of the maritime industry. Men wanting registration had to sign a declaration that they were not members of the Waterside Workers' Federation;⁹⁴ those who were prepared to do this were given preference of employment, and, by October 5, over 2000 men had so registered. Only when there were more jobs than permanent men did the unionists get a chance at casual labor. After one more unsuccessful attempt to persuade the owners to confer, the Federation was compelled to accept what little work was left to its members; and the position of the coal lumpers was much the same. The Coal Lumpers' Union was deregistered by the NSW Industrial Court, and the Port Jackson Coal Workers' Union was registered in its place.⁹⁵ The Commonwealth Court however refused to deregister the Waterside Workers' Federation, much to the disgust of the Prime Minister, who hinted that he was considering moving for the removal of Mr Justice Higgins as Chairman of the Court;⁹⁶ nevertheless, the NSW Court registered the Permanent and Casual Waterside Laborers' Union as a rival to the Federation. The two "loyalist"

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93. The union's objection to this was that the wage (£3.1.6 a week) was considerably less than its members had been earning for the same hours at casual rates; the owners replied that this was offset by the increased security of the regular wage.
94. The owners claimed that this was because the Federation's award provided for casual rates; however, they certainly also desired the destruction of the Federation.
95. Scully, one of the informers in the IWW case, turned up under a nom d'oeuvre as a Vice-President of this union.
96. CPD lxxxiii 2735.

unions enjoyed the protection of the court and the preference of the employers, and for a time they prospered - but at the price of a continuing bitterness of relations in the maritime industry which made nonsense of the pious hope expressed by Acting Premier Fuller that the men "would forget what has happened during the last few months, and try to settle down to peaceable working conditions."⁹⁷

As they had done with the watersiders, the shipowners refused to negotiate with the seamen, who were forced, on October 8, to present themselves for employment on the owners' terms. However, the Melbourne branch of the union refused to man one ship alongside "free" labor, and the shipowners refused to allow any ships to go to sea. The Commonwealth government intervened and, by regulation, cancelled that clause in the agreement between shipowners and seamen which provided for preference to unionists. Finally, the seamen - with the northern miners, the last to accept defeat⁹⁸ - withdrew their objections and surrendered unconditionally, and the strike was over.

The readiness of W.M. Hughes to intervene against the NSW strikers contrasted sharply with his flat refusal to allow Mr Justice Higgins to arbitrate in a dispute in the Queensland Railways which was running at the same time as the NSW general strike. During July 1917, the Queensland Industrial Court had awarded railworkers a substantial wage increase which would, it was estimated, be worth £450,000 a year to the men; the northern railwaymen, however, were dissatisfied that the award was not made retrospective to the previous February, as they had demanded, and resolved by a 10 to 1 majority to strike. The government sent E.G. Theodore, the Minister for Works, to Townsville to persuade the men to accept the new award; when he failed, they

97. Statement of 18/10/17. Strike Report, 137A.

98. This caused some surprise; J.J. O'Reilly of the AMA said that "no one expected [the seamen] to stand so solid." Socialist, 26/10/17. It was followed shortly by the election of a militant leadership in the union.

called (and financed) a conference of unions to put pressure on the northern unionists to call off their strike; the unions agreed to urge the government's proposal for independent arbitration, and most of the strikers voted to accept this settlement. However, the Townsville railwaymen, a centre of radical influence, refused, and the government warned them that unless they returned to work they would be sacked; faced with this threat, they capitulated.

Hughes entered this dispute at two points. First, when farmers had appealed to him for military protection to enable them to take over the railways, Hughes asked the Queensland Premier to provide police protection; Ryan replied coldly that there was no disturbance of public order in the north, and that this was a state matter. Later, when Ryan had persuaded the railwaymen to accept the arbitration of Mr Justice Higgins, and asked Hughes to make the judge available, the Prime Minister replied that the men were defying an award of the state Court, and the Commonwealth could not intervene - a stand which was in direct contradiction to the position he had taken over the NSW dispute, where he had rejected all Opposition pleas for intervention on the grounds that it was necessary that both parties should agree, and the NSW government did not. In the Queensland case, both parties did agree, but there was still no judge.

Cutting across the northern strike was the refusal of railwaymen at Wallangarra, the main junction between the NSW and Queensland railway systems, to tranship any goods to or from New South Wales, other than letter mail and passengers' luggage; the Queensland Railway Commissioner, on the instructions of the government, acquiesced in this and warned consignors that goods could not be handled. Hughes demanded action against the strikers, and threatened to invoke penalties for breach of the mail contract with the Commonwealth. Ryan's answer was that the trouble had started in New South

Wales, which had refused to go to arbitration, and he had no intention of spreading it into Queensland by using coercion against the railwaymen.⁹⁹

The railways, more than any other part of Queensland's industry except the northern meatworks, was strongly infiltrated by syndicalist ideas; one Queensland Railways Union organiser was reported as telling his members that "it was the object of unionism to so organise the working class that they would take possession of the means of production, which would be democratically controlled by the workers," while the Townsville secretary told the northern strikers that "we have absolute control and I hope that the time will come when the men will always be in control."¹⁰⁰ The union was a warm critic of the Labor government. Yet Ryan, at a time of considerable tension, was able to stop the storm at the border. But this was not without its cost; the ultimatum to the Townsville railwaymen was one of the first signs of the conflict between unions and parliamentarians which was later to divide the Queensland Labor party, as it had done the NSW party six years after Labor first took office.

From first out to last back, the strike lasted 82 days; nearly 100,000 workers were directly involved for a total loss of four million man-days and £2½ million in wages. In addition, an unknown number of workers, certainly running into tens of thousands, lost their jobs or were put on short time because of coal shortages, power restrictions and lack of transport. The Defence Committee in New South Wales raised £23,000 for the relief of strikers; thousands more were spent by individual unions. The NSW government spent £100,000 to break the strike.¹⁰¹ It was by far the biggest, the most

99. Speech of T.J. Ryan, QPD cxxvi 827 ff.

100. Qd. QPD cxxvi 954, 809.

101. Strike Report, 70A-71A; Labour Report No. 8, 121 ff.

costly and the most disastrous strike that the Australian labor movement had yet known. What conclusions are to be drawn from, and what were the consequences of, the defeat of the general strike?

1. It seems clear that the government seized on the opportunity presented by the general strike to humble the growing power of the unions, but it does not follow that they deliberately provoked the dispute for this purpose. The Railway Commissioners, knowing the probable consequences, would scarcely have re-introduced the card system without prior reference to the government,¹⁰² but the government could not have known in advance the dimensions the strike would assume.¹⁰³ Equally, it is not established (as the labor movement later alleged) that the government was acting in anticipation of the second conscription referendum; despite the decline of voluntary recruiting, there is no indication that plans for the second referendum were already formulated at the time of the outbreak of the strike. It is clear, however, that both the NSW and the Commonwealth governments saw their actions during the strike as an essential part of the war effort; and this was made more urgent by the strong anti-war tone of the Labor conferences of mid-1917.¹⁰⁴

2. There is no evidence for the charge that the strike was deliberately planned by the labor movement as a revolutionary challenge to the government. The parliamentary Labor party, although committed to support the strikers, was anxious to promote a settlement, for strikes, whether Labor is in office or in opposition, are almost always an electoral liability; while the majority of the trade union leaders were committed to arbitration, and did not want the strike in the first place. The anti-arbitration minority was divided: some

102. I have no evidence for this, but it seems a reasonable assumption.

103. This seems clear from the shift in the government's position. Fuller at first alleged that the unions had planned the general strike in advance; but when it became apparent that the unions were in an unfavourable tactical position, he modified this by suggesting that they had been forced to jump the gun by the extremists.

