

JOHN RICKARD

# Class and Politics

New South Wales, Victoria and the Early Commonwealth, 1890-1910



What has class to do with Australia – the working man's paradise, the egalitarian society, where mate is as good as master? Dr Rickard shows that class is more relevant than most Australians would care to believe.

The period 1890–1910 is a critical one in Australian history. In 1890 Australia was little more than a collection of provincially minded colonies; by 1910 it was a nation, poised to prove the fact in a European war. Those twenty years saw the emergence of the labor party and of the basic party system as we know it today. As the trade unions gave birth to the labor parties, the employers worked to establish an anti-labor party.

Until now historians have tended to study the Australian labour movement in isolation. This book places both the movement itself and the anti-labour forces, those of capital, firmly in the context of Australian society, its mores and its myths.

For those interested in class and politics, and in the myths that give Australian class and politics their characteristic flavour, this book will be a welcome contribution.

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JOHN RICKARD



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In memory of my mother

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Betty Bradley typed most of the manuscript, while Bess Brudenell and Val Edens coped with the endnotes and bibliography: they know how much I appreciated their patience and goodwill.

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## Abbreviations

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A.A. Co	Australian Agricultural Company
<i>A.L.R.</i>	<i>'The Argus' Law Reports</i>
A.N.A.	Australian Natives' Association
A.S.A.	Anti-Socialist Alliance
A.S.L.	Anti-Sweating League
A.W.N.L.	Australian Women's National League
A.W.U.	Australian Workers' Union
<i>C.A.R.</i>	<i>Commonwealth Arbitration Reports</i>
C.L.P.	Commonwealth Liberal Party
<i>C.L.R.</i>	<i>Commonwealth Law Reports</i>
<i>C.P.D.</i>	<i>Commonwealth Parliamentary Debates</i>
<i>C.P.P.</i>	<i>Commonwealth Parliamentary Papers</i>
F.P.O.P.A.	Farmers, Property Owners and Producers' Association
F.S.A.	Farmers and Settlers' Association
G.M.	Goldsbrough Mort and Company Ltd
<i>I.A.R.</i>	<i>Industrial Arbitration Reports and Records</i>
I.T.E.A.	Iron Trades Employers' Association
L.E.L.	Labor Electoral League
L.R.A.	Liberal Reform Association
M.C.C.	Melbourne Chamber of Commerce
N.S.	New Series
N.S.W.C.M.	New South Wales Chamber of Manufactures
N.S.W.E.F.	Employers' Federation of New South Wales
<i>N.S.W.P.D.</i>	<i>New South Wales Parliamentary Debates</i>
P.P.L.	Progressive Political League
P.R.L.	People's Reform League
<i>R.R.C.S.</i>	<i>Report of the Royal Commission on Strikes</i>
S.A.I.C.	Scottish Australian Investment Company
S.C.C.	Sydney Chamber of Commerce
S.D.C.	Sydney District Council of the Australian Labor Federation
S.L.C.	Sydney Labor Council
<i>S.M.H.</i>	<i>Sydney Morning Herald</i>
T.H.C.	Trades Hall Council (Melbourne)

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T.L.C.	Trades and Labor Council (New South Wales)
V.C.M.	Victorian Chamber of Manufactures
V.E.F.	Victorian Employers' Federation
V.E.U.	Victorian Employers' Union
V.P.D.	<i>Victorian Parliamentary Debates</i>
V.P.U.	Pastoralists' Union of Victoria
V.P.L.A.N.S.W.	<i>Votes and Proceedings of the Legislative Assembly of New South Wales</i>
V.P.P.	<i>Victorian Parliamentary Papers</i>
W.L.L.	Women's Liberal League

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## A Note on Spelling

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The choice between 'labor' and 'labour' is always a difficult one for the historian, particularly in describing a period itself confused about spelling conventions. I have used 'labor' when speaking of the labor party, and 'labour' when referring to the movement at large. There are, of course, a number of borderline cases, one such being 'anti-labor', spelt thus because it was a term used more in the political than the industrial sphere. Generally I refer to the labor party and not the Labor Party, as during this period the party lived under a variety of different names, such as the Labor Electoral League and the Progressive Political League, to name only two.

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## Introduction

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Class? For some that word, with its historic echoes of social cataclysm and imminent revolution, sounds strangely in the Australian context. Class is something *they have over there*. Isn't this the land where the fortunate Jack is as good as his master? Surely the lucky country has escaped that curse of decadent Europe. And yet our oldest political organisation, now in its ninth decade, is a labor party, and its opponents are usually described as anti-labor parties. This order is so firmly established that it is difficult for us to imagine how Australian politics operated without it.

Indeed, the Australia of 1890 is in many ways a distant one. The colonies then were still close to their origins. In that year, Melbourne, for all its acquired magnificence, was still sixteen years younger than the reigning monarch; and even in venerable New South Wales, which had attained the distinction of a centenary, the old men could remember the days of transportation. Moreover the colonies, for all their similarities, were in 1890 separate entities, each with its own economy, interests and concerns, its own political structure. By 1910 there had emerged an Australian society much older than the mere passage of twenty years would suggest. The rhythm of economic progress had been broken. Class patterns, previously blurred by the shifts and movements of rapid social change, had become clearer. In place of the fragmented politics of 1890 in both Commonwealth and State spheres a comparatively rigid two party system now operated. Those polar entities, Labor and Anti-Labor, irrevocably bound to each other as all opposites are, had arrived.

For most Australian historians the emergence of the labor party has commanded attention in this period; the concomitant growth of anti-labor organisations has been for the most part ignored. The tradition of labour history, dating from Coghlan, Sutcliffe and Fitzpatrick, has been sustained by Gollan, Turner, Nairn and many others; there is also a reputable journal to support it.<sup>1</sup> Although some questions remain unanswered (a few perhaps still unasked) the broad outlines of the history of the labour movement in this period are discernible. Not so with anti-labor. Here there have been at best a few sporadic

forays: the development of employer groups and anti-labor political organisations remains almost a total mystery.

This book represents an attempt to study the concepts of labor and anti-labor in relation to each other. It is assumed that a *prima facie* case exists for considering the labor party, as it developed between 1891 and 1910, a working-class party; we shall examine the merits not only of this case but of its logical equivalent – that anti-labor, as it emerged in this period, was in some sense anti-working class.

What do I mean by class? Here I can only call on help, not from a sociologist, but from the English historian, E.P. Thompson:

By class I understand a historical phenomenon, unifying a number of disparate and seemingly unconnected events, both in the raw material of experience and in consciousness. I emphasise that it is a *historical* phenomenon. I do not see class as a 'structure', nor even as a 'category', but as something which in fact happens (and can be shown to have happened) in human relationships.<sup>2</sup>

These are strong words, but the point I wish particularly to endorse is that class is not a thing but a relationship.

If, however, this interpretation skirts the quagmire of sociological theory, it does confront us with the more immediate problem of defining class consciousness; for it would seem that this human relationship cannot exist without a consciousness of it. The term can be used in many senses, ranging from a mere awareness of one's class position to a Marxist commitment to revolutionary action. For our purposes there is no point in defining class consciousness in terms of any one of these levels – that, indeed, would be begging the whole question. But generally the way in which I have used the term embraces some sort of consciousness of an identity of interest, thus excluding mere class awareness. The implications of this, however, are discussed in the last chapter.

It is the ultimate aim of this book to explore the meaning and character of class consciousness in the Australian context. The development of labor and anti-labor is a theme well suited to this purpose, but it is not the only one. Another is provided by the political solutions offered to what were seen as class problems, particularly the various schemes devised for the settlement of industrial disputes and the regulation of wages. As it happens this second theme is closely interwoven with the

first; it likewise offers an interesting contrast between New South Wales and Victoria. Part Four, where these various threads are drawn together, is more, then, than a summary of conclusions. It draws on new evidence which could not conveniently be used in a chronologically conducted argument, and it attempts, finally, some broad generalisations on the nature of class in Australia which can hardly – and I am confident will not – be regarded as proven.

It has not been possible to give more than a fleeting glance to the other colonies, and, in the case of Queensland and South Australia in particular, this is a pity. However the triangle of New South Wales, Victoria and the Commonwealth has a symmetry which makes sense in terms of the political themes chosen. It is no snub to the other States to indicate the special relationship of mutual awareness (often suspicion) that existed between New South Wales and Victoria, particularly at this time – a relationship that is as evident in the maritime strike of 1890 as it is in the fusion negotiations of 1909. The choice is not as arbitrary as may first appear.

part one

1890-1894: Strikes and Depression



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## I 1890: The Strike and the Aftermath

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Any general strike is a rebellion against Constitutional Government, and an attempt to blackmail Society, and a dagger aimed at the heart of the community.

George Black, *Arbitration's Chequered Career*, p. 37.

The one point, I regret to say, on which they appear to be unanimous, is a determination to oppose any Government that calls out the military to help the police in maintaining order during a strike.

C.H. Pearson, 'Labour Troubles in Australia', p. 169.

### Perspectives

For those historians who wince at the mention of 'turning points' or 'new eras', it is probably an additional irritation that the maritime strike of 1890 occurred so neatly at the beginning of a decade. It has made 1890 a convenient line of demarcation in Australian history: the prosperous eighties evaporate with the bursting of the land boom in Melbourne, and the depressed nineties are ushered in by something resembling a general strike. It is sensible to be wary of such facile divisions. There had, for example, been some serious industrial disputes during the eighties; indeed the 1886 Melbourne waterside strike has been described as 'a sort of dress rehearsal for the great strike of 1890'.<sup>1</sup> Furthermore, the economic evidence suggests that in mid-1890 the depression had not arrived. In fact, although Victoria in 1890 was experiencing a recession following the economic peak of 1889, in New South Wales, Queensland and South Australia 1890 was a period of rising economic activity, and the down-turn did not begin until 1891.<sup>2</sup> In both New South Wales and Victoria, the colonies which are our immediate concern, the first statistically significant evidence of the depression itself appears in 1892, after which there is a dramatic decline into the trough of 1894-5.

Nevertheless it is difficult to refuse 1890 some importance as a turning point. Seen in perspective from the eighties, the maritime strike is the culmination of a developing conflict. But viewed from the

nineties the strike has one large and simple feature: it was the first of a number of severe defeats for the trade unions. In the eighties, in spite of defeats suffered by individual unions, the dominant mood of the labour movement had been one of mounting confidence. 1890 spelt total defeat and, although they did not immediately lose members, the unions certainly lost ground. Moreover, the scale of the strike imposed its own penalties. It has been argued by N.B. Nairn that the strike was principally a maritime affair, and that the idea of the strike as a clash between amassed Capital and amassed Labour is unwarranted. True, there was in no organisational sense a federation of either capital or labour. Nor were either employers or unionists unanimous on policy and tactics during the confrontation. But there is little doubt that to both participants and observers the strike did develop into a power struggle between sides that were recognised as Capital and Labour. The New South Wales Royal Commission on Strikes, appointed in the wake of the unions' defeat, was itself formed 'to investigate and report upon the causes of conflicts between Capital and Labour'.<sup>3</sup>

The significance of the struggle is not that it was 'principally' a maritime strike, but that a maritime strike should involve miners, shearers and gas stokers. It has never been easy to state exactly what were the issues of the strike – in the last resort many historians produce two magic boxes labelled 'Freedom of Contract' and 'Recognition of Unions'. And in this very ambiguity lies the significance of 1890. As it became harder to decide what the strike was about, and therefore how to end it, the struggle was increasingly coloured by the claims of opposing loyalties. The issues might have been blurred, but the lines of battle were distinct: trade unionists supported trade unionists; employers supported employers. Those who sought to mediate met with little success. When the strike began the outcome seemed anything but predictable. When it finished, it was difficult to imagine how the employers could have lost. The further defeats suffered by the unions in 1891, 1892 and 1894 were even more bitter, because, although confined to individual industries, each reverse made failure more inevitable. For now the depression had made its formal appearance; and by 1894 the economic winter was bleak indeed.

Rather than isolating the maritime strike as a turning point, it is more rewarding to see the early nineties as a phase of dramatic change in Australian society, affecting every aspect of colonial life. By 1894

the expansionist, optimistic mood of some forty years had vanished. In place of the reassuring certainties of wealth and progress came doubt, perplexity and fear.

### **The View from Above**

Employers unite for various reasons: sometimes to control market competition among themselves, as with the New South Wales coal vend; sometimes for political lobbying, as, to a large extent, with chambers of commerce and manufactures; sometimes (and this is the reason that principally concerns us) to defend their interests against the power of organised labour. The formation of such employer associations did not necessarily presage an attack on the concept of trade unionism, though it did imply a determination to resist union demands. Not all employers viewed the expansion of unionism with alarm; nor did all labour leaders place sinister interpretations on the association of capital. Many on both sides saw the growth of parallel organisations as rational and mutually beneficial. Capital and Labour might have different viewpoints, and organisation would be necessary to give these viewpoints intelligible expression, but they shared nevertheless a necessary identity of interest. The world was by no means perfect, but the remedies advocated by the theorists were optimistic, if vague: co-operation, profit sharing, conciliation. These theories were not the monopoly of socialists and single taxers; they were advocated by many who saw themselves as inheritors of the English liberal tradition.<sup>4</sup>

Yet it was possible to have a foot in both camps – to see the establishment of employer organisations as a necessary step to improved industrial relations, but not to discount their potential in the event of strife. In 1888 Bruce Smith, a key figure in the formation of both the Melbourne and Sydney Employer Unions, described employers as ‘hopelessly disconnected and dissociated’. Preaching the virtues of conciliation (with reference to the Victorian Board of Conciliation he had helped to establish) he went on to say:

By forming the employers of each industry into a distinct union, or association, they would be better able to carry on those industries for their mutual welfare; they would be able to establish rules for their own internal management, and they would be enormously strengthened for purpose of attack or defence in the event of any

unreasonable or unavertable conflict arising in the future. The subsequent formation of a larger union, to embrace all the smaller ones of the numerous separate industries, would mean a tower of strength to its members; and the weekly discussion by a large board of employers representing so many different industries would be of immense benefit, by bringing effectual criticism to bear on hasty or class legislation, levelled against their own interests, and in avoiding, by early and well-directed intervention, many disputes which only needed consideration and discussion to avert.<sup>5</sup>

Here the words 'any unreasonable and unavertable conflict' suggest disputes where conciliation might be either ineffectual, or, in the employers' view, inapplicable – an anticipation of the attitudes of 1890. Furthermore, Bruce Smith even foresees the possibility of 'class legislation' aimed at employer interests, and uses this to promote the value of employer associations in political terms. Yet he was certainly sincere and even enthusiastic in his advocacy of conciliation (though opposed to any state sponsorship of such schemes); and, although in the nineties he was to become something of an ogre to labour leaders, at this time he commanded some respect.\*

There is no doubt that in the late eighties many employers came to regard the organisation of capital more in terms of possible conflict than as a basis of conciliation. Trade unions appeared to be expanding dramatically (as indeed they were); talk of labour federation did not seem idle. While for some years employers had been showing an increasing interest in organising themselves within their own trades and industries, the formation of the Victorian Employers' Union in 1885, and of its New South Wales counterpart in 1888, reflected a new and wider seriousness of purpose. Soon the pastoralists, spurred on by growth of the shearing unions, were also stirring. 1890 was to be crucial for employers: the intersection of conflicts in the pastoral and shipping industries provided a focal point for the whole controversy about labour relations throughout the colonies.

The three months between what became known as the Jondaryan dispute in May and the beginning of the maritime strike in August present

\* A barrister with shipping interests, Bruce Smith was a *laissez-faire* free-trader. He was a member of the New South Wales Legislative Assembly, 1882-4 and 1889-94, and a minister in Parkes's government, 1889-91, and consolidated his conservative reputation as a member of the Commonwealth House of Representatives, 1901-19.

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us with a remarkable web of events. Disputes in different industries succeed each other with startling rapidity. Even where the disputes are not directly connected, the resolution of one affects the attitudes of participants in the next. An atmosphere of crisis develops. What begins as a dispute concerning a remote Queensland shearing shed culminates in a massive confrontation of employer and labour organisations. It is not, therefore, simply a matter of establishing what 'caused' the maritime strike. The only 'cause' of the strike which began in August 1890 was a whole network of interwoven events, the pattern of which is imposed by the atmosphere of crisis itself. The feeling develops that the areas of conflict between capital and labour are increasing so rapidly that some large-scale release of accumulated tension is inevitable. It is important to bear this in mind when examining the position of employers during this period, because superficially their attitude appears to undergo considerable change between May and August.

Conflicting interpretations have been offered of the employers' part in these events. The authorised version handed down from Coghlan via Fitzpatrick to Gollan is, in crude terms, that 'the aim of the employers was to break the unions' in the interests of freedom of contract. This presupposes unity on the part of the employers, and implies that they were the aggressors in the conflict. The alternative and more recent version is that offered by Nairn. He denies the unity of employers, disputes the view that freedom of contract was an issue *before* the strike, and attributes the strike as much as anything to the mismanagement of W.G. Spence, president of the Shearers' Union, and the failure of his 'grand strategy of bluff'.<sup>6</sup>

Nairn shows that, before the strike began, employers were certainly not united in any aim to break the unions. Very few of them were thinking in such absolute terms. But he concludes that 'as a whole, employers were in fact disunited before the 1890 strike, and that even on an industrial basis their differences were at least as significant as their agreements'.<sup>7</sup> Nairn, of course, is intent on redressing the balance on an issue of historical interpretation, but this does seem to ignore the fact that May–August 1890 was a period of unusual and intense activity among employers, and that most of this activity was directed at achieving the very unity that so obviously did not exist, either on a sectional or on a wider basis. What, then, set employers on this course?

If they were not trying to break the unions, as the authorised version has taught us, what was their aim?

The immediate cycle of events began with Jondaryan. This dispute arose when carriers and wharf labourers, in support of the Queensland shearers, blockaded non-union shorn wool from the Jondaryan station. The squatters yielded, but their negotiations were conducted by their own association – the precursor of the pastoralists' unions that quickly mushroomed in the south. The Melbourne *Argus* noted, not without distaste, that 'there will apparently have to be large unions of employers to confront the wide federations of labour'. Victorian squatters, prompted, it would seem, by the pastoral finance companies, began to organise a Pastoralists' Union: a preliminary meeting was held on 20 May, and further meetings on 4 and 18 June. In New South Wales, although similar ideas had already been mooted, a provocative speech by Spence at Young on 14 June seems to have set things in motion.<sup>8\*</sup>

These were not the first instances of squatters organising themselves, and in some districts local organisations already existed, but whereas earlier attempts to establish a united association to deal with the shearers had always failed, the pastoralists now launched their national organisation with remarkable speed and proficiency. The implications of Spence's campaign alarmed them. Faced with worsening economic prospects and growing indebtedness to the finance companies, the pastoralists saw the shearers' demand for the closed shop as a further threat to their already eroded independence. Their organisations were designed to give them 'all the advantages of unanimity of action',<sup>9</sup> and in particular to defend those who would not accept the closed shop, or, at least, who would not accept it under duress. The pastoralists were conciliatory to the extent that they were scarcely equipped for a direct clash with the shearers in 1890, but like the shearers they preferred to have their battles fought for them on the waterfront, and once they were acting in concert with other employers their attitude hardened. As late as 23 July the leaders of the Victorian Pastoralists' Union met

\* Nairn, being concerned only with events in New South Wales, does not refer to the earlier preparations in Victoria. However important events in New South Wales were in the strike, it is going too far to say that 'the main events, both before and during the strike, were centred there'. ('The 1890 Maritime Strike', p. 3.) The marine officers' affiliation with the Melbourne Trades Hall would at least seem to refute this sweeping assertion.

with Spence and seemed optimistic about a settlement, a united conference in Sydney being proposed. In the meantime leading Sydney employers were canvassing the finance companies to organise a boycott of any ship which would not undertake to ship wool, regardless of union label. The pastoralists' unions' enthusiasm for compromise now waned, and pressure was placed on members to follow their lead.<sup>10</sup> The unity of squatters may have been imperfect, but for the first time they were beginning to see themselves as an employer group, needing channels of communication with other employers.

At the same time relations in the shipping industry were deteriorating rapidly. In June there was trouble on the Sydney waterfront. The issues were local, but the wool question was already contributing to the tension. A strike was, for the moment, averted. This was virtually the last time the shipowners went to the conference table in 1890: they were to make no more concessions. The settlement certainly brought them little relief, for July saw not only an intensification of the wool issue, but an accumulation of wage claims from marine officers, seamen, stewards and cooks, and marine engineers. Faced with this catalogue of demands, the shipowners dug in their heels. Recent research has thrown some doubt on their claim that the industry was in economic difficulties in the late eighties, largely as a result of competition from overseas lines. But the local industry was in serious need of rationalisation, and it is clear that the owners felt they were not in a position to dispense increases all round. They organised against the possibility of a strike; preparations were made for a £20,000 defence fund.<sup>11</sup>

Through late July and early August employers were showing signs of a much more aggressive attitude. 'The common saying now is the fight must come', declared the president of the Sydney Chamber of Commerce, 'and most employers add the sooner the better.' Efforts were made to ensure that the employers of Melbourne and Sydney acted together. Alfred Lamb, a vice-president of the New South Wales Employers' Union and one of their most active organisers at this time, came down to Melbourne to rally the pastoral and shipping interests there, and to ensure unity on the wool question. The *Argus*, usually well in touch with the commercial world, noted the more militant mood amongst employers:

If matters should come to such a serious pass that a struggle is

unavoidable, many of the rules of the labour bodies to which the owners have hitherto submitted under protest will come under review, and some of the employers declare that the men will not be readmitted to their ships except on the owners' terms.

In this frame of mind the shipowners made it clear to the marine officers that disaffiliation from the Melbourne Trades Hall Council was necessary before any conference on their claims could take place. On 16 August the officers, their ultimatum to the owners having expired, walked off their ships, and the maritime strike had begun.<sup>12</sup>

For the shipowners the claims of the marine officers were pebbles in what seemed an avalanche of labour demands. Moreover, other employers, in particular the pastoralists, saw the shipowners as their front line defence against intransigent labour. The shipowners were not only few in number, but already had an organisation of some years' standing; it was comparatively easy for them to perfect their unity.\* Thus from the very beginning the maritime strike was a crucial struggle for more employers than just the shipowners. By August a coherent alliance had been established between shipowners and squatters and, it would seem, bankers and financiers.<sup>13</sup> Those who dissented from the uncompromising policy adopted by this alliance did so on grounds not of principle but expediency as they saw it. Jesse Gregson, for example, superintendent of the English-owned Australian Agricultural Company, joined the Pastoralists' Union. He had earlier decided on 'recognition of the Union', simply because he thought it the best way of avoiding any delays in the shipment of the Company's wool. In addition to its vast pastoral holdings, the Australian Agricultural Company had large coalmining interests in the Newcastle district. Gregson was therefore strategically situated to influence employer policies in New South Wales. Likewise F.E. Stewart, general manager of Goldsbrough Mort, was in favour of employers organising but was pessimistic about the immediate prospects. Both Gregson and Stewart were thinking in terms of 1891 as the time when a test of strength would be feasible. Their reservations in 1890 were mainly concerned with timing.<sup>14</sup>

\* Although the local shipowners were not themselves shippers of wool, they were, through their own relations with the wharf labourers, very much concerned with the matter. The P. & O. and Orient Companies, however, were also involved in behind the scenes employer consultations. (Stewart to Abbott, 4 August 1890, G.M. Papers.)

Such reluctance to enter the fray at the time dictated by the ship-owners was more noticeable in Melbourne than in Sydney. Stewart himself remarked on this: 'It would appear that the circumstances differ as between Sydney and Melbourne and that you will be better able to oppose the Labour organisations than we in Melbourne can hope to do.' It was also said that Melbourne shipowners were more prepared to confer than their Sydney colleagues.<sup>15</sup> The very circumstances of Lamb's visit to Melbourne indicate that the initiative for a firmer line came from Sydney. Why should this be so? It was not as if New South Wales employer organisations were more advanced. The Victorian Employers' Union preceded the New South Wales Union by a couple of years, and the Victorian Pastoralists' Union came into being a month or two before the New South Wales organisation. Again, for the presentation of the employers' case in the strongest terms one turns to the leading articles of the *Argus* rather than the *Sydney Morning Herald*.

It is not that Melbourne employers *ipso facto* were less organised and more moderate than Sydney employers, but that the commercial interests most heavily involved in the strike – shipping, coal, pastoral – held more sway in the employer councils of Sydney. Sydney was the bastion of free trade, and commercial interests naturally tended to dominate there. In Melbourne the historical emphasis on the development of manufacturing, together with the comparative youth of the colony, meant that the body of employers included a much larger proportion of relative newcomers to the ranks, the self-made men. Self-made men are not notorious for their liberalism in politics – often quite the reverse – but they usually pride themselves on being accessible to their employees and able to communicate with them.\* Moreover the self-made men of Victoria owed so much not only to protectionism, but to the political support of the working class, which had made that policy possible. Commercial interests had little such reason for contact with or gratitude to labor; hence, Sydney employers seemed to favour a more vigorous and less ambivalent approach.

Yet even among manufacturers there were signs of a hardening

\* See, for example, the comment of Chamber of Commerce chairman, Hugh Reid, concerning the prospect of establishing peace between the armies of Capital and Labour: 'If there was any colony in which this might be done, it was the colony of Victoria, because he supposed that the bulk of the employers had started as workmen.' (*Argus*, 23 October 1894.)

attitude. The Victorian Employers' Union was having some doubts about the Board of Conciliation, which Bruce Smith had earlier held up to Sydney employers as a model. Boot manufacturer John Mair persuaded the V.E.U. to rescind an earlier resolution which authorised the Union's officers to sign the constitution of the Board on behalf of the whole membership. Mair argued that, as the Trades Hall Council was not empowered to commit its affiliated unions to the jurisdiction of the Board, the situation was inequitable. It was also suggested that some firms, suspicious of the element of compulsion involved, were being discouraged from joining the V.E.U. Mair himself was a *bête noire* of the trade unions: he employed non-union labour only, and was at this very time involved in a dispute over the dismissal of ten employees who had joined the bootmakers' union. The fact that Mair was one of the employers' representatives on the Board of Conciliation made things worse. The T.H.C. immediately demanded that the V.E.U. expel Mair's firm.<sup>16</sup> The whole dispute was finally submerged in the strike itself, but the episode is revealing. The V.E.U., in which manufacturers were powerfully represented, had not overnight lost faith in the principle of conciliation; after the strike Victorian employers continued to discuss such schemes for some time. However it is significant that the V.E.U. was, at the precise time that the wider maritime-pastoral struggle was developing, engaged in reassessing its own position vis-à-vis the Trades Hall.

What dominated the minds of nearly all employers in 1890 was the imagined power of federated labour; and the events of May-August made it seem that this power was something both to fear and arm against. This fear provided the impetus to employer organisation; it also, as we have noticed, dominated the thinking of those who counselled moderation in 1890. The pastoralist unions wanted to avoid a strike in the industry in 1890, but they were not formed, as Nairn suggests, *for this purpose*. They were formed to guard the 'common interest' of squatters against what Gregson called 'the encroachments of these Labour Unions', to develop among pastoralists 'the unanimity which is so essential in dealing with the Confederated Labour Unions'. The very manner in which pastoral interests were drawn into an alliance with the shipowners reveals the extent to which they saw advantage in imitating the tactics of labour. In retrospect it may seem that there was not much substance to the federation of labour that employers carried

on about. It is the historian's prerogative, even duty, to be wise after the event; but the hindsight he possesses sometimes obscures the contemporary perspective. Employers in 1890 did not use the phrases 'federated trades' or 'confederated labour unions' in any technical sense. What they saw was a number of trade unions acting in concert to get their own way against capital. It was in this sense that the president of the Sydney Chamber of Commerce could speak of 'the federation of labour' having been successfully accomplished.<sup>17</sup> Some of the unions were intercolonial and confronted employers in all colonies simultaneously, while in the cities the labour councils could be heard boasting of their recently acquired strength. And an employer had only to touch the lamp of trade unionism and out popped that evil genie, William Guthrie Spence. He seemed to be omnipresent – hovering over the miners, the shearers, the general labourers, and now the waterfront – the self-proclaimed voice of labour throughout the eastern colonies.

It is in the context of the employers' fear of federated labour that it is appropriate to consider the *casus belli* – the affiliation of the marine officers with the Melbourne Trades Hall Council. Some writers seem to find the bourgeois marine officers a trifle embarrassing, and offer few comments on them; they 'precipitated' the strike, but somehow are not in the mainstream of it. Nairn, on the other hand, seizes on them as 'one of the last unions one could envisage as a catalyst of the "class war"',<sup>18</sup> but does not pause to consider the class implications of the officers' role in 1890.

The Marine Officers' Association had come into existence only late in 1889 in New Zealand and New South Wales; a branch was opened in Melbourne in January 1890. An earlier association in the mid-eighties had broken up following the election of masters and steamship managers as honorary members. It was therefore not surprising that in 1890 the marine officers were suspicious of any possible stooges of the shipowners infiltrating their ranks. From the beginning they stressed their role as employees, and made overtures to maritime unions seeking an alliance.<sup>19</sup>

At this stage the shipowners began to take serious note of the new organisation. In May the Victorian branch deposed its local secretary, Captain J.S. Dyson, who, it was implied, had come under the influence of the shipowners. Substance was lent to this suggestion by the threat

of one local shipowner to 'bust the Association up' over the secretary's dismissal; Dyson obliged by taking steps to form a rival society. In the face of this early challenge to the Melbourne branch, the visiting representatives of the parent Sydney Association, J.R. Talbot and W.A. Murphy, advised the Victorians to affiliate with the T.H.C. On 23 May their application for affiliation was considered by the Council and accepted.<sup>20</sup>

Murphy, in his evidence to the Strikes Royal Commission, mistakenly placed these events in late March – whether this was a mere slip, or reflected his desire to date the affiliation as early as possible, is difficult to say. The time factor is important, because the evidence of the marine officers, which Nairn follows, suggests that the Victorian affiliation occurred 'long before' the strike, and that the shipowners seized upon it as a pretext after receiving the officers' claims at the end of June. This dovetails neatly with Nairn's argument that in July the owners, faced with an array of wage demands, picked on the marine officers as the 'weakest link' in the chain.<sup>21</sup>

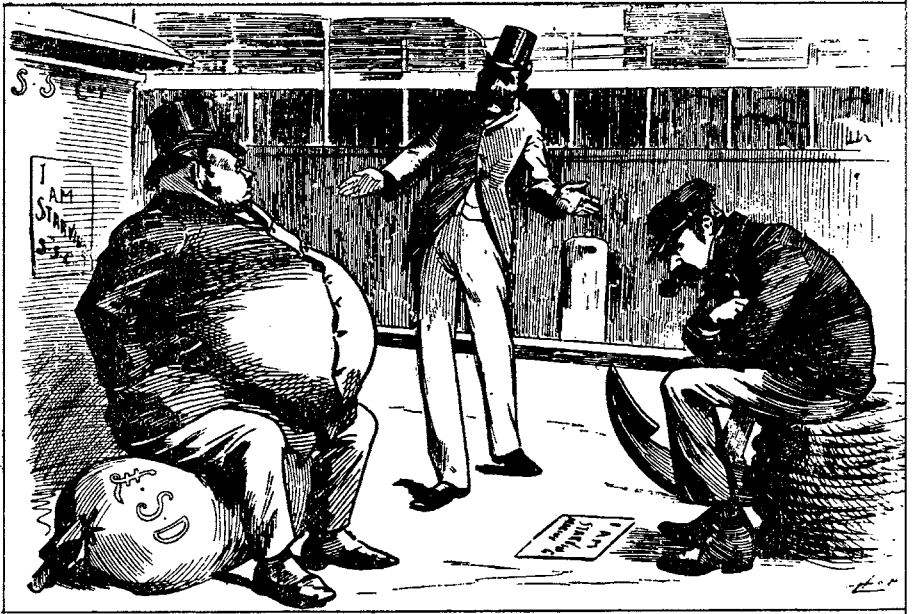
In fact the shipowners registered opposition to the affiliation with the Trades Hall Council from the moment they first heard about it. On this very issue there were reports in early June of the possibility of 'serious trouble' between shipowners and officers, although at the same time the shipowners admitted that the officers had some justice in their case. However the Victorian shipowners were not represented at the Sydney conference on 25 June when the officers formally submitted their proposals. Although the affiliation issue was raised at this meeting, the general impression was that the shipowners would consider the officers' claims sympathetically. Similarly, when these claims were submitted separately to the Melbourne branch of the Steamship Owners' Association it was reported that the owners acknowledged that the officers had 'not in the past received all the consideration that is due to them'. Although the owners continued to be disturbed by the affiliation question, a compromise settlement in both Sydney and Melbourne was predicted.<sup>22</sup>

Precisely at this stage the demands from the other maritime unions began to pile up; at the same time the likelihood of a waterfront stoppage on the wool question increased. For the shipowners the significance of the officers' affiliation increased proportionately. What would happen in the event of a strike by, say, seamen or wharflabourers?

Up to the present [the *Argus* reported] ship-owners have always relied on their officers to stand by them through any trouble and their confidence was not misplaced. Officers, when there has been any strike or other difficulty, have at various times helped first to load ships, and then to work them.

Allowing for the natural prevarication of any employers in such negotiations, it would seem that the shipowners were not unwilling to make concessions to the marine officers. On a number of occasions they admitted that the marine officers had a case; and, of course, on 30 July made their compromise offer through their own bogus union. Nairn gives the impression that this offer was not, in any case, very satisfactory; but Murphy in his evidence stated that if the offer had been made to the proper union there would have been no strike.<sup>23</sup> In the tense industrial situation of July 1890 the owners wanted something in return: absolute assurance that the officers could not become involved in a trade union strike. The evidence suggests that the marine officers were the one group of employees to whom the owners were prepared to grant wage increases, but only if they could be guaranteed the officers' loyalty and support in the event of a strike. What was the point of making a settlement with the officers if a strike in another branch of the trade could still involve them?

The officers were, of course, in an ambiguous position. They *were* officers, and in that sense gentlemen. This was even emphasised in the presentation of union demands by union organiser Talbot who 'wished to know how it was possible for men to maintain their appearances as gentlemen upon wages less than those received by municipal scavengers?'<sup>24</sup> It was precisely the ambiguity of the officers' situation in the social framework that made the shipowners attach such importance to the affiliation issue. Their officers had executive responsibilities – how could they serve two masters, Labour as well as Capital? To begin with, the Victorian shipowners, although opposed to the officers affiliating with labour bodies, did not regard such affiliation as rendering all negotiation impossible; though some of them did their best to undermine the officers' association. At this stage there was no unanimity among shipowners about policy. The events of June and July not only united shipowners in resisting a multitude of union claims, but intensified their opposition to the officers' commitment to a labour alliance.



*Cartoon 1*

## THE STRIKES

General public: 'Look here, what are you fellows sulking for?'

Capitalist: 'I'll give these men all they want if they'll only be gentlemen and not affiliate with common sailors'.

Marine officer: 'That sounds all very well, but where should I be if left out in the cold by both masters and men?'

*(Bulletin, 23 August 1890)*

This cartoon points up the ambiguous position of the marine officers; but notice, too, the arrival of 'General Public', very clearly a middle-class figure, as a puzzled mediator.

They continued to express their willingness to make concessions to their officers, but in the crisis conditions of July they now demanded assurances of their loyalty. In any class analysis of the 1890 strike the marine officers are the crucial borderline case, and the fact that they consciously aligned themselves with labour is indicative of the developing social and industrial tensions. The officers' affiliation with the Trades Hall Council as a *casus belli* was not a mere historical accident. It was supremely relevant to the central theme of the strike itself.

The unity achieved by employers in 1890 was of an *ad hoc* nature, the product of a crisis situation; but it was real enough, and in nineteenth century Australia something quite new. And, unlike previous strikes, the 1890 struggle was not about wages and conditions in any particular industry (though disputes about these made their contribution), but about the total framework of employer-labour relations. To employers – and many others, as we shall see – the idea of a general strike was tantamount to social revolution. If the trade unions were thinking in these terms, employers felt it imperative to check the advance of unionism as soon as possible. The merging of the pastoral and shipping crises convinced employers that a turning point had been reached in the relations of capital and labour, and the sudden flowering of their own unity gave them the psychological inducement to force the issue then and there.

Not that the decision was a purely emotional one; there are indications that employers had assessed the prevailing economic conditions. Although in August 1890 the depression had not materialised in the colonies, employers were not confident of continued prosperity. Investment opportunities were not rosy, particularly in Victoria where the bursting of the land boom had severely damaged commercial confidence. One legislative councillor pessimistically juxtaposed the lack of investment opportunities and the developing aggressiveness of trade unionism, and concluded that the colony was approaching a crisis. The level of employment in the skilled trades remained high, but among the unskilled (in Melbourne at least) unemployment was higher than usual in the winter of 1890. True, the winter months were often difficult, but the *Argus* noted that the season was one of 'exceptional stringency' with regard to labour. In Sydney, too, employers seemed confident that they would have little trouble in engaging free

labour.<sup>25</sup> This conjunction of deteriorating investment prospects and the availability of unskilled labour contributed to employers' determination to make a stand. Once they became convinced of their ability to match the organisation of labour, employers were ready to exploit the advantages conditions gave them.

It might be objected that to talk of 'employers' is a misleading generalisation, in that the employers we are talking about at this time (July/August 1890) are basically the shipowners and allied commercial interests, together with a section of the pastoralists. The shipowners and the organisers of the pastoral unions were the pace-setters in 1890, but other employers rallied to their support to a remarkable extent once the strike had begun. Within a few days the shipowners sought and received the support of the coalowners. When the miners refused to supply coal to ships manned by non-union labour, the colliery proprietors instituted a general lock-out. In the cities public meetings sponsored by the employer unions expressed their enthusiastic support for the employers' cause. Money poured into the defence fund. The manager of the Scottish Australian Investment Company noted approvingly the formation of a strong combination of employers of labour and representatives of capital 'to meet the aggressive and revolutionary actions of the labour organisations throughout these Colonies'. Gregson was astonished at employer unity: if he 'had entertained the least idea that employers would stand together as they have, nothing would have induced me to work under Union rules this season'.<sup>26</sup>

The awareness of this solidarity produced a wave of optimism among employers. By the time they met in Sydney for the Intercolonial Conference of Employers in September they were confident of victory, and by mid-September the *Age* was already pontificating about the reasons for the failure of the strike. Confidence was certainly increased by the weight of middle-class support, which before the strike had not seemed at all likely. Trade unions had built up a public image over the years. They were respected institutions while the employer organisations were either small, hidden coteries (such as the Steamship Owners' Association), or relatively new and faceless associations. And pastoralists and shipowners were not the most popular members of colonial society. At the beginning of August the *Daily Telegraph* observed that 'public sympathy naturally leans towards the men', and on the eve of the strike the *Age* (a newspaper apt to consider itself Public Opinion

incarnate), judged the shipowners to be 'chiefly blamable for pushing this quarrel to the point of a rupture'.<sup>27</sup>

However once the strike began – once it became clear that this was a struggle involving not one but several industries – middle-class attitudes changed. Nowhere is this better exemplified than in the issue of law and order. Some accounts of the strike imply that the actions of the various colonial governments in this and later strikes were consciously designed to help employers.\* A strong case can be made out in such terms against the Queensland government in 1891, but it is misleading to present the governments of 1890 as simply implementing a policy handed to them by employers. The employers, naturally enough, supported the swearing in of special constables and the calling out of militia; but the governments did so because they genuinely considered these actions necessary in the interest of law and order. The ageing premier of New South Wales, Sir Henry Parkes, in spite of the 'heavy affliction' of a broken leg, was determined to keep control of the military and police in his own hands, rather than allow the employer-oriented treasurer, William McMillan, give the orders; yet he too considered the 'state of things is little short of a revolution'. Alfred Deakin, Victorian chief secretary at the time, is even more striking in this regard. The apostle of Victorian liberalism later made a particular point of accepting, indeed claiming, responsibility for the calling out of the militia in Melbourne.<sup>28</sup>

The actions of Parkes and Deakin were based on genuine appraisals of the situation in Sydney and Melbourne; and if they were influenced by anything, it was a general upsurge of middle-class nervousness, rather than the whispered advice of capitalist grey eminences. For the 1890 strike was an entirely new experience for the colonies. Dress rehearsals there might have been – this was undoubtedly the first performance. The *Age* saw the dispute as 'an unarmed insurrection of class against class', and it was the very strength and solidity of trade union feeling that prompted the belief that disorder was a real possibility. Fear was heightened by the strike of gas stokers that

\* For example, Douglas Pike writes: 'In Queensland the strikers won a temporary victory, but in Sydney the employers fought back. Defence funds were raised, special constables sworn in and militia brought from Melbourne.' This would appear to make no distinction between 'employers' and the New South Wales government. (*Australia: The Quiet Continent*, Cambridge, 1962, p. 136.)

threatened Melbourne with the terrors of darkness. And in Sydney the fracas at Circular Quay when 'black' wool was being driven to the wharves seemed to provide evidence that tempers could become frayed. In vain might the *Bulletin* argue that everyone was either a capitalist or a wage earner, and that the public was not a third party to the strike.<sup>29</sup> To many the strike as it developed seemed more a challenge to the natural order of society than a challenge to the employers.

Finding themselves bolstered by such middle-class support, and now confident of success, the employers' leaders refused to negotiate with the trade unions. They demanded unconditional surrender. In adopting such a hard line they began to lose some of the support the law and order issue had brought them. Newspapers such as the *Age*, the *Daily Telegraph* and even the *Sydney Morning Herald* now urged employers to accede to a conference. In the Victorian Legislative Council James Service, a former premier, although candidly stating that his sympathies were entirely with the employers ('and that not because I am an employer myself'), spoke up in support of a conference.<sup>30</sup> Some other employers, particularly in Melbourne, privately agreed that a conference might be necessary 'to keep the sympathies of the public'.<sup>31</sup> However there was no question of separate negotiations and the hard line insisted on by the Sydney interests won the day. From all sides came offers of mediation: the employers refused them all. Service himself privately expressed the fear that at their Sydney conference the attitude of employers would be 'dictatorial'.<sup>32</sup>

What the employers now dictated was that the basis for a return to work would be a recognition by the unions of what they called 'freedom of contract'. Nairn is right when he argues that freedom of contract was hardly an explicit factor in causing the strike: the employers did not enter the fray with the specific aim of enforcing it. It was not, however, a slogan that emerged out of thin air. The shipowners' dispute with the Sydney wharflabourers in June had revolved around the employers' right to employ non-unionists, and in reports the term 'freedom of contract' was applied.<sup>33</sup> Moreover the protracted dispute in the pastoral industry had naturally focused employers' attention on the union (or Spence) concept of the closed shop. Given the altered circumstances of September/October it was understandable that employers would seize

upon their 'right' to employ non-union labour as legitimate spoils of war.\*

'Freedom of contract' was, from the employers' point of view, a doctrine very suitable to the conditions that prevailed in the early nineties (and indeed more or less throughout the whole decade). The 1890 strike satisfactorily demonstrated that there was ample non-union labour available, and the depression that later struck the colonies underlined this fact. Freedom of contract was in this sense a formulation of the employer's 'right' to make the most of the advantages the economic climate gave him – in short, to dictate the terms of employment. It was more, however, than a cynical exercise in tactics. Employers tended to see the 'new' unionism as being a synonym for the closed shop. Freedom of contract, whatever use it was put to as a slogan, was a defence of what they believed to be their traditional rights. This lent a certain ambiguity to the employers' avowal of freedom of contract. It was both the theoretical expression of what they saw as the legitimate rights of the employer, and at the same time a practical policy for the nineties.