104. *Infra*, 293 ff.

undoubtedly welcomed the chance to hit at the government; the more far-sighted, notably A.C. Willis, understood the weakness of the unions' tactical position; but all, given the government's intransigence and the decisive reaction of the rank and file, prosecuted the strike with determination.

3. The origins of the strike were in mass working-class unrest, rather than the agitation of the revolutionary minorities. The strike bore no marks of IWW sponsorship, planning or leadership; indeed, the way in which it was conducted was specifically condemned by the IWW. This was in part because the IWW had already been decimated by the government suppression; but, even had the IWW leaders been free and the organisation intact, it is almost certain that the outcome would have been no different. The revolutionary utopianism of the IWW, the faith in spontaneity, the disdain for the formal apparatus of the industrial movement, the emphasis on "scientific" sabotage, all made the IWW unfit to lead a serious major strike. From the wild-cat strike and irritation tactics on the job to what their own theory saw as the outcome of their revolutionary struggle, the general strike, was a leap which neither their ideology nor their organisation equipped them to make.

4. For the unions as organisations, the effect of the strike was shattering: "Prior to the strike Trades Unionism had reached the highest pinnacle it had ever reached in this country. It took just twenty-seven years of hard work to bring it to that state of perfection. It was built up by arbitration and knocked down in twenty-seven days by direct action."¹⁰⁵ The railways and tramways unions were impoverished, internally divided and almost defunct; the wharf-laborers' union was rendered impotent; the leadership of the Labor

105. E.J. Kavanagh in NSW Labor Council Report, 31/12/17.

Council was discredited; the front of the AWU and the other mass unions, created in the 1916 crisis, was seriously weakened by the refusal of the AWU to be drawn into the struggle.¹⁰⁶ The unions were far from happy about the timid role played by the Labor party, but in their weakened condition there was little they could do about it. The strike called into question the traditional structure of the trade union movement, the new relations which had been established between the unions and the Labor party, and above all the reliance on arbitration which had characterised the union movement since the turn of the century: it was the starting point for the important changes of the next four years.

5. Writing post-mortems in The Worker, H.E. Boote drew two lessons from the defeat: first, that "henceforth no executive should have the power to call a strike, or declare one off," that the unions must be run by their rank and file; and secondly that the unions must improve their organisation and tactics, that the men must not be allowed to strike "on impulse."¹⁰⁷ These were, of course, contradictory - the one relied on rank and file spontaneity, the other on centralisation of the power of decision; and this contradiction reflected the confused thinking which followed the defeat. It would have been more profitable (but less comforting) to analyse the causes of the failure, which were: (a) the lack of unity among railwaymen - never at any time were more than about half of them on strike, which meant that the government had a solid base of experienced men on which to build their emergency services; (b) the unchallenged support for the government in the countryside, which enabled the free recruitment of volunteers; (c) the hesitations of the Defence Committee, which allowed the strike to spread haphazardly, rather than in the directions where it would hurt the most. This suggests that the necessary conditions for a successful general strike include: a

106. O'Reilly of the AMA said that there were "only three unions left intact out of the whole thing - the Miners, the Seamen and the Coal Lumpers." Socialist, 26/10/17.

107. Worker, 13/9/17, 4/10/17.

consensus of opinion among the working class about the aims of the strike and the need for militant action; sufficient support for, or neutrality towards, the working-class objectives among other sections of the population to make it difficult to recruit strike-breakers; and a resolute leadership. In turn, this assumes two things: a common level of understanding of their situation among the working class, and a degree of popular disaffection such that the government is no longer able to govern - which add up to the Leninist definition of a revolutionary situation.¹⁰⁸ The rights and wrongs of a proletarian revolution may be argued; and whether, in a society such as Australia, these conditions could ever be realised is questionable; but the experience of the Australian working class in 1917 suggests that the judgement of Lenin, the most realistic of revolutionaries, was sound: that the conditions for a successful general strike were the same as those for a social revolution, and that in neither case could these be created by the revolutionary will, but that always it was a matter of a change in social circumstances which was beyond the control of those immediately involved. Given this change, the recognition and exploitation of it by revolutionaries might be decisive, but without it nothing could be done.

It was this blend of revolutionary will and realistic understanding that was lacking among Australian unionists in 1917: those who understood the reality of their situation were bemused by it, or had an interest in perpetuating it, and were unable to transcend the present; while those who looked to a revolutionary future were dazzled by it, and lacked an understanding of what was presently possible. The moderates were arguing from self-interest or sectional interest, the revolutionaries from a utopian ideology; and their argument during the next four years, over theory and program and tactics,

108. cf. Lenin: Selected Works X, 127.

was largely an abstraction which did little to further the goal they both professed - the emancipation of the working class from the imperatives of wage labor.

11. The Second Conscription Referendum.

To labor men, embittered by the recent calamitous defeat, it seemed that the general strike had been a "carefully planned prelude" to the decision of the Commonwealth government to hold a second referendum on conscription, that the government had set out to crush the trade unionis, the "backbone" of the opposition to militarism.¹ But, attractive as this explanation seemed, it was not warranted by the facts. The labor movement had assumed, since the Federal elections, that Hughes would not rest content with his 1916 defeat, and there was strong evidence that the preparations for the second referendum had in fact begun before 7 November 1917, the date on which the Cabinet decision was said to have been made,² but it seems likely that the immediate cause of Hughes's verdict was the bloody fighting during August and September in the Third Battle of Ypres, which cost the AIF the staggering total of 38,000 casualties - about one in three of all Australians at that time on the Western Front.

It had not been a good year for the Allies: following the February Revolution, the Russian front had collapsed; the Italian armies had suffered severe defeat; the spring offensive in France had been costly (the AIF had suffered 17,000 casualties at Messines and Bullecourt); and now the renewed offensive had achieved a limited success, but at a crippling price. Meanwhile, the Imperial War Cabinet was demanding more and more men, and Hughes's advisers told him that 7000 reinforcements would be needed every month if the five Australian divisions were to be kept at full fighting strength.³ But the

1. H.E. B[oote], Worker, 8/11/17.

2. cf. the "No" manifesto prepared by J.H. Catts, qd. Jauncey, op. cit., 276.

3. There was, earlier in 1917, some suggestion that Australia should raise a 6th division, but, when the recruiting situation was examined, it soon became evident that this was impracticable, and the idea was dropped. However, the proposals became known to the

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recruiting rate was falling steadily - from nearly 5000 a month early in 1917, to 2500 a month over the last quarter of the year; "the general welfare became subservient to class and individual animosity," reported the Director General of Recruiting, "and the trouble grew as the effects of war weariness began to make themselves felt."⁴ In October, with Ypres, Hughes felt that (as Lord Carson remarked at the time in England) "the necessary supply of heroes must be maintained at all costs." He was committed not to introduce conscription without a popular vote; Parliament had been in recess since September 26 (Labor spokesmen found this evidence of sinister intent); on November 7, he had Cabinet authorize a War Precautions regulation providing for another referendum. Later, at Bendigo, he announced his proposals: voluntary recruiting should be continued, but any leeway between this and the target of 7000 men a month should be made up by calling up fit, single men between the ages of 20 and 44, the order of their induction to be determined by lot - the "Lottery of Death," as The Worker later described it. To underline the seriousness of the occasion, Hughes declared repeatedly during the campaign that "the Government must have this power; it cannot govern without it, and will not attempt to do so."⁵ And, to ensure that no "pro-German" votes were allowed to affect the results, it was decreed that electors of "enemy" origin, and the children of such men, should be disqualified from voting.

3. [contd.] anti-conscriptionists; when they charged the government with this intention, Hughes foolishly denied that any such idea had even been considered. This denial of a truth for which the anti-conscriptionists had ample evidence told heavily against the government.
4. Qd. Scott, op. cit., 397-98.
5. Qd. Tudor, CPD lxxxiii 2923-24.

The anti-conscriptionists felt that there were "fearful odds against us this time . . . with thousands disfranchised,⁶ and the trades unions weakened by a nine weeks strike,"⁷ but they threw themselves wholeheartedly into the campaign. The issue was fought even more bitterly than in 1916. On both sides, the propaganda was outrageously far-fetched: for conscription, the Victorian Reinforcements Referendum Council published a leaflet, "The Anti's Creed," charging their opponents with every sin against patriotism from sanctioning the shooting of Nurse Edith Cavell to approving the sinking of the "Lusitania;"⁸ while, for the "antis," A.W. Foster, in Ross's Monthly,⁹ declared: "Husbands for our future brides under Conscription - Chinese, Japs., and Hindoos. . ." In Brisbane, Hughes instructed the Commonwealth authorities to refuse transmission through the post to an issue of the Queensland Hansard recording anti-conscription speeches by Premier Ryan and his Minister for Works; challenged by Hughes, Ryan later repeated his speech outside Parliament, was charged with making false statements about the war effort, and was acquitted with costs against the Commonwealth. A week later, a well-aimed egg was thrown at the Prime Minister as he was addressing a crowd gathered on the railway station at Warwick in Queensland; a fracas followed, but the local sergeant of police refused to arrest the egg-thrower, and the Queensland Premier refused to treat the affair seriously; the Prime Minister thereupon formed the Commonwealth Police Force. In New South Wales, E.E. Judd, as indefatigable in this campaign as he was in the campaign for the release of the IWW Twelve, scored a scoop when he published W.A. Holman's "Secret Memorandum," a document which the NSW Premier had

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6. This referred not only to the disfranchisement of "enemy" voters, but to the closure of the rolls on November 10, only two days after the referendum was announced.
 7. Sidelights on Two Referendums, 80-81.
 8. Qd. G. Baracchi, "Anti-Conscription Memory," Communist Review,

[contd.]

circulated to his Cabinet earlier in the year, in which he had advocated the use of "economic factors" (the dismissal of single men) to encourage recruiting, and the imposition of a stricter censorship to aid morale; Holman replied lamely that this was only a basis for discussion, and that no action had been taken on his proposals, but the damage was considerable.¹⁰ Thousands of meetings were held, some of them characterised by the uproar and violence which accompanied the 1916 campaign; millions of pieces of propaganda were distributed; several of the most prominent anti-conscriptionists were prosecuted for offences under the War Precautions Act, usually for "false statements."¹¹ On both sides, it was a vigorous campaign, but the politics lacked the drama of 1916.

Where there had been denunciations, splits, expulsions in the Labor party, now all were united. The trade unions still provided the core of the campaign, in/organisation, propaganda and money; but there was no division between industrialists and parliamentarians. There was, however, one important respect in which the official Labor campaign differed from that mounted in 1916. Whereas then the socialist and pacifist groups had played down their anti-war beliefs in order to present a common front against conscription, now the Labor party had itself adopted much of the radical opposition to the war, and the official propaganda reflected this broader concern: "Parents! Will your anguish be soothed by the knowledge that your votes have made other men and women childless? Widows! Will your sorrows be less if your votes have widowed other women, have orphaned other children?"¹² The pacifist anabranch had now become the mainstream,

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8. [contd.] December 1937. Baracchi recalled that he was fined £50 and sentenced to three months' gaol for "dealing with the Anti's Creed, point by point," on the Yarra Bank, Melbourne.
 9. Special No-Conscription Number, 8/12/17, issued in 50,000 copies.
 10. Evatt: Australian Labor Leader, 450-51; Sidelights, &c.-86.
 11. As well as Ryan, those charged included J.H. Catts MHR, leader of the official No Conscription Council, and one other MHR, two Senators, two Victorian MSLA, and H.E. Boote.
 12. Manifesto of the Victorian PLC. Boss's Monthly, 8/12/17.

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despite the protestations of such Labor leaders as Ryan and Catts of devotion to the Allied cause.

As polling day drew near, last minute reports from the conscriptionist leaders in the various states suggested that the "Yes" prospects were good. On the "No" side, feelings were mixed: some thought that the exposures of the government's inconsistencies and bad faith had ensured success, others that the loss of thousands of disfranchised voters would cost anti-conscription its slender 1916 margin.¹³ Had the anti-conscriptionists analysed more thoroughly their previous victory, they would perhaps have been more confident. Then, it was the farmers' vote which had saved them the day; now, reports from the country electorates suggested that, if anything, their position had improved.¹⁴ And certainly there was no indication of any weakening in the cities. Together, these factors ensured the defeat of the second conscription referendum.

In the event, Victoria joined New South Wales, Queensland and South Australia in giving a majority for "No," while the overall margin more than doubled.¹⁵ The "No" vote increased even in Western Australia and Tasmania - in fact, more substantially in those states than elsewhere; only in South Australia did it fall - in association with a sharp decline in turnout in areas where the regulation disfranchising "enemy" voters had operated most stringently. Generally, the results showed a movement of "Yes" voters to "No," and, even more importantly, a substantial abstention of "Yes" voters.¹⁶ The

13. Sidelights, &c., letter of 16 December 1917.

14. cf. the report of A.W. Blakeley MHR from the western NSW electorate of Darling: "Many of the most ardent conscriptionists of 1916 have gone cold, and will not work during this campaign." Worker, 6/12/17.

15. "No" majority: 1916 - 72,476; 1917 - 166,588.

16. The turnout tended to fall less than, and the "No" vote to improve more than, the average in Labor seats, and vice versa in Liberal seats, which suggests a return of "Labor-Yes" voters

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service votes were reported as showing 52.5% for "Yes" - rather lower than in 1916; however, it is certain that "the boys in the trenches" voted heavily against conscription.¹⁷

Reviewing his defeat, Hughes said: "The National^{ist} party has failed . . . to arouse the democracy of the country to a sense of its duty, but it is not we who have failed, but the people of Australia. . . I cannot forgive those [tens of thousands of] men who, grown fat on this war, pretended that they desired Australia to do her duty, and went to the ballot box and voted against her doing it."¹⁸ But neither defeat at the polls, nor what he chose to regard as betrayal by some of his political supporters, drove Hughes from office. Consistently with his pre-referendum pledge, the Prime Minister handed his resignation to the Governor-General - but with no recommendation as to his successor or request for a dissolution. In this he was supported by his party, which resolved that "in view of the recent declared attitude of the official Labor party on the vital questions of the conduct of the war and peace, . . . it will not support any course of action that will hand the Government of the Commonwealth over to the official Labour party."¹⁹ There was some support in the labor movement outside parliament for an election to make "a clean

16. [contd.] to "No" and an abstention of "Liberal-Yes" voters; but this pattern was less regular in Liberal country electorates than in metropolitan, suggesting a stronger tendency among Liberal country electors to swing to "No" than those in the cities. Of the six electorates which swung from "Yes" (1916) to "No" (1917), two were Labor metropolitan seats and three were Liberal country seats. (The sixth was a Tasmanian seat.) As votes from the services were not distributed among the electorates in 1917 as they were in 1916, the results of the two referenda are not comparable in detail.
17. This was claimed by the anti-conscriptionists, and, since there was an obvious propaganda value to be derived from a "Yes" vote by the front-line units, and the government had the opportunity of taking this advantage, the claim seems justified. It was confirmed by C. McGrath MHR (Labor), who acted as a scrutineer at the services polling booth in London.
18. CPD lxxxiii 2938.
19. Qd. Scott, op. cit., 432-33.

sweep of the conscriptionists,"²⁰ but the parliamentary party was not so confident. In any event, the party was given no chance of testing the electorate; after a series of discussions with parliamentary leaders, including the leader of the Labor party, the Governor-General called on Hughes to form a new administration.