In negotiating conditions of employment, freedom of contract was a take it or leave it affair. The employer offered work on such and such terms: the employee accepted or rejected them. What necessity was there for negotiation at all? Equipped with this simple view of industrial life employers repeated in particular industries the general pattern of 1890. The pastoralists in 1891 and 1894, the mineowners of Broken Hill in 1892, and the New South Wales colliery proprietors in 1896 all won decisive victories. From the point of view of the trade unions the calamity of 1890 was that it provided employers with the key for their policy for the next decade. They had learnt the value of organisation and united action. Moreover it became apparent how much easier it was for employers in some industries to form cohesive groups than for their employees. It was, for example, much simpler for the handful of shipowners, when pressed, to execute a coherent policy than for the array of maritime unions. Similarly the coalmine proprietors, even when the vend was disintegrating, could act more decisively than the

\* The clearest instance of this is offered by the pastoralists, who added the words 'To maintain freedom of contract' to their stated objects only when the strike had been crushed. ('Rules of Various Unions, Pamphlets, etc.', vol. 1; V.P.U. Minutes, 7 January 1891.)

mass union of the miners.<sup>34</sup> Those employers whom it was more difficult to organise, such as the pastoralists, could discern the means for their salvation. Once formed, the pastoralist unions became a permanent part of the Australian scene.

The movement towards employer unity did not proceed at a constant pace. The events of 1890 led to the formation of employer 'mutual defence' associations in New South Wales and Victoria, with funds designed to assist members engaged in industrial disputes. But with the approach of the depression labour relations ceased to be of such commanding importance. An economic historian has suggested that employers were in this period subject to both centrifugal and centripetal forces – the co-operation to survive competing with the urge to eliminate weaker rivals.<sup>35</sup> Certainly, with the collapse of trade union strength employers felt less need to combine in this respect; the spectre was no longer federated labour but commercial bankruptcy. In 1895 the V.E.U. reported that most of the old firms which had supported the organisation since its inception remained loyal, but admitted that in time of depression it was difficult to convince some employers of the necessity of combination. In the same year the New South Wales Employers' Mutual Defence Association reported that no claims had been made on its funds that year, and hinted that its winding up was being considered.<sup>36</sup>

Yet the basic structure of employer organisations remained intact, though it was not till the turn of the century that they were to receive the impetus for further development. Once again the impetus came from what was seen as trade union activity – but this time more in the political than in the industrial sphere. For in the meantime, of course, the labor party had arrived.

### **The View from Below**

It is not proposed here to chart the large-scale development of trade unions – in particular that associated with the 'new' unionism – that preceded the industrial troubles of 1890. That has been done satisfactorily by others.<sup>37</sup> What should be emphasised is that this growth took a very short time and produced among union leaders a mood of genial confidence bordering on euphoria. In the onrush of events the need to assimilate and digest the growth seemed to pass unnoticed. In a period of eighteen months there were thirty-six new affiliations to the

New South Wales Trades and Labor Council, bringing the total membership to 35,000. The Melbourne Trades Hall Council boasted eighty-five societies and 50,000 members. The *Bulletin* summed up the optimism of union leaders with the sweeping declaration that 'there has been established of late a solidarity among the workers in most departments of industry throughout Australia which transcends anything of the kind ever before realised in any part of the globe'.<sup>38</sup>

With this growth both in numbers and sense of solidarity went an increased enthusiasm for the concept of federated labour. The 1889 Intercolonial Congress had rejected a scheme for federation in the belief that it made insufficient provision for the autonomy of member unions, but in 1890 the Queensland advocates went ahead with the formation of the ambitiously named Australian Labor Federation. More important than actual plans for a total federation, however, was the idea of co-operation between particular unions to make a united assault on employers. A conference of wharflabourers in Sydney decided in favour of a federation of wharflabourers' unions in Australasia, and saw one of the objects as being 'by an aggregation of power to enforce legitimate and necessary claims where a single union would find the task beyond its individual strength'. During 1890 the unions increasingly thought in terms of securing the support and co-operation of other strategically placed unions. When the Sydney waterfront dispute in June threatened to boil over, a conference of the Maritime and Trades and Labor Councils and the Seamen's and Wharflabourers' Unions discussed the possibility of a general shipping strike. After the crisis had passed one union delegate stated his belief that 'a victory was coming to the cause of labour throughout the Australian colonies'.<sup>39</sup>

The increasing force of this grand idea of the strength of the federated trades is strikingly revealed by events in Melbourne, where the T.H.C. was traditionally less receptive to such militant enthusiasm. John Hancock was president, and at this time as a union leader was safe and conservative - later he became more radical.\* He was in his element attending the Chamber of Commerce dinner and telling the assembled merchants that 'what we wanted in this country was not socialism but

\* Hancock, a compositor by trade, migrated to Australia from England in 1884, and became a leader of the Melbourne Typographical Society. He was a labor member of the Victorian Legislative Assembly, 1891-2 and 1894-9, and served the movement with cheerfulness and good humour.

capital and stability'. It was not surprising that he could return to the Trades Hall and assure the Council 'that he had been deeply gratified with the reception that was given him'. But alas, events were moving against such a view of life. In May there was not only news of the shearing dispute in Queensland, but the local row involving John Mair and his position in the V.E.U. At the T.H.C., W.A. Trenwith moved a motion of sympathy with Queensland 'fellow labourers', and accepted an amendment 'that the Council would give "practical support if necessary"'. The motion was carried amidst 'prolonged cheering'. The same meeting carried a motion demanding that the V.E.U. expel Mair's firm.<sup>40</sup> When employers expressed concern at the Trades Hall attitude, 'one prominent trades unionist' (who else but Hancock?) let it be known that the T.H.C. intended only monetary assistance to the Queensland 'fellow labourers', and that anything like a general strike would be deprecated. 'Anything that was calculated to make an enemy, where a friend existed before, would never be popular with the trades in Victoria.' If he was aware of the changed industrial situation, Hancock seemed determined to ignore it. He was much more at home propounding the virtues of tariff protection.<sup>41</sup> Trenwith, on the other hand, ardent as he was in the cause of protection himself, was more aware of the tide of events. A man of impressive if not warm personality, Trenwith was already a member of the Legislative Assembly. Although later to be criticised as a conservative, and, eventually, a renegade, in 1890 his finger was close to the pulse of the labour movement.\* Trenwith insisted that to back down over the Mair dispute 'would be sacrificing every principle of trades unionism'.<sup>42</sup> In the meantime the T.H.C. had granted the marine officers' request for affiliation. No matter how much Hancock and some of the Council would have preferred to isolate the Victorian trades from the militant mood abroad, the momentum of intercolonial events carried the Melbourne Trades Hall along with it. The T.H.C. *had* come out strongly for the Queensland shearers, and had endorsed the stand of the marine officers. It was impossible for a trade union body in 1890 not to be concerned about these issues, no matter how content it was with the local *modus vivendi*. On the eve of

\* Trenwith was a member of the Victorian Legislative Assembly, 1889-1903. His leadership of the labor party in the nineties did not escape criticism, and his acceptance of office in the Turner government in 1900 symbolised his departure from the labor ranks. He was elected to the Senate in 1903 as an independent protectionist.

the strike Hancock, along with Service, was active in an attempt at mediation. It was too late. Both employers and unions were committed on an intercolonial level; it was impossible to make a local settlement in Melbourne.

The flurry of negotiation between union bodies and the talk about the strength of the cause of labour masked the simple fact that there were few facilities for forming a united policy – everything had to be improvised. Maritime councils, trade councils, and individual unions were all involved. Spence, so often treated as the dominant labour figure of 1890, was in no sense ‘in command’ of the labour forces. Preoccupied with the closed shop in the shearing sheds, he had sought the aid of the maritime unions, which in turn took the opportunity to make claims upon the shipowners. Finally, there were the marine officers, who sought to strengthen their position by merging themselves in the labour movement. Spence, beating his drum with bravura from colony to colony, was not aware of the complex pattern developing. ‘I have often wondered how it was I knew nothing about it at the time,’ he later confessed in a tone of genuine puzzlement, ‘but I was taken by surprise to hear the officers had walked out.’<sup>43</sup>

It has been convenient to regard Spence, the great builder of the Amalgamated Miners’ Association and the Shearers’ Union, as the archetypal Australian labour leader: genial, confident, militant, bossy, always a dab hand at capturing the headlines. (Yet this same man, an elder of the Presbyterian Church and a temperance advocate, could claim, in all seriousness, that the aim of the ‘new unionism’ was ‘to give practical effect to the teachings of the Founder of Christianity’.<sup>44</sup>) Spence’s importance has been endorsed by Nairn, who sees him as the villain of 1890; the strike is described as a ‘monument’ to his ‘errors of judgment’ and ‘irresponsible ambition’. A more sympathetic interpretation of Spence’s role is, however, possible. Recent research has indicated that Spence was not having an easy time maintaining the Shearers’ Union as a disciplined, effective body. The closed shop seemed the only way to consolidate the union’s position. With the Jondaryan success before him, the temptation for Spence to force the issue in 1890 was obvious. The pastoralists were organising themselves, and a postponement would clearly mean a shift in the balance of power in their favour. Moreover it is extremely dubious whether the offer made by the New South Wales Pastoralists’ Union on 14 July, which

Nairn blames Spence for refusing, did in fact concede the shearers the closed shop for 1891. Its wording was ambiguous, and there were indications all along that pastoralists were prepared to defend the right of shearers *not* to join the union. Given these factors, Spence's gamble in 1890 becomes more understandable; its failure may have disguised the fact that the alternatives were themselves fraught with risks.<sup>45</sup>

But the prominence given to Spence's role in the strike holds more serious dangers. The developing crisis of May–August built up a degree of excitement and commitment which affected most of the union leaders. There was 'prolonged cheering' in the Melbourne Trades Hall when the motion supporting the Queensland shearers was carried in May. Nairn describes the New South Wales Council's 'unwonted reception' of the marine officers on 7 August, and sees it as reflecting 'the emotion-charged atmosphere within the Labor movement at the time'.<sup>46</sup> Given the complexity of the industrial situation in 1890, it is unreal to attribute the development of this psychological situation to one man. However large a part Spence had in the drama, the 1890 strike was not a one man show.\*

Carried into the strike on a wave of emotional optimism, the union leaders began to realise the weaknesses of their position. To direct operations a Labour Defence Committee in Sydney and a Committee of Finance and Control in Melbourne had to be set up; and in September/October the Intercolonial Labour Conference met in Sydney in an attempt to form a united policy and come to terms with the employers. Finding themselves with no prospect of victory, and little hope of even a compromise settlement, the union leaders began to fall out among themselves. Trenwith reported back to Melbourne that 'he found matters in connection with the Strike here very much mixed, the Committee meets every day, but a large portion of their time is spent in personal altercations'. When in desperation the Conference called out the shearers Spence claimed that he and Trenwith opposed this extension of the conflict. The aftermath of the strike, when the time came for explaining defeat and apportioning blame, provided fresh opportunities for recriminations. At one level these reflected the

\* For example, there is good case for arguing that the role of employer Alfred Lamb, though much more unobtrusive, was equally as significant as Spence's in 1890. Lamb was primarily responsible for determining and co-ordinating the employers' tactics which proved so successful (see E.E. Smith's comments, *Age*, 15, 23 December 1890).

different labour traditions of Sydney and Melbourne. Sydney union leaders saw the Melbourne Trades Hall as a half-hearted ally, lacking in grit; whereas in Melbourne it was tempting to see the strike as a disaster which had its origins north of the Murray. But the Sydney/Melbourne tension was not the only irritant. The collapse of the strike represented a failure of the alliance between urban and bush unionism. Spence – understandably, considering his own miscalculations – placed much of the blame for the strike on the marine officers. T.M. Davis of the Seamen's Union attributed the strike to the wool question.<sup>47</sup>

In view of the unions' improvised means of directing the strike, and their differing interpretations of the struggle, it may seem surprising that they maintained the facade of unity. They were sustained to a certain extent by the loyalty to the cause of labour which had brought them this far; they also had before them evidence of the strength of rank and file feeling. This was commented on universally. Fervent support for the unions' stand was displayed in meetings and processions. Who could fail to be impressed by the vast Flinders Park gathering in Melbourne? Estimated at between 40,000 and 60,000, in a population of 488,000 this was a truly remarkable demonstration.<sup>48</sup> Even when it was suggested, in the later stages of the strike, that the rank and file might not approve of the action of their leaders, the colonial establishment paid reluctant tribute to their loyalty:

We find that in various parts of the colony unionists who do not approve of the original cause of the strike obey the behests of the Defence Committee on the ground that the struggle is one between capital and labour, and that it is their duty at any sacrifice to take the side of labour as against that of capital. To say the least this is a remarkable situation to be taken up by men of intelligence . . .<sup>49</sup>

However, as middle-class feeling rallied to the sanctity of law and order, this working-class loyalty stood out in relief. W.H. Traill, known as a friend to the labour movement, told the New South Wales Legislative Assembly:

We have been told that in this present trouble the strikers have not the sympathy of the public. They have not the sympathy of the broadcloth section of the community; but they have the sympathy of the mechanical classes generally. There are very few among them –

and especially among those of the better class – who are not at the present time thoroughly in sympathy with the efforts of the strikers.<sup>50</sup>

This is all the more remarkable, because if we think in broad terms of what constituted the working class it becomes clear that a significant minority did not feel such sympathy. Where, after all, did the free labourers come from? From 'the lowest strata of the working-classes', another parliamentarian suggested. In spite of the growth of the new mass unions the gulf between skilled and unskilled had not been satisfactorily bridged. This is particularly true of the Melbourne T.H.C., which had, before the strike, shown an extraordinary lack of interest in the problem of unemployment. Not only did the Council seek to dissociate itself from the rabble rousers who headed the unemployed agitation, but Hancock went so far as to describe the greater number of those agitating as going whining to the government for relief. It was possible for the *Argus*, with some credibility, to contrast the free labourer, 'the man who is too poor to join the unions', with 'the union aristocracy'.<sup>51</sup> In Sydney, too, there were unions such as the Coal Lumpers with entrance fees as high as £5. Even if the motive for such a high fee was the scarcity of work in the industry, it can be seen that this policy would create pockets of anti-union feeling.

Inside the unions, the only clear evidence of a failure of loyalty was the half-hearted response of the shearers when called out. But this was late in the strike, when final defeat seemed certain, and it was not a move welcomed by the shearers' union itself. Generally speaking the evidence of contemporary observers is that trade union members, and in fact a very large proportion of the 'working classes', were solidly behind the union leaders; and even where the policy of these leaders was criticised, the cause of labour commanded loyalty. Indeed there is some evidence that the rank and file were more militant than their leaders.<sup>52</sup> It may be naive to see the strike as an illustration of the class war; but it seems perverse to deny or overlook the part played by class attitudes in it. Nairn attributes 'class' interpretations of 1890 to the size of the strike, and 'the false aura of "mateship" and solidarity that enveloped it'. Size is a fair enough yardstick, surely; but why is the aura of mateship and solidarity false? The answer, it would seem, is W.G. Spence again. Labelling his manifesto of 12 July 'a glib call to arms', Nairn sees Spence's appeal to solidarity as 'one of the major

conditioning factors behind the 1890 strike'.<sup>53</sup> But a call to arms is not much good unless the soldiers are going to respond. The significance of 1890, in class terms, is the extent to which they did.

If the loyalty of the strikers had its effect on their leaders, the raising of the issue of law and order, and the rallying of middle-class sentiment behind the colonial governments, had a marked influence on both strikers and leaders. Never before had the trade union movement seen itself so isolated. Those members of the Victorian Legislative Assembly said to be under the influence of the Trades Hall never experienced much difficulty raising the required number of twelve to move the adjournment to discuss social issues, but on the question of the government's calling out of the military they were well short of this number.<sup>54</sup> The union leaders, seeing themselves as ordinary, law-abiding men, could not comprehend the attitude of Deakin or Parkes. All they could see was that the governments were 'assisting the employers to carry on their businesses at the expense of the country'. Trenwith, far from being a militant, saw the governing class as being composed of employers: 'The natural result was that at the top of Bourke-street there was always a sufficient number of gentlemen to call out the Nordenfelt guns and to bring down the military, in order to shoot them down.'<sup>55</sup>

This spirit of disillusion was expressed in various attempts to reject the usual civilities of colonial life. The New South Wales T.L.C. was split over the president accepting an invitation to a farewell banquet for the departing governor, Lord Carrington; later the militants won in forcing the refusal of an invitation to the Federal Convention Banquet. One member asked them not to mix with such 'carrion'. Even in the Melbourne T.H.C. which had, in the meantime, had the satisfaction of seeing the coalition government defeated in parliament, there was evidence of similar resentment towards accepted social institutions. Some opposed inviting the governor to the Eight Hours Anniversary Day celebrations. 'What', asked the delegate from the Plasterers' Union, 'had the Governor done to support the working classes?'<sup>56</sup> When the New South Wales government appointed a royal commission to inquire into strikes the T.L.C. rejected the gesture as an 'unnecessary expenditure of public money', and the representative of a coalmining constituency thought that 'the bulk of those who have been appointed to the commission will be found to represent the capitalists' side of the question'.<sup>57</sup> Implicit in these out-

bursts is the conviction that the institutions of colonial society were in the hands of a middle class which was untrustworthy as a patron and friend of the labour movement. The sympathy of middle-class liberals was no longer sufficient: the trade union movement would have to act on its own behalf.

In this context the reaction of union leaders to the activities of H.H. Champion is interesting. Welcomed on his arrival in Melbourne as an English socialist and labour leader of some note, Champion addressed the T.H.C. on 22 August, just after the strike had begun, and was apparently received in a friendly manner. At this stage he expressed the desire to remain neutral in the conflict, and it would seem that he saw the chance of gaining some renown as a possible mediator. The union leaders became disillusioned, however, when Champion, from his position of alleged neutrality, urged the strikers to return to work. By the end of the strike he had been cast in the role of Judas, but a Judas who had bestowed the fatal kiss on labour not for silver, but because he was a middle-class gentleman and couldn't help himself. Military in appearance, yet something of a dandy in his patent leather boots and fashionable clothes, Champion was simply not one of them. Unionist J.D. Fitzgerald said that the difference between himself and Champion was that

one was a middle class gentleman, while he (the speaker) was a work-ing man. Mr. Champion claimed to be an advocate of trades unionism and a saviour of it, but they did not want any middle class gentleman to descend from his heaven to save the working men, who were able to save themselves in this country and every country in the world.

Seen in this light, Champion's criticisms of the Australian labour movement were proof that in a crisis his final allegiance was with the middle class from whence he came. 'The eye glass and dress suit had eaten into his soul . . .'<sup>58</sup>

Despite their bitterness towards what they regarded as the middle-class standards of the establishment, there was no question of the union leaders cutting off their connections with liberal leaders. Indeed they gratefully seized any support forthcoming from middle-class figures. The remarkable letter from that remarkable senior liberal, Chief Justice Higinbotham, enclosing a cheque for £50 towards the strike fund, was a cause of great jubilation in the Trades Hall.<sup>59</sup> Other eminent

personages in favour with the labour movement at this time included Sir George Grey of New Zealand, C.C. Kingston of South Australia, and Sir Charles Lilley of Queensland. Because they had, in their different ways, thumbed their noses at their local establishments, they were received as heroes by union leaders.\* They were not of labour, but were honoured as patron saints. At the local level, even Deakin was not beyond the pale. In November 1890 he opened a strike bazaar, on which occasion Trenwith expressed his regret at his having to vote against a government which included Deakin.<sup>60</sup>

The patronage of the Greys and Kingstons was needed more than ever, if only to bolster the damaged morale of union leaders, who were now reaping a bitter harvest of censure and advice from all quarters. Sensitive and distrustful, they needed any encouragement that was offering. The return of Fitzgerald in 1891 from England, where he had travelled at his own expense to put the case of the Australian strikers, was made something of a triumphal progress from colony to colony. Fitzgerald brought with him the sense of international working-class goodwill; eagerly unionists listened to the phonograph cylinder recordings he brought with him of messages from Tom Mann, Ben Tillett and other British leaders. Fitzgerald, it was emphasised, as a representative of Australian labour, had prestige. 'Never before' declaimed the president of the New South Wales T.L.C., 'in the history of the nineteenth century had a labour delegate had a private interview in the House of Commons as their guest had had.' It was hardly an overwhelming honour, but this preoccupation with status was underlined by Fitzgerald himself when he complained of the lack of courtesy accorded him by the New South Wales agent general in London.<sup>61</sup>

So while the union leaders were trying to get their own back at what they saw as a hostile establishment, they were at the same time attempting to repair the damaged image of the trade union movement. Middle-class society, with those few notable exceptions, had turned its back

\* Grey's distinguished imperial record included terms of office first as governor then premier of New Zealand. He went to Sydney in 1891 for the federal convention and was loud in his advocacy of 'one man one vote'. Kingston, a commanding radical figure in the nineties, gave evidence to the Strikes Royal Commission sympathetic to the unions. Lilley stepped down from the Bench in 1893 to contest the Queensland elections in the liberal interest, receiving strong labour support.

on labour. Hurt and stung by this rejection, the labour movement began to reassess its relationship to the governing middle class. Fitzgerald, on his homing tour, enthusiastically preached the political gospel that trade unionists were now ready to receive: the direct representation of labour.

After the strike much of the energy of the labour movement, particularly in New South Wales, was directed into the political field. Here it seemed, was the best prospect for atoning for 1890. Nevertheless union leaders sought at the same time to apply what they regarded as the industrial lessons of the strike. The most obvious was to extend the bounds of unionism so as to include the mass of unskilled labour. The reports of both Sydney and Melbourne strike committees stressed the need for lower entrance fees. They also recommended that new efforts be made towards establishing a labour federation.<sup>62</sup>

The unions had been defeated in 1890 because of their own failures of organisation combined with the availability of free labour. It was possible to cite other causes – the hostility of press and governments for example – but these two were the crucial factors that allowed employers to control the situation. Rectifying these matters was more easily said than done. Increasing unemployment hardly provided the conditions for a program of union expansion. Nor did the heavy defeat of 1890 make union membership an attractive proposition. As times grew worse in the nineties defeats such as those suffered by shearers and miners pressed hard on the trade union movement – they maimed the individual unions concerned, and at the same time dealt a body blow to the whole *raison d'être* of unionism. What was the point of combination if it could achieve nothing? Schemes for federation lost their attraction, let alone urgency, when unions found they were fighting for their lives. When in 1894 the New South Wales T.L.C. did finally transform itself into the Sydney District Council of the Australian Labor Federation it was a meaningless gesture: the Council was a mere skeleton of its former self.

How much the decline of the trade unions in the nineties was due to the industrial defeats they suffered, and how much to the onset of the depression, it is impossible to decide, because the two factors are so bound up with each other. After the strike there were no immediate signs of disintegration. It was not until 1892 that the Melbourne T.H.C.

and New South Wales T.L.C. showed the first real signs of strain. The T.L.C. secretary reported that 'the record shows a steady persistent advocacy of Unionism which must bear fruit as soon as the existing depression passes away'.<sup>63</sup> The depression did not pass away, and by 1893 the collapse of the trade union movement had gathered momentum. The movement was broken, not by the defeat of 1890 *per se*, but by the growing realisation that the employers were in a position to consolidate their success of 1890.

Thus while there is evidence of a degree of class consciousness among workers which had not existed previously, the combination of defeat and depression rendered the industrial means of expressing such a consciousness all but useless. The nineties were a time when many, both employers and employed, were, in their own ways, bent on survival. This needs to be borne in mind, for otherwise we are likely to imagine that the high drama of 1890 and the strikes that followed left Australian society split asunder into two armed and war-like camps. Society was certainly divided, and, as we shall see, in a manner entirely new to the colonies. But bad times acted as a general anaesthetic which often stifled the expression of these divisions.

From our twentieth century vantage point it is easy to see that the strikes and depression did not signal the beginning of a class war on any Marxist model. But the nineties, and in particular the grim years 1890-5, had an effect on class attitudes in Australia which survived for at least fifty years: more than traces of it remain with us today. Much of the later solidarity of the labour movement had its origin in the bitter taste left by these adverse years. The experience of the nineties left an indelible mark on labour personalities as diverse as Jack Lang, John Wren and Ben Chifley.<sup>64</sup> 1890 was to become one of the great labour myths. It was, in retrospect, the moment of truth for the movement. The myth proved popular and infectious. Like many myths it contained some truth, and it has been the task of present day historians to determine exactly how much. A working class had not been born overnight. But the myth provided the quasi-religious basis for the celebration of an Australian labour class consciousness: it was destined to become an article of faith for all true believers.

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## 2 Labour and Capital in Politics

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When, in the years after the maritime strike, band after band of raw mechanics and labourers laid down their tools and walked into parliament, class feeling ran so high in the colonies, and the unrest caused by the strikes was still so widely felt, that it is not surprising that the new apparition caused real uneasiness.

W.P. Reeves, *State Experiments in Australia and New Zealand*, vol. 1, p. 86.

### Trade Unionists and Labor Parties

Direct representation of labour had been talked about by trade union leaders for many years. During the eighties, as payment of members won wider acceptance in the colonies, the idea of the labour movement sponsoring parliamentary candidates from its own ranks became a practical possibility. Payment of members was not, of course, designed to facilitate the development of a political labor party. First introduced in Victoria in 1871, it was part of the radical tradition of Chartism. But in the eighties, as the unions expanded in numbers and prestige, the introduction of payment of members became linked with the prospect of trade union candidates entering the legislatures. The growth of this political awareness among the trade unions, or at least among the union leaders, has been amply discussed by others. Much of this discussion has been aimed at dispelling the illusion that the labor parties of 1891 were a simple and direct result of the maritime strike of 1890.<sup>1</sup> While the *idea* of a labor party was not a creation of 1890, most historians would agree that it was the defeat of 1890 that made the word flesh. Although union leaders on the labour councils and at the intercolonial congresses had, before 1890, advocated direct representation, at the level of union membership there was little enthusiasm for such projects. There had, of course, been individual union leaders who launched successful parliamentary careers. But these, the Trenwiths and O'Sullivan,\* were John the Baptist figures presaging

\* E.W. O'Sullivan, a former president of the T.L.C. and a confirmed protectionist, entered the New South Wales Legislative Assembly in 1885; Trenwith, as previously mentioned, was elected to the Victorian Assembly in 1889.

the arrival of the Messiah. Many union leaders could sense the potential of the labour vote, but middle-class liberalism and working-class indifference made it impossible to realise.

The catastrophe of 1890 changed this. Union leaders turned once again to schemes for direct representation, and now there was an immediate response from the ranks. The maritime strike provided the necessary impetus to launch the labour movement on its political career almost throughout Australia.\* The manner in which the individual labor parties emerged, and the form they took, depended on the political context of each colony. In New South Wales the labor party rocketed into early prominence, but was soon forced to come to terms with the vital questions of independence and solidarity, while in Victoria the party was content initially to attach itself to the forces of liberal protectionism. Although much of this contrast can be explained by the different political situations in the two colonies, the actual time-table of events in the nineties is also relevant. In those pre-federal days, when there was no national focus for government and politics, the political affairs of each colony were followed with considerable interest by its neighbours. Contemporary observers were quick to detect a causal connection between the maritime strike and the emergence of the labor parties, and it seemed logical to assume that the labor phenomenon, like the strike, would be an Australasian-wide experience. Therefore, those who sought to promote, contain or oppose the emergence of the labor parties kept a close watch on the pattern of voting in other colonies, and were often influenced by what they considered to be the lessons of these events.

While the strike was still drawing to a close the Labour Defence Committee in Sydney recommended action to gain the political representation of inner city and mining electorates. The first opportunity to run a unionist candidate came at the end of October with the West Sydney by-election, brought about, ironically enough, by the death of the doyen of Sydney employers, Alfred Lamb. The T.L.C. and the maritime unions, however, were unable to agree on a candidate, and the opportunity was seized by that professional demagogue, A.G. Taylor. After a noisy campaign (Taylor added a strong dash of anti-

\* The exceptions, Tasmania and Western Australia, both small and isolated communities, with little in the way of trade union movements, are understandable.

royalism which seemed favourable to the angry climate of the moment) the demagogue won a sweeping victory for what he called 'the holy and divine cause of labour'.<sup>2</sup> For trade union leaders the moral was clear – the strike had produced large areas of electoral discontent among the working classes, and through disunity they had let the first chance of mobilising this discontent pass to a fire-eating opportunist.

Much more solid evidence of the effect of the strike on voting patterns was provided by the New Zealand elections in early December, which resulted in a sweeping victory for J. Ballance's liberal party. Ballance's supporters included five members designated 'labour' (by which was meant they were trade unionists), and twenty others who had pledged themselves to the labour program. These results did not pass unnoticed in the Australian colonies.<sup>3</sup> There were some expressions of concern at the possible implications; but if the New Zealand elections failed to have the historic impact of the New South Wales elections of 1891, it was mainly because the new trade union political consciousness was contained within the existing party system. However union leaders in Australia gained a valuable indication of the ground swell of working-class feeling.

Two further New South Wales by-elections in April 1891 were contested by unofficial unionist candidates, but without success.<sup>4</sup> Victoria, surprisingly enough, provided a more telling portent a few days later. Here union leaders were also talking of labour representation, but no political organisation as yet existed. In these circumstances the Trades Hall Council lent its official support to John Hancock as the 'labor candidate' for the Collingwood by-election. Hancock was pessimistic about his chances, a view certainly encouraged by the *Age*, which on the eve of the by-election described the Victorian political world as being 'as calm as a summer sea'; but he defeated his nearest rival, who had also dubbed himself a 'labor candidate', by more than 500 votes. It was, according to the *Bulletin*, 'the first detonation of the volcano'; and in this frame of mind Hancock thanked the electors on behalf of the labor party and the working men of the world.<sup>5</sup> A day or two later the Sydney delegates to the Ballarat Trade Union Congress passed through Melbourne, commenting on the Collingwood success. This Congress received a report which declared that 'every section of society is equally entitled to representation', quoting as a text the adage that 'class questions require class knowledge to state them, and

class sympathies to fight for them'.<sup>6</sup> Further dramatic signs of the political repercussions of the strike followed in May, when three trade union candidates won seats for the South Australian Legislative Council. The *Adelaide Advertiser* saw one of these victories as 'positively a sensation', and observed that 'if the labour vote could decide the elections for the rest of the country as it proved to be capable of deciding them for these constituencies it might ultimately gain the absolute control of Parliament'.<sup>7</sup>

The pattern of these various results in New South Wales, New Zealand, Victoria and South Australia suggests that the victory of thirty-five official labor electoral league candidates in New South Wales a month later, which naturally finds its way into most historical accounts as the *début* of labor in Australia, was part of a general political tide throughout most of the colonies. Indeed there are reasons for thinking that the New South Wales result represented the high water mark of the post-strike reaction. If the elections had been held any earlier, the leagues would not have been fit for battle: much later, and not only would the bitterness of 1890 have been eroded, but the possibility would have arisen of division within the leagues *before* the election. As it was, the sudden advent of the elections offered a challenge and an incentive to unity. The leagues also had the benefit of the recent support of Sir George Grey, a benefit derived not so much from what he said (he was an old man now, and his voice was feeble), but from the sheer fact that a figure of such eminence should bestow his blessing on the political labour movement.<sup>8</sup>

Parkes was near to the mark when he wrote that nobody was prepared for the labour success. Labour leaders knew that the element of surprise had been their greatest asset. 'You know as well as I do', William Lane told Fitzgerald, 'that last election in N.S.W. caught the capitalistic lion asleep and the parasitic politician not yet fully awakened.' With the various electoral indicators before it, the 'capitalistic lion' could not have failed to recognise the existence of working-class discontent, but it had assumed that this would find its expression within the existing framework. T.A. Coghlan, who was then government statistician and in a position to give an informed opinion, commented that

the idea undoubtedly existed that a general combination of working-

class electors would be impossible, and the most that had to be feared was the return of a small group of working-class representatives, who would probably act together on Labour questions, but would otherwise be disunited, and, whether united or not, would be unable to influence in any great measure the general course of legislation.

The free-trade/protectionist orientation, although a recent development, was very much the basis of political calculations in 1890-1. And it must be remembered that the organisation of the leagues was, in many cases, a last minute development. Candidates were being selected little more than a week before the poll. Only on the eve of the election did the *Sydney Morning Herald* give serious consideration to the possible presence of a third political party in the parliament.<sup>9</sup>

The labor success in New South Wales did, as we shall see, rouse the 'capitalistic lion', and the situation facing trade union leaders in Victoria was now quite different. However the opportunity given to employer groups to mobilise their forces was not the only factor in this altered situation. Initially the sensational début of the labor party in New South Wales was an inspiration to Trades Hall leaders: indeed there were some wild suggestions that the extra time would enable a greater success in Victoria.<sup>10</sup> But even while the Victorian union leaders were trying to launch their organisation, called the Progressive Political League, they were witnessing what looked like the early disintegration of the labor party in New South Wales. By the end of the year the labor members had split on the fiscal issue. The idea of the third party had, it seemed, lost much of its original force. When the P.P.L. braved its first election in April 1892 the glamour of June 1891 had worn off. The fate of the new labor party in New South Wales, combined with the local opposition mustered against the P.P.L., naturally tended to emphasise the cautiousness of Victorian trade union leaders. When it came to the point the League endorsed thirty-two candidates, and only eleven were elected. A significant indication of the way the tide had turned was Hancock's defeat in Collingwood, where he had won so triumphantly a year earlier. 'The premature vociferation of the New South Wales Labour Party', observed the *Bulletin*, 'has done a great deal to wipe out all immediate hope of forming a similar party either in Queensland or Victoria.'<sup>11</sup>

There were complex reasons, hardly recognised by the *Bulletin*, for

the slow political development of the labour movement in Victoria; but the timing and sequence of events did play a part in underlining the contrast between New South Wales and Victoria. The labor leagues in New South Wales caught the crest of a wave. In Victoria the Progressive Political League was left with too much time to think, and lost what nerve it had. As the events of 1890 receded into the past the trade union leaders grew more circumspect, and once again surrendered themselves to the warm embrace of liberal protectionism.

The failure of a strong, independent labor party to emerge in Victoria in the nineties has generally been explained in terms of the dominance there of craft unionism, together with the existence of a firmer liberal tradition in politics than in New South Wales. While there is truth in both explanations, care must be taken in their interpretation. If the assumption is that the older craft unions were not interested in political action, while the new unions of unskilled and semi-skilled workers were the backbone of the emergent labor parties, second thoughts are necessary. The writer of the most relevant study in this area concludes that in both New South Wales and Victoria 'the desire for direct political representation of labour was not an integral part of "new" unionism', and points out that the unions which first advocated such a policy were not 'new' unions at all.<sup>12</sup> Allowing that the mass membership of the new unions might have been one of the conditions necessary for the political emergence of labour, it should not be assumed that the new unions played a dominant role in launching the labor party. It is true that the big industrial defeats of the nineties were those suffered by new unions, which naturally looked to the infant labor party for some redress; true, also, that in the early nineties, before wages boards and compulsory arbitration emerged as legislative possibilities, some craft unions could see little immediate benefit in labour entering parliament. But bearing these qualifications in mind, it should be stressed that the labor parties in both New South Wales and Victoria were essentially the creations of the urban labour councils. When it came to initiative and organisation it was the leaders of craft unions who provided the brains of the movement, and therefore much of its impetus.

There is no disputing that the Melbourne Trades Hall Council was a much more conservative body than the New South Wales Trades and Labour Council. The T.H.C., although invested with only advisory

powers, had a proud consciousness of itself as a Victorian institution; and, indeed, it was usually presented to foreign visitors as the outstanding labour body in the colonies. 'Overseas one had heard more than a little of a dread incubus, an unknown power, an assembly enthroned in Melbourne' the young Rudyard Kipling, visiting Australia in 1892, facetiously remarked of the T.H.C.<sup>13</sup> Moreover in the wake of 1890 that 'dread incubus' seemed primarily concerned with preserving its hard-won position in Victorian society, while the T.L.C., which had expanded rapidly between 1888 and 1890, was more flexible in its attitudes, less obsessed with its own institutional sanctity, and readier to accept the risks associated with political action.

The dominance of the craft unions is relevant to the slow political progress of labour in Victoria, but the relevance derives not so much from the nature of the craft union *per se* as from the Victorian craft unions' sense of dependence on the condition of local manufacturing industries. Victoria's transition, in a couple of generations, from a frontier society to the booming optimism of Marvellous Melbourne had produced a unionism of a quality quite different from that of the mother colony. This is a difference reflected *within* the craft unions themselves: thus the Melbourne Typographical Society was much less interested in direct representation than its Sydney counterpart. This has been ascribed to the industrial success of the former,<sup>14</sup> but it also reflects the political assumptions shared by most Victorian unionists.

This brings us to the place of the liberal tradition in Victorian politics. There can be no doubt that protection, both as a fiscal policy and a social philosophy, was of enormous importance in nineteenth century Victoria. Protection was not only the preferred policy; it was the condition of growth. To it was ascribed the dramatic development of the colony up to 1890. Moreover protection was 'liberal' in the Victorian context, in that it had been carried through by an alliance of manufacturers and trade unions (with the tactical support of free selectors) at the expense of the older established interests of the squatters and merchants. Protection became part and parcel of a local liberal tradition - or to turn the proposition on its head, 'liberalism' became part and parcel of protection, in that a majority-oriented liberalism was necessary to ensure the continuity of fiscal policy. The political alliance of manufacturers and workers was, of course, a recognised nineteenth century phenomenon; but in Victoria the maintenance of protective tariffs

provided a continuing basis for this alliance. Furthermore, just as civil war hallows a national tradition, so did the extraordinary battles with the entrenched interests of the Legislative Council in the sixties and seventies sanctify the liberal tradition in Victoria, and give the trade union leaders a genuine sense of loyalty to it. The intensity of these conflicts contrasted with the pragmatic factionalism of New South Wales politics. The years of coalition in the eighties temporarily nullified but did not abolish the liberal-conservative dichotomy. The Gillies-Deakin coalition was already faltering when the maritime strike began; it fell in November 1890 when deserted by those members considered sympathetic to the Trades Hall. The strike leaders were talking about direct representation; yet they were simultaneously looking to a renewal of the liberal tradition and a recreation of the liberal party.

As a result of the trade unions' loyalty to liberal protectionism, there was little hope of the Progressive Political League incorporating such radical free-trade elements as existed in Victoria. Max Hirsch and his small band of single taxers took an interest in the formation of P.P.L. branches, and the *Commonweal*, a weekly which supported the P.P.L., published articles by Hirsch, but there was never any prospect of the Trades Hall defenders of the faith sinking the fiscal issue. And apart from the fact that the single taxers were not influential in Victoria, Max Hirsch was very single minded even for a single taxer, and was only marginally interested in labour reforms.<sup>15</sup>

To advocate, in the same breath, direct representation of labour and the revival of the liberal party was not, at least in theoretical terms, inconsistent. In the wake of the strike Trenwith told a Geelong meeting that the working classes should be represented in parliament in proportion to their numbers. However this did not mean 'that they should have men for the ranks of labor ticketed labor representatives and nothing else'. A month or so earlier Trenwith had expressed the hope that with the defeat of the coalition government Deakin would be able to lead a united liberal party. Indeed the P.P.L., it was later argued by one of its leaders, was only pressing for reforms that should have been accomplished ten years before in the time of Berry.<sup>16</sup> Labour representation in Victoria was seen, therefore, in the context of a liberal revival: the whole tenor of Victorian history made this the natural attitude for the bulk of union leaders in the early nineties.

This attitude was encouraged by the liberal leaders themselves. With

the fall of the coalition government, Deakin saw the need 'to disentangle the Liberal interest and unite its scattered fragments'.<sup>17</sup> The labour leaders accepted the Munro and Shiels governments\* as steps in the right direction – that is, towards a revitalised liberal party. The early troubles of the labor party in New South Wales seemed to give convincing proof of the necessity of a liberal context to make sense of labour representation. And the more vocal the opponents of the Trades Hall became, the more the leaders of the P.P.L. clung to their liberal friends. The result was that the League fought the 1892 elections defensively, supporting the Shiels government in general terms, and alarmed at the conservative campaign for the 'dual vote'.

Reviewing the poor results, P.P.L. and T.H.C. leaders seemed unable to diagnose the trouble. After hailing the election result with a heading 'Victorian Democracy has triumphed', the *Commonweal* went on to argue that the election emphasised 'the utter impossibility of attempting in any general way to oppose Liberals by purely Labor members'. Yet one week later it named five seats the P.P.L. should have won. Candidates complained of the lack of support given them by trade unionists in their campaigns. J.G. Barrett observed gloomily that 'if during the last twelve months the workers had not learnt a lesson he did not think they ever would'. However J. Winter, the president of the T.H.C., said that 'he did not think it would be well to be too outspoken, or they might make enemies'. At times, observing the political progress made by labour in other colonies, the T.H.C. leaders tried to convince themselves that it was all a question of 'methods' and 'organisation'. In so doing they ignored the crucial problem: if the labor candidates could be dubbed simple liberals with 'a little more vehemence of language', how could they hope to convince trade unionists – not to mention other workers – of the distinctiveness of a labor party (particularly when called a Progressive League)?<sup>18</sup> The founders of the P.P.L. wanted to make the mythical Victorian liberal party a less exclusively middle-class concern, but this very acceptance of the liberal framework made it difficult, if not impossible, to isolate the class issue. This remained the problem of labour leaders in Victoria for over a decade.