The defeat of the referendum was a serious blow to Hughes, but as a politician he was both resourceful and resilient, and he was more than a match for the few malcontents within his own party and for any of the Labor party leaders except T.J. Ryan, who had emerged as the major figure on the Labor side. The labor movement itself had consolidated its forces during the campaign, and had regained some of the ground lost in the general strike; but the unity it had established was precarious, and destined to be subject to further strain as the popular opposition to the war grew broader and penetrated into the leading bodies of the trade unions and the extra-parliamentary Labor party.

20. This was, e.g., H.E. Boote's opinion. Sidelights, &c., letter of 22 December 1917.

12. The Demand for Peace.

After great travail, the international socialist movement had in 1912 reached a clear understanding of what it was to do in the event of a general war: "it is [the] duty [of the working classes and their parliamentary representatives in the countries involved] to intervene in favour of its speedy termination and with all their powers to utilise the economic and political crisis created by the war to arouse the people and thereby to hasten the downfall of capitalist-class rule."¹ The formulation was designedly vague, in order to reconcile the conflicting views of the German and French socialists and the Russian Bolsheviks on the general strike and other means of action against war; however, there was no question but that determined and immediate action was intended and agreed upon. Unhappily for the working classes, the resolution of the socialists disappeared in the smoke of the first gunfire. The majority of French, Belgian, Russian and English adherents of the Second International resolved that their countries had to be defended against German militarism and aggression; the majority of the German and Austrian social democrats resolved that they must oppose the invasion of their fatherlands by Russian barbarism and Tsarist autocracy; and those who thought otherwise were a very small minority, fighting what seemed for the first two years of the war very much a lost cause.

A war which involves the whole community cannot be prosecuted unless there is overwhelming support for, or at least acquiescence in, the war effort; but in the early months of the war, there was no doubt of this on either side, and the minority of socialists who took their stand on the Basle resolution were overwhelmed by the patriotic fervour which swept through the working classes and the labor movements. Perhaps more importantly, the anti-war policy of

1. Resolution of Basle (1912) Congress of Second International.
V.I. Lenin: The War and the Second International, 53.

the International presupposed the common action of the socialists in the belligerent nations; and with the breakdown of the negotiations between the French and German socialists in the last hours of the crisis, all hope of this vanished. There were, in the circumstances, only three possible courses of action: to co-operate with the bourgeois governments in national defence, to carry on a political campaign for a negotiated peace, or to prepare for insurrection. The "majority socialists" in all the belligerent countries chose the first course; the opponents of the war were divided between the second and third. For the Russian Bolsheviks the choice was simple: since they were against the war, and since a public political campaign was impossible under the Tsarist autocracy, all that was left was insurrection - the policy of "revolutionary defeatism," of "turning the imperialist war into a civil war." But, for the other European socialists, it was not so easy. As Edward Bernstein had pointed out in the course of his argument with the orthodox Marxists of the German Social Democratic Party, "the right to vote in a democracy makes its members virtually partners in the community,"² and so long as it was possible for the socialist opponents of the war to voice their opposition, they felt an obligation to restrict themselves to political activity designed to win the majority of their labor movements to their point of view.³ This indeed was the position taken by most Australian socialists; once the initial revulsion against the war began to be translated into practical politics, the central demand of the socialists was for a negotiated peace, and this reflec-

2. E. Bernstein: Evolutionary Socialism, 144.

3. The only serious exception to this was the Liebknecht-Luxemburg group in the German SDP (the Spartacists), and even so they were distinguished from other anti-war socialists more by the vehemence and consistency of their agitation than by the tactics they advocated. Otherwise, the "Zimmerwald Left," as the revolutionary opposition was known, consisted of Polish and Balkan revolutionaries, who, like the Russians, suffered under autocracies, and minority groups from the neutral nations. c.f. M. Fainsod: International Socialism and the World War, 65-68, 87-90.

ted both their acceptance of the framework of bourgeois democracy, and their awareness of the objective limitations to their action.

Among all the labor movements of the belligerent nations, that of Australia was, in the early days of the war, in a unique position. Generally, the decision facing the socialist and labor parties was whether or not (as minority oppositions) to support their governments' war budgets; but in Australia the Labor party was the government, so that Australian labor was confronted not only with the ideological problem of its attitude to the war, but the practical political problem of loyalty to a government which it had created. There were other differences too: Australia was a long way away from the scene of the fighting, and direct participation was limited to those who volunteered. And the political movement was already divided between the mass Labor party and a number of fractional socialist parties standing in differing relationships to the mass party.⁴ In Australia, as elsewhere, the mass party opted with little hesitation for the war; and, as in Great Britain, the minority socialist organisations opted, with almost as little hesitation, for opposition.⁵

In the pre-war socialist agitation against "militarism,"⁶ the lead had been taken by the doctrinaires of the Australian Socialist Party and the Socialist Labor Party, both centred in Sydney; the more flexible Victorian Socialist Party, with its traditional attachment to the Labor party, had divided between a pacifist (rather than a Marxist) opposition to all military service, and a demand, akin to that of Jean Jaures,⁷ for a "citizen army" in which every citizen would retain his own rifle and ammunition and the officers would be elected. This difference of approach survived the outbreak of the

4. This characteristic the Australian movement shared with the British.

5. There was not, in Australia, any sizeable group of socialists who, like the followers of H.M. Hyndman, declared for the war.

6. Supra, 108-09.

7. cf. J. Jaures: Studies in Socialism.

war, even though the socialists were unanimous in their opposition. The ASP, once authentic news began to penetrate, declared itself for Karl Liebknecht's position;⁸ it was, it said, for "an International Industrial and Political Union" of the working class which would refuse to go to war and would vigorously prosecute the class struggle,⁹ and its members did not favour working with other opponents of the war because they found it "inadvisable to support organisations which are partly bourgeois and wholly antagonistic to the principles of socialism."¹⁰

The Victorian socialists on the other hand, in the first week of the war, called together a private meeting of "peace" bodies - the Australian Freedom League, which had been set up to resist the 1912 Defence Act, the Society of Friends and other religious groups, and such trade unions as the VSP influenced,¹¹ and the following month the Australian Peace Alliance was formed. Its first manifesto, signed by the secretaries of the Melbourne Trades Hall Council and of five trade unions¹² as well as by representatives of several socialist and pacifist groups and issued on 21 October 1914, opened pessimistically: "At this stage of the war, there is not much scope for speech or action by those whose only methods of achieving peace are an appeal to reason and common sense, the introduction of law and order into international relations, and the practice of international goodwill." Nevertheless, the manifesto continued, certain things could be done: the opponents of war could combat chauvinism and could begin to prepare public opinion for a post-war settlement based on the arbitra-

8. International Socialist, 12/2/16. There was, of course, the important difference that Liebknecht was in a position to vote against the war credits, while the ASP was not.

9. ASP Manifesto, Socialist, 27/11/14.

10. Int. Soc., 29/1/16.

11. VSP Minutes, 9/8/14.

12. Namely, the Timber Workers (of which John Curtin was then secretary), the Melbourne Typographical Society, the United Laborers' Union, the Hairdressers and the Clerks' Union.

tion of international disputes and simultaneous disarmament.¹³ Out of the confusion of statements emerging from the European socialists, the VSP gradually evolved a policy, drawn largely from the manifesto of the British Independent Labour Party and the first public statement of the founders of the Union of Democratic Control,¹⁴ which it passed on to the Peace Alliance; in its first platform, the Alliance raised the demands which were to remain the common currency of the socialist opposition in Great Britain and Australia for the duration of the war - for an international arbitration court, democratic control of foreign policy, the reduction of armaments and the nationalisation of arms manufacture, and "the termination of the present war at the earliest possible moment" on terms which provided for the self-determination of all nations and an end to the European "balance of power."¹⁵ At a public meeting on 15 February 1915, the Alliance suggested the ways in which these aims could be achieved: a statement from the governments of their terms for peace, thus opening the way for negotiation, and an early reference of the points in dispute to arbitration.¹⁶ Consistent with this position, the VSP was sceptical of the value of ^{the meeting of} neutral socialists, held at Copenhagen in January 1915, and urged a conference of socialists from the belligerent nations.¹⁷

13. Soc., 30/10/14.

14. Ibid., 13/11/14, 18/12/14.

15. Ibid., 19/2/15. See Appendix for text.

16. The "speaker of the evening" at this meeting was F. Brennan MHR, the first Labor parliamentarian to identify himself publicly with the movement for peace. Later, Brennan was joined by F. Anstey MHR, who led a minority revolt against the authoritarian provisions of the War Precautions Act and subsequently withdrew from the Federal parliamentary Labor party in protest, and M. Blackburn, a Victorian MLA and a former member (and still a close associate) of the VSP, who refused to participate in the recruiting campaign "unless I am first satisfied that the propertied class . . . are making a voluntary sacrifice proportionate - it cannot be equal - to the voluntary sacrifice our men are asked to make." * Soc., 19/2/15; Labor Call, 15/7/15.

17. Soc., 12/3/15.

* Should read: ". . . the voluntary sacrifice that our men are asked to make."

During the remainder of the year, socialists and pacifists joined in forming branches of the Alliance in the other mainland capitals - except in Sydney, where the socialists, still guarding their doctrinal purity, remained aloof. But as the more enthusiastic supporters of the war began to urge conscription on the government, the socialists, correctly calculating that there was a wider opposition to conscription than to the war, formed separate organisations for this purpose. In accordance with their different tactical conceptions, the VSP members tended to confine their anti-conscription agitation to the immediate issue, while the followers of the ASP often used anti-conscription platforms to expound their opposition to the war.

Nevertheless, by the end of 1915, the Peace Alliance was firmly established. From the beginning, it had proclaimed "the organisation of the trades unions and workers' associations, with a definite view to ending war" as one of its aims,¹⁸ and it was committed to action through the mass labor movement. Discussing this, one official of the Alliance suggested three methods of working-class action - the general strike, the refusal to bear arms, and political agitation against war and preparations for war; of these, he found the last the most appropriate to the local situation.¹⁹ Operating on these lines, Peace Alliance (and VSP) supporters in the Melbourne Trades Hall Council presented a motion requesting the Commonwealth government to transmit, on their behalf, greetings to workers in all the belligerent countries, and the plea that they should all act simultaneously to force their governments to declare the terms on which they would negotiate for peace. The motion was lost, but only on the casting vote of the president, in favour of an amendment referring the issue to affiliated unions for decision, whereupon the

18. Appendix VI.

19. J.B. Howie: Australia and the Coming Peace. [November, 1915]

Peace Alliance carried its appeal directly to the unions.²⁰ But this first major move into the mass labor movement was soon submerged in the growing trade union opposition to conscription.

The divergent points of view held by the opponents of war were expressed sharply at the first interstate conference of the Peace Alliance, held during Easter 1916.²¹ The two NSW delegates²² urged that the Alliance's platform be changed to provide for the control of foreign policy by an Imperial Parliament and the creation of an International Parliament, and for the elimination of the references to the special place of working-class organisations in the anti-war movement, and to the early termination of the war; but the delegates from the other states preferred to appeal for an understanding that "war can only be combatted by international organisation" of the working class.²³ In an attempt to hold the organisation together, the conference resolved that state councils should have the "utmost freedom" of local action, but the NSW group felt sufficiently strongly about its point to convert itself in June 1916 into the Australian Union of Democratic Control, with a platform based on the principles rejected by the conference of the Alliance.²⁴

From the announcement of the conscription referendum, the energies of all sections of the extra-parliamentary labor movement and of the socialist and pacifist opponents of the war were thrown into this campaign. The various anti-conscription organisations, formed under radical auspices, were first in the field, and continued to exist independently of (although on occasions acting jointly with) the

20. APA Circular Letter of 21/3/16.

21. Eight delegates attended, representing the Peace Alliances of Victoria, NSW, South Australia and Queensland.

22. Rev. A. Rivett was the spokesman for the NSW position.

23. Minutes of 1916 Conference, APA.

24. Jauncey, op. cit., 136.

official Labor No Conscription Committees, which sought to escape the tag of disloyalty by stressing Labor's devotion to the Allied cause, but asserting that Australia could play its part most effectively as a food producer and by maintaining voluntary recruiting.²⁵ But, by the end of the referendum campaign, it was apparent that the official Labor line was lagging behind opinion in the movement generally. The parliamentary advocates of "No" had given a patriotic flavour to the campaign, and in so doing they had provided a cover of respectability for the radicals, so that, by October 1916, anti-militarist agitators who, twelve months previously, had been howled down and pelted with stones were speaking to large, orderly and enthusiastic audiences whose ears had been opened to their message by the immediate menace of conscription, and by the growing dissatisfaction with the domestic consequences of the war.²⁶ Within the labor movement itself, there had been important changes: the most ardent supporters of the war had been driven out of the party in the conscription split, and the leadership of the movement, both political and industrial, was increasingly passing into the hands of men who, if not already opposed to the war, were predisposed by their militancy towards this position. The flat rejection by the Allied powers, on 30 December 1916, of the German peace feelers and President Wilson's proposals for a negotiated peace, strengthened the feeling in Australia as elsewhere that, if any peace initiative were to be taken, it must come from the labor movement, and, ten weeks later, the successful Russian revolution gave this tendency great heart. Meanwhile, on the left, the defeat of the conscriptionists in the Labor party and the referendum victory had encouraged even

25. cf. the successful efforts of the leaders of the Queensland Labor party to prevent delegates from the Queensland Anti-Conscription Council attending the 1917 conference of the Peace Alliance. Lane: Dawn To Dusk, 177-78.