In New South Wales the absence of such a liberal party simplified

\* The government of James Munro replaced the coalition ministry in November 1890. In February 1892 Munro retired and was succeeded by William Shiels.

the official entry of labour into politics. In the eighties both free-traders and protectionists tried to lure the unions into a political commitment. Both failed, though the protectionists put up something of a battle. The fact that trade unionists were themselves divided on the fiscal issue was, of course, a major stumbling block for any such scheming. The fiscal issue as a political *raison d'être* was a recent development in New South Wales. There has been some dispute as to when exactly the free-traders and protectionists evolved into political parties – a dispute which rests almost entirely on the definition of 'party'. On either interpretation it was not before 1887.<sup>19</sup> Furthermore, although the fiscal debate, once introduced into the parliamentary arena, was carried on with much noise and vigour, there was a marked gulf between the theoretical paraphernalia of the argument and the electoral realities of this new party order. Although there were manufacturing interests intent on promoting protection, the centre of gravity of the protectionist party lay in the country. The farmers were protectionists in so far as they wanted their produce protected from intercolonial competition. The protectionist party became a focal point for resistance to the alleged domination of the city mercantile interests associated with free-trade politics. While there was nothing necessarily 'politically spurious' about the free-trade versus protectionist division, there was an element of phoneyess about the debate, in so far as it was conducted in terms of high principle. Complicated by the need for revenue, the difference between a protectionist and free-trade tariff was often slight; only with Reid's campaign of 1894\* did the fiscal issue come into clearer focus, and then but briefly.<sup>20</sup> Labour leaders in New South Wales, although most of them took the debate seriously and were themselves divided, never had the fiscal mania of Victorian unionists. Only the free-trade single taxers came near to matching the protectionist religion south of the border, and many of them were soon to quit the labor party.

It was therefore feasible for labor members in New South Wales to consider sinking the fiscal issue simply because to them it did not appear fundamental; there was, so to speak, less of it to sink. But although feasible, it was by no means easy, particularly when the inexperienced new members faced the cunning old hands of the fiscal

\* George Reid had succeeded Parkes as leader of the free-trade party in November 1891.

parties. Nevertheless, by placing fiscal policy in a separate compartment, they succeeded in introducing a new dimension into New South Wales politics. The labor party, by the very nature of its presence in parliament as a separate entity, challenged the meaningfulness of protectionist and free-trade parties. It did not automatically render them spurious; but it did offer the electors a rival scale of political values. On a tactical level, the tweedledum and tweedledee nature of the fiscal parties, combined with the fairly even balance of numbers, played into the hands of labor. Each party had its radical wing—an alliance was possible with either. In Victoria the identification of free-trade with hide-bound conservatism meant that even if their own faith in protection had waned, the labor members had little scope for ministry making and breaking.

The particular stage of political development reached in each colony did much to determine the paths taken by the infant labour parties. Set into being by a common train of events, the new parties faced entirely different political problems. In Victoria where the concept of coalition was at that very moment collapsing, the restoration of liberal versus conservative order seemed the most sensible object. New Zealand served as an effective model. In New South Wales, where the two fiscal parties had just taken shape and were now competing for office, it was logical for a third party to seize the opportunity of playing them off against each other. The very balance of politics in 1891 gave the labor party the valuable centre stage position. A further contrast may be noted in Queensland. There, unlike Victoria, coalition was waxing rather than waning. On its arrival on the political scene the labor party found itself virtually in splendid isolation. The role of opposition was forced on the party almost immediately.

There was no monolithic 'Australian Labor Party' in the nineties. Each party was an independent group, coping with the political circumstances of its own colony. Thus in Queensland the labor party, unable to exert effective pressure on government, becomes a disillusioned, 'permanent' opposition. In Victoria the labor members remain dependent on the liberals' initiation of sympathetic legislation. They are able to exert pressure and secure concessions, but they do not have the power of life and death over ministries. In New South Wales, in spite of internal convulsions (or perhaps because of them), the labor party retains its centre stage position. It plays a large part in the defeat of three governments in turn, and secures significant advances

from both the free-trade ministry of Reid and the nominally protectionist ministry of Lyne.

Nevertheless, for all their individual characteristics, the emergent labor parties were part of a common phenomenon. When the New South Wales labor members made their maiden speeches in 1891 they sensed that History might be listening. Their response to the occasion varied, yet through their speeches runs a common thread: 'We have come to this House not to ask others to plead our cause, but to plead that cause ourselves, no matter how feebly.' The idea that working men should be represented in parliament by working men introduced into political discussion an explicit class issue. The logic was simple. If the strike of 1890 had been, as generally accepted by both participants and witnesses, a struggle between Capital and Labour, there seemed to be a gap between the number of members of parliament who could be identified with Capital (at least in the sense of being employers of labour) and the number of members who were trade unionists. The answer, however sincerely offered by some, that the employers were elected not as such, but as representatives of all classes, cut little ice with union leaders in the atmosphere of the early nineties. The fundamental assumption of direct representation was that 'only those that labor can understand the needs of labor!'<sup>21</sup>

Proclaimed in this manner, the new gospel seemed irrefutable. Soon, however, its ambiguity became evident. In the excitement of 1891 it was tempting for a member like George Black, himself a journalist, to boast that the class he represented was 'as wide as humanity', but many trade union leaders did not share this generous interpretation. When the trade union organisers of the labor party spoke of 'those that labor', they meant those that laboured with their hands. As the whole point of the post-1890 agitation was that middle-class well wishers could not always be relied upon, there was a tendency, in selecting candidates, to stress the need for sound working-class credentials. This was disturbing for those young radicals of middle-class background who saw the labor party as a splendid vehicle for reforming colonial society. The *Bulletin* insisted that 'the sole qualifications for Labour representation are sympathy and a knowledge of economic law as applied to social questions'.<sup>22</sup> Trade union leaders, particularly in New South Wales, were suspicious of such logic. They found it difficult

to see how direct representation of labour could have real meaning unless it was geared to the trade union movement. Fearing that the labor party was in danger of losing its distinct working-class character, the New South Wales T.L.C. was reluctant to permit its offspring, the Labor Electoral League organisation, an independent existence. It was not until 1895 that a satisfactory basis for political co-existence between labor leagues and trade unions was established. In Victoria the labor party's close connections with the liberal party discouraged expression of the class issue in such bald terms; nevertheless the T.H.C. leaders drew a clear distinction between the 'real' labor members (i.e. those with a trade union background) and those who merely supported the labor platform.<sup>23</sup>

The entry of the trade unions into parliament gave a new dimension to the word 'labour'. What had been a trade union movement, concerned with specific questions of wages, hours and conditions, was converted into a vehicle for the political representation of working-class people. Yet by retaining the banner of 'labor', the trade union origins were ostentatiously proclaimed. Even in Victoria, where the T.H.C. leaders, feeling that the word 'labor' had purely metropolitan connotations, initially adopted the title, Progressive Political League, the party was more generally known as the labor party, and its parliamentary representatives as labor members.

There can be little doubt that manual workers formed the original core of labor electoral support, though it is difficult to estimate what proportion of manual workers, or, for that matter, of trade unionists, were labor voters in the early nineties. Gollan's guess that probably 20 per cent of those working for wages and salaries in 1890 were trade union members seems reasonable; this means, of course, that the percentage of registered electors who were members would be less again. In both the New South Wales election of 1891 and the Victorian election of 1892 it is well nigh impossible to estimate the labor vote (or any party vote) in terms of a percentage of the total electorate, because of the split into single and multi-member seats. The confusion between official and unofficial 'labor' candidates, together with the absence of compulsory voting, further complicates any estimate. However it is clear that in both colonies the strongest concentration of labor voters was in the city and inner suburban electorates, areas which had by 1890 acquired a distinctive working-class character;

though the New South Wales party also found valuable support in mining towns, and country areas where there was a significant proportion of transport and pastoral workers.<sup>24</sup>

A considerable portion of the working class remained indifferent or opposed to the emergent labor party. Many trade unionists of the older generation could not stomach the new political idea of labor. In Melbourne the Eight Hours Pioneers' Association, under the leadership of veteran trade union leader, Ben Douglas, branded the labor candidates 'agitators' and 'a band of vandals'. Another such leader was William Gillespie, who had been president of the United Labourers' Society in Sydney. Free-trader B.R. Wise suggested him to Parkes for the Strikes Royal Commission, pointing out that he was 'almost the father of Trade Unionism' in the colony, and that he had 'refused for some years past to associate himself with the Trades and Labour Council on account of the political complexion which this body was acquiring'. Apart from such older leaders who objected to a labor party on theoretical grounds, there were others who saw the political movement as an unwise diffusion of effort.<sup>25</sup>

Complaints by T.H.C. leaders of the failure of some unionists to support labor candidates have already been noted. A New South Wales union leader made a similar complaint in 1894. In Victoria the Amalgamated Miners' Association proved a particular stumbling block. In July 1891 Spence resigned from the union he had helped create because of 'their apparent refusal to fall in with other labour bodies in regard to political organisation'. In retrospect Spence attributed the A.M.A.'s unco-operative attitude in Victoria to the Protestant bigotry of its leaders on the education issue. But there also seems to have been a certain identification on the part of A.M.A. leaders with provincial-rural interests, reflected in the fact that though opposed to plural voting the union did not favour equal electorates. Certainly the aloofness of the A.M.A. prevented the labor party in Victoria securing the kind of rural foothold enjoyed by the party in New South Wales.<sup>26</sup>

Yet, weighing all these factors, it remains true that the labor vote in 1891-2 represented a massive shift in working-class voting patterns. The basis of labor party electoral support had been created at one stroke. After this *début* the labor vote in New South Wales and Victoria did not improve immediately: if anything it suffered some erosion during the nineties. But the essential nucleus, created in the industrial

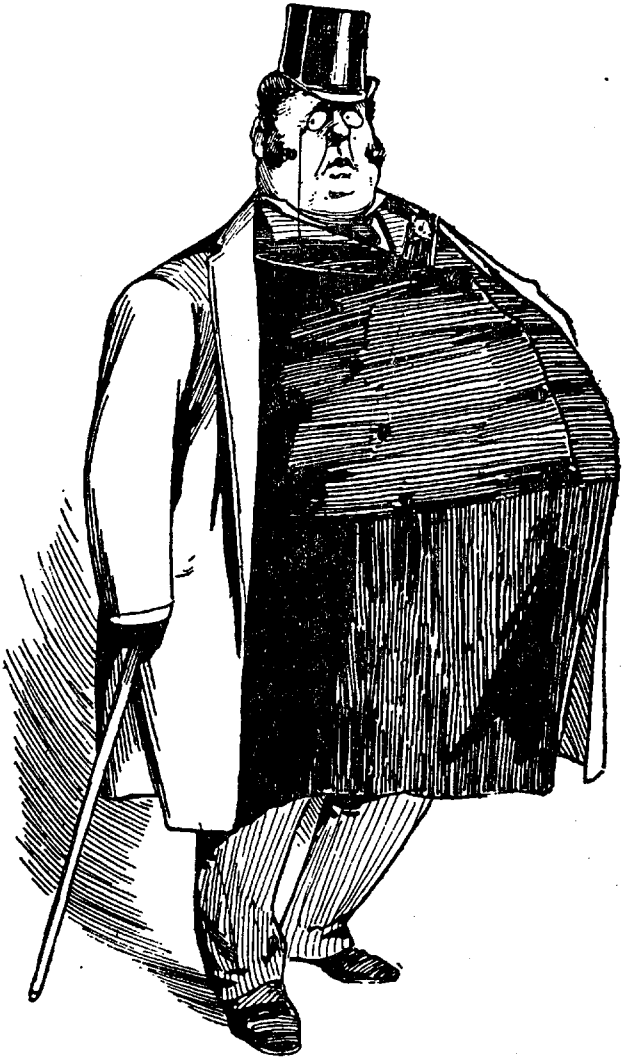
turmoil and deteriorating economic conditions of 1891-2, remained intact.

### **Employers and National Associations**

Inherent in the political idea of labor is its opposite - anti-labor. In *Bulletin* cartoons Labor was a tall, manly fellow, with beard or moustache, and sometimes pipe in hand: Capital was represented in Fatman, a bloated, frock-coated figure, effeminately clean-shaven. Labor's entry into parliament challenged Fatman to show himself in his true anti-labor colours; for although Fatman was already comfortably ensconced in the legislature, he sat there under various political aliases. In this melodrama it was the aim of our hero to expose the villain for all to see.

The challenge seemed real enough. From the moment that commercial and industrial interests realised that trade union leaders were serious in their political endeavours, they responded with warnings, and then vague calls to resistance. A.G. Taylor's victory in the West Sydney by-election was described by the *Sydney Telegraph* as 'a matter for shame and humiliation': furthermore it demonstrated 'the utter impossibility of obtaining an expression of fiscal opinion from the people in the present excitement'. The New Zealand elections brought the pained comment from the *Argus* that 'a few members seem to have earned their election by selling themselves to a class'. A few days later the Ballarat and District Employers' Association wrote to the Victorian Employers' Union suggesting that employers should support suitable candidates at the next general election. The V.E.U. replied that the parliamentary committee which it intended forming would consider this. The very first issue of the *Pastoralists' Review* pointed a warning finger at New Zealand and called on 'the forces of order to begin to muster and organise with a view to forming a powerful country party'.<sup>27</sup>

In New South Wales, however, 'the forces of order' were not yet roused. The disturbed political scene of early 1891 must have caused them some concern; political leaders such as Bruce Smith and Reid were subjected to rowdy meetings; Sir George Grey, Moses-like, was handing down the commandment of 'one man one vote'; from Queensland came the news of the shearers' strike and the alleged threat to that colony's 'law and order'; and the labor electoral leagues were girding their loins for the fray. Yet although the *Sydney Morning*



*Cartoon 2* THE MAN WHO 'HAS A STEAK IN  
THE COUNTRY' AND OBJECTS TO ONE-MAN-ONE VOTE

*(Bulletin, 25 July 1891)*

*A Bulletin view of Mr Fatman.*

*Herald* warned that 'serious dangers may await the country if in the exercise of the franchise the public interests were sacrificed to the interests of a class',<sup>28</sup> there is little evidence of any active response from commercial and industrial leaders. They seemed to share the confidence, already remarked on, that the political system would be able to absorb the pressure of working-class discontent without too much difficulty.

In Victoria there was a much earlier response to the potential challenge of labour – despite the fact that there was less evidence of political activity on the part of union leaders than in New South Wales. Although the T.H.C. did not elect a provisional committee for the P.P.L. until 9 June 1891, Hancock's success at the Collingwood by-election in April had already brought an immediate reaction from the V.E.U. The need for political action was discussed and a campaign launched to encourage employers, their relations and 'responsible employés' to register as voters. In June the V.E.U. executive finally elected its legislative committee. This activity, though hardly momentous, did indicate the political awareness of Melbourne employers – and it had all occurred *before* the labor triumph at the New South Wales elections. On 23 June, with the first New South Wales results to hand, the executive called on the new legislative committee to meet 'as early as possible to draw up a programme'. On 4 July the *Argus* reported a meeting attended by sixty persons to form a National Association. The first stated object of the Association was 'to preserve the national character of the Legislature, the association affirming that representatives should not be delegates of any section of society'. Other objects included the maintenance of law and order; freedom of contract; opposition to class legislation injurious to producing interests; proper electoral weight for country districts; the securing of due registration of voters and the systematic and regular revision of rolls; and the promotion of peace, security and general confidence. On 13 July the legislative committee of the V.E.U. carried a motion approving the objects of the National Association and recommending that members should join it 'without delay'. The National Association had been launched within a month of the Progressive Political League. It was joined by a sibling organisation, the Young Victorian Patriotic League. Described by one of its founders, George Meudell, as 'a movement for the young business men of the community', the league campaigned alongside the National Association in the 1892 election.<sup>29</sup>

In New South Wales it was only when it was realised that the new Assembly would contain thirty-five members designated as 'labor' – that is to say, a quarter of the total house – that employers took positive steps. At the end of July the New South Wales Employers' Union sent a telegram to the V.E.U. asking for information on the setting up of a National Association. In August the first quiet steps were taken to forming a similar association in Sydney. One month later the organisation had 'almost emerged from the chrysalis stage', and, by October, was operating with a full-time secretary.<sup>30</sup>

The claim of one of its founders that the Association 'was neither "bossed" nor fathered by an employers' union, labour union, trades union or any such combination'<sup>31</sup> is less than candid, for there is no doubt that the national associations in both colonies were primarily inspired and launched by employers. The Victorian National Association and the Young Victorian Patriotic League received direct money grants from the V.E.U. A deputation from the National Association was promised every assistance by the V.E.U. executive. The minutes tactfully record that 'it was generally understood that the National Association though they had not mentioned the fact expected monetary assistance from the Employers' Union'. The Union responded by voting £100. Soon after the formation of the Young Victorian League, Meudell wrote to the V.E.U., blandly suggesting that it should send 'a few cheques' to the editor of the *Argus* in aid of the funds of the League. On this occasion £50 was voted unanimously. These were hardly enormous sums, but the manner in which they were sought and granted indicates that the associations were regarded as political frontiers for the V.E.U. The National Association of New South Wales in 1895 produced an imposing Confidential List of Principal Subscribers, which recorded substantial donations from a number of companies, leading merchants and pastoralists. Jesse Gregson subscribed £25 on behalf of the Australian Agricultural Company and, when taken to task by his high-minded London directors (who were concerned about possible criticism from English shareholders with liberal sympathies), claimed that the Company's support of the new organisation was 'almost a duty'. The National Association was 'amongst the chief representatives of what may be termed Conservatism, or opposition to mob rule, and I gave it the Company's support mainly because refraining from doing so appeared to be like throwing up the sponge'.<sup>32</sup>

Although they were 'national' associations, and opposed to 'class' legislation, some of their leaders – at least in the early stages – were surprisingly candid about the nature of their appeal. W.H. Calder linked the political situation with the industrial situation out of which it had emerged: 'It was no longer simply a struggle between employer and *employés*, but a strife between class and class'. At another meeting G.A. Maxwell agreed with an interjector that the Association was run by capitalists, but thought that it should be judged on its objects.<sup>33</sup>

As one would expect, the Victorian and New South Wales Associations reflect the different industrial patterns of the two colonies. The precise balance between commercial and manufacturing interests in the Victorian National Association is difficult to estimate. While free-trade interests had more obvious reasons for seizing this opportunity to attack Trades Hall politics, it is clear that the Association was not without support from manufacturers. At the inaugural meeting F.S. Grimwade noted that 'most of those present were interested either in manufactures or in some department of business'. But to whatever extent manufacturers supported the formation of the Association, it seems to have been dominated by free-traders. F.S. Grimwade himself was an importer as well as a manufacturer, and has been described as a moderate free-trader. Those members of parliament who supported the Association were nearly all of that persuasion.<sup>34</sup> As for the National Association in New South Wales, its commercial affiliations are clear. The meeting which led to its formation was held at the Chamber of Commerce. Its early leaders represented banking, shipping, pastoral and allied interests: the Association was essentially the creation of the same commercial establishment which had played such a dominant part in the events of 1890.<sup>35</sup> And it was natural that Reid's raising of the land tax issue in 1894 should strengthen the pastoralist connections of the Association.

The evidence suggests that, sponsored as they were by businessmen, the national associations did not succeed in attracting mass support. It would seem that employers were thinking in terms of the early days of the 1890 strike, when they had been so conscious of the tide of middle-class support. Was not this tide still with them? Surely all it needed was encouragement and direction. Some attempts were made to enlist the support of the shabby-genteel, but with scant success. Indications are that these associations drew primarily upon politically

minded members of the business community. Maxwell's remark that 'attendances were not as satisfactory as he yet hoped to see' suggests that the National Association, in spite of the publicity accorded it by the *Argus* in particular, was not taking Melbourne, let alone Victoria, by storm.<sup>36</sup> Similarly, in his account of the formation of the New South Wales Association, secretary William Epps wrote that 'from the outset the accession of members was steady and encouraging, and the number has gone on increasing until at the present day [1894] some thousands of names are upon the roll'. The words 'steady and encouraging' do not imply a ground swell of support, and the vague reference to 'some thousands' is suspect. Epps goes on to blame misrepresentation of the Association as a 'plutocratic institution' for its failure to make a greater impact. 'No body of men, perhaps, in Australasia has ever been the victim of so much mendacity, obloquy, and ridicule', he complained. Possibly Epps had in mind the frequent raspberries blown by the *Bulletin*, which always referred to the Association as 'the National Ass.'<sup>37</sup> More vexing was the feeling that the Association had been ignored by many who should have been its friends. These included not only 'a section of the press' but many of the well-to-do. In 1896 T.H. Kelly censured the apathy of property owners:

The League\* aimed at securing liberty of action for every individual within the law, and opposing socialism and class robbery, and yet many of the very men who stood to be robbed gave them no assistance. They had worked there for nearly five years, and a few members turned up at meetings . . . while thousands of men of means and property who were affected were not game to put their hands in their pockets to help them, and at the same time to help themselves.<sup>38</sup>

It seems fair to conclude that the national associations were organisations sponsored by the active few among employers; that they showed a distinct bias, particularly in New South Wales, to the commercial interests most affected by the industrial unrest of the early nineties; and that not all employers, let alone 'men of means and property', were convinced of the need for such organisations. Yet they were not without influence. Although in October 1891 the *Age* had called the Victorian

\* By this time the various associations had been transformed into the Australasian National League.

Association 'a reactionary clique', four months later the self-appointed guardian of Victorian liberalism admitted that 'there has not been such a stir in the Conservative camp since the heart was crushed out of it by the memorable campaign of May, 1877'. The Association and the Young Victorian Patriotic League represented the urban expression of this conservatism. Possibly of greater importance, in terms of the electoral results of 1892, was the 'country party', the third member of the triple alliance. In a parliamentary sense this was a group of country members who opposed what they regarded as the influence of the Trades Hall. Externally it was represented by the decision of an organisation such as the Victorian Farmers' Protectionist Association to oppose 'one man one vote' (identified with the Trades Hall) and support the proposed dual vote. This was particularly significant, because the V.F.P.A. was an organisation of the less prosperous northern and eastern districts, rather than the pastoral west.<sup>39</sup> The campaign of this triple alliance was certainly successful in so far as it forced the *Age* and Premier Shiels to discard 'one man one vote' as an immediate issue. The P.P.L. seems to have accepted this without much demur.

The pressure of this 'country party' was more relevant to the total forces of liberalism than to the P.P.L. itself, which contested few seats outside the metropolitan area. For the urban-bound P.P.L. the National Association and the Young Victorian Patriotic League were the immediate foes. Although neither represented a movement on any mass scale, they did succeed in occupying the attention of the P.P.L., and their persistent and well publicised attacks contributed to the P.P.L.'s disposition to compromise with its liberal allies. Most politically informed people, including labour leaders, seemed to become convinced that the mood of the electorate was changing. Whereas in September 1891 one commentator forecast between twenty and forty labor members, on the eve of the election such expectations had shrunk to between seven and twelve.<sup>40</sup> The growing economic malaise contributed to this change of mood. Just as conditions had favoured the *début* of the labor party in New South Wales in June 1891, so did they tend, in the Victoria of April 1892, to favour the conservatism of the National Association. Sound finance became the key note. Dismissing 'one man one vote' the *Age* remarked that 'the country cannot tolerate interminable debates on an abstract question in a period of depression'.<sup>41</sup>

In New South Wales the National Association campaigned actively in both 1894 and 1895 elections, distributing 400,000 copies of leaflets in the former, and 600,000 in the latter. The Association claimed some credit for the decline in both labour representation and the labor vote in 1894, but the division among the labor members themselves (between 'solidarities' and independents\*) plus the growing radicalism of the free-traders under the leadership of Reid would seem to be more likely causes. However Reid's astute marriage of the land tax and fiscal issues in 1894-5 made things difficult for the National Association— and, indeed, for the labor party. The Association, understandably, decided that it wanted the fiscal issue sunk. That very problem had occupied the dedicated professionals of the labor party since its inception. For a loosely knit body of amateurs, faced with a masterly tactician like Reid, it was a hopeless task. By 1897 the Association was toying with the idea of promoting a revenue tariff group which could ape labor in holding the balance of power in the Assembly. But shortly after this the federation issue split the Association and ended any political effectiveness it might have had. The Victorian Association does not appear to have played any active role in the 1894 elections, but was still in existence in 1896 when the associations of New South Wales, Victoria and South Australia united to form the Australasian National League. *Liberty*, the organ of the New South Wales Association, ceased publication in 1898 when the federation split occurred. There is little evidence after this date of the national associations showing any life, although the Camperdown branch in Victoria was still defiantly declaring its existence in 1901.<sup>42</sup>

The national associations were created as a direct and immediate response to the birth of the labor parties. Ostensibly they sought to educate the electorate concerning the dangers of socialism and class legislation. In fact they aimed to prevent or oppose legislation injurious to the interests of employers and property owners. They were never conceived as political parties in themselves. When they 'selected' candidates, they simply chose among candidates already offering themselves to the electorate. Although they often advocated either a

\* Most of the sitting labor members refused to accept the pledge laid down by the party organisation and contested as independents; the official labor candidates were nicknamed 'solidarities'.

'national' party or a coalition of those opposed to labor, they were not in a position to risk a political initiative in this respect. Indeed, part of their claim as 'national' associations was that they were non-political – the New South Wales Association, for example, did not allow Assembly members to take part in its affairs. Thus their influence was limited both by their identification with employer interests, and their indecision about their precise political role.

The historical importance of the associations lies not in their achievements, which were small, but in the fact that they represent the first political response of employers to the emergence of the labor party. The employers had, through efficient organisation and a realistic appraisal of economic trends, won hands down in the industrial sphere between 1890 and 1894. But when it came to politics, they – or at least the active few who sponsored the national associations – showed some naivete. Despite the obvious employer origin of these groups, they expected the community, or at least the middle class which they saw as sharing their attachment to law and order, to accept their objectives as being national and unselfish. Moreover, they nullified their own attempts at gaining democratic support by their marked suspicion of, and in some cases opposition to, the democratic process. When in the new century the employers turned again to politics they were, as we shall see, much more careful to seek a wider power base of electoral support for their ventures.

Although the advent of the labor party questioned and disturbed the existing political order, it did not immediately destroy it. It was not simply that the fiscal issue remained. In New South Wales where the labor party held a quarter of the seats in the Assembly, there was still considerable room for political manoeuvre and, while this existed, politicians, being what they are, would certainly use it. And in Victoria, where the labor party's emergence had actually assisted reversion to an earlier pattern of political loyalties, the defeat of the Turner government in 1899 indicated that there was still scope for independent manoeuvre. The early troubles of the labor party showed that it was not yet a cohesive unit; various attempts were made to detach portions of the party. Although the arrival of labour on the political scene was accepted as a permanent fact, its form was not.<sup>43</sup> By the time the New South Wales labor party had grappled with the problems of independence and solidarity, its parliamentary numbers were con-

siderably fewer than the official thirty-five of 1891. Indeed, it was not until 1904 that the proportion of labor members in the Assembly exceeded that of 1891. Originating as specifically anti-labor groups, the national associations found themselves compelled to attack the whole concept of liberal-labor co-operation. So in 1895 the New South Wales Association opposed the Reid government, while the Victorian Association similarly ranged itself against the Turner government, particularly over the Factories Act. This development, necessary as it might have seemed to employers at the time, weakened their claim to be concerned only at labor 'class' legislation.

More seriously, the necessity for the national associations as a line of defence was open to question. Time and again in the nineties it seemed that the bodies which could most effectively guard employer interests were the Legislative Councils. Here Capital had a veto that required little organising; and in these Councils there was scant need to clothe arguments in democratic language. In New South Wales the Council, being an appointed body, had no electorate at all. The Victorian Council amply compensated for the small burden of being elective by having an even more effective power in the legislature.<sup>44</sup> Declining prosperity in the nineties served only to emphasise the Council's undemocratic nature by significantly reducing the number of electors who could meet the property requirement.

What sort of men were the members of these Councils? They were, for the most part, employers; a large proportion were pastoralists. Described by Henry Lawson as 'our scrubby aristocracy', they formed the nucleus of the exclusive city clubs. There were doubts, however, as to their culture and manners. Beatrice Webb, the female half of that remarkable English socialist team known as 'the Webbs', found the Sydney legislative councillors 'rich and commonplace'; they could not be taken seriously. Her judgment on the Victorian Council was more venomous:

Its appearance is far from august: the members are nearly to a man old if not aged; a mean undignified set of little property owners, with illiterate speech and ugly manners: no refinement or breadth of culture, just narrow-minded grasping lower-middle class men – the quintessence of vestrydom.

Beatrice Webb was not always a dispassionate observer, but her judgment,

however unfair to some individual members, is not altogether surprising. Many of the men who occupied the houses of review were apt to boast of their humble origins and the way they had made good. Such polish as they possessed had been acquired in passing. They were proud of their possessions, but they saw their wealth as the due reward for those who, in the cliché of the time, 'had borne the heat and burden of the day'. They were the pioneers – what Service called in Victoria the men of the fifties. The fact that they had made their money by their own exertions increased their determination not to have it confiscated by others.<sup>45</sup>

Historians tend to interpret 1890 in terms of its influence on labour; but the total effect of the collapse of the boom, industrial unrest and depression on capitalists was just as shattering. Except possibly during the days of Berry in Victoria, they had never felt their political and economic position so seriously threatened. By degrees they were to realise – or at least the wiser heads among them were to – that they had overestimated the danger. But in the early nineties they felt far from safe. Fear of the labor party naturally predominated; but there was also the suspicion that the fickle politicians of the lower houses, seeking deliverance from misfortune, would seize on them as a scapegoat. And of course in one sense they were right: this was exactly what Reid was to do.

The impression is sometimes conveyed that the conservatives of the colonies were, in English terms, liberals, and that they were 'conservative' only in the sense of being a little less liberal than their opponents.<sup>46</sup> While in terms of policies accepted or not opposed this may be a fair judgment, it does not follow that colonial conservatives were any more 'liberal' in their cast of thought than the English Tories. What the upper house debates of the early nineties show most convincingly is that colonial conservatives had little regard for democracy. 'It is idle to say that we are governed by the people', Dr R. Bowker explained. 'We have a mixed government – a government of King, lord and commons.'<sup>47</sup> The members of the Councils were, of course, the hard rock core of conservatism; their younger colleagues in the assemblies were more subject to twinges of liberalism. But it must not be forgotten that the members of the upper houses were able, by virtue of their position, to speak their minds more freely and with fewer political considerations. Their creed is heard loud and clear, and in essence it

is this: democracy is acceptable only in so far as property and its rights are secure.

It would be difficult to overestimate the influence of the upper houses in the nineties. It was not an influence exercised only in delaying reform; it also did much to determine the kind of legislation governments deemed it worthwhile to submit to parliament at all. Nevertheless the power of the upper houses was restricted to a veto, and businessmen continued to lament their lack of positive influence in politics during the nineties. The national associations represent an amateur and unsuccessful attempt by employers to engage in politics more actively. They discovered that most non-labour politicians were not ready to make common cause with them. The rising parliamentary leaders, the Reids and Turners, still preferred to exploit the potential of the existing political order, rather than accept the risks of establishing a new one.

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### 3 The Search for Solutions

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... the question of our age – how to better distribute wealth, but without impairing energy; to mitigate the struggle of life, yet maintain its progress; and while making the people more happy, still to keep them free.

Sir Henry Wrixon, *Socialism*, p. xi.

#### **Social Conscience and Reform**

‘In 1889 every one was reading collectivist tracts and listening to altruistic sermons.’ So wrote that eminent New Zealand radical, William Pember Reeves,<sup>1</sup> and even if by ‘every one’ he meant his own circle of intelligent acquaintances, it does convey something of the atmosphere of the late eighties in the colonies. This atmosphere was not, of course, original and local: it was the extension of an intellectual mood existing in England, the United States and Germany. It was from these countries, in the main, that the ideas came. Indeed, part of the pleasure in participating in the debate derived from the sense of contact with the world at large – the feeling that here in the colonies, in spite of distance and isolation, the arguments of Henry George, Bellamy, Gronlund, even at a pinch Karl Marx, were just as important and relevant. Furthermore it seemed reasonable to expect that in the reputedly democratic colonies these ideas would be more easily fulfilled.

In the prosperous eighties this discussion bore little relation to the practical issues of politics; it was essentially the self-indulgent theorising of the world of debating societies. The strikes of 1890–4 and the depression changed all this. With the evaporation of the optimism associated with economic growth, the debate had to be harnessed to practical proposals. It was no longer possible to discuss the relative merits of George and Bellamy in the same pleasurable, amateur way. Things had gone wrong, and in the search for remedies the accumulated stock of imported social ideas was examined with a new urgency.

In the debate that ensued a new tone of soul-searching can be detected. Expressions of social conscience came, not only from the few well known radical ministers of religion, but from eminent ecclesiastics as well. The Anglican bishop of Melbourne, Dr Field Flowers Goe,

while describing the unions' aggressive policy to non-union labour as 'sheer tyranny', felt moved to tell the Anglican community that 'we could scarcely fail to trace present troubles, in great measure, to the worship of private property on the part of the moneyed classes'. Among the Protestant churches generally the economic collapse induced a mood of sober reappraisal, even among the more affluent Presbyterians there was dismay at the evidence of social conflict. One Presbyterian clergyman offered the advice that 'no minister can get alongside the average working-man without a considerable acquaintance with political economy'.<sup>2</sup>

From the Roman Catholic hierarchy, less identified with the middle-class establishment, greater sympathy with the labour movement and the forces of social change was to be expected. In Sydney Cardinal Moran had openly expressed his support for the strikers in 1890; Melbourne's Archbishop Carr was more conservative, but in both 1890 and 1891 advocated conferences which employers were unwilling to concede. At the other end of the religious spectrum was General Booth of the Salvation Army, who with much publicity visited, even if he did not conquer, Australia in 1891. The General's scheme for English emigration - which seemed to many the export of England's social problems to Australia - did not go down well in the colonies; but the religious message he preached was conditioned by an awareness of social problems. When he saw people half demented in consequence of their human and social miseries, Booth confessed he felt obliged to extend one hand to lift them out of their miseries, and the other to offer them the Lord Jesus Christ.<sup>3</sup>

Of course many Protestant leaders still interpreted social problems in simple moral terms. If the working classes would only turn to Christ, their distress would somehow be alleviated. Dr Saumarez Smith, the Anglican primate, clearly did not see anything unfortunate in his concluding an address to a Sunday breakfast for the unemployed with the text, 'Blessed are they that hunger and thirst for righteousness, for they shall be filled'. But if this was the message of middle-class religion to the working classes, bishops and ministers could not and did not exempt their middle-class brethren from social responsibility. If, as Dr Goe had said, they had been corrupted by the worship of private property, middle-class society had to put its own house in order. 'The clergy are all becoming economists and philoso-

phers', the *Argus* observed in 1895.<sup>4</sup> The Church, if not itself offering remedies, did by and large lend its moral patronage to the debate on political and social reform in the nineties.

Politicians had more pressing reasons for rethinking their approach to the labour question and social ills in general. With the political awakening of the trade unions and the decline in prosperity there was an obvious electoral pressure for panaceas. 'The current of feeling today sweeps strongly in the direction of humanity', intoned Deakin, high priest of Victorian liberalism. Wise, addressing 'a crowded audience of working men', spoke of 'that spirit of unrest and aspiration, which is now abroad among all civilised people'. But how was that current of feeling to be channelled, that spirit of aspiration satisfied? Deakin and Wise were probably two of the most intelligent and socially conscious leaders in the colonies, yet they could not see their way clearly in the shadow of 1890. Wise defended trade unionism, but saw the only 'ultimate solution' of the labour question in the growth of a 'wider and more active moral sentiment upon industrial questions'. As for low wages and irregular employment, Wise believed that they arose from 'economic causes' and could not be cured by direct intervention of parliament. Deakin, with his own personal sense of involvement in the land boom politics of the eighties, waxed eloquent in general liberal terms: he supported taxing men in proportion to their wealth, and the assertion of state responsibility in the industrial sphere. But in terms of practical policies he was by no means certain.

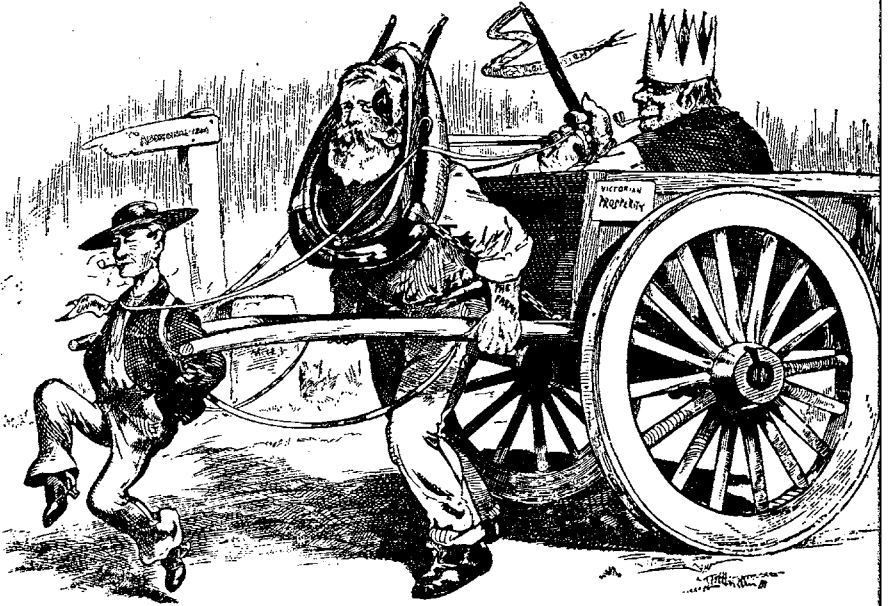
Run by selfishness nothing could exceed the corruption likely to be bred under a system of State Socialism but safeguarding this I have no desire other than to extend the sphere of State interference and control - the problem is how, when, and where and these are the issues upon which my mind is agitated from time to time.

If pace-setters such as Deakin and Wise were uncertain as to how, when, and where the state should act as a reforming agent, it is no surprise that colonial politicians in general showed little originality in the policies propounded in the early nineties. Faced with the problem of labour inside and outside parliament, the leaders - Parkes, Dibbs,

Munro, Shiels and Patterson\* – seized whatever policies were available and seemed appropriate.<sup>5</sup>

One of the first issues to achieve prominence in the nineties was a simple matter of political rights, 'one man one vote', which was seen as a necessary condition of other reforms. The system of plural voting, whereby a man was entitled to exercise a vote in every electorate in which he held property, seemed totally inconsistent with democratic logic, and the emergence of the labor party helped make its abolition a top priority. However, carried to its logical conclusion, 'one man one vote' also meant equal, single member electorates, and this was complicated by country suspicion of city domination. It was understandable that the members of the upper houses should feel that 'suffrages should be weighed and not counted': they saw 'one man one vote' as part of a general assault on property, with the Paris commune just around the corner.<sup>6</sup> It is perhaps more surprising that the abolition of the property vote should have met with such opposition in the Victorian Legislative Assembly. While it was generally agreed that the old system of plural voting would have to go, an attempt was made to promote an alternative, the dual vote, advocated as a vote for manhood and a vote for thrift. Every man had a vote, but thrift, proven by the ownership of land, would earn him a second vote. Whether the land was a large estate or an artisan's allotment, it represented a stake in the country which the electoral system should respect. Under the system of plural voting a landowner could exercise one vote in any electorate in which he held property: the dual vote, while abolishing this possibility, meant that he could exercise his two votes in the one electorate. A proposal along these lines mustered respectable support in the Victorian Assembly and reflected a shrewd awareness that the comparatively wide distribution of property in Victoria ensured it at least some electoral appeal.<sup>7</sup> It also represented a deliberate bid by conservative free-traders for the farmer vote. The selectors had been an essential component of the liberal protectionist majority in Victoria, but there were indications in the nineties that they were not only disenchanted with protection,

\* G.R., later Sir George, Dibbs succeeded Parkes as New South Wales premier in October 1891, at the head of a nominally protectionist government which held office until mid-1894. J.B. Patterson became premier of Victoria in January 1893 following the defeat of the Shiels government in the Legislative Assembly. His government was in turn defeated at the 1894 elections.



*Cartoon 3* HE BECOMES THE FARMER'S FRIEND.

KING WORKING-MAN'S IDEA OF OUR ALL  
WORKING TOGETHER

His Majesty – 'There! The cove in the shafts will do the work, the leader  
will do the prancing, and I'll boss the whole show'.

(*King Working Man*, a supplement issued by  
*Melbourne Punch*, June 1892)

The conservative *Melbourne Punch* always depicted labour as the uncouth 'King Working Man'. Notice the trade union movement in full larrikin rig.

but were finding points of common interest with their former enemies, the squatters.

Nevertheless the dual vote scheme was essentially a delaying tactic. In New South Wales plural voting was abolished in 1893; in Victoria the reform was held back until 1899. The property owners of the upper houses conceded defeat not because they had been suddenly persuaded that 'one man one vote' was a truth worthy to be received by all men, but when the more astute among them realised that their opposition was self-defeating. As Sir Henry Wrixon said, 'If the great mass of the people were sound, the country would be safe with universal suffrage; if they were not sound, if they gave countenance to unjust and unwise views, that could not be remedied by giving a few extra votes to the owners of property.'<sup>8</sup>

If the opponents of the labor party were going to adjust themselves to the new political realities, plural voting was nothing more than an albatross around their conservative necks.

The issue which tended to dominate political debate in the early nineties, however, was direct taxation. A full discussion of the intricacies of this issue is not possible here, but it should be noted that the debate was conducted at two levels: at the higher level it was a debate about social justice, much influenced by Henry George's single tax theory, while at the lower, practical level it was concerned with the plain facts of financial survival in the depressed nineties. Many of the participants did not distinguish between these levels, and the result was considerable political confusion.

The influence of Henry George reached back into the eighties and, as the single tax theory was conceived in terms of a free-trade policy, was felt particularly by free-traders. George's 1890 tour of the colonies aroused enormous interest, and even in protectionist Victoria he was surprisingly well received. It was understandable that the idea that rent was the root of all social evil would prove popular in the colonies, where the land question had been so prominent. George's analysis of the evil, and the simple remedy he offered, gave advocacy of the land tax an earnest moral flavour. Even when his followers discarded the single tax element, they often retained the belief that a land tax was intrinsically just. Land *was* different from other forms of property, and should be subject to a special tax. Others, though influenced by George, viewed the land tax in more pragmatic terms - either as

breaking open the big estates, or as a fiscal redistribution of the wealth of the community. Deakin and Reid both saw the land tax as part of direct taxation as a whole, and therefore avoided the obsessive belief of the single taxers that the imposition of a land tax would somehow right all society's ills.<sup>9</sup>

The campaign for direct taxation, and for the land tax in particular, aroused vigorous opposition from property owners. Nevertheless, it was becoming clear that it would be difficult to avoid some form of direct taxation. By 1893 large deficits had accumulated in both New South Wales and Victoria. Even in the upper houses there was some awareness that direct taxation was on the cards.<sup>10</sup> More and more their concern became to exact the best possible terms for property in its imposition.