26. Report, 2nd Annual Meeting, Victorian APA, 16/12/16.

the Sydney socialists to think that there might be some point in a united campaign for peace; the militant Anti-Conscription League decided to join the Peace Alliance in demanding that the government declare itself on the terms of peace.²⁷

The new mood first made itself felt in the industrial movement, in resolutions of the Melbourne Trades Hall Council, the Brisbane Industrial Council and the Queensland Branch of the AWU, calling on the Imperial government to declare its peace terms.²⁸ In South Australia, a special conference of the Labor party, called at the instigation of the industrialists to discipline the conscriptionist politicians, refused to nominate official party delegates to the local recruiting committee.²⁹ The change was so marked that F.J. Riley, then the secretary of the Peace Alliance in Melbourne, a member of the VSP and the Labor party and a shrewd observer, was led to comment that "there is a deep feeling of war weariness that if taken in hand can be developed and used to checkmate the jingoism feeling and ultimately bring about a stop-the-war feeling." At the same time, he was regretful that the parliamentary Labor party did not yet recognise this; "if [Tudor] only knew it," he wrote, "the time is ripe for a 'stop-the-war' agitation."³⁰

This change was quite apparent (and quite alarming) to the Labor party, too, and when the invitation of the Peace Alliance to Labor organisations to appoint delegates to its second conference began to in acceptance, the Victorian executive proscribed the conference.³¹

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27. F.J. Riley, letter to H. Charlesworth (Sec., NSW ACL), 14/12/16.
 28. Labor Call, 21/12/16; Qld. Worker, 11/1/17, 25/1/17. All three resolutions were moved by socialists.
 29. Worker, 22/2/17.
 30. Riley, letters of 27/3/17, 30/3/17.
 31. Riley, letter to M. Thorp, 13/4/17. The ban at first had little effect, but when Vida Goldstein, a prominent member of the Alliance, persisted in nominating for the forthcoming Federal elections (against the advice of Riley and the VSP), the Labor executive was able to pleade that the Alliance was opposing the endorsed Labor candidates (the ultimate sin in the Labor canon) and to persuade all but one branch to withdraw.

The party leaders were reluctant to recognise what was happening, but Riley felt sure that "some very drastic resolutions" would be carried by the forthcoming Victorian conference.

The conference had been postponed until June because of the Federal elections; and this - fortunately for the peace advocates - put it behind that of New South Wales. During the campaign, Tudor had disavowed any Labor sympathy for the growing anti-war sentiment, but by now its spread in the labor movement and into the Labor party itself was a matter of public record, and this undoubtedly had a considerable effect upon the electors. However, the industrialists who were in control of the NSW party had already cast their die: if they had to choose between principle and electoral success, they preferred principle, and a part of this was opposition to the war. The NSW conference had before it a forthright resolution, moved by A.C. Willis and Arthur Rae, declaring war to be the inevitable outcome of capitalism, asserting that "peace can only be accomplished by the united efforts of the workers of all the countries involved," congratulating the Russian people on their revolution, and calling for an immediate international conference to negotiate a peace settlement along the lines made familiar by the Peace Alliance.³² Storey, the parliamentary leader, protested that the British government was already doing all that was possible to bring the war to an end, but the industrialists were firmly in control, and the resolution was carried unamended, with no one even bothering to call for a show of hands.³³

The Victorian conference, which met soon after, was a different affair. The unionists had strengthened their position in the party

32. The resolution was quoted by M.P. Considine MHR, who was a member of the committee which drafted it, CPD lxxxiii 3075. See Appendix VI for text.

33. Worker, 14/6/17.

at the 1916 conference; for some years there had been a significant fraction of socialists present at the party conferences, and on this occasion a group calling themselves the Militant Propagandists³⁴ had been canvassing in the unions and branches for support for a peace resolution; but there had been no substantial defection of politicians during the conscription crisis, and they remained on this issue a strong conservative influence.³⁵ In its report, the executive expressed its hope for "a speedy and successful termination of the war," and its conviction that victory could best be achieved by the continuance of voluntary recruiting. The socialists moved an amendment calling for an immediate peace "without annexations or indemnities;" after a heated debate, they were beaten by 70 votes to 66. However, later in the conference - and, significantly, after A.C. Willis had been called in to address them - the delegates adopted without amendment³⁶ the resolution on peace which had already been carried by their NSW comrades.³⁷ Later, the NSW resolution was endorsed by conferences of the South Australian and the Queensland parties, thus ensuring a majority for this policy at the Federal Conference, scheduled for June 1918.

After these conferences, the attitude of the labor movement to the war effort became even more ambiguous. The radicals pressed home their advantage in two directions: by urging Australian participation in the international conference which the Scandinavian socialists and the Russian Mensheviks were proposing should be held in Stockholm;³⁸ and by seeking the withdrawal of labor movement support from the recruiting campaign. On the other hand, the supporters of the war, led by the parliamentarians, but including a substantial

34. This group, confined to members of the Labor party, was formed in 1916 by J. Cosgrove, sec. of the Cycle Trades Union, to act as a ginger group within the party.

35. Even though the Victorian parliamentarians were more radical than most, they were by this time to the right of the movement generally. [contd.]

section of trade unionists (notably the more conservative craft union leaders in the NSW Labor Council and the Melbourne Trades Hall Council), accepted the June resolution, but sought to assimilate it to the position taken by the British Labor party and Trade Union Congress - that is, that these were the terms for which the Allies were in any case fighting, and that they could only be secured by the unconditional surrender of German militarism. It was this basic difference which dominated the discussions within the labor movement between June 1917 and the Armistice, with the balance more and more swinging towards the opponents of the war.

Soon after the 1917 conference, the Melbourne Trades Hall Council called on the party to direct members of parliament to take no further part in recruiting; this the executive refused to do, and the socialist movers of the motion were prosecuted and fined for conduct likely to interfere with recruiting.³⁹ The party was thinking ahead to the Victorian elections, due towards the end of the year; but before these were held, a Federal by-election for the Grampians seat (a Victorian mixed farming constituency) gave the party a chance to test its new policy on the electorate. This was a seat which Labor had picked up by a small margin in the 1914 swing, but had lost in a by-election in 1915. It had voted narrowly against conscription in 1916, and had given the Nationalists a comfortable majority in 1917. Now Labor was hopeful of winning the seat back. The party's manifesto reflected the new orientation: "The Labor Party is not for peace-at-any-price. . . [But] the security of the British Empire is now beyond doubt, and all those of her people who desire a continu-

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36. On the motion of A.W. Foster and Maurice Blackburn, the former a member and the latter an ex-member of the VSP.
 37. Report, Conference of the Australian Labor Party (Victorian Branch), 1917.
 38. Without being aware of the finer points of the argument between the advocates of the Stockholm Conference and the Zimmerwald Left, the Australian radicals supported generally the former, and especially the line taken by the British socialists at the Leeds conference in June 1917.
 39. Worker, 30/8/17.

ance [of the war] do so because they believe that the humiliation of Germany can prevent future wars. The labor Party believes that so far from preventing future wars, the humiliation of a nation creates in its people a spirit of revenge which breeds future wars. The German ruling classes can be left to the German people. . . We favour the immediate cessation of the war and the calling of an International Conference to settle peace terms."⁴⁰ Labor did not win the seat, but it improved its vote; the time was not yet ripe to win elections on a peace policy, The Socialist commented, but it was better to stand firm on principle than to win by compromise.⁴¹ At least, the result showed that the party's position was not worsened by the turn made by the June conferences.⁴² This was confirmed by the Victorian election: here, war policy was not a practical issue, but inevitably it loomed large, and the Nationalists again fought as the "win-the-war" party; in the event, Labor won two seats, but lost one by a narrow margin - that of Maurice Blackburn who, it was felt, was defeated because of his open opposition to recruiting and the war.

As news of the rebirth of internationalist sentiment among European socialists began to reach Australia, the local opposition to the war grew more intense. The Bolshevik revolution and the truce on the eastern front were widely welcomed by almost all extra-parliamentary sections of the movement;⁴³ the socialists generally supported an international rather than an Allied socialist conference as was still favoured by the majority of the British and French movements, and the Labor conferences and the more important trade unions accepted this view. From the beginning of 1918, the most militant of the Austral-

40. Ross's Monthly, 19/1/18.

41. Socialist, 2/11/17.

42. Grampians - Labor-No vote % (Turnout % in brackets): 1914 election - 50.3 (85.5); 1915 by-election - 48.5 (67.9); 1916 referendum - 50.7 (85.6); 1917 election - 43.0 (84.4); 1917 by-election - 45.7 (n.a.); 1917 referendum - 55.0 (78.0).

43. Although little authentic news was available, since most international socialist publications had been declared prohibited imports by regulation under the War Precautions Act.

ian industrial organisations - the Barrier AMA and the Brisbane Industrial Council - were urging a Commonwealth labor and trade union conference to put pressure on the government to declare itself for immediate peace negotiations, and, later, when Hughes was about to leave for the Imperial Conference, to make it clear to the world that, in his stand for unconditional surrender, the Prime Minister did not represent a universal Australian opinion.

The Labor position was tested by the Governor-General's recruiting conference, called in April 1918 in the wake of the last desperate German offensive on the Somme. The Governor-General's invitation was extended to central trade union organisations as well as to the leaders of the parliamentary Labor parties; the Brisbane and Hobart councils definitely refused the invitation, and trade union representation generally was thin,⁴⁴ although all the parliamentary leaders attended, as did the presidents of four⁴⁵ of the state Labor parties.⁴⁶

Despite the Governor-General's appeal to those present to forget their recent differences, the shadows of the referenda and the general strike hung heavy over the conference. For the Labor party, Tudor demanded - and received - assurances from the Federal government concerning conscription (economic as well as military), the use of the War Precautions Act against political opponents, and the continued victimisation of unionists; but, even after these were given, he made it clear that those Labor men present were there only as individuals and could not bind their organisations - a clear admission of the growing feeling against the war. The conference ended with a

44. Only the NSW and SA Labor Councils sent delegates.

45. NSW, Victoria, Queensland and Western Australia.

46. The leaders of the Nationalist party and the employers' organisations were of course invited too.

face-saving call to "the people of Australia to unite in a whole-hearted effort to secure the necessary reinforcements under the voluntary system," which committed nobody to anything; the Australian consensus on the war was broken.⁴⁷ Tudor, Ryan and other prominent Labor politicians continued to take part in the recruiting campaign, but to the accompaniment of a mounting volume of criticism from the movement; its heart was no longer in the war.

This was dramatically revealed by "one of the greatest controversies the Trade Union Movement has ever been engaged in"⁴⁸ - the debate on the motion of W. Morby, the president of the NSW Labor Council and of the Federal Grand Council of Labor,⁴⁹ who had attended the recruiting conference, for the endorsement of the conference resolution by the Labor Council.

The move in the NSW Labor party for a negotiated peace had come not from the Labor Council unions but from the big unions like the Miners' Federation which were still outside the Council; the craft unions had played a prominent part in the anti-conscription campaigns, but had confined their pronouncements on the war to the belated endorsement of the 1917 peace resolution. Now, with Morby's motion before the Council, E.E. Judd moved a long amendment which set out the grounds of socialist opposition to the war and all of labor's grievances against the conduct of the Australian war effort, and concluded: "Therefore, whilst fully expecting anti-Labor forces to misrepresent and calumniate our action, we refuse to take part in any recruiting campaign, and call upon the workers of this and all other belligerent countries to urge their respective Governments to immediately secure an armistice on all Fronts, and initiate nego-

47. A full account of the conference is given in Scott, op. cit., 446 ff.

48. NSW Labor Council Report, 30/6/18.

49. Supra, 118.

tiations for Peace."⁵⁰ The debate lasted over several nights; John Storey intervened in support of Morby's resolution; the press agitation against Judd's "disloyalty" led to large and noisy crowds in the visitors' gallery at the Trades Hall; finally, the gallery was closed and the motion was put and carried by 101 votes to 75.⁵¹

The immediate result was a further attempt to form a Federation of Labor outside the Labor Council. The earlier attempts had had an industrial basis - the co-ordination of the activities of the mass and industrial unions which were not adequately represented by the craft union orientation of the Labor Council; now a straight political issue was involved - catering for the "patriotic" unions. The attempt did not succeed; rank and file opinion was with Judd;⁵² loyalty to the war effort was an inadequate foundation on which to build a trade union federation.

By the time the delegates to the 7th Commonwealth Conference of the Labor party foregathered in Perth on 17 June 1918, the policy of the Australian Peace Alliance had won majority support in the labor movement. It had been a long and arduous road, along which the early protagonists of a negotiated peace had suffered some violence, some persecution, and a great deal of contumely and misrepresentation, but they had won through.

Commonwealth conferences had been very much the affair of the politicians - partly because they had the time to give to such meetings, and (if they were Federal members) the considerable advantage of free railway passes throughout the Commonwealth; but for this con-

50. NSW Labor Council Report, 30/6/18. See Appendix for text.

51. Worker, 23/5/18, 30/5/18, 6/6/18.

52. The general trend of rank and file union meetings, as reported in The Worker, was strongly in favour of Judd's resolution and against those union executives which broke away from the Labor Council.

ference there was a noticeably larger proportion of trade unionists among the delegates, and many of these were prominent on the left-wing of the movement.⁵³

The first substantive motion considered by the conference was one for the endorsement of the 1917 peace resolution; this was carried unanimously. But from the beginning of the conference, the NSW delegates had been anxious to raise an issue, currently being debated by the NSW party conference, which it was hoped would put teeth into the general peace resolution: the future attitude of the party to recruiting. The discussion revealed three lines of opinion: those (the minority) who wanted to maintain Labor support for the war effort; those who wanted an immediate break; and those who supported a conference motion against recruiting, but wanted to refer the question to a rank and file ballot before any action was taken.⁵⁴ The report finally brought down by the sub-committee appointed to consider the party's attitude to the war reiterated the original Labor position of support for the liberty of small nations, for the honouring of treaties and the maintenance of international law; however, it recommended that further official [my emphasis] participation in recruiting be subject to a clear statement by the Allies of their war aims (which should include a declaration against annexations and indemnities) and to an adequate investigation of Australia's domestic manpower requirements.⁵⁵ The sub-committee recommended that this proposal should go to a referendum of the membership.⁵⁶ The left-wing realised that the inclusion of the word "official" would allow the parliamentarians a way out of the motion - they would still be able to take part as individuals. Tudor, who was

53. Among them were Willis and Rae from New South Wales, E.J. Holloway from Victoria, Don Cameron from W.A., and John Curtin, now in Perth as editor of the Westralian Worker and acting as a proxy delegate for Tasmania.