There were other issues which aroused interest in the early nineties: some, like factory and eight hours legislation, will be discussed in Part Two; others, such as the idea of a state bank and village settlements, cannot be dealt with at all.<sup>11</sup> One issue, however, warrants attention at this point. Arbitration and conciliation did not dominate the political debate in the early nineties, but the early discussions and experiments cleared the ground for a more serious controversy at the end of the decade.

### **Arbitration and Conciliation**

Arbitration and conciliation in 1890 were both nebulous concepts. They meant little more than some orderly system for the settlement of industrial disputes and prevention of strikes and lock-outs. Discussion of these concepts was conducted at a level of hazy generalisation and pious hope, and when discussion came down to earth it was usually with a reference to the French *conseils de prud'hommes*, or the English boards associated with the name of A.J. Mundella.<sup>12</sup> State-sponsored schemes and private industrial arrangements were discussed in the same breath. Only when conciliation and arbitration became a political question – when legislative proposals for tangible courts and boards were examined – did the real and vital issues emerge with any clarity.

What existed under the name of arbitration and conciliation before 1890 were voluntary and localised schemes, usually confined to particular industries. In Newcastle the coalminers and the owners had set

up a board of conciliation as early as 1873; the Sydney building trades established a similar board in 1878. These were modelled on boards then in existence in Northumberland, Durham and Yorkshire. Of greater significance was the Board of Conciliation set up jointly by the Trades Hall Council and the Victorian Employers' Union in 1887. The late eighties, however, proved a time of comparative industrial peace in Melbourne, and the Board underwent few tests. Disputes involving ironworkers in 1888 and tinsmiths in May 1890 went to the Board (which on neither occasion divided consistently on labour versus employer lines) before the maritime strike put an end to the experiment.<sup>13</sup> Its achievements were, therefore, relatively minor, but its existence, and the optimism which went with it, greatly influenced the attitudes of both employers and trade unions in the early nineties. The discussions concerning a larger scheme of conciliation and arbitration, which were to continue until 1894, were a natural development of the pre-1890 situation. In Sydney, on the other hand, an attempt to set up a similar board of conciliation in 1889 failed. A committee of the Trades and Labor Council and the Employers' Union drew up a scheme, but the unions withheld their approval, mainly, it was said, because they feared the possibility of anti-union employers serving on the board.<sup>14</sup>

The attempts to legislate in this field before 1890 were few and never really serious. From the political point of view, conciliation and arbitration in the eighties were a minor fad, at a time when 'faddism' was recognised as a common phenomenon. Private members' bills on the subject neither won trade union support nor roused serious parliamentary interest. In 1888, for example, Joseph Carruthers\* introduced a bill in the New South Wales Legislative Assembly: after minimal debate it was referred to a select committee, which found difficulty raising a quorum and made no report. In Victoria R. Richardson, the member for that great union centre, Creswick, introduced a private bill just before the 1890 strike, and it was actually debated at the height of the drama. This gave the debate a degree of earnestness, even if the bill itself was not treated as a practical proposal.<sup>15</sup> These early proposals for state-sponsored arbitration and conciliation assumed that the co-operation

\* Carruthers, a free-trader, served in both the Parkes ministry of 1889-91 and Reid's of 1894-9. In later years he was wont to refer to this 1888 episode as proof of his devotion to the principles of conciliation and arbitration. His career as premier of New South Wales (1904-7) is discussed in Chapter 6.

of both employers and trade unionists was a pre-condition of any state scheme; but if this co-operation existed, what need was there for the state to intervene at all? Might not the parties just as well construct their own machinery for the settlement of disputes? And surely, would not such machinery, for this very reason, command their greater confidence?

The role of the state, then, hardly seemed a necessary one, and conciliation and arbitration made sense only as pragmatic arrangements between employers and trade unions. There were indications, however, that with the growth of trade unionism in the late eighties employers were anxious to extend these arrangements. Faced with the spectre of 'federated labour', some employers saw the establishment of employer organisations as a counterbalance which would enable more effective conciliation and arbitration. (So, indeed, did some of the trade union leaders.) Bruce Smith's pronouncements in this respect have already been noted. He was not alone; in May 1890 an 'Observer' wrote to the *Argus* suggesting that once employers had fought the trade unions 'with their own weapons' a 'court of reference' could be established, 'as much for the protection of the employed as the employer'. Here, significantly, the benefit of a 'court of reference' for employers was assumed. Likewise, a colleague wrote to Jesse Gregson:

The only chance I can see of real peace with these Labour difficulties is the formation of an Employers Association not of Pastoralists only but of all employers strong enough to defy the Trade Unions and thereupon the formation of a Board of Arbitration to settle all disputes and prevent strikes but even then there would be the possibility of an award which one or other would not agree to and then a strike or lock-out the effects of which cannot be imagined.<sup>16</sup>

Here was a crucial point. To many employers the weakness of most conciliation boards was that there was no obligation on trade unions to accept the awards. Assuming always the voluntary basis for approaching the board, and faced with the increasing intransigence of labour, the employers' reaction was to seek some guarantee that the awards of such a conciliation board would be obeyed by the unions, and to this end tended to advocate some provision for enforcement.

The shock which the maritime strike gave to colonial complacency led to more serious attention being given to the possible role of the

state in conciliation and arbitration. It was extremely difficult for colonial parliaments to ignore the strike, although some members thought they should. 'I take it', Henry Copeland told the New South Wales Assembly, 'that Parliament is not the place in which to attempt to solve social problems.' Parliament would only be degraded by occupying its time with such questions. But of course it was politically necessary for most members to say *something*, particularly if they represented electorates with sizable working-class numbers; it was therefore natural that conciliation and arbitration should enjoy a sudden political vogue. Richardson's bill was already before the Victorian Assembly; in November G.D. Langridge, the new chief secretary, offered his own scheme for an 'Industrial Labour Chamber'. In Sydney opposition leader Dibbs moved that the house consider the expediency of a conciliation bill, and then privately consulted Sir Alfred Stephen, a former chief justice, for ideas. Sir Alfred agreed that 'a Conciliation Court . . . must . . . be established some day or other' but in the meantime the government had taken steps to appoint the Royal Commission on Strikes.<sup>17</sup>

In New South Wales this Royal Commission, and the Act which followed, determined the course of the debate in the early nineties. Presided over by the conscientious Dr Garran,\* the Commission attacked its task resolutely. Much relevant material was collated at home and abroad, and a wide cross-section of employers, unionists and 'authorities' examined. The evidence given to the Commission has been invaluable to historians in their analysis of the maritime strike and industrial conditions generally, but on the subject of conciliation and arbitration one is struck by the vagueness and ambiguity of the opinions expressed by witnesses. While most felt bound to pay lip service to the elementary principle that conciliation is better than strikes and lock-outs, only a few well informed enthusiasts, such as Kingston, held clear and defined views. Prejudices, of course, can be detected. Following their success of 1890 most employers were decidedly cool on the whole idea. A few expressed more or less outright opposition; others were still thinking in terms of voluntary agreements between employers and unions with some

\* Andrew Garran, editor of the *Sydney Morning Herald* from 1873 to 1885, was appointed to the Legislative Council in 1887. Although in colonial terms a conservative, his reputation for earnestness and fair-mindedness made him a natural choice for the Commission's chairmanship.

form of legal sanction. Trade union leaders, understandably, were now more interested in conciliation, though not much clearer in their ideas. Most were opposed to compulsory awards. It was Spence who captured the headlines by saying that where the principle was great enough unionists were entitled to break agreements. This no doubt encouraged some employers in their evidence to stress the importance of binding agreements. But in the light of 1890 some union leaders, including Spence, were beginning to recognise the first crucial issue, namely, the compulsory reference of disputes to conciliation or arbitration, at least at the instance of one of the parties concerned.<sup>18</sup>

Under Garran's guiding influence the Commission managed to produce a unanimous report. While it eschewed compulsory awards (a finding which leant more to the union than the employer view at this time), the Commission did recommend that it should require only one party to bring a dispute before the proposed conciliation board. Furthermore, the Commission left open the question as to whether the board should have the power to insist on *both* parties bringing their dispute before it. The Act the Dibbs government passed in 1892 was not based directly on the Commission's recommendations; it followed, Barton admitted, an earlier bill of Parkes's, which had been prepared before the commission reported.<sup>19</sup> If the Commission's recommendations had been followed, the history of the councils set up by the 1892 Act might have been materially different.

The Councils of Conciliation and Arbitration were first convened in October 1892. Garran, who was the inevitable choice for president, sensed the inherent weakness of the Councils' position, and tried to persuade capital and labour that it would be expedient to submit disputes to the jurisdiction of the new tribunals; for if the experiment were to fail, the legislature would feel the need to increase the degree of compulsion involved. From the start employers were not in the mood to be persuaded by such arguments, and virtually boycotted the Councils. The *Pastoralists' Review* commented:

The fact is that although the immediate origin of a strike is sometimes unimportant the actual cause of dispute is very rarely of a kind that can be referred to arbitration. All recent difficulties between employer and employed have turned upon the question of freedom of contract, upon which no self-respecting employer will listen even to discussion.

The employers who had been so concerned about the spectre of federated labour in early 1890 were now feeling secure and confident in their position.<sup>20</sup>

Twenty-four cases came before the Councils during their two years' existence, but only two were settled, one by each body. Even the conservative Barton blamed employers for the failure of the experiment. By 1894 there was a growing parliamentary feeling that the expense involved in maintaining the Councils could not be justified, and labor members acquiesced in their winding up. Nevertheless union leaders expressed some regret at this, being particularly anxious – as indeed labor members were too – that the abolition of the Councils should not be interpreted as an abandonment of the state initiative in this sphere. They succeeded in keeping the subject alive, and in 1895 the Reid government introduced an amending bill which sought to implement the Royal Commission's recommendation that the initiative of one party should be sufficient to bring a dispute to arbitration. The bill never came back from the Legislative Council, where Garran's was the only voice raised in its favour.<sup>21</sup>

In Victoria the only new legislative effort in this field was Richardson's Act of 1891, a watered down version of his 1890 bill. It provided for purely voluntary boards of conciliation with no powers of enforcement: 'it was proposed', Richardson explained, '... to appeal to the higher instincts of man'. There was no great interest in the measure – Richardson commented on the empty benches in the Assembly – and no one for a moment thought it would have any practical effect. Deakin supported it as recognising the right of the state to legislate in this field; others refrained from opposing it because they assumed it would be a dead letter.<sup>22</sup>

Of greater importance were the protracted negotiations sponsored by the Chamber of Commerce, which began early in 1891 and were not abandoned till the end of 1894. They represent a continuation of a local tradition which had been recognised in the 1887 board of conciliation; but this time it was planned that when agreement had been reached between the T.H.C. and the V.E.U. the result would be enacted by the legislature. The Chamber of Commerce's initiative reflected a genuine desire 'to lessen the friction existing between the two great classes of industry'; for although most members of the Chamber had supported the employers' stand in 1890, the strike and the general

dislocation of trade it had caused were not experiences they wished to repeat. Nevertheless the initiative was not made unanimously. A delaying move was defeated by only five votes to four.<sup>23</sup> Despite this hesitant beginning, the Chamber gave up its sponsorship only when the V.E.U. finally blocked the negotiations.

Among the leaders of the V.E.U. there was a more significant division of opinion. In November 1890 H. Meeks had submitted a motion, 'that in the opinion of this Executive any attempt at reduction in the present recognised rate of wages is inconsistent with our public official statements, and calculated to injure the success of this Union', which had been defeated by eight votes to six. Likewise in 1891 there was something of a minor crisis when the Union's president, Henry Dodds, supported Service's proposal for a conference between shearers and pastoralists, but received no backing from his executive. He resigned in a huff, particularly indignant, it seems, that a snide note had been passed round suggesting that he was a candidate for parliamentary honours. Dodds required some soothing before consenting to return to the presidency. It is clear, then, that Melbourne employers were not agreed as to whether they should fully seize the advantage the victory of 1890 had given them.<sup>24</sup>

At this stage the negotiations were confined to the Chamber of Commerce and the T.H.C. In November 1891 tentative proposals were agreed upon. These were based on a system of registered industrial unions, with an arbitration court endowed with full powers of enforcement, and the governor in council empowered if necessary to set the court in motion in any dispute. The provisions for registration and enforcement were regarded as concessions made by the T.H.C., and doubt was expressed as to whether unions would consent to a system of fines and penalties. These proposals were now presented to the V.E.U. for their consideration. The employers were in no hurry to reach a decision. Some concern was expressed about the representation of 'unorganised labour' and 'unorganised employers', and initially the quasi-contractual approach previously noted (voluntary conciliation with legally enforceable awards) seemed to be favoured.<sup>25</sup> But after considerable delay the V.E.U. informed the Chamber of Commerce that it was 'inclined to favour the principle of compulsory arbitration in important cases'. Unfortunately any attempt to take advantage of this encouraging response was prevented by the V.E.U.'s sudden

preoccupation with the mid-depression scandal of its defalcating secretary. By late 1893 the employers had changed their minds, deciding that compulsory arbitration was 'dangerous in principle and . . . in-operative in practice'. A disgruntled Chamber of Commerce took the V.E.U. to task for its short-sightedness.<sup>26</sup>

But the performance was not played out. In February 1894 the V.E.U. suggested a renewal of negotiations, and a conference between representatives of the Chamber, V.E.U. and T.H.C. now met and agreed 'that it would be in the interests of both Labor and Capital that the principle of compulsory reference of trade disputes to a Court of Conciliation upon the application of those concerned on either side, whether employers or employed, should be adopted'.<sup>27</sup> However a general meeting of the V.E.U. refused, albeit by a small margin, to approve this recommendation. In spite of yet further moves to keep discussions going, this rejection spelt the end of any privately negotiated conciliation scheme in Victoria. It is tempting to accuse the V.E.U. of deliberate stonewalling, and it is true that by 1894 some members of the V.E.U. may have feared that if negotiations lapsed conciliation and arbitration would become a political issue.<sup>28</sup> Nevertheless, at least a section of Melbourne employers, actively encouraged by the Chamber of Commerce, was eager to revive and develop the eighties tradition of dialogue and conciliation.

The contrast between New South Wales and Victoria in the approach to conciliation and arbitration in these years is a continuous development of the contrast in attitudes during the 1890 strike. In New South Wales the employers who had set the pace in 1890, the shipping, pastoral and mining interests, were the very ones who in 1892 would not have a bar of Garran's council. Thus from the very start this scheme for voluntary arbitration was doomed. In Victoria, the division which had existed in 1890 between those who supported the Sydney hard line, and those who were prepared to help the trade unions save face, continued in a new form. The V.E.U.'s Hamlet-like inability to make up its mind on compulsory reference reflected the balance between these two points of view. Yet just as in 1890 the employers acted together in spite of their differences, so too in the matter of conciliation and arbitration the net result in 1894 was much the same in both colonies. The idea of a conciliation scheme which depended on the voluntary participation of the parties concerned was

now abandoned – and at virtually the same moment. The Melbourne Chamber of Commerce in reviewing the situation made this very point.<sup>29</sup> If there was to be legislation in this field it would have to come straight from the government; and there would have to be some form of compulsion to set the process of conciliation in motion.

For trade union leaders the experiences of these years were most educative. Dr Philipp's conclusion that 'the great majority of unionists were opposed to it [compulsory arbitration] before 1890 and this opposition did not change to support until the latter half of the 1890s'<sup>30</sup> is not entirely accurate. While it is true that the maritime strike produced no immediate and general conversion to the principle of compulsory arbitration, it did cause union leaders to think again. Just after the strike Hancock had admitted that 'there is a dislike in labor circles to the interference of the law. All their struggles up to the present time have been in securing the repeal of laws bearing upon labor.' Yet one year later the Trades Hall Council, in its negotiations with the Chamber of Commerce, had come round to supporting what was basically a compulsory scheme. In 1892 H.A. Harwood, on a visit to Sydney, told the Trades and Labor Council that 'the Unionists of Victoria were working to secure a system of compulsory arbitration for the settlement of Labour disputes'.<sup>31</sup>

In New South Wales there was a similar if slower conversion. In July 1892, with the Broken Hill strike very much in their minds, the T.L.C. had, after some debate, been prepared to give the 1892 Act a trial. Two years later its obvious failure had convinced most unionists – even such an opponent of the compulsory principle as P.J. Brennan – that the provision for compulsory reference of disputes was essential to any scheme of industrial conciliation or arbitration. In 1895 the conference of labor electoral leagues voted to include 'the principle of compulsory arbitration in industrial disputes' in the platform.<sup>\*32</sup>

It is true that most of this support for compulsion related to the initiation of proceedings. The question of awards had still to be fully considered. But by 1895 the trend was already clear. Trade union

\*The plank did not actually appear in the platform for some years. Why is not clear. Any new plank had to be approved by a majority of branches; furthermore, a couple of months after this conference the L.E.L. merged with the Political Labor Federation to form the Political Labor League, and there was a rearrangement of the platform. For whatever reason, the proposed plank was not included.

leaders, particularly in Victoria, were already coming around to supporting enforceable awards. Employers, correspondingly, were moving in the other direction. Many of them had supported binding awards if the original steps to arbitration were voluntary; but now that the compulsory reference of disputes was assumed by union leaders as a pre-condition, employers began to condemn the idea of enforceable awards. This interesting reversal is reflected in the comment of the *Argus* that employers would have little objection to compulsory reference if they thought the compulsion would end there – but they feared compulsory awards would logically follow. In New South Wales, when Reid brought in his bill which incorporated compulsory reference, labor members, no doubt feeling it was their duty to be one move ahead, considered the next step. J.S.T. McGowen summed up their position: ‘I believe that the Government should enforce the award, although I admit the difficulty of discovering how that can be done.’<sup>233</sup>

Dr Philipp is right in so far as the late nineties did witness a further change in labour’s attitude to arbitration. By that time they had a prototype before them in Reeves’s New Zealand Act, and the full possibilities of a system of compulsory arbitration could be appreciated. It is important to stress that in the early nineties the twin concepts of conciliation and arbitration were completely tied to the settlement of industrial disputes. Those who advocated these remedies were thinking solely in terms of avoiding strikes and lock-outs. Few even imagined that compulsory arbitration could become an all embracing system for the regulation of wages. In the early nineties the crux of the conciliation issue had been whether the unions could coax or force the employers to the conference table. By the turn of the century the example of New Zealand offered union leaders a much wider and, it seemed, more revolutionary scheme for the reorganisation of industry. The terms of the argument for both unions and employers changed radically.

The debate on conciliation and arbitration makes sense only in terms of the whole strategy of union-employer relations. As the trade unions declined in strength, they clutched at arbitration as a raft which might float them across the troubled waters. And employers, witnessing the unions’ distress, saw little reason for helping them on to the raft. Before 1890 union leaders and employers had shared many of the same assumptions about conciliation and arbitration. But when such schemes became a political weapon in the industrial warfare of the

early nineties both sides moved to occupy fixed and opposed positions of principle. It was in many ways a necessary emotional preparation for the struggle that was to follow.

part two

1894-1901: Majority Liberalism



The depression did not follow the same course in all the Australian colonies. Indeed Western Australia did not really experience a depression in these years at all; and in both Western Australia and South Australia the level of public investment rose in the first half of the decade. Nor was New South Wales as hard hit economically as Victoria, and there were important differences in the timing of the trade cycles in the two colonies.<sup>1</sup> Nevertheless both had experienced the financial crisis of 1893, and for both 1894 was a year of depression. And although the experiences of these years were more traumatic for the disillusioned residents of 'Marvellous Melbourne', it is significant that 1894 should prove a political turning point in New South Wales as well as Victoria.

The economic collapse contributed to the growing unpopularity of the governments of Dibbs and Patterson. The election of July 1894 finally displaced Dibbs, and Reid became premier on 3 August. A few weeks later Patterson's government was defeated in the Victorian Assembly, a verdict endorsed by the election which followed. Turner took office on 27 September. The governments of Turner and Reid each lasted for just over five years, and in the two colonies set records for longevity. In 1894 such records were not expected. Turner was a leader totally lacking in charisma. Indeed, as we shall see, he was hardly a leader in the accepted sense at all. As for Reid, in 1894 his position was by no means politically secure. According to Coghlan 'he seemed likely to last for five days, perhaps for five weeks, or with luck for five months'.<sup>2</sup> Yet Turner and Reid not only survived, but were able, in their different ways, to provide a necessary period of political stability, during which attention could be given to redressing some of the more glaring social injustices created or magnified by the depression. Both governments received support from the labor members, and in both colonies there seemed to be a large political majority in favour of 'liberal' policies. Moreover McLean and Lyne\* who came into office

\* Allan McLean, a stock and station agent, entered the Victorian Legislative Assembly in 1880. He held various portfolios in the Munro and Shiels governments, 1890-3, and was a minister without portfolio in the Turner government until his resignation in April 1898. W.J. Lyne, who had a rural background with experience as a local government officer, was elected to the New South Wales Assembly in 1880. He was a minister in the Dibbs government, 1891-4, and a New South Wales delegate to the Federal Convention, 1897-8. Both McLean and Lyne were to enter the House of Representatives in 1901 as protectionists.

in 1899 continued to govern within the same terms of reference as their predecessors.

Yet there was no simple and all embracing program available to Turner and Reid for their immediate use. More often than not the remedies emerged in a manner that seemed, superficially at least, quite haphazard. Turner's 1894 campaign was a quiet and studious affair, very much concentrating on the issue of financial solvency. Reid's more adventurous assaults of 1894-5 were made in the name of direct taxation, a policy which in its implementation proved something of an anti-climax. In historical perspective it is probably fair to say that the major legislative achievements of this period were the Victorian Factory Act of 1896, and the New South Wales Arbitration Act of 1901. Yet neither of these was an electoral issue before its introduction into the colonial legislature. In 1894 Turner spoke vaguely of conciliation and arbitration with reference to industrial disputes, but breathed not a word about extending factory legislation in the direction of wages boards.<sup>3</sup> And compulsory arbitration was not an election issue in New South Wales in 1898. It was not, at this time, even in the platform of the labor party.

Both these measures were in the lower houses accorded an almost non-party status. Discussion there (unlike in the upper houses) tended to assume a liberal consensus that the measures were worthwhile, if experimental. What then was the driving force behind these, and allied, enactments? Exactly what were the respective contributions of the middle-class liberals in office and the labor members supporting them? How much weight should be given to disturbed middle-class conscience - how much to the electoral persuasiveness of emergent labor? By what process did these measures emerge from the realm of long felt wants into the domain of political reality? In other words: how did these informal liberal-labor alliances work politically, and what were the social realities underlying them? The next two chapters, following for the moment the separate paths of Victoria and New South Wales, will attempt to answer these questions.

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## 4 Victoria: Turner and Consensus Politics

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Patriotism was not kindled by mere memories, even those represented by a glorious flag and a proud history, great and noble as these impulses were, but it was best stirred by the sense of duty to those around them of their own kin – to those by whose labour they lived from day to day.

Alfred Deakin, *V.P.D.*, vol. 79, p. 3149.

### Turner and his Ministers

George Turner was not an inspiring leader. Indeed, few political figures in Australia have been so celebrated for their dullness: his fellow politicians and contemporary observers seem unanimous about it. To the journalist Benjamin Hoare he was 'a quiet little man in a brown suit', while Deakin saw Turner's as 'a colourless personality, which gave no offence because it assumed no airs of superiority'. J.F. Hogan was more generous but no less patronising in his assessment of Turner as an 'amiable, courteous, fluent, intelligent, and well-meaning member of the lower branch of the legal profession'. Hard working and dutiful – Beatrice Webb observed that 'he works at his Department as if he were a hard-pressed clerk serving a strict supervisor' – Turner found it difficult to relax. He was said to be an insomniac, and did not enjoy robust health. 'I have gone into his private room sometimes at night while the House was sitting', wrote Hoare, 'and have seen him prostrated on the couch there in pain.' Indeed, in the censure debate that ended his government in 1899 he almost seemed to boast of the 'great extent' to which he had ruined his health 'bodily and mentally'.<sup>1</sup>

Nor were his political claims to leadership great. He had entered the Assembly in 1889, and had had less than two years' comparatively junior ministerial experience in the governments of Munro and Shiels. How was it that such a supremely inconspicuous figure should be called upon to lead the forces of Victorian liberalism at this critical time?

The parliamentary situation after the fall of the Gillies-Deakin government in 1890 had been a complex one. The task of reuniting the

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old liberal party proved extremely difficult, and was not helped by the deteriorating economic situation which at first encouraged political instability. For example, Deakin, as a survivor of the coalition, was still formally in opposition to the allegedly liberal governments of Munro and Shiels, and, indeed, helped vote the latter out of office. The dismal eighteen months of the Patterson government did much to simplify the situation, and when Treasurer G.D. Carter brought down his disastrous 1894 budget (which Patterson obligingly offered to withdraw) the opposition met in caucus to decide who should move the vote of no confidence on behalf of those who now recognised themselves as liberals. Deakin himself had for some time refused all offers of liberal leadership, and Shiels, it was decided, might not be able to command a majority in the house. In any case the *Age* dismissed Shiels as 'impossible'. Deakin and Isaacs proposed Turner, and although, among others, McLean and Trenwith spoke up for Shiels, the *Age* won the day. Turner, by virtue of his very colourlessness, had fewest enemies, and the defeat of Patterson was vital. The *Age* pulled no punches - 'Every day is a new peril when an imbecile holds the reins on the box seat of the national coach.'<sup>2</sup> Moreover, Turner's qualities of sobriety, safeness and industry suited the frugal atmosphere of the time. After Munro, Shiels and Patterson - three variously flamboyant (and unsuccessful) premiers - Turner seemed a fitting penance for Victoria.

The Patterson government was defeated by the slender margin of four votes, and an election followed. According to whether one read the *Age* or the *Argus*, the campaign could be said to be for or against the Patterson government, or for or against tariff reform (that is, a reduction in protective duties). The government was certainly defeated - three ministers lost their seats - but there also appeared to be a majority favourable to some revision of the tariff. In his campaign Turner followed a cautious path. Arguing that it was impossible to bring in a land tax in time for it to have any beneficial effect on state finances, he plumped for a surplus wealth tax. When he explained that this was a tax on a man's assets over his liabilities he was greeted with laughter from an audience which no doubt considered such a man in the Victoria of 1894 a considerable rarity. But Turner emphasised that there was no finality about this proposal. It was not the duty of the government to insist on the *form* of the new tax: that was for the elected

representatives of the people to decide. Here indeed was an indication of what Turner's style of government was to be. Whilst making the necessary obeisance to protection, Turner had spoken vaguely of the need for a scientific tariff, thus maintaining the prospect of some sort of tariff revision. He advocated the establishment of a state bank, and thought that public works should be proceeded with 'moderately'. Retrenchment, he believed, could be effected by not filling vacancies in the public service rather than by wholesale dismissals.<sup>3</sup>

Here was a policy designed to offend as few people as possible. Land-owners were placated by the assurance that they would not be singled out for special taxation; manufacturers and trade unionists were assuaged by the statement that protective tariffs must protect; workers, employed and unemployed, received the small comfort that public works would not grind to a halt; and civil servants were soothed by the knowledge that they would not lose their jobs. In later years it became traditional political folk-lore that the civil service vote had been instrumental in the election of the Turner government;<sup>4</sup> but it is clear that public servants were not the only group which had reason for seeing Turner as the lesser of two evils.

Turner's policy was hardly a charter for widespread reform. Rather it was a patchwork of assurances to particular sections of society which were feeling the pinch, with a few progressive ideas thrown in for luck. The policy had been put together in a hurry, and between the policy and the performance there was a wide disparity. The idea of a surplus wealth tax was dropped; a half-hearted attempt was made to institute a land tax, but was given up in favour of an income tax. The state bank concept, as far as note issue was concerned, was abandoned. Yet Turner's speech did set the tone of his government. As premier he would introduce bills into the legislature, but would not demand their passage. He would seek, as far as possible, a consensus of informed opinion. When parliament frowned on his government's measures, they would be withdrawn or amended. When parliament itself threw forward ideas, they would be gratefully accepted. Although in many ways a flabby approach, it did result in a relaxing of party tensions which helped provide an atmosphere sympathetic to the passage of the 1896 Factory Act.

Turner's choice of ministers bore out his concept of government. While A.J. Peacock, R.W. Best and Isaac Isaacs had liberal reputations,

the cabinet also included J.W. Taverner (who had voted for the dual vote in 1891), H.R. Williams (a 'political rat' according to Deakin) and John Gavan Duffy (once described by Deakin as 'representing as fully as anyone the conservative section of the community'). There was also the upper house contingent, led by Sir Frederick Sargood. Sargood and J.M. Pratt, however, soon left the government, disapproving of aspects of Turner's land tax proposals. It was a completely middle-class ministry, presided over by a man who was 'the ideal bourgeois'.<sup>5</sup>

### **1894-6: 'In The Service of all who Suffer'**

From its inception the labor party has always been partial to platforms. Each impressive catalogue of planks helped give the party a necessary sense of security – the feeling that it knew what it wanted. Yet upon examination the platforms of the labor party, particularly in the early days, turn out to be little more than collections of slogans. One adult one vote, the Referendum, a progressive land tax, an eight hours law: these were some of the favourites which no respectable labor platform could afford to be without. But when it came to measures, the labor members were almost entirely dependent on liberal leaders to provide the kind of legislation which would in some way give expression to these slogans.

Some issues, however, were capable of being grasped more easily than others. One such issue which had an early and important place in labor party tradition was the establishment of a minimum wage in government contracts. In a time of depression when there was no regulation of wages (and when the possibility of such regulation was little understood) the government could act simply and directly in one avenue at least – namely, in ensuring that it paid its own servants a reasonable minimum wage, and that its contractors did likewise. Such a plank was in the platform of the United Labor and Liberal Party (formed in 1894 to supersede the Progressive Political League) before the 1894 election.

On this fairly straightforward issue it is interesting to note the shift of opinion during 1894. When, in June, Trenwith moved in the Assembly that to prevent sweating a minimum wage be set in government contracts, some conservative supporters of the Patterson government were outspoken in their opposition. A minimum wage, it was argued, would simply mean that fewer workers would be employed:

the labor members were 'monsters, cruel monsters, fighting for themselves, heedless of the condition of feeble men and women'.<sup>6</sup> An attempt was made to reach a compromise, but other matters intervened and the subject was shelved. In January 1895, following the election which removed Patterson from office, Trenwith moved a motion similar to his earlier one. The climate had altered perceptibly: there was little discussion, and after the customary ritual of some objections from R. Murray Smith (a free-trader whose loyalty to the political economy of Adam Smith was indefatigable) the motion was carried without a division.<sup>7</sup>

The origins of the Factory Act of 1896 are much more complex, and the Act cannot be attributed to the persistence of the labor members in the same way as the minimum wage in government contracts. The earlier factory acts, dating from 1873, had arisen as much from a general public concern at 'sweating' as from trade union pressure in particular. The relatively high proportion of women and children working in Victorian manufacturing industries gave the question of factory conditions a much stronger emotional character than in other colonies. There were plenty of humanitarians eager to take up the cause of the women and the children, who, because they had no vote and usually no trade unions, were defenceless. And the chief patron of the cause was the *Age* itself. The Acts of 1873 and 1885 had provided some protection, but had not eliminated sweating. In 1890, a few months before the maritime strike broke, the *Age* lent its weight to an agitation against sweating in the clothing trade. Publicity, the *Age* hoped, would, as light and fresh air destroy a noxious weed, eliminated sweating; but if it did not, further legislation should not be shirked.<sup>8</sup>

Sweating was a social problem, and factory legislation was seen as a charitable intervention by the state on behalf of the innocent and helpless. Trade union leaders were naturally favourable to the Factory Acts as a guarantee of basic conditions of labour, but they did not see in this sort of social legislation much relevance to their own bargaining position vis-à-vis employers. Even with the onset of the depression, when increased unemployment and declining prices magnified the sweating problem, union leaders at the Trades Hall level showed only a passing interest in proposed amendments to the Factory Acts. They were much more absorbed with proposals for conciliation and arbitration, and the attendant negotiations with the Chamber of Commerce

and Employers' Union. Individual unions in the trades most notorious for sweating were, of course, concerned, but many of these had been reduced to impotence by the depression.<sup>9</sup>

The result was that the various agitations for new factory legislation in the nineties, although not dissociated from the union movement, tended to be led by middle-class figures. Nonconformist ministers were prominent. The Rev. Dr Charles Strong, theological rebel and founder of the Australian Church, had been cheered in 1890 when he told an anti-sweating meeting that although 'it was against the dogmas of the old political and economical system to say there must never be poverty or misery . . . they should not be bound by the dogmas of political economy any more than they should be bound by the dogmas of science or theology'.<sup>10</sup> The Rev. Alexander Edgar was another minister deeply involved in the movement, and his Wesley Church was used for Sunday meetings about sweating on several occasions. However the chief organiser of the anti-sweating movement was the dour, hard working Samuel Mauger, a teetotal nonconformist whose life was governed by three main passions - faith in the protectionist creed, hatred of sweating and enthusiasm for fire brigades. As a hatter Mauger was familiar with the clothing trade, and as a former member of the T.H.C. he had connections with the trade union movement. But although he was a P.P.L. candidate at the 1892 elections, Mauger had moved out of the Trades Hall milieu. He was, to the T.H.C., 'an employer of labor',<sup>11</sup> and in 1896 he opposed an official Trades Hall candidate at a by-election; in later years he was to become a Deakinite liberal. Mauger was at the centre of the anti-sweating movement in the nineties: in 1893 he headed the deputation to the chief secretary which preceded the setting up of the Factory Act Inquiry Board; then in 1895 he was prominent in the founding of the Anti-Sweating League (and its secretary until his death). His personal role in the affairs of the League is illustrated by the fact that its council usually met in the room above his small Collins Street shop.

At an official level, too, there was pressure for reform. While J.A. Levey was chief inspector the existing Acts appear to have been administered without enthusiasm. Levey could see no cure for sweating without altering human nature. When Harrison Ord took over there was a marked change of attitude. Pressed by the Inquiry Board, Ord said that he believed it was possible to alleviate the present state of

things. A member of the Board pointed out that Levey had admitted that he could offer no solution for sweating. 'Anyone can give a thing up,' replied Ord with some contempt, 'but I suppose you want ideas.' His reports for 1893 and 1894 cogently argued the case for controlling the manufacture of clothing outside factories, the placing of restrictions on Chinese furniture manufacturers, and the setting of minimum fines for all offences.<sup>12</sup> In 1893 the Factory Act Inquiry Board itself produced a progress report, which was important because it conceded that 'the question of "sweating"' was 'inseparable from that of "wages" generally'. However the Board avoided making a recommendation:

How far legislation can deal with such an acknowledged difficulty as that presented by the 'sweating' question is confessedly a problem surrounded by peculiar circumstances, some so formidable in their character as to impose serious obstacles to a successful solution of this undesirable phase of our social condition. . . . One powerful factor is that of public opinion, which keenly sympathises with and is wholly on the side of the underpaid and 'sweated' worker.<sup>13</sup>

The obstacles were 'serious' but not necessarily insurmountable, and the reference to public opinion was a clear hint to those advocating new legislation as to what should be their tactics. In its second report the Board entered a field where public opinion (and prejudice) could be mobilised most easily – the question of Chinese competition in the furniture trade. Here the Board made no bones about favouring legislative intervention, arguing that although such intervention might not be able to alter the economic conditions that determined the labour market, it could ensure that, when the recovery of trade did occur, it would result to 'the advantage of our own artisans' and not their Chinese competitors.<sup>14</sup>

Little use was made of these reports during the election campaign of 1894. Turner was not interested in an electoral crusade; to his mind the future of Victoria hinged on balancing the ledger. And the convention existed, borne out by the virtually unanimous report of the Board, that factory legislation was the kind of social question best treated as a non-party matter. The labor members, who might not have felt bound by such a convention, in 1894 were more interested in conciliation and arbitration. Nevertheless it was the work of the Factory

Act Inquiry Board that paved the way for legislation in 1895. The governor's speech in May 1895 announced the government's intention in this respect, but it hardly suggested a measure of great scope: 'Experience has shown that the Factories Act requires amendment to carry out the intentions of the framers, and you will be asked to pass a remedial measure so as to check the practice of "sweating" and insure work being carried on under proper sanitary conditions.' However this announcement was a signal for the anti-sweating movement to organise itself. Turner's flexibility in accepting parliament's way with his legislation was already clear; it was therefore incumbent on the anti-sweating movement to exert maximum public pressure on members of both houses.<sup>15</sup>

In July the Bootmakers' Union called a meeting of various trade societies at the Trades Hall. Mauger was in the chair. Plans were discussed for the holding of public meetings, the sending of circulars to clergymen, and the formation of a National Anti-Sweating League.<sup>16</sup> On 23 July H.H. Champion (still regarded as an enemy by the T.H.C.) chaired a meeting at the Melbourne Temperance Hall, which unanimously resolved 'that those present form themselves into a League, to be called the National Anti-Sweating League, having for its object the passing of Factory legislation and the education of Public Opinion for a complete change in our present Industrial System'. A meeting on 29 July, with Rev. Professor A. Gosman (a Congregationalist) in the chair, appointed a committee to confer with 'representatives of the Various Trades' concerning united action when the bill was before the legislature. Then on 12 August the first general meeting was held. Gosman was elected president, and the cavalcade of vice-presidents included six more clergymen (among them Strong and Edgar). Deakin became treasurer, and Mauger joint secretary with W.F. Turton. The committee included yet more clergymen and a number of women. The League chose for itself the somewhat cloying motto, 'The union of all who love in the service of all who suffer'.<sup>17</sup>

This message summed up the *raison d'être* of the League as a body representing charitable middle-class values. It was not conceived in terms of a campaign organisation incorporating labour and the friends of labour. Quite specifically the League aimed to rouse *middle-class* conscience. The appointment of a committee to confer with 'representatives of the Various Trades' indicates that from the beginning the

League saw its own purpose as being quite distinct from the trade union movement's interest in factory legislation. The members of the League were sufficiently well off to be able to 'love' and 'serve': they were called to this loving service as much by a sense of Christian duty as by a calculated wish for social reform. It represented, in particular, the liberal nonconformist ethic which was, in comparison with New South Wales, so strong in Victoria.\* In September Bishop Goe himself bestowed a blessing on the movement in a lecture which, with appropriate references to Hood's 'Song of the Shirt', supported the implementation of the chief inspector's recommendation.<sup>18</sup>

The T.H.C., although not itself inactive on the sweating issue, was in 1895 a body much diminished in strength and authority. Its anti-sweating committee was finding difficulty in raising a quorum, and although the parliamentary committee was busy suggesting amendments to the bill, deteriorating relations with the labor members in the Assembly further restricted the T.H.C.'s influence.<sup>19</sup> The Anti-Sweating League, and not the T.H.C., was primarily responsible for the initiation and conduct of the campaign for public support.

When Alexander Peacock, as chief secretary, made his second reading speech on 17 October, he was very conscious of the fact that as a result of the campaign waged by the League, the *Age*, the individual unions and, to a lesser extent, the T.H.C., there was a large, well informed and sympathetic audience waiting to hear his proposals. Peacock had the kind of outgoing, genial personality that the dyspeptic Turner lacked. F.W. Eggleston described him as having 'the clean healthy soundness of the Englishman, and the unconventionality and camaraderie of the Australian'<sup>20</sup> - a combination valuable for a liberal/radical leader. It is no surprise to learn that he got on well with labor members. Even his notoriously loud and distinctive laugh, the full horror of which his contemporaries found difficult to express in words, was regarded with some affection. Peacock's speech was no laughing matter, however. It was a well calculated appeal to what could be described as the lowest common denominator of anti-sweating feeling. He dismissed the Chinese as 'these semi-barbarous foreigners', and then gave an

\* In this respect the absence of Roman Catholic interest in the League is not altogether surprising. The Catholic Church was sympathetic to the anti-sweating movement (see, for example, the *Advocate*, 28 September 1895), but at a time of sectarian bitterness there was no question of Catholic clergy being associated with a body which was so Protestant in its social character.

emotional account of his own visits to the 'sweater's den'. These visits were a revelation to Peacock himself, and likewise impressed his listeners. Of one woman he related: 'When I said to her – "Are you obliged to work on Sundays?" it would have done honourable members good to see the virtuous indignation of her reply – "No matter how things may go I will never break the Sabbath day".'<sup>21</sup> Unfortunately Hansard does not record how many honourable members brushed tears from their eyes at this disclosure.

Nevertheless in spite of the administrative apparatus that Peacock now proposed – the permit system for outside workers, and the boards to set minimum rates of pay for articles of apparel – the measure he introduced was well within the tradition of factory legislation, which was to protect 'the young children and the women', those 'who cannot help themselves':

The Government do not propose in any way to regulate the employment of adult male labour, except so far as the Chinese are concerned, in order to limit their power to contract for what wages or hours of labour they please . . . men stand on an entirely different basis to women. They are able to organise and unite, and through the medium of Parliament they can exercise a very considerable influence.

It seems unlikely, then, that the idea of the wages boards came to Peacock, as later claimed, when a dispute about wages between miners and mineowners occurred in his own constituency. The dispute was settled, it was said, when the miners and their employers met together, 'sitting on a heap of mullock at the mine'. As Peacock proposed no such board for male workers the story seems unlikely.<sup>22</sup>

The vital proposal to import the idea of a minimum wage for male workers into the factory legislation came originally not from the T.H.C. or the labor party, but from the Protectionist Association. In May 1895 the move to reduce Victoria's high level of tariff duties – in particular to abolish the increases made in 1892 – was supported by the Report of the Tariff Board. The defenders of protection were alarmed, and members of the Protectionist Association and representatives of 'various industries' met to consider the position:

The Chairman [E.H. Poulter] said he had been closely watching the tactics of the free-trade party for some time past, and had come to

the conclusion that an attempt was being made to prove that protection was responsible for sweating. Capital had been made of the fact that the protectionists' association had not affirmed the principle of a minimum wage; while Mr. Max Hirsch and his 'democratic' free-traders were never tired of urging that the higher the duty the lower the wage. The motion he proposed would completely cut the ground from under Mr. Hirsch and the reform leaguers. He moved – That this conference of the council of the Protectionists' Association and representatives of various industries heartily affirms the principle of the minimum wage, in order to ensure the full benefits of protection; and that this conference affirms the urgent necessity for an amendment of the Factories Act embodying this principle.