54. Reference to constituent organisations or to the rank and file is a characteristic delaying tactic in labor movement affairs; it ensures that no action can be taken for some weeks or months, and has the appearance of being democratic.

present as Federal leader by invitation but had no vote, opposed amending the report - to insist that Labor parliamentarians take no part would put the party in a weak position, he said; at first, his view prevailed, but on being recommitted the amendment was carried 15/7. But even this did not satisfy the left-wing, who wanted a clear and mandatory decision against recruiting; however, here they lost their majority, and their amendment to eliminate the rank and file ballot was defeated. When the final vote was taken, some of the left-wing opposed the adoption because of their hostility to the ballot, but others (including Willis) felt that ^{what} they had achieved was better than nothing, and the report was adopted.⁵⁷

When the vote came to be taken, an important group of NSW parliamentarians and a couple of Victorians campaigned strongly against the conference recommendation, the former declaring that a vote against recruiting would be "a distinct breach of faith with the electors and a base desertion of our soldiers."⁵⁸ Perhaps, if the ballot had been carried through, it would have caused another split in the party, but it was never completed: before the closing date, it was evident that the end of the war was near, that the Central Powers were about to capitulate, and the Federal executive, with some relief, was able to call the ballot off.⁵⁹

The initial Labor commitment to the war had undoubtedly reflected the sentiment of the great majority of working-class Australians as well as that of other sections of the community, and the Australian contribution to the Allied armies, gathered entirely by voluntary recruiting, had been remarkable. In the early months, the minute opposition, motivated by pacifist or internationalist conviction, had

55. For text, see Appendix VI.

56. The move for a ballot came from T.J. Ryan; he was supported by South Australia and Tasmania.

57. Report, 7th Commonwealth Labor Conference, 1918.

58. Sen. Gardiner et al.; Circular letter to ALP members, 2/9/18.

59. Worker, 21/11/18, reporting Federal executive meeting of 6/11/18. It was claimed that the partial results showed an "overwhelming affirmative vote" wherever the ballot had commenced.

seemed to most Australians at best lunacy and at worst rank treachery. But an important element in the working-class commitment was the belief that Australians were fighting to preserve what they had won in the way of social amelioration, and, despite the strong emotional ties with Great Britain, Australians were sufficiently far removed from the scene of the fighting to take a rather more detached view of the war policies of the Allied governments than was possible for their British or European fellows; so that when it began to seem that equality of sacrifice was a disingenuous slogan behind which was hidden an assault by profiteers on their standard of life, which was condoned by men whom they had trusted, their reaction was angry and vigorous, and from this questioning of the motives of their own government it was only a short step to the belief that the refusal of the Allied governments, including their own, to think in any terms other than unconditional surrender was nothing more than a cover for national aggrandisement. The critical element in the working-class approach to the war derived from the situation in which they found themselves; the ways in which it found expression were provided by the radical minority. The underlying significance of the trade union revolt against political labor, which began with the abandonment of the prices referendum in 1915, was the reassertion of class interests at a time when class differences had been exacerbated by the consequences of the war, and the community consensus of support for the war was beginning to break up. Its language was that of the syndicalists, the guild socialists, the IIP socialists, the orthodox Marxists - but it was not a revolutionary language. To put the question as the Bolsheviki had done at the Zimmerwald Conference in September 1915 and in Russia in November 1917 required not only that most workers should be convinced that they were being treated unjustly, or even that the war itself was an unjust war, but that they should be denied the possibility of expressing their protest; and although it was often claimed that Australian opponents of the war had less

freedom of expression and action than did their English counterparts, the two conscription referenda were occasions on which the whole of Australia had to think and decide about major questions of war policy. The referenda enabled the anti-war opposition to strengthen its position in the labor movement tremendously; but at the same time they limited the nature of this opposition to a prolonged struggle for political victory within the movement, so that the challenge was not a revolutionary onslaught on capitalism itself, as was implied by the 1912 resolution of the International (which would in any case have had no chance of success), but a prolonged and determined agitation for the limited objective of winning the movement for a negotiated peace. That this was, in Australian conditions, successful was as much proof of the deep suspicion among Australian workers about the real aims of the war as tribute to the courage and tenacity of those who fought within the labor movement for the change of line.

13. The Changes in the Labor Movement during the War.

The most significant change in the labor movement during the war years was the reassertion of class interests embodied in the victory of the Industrialists in 1916.¹ But the trade unions, in whose name the Industrialists spoke and acted, were far from a united group. In the first place, there was the division between the mass unions which were the core of the Industrial Section (from early in 1918, formally constituted and publicly acknowledged as the Industrial Vigilance Council of the Australian Labor Party) and the craft unions centred in the NSW Labor Council, although this was largely bridged by the militant victory in the Labor Council in 1918.² And then the Industrial Section itself was divided between the radical Miners' Federation, the AWU, whose leaders had fulfilled most of their ambitions in the post-1916 shake-up, and a group of more moderate unions led by the ARTSA. On the most important political issues of the war years - the attitude of the movement to conscription and the war - the Industrialists presented a united front to the politicians, and won the Labor Council unions over to their side. But other issues revealed the fragility of their community of purpose. Thus, at the 1918 conference of the NSW Labor party, the left-wing of the Industrialists were forced to compromise on their demand for the unconditional release of the IWW Twelve, and accept the majority proposal for a Royal Commission; while the ARTSA was badly defeated in its bid to condemn the government's proposed legislation to re-register only 19 of the 27 unions (the railway unions being among those left out) deregistered following the 1917 strike.³ This conflict was

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1. This subject is discussed more fully in the section "The Working Class in 1921," infra, 389 ff.
 2. The militant victory was demonstrated by the election of J.S. Garden as secretary of the Labor Council following the retirement of Kavanagh, who had been elevated to the Board of Trade, on the same night as Judd's anti-war resolution was carried. Worker, 6/6/18.
 3. Worker, 13/6/18.

fought most bitterly in New South Wales, but was common to the labor movement through Australia - although it did not always have such dramatic results.

Despite the internal differences, the Industrialists were strong enough to force a split in the parliamentary parties in 1916 and to re-establish the hegemony of the industrial wing, except in Victoria and Queensland, where the parliamentarians almost unanimously opposed conscription, and retained much of their influence over the party machine. What was remarkable about the split was that it scarcely went beyond the parliamentary party: the politicians who hived off with Hughes to join the Liberals in the Nationalist Party had sadly miscalculated their support; they carried with them for the moment perhaps one in ten of Labor voters, but practically nothing of the organized movement, and already by the end of 1917 the voting in by-elections and the Victorian election showed a strong movement back towards Labor, while the Queensland election of March 1918 was a triumph for the Ryan government, which showed a net gain of three seats, to hold 48 seats in the new parliament to the opposition's 24,⁴ and in the South Australian elections the following month, the Labor party, which had lost 19 of its 23 members in the conscription split, won back 15 of their seats from the Nationalists. So striking were these successes, and so attractive the prospects, that the parliamentarians were greatly emboldened to urge the virtues of moderation on their militant industrial comrades.

Here, however, they confronted not only the more aggressive assertion of working-class economic demands - explicit in the new wave of wages and hours claims which swept out of the trade union

4. It is interesting that the government lost four metropolitan seats, but gained seven in the country. This may have reflected a loss of middle-class city votes, frightened away by the radical economic policies of the government, but a solid "sugar" vote for the government.

movement as the war ended, and implicit in the intense interest in closer unionism - but the ideological commitments of the socialists, who had taken advantage of the war-time industrial and political crises to entrench themselves in the mass labor movement, and who, from their new vantage-points in the trade unions and the Labor party, looked at the post-war world with prophetic eyes:

"I can see the worker awakened to the fact that he has the brains to control and manage the workshop. . . He will, through educational propaganda, receive such a vision that will set the capitalist class thinking. He will awake, stand up and stretch himself, and marvel at his own powers, at present latent or subservient to another class. He will march forward united on the industrial field to take and control that which he produces, no more and no less. . . He will put up his hand and cry halt, and say, 'No longer shall thou have power over me, I am free,' and as a free man will now use the instruments of freedom - 'the plants of production.'"⁵

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5. J.S. Garden in NSW Labor Council Report, 31/12/18. Garden was a Scots migrant, son of a non-conformist family, and himself at one time a lay-preacher. His phrases belonged to syndicalism, his tone of voice to the Old Testament, and his imagery to Will Dyson, the great Australian-born black-and-white artist whose cartoons for the London Daily Herald were widely reproduced in the Australian Labor press. This was not an unusual combination for this time, but it was soon to be replaced by the language of Lenin and the imagery of the German Simplicissimus and the American Masses.