Seconded by Mauger, and amended to affirm the eight hour principle in similar terms, the motion was carried.<sup>23</sup> In the months that followed the proposal received surprisingly little attention: in June, however, the *Age* gave a vague blessing to the principle of the minimum wage, but without considering its relevance to the Factory Act, and a few days later in parliamentary speeches both Deakin and labor member G.M. Prendergast endorsed it more specifically.<sup>24</sup>

Indeed, Prendergast appears to have been the first labor member to appreciate the potential of the idea, and it was he who later moved the vital amendment to the bill. Adopted by the radicals of the Protectionist Association in response to the taunts of the free-traders, the linking of the minimum wage to the policy of protection was not sought by the labour movement but offered to it. The idea of a minimum wage was, of course, an alluring one to trade unionists in a time of depression, but they had no concept of how it could be enacted as a general social law. Government contracts had provided the first limited opportunity for establishing the minimum wage; now the labor members were presented with a second and much more significant opportunity. Peacock's bill already offered the machinery for setting prices of articles of apparel in relation to female workers: all that was needed was a simple extension of this provision to male workers. The T.H.C. committee recommended accordingly, and Prendergast moved the amendment on 12 November. After a very short debate it was carried by forty-nine to twenty. The minority included all the members of the ministry, none of whom actually spoke in opposition.<sup>25</sup> It all seemed too easy. After all, in view of the later development of the Act, was not this the crucial issue?

There were two reasons for this apparently large support for Prendergast's amendment. The first and lesser reason was the genuine fear by radical sympathisers that if a minimum was set for female and not male workers the result would be less work for women.<sup>26</sup> But the major reason was something in the nature of a fiscal plot. During the tariff debate there were indications that some free-traders, feeling that the walls of protection had begun to crumble, were anxious to press their advantage: 'Freetraders . . . think that the enforcement of a minimum rate of wages in protected industries would kill Protection. They think that the manufacturers would cry out, "Oh rather than have this obligation thrust upon us we would surrender Protection".'<sup>27</sup> This was not the idle gossip of a mischievous journalist. In September the *Argus*, which had devoted much space to the tariff issue and little to the sweating agitation, said, as if apologising for its earlier reticence, that 'society as a whole knows no division of opinion on sweating'. Smoothly it went on to remark that it saw no reason why the operatives should not get some benefit from the high tariff, and advised the labor members that they owed it 'as a sacred duty to their constituents to do something tangible for their benefit before the tariff passes out of hand, by inducing the Assembly to apply the minimum wage principle to protected industries'.<sup>28</sup>

The almost total lack of debate indicates that many of the country members (who if not free-traders were at least counted among the tariff reformers) voted for Prendergast's amendment in this rather tit-for-tat mood. Only a few diehard free-traders (including, as one would expect, Murray Smith) opposed this extension of the principle of factory legislation. However the country members who came to the aid of the labor party were secure in the knowledge that the bill had only a very limited application to country districts. The minimum wage clause, which applied only to a few city trades, did not concern them, and therefore they felt free to derive what political benefit they could from it. Even in the Legislative Council it is interesting to note the comparative ease with which the provision for wages boards was accepted. Indeed, the Council was even technically responsible for extending the bill to the baking trade. True, there was outright opposition from some councillors. D. Melville, the lone dissenter from the Board of Inquiry's first report, thought 'the thing was so ridiculous that it was scarcely open to argument'. It is also true that the Council resorted to the

time-honoured device of referring the bill to a select committee, unashamedly to give employer organisations the opportunity of formulating and stating their objections. But when it came to the question of wages boards for the sweated trades even the employers found it hard to suggest an alternative.<sup>29</sup>

It seemed inescapable that the question of sweating was bound up with the question of wages and prices and, if sweating in the protected trades were to be eliminated, or at least alleviated, some regulation in this sphere would have to be accepted. It was not this aspect of the legislation that caused the 1896 confrontation between Assembly and Council; employers, legislative councillors and country members were more concerned to limit the application of the bill to those city trades which had been most publicised in the anti-sweating agitation. Country members were insistent, for example, that butteries and creameries be excluded. J.H. McColl, one of those who had voted for Prendergast's amendment, put their position succinctly: 'If you are going to legislate for Melbourne and the suburbs you may do so but do not trench on our ground.'<sup>30</sup>

On some marginal issues, in which only smaller interests were involved, the Legislative Council was prepared to be liberal. The Council's leader, Sargood, helped defeat an attempt to deprive milkmen of their half holiday, and then went further by moving for the prohibition of milk deliveries after one o'clock on Sundays. 'He was amazed, not to say horrified, at the hours which the milk vendors worked.' Thomas Brunton described their positions as 'something pitiable.' Likewise, when F.S. Grimwade spoke of the inconvenience to small shopkeepers of a half holiday for errand boys, Sargood, in generous mood, interjected, 'Oh, give the boys a half-holiday.' But where larger interests were concerned, the Council was less benevolent. Concerning the alleged sweating of waitresses, G. Godfrey told the Council:

He could speak with some authority on this question. It would be utterly impossible to carry on a large coffee palace with such a restriction as was proposed in the Bill. The waitresses did not complain, and they were not badly treated, though they must necessarily work more than eight hours a day. He had inquired from the secretary of the coffee palace of which he was chairman of directors, and he was informed that, though the hours worked were a little over ten

a day, the waitresses got holidays from time to time, and no complaint had been made of their being overworked.

Godfrey also opposed the inclusion of nurses, observing that 'such was their devotion to their duties that hospital nurses often preferred to remain an extra hour or two with a patient'. The Council excluded both waitresses and nurses from the provisions of the bill.<sup>31</sup>

Much of the agitation of employers was directed towards reducing the penalties for offences, and ensuring that if there were to be wages boards they should be elected and not appointed as the government proposed. The Council select committee in these matters generally followed the recommendations of the V.E.U. and Chamber of Manufactures. The idea that members of the boards should be elected by employers and employees respectively modified the appearance of state intervention; it also, more significantly, harked back to the concept of the board of conciliation, which had played such a part in the lore of industrial relations in Victoria. The government gave way on this without much fuss, the one exception being in the furniture trade where, of course, the offensive Chinese could not be accorded any say in the negotiations. In fact on none of these matters – application of the bill to country districts, the case of waitresses and nurses, the severity of penalties and the appointment of the boards – was there any extended conflict between the houses. Compromise was achieved relatively easily. Instead the constitutional crisis occurred on an issue which hardly involved large economic interests in any direct manner – namely, the proposed permit system for outworkers.

It was generally agreed that the key to sweating in the clothing trade was the practice of farming out work to women outside factories. Inside the factories it was possible for conditions and wages to be subject to some scrutiny, and the employees were at least in a position to band together; outside the factories there was no check at all, and prices were easily forced down. One inspector reported cases of skilled outdoor workers putting in eighty-five, seventy-two and fifty-six hours work for 11s. 6d., 10s. and 7s. 6d. respectively. The reports of Chief Inspector Ord emphasised the need to restrict work outside factories, and to this end recommended a permit system for such work. Peacock's 1895 bill followed these official recommendations, with the explicit aim of limiting and controlling outside work.<sup>32</sup>

This provision, considered essential for the effective regulation of the clothing trade, became the symbolic bone of contention in the bill. Back in the eighties Bruce Smith had remarked on 'the enormous curtailment of personal liberty' involved in the then existing Victorian factory legislation. Such doubts as to the theoretical legitimacy of factory legislation had always existed, but the idea of work permits raised the very ogre of socialism. Even a radical such as H.B. Higgins confessed that he had only in 'recent years', and with great difficulty, brought himself to think that the state could, by cautious legislation, interfere with the relations of employers and employees. It was not surprising, then, that conservatives could not stomach the proposed permit system. Sir John McIntyre described it as 'one of the most monstrous proposals that had ever been submitted to the consideration of any Legislative Assembly in the world'. Peacock himself acknowledged that the idea of such state intervention was 'repugnant to Britishers generally', and expressed regret that the legislation was necessary.<sup>33</sup>

Beyond this issue of principle was the likelihood of the permit system leading to the employment of more women in factories. Concern for the moral atmosphere of factory life was a recurring feature of the late nineteenth century. Higgins observed that 'parents felt that their children had not the same moral surroundings in factories as they had in their own homes', and he thought that this was an attitude that should not be ignored by legislators. The permit system, by shepherding more workers into the confines of factories, might make it easier to supervise the conditions of labour, but what would be the moral cost? Sargood, himself a large factory owner, was also unquestionably sincere when he confessed his own doubts:

He had taken a pride in having his factories model factories. And he never had a strike or serious dispute with his employés; yet when he obtained an intimate knowledge of what resulted from aggregating a large number of young people together, he felt a doubt as to whether the country was very much benefited morally and physically by such aggregations of people. At any rate, he was certain that a Bill which sought to force into a factory those who did not wish to go there was a Bill which should not receive the assent of any right-thinking man.<sup>34</sup>

These moral doubts were reinforced by social prejudice, for the bursting

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of the land boom and the onset of the depression had greatly enlarged the ranks of the shabby-genteel. Many had been reduced from comparative affluence to the edge of poverty. In this situation ladies who considered themselves genteel took in sewing to help family finances. Indeed it was said by one member that 'the tendency of the day is to employ some one else to do the house work, because it is not considered quite genteel, and then to take in work for a miserable pittance because it is considered genteel'. Were these prisoners of their own gentility to be hounded into factories? One member of the upper house declared that 'he would sooner see his children in their graves or breaking stones than he would see them in some factories'. Then which was worse – to have to seek a permit to work at home, or if one employee were to constitute a factory (as Trenwith proposed) to have your own home registered as a factory? McColl thought that 'respectable people' would prefer to have their homes treated technically as factories and subject to inspection. W. McLellan did not agree. He told the Assembly of a woman he knew, whose husband had been worth £150,000 three years before, and who, with her daughters, now took in sewing:

Those poor creatures would have to register their home as a factory if the amendment became law, and it would bring disgrace upon them. (Mr. Bromley – 'What disgrace?') Two or three very nice young fellows were engaged to the daughters, and no doubt if the home was registered as a factory they would break off the engagements.<sup>35</sup>

This hypothetical situation recalls Lady Bracknell's horror at her daughter marrying into a cloakroom, but McLellan did not appear to be joking. In the bleak Melbourne of the mid-nineties the inherited English standards of middle-class gentility had not been abandoned: on the contrary, as things got worse the necessity for keeping up appearances increased proportionately.

The Legislative Council held fast in its opposition to the permit system. To begin with supporters of the bill tried to make the most of the atmosphere of liberal consensus which had carried the measure so far already. Even Trenwith, given at times to oratorical bluster, conceded that 'some of the amendments made [by the Council] had been actuated rather by want of knowledge of the subject than want of sympathy'. A three year time limit on the operation of the bill, imposed by the Council, was accepted by the Assembly without demur.

The government then tried further to sugar the pill by turning the 'permits' into 'certificates of registration' and, as far as women were concerned, abandoning the conditions (physical disability or domestic duties, plus dependence on the work as a means of living) which had previously applied to the granting of such certificates. The Council was obdurate, arguing that another clause, which provided for the keeping of a register of outworkers by the manufacturers themselves, was sufficient. The Assembly continued to make concessions on other points of dispute, but in spite of negotiations involving Sargood and the government, the Council would not have a bar of either 'permits' or 'certificates'. The government continued to insist on some form of registration, but now abandoned the conditions applying to male workers as well. All that was involved, therefore, was the simple issue of the government having a record of the outworkers and their rates of pay which it could check against the records of the manufacturers. The initial idea of the permit system as a means of *discouraging* outside work had been abandoned entirely. The Council would not even accept this compromise, and instead offered to accept a clause which would simply require outside workers to give details to an inspector, if requested, of their employer and the price paid for their work. It was at this point that Turner and Peacock drew the line. They had given up what had originally been claimed to be the essential *raison d'être* of the permit clause, but they would insist on retaining a form of registration which would at least provide the government with information for future action. Therefore the bill was laid aside for two months. Peacock now dropped his earlier manner of sweet reasonableness. 'Certain honourable members in another place were determined to kill this Bill from the first', he told the Assembly. 'Some of them sat on the select committee to kill it. They said they would do it, and they have done it.' It seemed that war had been declared.<sup>36</sup>

In the months that followed attempts were made to create the atmosphere of crisis which would force the Council's hand. It appeared, at first, that feelings were aroused. 'Timotheus' of the *Argus* thought that Assembly feeling against the Council was more heated than at any time since the Berry struggles. The *Age* began to mount a full-scale attack on the upper house. 'Statesmanship is an extinct quality in it', the *Age* pronounced. 'It is dominated by the politics of the counter.' With particular reference to a companies bill which the Council was

also holding up, it published a list of thirty M.L.C.s who were directors of public companies, to prove conclusively that it was 'a House of company directors' run by 'a few wealthy clubmen'. The Anti-Sweating League organised public meetings, and voted for reform of the upper house. A sub-committee even recommended the running of candidates for Council elections, but the League does not appear to have been enthusiastic about such a directly political gesture.<sup>37</sup>

Yet the delay over the bill served to dampen the ardour for battle rather than kindle it. It soon became apparent that neither the government nor a majority of Assembly members was prepared to fight out such a war, with the election it would necessarily entail. When the house met the mood of sweet reasonableness had returned. The government intimated that it would accept a Council amendment which would ensure the secrecy of the register of outworkers. Thus would gentility be protected. Theoretically therefore, the government had got its way, and an atmosphere of relief prevailed. The opposition congratulated the government on the outcome. Shiels praised Peacock's temperate speech; Hancock and Higgins agreed that discretion was now the better part of valour. Only Deakin, who had identified himself with the bill heart and soul, was out of step. Deakin argued now that there was nothing to be lost by demanding more of the original bill from the Council. In a solitary declaration of protest he seemed determined to cut himself off from the past - to escape, as it were, from the shadow of coalition which even now hung over the Victorian parliament.<sup>38</sup>

But Deakin *was* out of step. In the first place there was evidence of at least significant opposition to the permit system. The Catholic *Advocate*, for example, thought such restrictions very 'arbitrary', and opposed a fight with the Legislative Council. Nor was it entirely fair to accuse the Council of deliberately wrecking the measure. Although it had indulged in delaying tactics, and at times got rather crotchety about the bill, the Council had, as we have seen, approved some of the most significant aspects of the measure with very little fuss at all. (Whether this was simply because they did not fully appreciate their significance is another matter entirely.) At the same time supporters of the bill realised that even without the full permit system a bill of considerable importance had been achieved. The Anti-Sweating League now saw its task in terms of making sure that the new Act worked. Furthermore, the three year limit worked both ways. It meant that in

1899 there would be an opportunity to reopen the debate, and with the optimism of liberals they could only believe that time was on their side. If the Act could not work properly without a rigorous permit system, 1899 would be the time to insist on its adoption.<sup>39</sup>

The bill had been born in an atmosphere of agreement that something would have to be done about sweating. Individual groups had their own sectional motives – for example, the labor members in seeking to extend the wages board provisions to male workers (and therefore trade unionists), and the country free-traders in supporting this move to embarrass tariff protection. But the common denominator which made such an alliance possible was the feeling that the great majority of electors favoured a positive legislative assault on the problems of sweating and poverty. A few years later the labour weekly *Tocsin* described the passage of the 1896 Act as ‘an instance, perhaps, the plainest in all history, of legislation by the people’, and said ‘that neither Parliament nor the Trade Union officials could claim it without being laughed at’.<sup>40</sup> Indeed, the bill had emerged through a long process of investigation and consultation – the inquiry board, the chief inspector’s reports, the Council select committee, not to mention the comings and goings between members of the government, Sargood, and the Anti-Sweating League. To have embarked deliberately on a constitutional struggle with the upper house would have risked losing this broad basis of agreement, so painstakingly achieved.

The nominally liberal appearance of Turner’s ministry disguises the fact that his government in practice discarded a party approach. In a time of such economic stress social divisions, it was felt, should not be emphasised. Confidence was the great need – in Britain confidence that Victoria was financially sound, and at home confidence that the colony could weather the storm and build a new future. While Turner pored over his ledger, Peacock’s Factory Act represented a social readjustment, voluntarily made, intended to give heart to those who had suffered most from the collapse of prosperity.

### **1897–1900: Extending a ‘Remarkable Experiment’**

After the small drama of 1896 the Turner government quickly reverted to form. Contentious issues were avoided as much as possible, and where they could not be avoided a consensus approach was adopted. Old age pensions, unemployment, law reform and technical education

were all referred to royal commissions or boards of inquiry. These delays irritated the labor party, which naturally wanted to make the most of the allegedly liberal majority elected in 1894. The 1897 election revealed the extent to which Turner had invoked coalition, without actually offering portfolios to the official opposition. His policy deliberately offered nothing, as he put it, novel or startling, and he promised Victoria a period of 'rest and quiet' (and a possible reduction in income tax). McIntyre remarked that 'it almost seemed as if the Opposition had converted Sir George Turner'. To the labor party this truce seemed a plot to reduce its own influence on legislation. Indeed the *Argus* welcomed it in these very terms and looked forward to the labor party being forced into the role of opposition. Even Deakin, no doubt with one eye on federation, thought Turner's policy of peace 'timely'.<sup>41</sup>

In fact it was only a truce and in no sense a fusion; by 1899 the Assembly was thick with intrigue as the downfall of the Turner government was plotted. Sheer boredom was a major factor in this development. Turner had been in office for five years, and there had been no major reconstruction of his ministry in that time. Naturally some were peeved at such a long exclusion from office. But the main reason was the dissatisfaction of a bloc of country liberals. A new 'country party' grouping had come together in connection with the Water Supply Advance Relief Bill, and found a leader in Allan McLean, an experienced politician with liberal credentials. Moreover there was now a marked reaction to the consensus style of the Turner government, summed up in J.W. McCay's description of it as 'a Government that cannot be followed because it does not lead'. In the event, Turner was defeated by a combination of country liberals and the official opposition, together with one or two fed-up radicals such as Higgins and J. Hume Cook. The labor party, on the basis of a caucus vote, stood by Turner, though some of the labor members were decidedly reluctant.<sup>42</sup>

In terms of politics this change of government was of some significance, because the defection of those country liberals led by McLean started a process which culminated in the rural protest movement associated with the town of Kyabram, and the creation of the distinctively Victorian model of anti-labor. But there and then in 1899 it seemed to be little more than what the conservative historian, H.G. Turner, described as 'a mere shuffling of the political cards'. McLean's

censure had been made, not on grounds of policy, but on the basis of the government's 'administrative weakness and . . . its vacillating conduct of public business'.<sup>43</sup> During his comparatively short reign McLean broke no new ground in policy. The most important achievement of his government was the re-enactment of the Factory Act, but this was a process which had been started by Peacock in 1899, and it was carried out in the same style as the passing of the 1896 Act.

The first wages boards had evoked a mixed response. It was agreed that in those trades where determinations had been made the level of wages had risen substantially as a result; but some thought that this had been offset by a contraction in the field of employment. However at government and administrative level there was every determination to make the Act work. Peacock was becoming aware that Victoria had – almost by accident as it were – evolved a legislative experiment which was of interest, not only to the other colonies, but to the world at large. Reeves – himself a pioneer in the industrial field – described it as a 'remarkable experiment', and in 1898 the Webbs came and studiously took notes. Furthermore, the Act was being administered by the dedicated Harrison Ord, who was not afraid, in an official report, to express his own emotional commitment:

Failure meant so much. Only those who are constantly in communication with those who earn a precarious daily wage can realize what misery is brought about by uncontrolled competition. Success, on the other hand, would mean another blow to the theory that the State cannot protect large numbers of its citizens from many of the evils of slavery.<sup>44</sup>

The 1896 legislation thus took on the appearance of a pilot scheme. If the Act could raise living standards in these trades, why could not similar boards be established in other trades? For a while the T.H.C. sought to arrogate to itself leadership of the campaign for the re-enactment and extension of the Act, but was soon realistic enough to work in harness with the Anti-Sweating League. The various trades considered in need of regulation were canvassed, and meetings planned to work up public support. Initially the campaign met with little direct opposition. Indeed during 1899 the T.H.C. had friendly discussions with the Chamber of Manufactures concerning the problem of sweating. But already the Chamber was beginning to draw a distinction between

a living wage (meaning a subsistence wage), which it considered justifiable, and a minimum wage, which it did not, and by the end of the year the Chamber had decided to oppose any extension of the Act without a prior inquiry.<sup>45</sup>

Once again it was only in the Legislative Council that the opposition of employer interests was fully manifested. The new bill, as received by the Council, provided that the governor in Council should be able, on giving appropriate notice, to bring any trade carried on in a factory within the compass of the Act. Thus it would be for the government to decide in what trades boards should be created. In the Legislative Council alternative procedures were suggested. Agar Wynne argued the case for parliament retaining control, with a resolution of both houses being necessary for the creation of a board. But the Council finally preferred the advice of Sargood, and amended the bill so that a new board should be created only after a petition from not less than one half of the employers and employees in the particular trade had been received. According to the solicitor-general, J.M. Davies, there was not the slightest chance of a petition being presented in these terms. How serious Sargood was it is difficult to say; very likely he was anticipating the conference between houses, and wanted the Council to be in a position in which it could afford to make concessions.<sup>46</sup>

This conference between houses, with seven managers representing each, met on 7 and 8 February 1900, and from the outset it seemed that all were agreed that compromise was essential. Sargood declared that 'no conference that had been held within his memory - and he had attended several - had been more pleasant. There was an utter absence of party feeling or of ill feeling.'<sup>47</sup> The politics of these negotiations, conducted as they were in this obscuring haze of goodwill and bonhomie, are interesting. Peacock soon convinced Sargood that the idea of petitions was unworkable; employees would be too frightened to sign them. The argument now moved on to constitutional grounds. If some sort of parliamentary resolution were to be a necessary requirement for the creation of a board (instead of a simple administrative act) the Assembly insisted on the ultimate supremacy of the lower house, while the Council demanded recognition of its constitutional right to a veto. It was in this context that McLean hit upon an ingenious solution. The idea occurred to him, he said, as he was walking across from his office, and, in his customary measured manner he proceeded to offer it,

a little diffidently it seemed, to the conference. Why not simply require a resolution of *either* house? Thus would the equal rights of the two houses be recognised. It was a dazzling sleight of hand, giving, as the *Age* noted, the Assembly what it wanted in return for something the Council did not want. 'Sir Frederick Sargood . . . seized on the Premier's suggestion with quite a new fervor, as though the Archangel had some intimate part in its suggestion'; in the course of a quarter hour adjournment Sargood persuaded a majority of the Council seven to accept McLean's formula. So, in this apparently casual way, the compromise was achieved, and the gates were opened: the wages board system, itself a somewhat casual creation of 1895-6, could now be extended generally throughout Victorian industry.<sup>48</sup>

To what extent was there a real conflict, then, between employer interests, represented by the Legislative Council, and the collective force of the anti-sweating movement? And why were employer interests so ready to accept the compromise offered them? To begin with, although McLean's magic formula represented a significant advance for supporters of factory legislation, the employers had secured major concessions. While the bill was still in the Assembly the government conceded a royal commission, so the manufacturers had got the inquiry they had requested. The Council's insistence on elective boards won the day; it also secured the exclusion of gas, electricity and chemical works from the general factory provisions of the Act, and the watering down of the half holiday provisions. Most important of all, the Act was to be in force for only two years (plus one parliamentary session). What, asked Sargood, had the Council given up? 'They had for two years lost the power of negating a resolution of another place for the admission of trades under the Act.' The message was clear: as far as employers were concerned, no final bargain had been made. Even so, Sargood did not escape criticism from his peers. Of the Council's seven managers three opposed the settlement, and a fourth appears to have allowed Sargood's advice to overcome his own objections. Wynne protested that this was not the first time that Sargood 'like the King of France, had led his army up the hill, and then deserted his own proposal'.<sup>49</sup> Nevertheless they accepted the *fait accompli*, and the conference terms were passed without a division.

Three main reasons for the Council's relatively accommodating mood can be discerned. In the first case employers were neither well organised

nor united on the subject of factory legislation. The V.E.U. seems to have been inactive at this time, and it was left to the Chamber of Manufactures, presided over by F.T. Derham, to spearhead the opposition of employers. Derham had a successful political career already behind him;\* behind him also was a less successful career as a land boomer, which had ended in 1892 with debts estimated at £548,000 and a secret composition with his creditors of 1d. in the £1. Whilst recuperating Derham seems to have turned to organising his fellow employers as a new outlet for his energies, and he became president of the Chamber of Manufactures in 1897. However the Chamber's claim to represent the views of the manufacturers of the colony was disputed. According to Peacock 'the largest manufacturers in the city' were not connected with the Chamber. Its position was further weakened by the fact that a number of manufacturers (although assuredly a minority) actually wanted to be brought under the Act. In the cigar, saddlery, marble mason, printing and tanning trades a total of 119 employers had signed such petitions. They hoped, through the regulation of wages, to place some restraint on the price cutting activities of their less scrupulous competitors. Naturally their compliance was an embarrassment to the Chamber. But Derham was probably just as embarrassed by what could be called the radical right of the Chamber – those manufacturers who, when goaded to it, angrily declared their opposition to *any* factory legislation. All Derham could do on one such occasion was to observe that 'he was not responsible for individual utterances'. He was well aware, of course, that total opposition to factory legislation was not only inhumane but politically impossible.<sup>50</sup>

There was another potent reason for diplomacy on the part of manufacturers in 1900 – the question of the tariff. With the approach of federation Victorian manufacturers were looking anxiously to the future of tariff protection, and this helps explain the rather curious ambivalence of Derham and his Chamber towards union leaders during 1899–1900. They were eager to remain on friendly terms with the Trades Hall, while at the same time becoming increasingly concerned at the trend of factory legislation. In this situation it was no doubt a tactful solution to press the need for an inquiry, rather than oppose extension of the Act outright. The delicacy of the situation was underlined by the

\* Derham was a member of the Legislative Assembly, 1883–92, and post-master-general in the Gillies-Deakin coalition government, 1886–90.

almost simultaneous meeting of two intercolonial conferences in Melbourne at this time – one of Protectionist Associations, and the other of Chambers of Manufactures. Both put in much work on proposals for the federal tariff, but while the protectionists enthusiastically discussed factory legislation, the manufacturers appear to have avoided the subject.<sup>51</sup>

Yet although the tariff issue made things awkward for manufacturers, it would be a mistake to see the 1900 Act as a price paid for continued trade union support for protection. For one thing, the Victorian labour leaders were such ardent protectionists themselves that it would have been difficult to imagine them deserting the cause. Nor did the thought of the tariff prevent Derham from continuing his efforts to sabotage the bill, even after the free conference had done its work. Derham certainly did not see either himself or his Chamber as in any sense a party to a political deal; indeed he explicitly warned against linking the labour and tariff questions.<sup>52</sup> There is little evidence to support the conclusion of one economic historian that 'to hold labour's electoral support, at least until after the Federal tariff was safe, some though not all of their demands had to be met'.<sup>53</sup> For those who *were* seeking to link the labour and tariff questions, the advocates of the so-called 'new protection' such as Mauger, this was a logical development of Victorian liberalism rather than a political deal in the immediate sense. And while it is true that Peacock and Mauger were extremely active in attempting to persuade the Council to accept the compromise, the upper house, which was hardly a hotbed of protectionist sentiment, had little reason to be swayed by such a tariff-based argument. The tariff in 1900 was a conditioning factor, but it was in no meaningful way a part of the Factory Act settlement.

The proper perspective on the tariff aspect is revealed when we consider the third reason for the Council's readiness to compromise. Just as the supporters of factory legislation had in 1896 decided that a constitutional crisis was undesirable, so too in 1900 there was a strong feeling in conservative circles that the time was not ripe for a test of strength between the houses. This conciliatory mood is shown in the mild editorial comments of the *Argus*, which, on the morning of the second day of the conference, pursued an interesting train of thought:

There is one reason why the Council should not press the constitutional point too severely. Whatever comes, the functions of the

two Houses will be greatly altered by the coming federation. Under the new scheme the Council must either lose or gain in power, and in all human probability it will largely gain. The Senate will be an equal power with the House in the federation, and the status of the Senate will be largely claimed by the provincial Councils.

It is a little breath-taking to think that Sargood and his upper house cronies might have been actually hoping to *increase* the Legislative Council's already formidable powers, but in effect this is what did happen as a result of Irvine's 1903 Act. In any case it was felt that the eve of federation was not an apt time for a constitutional tug of war in the local sphere. The *Argus* was not preaching conciliation in order to help the national cause of protection. As a supporter of the McLean government, it simply considered it unwise for the Council to open old wounds at a time when the whole constitutional situation was in a state of flux.<sup>64</sup>

The passage of the 1900 Act marks the end of the nineties in Victoria in an entirely appropriate manner. The break-up of the coalition government in 1890, the emergence of the labor party, and the political in-fighting of the years 1890-4 tend to suggest that the theme of the nineties in Victoria was the restoration of political party lines, and was, therefore, a prelude to the increasing importance of party in the twentieth century. Yet events between 1894 and 1900 belie such an interpretation. Certainly the restoration of liberal/conservative party lines was what the radical liberals and the labor members wanted and worked for. But what they got in 1894 was something rather different. Turner's ministry was liberal by name, and the hard core of conservatives was certainly in opposition; but government was conducted in such a way as to limit very much the meaningfulness of this order. The ministry did not sponsor a program. Rather its approach was, after a legislative clearing of the throat, to raise a subject, and then let parliament, liberals and conservatives alike, Assembly and Council together, collectively decide what should be done. Nearly all the important issues - even, up to a point, the almighty tariff itself - were decided in this way.\*

\* Note the approval of the Turner government by the contemporary conservative historian, H.G. Turner. There were 'no clearly defined party issues' according to Turner, and the only achievements of the government mentioned by him, apart from the 1896 Factory Act and the restoration of Victoria's finances, are the revision of the Companies Act and the Land Act of 1898. (*A History of the Colony of Victoria*, vol. 2, pp. 322-3.)

The flesh of the coalition had been buried, but its spirit was alive and kicking. In the 1894-1900 period there was a general tendency to emphasise the common ground in politics. As already noted, 'government' and 'opposition' approached the electors in 1897 virtually holding hands. And in this respect the significance of McLean's defeat of Turner in 1899 was that it represented a formal breach of the liberal/conservative party order which had supposedly existed since 1894. But even the intrigue involved in the defeat of Turner did little to detract from the dominant atmosphere of tolerance and common purpose. Generally there seemed to be a virtuous satisfaction with the condition of Victorian politics. In July 1899 the *Age* had observed that 'one of the penalties which Federation promises to bring to us will be an element of low-class political morality, to which this colony has been for nearly a decade an utter stranger'. In February 1900 the *Argus* saw the conduct of the conference between houses as evidence that 'Victoria has the best-tempered Parliament in Australia'.<sup>55</sup>

It was indeed the motto of the Turner era that no one should lose his political temper. In 1896 voices were raised for a little while, but amicable relations were soon restored. (If there was any danger of Turner losing his temper it was with his labor supporters and not the Legislative Council.) The succession of royal commissions and inquiry boards not only put a number of contentious issues on ice, but also helped create the impression that in Victoria such issues could be settled around a table, without any extended and divisive public debate, to the satisfaction of all sections of the community. The wages boards themselves, although representing a continuation of a Victorian tradition, carried industrial conciliation one stage further for the boards made their determinations without the pretext of a dispute. Such a system implied that there was no need for confrontation, even of a preliminary or technical nature. The free conference between houses, which was a popular constitutional device in Victoria, also suggests the desire of reasonable men to get together and sort things out. Implicit in it is the belief that a vulgar clash of political forces, possibly even involving the electors themselves, should be avoided at all costs.

This desire to minimise political conflict had much to do with the memory of the bitter struggles of the sixties and seventies. In a colony with such a short history these struggles assumed an enormous importance. The implication was that a social order which had evolved

so rapidly might be especially vulnerable. The coalition of the eighties had been the immediate reaction to those conflicts; but even when coalition was abandoned in 1890, many political leaders retained a conviction that the bitterness of those earlier battles should be avoided at all costs.

The Anti-Sweating League itself, by its very constitution and approach, reflects these inherited political attitudes. Although progressive and liberal in its outlook, it deliberately adopted a non-political, non-party stance. To a large extent this was accomplished by confining itself to the specific problem of sweating, and its cure, factory legislation. Only for a brief moment in 1896 was there a hint of a more militant and political approach. Basically the League saw its role as a cross between teacher and watchdog. Although the preliminary meeting in 1895 had rather ambiguously spoken of 'the education of Public Opinion for a complete change in our present Industrial System', with the passing of the 1896 Act it aimed mainly to see that the legislation worked effectively, and that its provisions were extended to other trades.<sup>56</sup> The non-political nature of the League is amply borne out by the way in which a number of its leading members were accepted as chairmen of the new wages boards. The president of the League, Rev. Professor Gosman, chaired the Shirts Board, the Rev. Edgar the Clothing Board, while Sir Hartley Williams, chairman of the League's judicial committee, was elected president of the Bread-making Board. No one suggested that there was anything improper about this. When, at a later time, some of the chairmen did come under fire, it was usually in terms of their lack of qualifications or knowledge of the trade.

The approach of the Turner government and the Anti-Sweating League may seem unnecessarily anaemic, and it can be argued that the liberals in 1896 lost a valuable opportunity of attacking and perhaps reducing the power of the Legislative Council; but it should be noted that in the depressed state of the nineties to raise the constitutional issue seemed to many a sterile political exercise rather than a necessary condition of social reform. Whatever its limitations, the consensus approach of both government and League helped create the atmosphere for a sympathetic and pragmatic reappraisal of Victoria's social needs in the nineties. And the Act of 1896, while part of this reappraisal, was also conducive to an examination of other related problems.

The question of old age pensions was notable in this respect. One criticism levelled at the wages boards was that the enforcement of a minimum wage tended to throw old and infirm men out of work. Although this aspect was being exploited by some critics of the legislation to discredit the boards, the genuineness of the problem was admitted. Old age pensions seemed the logical solution. 'The only answer', Ord ventured to suggest, 'appears to me to be to provide work at remunerative wages for men able to work and old-age pensions for the old workers.' New Zealand had first introduced a pensions bill in 1896, and an Act had finally been placed on the statute book in 1898. Events in politically advanced 'Maoriland' were always followed with interest in the Australian colonies at this time, and the concern with sweating made the New Zealand pension scheme a focus for attention. Moreover Victoria had a relatively high proportion of aged at this time. The Royal Commission on Pensions concluded that poverty was caused more by unemployment and insufficient remuneration than by thriftlessness, and similarly that industrial conditions rather than intemperance were the main cause of distress. The logic of one Trades Hall witness seemed irrefutable: 'the ordinary working man is always within a few weeks measurable distance of poverty - he has only to fall sick, or the industrial conditions of life may change'. The pensions legislation which followed in 1900 was introduced by McLean and carried through by Turner. It went through the Legislative Council without difficulty, where none other than Agar Wynne moved the second reading. 'It was recognised on all sides', said Wynne, 'that it was just and right that some provision should be made by the State for the aged poor.'<sup>57</sup>

The Board of Inquiry on Unemployment proved more controversial, mainly because Max Hirsch, its secretary, was suspected of using the inquiry as a means of discrediting protection. But it too reached conclusions which reflected the mood of sympathetic concern. It noted that the overwhelming majority of cases of unemployment had been 'favourably reported on', and pointed out that some 20 per cent were 'old and weakly persons'. The Report threw some suspicion on the effect of the wages boards on employment, and recommended the establishment of a Department of Labour and the introduction of conciliation and arbitration on New Zealand lines. But more important than its actual recommendations was the fact that the instigation and promotion of such an inquiry acknowledged the Australian belief,

inherited from the years of growth and prosperity, that every man had the right to employment. 'Australians', observed an English writer at this time, 'have never been able to regard the unemployed as a necessary factor in their economic system.'<sup>58</sup>

Sympathetic consideration of the problems of sweating, poverty and unemployment was aided by an improvement in economic conditions. At a level of over 20 per cent in 1895, unemployment fell to around the 10 per cent mark and stayed there till 1899, and in 1900 there was a further improvement to about 5 per cent. To some extent this fall in unemployment simply represented the large-scale exodus of population that occurred at this time; between 1891 and 1898 Victoria lost 104,426 persons by excess of emigrants over immigrants. But by 1896 there certainly was a partial recovery in trade.<sup>59</sup>

Finally, the political unanimity and social cohesion that appeared to exist in Victoria in the second half of the decade are well illustrated by the broad agreement about federation. From the eighties Victorian employers had seen distinct economic advantages in either a customs union or a full political federation. Now superimposed on this was a feeling that federation, though not in itself a cure for the depression, would help provide the atmosphere of confidence necessary for recovery. At a popular level the federal movement in Victoria reflected the broad liberal nationalism of the Australian Natives' Association, typified by its favourite spokesman and orator, Alfred Deakin. Although at one stage it seemed possible that both the *Age* and Turner might oppose the bill in 1898, when it came to the referendum the only real opposition came from the T.H.C., a few isolated economic interests (the Maffra sugar beet industry and Outtrim coalmining) and one or two equally isolated radicals (notably Higgins). However the economic motive in the popular vote on federation is assessed, in Victoria's case both economic and political influences were heavily on the side of federation.<sup>60</sup> Victorians' image of themselves as members of a prosperous, expanding community – the leading colony with the most go-ahead citizens – had taken a hard knock in the nineties. The patriotism of the federal movement conveniently provided a new perspective. It was not to be forgotten that Melbourne would be, for some years at least, the capital of the new nation. Federal hopes and ambitions provided a suitable complement to the prosaic business of economic recovery as supervised by the Turner government.

Is it going too far to see evidence of the Turner style of politics in the events which preceded the referendum triumph of 1898? The Turner government was brought into line by a threat of withdrawal of support by a group of young members associated with the A.N.A., and the *Age*, after an unsuccessful attempt at influencing Deakin, abandoned a direct campaign against the bill.<sup>61</sup> Thus, effectively, federation in Victoria was decided behind the scenes, and the electorate was called upon only to endorse a decision already made. Both the *Age* and the government preferred the safety of being on the winning side. Consensus politics had been something of a habit.

### **The Labour Movement: a Retrospect**

It remains to draw some conclusions concerning the ambiguous position of the labour movement in Victoria during these years. It was, in one sense, a party to the Turner system of consensus politics. Bound in any case to Turner by their commitment to protection, the labor members professed to believe that there was such a thing as a liberal party of which they were a wing. Trenwith, whose leadership seemed indispensable to the parliamentary party, was determined to establish the labor members as a necessary component of the liberal majority. His critics, of course, drew the conclusion that he was interested in office for himself; and in view of later events one cannot entirely discount the role of personal ambition. Yet clearly he believed that behind Turner the labor party was at least in a position to push; on the sidelines it would be reduced to the role of a mere spectator.

But as we have seen the party system was in a state of abeyance for much of the time. The labor party made as much use of the parliamentary 'open house' that Turner provided as any other group in the Assembly. By the same token, the acquiescence of the labor members in his stewardship was no more vital to Turner than that of, say, the country liberals. It is possible, then, to overemphasise both the political importance of the labor party to Turner, and its contribution to his government's legislative achievements.\* We have seen how the labor

\* For example Coghlan, by not taking sufficient account of Turner's style of government (so different from Reid's), overestimates the significance of the labor party's support up to 1897, after which he goes to the opposite extreme and describes its support as no longer 'essential' to Turner. When it came to the crunch in 1899, Turner needed and got labor's support, but it was not, in the conditions of 1899, sufficient. (*Labour and Industry in Australia*, vol. 4, pp. 2224-31.)

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members focused their attention on those issues which could be seen to have an immediate relevance to the trade unions – such as the minimum wage clause in government contracts, and the extension of the wages board principle to male workers. But the Factory Act as a whole owed more to the Anti-Sweating League and Harrison Ord than to the Trades Hall and the labor party.

But in spite of the bonds provided by protection, liberalism and Trenwith, there were indications that the anger and discontent of 1890 had not been entirely dissipated. Much of it, because of the depression and political circumstances, had gone underground. Throughout the decade bubbles of this discontent can be discerned. To begin with, 1890 had created an urban labour vote in a much more tangible form than had ever existed before. Although labor party organisation was haphazard, the labour vote was now readily mobilised. An interesting example is the South Melbourne by-election in 1896, occasioned by the death of Joseph Winter, a member of the Trades Hall and a former president. The Trades Hall nominated Ben Tucker of the Wharf-labourers' Union, but there was a field of six candidates including Mauger, Champion and that discredited landboomer, Thomas Bent. It was protested that the fact that Winter was a Trades Hall member gave the Council no automatic right to nominate the 'democratic candidate' for South Melbourne. Such protests were of no avail. Champion, of course, was handicapped by his betrayal of 1890, but Mauger, with his connection with both the Protectionist Association and the Anti-Sweating League, would have seemed a strong candidate. Tucker won quite comfortably. It was not as if Tucker was a very prepossessing candidate: according to one unkind journalist he hadn't 'the ghost of an idea how a sentence ought to be constructed'. After the by-election Champion complained of the 'abysmal depths of political ignorance' in the constituency. Apart from the direct labour vote, he said, not more than 5 per cent gave their vote on any political grounds.<sup>62</sup> The observation is interesting, not only for the way in which Champion assumes that the direct labour vote is a distinguishable phenomenon (governed, as it were, by its own laws), but for the light it throws on the lack of contentious issues in Victorian politics.

During the 1897 election campaign, the labor party was, of necessity, much more aware of its separate identity. In many ways it was a foretaste of the later anti-labor fusion, with the sense of 'them' ganging up on 'the

workers'. Deakin himself was opposed by a labor candidate, C. Bishop, a former president of the T.H.C., who claimed that 'no man could represent the working classes who himself was not a worker . . . nor could any man represent a labour district properly who lived elsewhere, say, in some fashionable suburb'. In similar vein Hancock observed that the requirements of that salubrious suburb, St Kilda (Turner's electorate), might be a little different from the requirements of Footscray, which he represented. Trenwith, however, was determined to maintain the lines of communication between the labor party and the government. Although he offered some criticism, he described the Turner government as 'the best this country had ever seen'.<sup>63</sup>

Throughout the decade various attempts were made to launch a successful party organisation. After the demise of the Progressive Political League, the United Liberal and Labor Party was formed to contest the 1894 elections. An attempt was made to make this a permanent organisation, but little success was achieved. In 1896 the U.L.L.P. organisers conferred with the T.H.C., and a new platform and organisation were adopted. Significantly, the word 'Liberal' was now dropped from the name. The United Labor Party began ostensibly to prepare for the 1897 elections but it proved no more energetic than its predecessors. By 1899 this organisation seems to have been defunct, and the T.H.C. executive and the parliamentary labor party were engaged in that favourite occupation, drafting a new platform. The T.H.C. executive was again placed in the position of having to supervise labor electoral efforts, but in December 1900 a political organising committee was set up to make a new start. Thus in less than a decade - 1891 to 1900 - there had been four distinct organisational efforts to launch a party.<sup>64</sup> Compared with the lively record of the labor party in New South Wales the story is a sad and sorry one. It was left to the labor members themselves and the T.H.C. to provide the sense of labour's political identity and continuity. The labour vote and the labor party existed - but the effective organisation did not.

To what extent was the development of the labour movement in Victoria impeded by its leadership - or lack of it? There is no disputing the innate conservatism of the T.H.C., particularly in matters affecting its own position and organisation. Lacking any direct authority over member unions, the Council's procedures were slow and cumbersome. For any major step involving policy or organisation a conference of the

trades had to be called, or the unions consulted individually. But is it a question of a working-class consciousness, created or revealed by the events of 1890, being negated by unenthusiastic or incompetent leadership? Gollan writes that

the Melbourne Trades Hall Council did not regard itself as a representative institution of the working class, but as the close preserve of its constituent unions. This same unconcern with the general interest of workers is reflected in its attitude to broad political policies. Resolutions with any socialist implications, such as proposals for nationalization of specific industries, were given short shrift by the Council. Similarly, the predominant protectionist opinion qualified support for land taxation, which was in the political context of the time one of the most distinctive working-class policies.<sup>65</sup>

But in Victoria protection was just as 'distinctive' a working-class policy as land taxation. Nor is this mere quibbling, for there was as much urban middle-class support for land taxation in New South Wales as there was for protection in Victoria. The enthusiasm of the T.H.C. for protection was, of course, a great political handicap, in that it severely limited the Council's scope for manoeuvre. But it was a handicap that was never questioned, simply because the whole trade union movement at all levels was so deeply imbued with the philosophy of protection. The leaders were the product, not the cause.

The Trades Hall did not consider itself representative of the working class in a sense that would imply a fundamental challenge to the existing social order. But it never for a moment doubted that it was representative of Melbourne trade unionism – and indeed, this very certainty was one reason why it found it hard to sustain an interest in the mechanics of direct representation. Nor were its leaders without class feelings. Members of the Trades Hall Council might have worshipped at the same altar as the leaders of middle-class liberalism, singing in unison the Hymn to Protection (words by David Syme), but they were quite aware that they sat in different pews. Particularly was this true in the nineties, when depressed conditions emphasised class barriers: it was now scarcely possible for the successful artisan to transform himself into an employer.

Nor must it be forgotten that the depression struck an almost fatal blow to trade unionism in the nineties. By the middle of the decade

it was difficult for any labour council in eastern Australia to consider itself in any meaningful way 'representative' of the working class. And if in the early nineties the Trades Hall leaders had shown a callous indifference to the unemployed, there was evidence that a large section of the working class was, as yet, not interested in trade unionism. While the exclusiveness of some craft unions created a barrier, apathy among the workers itself contributed to the unionists' sense of being the 'elect'. It was the free labourers who had helped break the unions in the big strikes. And in the late nineties middle-class well wishers were lamenting the lack of *esprit de corps* among the workers. Observing that some employees were accepting less than the minimum wage, Ord regretted that 'the men are not true to themselves'. He urged the workers to combine for their mutual benefit. So did leaders of the Anti-Sweating League.<sup>66</sup>

To return to Gollan's argument: the T.H.C.'s lack of interest in socialist remedies and its commitment to protection are not in themselves directly relevant to the lack of a politically organised working class in the Victoria of the nineties. Socialist policies are not a necessary feature of a working-class party; and when an organised labor party did emerge in Victoria it was just as heavily committed to protection. There were a number of reasons why class attitudes were not translated into a class-based organisation. The intensity of the depression in Victoria not only debilitated the union movement, but brought with it a legacy of stupefying apathy. Added to this was the gap between the metropolitan unionism of the T.H.C. and the country unionism of the A.M.A. and the A.W.U., a gap which in the nineties left the infant labor party without an effective country base. But beyond these two factors was the inherited nature of Victorian politics. The oscillation between a liberal/conservative dichotomy and coalition style politics acted in two ways. When the movement was towards a re-establishment of old party lines the labor members had to cope with the historic magnetism of the liberal party. But when the movement was in the other direction - to the consensus politics of Turner - the labor members found themselves just one interest group among many. The ambiguity of Victorian politics in the nineties made the emergence of an organised 'third' party especially difficult - were there two recognisable parties as a basis for differentiation?

Nevertheless times were changing. The 1897 elections had given the

labor party a preview of its future isolation; and there were indications that Trenwith and the trade union movement were beginning to part company. His leadership had come under fire in 1897, and although at this time the T.H.C. had reaffirmed its faith in him, his election on the *Age* ticket to the Federal Convention served to isolate him. Although the T.H.C. did not pursue a vigorous anti-federal policy – that was left to the redoubtable Higgins – they did not share Trenwith's enthusiasm for the bill, and unanimously voted it unacceptable, believing it to be 'undemocratic in character'.<sup>67</sup> Then in 1899, on McLean's censure motion, the parliamentary party for the first time formally voted on a caucus basis. These were all signs of the changing mood.

By far the most important factor was an awareness that the Factory Act could prove a boost for trade unionism. During 1898 and 1899 there was a progressive realisation that the prospect of bringing new trades under the Act could be a powerful incentive for dead unions to rise from the grave, and for new unions to be created. The Anti-Sweating League was there to help the process; but by 1900 the Trades Hall Council had at last achieved a momentum of its own. As the century closed it seemed as if the clouds were parting. Glimpsing a patch of blue sky for the first time in a decade, the trade union leaders found some of their optimism and self-confidence restored.

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## 5 New South Wales: Reid and Party Politics

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They have never attempted to place upon me a pressure which would make it dishonourable for me to accept their support . . .

Reid, speaking of the labor party,  
*Daily Telegraph*, 25 August 1899.

We have never been offensive to the men whom we dominated. We never let them know we did it.

Labor member J.R. Dacey, *N.S.W.P.D.*,  
vol. 1 (N.S.), p. 163.

### **The Rise of Reid**

'Now I am going to give you real Democratic politics': such was the playful boast of George Houstoun Reid to a protectionist opponent after he was elected leader of the free-traders.<sup>1</sup> And Reid was as good as his word. New South Wales had but recently emerged from something like forty years of politics dominated by faction. The political system was in a state of transition, and it was Reid's genius to make the most of this. Those two aged knights, Parkes and Dibbs, made desultory attempts at 'democratic' politics; but their hearts were not in it, and they were politically ill equipped for the task. Reid was different, and his political separation from the old order, as represented by Parkes and Dibbs, was a valuable and possibly necessary asset. On his election as leader in 1891 he entered the fray, obviously relishing not only the prospect of power, but also the tempting possibility of adapting fiscal politics to the new requirements of democracy. In terms of legislation there can be little doubt that the most important single measure of this period was the Arbitration Act passed in 1901. This was the work of Reid's opponents, Lyne and Wise; yet it represented the culmination of a program which Reid had inaugurated in 1894. For it was Reid who in a positive and creative manner set the tone and style of New South Wales politics in the nineties - just as Turner, in his negative and faceless way, did for Victoria.

After the grandiloquent posturing of Parkes – whose physical appearance, Reeves thought, suggested Danton masquerading as Father Christmas – Reid was something like comic relief. With his short legs and tubby figure, the walrus-like face complete with moustache and the high-pitched, almost squeaky voice, it was difficult – at least at first – to take him seriously. He revelled, of course, in the cut and thrust of both parliamentary debate and public meetings, and the stories of his wit and resourcefulness are legion; there was always about him the suggestion of, if not the clown, at least the entertainer. It is easy to picture him cheerfully shrugging off a direct hit from a flour bag with the remark, ‘Who says I don’t stand for a White Australia?’ When he strove for dignity he was defeated by his own inescapable absurdity – witness the photographs in his own book. To cap his physical qualities there was his immense capacity for sleep: whenever he relaxed for a moment, it seemed, he was likely to drop off. Once, at a Diamond Jubilee dinner in England, he asked the Archbishop of Canterbury to be good enough to keep him awake. The general sense of caricature about Reid, and the way he played along with it, led many to underestimate his ability; though not Beatrice Webb who, in 1898, made a most discerning assessment of the then premier. She found Reid ‘distinctly picturesque’, and while observing that he ate inordinately, noted with approval his moderation in alcohol. Art, music, science, philosophy were all closed books to him (no doubt they put him to sleep), but as well as humour and bonhomie he possessed cunning and pugnacity; moreover he was large-tempered and without malice, spite or spirit of revenge.<sup>2</sup>

Reid, of course, did not share the intellectual interests of liberals such as Deakin, Wise or Higgins. It is worthwhile noting that although his background was solidly middle-class he was not a university man; indeed he had taken a leisurely fourteen years to qualify for admission to the Bar while working in the Treasury and Crown Law offices. The Deakins and Wises could have forgiven the fact that Reid was not a high-brow – they forgave many others – but what offended them was the way the man positively flaunted, and indeed, traded on, the lowness of his brow. ‘Even at the theatre’, Deakin noted with distaste, ‘his preferences were those of the crowd.’<sup>3</sup> He was vulgar; he was not in their sense a gentleman. It was not that he lacked political convictions, but he thrived on party politics and did not bother to disguise his

enjoyment of the battle in a way that Deakin and Wise could only shake their intellectual heads at. When Reid sought alliances with the labor party they accused him of scheming and intriguing; when they did so themselves they protested they were only seeking to unite the forces of progress.

Reid's career as a leader of the free-trade party hardly began on an auspicious note. After choosing to leave office in 1891, Parkes temporarily removed himself from the political scene, remarking loftily that he did not intend to take up the duties of leadership. But he was not amused when a meeting of free-traders proceeded to put Reid in his place. It is not clear how many members attended this meeting. A press report said about forty, but the number was later put at only thirty. Reid, whose nomination was moved by Wise, was the only candidate, but he was elected in a somewhat half-hearted manner. It was said that only fourteen hands were actually raised in his favour. The episode is illuminating: the conflicting reports concerning attendance at the meeting indicate the still limited meaning of party in the early nineties; at the same time the pointed lack of enthusiasm for Reid hardly suggests that he was regarded as the coming saviour of free trade.<sup>4</sup>

Reid's basic formula for 'real Democratic politics' was simple but not, of course, original. Taking his cue from Henry George, Reid decided to link the fortunes of free trade with the introduction of direct taxation. For Reid free trade was fundamental. In 1875, at the outset of his career, he had published *Five Essays on Free Trade*, addressed to the erring citizens of Victoria; it had earned him honorary membership of the Cobden Club. Throughout his career there was never any question of his succumbing, as did Dibbs and Barton, to the political temptations of protection. Reid now undertook not only to repeal the mildly protective tariff introduced by Dibbs, but progressively to reduce all duties in the direction of true free trade. The revenue lost would be made up by land and income taxation. Given the fiscal politics of the day it was an adroit policy. The prospect of reduced duties was enticing not only to free-trade ideologues, but of course to the commercial community as well. At the same time the policy of direct taxation would provide the opportunity for a popular campaign for mass urban support. The logic was neat. Should not those who called themselves free-traders advocate free trade? And how was genuine free trade possible without direct taxation?

From Reid's point of view this strategy was a well calculated risk. Electoral success was necessary for him; without it he could not hope to maintain and consolidate his leadership. If he could keep the free-trade party intact, and at the same time make a successful bid for the lower middle-class and at least some of the working-class vote his critics would be disarmed. But this was no simple feat. To begin with there was Sir Henry Parkes glowering in the background; even after the 1894 elections Wise could still call him 'the natural leader' of the liberal (i.e. free-trade) party. Parkes was an old man, and his influence was waning fast, but he still commanded respect in free-trade circles, and, with his Loyal Orange connection, retained an electoral following. Although elected to the Free Trade Council, which was set up to supervise the election campaign, Parkes refused to have any part of it. At the same time the commercial establishment of Sydney was showing signs of disquiet. The National Association, in waging a campaign against the labor party, imitated its enemy by advocating the sinking of the fiscal issue. Dibbs, who had completely lost the faint whiff of swashbuckling republicanism once associated with his name, was now looked on quite favourably by the commercial-pastoral community.<sup>5</sup>

Yet Reid enjoyed some distinct advantages. His bid for the urban radical vote was aided by the split in the labor party over the pledge. At the same time he was able to make electoral use of the National Association's sudden enthusiasm for Dibbs. 'I have lost all my big friends now', Reid boasted to a cheering audience. 'I was a very popular man with the wealthy classes until I began to talk about a land tax and an income tax.' But in fact he hadn't lost all his 'big friends'. Although the National Association was unhappy about fiscal politics it was not, at this stage, campaigning against him directly. Moreover a section of the commercial establishment had decided that a small dose of direct taxation was not too high a price to pay for a free-trade government and a free-trade tariff. McMillan (well remembered for his advocacy of firmness during the 1890 strike) was the exemplar of this attitude. Then there was the *Daily Telegraph* to rally supporters to the fiscal flag: 'There can be no peace between free trade and protection, and whoever talks of it talks treachery.' Furthermore, Parkes's aloofness from Reid's campaign was in some respects an advantage. Parkes was the historic foe of the Catholic community, and his withdrawal made the task of winning Catholic voters from their assumed attachment to

protection much easier. The *Telegraph's* special election issue contained an interview with Cardinal Moran in which he said that 'the Catholic Church had always been proud to be the Church of the poor'. His Eminence made it clear that there were Catholics in both fiscal parties.<sup>6</sup>

The election was a victory for Reid in so far as the Dibbs government appeared to have been defeated, though Dibbs chose to resign only when the governor declined his advice concerning new appointments to the Legislative Council. Reid thus gained the premiership; but his position was by no means secure. Wise offered Reid support, but declined, for personal reasons he said, to serve in his ministry. So did McMillan. Nor did the labor party view Reid with much enthusiasm. 'I look forward to it [parliament] doing much useful work for reform,' said J.C. Watson,\* 'although for such work Mr. G.H. Reid is personally as objectionable as Sir George Dibbs.'<sup>7</sup>

The commercial-pastoral establishment did not seem unduly concerned about the election result. Indeed, there was a general feeling that the new house was, as the secretary of the National Association put it, 'undoubtedly superior to its predecessor'. It was the reduced labor representation that they had in mind. As pastoralist P.G. King put it: 'Many of us are delighted at the turn the elections have taken - I do not care two straws about Free-trade or Protection - but I believe in good strong men and as little of the Labor element as possible.'<sup>8</sup> Although men like King had been suspicious of Reid and his policies they were not particularly worried about the prospect of his taking office, and obviously had no inkling of the kind of political disturbance that was in store.

For within a year the colony was in the throes of a bitter party struggle out of which Reid emerged in full control of the parliamentary situation. The labor party, suspicious of Reid in 1894, was by the following year his firm and reliable ally. His free-trade critics were dispersed, and the protectionist opposition in a state of disarray. How Reid achieved this transformation is worth some attention, because his success set the pattern of New South Wales politics for the rest of the decade.

\* Watson, one of the founding fathers of the labor party organisation in New South Wales, was elected to the Assembly in 1894. He was destined, of course, to head the first federal labor government in 1904.

### **Reid's Program: Style and Content**

Reid's first gesture to labour was the inclusion of Joseph Cook in his cabinet. Cook had been leader of the parliamentary labor party, but had refused to accept the pledge of solidarity required by the Labor Electoral League conference. His translation to the cabinet assured Reid of the goodwill of at least some of the independent labor members. Nor should it be assumed that the solidarity members were displeased at Cook's appointment. It did, of course, vindicate their support of the solidarity principle, and from this point of view it marked the final parting of the ways for Cook and the labor party. Even so, Cook's inclusion in the ministry was an indication that Reid wanted to give his cabinet a labour tinge. For some years they continued to regard Cook as being sympathetic to the cause of labour, and even in 1904 the *Worker* thought that he was a possibility for the first federal labor cabinet.<sup>9</sup> Jacob Garrard was another minister with a working-class background who was regarded as being friendly to the unions; he was to prove sympathetic to the labour movement's interest in compulsory arbitration. With the appointment of Cook and Garrard, Reid could claim to have a cabinet at least a little more socially representative than Turner's in Victoria.

On the other wing were J.N. Brunner and A.J. Gould, plus the two representatives of the Legislative Council; but even here the situation was not one of unrelieved gloom, for in March 1895 Dr Garran (who had presided over the Councils of Conciliation and Arbitration) joined the cabinet. In the middle were men such as Carruthers and Sydney Smith, who were at least sympathetic to labour on some issues; and presiding over the whole structure was Reid himself. It was a cabinet that contained no rivals for him, and he was able to dominate it effectively.

His real rivals were outside the cabinet. In spite of his early assurances of support, Wise was soon busying himself, first with political organisation, and then with preliminary attacks on the government. In September he formed the Free Trade, Land and Reform League, and got twenty-seven free-traders to join it. The name reflected its platform, providing for the abolition of all duties except on narcotics and stimulants, a land tax and constitutional reform. Its formation so soon after Reid's re-election as leader and assumption of office is a commentary on the looseness of party at this time.<sup>10</sup> Wise saw the League as a

permanent electoral organisation, and hoped that it would attract some trade union support. In both respects he was disappointed.<sup>11</sup> The League was not posing as a threat to Reid, but it was clear that in Wise's hands it could become one.

Reid, not to be hurried, delayed his direct tax legislation. As he explained in February 1895:

I know how wrong it would be for any man who assumes to expound a permanent policy of taxation to begin with his taxation before he has set his house in order, before he has examined into all the methods of our expenditure before he can so remodel the estimates that he can put before the people an estimate of expenditure which every rational business man can admit to be fair, moderate, and judicious. It is only on that basis that you can win the battle of direct taxation.<sup>12</sup>

It all sounds eminently sensible, and Reid's invocation of the 'rational business man' indicates that he was still seeking as wide a basis of support for his policy as possible. But it was also a matter of tactics. Reid did not want his government to enter the fray without some sort of record behind it. To pursue means of retrenchment a royal commission to inquire into the civil service was appointed and required to report within three months. Among other things the commission recommended salary reductions in various departments and abolition of promotion by seniority, and in general concluded that the service could be conducted with a smaller staff. It noted the popular assumption that the civil service was overmanned and overpaid, and for Reid action on this front was necessary to disarm those who opposed the introduction of direct taxation before a policy of retrenchment had been instituted.<sup>13</sup>

But Reid's most important achievement in preparing the way was the Crown Lands Act, which was eventually passed after a conference between houses. ('There was not an angry word,' said Attorney-General J.H. Want of this conference, adding proudly that 'there were men there from all classes'.) Coghlan records that this Act 'was very favourably received by all parties interested in land matters, as a thoughtful contribution to the settlement of many vexed questions'. The provision made for homestead leases gave some satisfaction to the land reformers, but at the same time existing landed interests were looked after. As Reid himself put it 'perhaps the most important change was the division

of pastoral leases into two halves, one of which was to be open to the free selector, whilst the pastoral lessee got a long term for the other half'. It was a clever compromise, and a necessary one for Reid. As we have already seen, the protectionist party in New South Wales was predominantly a country movement, with a strong anti-city tendency. In the 1894 election not one city protectionist member was elected. Although the free-trade party was not without country support (particularly in coastal districts, such as the Illawarra, central coast and Hunter Valley) Reid was very sensitive to the 'city interests' stigma which protectionists tried to affix to his party. As one of the main country arguments against the land tax was that it was sponsored by 'city interests', it was essential for Reid to establish his credit in the country. The pairing of the land tax with an income tax was necessary in this respect, and even with the land tax itself we shall see how Reid was careful to placate the farmers. But he could point to the Crown Lands Act as positive proof of his political goodwill.<sup>14</sup>

Not all were happy with Reid's tactics. Wise criticised the delay in attacking the land tax issue, and labor members were still suspicious of Reid and his intentions.<sup>15</sup> The labor members were, like Wise, land taxers in the full theoretical sense: they believed a land tax was intrinsically just, and therefore opposed any provision for exemptions. On this aspect they found themselves in curious alliance with the conservatives, for the big landowners were determined that if there were to be a land tax no one should be exempt, it standing to reason that the wider the tax was spread, the lower it would be. Reid, on the other hand, deliberately avoided any theoretical basis for the tax. The unearned increment theory was, as he put it, 'a perfectly sound theory to a moderate extent', but he preferred to see the land tax simply as a payment for services rendered by the state. And although Reid justified the new taxes in general terms of economic justice, the exemptions were virtually admitted to be plain practical politics.<sup>16</sup>

As it happened, the crucial test in the Assembly came not on the exemptions issue, but on an allied theoretical aspect. Wise moved an amendment that amounts paid, or contracted to be paid, to the state for the purchase of land should be deducted in assessing the unimproved value. For Wise and other land taxers this was a matter of theoretical purity - the state should not charge men twice, first in purchase money, then in tax. The labor members at first agreed to support

this amendment, but Reid persuaded them to change their minds. There were good arguments on his side. Why should the man who purchased from the state be favoured over the man who purchased from a private owner? And as Reid pointed out, such a provision would not only favour many large landholders but would also act as an inducement against subdivision. No doubt labor members grew dubious when they saw so many conservatives either speaking or voting for Wise's proposal. The amendment was safely defeated. The labor members were now won over, and although still maintaining their theoretical opposition to exemptions, they stayed close to Reid throughout the various attempts to resolve that issue. This was finally done when the protectionists abandoned their opposition and helped Reid settle on a £475 exemption level.<sup>17</sup>

When the labor members chose to accept Reid's guidance in this matter they made a crucial decision which effectively ended Wise's chances of upsetting the government. Wise now made things worse by his involvement in Parkes's unsuccessful censure motion, which followed in May. He was no doubt influenced by his long-standing affection for the old statesman, but the bitter attack he now proceeded to make on Reid damaged only himself; indeed, it can be said that Wise's career never completely recovered from this episode. How could he, as a self-respecting radical, imagine that there was any hope for radicalism in an alliance between Parkes and Dibbs? The only answer that Wise could suggest was that land taxation was now beyond the control of any particular party.<sup>18</sup> It has been said that Wise's formal defection from the ranks of government supporters actually served to strengthen Reid's position, for it demonstrated to free-trade radicals that 'blind adherence to a principle' could end in leading the individual dissenter into the conservative camp.<sup>19</sup> The moral, however, was just as strong for labor members: it was surely better to put their trust in a political animal such as Reid, than be tempted by the machinations of an academic radical like Wise.

Reid sealed his reputation with the labor party by the tactics he now pursued when the Council rejected the land tax proposals. He sought and obtained a dissolution, and fought the election not only on the issue of direct taxation, but also reform of the upper house. At long last it seemed that a government was making an attack on the entrenched interests represented by the Legislative Council. Reid had

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effectively dramatised the political division. On one side was the government, supported by the vast majority of the free-trade party and the labor party: on the other side, the protectionist opposition led by Dibbs in a loose alliance with Parkes and the free-trade remnant. The labor party was enthusiastic. The *Worker*, which only two months earlier had still been criticising the Reid government for vacillation and timidity, now declared: 'For the first time we have a Premier who has shown himself favourable to progressive legislation, and who has given evidence of his *bona fides* by cutting himself adrift from the old high and dry political parties of the Parkes and Dibbs type.' Nevertheless, although Reid suggested, with the Free Trade Council's agreement, that labor members should not be opposed, the labor party, still afraid of losing its political independence, did not reciprocate. Parkes's decision to oppose Reid in his own electorate added a special bitterness to the campaign. The old man unleashed his wrath on the premier, saying that 'if he had toiled as much as I - if he had gone through what I have gone through - it would be impossible for his small brain to be accompanied by such a huge belly.' Reid replied with his customary humour: 'Sir Henry had camped for so many years on the same spot that he thought that the world was coming to an end when the roof of the caravan was moved away from him.' The electors preferred the genial, popular politics of Reid to the malevolent conservatism of Parkes, whose long and extraordinary political career thus came to an end. Parkes was not the only casualty. Dibbs lost his country seat of Tamworth, and Wise and the other renegades were also thrown out. It was a tremendous personal victory for Reid, and a tribute to his political judgment.<sup>20</sup>

The situation had certainly changed since 1894. Realising that Reid was serious about direct taxation, conservative landed and commercial interests had taken alarm. The National Association, which in 1894 had concentrated on promoting the election of 'sound' men, this time did its utmost to defeat both the government and the land tax. And yet the polarisation was not as complete as Reid's conduct of the campaign might suggest. Reid carried his cabinet with him and, with men such as Brunner and Want, it was hardly without its conservative element. The *Sydney Morning Herald*, reporting the meeting at which Reid outlined his election plans, carefully pointed out that it was attended by 'citizens of all classes' including 'men who spoke as members of the propertied classes'. Reid still had considerable support in those



Cartoon 4

DISHING PARKES

(*Bulletin*, 15 September 1894)

Hop's view of the struggle between Reid and Parkes.

commercial circles not closely connected with pastoral interests; indeed the Chamber of Commerce itself was by no means hostile to the government.<sup>21</sup> And when we consider the substance of the campaign it can be seen that Reid's proposals were not so very radical. The land tax in dispute was a mere 1d. in the pound, and the point at issue was the exemptions clause, on which Reid's position did not conform with radical orthodoxy. As for reform of the Legislative Council, Reid's proposals were mild in the extreme, the most significant being the replacement of life appointments with a five year tenure.

In Reid's 1895 campaign style was as important as content. The game was party politics: his aim was to revitalise and refurbish the free-trade party and to dish the protectionists. Reid could not hope for a better situation than to be able to force the Legislative Council, Parkes, Dibbs and Wise into an unholy alliance, which he could then fight on his own terms. He could pillory the Council, mock the old guard politicians such as Parkes and Dibbs, and cast Wise as Judas to his own Messiah: it was a perfect formula for playing to the crowd, with the labor party as cheer leader. Of course to the old men of the Council Reid was simply playing on the greed and envy of the mob. The direct taxation legislation was 'a selfish measure sent here by the mandate of the people'; Reid was 'one of the most dangerous and most mischievous men who ever had charge of the Government of the country'. Even among his own followers there were some who feared that their leader was attempting to enforce a party cohesion similar to that of the labor party.<sup>22</sup> On the other hand, the labor party welcomed Reid's approach, for apart from offering immediate legislative gains it meant a healthy accentuation of party lines; healthy, because it minimised the possibility of a coalition between free-traders and protectionists along Parkes-Dibbs lines. However much the labor party might have wanted, from its own point of view, the fiscal issue defused (as, for example, by the manifestly absurd suggestion of a referendum)<sup>23</sup> the maintenance of clear party lines was necessary for the successful operation of the labor party as a third force.

Reid's contribution to this atmosphere of intense party feeling is of fundamental importance. It does much to explain his unpopularity among the conservatives of the Council and the National Association. Apart from the immediate issue at stake, they objected to the use Reid was making of them to further his own political ends. By the same token

it suggests the source of much of his popularity with the labor members. Reid was not selling them a hi-falutin' brand of politics as practised by gentlemen; he was offering a dedicated but highly enjoyable game of party warfare in which they were invited to join – on his side of course. They accepted the invitation enthusiastically, because it seemed that Reid had made a clean break with the past. Parkes and Dibbs, and the old order they symbolised, were now consigned to history.

Having established the significance of Reid's style of politics, it is easier to understand the limitations to his actual legislative aims and achievements. In the years that followed the labor party frequently had cause for dissatisfaction, yet they never threatened to stray far from the fold. Even in 1899, when Reid was offering the labor members less and less, it was touch and go whether they would throw him over. In terms of the reputation it built him, the 1895 campaign was a valuable investment.

Once the electoral battle was over Reid's attitude to the Council moderated. But the Council, although a little chastened, was not in the mood for surrender. Dr H.N. MacLaurin, whose word (like Sargood's in Victoria) carried much weight in the upper house, admitted that the public had given a mandate for 'some system of direct taxation', but he was 'perfectly certain that there is no mandate for this bill, and for the simple reason, amongst others, that the country does not understand the bill'. Hard-liners such as H.C. Dangar were even more forthright: 'I, for one,' he declared, 'do not intend to be ordered by Mr. Reid, or any so-called mandate, which I do not believe in.' A free conference between houses was necessary to resolve the matter. After a week of deliberations a compromise was negotiated: the land tax exemption was reduced from £475 to £240, and the income tax exemption from £300 (a figure which had seemed suspiciously close to that of members' salaries) to £200. It seems that in reaching this agreement some of the Council's managers had been influenced by the fear of their house being swamped by new appointees.\* This was a strong weapon in the premier's

\* Not all councillors were happy with the compromise. Coalmine proprietor Alexander Brown was one of the managers who objected; he would have preferred the Council 'to die princes than to live to be slaves'. However, as MacLaurin pointed out, the terms conceded by the Assembly were remarkably favourable, considering that the Council was a nominee chamber. (*N.S.W.P.D.*, vol. 81, pp. 2881, 2883-4.)

armoury, and he certainly used it to the extent that he did not deny its existence; but he made no actual threat along these lines. 'I did not wish to push our victory to such an extreme', was his later recollection in tranquillity. Why not? With a score or so of new councillors of a more liberal persuasion Reid would have had a much better chance of enacting the rest of his program intact. In the situation he had engineered it seems unlikely that the lieutenant governor would have been constitutionally able to refuse his advice on any new appointments. But as his remark suggests, Reid did not want to take punitive action against the Council. So long as the Council allowed him a reasonable instalment of direct taxation, he would prefer to retain it both as a balance to the labor party and as an Aunt Sally for his own political use. Thus it was that Reid now lost interest in concrete plans for reforming the Legislative Council. One cannot help suspecting that this might have been part of the understanding with the Council managers. Reid's excuse was that constitutional reform could be achieved by free-traders and protectionists together once the issues that divided them had been settled.<sup>24</sup>

Apart from direct taxation – which had a special importance for Reid as well as for the labor party – what did the labor party get in return for its support? Summing up in 1899 McGowen praised the retiring government for its administration rather than its legislation. In particular he had in mind the introduction of the day labour system. The government had also provided for a minimum wage in government contracts; and, although in practice the labor members had numerous criticisms to offer, the principle had been established.<sup>25</sup> Undoubtedly these moves were aimed at placating labor members. It is worth noting that some radical free-traders were highly critical of the idea of a minimum wage in government contracts, on the conventional ground that the inexorable law of supply and demand was being meddled with.<sup>26</sup> The role of the government as the setter of industrial standards was one the labor members in New South Wales (as in Victoria) were quick to grasp; it was to prove even more important – and controversial – when the Lyne government took over.

The Coal Mines Regulation Act of 1896 could also be claimed as a fruit of the alliance. In one of his characteristic vignettes Hughes describes a speech in the Assembly by honest Alf Edden, himself a coalminer. Edden, who had 'a natural eloquence that on occasions swept

men away in floods of emotion', gave a graphic account of the life of a coalminer. 'Towards the end of his speech Sir George Reid beckoned me,' writes Hughes, 'and when I came to his side he said, after wiping his eyes, "Tell him, Hughes, that he can have anything he wants." He wanted many things - and all he asked for he got.' No doubt Edden's speech did have an impact on the Assembly, and one need not discount Reid's emotional reaction. But of course Edden did not get all he wanted - there was the Legislative Council to take into account. Nor should it be forgotten that ever since the terrible mining fatalities of the late eighties attempts had been made to pass such an Act. Parkes had gone out of office in 1891 when he disowned an eight hours clause inserted in such a bill, and the Dibbs government attempted to put through a similar bill. When Reid took office in 1894 it was one of the first measures introduced into the Assembly. It went through with little trouble, and an eight hours clause was carried by a large majority.<sup>27</sup>

In the Legislative Council, however, the interests of coalmine owners received ample defence. Successfully opposing an eight hour day for youths between the ages of fourteen and eighteen, one councillor observed that for boys in the mines it was 'more play than work'. Council and Assembly were still at loggerheads over the bill when the 1895 election intervened. But Reid did not use his victory at the polls in any immediate attempt to force the Council to accept the measure. Instead he referred it to a royal commission of three: F.E. Rogers, Q.C., who presided, Jesse Gregson, representing the proprietors, and James Curley, representing the miners. There seemed little need for such a commission unless its report could persuade the Council to adopt a more liberal view. Gregson himself saw no point in the commission calling witnesses, remarking that 'the matter has been under consideration for five or six years'. Although on most contentious issues (such as the eight hours clause) Rogers and Gregson sided together to defeat Curley, the unanimous recommendations on other points did appear to signify an advance. As finally passed in 1896 the main achievement of the Act, from the miners' point of view, was the new system for weighing coal. Generally speaking, however, the Act was a very modest effort. As we have seen, in origin it dated back to the late eighties; in its provisions it went little further than the English one, which was followed closely by the royal commission in its recommendations.<sup>28</sup>

The Factories and Shops Act also reached the statute book in 1896.

This too was very much a carbon copy of English legislation. There was little support for Watson outside the labor party when he tried to import into the bill some of the provisions of the Victorian legislation which had just been passed. This lack of interest is partly explained by the fact that the Victorian Act had not, as yet, borne any fruits; it is also relevant, however, that New South Wales boasted nothing comparable to the Victorian anti-sweating movement. Watson, commenting on 'the total inadequateness of the bill', bitterly attacked the lack of real humanitarian concern. When T. Waddell suggested that 'in his calmer moments' Watson would 'give every hon. member credit for having equally good motives', Watson angrily replied, 'I will not!' For one usually so equable it was a remarkable outburst, and it symbolised the frustration of many labor members with an alliance in which their influence often seemed illusory. Having been despatched from the Assembly with a salute to orthodoxy from the minister, Garrard ('the fundamental principle of all factory legislation - the protection of women and children') the bill was rendered even more innocuous by the Council. The Assembly offered little resistance to the Council's amendments, and the result was an Act even weaker than the English original.<sup>29</sup>

There were other measures passed which the labor party considered of value. For example, the Electoral Law Amendment Act reduced from three months to one the period of residence required to qualify for an elector's right, which helped enfranchise a number of migratory workers. The Coloured Races Restriction Act was naturally welcome to the devotees of White Australia. The restrictions earlier placed on the entry of Chinese were now extended to all coloured races, including British subjects.

But also to be taken into account are those issues the Reid government did not persist with. Mention has been made of the proposed reform of the upper house. When the bill reached the Council in 1895 it was refused a second reading. Reid's only further action was a bill the following year designed to facilitate a referendum on any measure approved by the Assembly and rejected in two consecutive sessions by the Council. The Council excused itself from considering this bill on the ground that it should not have originated in the Assembly; and that was the end of that. Reference has already been made in another chapter to Reid's 1895 Conciliation Bill. Garran was the only councillor to

support this very mild measure; even Attorney-General Want failed to vote or speak for it. Sir Julian Salomons was surely right when he told the Council: 'Is not this a measure which has been passed in the Assembly with the knowledge that it cannot come into law, it being left to this Chamber to bear the opprobrium incurred by refusing to pass it?'<sup>30</sup> And, as we shall see, the Act that Reid did finally pass in 1899 proved ineffectual.

In all it may be said that Reid's legislative record, so far as the labor party was concerned, was not so very impressive.\* New South Wales happened to be particularly backward in social legislation, and much of Reid's program only brought the colony up to date with the mother country. There were gains for the labor party in the administrative field which we have noted, but in legislation, once Reid had made his niche with direct taxation (and the reduction of customs duties) he was not anxious to pursue an aggressive policy. 'When the hon. member has the responsibilities of Government', he lectured the impertinent young Hughes, 'he will find that it is not possible every day, and on all questions, to create a political convulsion.' True enough, but already some labor members suspected that Reid had given up 'political convulsions' for good.<sup>31</sup>

There is another side to the coin, however. What exactly did the labor party want from Reid? The answer is that in the larger sense the labor members were none too sure. Nor was this a problem which could be solved by ready reference to the platform, for the platform was a tissue of clichés, not an oracle: it could not tell the labor members what was feasible in the conditions of the nineties, nor could it advise them what would be politically advantageous to the party. Most of the specific things they asked for derived from the trade union tradition, and were exceedingly limited in scope. In any bill regulating industrial conditions an attempt was usually made to insert an eight hour clause. We have noticed the dispute over such a clause in the Coal Mines Regulation Bill; the labor party endeavoured to place a similar clause in the Factories and Shops Bill. In March 1895 protectionist W.F. Schey actually introduced a separate eight hours bill, which was earnestly

\* It must not be forgotten that Reid boasted some achievements to which I have scarcely referred, for example, reform of government finances and the reorganisation of the public service — but these were not material to his relationship with the labor party.

supported by the labor members. True to trade union tradition it covered only manual workers; Schey justified this on the ground that an attempt to deal with 'the clerical class' would involve too many difficulties.<sup>32</sup> Public works for the unemployed, a minimum wage in government contracts and the day labour system all fall into the same category.

In such short-term policies the labor party could see immediate and tangible benefits for trade unionists, and manual workers generally. But they had no conceptual framework which could give these specific policies a unified meaning. It was becoming increasingly clear in the nineties that what the labor party needed was a middle-term policy – something that lay between the distant chimera of Bellamy socialism and the material immediacy of an eight hours clause. Even if the labor members had been dedicated socialists, the political conditions of the nineties in New South Wales would not have favoured the promulgation of more Utopian policies. Much of Reid's industrial legislation represented the achievement of a fairly elementary level of state regulation. It was a necessary clearing away of the immediate obstacles to progress. At the same time the years with Reid provided not only a political education for the young labor members – and most of them were decidedly young\* – but also time in which the labor party could consider its options on future policies.

There was one large and important factor that helps explain Reid's powers of political endurance – federation. Federalism is a complex issue which tends to cut across other political and economic questions in quite an arbitrary way. For the years 1897–9, in New South Wales even more than Victoria, it occupied the political arena to the exclusion of most other matters. For many political men, like Barton, it was *the* issue of the age. While it is not within the scope of this study to analyse the federal controversy in New South Wales, it is necessary to take note of its influence on social and political divisions. Reid's relationship to the federal movement was ambiguous and must remain a subject for debate among historians. In a quite remarkable way he became the

\* Even in 1901, when most labor members had had some parliamentary experience, the average age of labor members was 40.6, compared with 47.35 for liberals (free-traders) and 51.1 for progressives (protectionists). (V.M. Jansen, 'The Social Background of Members of the N.S.W. Legislative Assembly 1901–1959', p. 48.)

axis of the federal controversy in New South Wales. Placed by events in the thick of things, Reid tried to make the best of a difficult situation. The revival of federal interest from 1893 indicated that here was a political pie for his finger. As premier of the mother colony he was naturally placed in a prominent position in the convention of 1897-8; and there can be little doubt that the future premiership of Australia was of more than passing interest to him - others certainly assumed so. His personal role in the federal deliberations was made more piquant by the secret brief he held for Chamberlain and the Colonial Office.<sup>33</sup>

Reid's problem was to reconcile his role as one of the expectant fathers of federation with the realities of New South Wales politics. Although opposition to federation was dispersed among all parties, two of its strongest sources were among his own supporters. On his left, many in the labor party saw in federation a capitalist plot. 'The capitalist class favour Federation and patronize Federation', said the *Worker*. 'That alone is sufficient to make the working class suspicious of the genuineness of the movement.' To some commercial interests, however, the plot was provincial in nature and Victorian in origin. Even supporters of the bill had to admit that Melbourne stood to gain more from intercolonial free trade than Sydney; opponents assumed that Sydney would actually lose by the deal.<sup>34</sup> To Reid both these sources of opposition were important. Labor suspicions tended to be voiced in criticisms of the democratic shortcomings of the proposed constitution, and Reid, whose opposition to the 1891 bill paved the way for his reputation as a hero of democracy, could not afford to ignore them. On the other hand, the cause of free trade had always been basic to Reid's politics, and although he had offended conservative free-traders, he could not shut his eyes to the economic objections they offered.

Reid had never been *persona grata* with that inner circle of ardent federalists led by Barton and Deakin. But federalists and anti-billites seemed to agree that Reid's support was necessary for the success of their respective causes. To the distress of both sides the premier remained determinedly ambiguous. It was, of course, in his own party interest to keep on reasonably good terms with the anti-billites, for the curious picture of the labour movement in alliance with large commercial interests was a distorted reflection of his own political majority. The final expression of Reid's dilemma was the 'yes-no'

policy; announcing his intention of voting 'yes', Reid proceeded in effect to campaign against the bill.<sup>35</sup>

After the first referendum failed to give the required majority for the bill, the federal issue remained to dominate the 1898 elections. As the choice was between Reid and Barton, the labor party had no hesitation in staying close to the government. However there were signs that Reid was more anxious to strengthen his ties with traditional free-traders than to retain the affections of labour. No doubt the poor showing of the labor ticket at the 1897 election of federal convention delegates contributed to this changing mood. In any case, he knew that until federation was settled the labor party had little choice but support him. He was still trading on his reputation of 1895, boasting, as H.C. Dangar complained, that he had made the millionaires 'collar the swag'; but on the question of upper house reform Reid made it clear that he did not intend to rock the boat.<sup>36</sup>

The government lost ground in the elections, and the labor party was reported to be 'jubilant' that it had returned the same number of members as before. In one sense Reid was utterly dependent on the labor members now, and he continued to make some efforts to placate them. But his priorities in 1898-9 were not what they had been in 1894-5, and Reid had no intention of engineering a second crisis. The first had restored the position of free trade in New South Wales; but another might have destroyed the *ad hoc* unity of the party.

It is relevant here to say a few words about the commercial-pastoral establishment which Reid had offended in 1895. The role of this establishment in the creation of the National Association has already been described. When Reid carried the day with direct taxation, the National Association and the interests it represented did not give up the fight. The Association sought to unite the conservatives of both fiscal parties in support of a revenue tariff and the repeal of direct taxation, an attempt that represented a primitive (and at this stage unsuccessful) exercise in the politics of anti-labor.<sup>37</sup> But the continued aggressiveness of this commercial-pastoral group is best illustrated in the industrial sphere. Leaders of the Pastoralists' Union were bent on forcing home their advantage, and their single-minded determination is exemplified by an interesting controversy involving P.G. King of the English-owned Peel River Company. In 1894 the Pastoralists' Union 'offered' shearers a new agreement, the terms of which they refused

to discuss with A.W.U. leaders. King approved of neither the agreement nor these tactics, and made his own terms with the shearers. He seems also to have had little respect for the P.U. leaders, in particular the president, A.A. Dangar, whom he described as 'a cocky little gentleman'. Dangar accused King of having done all pastoralists 'a grave injury'; it was 'past redemption', and in future he would dismiss King from his acquaintance. Both Dangar and his successor, W.E. Abbott, protested to the English directors of the Peel River Company. Abbott summed up their complaints thus:

The Pastoralists without counting other employers have spent more than £100,000 in the effort to recover and hold control of their properties free from outside interference and now when we had almost succeeded as the Steamship owners, Coal owners, and others have succeeded we find ourselves checked and partially defeated by the shortsighted stupidity and cowardice of some of our own members most of whom are the Managers of properties owned in England who seem afraid to take on themselves responsibilities which would at once be taken by local owners who could see their own interests clearly.

The barrage of abuse and the appeal to self-interest ('if the Pastoralists' Union . . . ever goes to the wall, you and your shareholders will live to rue the day') had the desired effect. The Board cabled back requesting King to co-operate with the P.U., and in 1895 the Peel River Company came into line.<sup>38</sup> The episode shows the sense of class loyalty that had developed among New South Wales pastoralists.

Close to the pastoralists, as Abbott suggests, were the steamship owners and coalmine proprietors. The latter in particular were noted for their dour intransigence. A man such as Jesse Gregson was fair-minded enough to admit that colliery managers often irritated miners and caused disputes, and in the pastoral context could blame the shearers' discontent on 'the ill judged greed and want of consideration shown by the squatters as a class'. Yet he regarded industrial strife as inevitable and in a sense desirable: 'an occasional strike . . . acts as a kind of safety valve and promotes more contentment among the miners than is otherwise attainable'. Gregson made these comments at the beginning of a bitter three months strike which ended only when the miners returned to work on terms which were worse than those they struck against.<sup>39</sup>

The entwined interests of coalmine owners, pastoralists and ship-owners formed, as we have seen, the hard core of New South Wales conservatism. But although in the nineties these commercial leaders dictated the terms in their immediate industrial spheres, in the wider political field they were severely handicapped. No matter how the National Association and *Liberty* tried to scare the 'haves' of the community into uniting – and their call was very straightforwardly to those with interests to protect – the 'haves' generally did not share their alarm. Nowhere is the essential disunity of capitalists and employers better illustrated than by their conflicting attitudes to federation. To manufacturers and those merchants interested in the intercolonial re-export trade, federation seemed economically desirable. Some financial interests also thought that federation would benefit the colonies' standing in the British money market. However the attitude of other large mercantile interests could be summed up in Captain Hyne's remark that 'practically they were asked to give up their policy of free trade with all the world, for a policy of free trade with two millions of people, with whom they did very little business'.<sup>40</sup>

It had been Reid's achievement, by his adroit use of the fiscal issue, to isolate his conservative critics. But in spite of his alliance with the labor party, his own political power base was still essentially the traditional free-trade commercial interests of Sydney. If the federal issue was difficult for Reid himself, it made the task of his conservative critics well nigh impossible.

It has been argued, then, that to explain the success of Reid's relationship with the labor party we must look as much to his style of politics as to the content of his policies. Only in this way can we understand the considerable respect and affection the labor members held for him. Reid's program, in spite of its radical appearance, remained in the tradition of free-trade liberalism. Reid was a child of this tradition, and basically he stayed loyal to it. The state intervention he sponsored was either of a minimal nature (as with the Factories and Shops Act) or else involved an industry which could be justified as a special case (as with the Coal Mines Regulation Act). Reid was sometimes accused of having no political principles, an accusation which derived much of its credibility from his transition in ten years from a 'radical' premier to leader of an 'anti-socialist' crusade (although the 'yes-no' soubriquet

was also relevant). Yet on fundamental issues he had changed little. He had always been wary and suspicious of any compulsion in schemes of arbitration; on an issue such as early closing he was reluctant to impose any blanket restrictions; and in 1894 he did not disguise his personal opposition to payment of members.<sup>41</sup> Reid, then, was by no means a piece of political litmus paper prepared to turn pink or blue according to circumstances. In accordance with the precepts of English *laissez-faire* – which carried much more weight in New South Wales than in other colonies – he combined a strong advocacy of democratic rights with an orthodox view of political economy. This was the framework of his political thought: in practice, of course, his assumptions were modified by an Australian pragmatism and his own inimitable political sense. He was the right man for the nineties – sufficiently adventurous to seize the opportunities offered him, democratic enough to satisfy the labor members, yet conveying an impression at once safe and unflappable, guaranteed to assuage middle-class doubts. It is tempting, if unfair, to point out that in its hour of trial Victoria brought forth a leader renowned for his dullness – New South Wales chose a politician who was fun.

### **The Way to Arbitration**

The dramatic emergence of compulsory arbitration as a major political issue in the late nineties tells us a good deal about how labour leaders thought in a political context, and sheds light on the nature of their relationship with middle-class radicals. In Chapter 3 it was pointed out that, whereas in the eighties New South Wales labour leaders viewed conciliation schemes with some suspicion, after 1890 the blank refusal of employers to negotiate led them to urge the compulsory reference of disputes to arbitration. The 1892 Broken Hill strike, the shearing dispute of 1894 and the Newcastle coal strike of 1896 were all accompanied by such demands.<sup>42</sup> It is difficult to say at what stage these demands cease to be a mere tactic of industrial warfare and become a part of a political program. However, with each defeat the call of labour leaders for compulsory reference of disputes struck a deeper chord of response among workers. After the ignominious collapse of the 1896 coal strike a mass meeting of some 3000 miners and others unanimously passed resolutions calling for arbitration legislation. The Newcastle coalmining industry had in years past had local concili-

ation machinery, but it had broken down: to call for state intervention seemed a logical step. It was, significantly, coalmining representative Alf Edden, who throughout the 1897 session sought information from the minister for labour, Garrard, about the prospects of an arbitration bill.<sup>43</sup>

Labour leaders, relaxing after the political excitement of 1895, were now consciously seeking new ideas for industrial legislation, but arbitration was not the only remedy canvassed. The Sydney District Council showed some interest in the working of the Victorian wages boards, and Garrard encouraged union leaders by his statement that the New South Wales 1896 Factory Act was 'merely tentative' and that amendments would be considered. However the 1898 Political Labor League Conference does not appear to have discussed either factory legislation or arbitration, although the general platform included planks for the amendment of the Factories Act and 'a minimum wage for all classes of workers'. The labor party's fighting platform for the 1898 election had four planks: abolition of the upper house and introduction of the initiative and referendum, establishment of a national bank, state pensions for the aged, and local government. It can be seen, then, that although the twin subjects of compulsory arbitration (as practised in New Zealand) and wages boards (as practised in Victoria) had been broached, no real policy had emerged.<sup>44</sup>

In the coalmining industry the interest in arbitration was a more immediate and purposeful one. 1898 was another troubled year for the miners, mainly because of the proprietors' militant opposition to the newly prescribed weighing procedures. In May 1898 a deputation comprising representatives of northern, southern and western miners' unions, together with six M.L.A.s representing coalmining constituencies (four of whom were labor) met Garrard to urge legislation for compulsory arbitration. Postmaster-General Cook was also present. Garrard pointed out that it would be impossible to pass a bill before the elections, but assured the deputation that both he and Cook had long wanted to deal with the matter. Both the deputation and the ministers still seemed to be thinking mainly in terms of the compulsory reference of disputes. Although Garrard referred to the New Zealand legislation, his remarks suggested that he did not consider the enforcement of awards a problem. In any case, an Act providing for the compulsory reference of disputes was probably the best that could be

hoped for from the Reid government – and at this time there was no real political alternative.<sup>45</sup>

After the elections, with Reid's position much weakened, the linked issues of arbitration and factory legislation developed rapidly. On 28 July Stephen Barker, past president of the Melbourne T.H.C., gave a 'lengthy address' to the Sydney Council on the Victorian legislation 'with special reference to compulsory closing and the minimum wage Board'. On 6 October the Sydney Council decided to call a conference of delegates from all trade unions 'to discuss Organisation, A.L.F., Factory and Shops Act to include limitation of hours and a minimum wage, and Conciliation and Arbitration to be compulsory'. A Victorian-type Factory Act and compulsory arbitration were still not being considered as *alternatives*: even at this stage the idea of arbitration was, in unionists' minds, firmly anchored to the settlement of particular industrial disputes. Equally revealing is the way these issues are linked with the idea of 'organisation' of unions. One delegate thought that 'the set-back which unionism had received had about expended its energy, and it was ripe now to make a move and make up for time lost'.<sup>46</sup>

The full import of such hopefulness is underlined by the fact that this meeting was attended by only nine delegates of six unions – such was the strength of the Sydney District Council of the Australian Labor Federation. This shrunken organisation was very much in the hands of the skilled trades of Sydney. The comparison often made between the Melbourne Trades Hall Council and the Sydney Council, showing the greater strength of craft unionism in the former body, is at times misleading. In the nineties it was the skilled trades who sustained labour organisation as much in Sydney as in Melbourne. Having survived the depression, the craft unions found themselves faced with the responsibility of stimulating the revival of trade unionism generally. The conference of unions which met in 1899 to consider the reorganisation of the Sydney District Council was overwhelmingly a conference of the skilled trades. As late as 1901 a labor representative in the Legislative Council spoke of the Sydney body 'representing the skilled trades of Sydney'.<sup>47</sup>

It is not surprising then that, while the coalmining unions saw in compulsory arbitration a means of containing the power of colliery proprietors, the Sydney Council saw it more in terms of the revival of trade unionism. Both were agreed, however, that the Victorian and New Zealand precedents proved that the minimum wage and com-

pulsory arbitration were realisable objectives. Nationalisation of coal-mines did not, in the political situation of 1898, fall into that category: therefore it was not worth discussing. The conference, which met in November and December 1898, was attended by representatives of about thirty trade unions. Earlier they had had Stephen Barker to sell them the wages boards; now they had Andrew Collins of the Wellington Trades Council to explain New Zealand arbitration. Once again it was not an either/or choice. The conference supported an arbitration bill along New Zealand lines (with some amendments, notably to make the conciliation boards more effective and to include government employees) and also urged amendment of the Factory Act to provide for boards to determine minimum hours and conditions. One or two of the more socialistically inclined delegates opposed the arbitration recommendations, and some delegates, conditioned by orthodox political economy, doubted the feasibility of a 'minimum wage', but there was little debate about the broad principle of the proposals. Once more the interests of coalminers were specifically referred to with respect to the need for compulsory arbitration.<sup>48</sup>

The trade union movement had now found its voice, and it was precisely at this point that the government brought in the bill that it had long promised. It was a thin measure and was introduced apologetically as the most the Legislative Council could be expected to accept. Remembering the objection that the 1892-4 Councils of Arbitration and Conciliation had been not only ineffective but costly, the new bill set up no permanent machinery. All it did was to give the minister for labour power to call the parties together or to initiate an investigation. The labor members recognised the bill for what it was - a gesture, or at best a forerunner of a real bill. In April 1899 it went through the Council with very little fuss. Most councillors clearly did not think the bill worth worrying about, and the absence of any 'fat billets' reassured them. In the meantime the labor party had voted to put compulsory arbitration in the fighting platform, and in July another deputation of trade unionists and labour members waited on the new minister for labour, J.A. Hogue, demanding compulsory arbitration and amendment of the Factory Act. Hogue protested that it was too early to say whether the 1899 Act had failed.<sup>49</sup> The Act was resorted to four times during 1899 and 1900, and all four disputes concerned collieries. Only one of these cases could be regarded as a success for the Act. Apart from

the obvious fact that any awards made under it relied on voluntary acceptance by the parties concerned, the procedures involved were excessively slow, and depended on the prior existence of a strike or lock-out. The failure of the 1899 Act strengthened the belief of labor members (and others) that only a measure along New Zealand lines could have any practical effect.<sup>50</sup>

In the meantime the opposition was engaged in seeking weapons with which to oust the Reid government, although not until the federal issue had been finally disposed of in June 1899 could Reid's opponents give their undivided attention to the task. In these machinations there is no doubt that Reid's arch enemy, Bernhard Ringrose Wise, played a leading part.

Wise is a fascinating personality. As a politician he had a lot going for him. He was not only 'handsome as the hero of the female novel', but a brilliant speaker and a delightful conversationalist; in all, a 'favourite of the gods, exquisitely groomed, endowed with great personal charm and an Oxford accent'.<sup>51</sup> There was the rub. Wise did not care to forget his Oxford background, and indeed he enjoyed the sense of belonging to an élite. To Deakin he seemed more English than the English; to Sidney Webb what had been an admirable speech by Wise was 'marred by remnants of Oxford mannerism and the "superior person"'. It is revealing that Wise begins his Memoir with the statement that 'no sensible person can ever be indifferent to good birth'.<sup>52</sup> Such an attitude was no help to a political leader, particularly a radical, in Australia. But Wise made it worse by the reputation he acquired for intrigue and untrustworthiness. There is a mystery here about Wise's character. Whether or not one accepts the story that he had a reputation in the law courts for misquoting cases, there is certainly evidence of a deep-rooted instability in his personality. Deakin, who was on good terms with Wise, remarked on it. It was a tragic flaw, which in the long run undermined his career. Accentuated by his academic interest in political and economic theory, it left the impression that he was 'a man of opinions rather than effective convictions'.<sup>53</sup>

It is easy to see that in their personalities, talents and interests Reid and Wise were opposites. Yet this does not explain the intensity of the feud, particularly on Wise's part, between them. Wise's devotion to Parkes and his memory was no doubt a contributing factor, and the old man's death bed reconciliation with Reid may have been galling.

There is also a tantalising suggestion that Wise may have had some sort of relationship with Mrs Reid before her marriage.<sup>54</sup> Whatever the cause, Wise's detestation of Reid helped expose the imbalance latent in his personality. It was the crowning irony that Reid should in 1909 be given, as a political consolation prize, the high commission post in London, which Wise had for years pursued as his major ambition.

Yet in spite of his vicissitudes there is no disputing the basic sincerity of Wise's radicalism, or the reality of his interest in labour matters. In the eighties he had been one of the first to see the political potential of the trade union movement, and the events of the early nineties heightened his interest in 'the labour question': he was sympathetic to the unions during the 1890 strike, and was quick to expose the dubious doctrine of freedom of contract. Broadly speaking one could say he was a critic but not an enemy of capitalist society: he supported the rights of trade unions, including the right to refuse to work alongside non-union labour, but, although influenced by Hobsonian economics, he believed that 'wages and profits must rise together, or not at all'. One can see why Sidney Webb, noting Wise's reputation among 'rich capitalists' as 'an extreme Radical', decided that he was only 'moderately Liberal'. Yet the verdict is not quite fair. There were some unexpected aspects to Wise's political views – as for instance his well argued but imprudent opposition to the then so fashionable referendum – but the essence of his radicalism was a readiness to explore new ideas and test new remedies. The policies he advocated were not designed to save the day for capitalism (though it can be argued that this was their effect); he put them forward as just and necessary in themselves. Like Pember Reeves, his political views were conditioned by an acute awareness of the existence of class in the colonies.<sup>55</sup>

But although interested in 'the labour question', Wise does not appear to have taken any special interest in the subject of conciliation and arbitration until the trade union movement resuscitated the issue in the late nineties. His remarks at the 1897–8 federal convention indicate that he was beginning to appreciate the possible significance of compulsory arbitration: a federal authority, he warned, would be able to 'fix the rate of wage for the whole of Australia'.\* By the time

\* Wise opposed the granting of a Commonwealth power over conciliation and arbitration, mainly because he believed that industrial matters were better dealt with at a State level. (See Chapter 7.)

Reid introduced his bill in December 1898. Wise was demonstrably well informed on the subject and made some telling criticisms of the measure. When a member asked him if he would support compulsory awards, he replied, 'Personally, I would'. Opposition colleagues such as O'Sullivan seemed similarly aware of the possible importance of this issue; even the conservative Barton indicated that his views were changing. This debate took place a week or two after the conference of trades called for compulsory arbitration. There seems little doubt that the statements of Wise, O'Sullivan and even Barton were a response to the evidence of union feeling. Here was an issue on which Reid's reluctance was well known, and the debate indicates that the opposition was already aware of the role the issue could play in expelling the government.<sup>56</sup>

The fall of the Reid government in September 1899 has been the subject of some controversy. Most of the argument has related to the political manoeuvres inside the labor caucus, and individual responsibility for the success of the coup. The actual policy issues at stake have been rather neglected. We know from Spence that Lyne, hell-bent on office, was prepared to sign a list of measures he promised to pass. Hughes's biographer, L.F. Fitzhardinge, tells us that Reid's overthrow was due to his failure to carry three measures – an early closing bill, a bill for reform of the City Council, and a navigation bill. He mentions rather casually that Wise was 'also interested in introducing a system of compulsory arbitration, which Labor wanted while Reid refused to entertain the idea of compulsion'.<sup>57</sup>

The arbitration issue was more important than Fitzhardinge's account would suggest. Representatives of coalmining constituencies formed the nucleus of the pro-Lyne group in the labor party caucus. The close link between the miners and the arbitration issue is emphasised by the fact that when the 1899 party conference voted compulsory arbitration into the fighting platform, the resolution was sponsored by the Wallsend branch. 'The workers at Newcastle were unanimous in demanding arbitration on N.Z. lines', the Wallsend delegate declared. In parliament O'Sullivan deliberately held out the prospect of compulsory arbitration as a bait to labor members and radical free-traders, particularly those representing coalmining constituencies; Hughes himself reported that Lyne had 'definitely promised it a prominent part in his programme'. Both Lyne and Wise referred to a proposed compulsory arbitration bill

in speeches to their constituents. Lyne was vague as to details, but Wise had already done some homework; he expected compulsory arbitration to be 'more far-reaching in its effects than any measure which this Government will introduce'.<sup>58</sup>

There can be no doubt, then, that compulsory arbitration was a substantial part of the agreement between the opposition and the labor party; it remains to estimate its importance relative to the other measures promised by Lyne. Hughes's reference to a bill for the reform of the City Council can be dismissed at the outset. This was not a party issue, and such a measure did not feature in the program outlined by Lyne and Wise. The navigation bill was of interest to some labor members, but the member most concerned, Sam Smith, appears to have been a Reid supporter throughout the caucus shenanigans, so clearly it was not decisive. This leaves us with the early closing bill. Now this was a measure of importance, the principle of which labor members could grasp easily – whereas arbitration still had an aura of mystery about it. Reid had introduced an early closing bill in December 1898, at the same time as his conciliation bill, but he had only been prepared to limit the hours of employment of shop assistants rather than the actual closing hours of shops. Labor members and other critics believed that only with a uniform closing hour could such legislation be successfully enforced. In August 1899, when the future of the government was becoming uncertain, notice was given of the reintroduction of the bill, and Minister Hogue indicated that he would propose 'certain amendments'. However Hughes tells us that during the censure debate he approached Reid and asked him whether he would close the shops at six. Reid refused, whereupon Lyne immediately consented. There is not reason to doubt the story. Reid was, as we have seen, genuinely reluctant about such restrictions, and Lyne was only too ready to please.<sup>59</sup>

The question in dispute, however, is whether this promise was decisive with the labor members. Here we face a conflict of evidence. One of the traditional stories handed down about this crisis is that a group of pro-Lyne members, the so-called 'solid six', in their determination to carry the day threatened to escape their pledge obligations by resigning their seats. It was estimated that if four had done so Reid would have been without a majority. There is considerable evidence, both from contemporary reports and later reminiscences, that

some such threat was made in September 1899. There is no agreement, however, as to who actually constituted the 'solid six', and whether the threat was instrumental in persuading the doubters in caucus to jettison Reid.<sup>60</sup> Hughes later denied that he had been involved in the ruse; he also denied that caucus had received such an ultimatum from other members. It seems certain, nonetheless, that there was at least talk of some such tactic in the parliamentary lobbies, and the determination of those committed to the destruction of the alliance with Reid may have impressed the waverers. Yet as Mansfield in his biography of O'Sullivan suggests, in the final analysis it might not have been any individual factor that gained Lyne's supporters a majority in caucus, but rather a growing feeling that the Reid government was doomed – possibly even without the labor party's defection. If there was a risk of this happening – and there were some grounds for believing it – it was better for the party to help put Reid out, and thus retain its reputation for holding the balance of power.<sup>61</sup>

So much for tactics; but what was the relative importance of compulsory arbitration and early closing for the labour movement? Early closing had gone into the general labor platform in 1898, but not without some opposition, Dacey protesting that 'the shop assistants did not support the Labor movement'. It was not, however, suggested that it was a plank worthy of the fighting platform. Early closing was a special concern of Hughes's, and he pursued the cause with zeal and common sense; but the campaign for public support was waged by basically middle-class organisations such as the Early Closing Association and the Toynbee Guild. The prospect of an early closing bill may well have influenced some urban labour members (particularly in Sydney) but it was not an issue of great concern to the trade union movement. All the evidence suggests that 1899 was the year that saw compulsory arbitration move to the front rank of issues in the labour movement. The conference of trades in November/December 1898 was a turning point, and in the year that followed compulsory arbitration was taken up by almost the entire trade union movement and became a plank of the labor party's fighting platform. Moreover, as at the 1898 conference, it remained linked with the idea of reorganising and revitalising the trade unions; and, as if to prepare the way, in September 1899 the Sydney District Council withdrew from the all but meaningless A.L.F. and became the Sydney Labor Council.<sup>62</sup> All these developments

synchronised roughly with the fall of the Reid government. It would not seem rash to claim that compulsory arbitration was the key factor in Lyne's accession to power. In the circumstances it is only surprising that Reid retained so much support in the labor caucus, but this was more a mark of his personal popularity than anything else.

On 4 July 1900 Wise moved the second reading of the industrial Arbitration Bill. Although Wise used the New Zealand law as a model, his bill differed in two fundamental respects: the preliminary conciliation machinery was dispensed with, and the trade union was taken as the industrial unit. The first departure was justified on the ground that the New Zealand conciliation boards had had scant success, there being frequent appeals against their decisions; the second on the ground that trade unionism was more developed in New South Wales. Wise's approach was clear and direct. There was no point in establishing conciliation machinery if the result was only going to be unnecessary delay. Similarly, the bill deliberately set out to encourage unionism on both sides, believing that this would assist 'the true tendency of industrialism, the making of collective bargains between bodies of workmen and bodies of employers'. Agreements made in this manner could then be registered with the court and would become enforceable, but their 'enforceability' really depended on the organisation of both workmen and employers. The controversial clause which permitted the court to grant preference to trade unionists followed quite logically: if the Act was designed to encourage unionism, this seemed a legitimate way of doing it. This emphasis on the role of unionism can be seen as aiming to satisfy the labor party, but it was also a logical development of Wise's own views on the importance of organisation in industrial society. A distinctive feature of the bill was the application of the common rule, whereby the award in a test case could be automatically extended to the rest of an industry. This provision, which Wise attributed to the Webbs, simplified the New Zealand system whereby all individual employers had to be cited.<sup>63</sup>

The labor party's reaction to the bill was warmly approving. McGowen told the Assembly that 'if the bill does one tittle of what the trades-unionists of Sydney and New South Wales expect from it, it will prove one of the greatest boons in legislation which our industrial classes and all sections of the community could enjoy'. Between its introduction and its enactment in 1901 almost eighteen months and a general

election intervened, but this long pause for thought served only to increase the enthusiasm of the labour movement for the measure. The growing certainty that compulsory arbitration was the immediate solution of the movement's problems was matched by a new conviction that Victorian-style wages boards were an inferior alternative. As late as July 1899 the old District Council had advocated both compulsory arbitration and a Factory Act providing for wages boards. In April 1901 the new Labor Council decided in effect that the proposals were alternatives, and 'by a large majority' resolved to concentrate on arbitration alone. Only on the socialist fringe was there any real opposition to the bill, and in terms of the trade union movement as a whole such opposition was insignificant.<sup>64</sup>

If labor members and union leaders had any doubts about the bill they were mainly concerned with the composition of the tribunal. Those associated with the A.W.U. or miners' unions tended to favour a permanent tribunal of three, while spokesmen for the craft unions, fearing the arbitrators' possible ignorance of particular trades, supported a more flexible body. They were also concerned that in the election of the unions' one representative the smaller craft unions might be outvoted by the big country unions. At one stage the bill was amended to allow for a court of up to seven members, but in its final version returned to the original proposal for a Supreme Court judge plus one representative each of unions and employers. This difference of opinion was not regarded as vital, but it is interesting to note that even in the final stages of the Legislative Council debate in 1901, F. Flowers, one of the labor appointees, reported that the skilled trades were critical of the provision. One can see that the craft unions would have preferred a tribunal which, although judicial in form, was more reminiscent of a wages board.<sup>65</sup>

As for employers, the Arbitration Bill placed them in a difficult position. The old Employers' Union seems to have been defunct, and employer opinion was organised through the Chambers of Commerce and Manufactures and sundry trade organisations. They knew that they could not expect much help from the opposition, some of whom, like Joseph Cook, were genuine supporters of the bill, while others, who might have been expected to sympathise with the employers, were reluctant to oppose the bill outright. There was, of course, the Legislative Council, but employers realised that this bastion was not impregnable. Here, too, the lack of organisation was recognised as a

disadvantage. Jesse Gregson broached the subject with Alexander Brown, a member of the Council, and was told that the upper house could make a successful stand against 'class measures' only if the capitalists appointed a full-time organiser to prepare their case.<sup>66</sup>

Because of these various disabilities employers were in some confusion over appropriate tactics. There was a strong current of feeling against the bill. Soon after Wise's second reading speech a committee of the Chamber of Manufactures recommended total opposition, refusing to suggest amendments, on the ground that the bill was beyond repair. Other employer groups, such as the Builders and Contractors, and the Master Bakers, were also active in opposing the bill. McMillan, introducing a deputation of various employer associations to Lyne on 25 July, urged postponement of the bill, and a few days later a general meeting of employers cheered him when he said that it was 'one of the most monstrous proposals that ever came before the free people of a free country'.<sup>67</sup> But doubts remained. From the outset some members of the Chamber of Manufactures had thought it wiser to make the best of things. 'If a bill of this sort was likely to be made law they should make it as workable as possible', observed one member, and W. Sandford of the Lithgow ironworking company openly linked the issue with the need for a protective tariff, to gain which 'they would have to depend on the votes of the men they employed'.<sup>68</sup> The Chamber now gave up its outright opposition and approached Wise with some suggested amendments, principally in the direction of incorporating conciliation boards in the bill. This apparent about face was strongly criticised by the secretary of the Builders and Contractors' Association, who described the Chamber as the only employer body to give Wise any encouragement, and the *Sydney Morning Herald* still thought that employers were almost unanimous in believing the bill would dangerously interfere with their industries.<sup>69</sup>

In November, in spite of Wise's translation to the upper house to explain the legislation, the Council rejected the bill on the second reading by a convincing thirty-three to eighteen. Opponents of the bill were able to point out that there was no popular mandate for compulsory arbitration, for it had not been an election issue in 1898. It was a case, according to Dr W.P. Cullen, of 'the enthusiasm of the few confronting the indifference of the many'. The government accepted this rebuff calmly - too calmly, the Political Labor League Executive thought.<sup>70</sup>

A royal commissioner was appointed to inquire into the New Zealand and Victorian laws: this was designed to neutralise criticisms that members lacked sufficient information on the subject. And as parliament did not meet again until after the election of July 1901, the opportunity was provided to dispose effectively of the objection that the measure lacked a popular mandate.

The election underlined the employers' isolation. The labor party was determined to make compulsory arbitration the key issue, and promoted it to the top of the fighting platform. Both government and opposition committed themselves to compulsory arbitration, although C.A. Lee, the new opposition leader since Reid's entry into federal politics, gave the issue little prominence. Nevertheless the *Worker* thought that free-traders were still in the market for the labour vote. Although the *Daily Telegraph*, making a preposterous attempt to raise the fiscal issue in what was now a State election, argued that parliament had not been dissolved on compulsory arbitration, no one was prepared to campaign *against* Wise's bill, and government and labor leaders specifically argued that a vote for them was a vote for the bill. The election proved a great success for the allied progressive and labor parties (in the wake of federation the state protectionists had become 'progressives' and the free-traders 'liberals') and employers now accepted the inevitability of a measure being enacted. When they petitioned the Legislative Council in October they made it clear that they approved the aims and objects of the bill, but sought amendments. The Council held out for a while in resisting the clause providing for preference for unionists, but whereas a year before Wise had said that the bill would still be valuable without the preference clause, now the government was insistent. Nevertheless the hard core conservatives held out till the end. To H.C. Dangar it seemed a reversal of what the last decade had achieved for employers: 'If we were going to give up the battle for freedom of contract, which had been fought for so many years . . . we might as well give up the interests of employers throughout the length and breadth of the land.'<sup>71</sup>

In this respect Fitzpatrick's account of the origin of arbitration does not accord with the facts. In his attempt to absolve the labor party of as much responsibility for compulsory arbitration as possible, Fitzpatrick argues that the various systems 'did not derive' from the labor party, although he admits that both the New South Wales Act of 1901 and the

Commonwealth Act of 1904 took some of their character from labour pressure on the governments concerned. He refers to Parkes's bill of 1891 coming from 'the employers' side'; arbitration was 'of the masters' making, not the men's'; for, as he explains at another point, 'if any party was resolved to banish the strike as a means of collective bargaining, it was the employers' party'.<sup>72</sup> The argument falls down at several points. As we have already seen, in the conditions of the nineties quite a few New South Wales employers were only too happy to put up with strikes. Furthermore, Fitzpatrick seems to identify all non-labor politicians with 'the employers' side' or 'the employers' party'. But the whole point of the Parkes bill of 1891 (taken up and enacted by the Dibbs government in 1892) was that it was designed to assuage labour resentment; the scorn with which employers treated the Act has been described in an earlier chapter. Nor is it fair to imply that Wise, architect of the 1901 Act, belonged to 'the employers' side'. In any case, whatever Wise's role in shaping the legislation, the impulse towards compulsory arbitration in New South Wales came from the labour movement. It was the interest shown by labor members and trade union leaders, especially after 1898, that led the opponents of Reid to sponsor legislation in this field. Of course labour relied on Wise to produce the legislative goods, but the scheme he designed was generally what they wanted. By virtue of being a lawyer and a middle-class radical, Wise did not see compulsory arbitration from the same point of view as labour leaders; but he certainly did not see it from the point of view of the employers. The debate on the bill in 1900-1 always *assumed* the support of the trade union movement: the arguments of Wise - and, indeed, of many labor members - were largely directed at persuading employers that they need not fear the legislation. Wise's move to the upper house was an admission that there, in that haven of employers, was the real and effective opposition to the legislation.

Although the government was now in a position to dictate the terms, it would seem that Wise's well reasoned campaign helped reconcile employers to the legislation. There are indications, too, that some employers, observing that trade unionism was in any case reviving, thought the Act might have its compensations. The pastoralists, for example, facing the renewed militance of the A.W.U., were hopeful that the Arbitration Court might avoid what was usually called 'a shearing difficulty'.<sup>73</sup> But employers had neither wanted nor asked for

such legislation. Although in earlier years, when strikes had injured their interests, some had favoured voluntary agreements with enforceable awards, none of them wanted a bill which not only bolstered trade unionism, but offered the prospect of being hauled into court at the whim of a labour agitator.

More recent writers, such as Gollan and Turner, have modified Fitzpatrick's account, in so far as the labour movement's enthusiasm for compulsory arbitration in the late nineties has been given greater weight; but the Fitzpatrick thesis has never been confronted directly. This, of course, derives principally from the fact that so little research has been done into employers, their organisations and attitudes. So it is still possible for Encel to claim that 'Compulsory Arbitration for industrial disputes was not originally sought by the trade union movement, but devised by middle-class radical lawyers like W.P. Reeves in New Zealand, C.C. Kingston in South Australia and H.B. Higgins in Victoria.'<sup>74</sup> Now it is broadly true that in the early nineties full compulsory arbitration was not sought by the labour movement; likewise, the role of lawyers such as Kingston, Reeves and Wise in 'devising' schemes is not to be denied. But of course *all* legislation enacted before the labor party itself took office was 'devised' by others. There is no reason for putting compulsory arbitration in a separate category from other legislative achievements of this period. The fact that arbitration took more 'devising' derived only from the combination of novelty and complexity. As far as New South Wales is concerned, the inescapable truth is that the sponsorship of compulsory arbitration by a 'middle-class radical lawyer' such as Wise was a direct response to a demand from the labour movement.

### **The Labor Party in 1901**

For the labour movement the passing of the Arbitration Act was – or at least seemed – a major triumph. But in other fields, too, the Lyne and See governments\* had delivered the goods. Apart from legislative achievements such as old age pensions and early closing, the great gain was O'Sullivan's development of the day labour system. He went much further than the Reid government and established 7s. a day as the minimum. Although the Labor Council was reluctant to give O'Sullivan

\* John See took over as premier in March 1901 when Lyne, already a member of Barton's founding cabinet, resigned to contest the first federal elections.

too much personal credit for his administration of the Public Works Department,<sup>75</sup> he was popular among the workers and often invited to union ceremonies. He and Wise together were the progressive pace-setters in the government, particularly after Lyne had departed for the federal sphere.

Reviewing its position in 1901, the labor party could feel that it had made up the ground lost in the strikes and depression. In the 1901 elections the party showed a new maturity and confidence. It contested fifty-four seats, compared with thirty-one in 1898, and polled 18.68 per cent of the vote, which was only a little short of the official progressive party total. Clearly the days of labor as the third and junior party were numbered. More significant than the actual figures was the way in which the labor party set the pace in the campaign. Sir James Graham, a defeated 'liberal' candidate, commented that 'taking the election as a whole, the spirit and influence of the labor party was more in evidence than was the spirit of any other party'. It was also true, as Graham pointed out, that in the election campaign O'Sullivan had played a dominating part, and O'Sullivan was regarded as the government's liaison officer with the labour movement.<sup>76</sup>

The years between 1898 and 1901 had seen an increasing awareness in the movement of the need to make the party attractive to groups outside the class of manual workers. The party's association with the early closing movement was an example of a conscious effort in this respect. The irrepressible Hughes had an answer to every objection. 'He had been at shop employees' meetings and noted they clapped loudest when a crusted conservative was speaking, but that was due to their ignorance of economics, and they would do better if they had more time to study.' The party was also becoming very sensitive to the country vote. In 1895 they had followed Reid in accepting exemptions in the land tax, but the issue still rankled with many members. But in 1901 the annual conference rejected an attempt to write 'without exemptions' into the platform, believing, as the *Daily Telegraph* put it, that 'no matter how unjust exemptions might be, looked at from the ethical standpoint, they gained for the party the support of the "cockie", the small farmer, and the small allotment-holder'. Education, too, received some attention, and the 1901 conference voted for a new plank for free education with extension of the bursary system to university level.<sup>77</sup> Furthermore, the dominating issue of compulsory arbitration was one

with a wide electoral appeal. Conciliation and arbitration had always seemed right and fair, but now (thanks to New Zealand and Wise) they were no longer pleasant phrases but practical proposals. The reluctance of critics to oppose the bill indicates the electoral significance they attributed to the issue.

All these issues served to demonstrate the widening horizons of the labor party. But, aside from policies, the alliance with the protectionist-progressive party was electorally much more advantageous to the labour movement than the alliance with the free-traders. Lyne's government was recognised as a country ministry. The cabinet contained only two ministers representing urban electorates – Wise from Sydney, and Fegan from Newcastle, and both were renegade free-traders. Hughes, in his account of Lyne, remarks that 'he himself and most of his party belonged to what today is known as the Country Party'.<sup>78</sup> Allied with the city-based free-traders, the labor party had found itself competing for much of the urban radical vote with its senior partner, whereas campaigning alongside the progressive party, labor became very much the urban half of the partnership.

Yet in the long run the alliance aided labor in the country as well. Both the free-trade and protectionist parties were loosely knit organisations, but the protectionists were worse off, for they lacked the natural centre of gravity that commercial Sydney provided for their opponents. The protectionist party was at one and the same time a country party, a fiscal pressure group and a home for political mavericks. In the conditions of the nineties the illusion was created of two more or less evenly balanced parties, but the coming of federation very soon destroyed the protectionist-cum-progressive party in New South Wales. The reasons for this can only be suggested here. In the federal sphere the New South Wales protectionist group, never very strong, probably suffered from identification with the Victorian interests which dominated the Deakinite party. Moreover labor's later advocacy of the 'new protection' further whittled away the electoral base of Lyne's federal group. On the other hand, in the State sphere the removal of the fiscal issue injured the progressives much more than the liberals. By 1904 the free-trade interests traditionally associated with Sydney politics had succeeded in making the liberal party the focal point for the anti-labor movement. This new situation seemed to render the progressive party superfluous, and when See resigned in 1904 the party virtually

committed suicide. Of course the continued expansion of the labor party was itself a major factor in the disappearance of the progressives, but the fact that the two parties were at this stage in alliance facilitated a shift of voters, particularly in the country, from one to the other.\*

There was a third way in which the alliance fed the growing labor party. Although the Roman Catholic element in the New South Wales labor party grew between 1891 and 1901, there was a traditional link between 'popery' and protection which derived principally from the 'Wasp' nature of the free-trade party. In 1901 25 per cent of progressive M.L.A.s were Roman Catholics. The disappearance of the progressive party over the next few years meant that, effectively, the labor party became the only political channel for representation open to Roman Catholics, for there can be no denying the immaculate Protestantism of the liberal party. Exactly when and how this shift of Catholic participation took place is no simple matter for, curiously, the proportion of Roman Catholic M.L.A.s in the labor party varied little between 1901 and 1910. It was the labor split of 1917 that dramatised the trend, when the exodus of a large number of Protestants left the Catholics in a majority.<sup>79</sup> It would seem reasonable to assume, however, that the alliance of labor with the protectionist-progressive party made this movement of Catholic voters a natural transition.

1901 was in many ways a turning point for the labour movement in New South Wales. Whereas the unions in the nineties had been almost moribund and the strength of the party in terms of members and electoral support if anything declined, the new decade saw a rapid expansion in both spheres. Yet one still cannot help being surprised by the sheer wholeheartedness of the New South Wales labour movement about compulsory arbitration in 1901, particularly when one remembers that the campaign had really begun only late in 1898. Enormous reliance was placed on the New Zealand example, and the criticisms offered by the few socialists seemed only to strengthen the faith of labour leaders. It was as if the opposition of employers and socialists was in itself sufficient proof for labour leaders that the *via media* must be right.

\* It is not, of course, being argued that *all*, or even a majority, of country progressive voters went over to the labor party. But the labor party's association with a 'country party' ministry gave it access to these voters at a most convenient time.

Did the labor members have any second thoughts when Reid told them that 'the more labour keeps out of the Supreme Court the better for labour'? Carruthers, who himself claimed a place in the history of conciliation legislation, was also dispensing cold water: 'I feel sure that some of those who imagine that the bill can be used as a lever to gain objects which they hold dear will be much disappointed.' He went on to say that if the Act was administered well there would be no radical changes; he did not believe it would raise wages.<sup>80</sup> It was a significant observation, but it did nothing to check the ebullience of the labor members. Reid and Carruthers, they no doubt thought, were only playing politics.

Although in New South Wales there was a genuine level of political consensus about many social issues (most noticeably, the generally accepted desirability of old age pensions) it is significant that compulsory arbitration was very much a political issue, and played a large part in Lyne's eclipse of Reid. In Victoria the Factory Act was always kept well clear of the fate of governments. This is a matter of degree, for even in New South Wales the arbitration question achieved a certain non-party status, but it is a difference that highlights the contrasting politics of the two colonies in the nineties.

In the longer historical view compulsory arbitration was the logical outcome of the nineties in New South Wales. In Victoria the background of Factory Acts and anti-sweating agitation led quite naturally to the legislative improvisation which produced the wages boards. These boards seemed peculiarly suited to the craft-oriented Melbourne trades. But in New South Wales industrial legislation had been generally backward. There was in the free-trade mother colony a much stronger attachment to what was considered the English liberal tradition. The result is a paradox. Democratic reforms were often achieved much more easily in New South Wales - plural voting, for example, was abolished with comparatively little fuss. But free-trade liberalism found it much more difficult to escape from the economic blinkers of *laissez-faire*. In this context it was logical to approach industrial unrest not from the point of view of wage regulation direct (which was implicit in the abolition of sweating) but from the point of view of settling disputes. The Report of the Royal Commission on Strikes, and the various legislative attempts which followed it, set a precedent in approaching the problem in this way. Only towards the end of the decade was it appreciated

that the net result might still be general wage regulation. Yet even so the judicial solution had advantages. It minimised the sense of bureaucratic state socialism implicit in an Act that provided for a multiplicity of wages boards and was administered through a government department. Instead it created the illusion that the solution was nothing more than a simple extension of the functions of the Supreme Court. The different legislative forms chosen by New South Wales and Victoria did not derive from a conscious choice between offered remedies; rather they grew quite naturally out of different political and economic traditions.

part three

1901-1910: Reaction and Realignment



For the general historian the coming of federation simplifies matters considerably. Whereas for the nineties he finds it necessary to take the reader on a Cook's tour of the various colonies, stopping to point out the main features of the labour movement and social legislation in each, from 1901 the Commonwealth provides a natural and convenient focus for attention. The federal development of policies concerning immigration, defence, arbitration and the new protection becomes the central theme of the narrative. The Commonwealth also provides a neat demonstration model of the infant labor party in action, while the key role of the Deakinites serves to emphasise the contribution of liberalism to Australian social legislation. The net result is that the first decade of the new century emerges as a time of liberal enlightenment and legislative progress.\*

Such an approach tends to make the anti-labor fusion of 1909 seem alarmingly sudden, if not inexplicable. It is possible to ignore this difficulty simply by concentrating on the labor triumph of 1910, thus pursuing the theme of progress right through to the war and the arrival of such divisive issues as conscription. But the problem of 1909 remains, and any historical account that interprets the Deakinite years as the peak of liberal achievement only underlines it.

When we turn to the States, however, we see a much more confused scene. It is still possible to point to the advance of the labor party: the 1904 success in Western Australia; the emergence of a more vigorous party in Victoria; and, as a suitable finale, the close victory of the New South Wales party in 1910. But this is only half the picture. While the Commonwealth was setting up house, the States were adjusting themselves to their new role: this was the other side of federation. The sudden disappearance of the fiscal issue combined with the departure of so many leading politicians of all parties created an entirely new political situation. In New South Wales and Victoria the most dramatic feature of the first years of the new decade is the speed with which the concept of anti-labor takes shape. Industrially it is reflected in the

\* See, for example, Gordon Greenwood (ed.), *Australia: A Social and Political History*. Greenwood's chapter covering this period is entitled 'National Development and Social Experimentation' (p. 196). While this chapter contains a section devoted to the States (pp. 237-52), this is mainly devoted to a discussion of State-federal financial relations and the States' complementary social legislation. In his chapter in the recently published *A New History of Australia*, F.K. Crowley (who also edits the book) follows a similar pattern (p. 260).

emergence of stronger and more politically conscious employer organisations. Politically, federation is followed by almost immediate talk of coalitions designed to exclude the labor party. At the same time there is an outbreak of new popular movements dedicated to 'reform', retrenchment and the defeat of socialist legislation. In one sense all this activity has its roots in the nineties when the employer groups came into their own industrially, and when, through the national associations, they made their first tentative entry into politics. But the new employer federations and the various reform movements were not only much more serious endeavours than their predecessors; they also reflected a conscious decision that those opposed to the labor party could not afford simply to resist, but themselves had to seize the initiative.

The fusion of 1909 makes no sense unless these earlier developments at a State level are understood. When Deakin bemoaned the federal three party system – it was, he said, like playing cricket with three elevens in the field<sup>1</sup> – he knew that Victoria and New South Wales were already experiencing dramatic changes in the local social and political climate, changes which had considerably simplified *their* game of political cricket. In the first chapter of this last narrative section the significance of these changes is discussed; the second is concerned with the philosophy and practice of the new protection; and the last examines the moment of truth, fusion itself.

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## 6 Anti-Labor Takes Shape

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‘Suum Cuique’ – Let each man have his own.

Motto of *Liberty and Progress*, journal of  
the Victorian Employers’ Federation.

### Industrial

As economic conditions revived towards the end of the nineties employers renewed their interest in trade and industrial associations. ‘ORGANISE, ORGANISE, ORGANISE! – THE NECESSITY OF THE TIMES’ was the headlined advice of the *Australasian Ironmonger* in 1900 – and some employers, at least, agreed. The New South Wales Chamber of Manufactures, defunct in the early nineties, was reborn in 1895, and by 1899 claimed three hundred members. Similarly towards the end of the decade the Sydney Chamber of Commerce increased its membership and extended its range of activities. In Melbourne 1897 saw the establishment of the Chamber of Mines, and in both colonies much activity was reported among retail and wholesale traders. At the same time the coming of federation, and its corollary, the new tariff, stimulated intercolonial meetings of merchants and manufacturers at the turn of the century. Such meetings had been held before, but now steps were taken to set up permanent national organisations.<sup>1</sup>

Yet although these were all indications of a reviving employer consciousness, when it came to the two crucial political tests – the extension of the Victorian Factory Act in 1900 and the passing of the New South Wales Arbitration Act in 1901 – the employers were made aware of their own industrial and political inadequacy. This was partly because the old employer unions had either faded away (as in New South Wales) or (as in Victoria) did not prove to be all-embracing organisations that could effectively represent employers at a political level. Although, as we have seen, a number of factors governed the timing of the legislative achievements of 1900–1, employers naturally tended to connect their failure to exert much pressure on non-labor politicians with their own organisational deficiencies. In 1899 Peacock had taunted the Victorian Chamber of Manufactures with not being truly representa-

tive of manufacturers. Two years later, Derham, by inference chiding Peacock for his dependence on labor party support, complained that employers had no 'direct representation' in parliament. In reply Peacock virtually challenged the employers to get out of their armchairs: he was 'sorry to hear that there was not enterprise enough for one man to come out as the representative of people with such large financial interests at stake'.<sup>2</sup> In New South Wales it was bemoaned that pastoral and mining employers had no representative in the Assembly, but city employers at least found in McMillan, that merchant prince of politics, a ready spokesman for their interests. Nevertheless Sydney manufacturers were certainly conscious of their limited influence on the majority of parliamentarians; at a time when there was a protectionist-progressive government in office, with which their interests were supposedly identified, this was particularly riling.<sup>3</sup>

The feeling that their interests had been overlooked led employers to re-examine their organisational needs. The fact that Victorian employers faced their moment of truth in February 1900, while their Sydney colleagues did not do so until December 1901, does much to explain the earlier appearance of the Victorian Employers' Federation. Superficially it might seem paradoxical that the Victorians, faced with a comparatively weak labor party, should initiate the campaign to organise the anti-labor forces. However, employers reacted, not to the labor party *per se*, but to the interference of what they called 'class legislation' with the conduct of their business. So it was as the new wages boards came into existence and made their determinations in 1901 that Victorian employers began to respond to Derham's call for unity; furthermore the two year limit placed on the 1900 Act gave them an immediate incentive for mustering their forces. On the other hand the New South Wales Arbitration Court did not come into existence until 1902, and it is only then that we find Sydney employers taking a similar interest.

The birth of the Victorian Employers' Federation was a long and interesting process. The idea was conceived in mid-1901, but it was another year before the organisation was properly launched. During this time a concerted effort was made to establish the right climate for such a venture. Largely through the medium of the *Argus*, a campaign against the wages boards was initiated. As early as June 1901 the chairman of Swallow and Ariell, the firm of which Derham was

managing director, noted 'an appearance of a re-action which I trust will be strong enough to prevent injury being done to the industries of the Colony'. By August the *Argus* was getting up steam. Apropos of the fellmongers, the *Argus* declared that the question was not 'can a labouring man with a wife and family bring up a family decently with less than is proposed?', but 'can the industry afford these wages; do the profits allow of their being paid?' The *Age* also hinted that in the interest of local manufacturers competing on the Australian market it might be necessary to adjust the Factory Act. A favourite target of criticism was the appointment of people without business experience, such as clergymen and ex-schoolmasters, as chairmen of the boards. 'Who would think of accepting the opinion of any one of them on a complicated question of business?' In early August Derham was already able to note with pleasure 'the great change that had come over public opinion within the last few weeks in regard to factory legislation'.<sup>4</sup>

How much this agitation represented a change in public opinion is extremely dubious. The historian is more likely to be impressed by the promise of the Irvine government in 1902 to renew the Factory Act, a promise deliberately made to neutralise factory legislation as an election issue. But the agitation did reflect a hardening mood among employers, and the professional classes associated with them. In 1900 they had been prepared to wait and see; now they were ready to unite in defence of their interests.

At a practical level the beginning was a meeting of employers on 6 August 1901 convened by the old Victorian Employers' Union. This meeting, attended by representatives of about twenty employer groups, called for the repeal of the wages board section of the Factory Act. Arrangements for a further meeting were left in the joint hands of the V.E.U. and the Chamber of Manufactures. This was called for 19 August, so as to allow time for country organisations and shire councils to appoint delegates. A banquet the Chamber of Manufactures happened to be giving in Derham's honour the night before provided a suitable curtain raiser. The meeting itself was held at the Athenaeum, with Sir Malcolm McEacharn in the chair. Having once again urged the abolition of the wages boards, the meeting was told by Henry Meeks that 'something like an earthquake had been required to move the employers from their indifference, and it had come at last'. He moved

That this meeting of employers agrees to support individually and collectively the Employers' Union, Chamber of Manufactures, and other associations in their opposition to the lengths to which industrial legislation has been and is further proposed to be carried, and requests the councils of the two bodies named to take steps to bring the views of employers before the Government and Legislature.

From the vague terms of this motion developed the negotiations that gave birth to the Federation. The *Argus* reported that 'the necessity for some central body which would be representative of all employers was brought home to those who organised yesterday's meeting'.<sup>5</sup>

The main problem facing the founders was whether the new organisation should be a refurbished Employers' Union or an entirely new structure. Derham, who as president of the Chamber of Manufactures had been suspicious of the original V.E.U. initiative, no doubt preferred the latter. This was the path chosen, and by the end of the year a constitution had been agreed upon, rooms taken, and an organising secretary, the aggressive R.S. Walpole, appointed. Every attempt was made to cast the net as widely as possible: for example, the importance of enlisting rural interests was recognised from the outset. According to Walpole the Federation aimed 'to embrace in our organisation all the employers' associations in the same way as the various employes' unions are combined in the Trades-hall Council . . . . They will become affiliated with us, but we will in no way interfere with their internal working'. Derham, whose work and support for the new organisation earned him its presidency, persuaded the Chamber of Manufactures to affiliate in this manner; the Chamber of Commerce, however, politely refused. Unlike the two Chambers, the V.E.F. made no pretence of being non-political. The constitution provided for 'the selection of suitable Parliamentary candidates to represent the producing, manufacturing, and trading classes'. The Federation, said Walpole, aimed to submerge 'all individual politics - protectionist or free trade, conservative or liberal - in order to oppose what we consider aggressive legislation'.<sup>6</sup> By mid-1902 the V.E.F. was fully operative; a couple of months later Irvine dissolved parliament, and on 10 September the Factory Act expired. These early political concerns did much to ensure that the impetus of the Federation's launching was not lost.

In New South Wales an equivalent organisation did not emerge

until 1903. Reactions to the passing of the Arbitration Act in 1901 varied. The president of the Chamber of Manufactures called on employers to band together for their mutual protection. The Iron Trades Employers' Association, which had enjoyed a spasmodic existence since its inception in 1873, decided to organise on a permanent basis (though an ironworkers' strike in May 1901 contributed to this decision). The Association, whose first stated object now was to be registered as an industrial union under the Act, was to prove crucial in the later formation of the New South Wales Employers' Federation. But although there were obvious advantages in employers forming industrial unions under the Arbitration Act, it was not necessary for them to do so. Firms could register individually, and at first many preferred this course. Furthermore in the early days of the Arbitration Court there appears to have been an inclination among employers to give the new system a trial. Mr Justice Cohen observed that hostility to the Act seemed to have disappeared, and the elected employers' representative on the Court said that while the Act was not perfect there was in it a capacity for doing 'a real and great amount of good and useful work'.<sup>7</sup>

Employers were, however, showing some signs of political activity, which took the form of an attempt to promote the 'reform' movement. Towards the end of 1901 plans were afoot for a 'Producers and Employers' Union', and this emerged in 1902 as the 'Taxpayers' Union'. Its governing council was an odd mixture, for while some of its members were delegates of employer associations (for example, the Millers, Master Builders and Tanners), others represented their companies, and others again were described by their occupation (merchants, grazier, engineer, etc.). While it supported a reduction in the size of State parliament and retrenchment generally, the defence of private enterprise seemed to be given greater weight. Although it hoped to send 'high-class organisers' throughout the country who would help form a network of branches, the first annual general meeting, attended by about thirty people, was hardly encouraging.<sup>8</sup>

There was an essential ambiguity about the Taxpayers' Union. Although unashamedly an organisation of businessmen, its interest in propaganda and expansion indicates that the Union saw itself as the nucleus of a wider political movement. But its origins were likely to militate against its success in the political field: even those with similar

aims might be unwilling to identify themselves with what was really a political club for employers. However the Taxpayers' Union was little more than a temporary expedient. During 1902 the Chamber of Commerce initiated discussions with various employer organisations, including the Taxpayers' Union, concerning the question of 'State Interference with private enterprise'. The sponsors appeared to have had in mind an employers' federation along the lines of the V.E.F., but confusion remained as to whether a purely employer organisation was intended, or a wider political movement. In the meantime employers were advised to join either the Taxpayers' Union or the more recently formed People's Reform League. The P.R.L., as we shall see, had its own links with employers, but at least it was designed to have a wider appeal. Perhaps in recognition of this, the Taxpayers' Union merged itself with the P.R.L. in April-May 1903.<sup>9</sup>

Precisely at this moment the New South Wales Employers' Federation was born. The annual general meeting at which the Taxpayers' Union decision to merge with the P.R.L. was announced was held on 16 April; the preliminary meeting concerning the establishment of an employers' federation took place the following night. It seems clear that Sydney employers had at last decided to follow the Victorian pattern, according to which the P.R.L. would match the Kyabram movement\* as a popular organisation, while the new employers' federation undertook its own more particular sphere of industrial and political responsibilities.<sup>10</sup>

Such was the context of the founding of the New South Wales Employers' Federation; the guiding initiative, however, seems to have come from the Iron Trades Employers' Association. The I.T.E.A. had not been invited by the Chamber of Commerce to join the 1902 discussions, but in January 1903 we find the I.T.E.A. itself writing to the Chamber suggesting a combination against government interference. The secretary of the Association, F. Wegg-Horne, called the meeting of 17 April, and the president, Henry Hudson of Clyde Engineering, took the chair. Whether by accident or design, Walpole, the energetic secretary of the V.E.F., was in Sydney at the time, and he addressed the meeting concerning the aims and activities of the Victorian body. The Sydney leaders must have been impressed, because Hudson

\* Concerning the P.R.L. and the Kyabram movement, see the next section of this chapter.

thereupon wrote to Derham asking whether they could spare Walpole's services for a couple of weeks, to help launch the New South Wales Federation. The V.E.F. generously agreed to this, and it was arranged that Walpole would spend a fortnight in June with the New South Wales organisation, his expenses being guaranteed by employers of the Iron Trades Association. When the Federation was formally launched in June, Hudson became the first president and Wegg-Horne was named as provisional secretary. The latter continued to serve as secretary until 1908, also retaining his position with the Iron Trades Employers' Association, a situation emphasising the close connection between the two bodies. Indeed, in later years, when relations between the I.T.E.A. and the N.S.W.E.F. had deteriorated, one iron trades employer recalled how the Federation had been brought into existence by the I.T.E.A.<sup>11</sup>

However, although Hudson, Wegg-Horne and the I.T.E.A. played a prominent role, most of the main employer associations were consulted and took a part, if only informally, in the founding of the Federation. The need for it was generally accepted among employers: there was less unanimity about the scope of its activities. Just as the Victorian Chambers of Commerce and Manufactures had been anxious to maintain their separate identities, so too in New South Wales there was some concern that the Federation might seek to swallow up the older associations. Barre Johnston, president of the Chamber of Commerce and nominally a vice-president of the N.S.W.E.F., welcomed co-operation between the Chamber and the Federation 'to restore industrial equilibrium', but specifically rejected any proposal to federate 'all employers into one gigantic Commonwealth association'.<sup>12</sup>

The formation of the employer federations in Victoria and New South Wales did not automatically unite employers into a cohesive body. Individual associations continued to have different interests, and fiscalism remained a divisive influence. But the new federations did help bring employers together on matters of industrial legislation and labour relations generally. Moreover, whereas the older employer groups had observed a certain non-political decorum, the employer federations from the beginning did not shirk political involvement. While some individual employers still found such activity distasteful, the federations set the pace in politicising employers as a group.

Before proceeding to these political aspects, the key role played by Victorian employers calls for comment. It has already been suggested

that the earlier impact of industrial legislation in Victoria does much to explain the lead given in organisation by Melbourne employers. Yet it is interesting to recall that in the eighties the Victorians had played a similar role in pioneering industrial organisation, both in establishing the V.E.U. and then helping launch the New South Wales body.<sup>13</sup> Although in the critical 1890 strike the initiative tended to pass to New South Wales employers, the Victorians showed greater pertinacity in maintaining their associations. Thus while the New South Wales Union passed away during the nineties, the V.E.U. did not; likewise the Victorian Chamber of Manufactures survived while the New South Wales Chamber disintegrated; even the Melbourne Chamber of Commerce seemed more satisfied with its position and influence than the Sydney Chamber at this time. The comparative severity of the depression in Melbourne increases the significance of the contrast. Perhaps the diverse industries of Victoria more obviously called for greater organisation, whereas the large influence wielded by the small commercial-pastoral hierarchy of Sydney militated against general organisation. But certainly in their launching of the V.E.F. Derham and Walpole revealed a skill and thoroughness absent from the New South Wales venture. Particularly is this evident in their wooing of rural support. The comparative professionalism of the Victorians was acknowledged by the Sydney leaders when they sought their help and guidance. Similarly, the establishment of the Central Council of Employers in 1904 was inspired by the Victorians,<sup>14</sup> and it was Melbourne that produced that interesting employer journal, *Liberty and Progress*. The Central Council, of course, met in Melbourne, and Walpole acted as its secretary. With the Commonwealth parliament sitting there, many of these developments were natural, but it is difficult to escape the conclusion that Melbourne employers took these initiatives partly because they were already more conditioned to the need for organisation than their Sydney colleagues.

### **Political**

The fiscal political division of the nineties was real and meaningful to the extent that it did represent a conflict of interests and ideals, but it had one built-in limitation – it could not be kept alive all the time. As merchants and manufacturers tended to agree that frequent ‘tinkering with the tariff’ was harmful to business generally, the fiscal issue

often remained dormant for years at a time. Thus in both New South Wales and Victoria, after the readjustments of 1894-5, the fiscal issue *per se* ceased to be important. As the decade closed the energies of protectionists and free-traders were concentrated on ploughing the virgin territory of Commonwealth politics.

From the point of view of the traditional class of politicians – the pre-labor generation as it were – the fiscal division was a mixed blessing. For those who resented or were at least disturbed by the class tone of labor party politics, the fiscal issue arranged political life along more acceptable lines. The carrying over of fiscal rhetoric into other issues was a natural temptation, because it respected and reinforced the existing order. Waving the wand of fiscalism was in this sense an attempt to make the labor party disappear.

The lesson of the nineties, however, was that the labor party could not be arbitrarily dissolved without its consent. From the beginning those with less immediate interest in fiscalism, or who were perhaps satisfied with the existing tariff, had tended to urge the virtues of an anti-labor coalition. On the other hand, for those for whom fiscalism had been the ultimate political issue, the coming of the Commonwealth left State politics in a peculiarly amorphous condition. This was emphasised by the departure of the first rank leaders of the nineties. Victoria lost Turner and McLean, together with most of its eminent radicals, including Deakin, Higgins and Isaacs. New South Wales lost, as well as Barton himself, its two great practitioners of party politics, Reid and Lyne. The extent of the vacuum left by these leaders is indicated by the alacrity with which the idea of coalition was seized upon as a means of reorganising and stabilising parliamentary politics at the State level. For the first time a serious attempt was made to isolate the labor party, or at least to render it innocuous.

In New South Wales Lyne's resignation as premier brought an immediate attempt at coalition by his successor, See. A man of conservative, if pragmatic instincts, See found the idea of coalition attractive. He approached Carruthers\* and several other opposition leaders, but their participation was effectively vetoed by Reid, now the federal

\* Carruthers at this time appeared to be the natural successor to Reid as leader of the New South Wales liberal (free-trade) party. However his involvement in the abortive coalition negotiations resulted in the liberals temporarily preferring C.A. Lee.

free-trade leader, and the *Daily Telegraph*. It was said that See had also offered a portfolio to McGowen, the labor leader, but in view of the New South Wales party's known attitude to coalition ministries, the offer can have been little more than a gambit. Even if the approach to McGowen were sincere, the effect of such an all party coalition would have been to neutralise labor party influence in parliament. The earnest support given to the coalition manoeuvre by McMillan suggests that it was basically conceived in anti-labor terms.<sup>15</sup>

The reason for the veto imposed by Reid and the *Telegraph* is not hard to find. The free-traders had scored a notable success in the federal elections in New South Wales at the end of March. A coalition at a State level might have strengthened the Barton government at a time when Reid was girding his loins for the fiscal fray. Furthermore, the federal elections suggested that the free-trade (liberal) opposition in the New South Wales Assembly was in a good position to topple the See government at the coming State elections. Naturally coalition lost some of its attractions when there was the prospect of office alone. As a result a strenuous attempt was made to retain the form and spirit of fiscalism in State politics. A 'free-trade' State government, it was argued, would strengthen the hand of the Reid opposition in the federal sphere. The New South Wales electors were unimpressed, and the liberal party failed dismally at the 1901 elections. The subject of coalition then remained in abeyance until 1904.

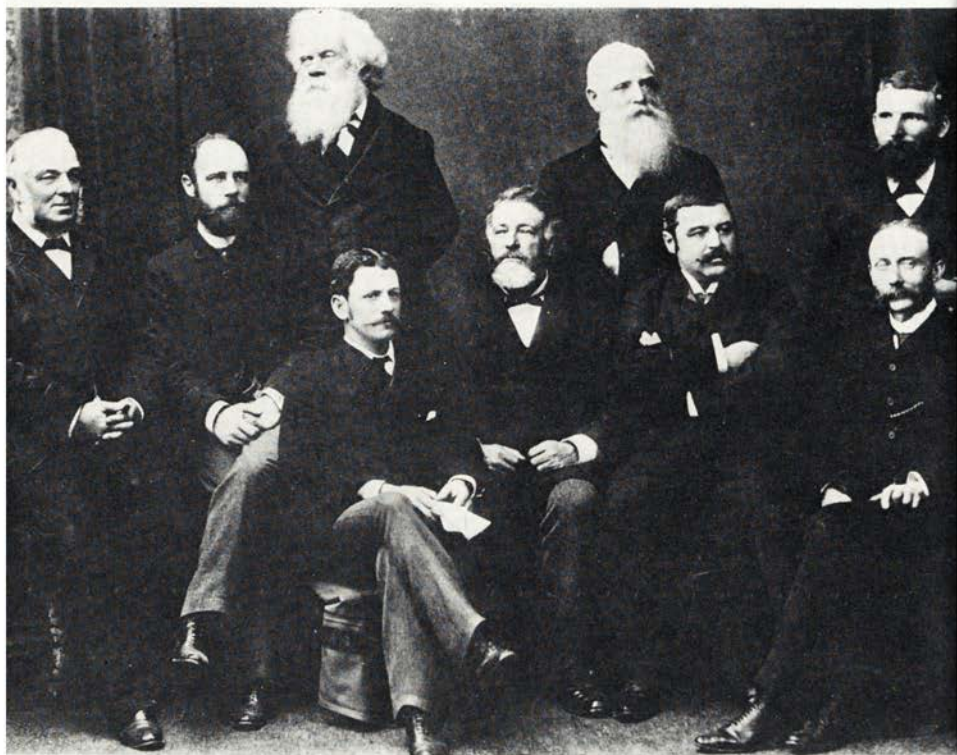
In Victoria coalition did not become a live issue until the end of 1901. Both the opposition, now led by W.H. Irvine,\* and the labor party were dissatisfied with the Peacock government (Peacock had succeeded Turner as premier in 1901) but they would not co-operate in defeating it. The *Argus*, arguing that party lines had ceased to represent facts, pressed the case for a coalition between Peacock and Irvine, a coalition, which, it went without saying, would exclude former labor leader Trenwith, who had joined the ministry in 1900. Peacock and Irvine were both sympathetic to the idea, and apparently opened negotiations, but for reasons which are not clear the project was abandoned.<sup>16</sup>

It is not altogether surprising that these attempts at coalition should have failed. The impulse towards coalition must be strong to overcome

\* Irvine had entered the Legislative Assembly in 1894. He was regarded as belonging to the constitutionalist or conservative party, and served in the McLean government, 1899-1900.



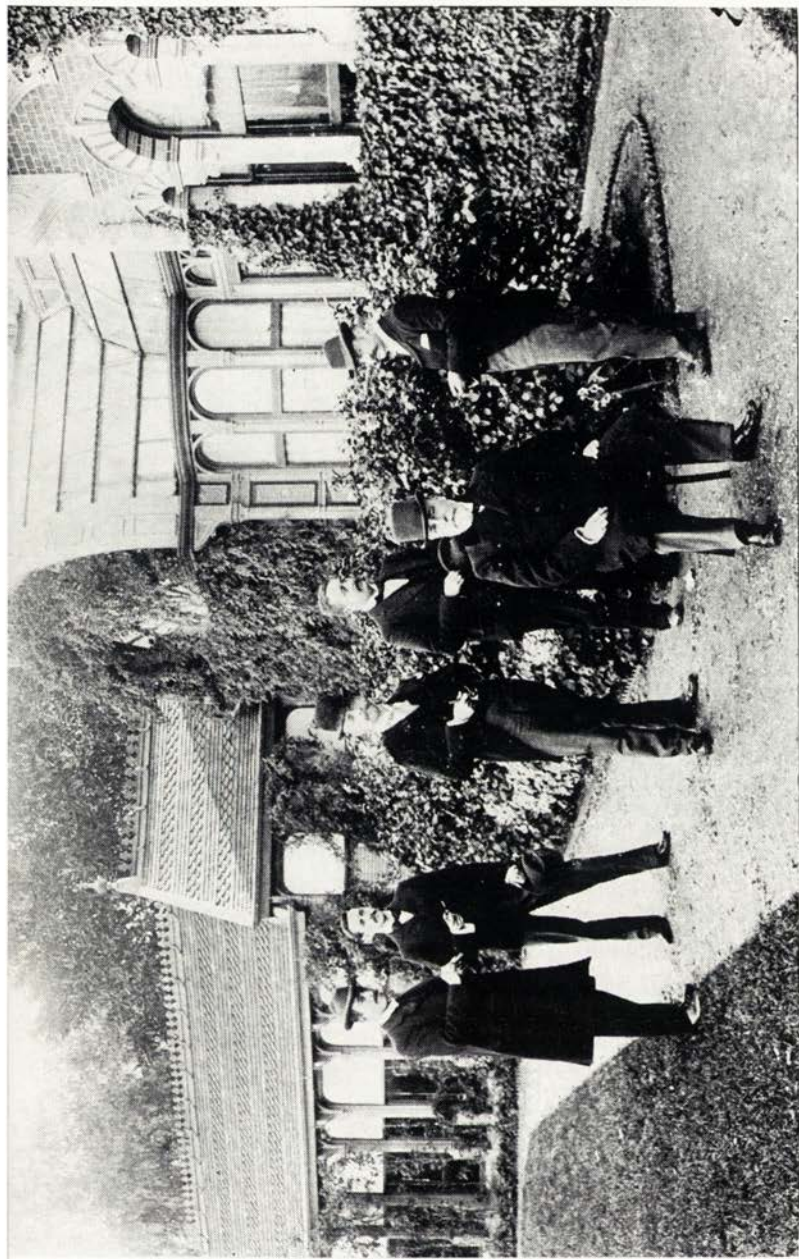
*Plate 1: Five premiers in the gardens of the Victorian parliament, March 1898. Standing, from left to right, Kingston of South Australia and Forrest of Western Australia; seated, Sir Edward Braddon of Tasmania, Turner of Victoria and Reid of New South Wales. Turner certainly looks the suburban solicitor as described by his contemporaries; Reid, massive and crumpled, and apparently requiring an entire park bench to support him, is in statesmanlike mood.*



*Plate 2:* The Parkes ministry, 1889-91. Standing, from left to right, Parkes, O'Connor, Sydney Smith; seated, Bruncker, McMillan, Carruthers, W.H. Suttor, Bruce Smith and Gould. In this splendidly arranged photograph two extremes are represented by Parkes, the wise, white-haired father figure, and Carruthers, the diminutive junior, who is consigned to what appears to be a footstool. Note the presence of two key employer politicians of the period, McMillan and Bruce Smith.



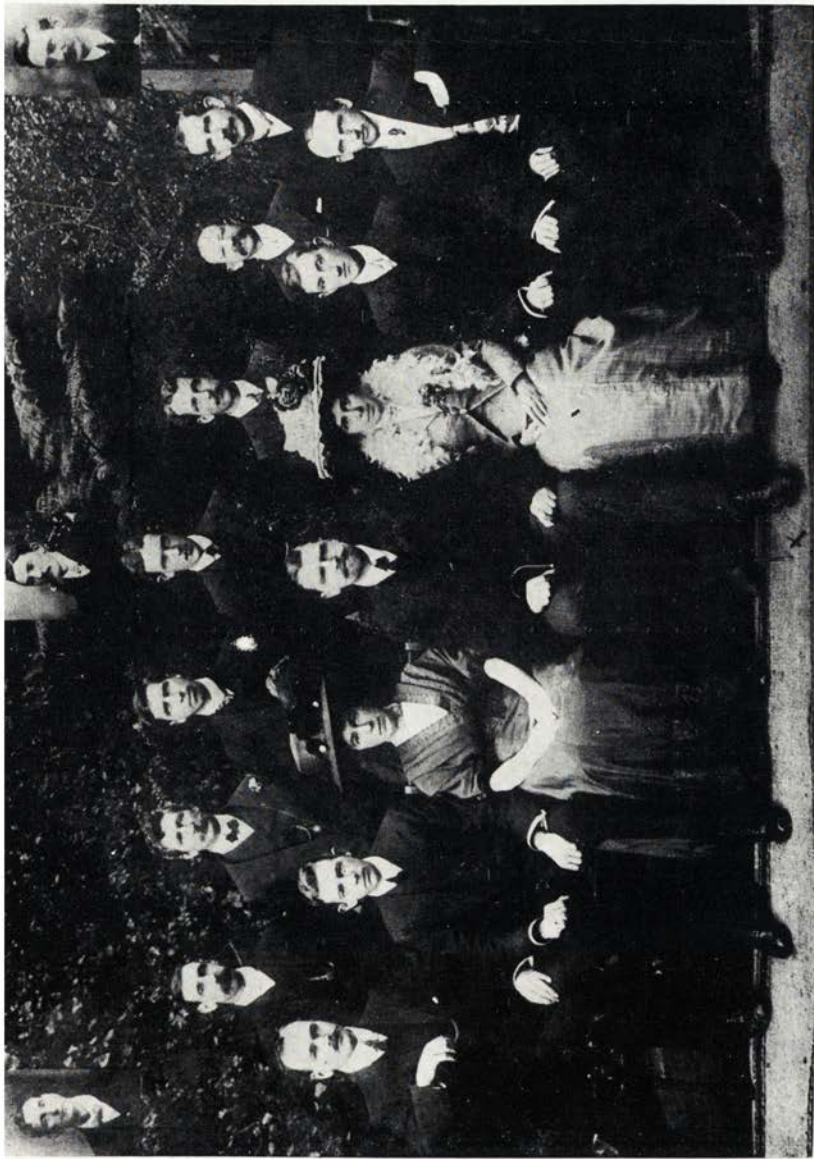
*Plate 3:* Some of the delegates who attended the first interstate 'Labor-in-Politics Conference', held in the Trades Hall, Sydney, 24 January 1900. What a raffish looking bunch! Even allowing for the informality of this photograph, the contrast with Plate no. 2 is striking. Queenslanders J. Lesina, A. Hinchcliffe, W.G. Higgs, C. McDonald and J.C. Stewart stand at the back; South Australians W.H. Carpenter and T. Price, and Victorians J. Barrett and J. Hyman are seated, with New South Wales M.L.C. J. Hepher (more formally dressed as befitting a member of an upper house) standing beside them; squatting on the grass are J. Thomas, McGowen, Hughes and Watson, all from New South Wales of course.



*Plate 4:* The merchant prince at home: Sir Frederick Sargood and sons on the lawn of Rippon Lea. This exuberant mansion and its superb garden were recently acquired by the National Trust in Victoria.



*Plate 5:* The federal council of the Australian Federated Butchers Employees' Union, meeting in Melbourne, 1909. Perhaps as proud of their position as Sargood and family, but presenting a much more mixed appearance, these office bearers are posing for the camera outside the great mansion of labour, the Melbourne Trades Hall.



*Plate 6:* More militant members of the shabby genteel: executive officers of the Sydney branch of the Shop Assistants and Warehouse Employees' Federation of Australia. The president has, a symbol of his office, an umbrella, and is attended by two maiden unionists. Those who could not get away from their counters have been inserted as seraph-like decorations.



*Plate 7: These ladies of the Cook electorate have won the best decorated stall at the Women's Labour Bazaar, held at the Sydney Trades Hall, 18 April 1908. They are a formidable lot: most have had ample experience at the washtub. Captain Cook, in the form of a bust, appears to be a little surprised to find himself in their midst.*



*Plates 8 and 9: The two extremes of rural Australia: on the left the traditional swaggie, on the right, the squatter, in the person of W.E. Abbott, president of the Pastoralists' Union of New South Wales, 1894-7, 1900-10. The swaggie looks a grizzled sceptic; Abbott, a benevolent patriarch, whose dusty shoes proclaim that he knows what hard work is.*

the natural competition for office. Indeed in these terms it is really more surprising that the labor party, which at this time represented less than one fifth of the New South Wales Assembly, and less than one ninth of the Victorian Assembly, should have been considered a threat worthy of such efforts. It was not, of course, envisaged that the prospective coalitions would necessarily command the support of all non-labor members; but they were intended to bring government and opposition together in ministries which would combine the 'very best men' of both.<sup>17</sup>

These attempts at merging the non-labor parties were made by the politicians themselves, with only incidental reference to outside interests. However they were very soon paralleled by the growth of various leagues and associations dedicated to developing and organising the anti-labor vote. The first of these was the legendary Kyabram movement, which begat the Citizens' Reform League.

The propaganda of Kyabram makes interesting reading. On 4 November 1901, in a little country town in northern Victoria, a man named G.H. Bishop had a chat with the proprietor of the local newspaper about the alarming state of drift and extravagance in State government finances. The two men felt that something had to be done, so, in co-operation with a couple of the neighbouring shire councils, a meeting was called for 13 November. This gathering passed resolutions seeking a reduction in the number of members, ministers, their salaries and State expenditure generally. A circular was sent out to 'all the public bodies in the State' bearing the news of what the wise men of Kyabram had demanded. From these small beginnings snowballed 'one of the most successful and greatest political movements ever initiated in Australia, or for that matter in any part of the world'. The result was the return with a large majority of the Irvine government at the 1902 elections on a platform of reform and retrenchment. The people had at last found their voice, and the success of the Kyabram movement was inevitable because its aims were so much in harmony with the desire of 'all classes'.<sup>18</sup>

Critics of the movement were rather more sceptical of its origins. Some cast Derham in the role of master-mind, pointing to the fact that the firm of which he was managing director, Swallow and Ariell, had a cannery at Kyabram. It is interesting to note that Bishop, the local merchant whose chat with the owner of the *Kyabram Free Press*

allegedly started it all, was at a later stage acting for Derham's company.<sup>19</sup> Certainly, from Derham's point of view, the timing of the Kyabram movement was auspicious. It coincided with the campaign against the wages boards and the founding of the Victorian Employers' Federation. The stress placed by Derham and his colleagues on the need for rural support has already been commented on: clearly a movement designed to activate the farmers was to be welcomed.

If Derham was not actually the grey eminence of Kyabram, there can be little doubt that he would have been well informed about it from the early stages; he certainly welcomed and encouraged it. But once under way it achieved a momentum of its own, and although it later worked in co-operation with the V.E.F., relations were not always smooth. For one thing, the National Citizens' Reform League, although not formally established until the Melbourne conference of April 1902, expanded much more rapidly than the V.E.F. In his account of the Kyabram movement, Meudell does not refer to Derham or the V.E.F. He assumes Kyabram to be a rural movement which was annexed by city interests and given a real political form: 'Directly I thought their circulars had taken effect amongst country shire councils and public bodies, I asked George W.S. Dean, then the cleverest election secretary in Victoria, to help me divert the movement to Melbourne.' Dean became secretary, Meudell treasurer, and 'Henry Butler of Sargood and Company, soft-goods-men, found the thousand pounds'.<sup>20</sup>

The Kyabram movement enjoyed the distinction of receiving the generous support of both the *Age* and *Argus*. However the role of these newspapers in the launching of the movement remains obscure. Thorold Waters, who worked on the *Age* at the time, wrote that 'whether David Syme hatched out the political ugly duckling I never quite discovered, but he certainly helped it to waddle'. Eggleston, hardly one who would be susceptible to a conspiracy view of such events, admitted that the movement was partly a manufactured press stunt. It is evident, too, from the organising and fund raising activities of Meudell and Dean, that this rural movement was soon receiving much of its direction from the commercial-financial interests of Melbourne.\*

\* One can only speculate as to what particular interests contributed to the funds of the League, but the fact that Meudell was treasurer suggests that perhaps the League received support from financial institutions rather than industrial employers. That the V.E.F. did not set up a financial section until 1905, when the N.C.R.L. was fading away, would support this view.

Nevertheless there is no doubt that the movement had achieved considerable success in the country. By the end of 1902 it was boasting 210 branches with 15,555 members. The movement was able to exploit the long-standing anti-city prejudices of Victorian farmers, and, as the drought developed during 1902, was further aided by discontent engendered by the rural recession.\* If Kyabram was 'manufactured' (and there is a sense in which the word can be applied to any political movement), it was manufactured in the full knowledge that suitable ingredients existed. The influence of Kyabram was acknowledged by Irvine himself. He had been, like many Victorian members, sceptical at first; but when, as premier, he dissolved the Assembly, he was careful to come to terms with the League. In return he was accorded the status of patron of the movement: he was 'the Reform Premier'.<sup>21</sup>

The League, and the reform agitation in general, dominated the 1902 elections. But the V.E.F. had also been quietly active in the cause of returning the Irvine government, although there was some doubt as to the advisability of the Federation publicly stating its intention in this respect. However the most serious work of the V.E.F. at this time lay in its endeavours to establish solid, middle-class organisations that would form the basis of an anti-labor political movement. The two principal bodies fathered by the V.E.F. were the Farmers, Property Owners and Producers' League (often referred to as the Farmers' League, and, sometimes, the Cranbourne Producers' League) and the Australian Women's National League. Both received financial support from the V.E.F.<sup>22</sup>

The F.P.O.P.A. was formed at Cranbourne in January 1904, with the aim of organising the anti-socialist vote in the country. It was not to be limited to farmers, explained its president, J.W. McLennan, but would welcome 'all property owners and rural workers'. He added, a trifle vaguely, that there were one or two rural workers, 'level-headed fellows', on the executive. Although the finances of the F.P.O.P.A. were not always secure, it claimed by 1910 a nominal membership of 15,000 and a branch strength of 240.<sup>23</sup>

As for the Australian Women's National League, there is little doubt

\* The drought dated from the failure of the autumn rains in April-May 1902. Its severity can be measured by the fact that the wheat yield in 1902-3 was only 2,569,364 bushels, compared with the then record yield of 1898-9, 19,581,304 bushels, and the new record set in 1903-4, 28,525,579 bushels. (*1902 Victorian Year Book*, pp. 205, 235; *1903 Victorian Year Book*, p. 375.)

that the idea originated in the masculine atmosphere of the V.E.F. council room. On 11 June 1903 'consideration was given to the organising of the Women's Vote and the President agreed to obtain the names of the ladies connected with the Anti-Suffrage movement and supply the secretary with same'. Three months later some three hundred ladies met in the Cliveden ballroom in response to an invitation from Janet Lady Clarke who in 1904 was enthroned as the founding president of the League. The role of the V.E.F. as entrepreneur is emphasised by its vote of £35 to the League on 17 February, which was before the organisation had been formally established. Moreover, to seal the connection, Derham's daughter Freda, who had started the anti-suffrage movement in Melbourne, became the secretary. By July 1904 the Australian Women's National League claimed twenty-six branches with 2000 members; one year later it was boasting of 9000.<sup>24</sup>

The greater purpose behind these organisations soon became apparent. Already in January 1904 - that is to say when both the A.W.N.L. and the F.P.O.P.A. were still being launched - Derham referred to the 'want of proper organisation' and told the V.E.F. Council that a 'strong Political body' was needed. Derham and Walpole envisaged an anti-socialist organisation, comprising the F.P.O.P.A., A.W.N.L., Reform League and the V.E.F. The fly in the ointment was the Reform League, which saw the proposed organisation as a crude attempt on the part of the V.E.F. to take over the reform movement. Part of the myth of Kyabram had been that it was a non-party movement, concerned with measures and not men. J.M. Gillespie, president of the Reform League, felt that any association with the V.E.F. would damage this reputation. The League came to a unity conference, but refused to join a 'united Council' dominated by the V.E.F. and its off-shoots. Undaunted, the V.E.F. launched the Anti-Socialist Alliance, which soon claimed a total membership of 27,000, and took a leading part in Reid's 1906 federal campaign.<sup>25</sup>

New South Wales produced no organisation that could match the propaganda success of Kyabram, and the New South Wales Employers' Federation, coming into existence only in mid-1903, was not as intimately involved in the reform and anti-socialist agitation as the V.E.F. Although attempts were made to emulate the Victorian effort, differing circumstances meant that various compromises had to be made. The great political difference was that Peacock, who could only claim an

electoral mandate via Turner's majority of 1900, was in a much weaker position than See, who could point to his recent electoral triumph of 1901. The Peacock government was much more susceptible to pressure and collapsed in June 1902, but the See government, in spite of a few casualties and a venomous press campaign, remained in a secure parliamentary position until 1904. This timetable required a different approach.

Before the 1901 elections there had been some minor agitation for a reduction in the size of the State parliament, but it had been of little consequence. Not until 1902 was a full-scale reform movement promoted. In this the Taxpayers' Union played the role of forerunner. Established in January-February 1902, it soon became clear, as the success of Kyabram was observed, that an organisation of a more popular nature was required. As a result on 6 May a 'preliminary' meeting was held at the Sydney Town Hall to consider parliamentary reform. This gathering was attended on the one side by Carruthers and some of his parliamentary supporters, and on the other by a group of aldermen, businessmen and others who were later to be associated with the People's Reform League. The fiery archangel of New South Wales Protestantism, Rev. W.M. Dill Macky, was also present. Carruthers urged the meeting not to specify the reduction in members required; he also argued that 'reform' would be successful only when it had been made a party question. On both these counts he was opposed.<sup>26</sup> The result was that Carruthers went his own way with the Liberal Reform Association, over which he presided, while his critics formed the People's Reform League.

In a Kyabramesque gesture it was said that the P.R.L. was formed at Camden, where G.M. McArthur Onslow was mayor, on 6 May. But the proper beginning was a Town Hall meeting on 16 May, attended by many of those who had been disappointed by the meeting of the week before.<sup>27</sup> A committee was set up, and the result was the People's Reform League, which then in the following year absorbed the Taxpayers' Union. Wegg-Horne, secretary of the Iron Trades Employers' Association, and later secretary of the N.S.W.E.F., was organising secretary. It is clear both from Wegg-Horne's connection and the easy manner in which the Taxpayers' Union was absorbed, that the P.R.L. was very much the creation of the business community.

The friction between Carruthers and the founders of the P.R.L.

became more marked in 1903 when the Liberal Reform Association got into its stride. The president of the P.R.L. distinguished it from the L.R.A. by saying that the League 'was a movement originated by the people, and for the good of the people, apart from all parliamentary connection'; 'they did not require old politicians, but able business men who would give a straight out vote'. Many supporters of the P.R.L., remembering that Carruthers had been a member of the Reid government in the nineties, thought the opposition leader too liberal. He did not have Irvine's backbone; indeed, during the controversial 1903 Victorian rail strike he had maintained a neutral silence. Carruthers in turn accused the P.R.L. of representing the conservative section of the electorate. However as the 1904 election approached the need for the two organisations to co-operate was widely canvassed. Carruthers placated his critics to the extent of assuring them that he would not govern with the aid of the labor party. McMillan urged the 'people's organisation' and the 'politicians' organisation' to work as one. Reid, who always insisted that the parliamentary leader retain control of the electoral organisation, was more forthright. 'The talk about two peoples associations, two Reform Associations, at a time like this, made one sick', he said. 'There could only be one association, and that association must have as its head the responsible Parliamentary chief of the party.' The P.R.L. bowed to this pressure and negotiated an arrangement with the L.R.A., though the P.R.L. president was not altogether happy with the terms.<sup>28</sup>

The weakness of the P.R.L. was that it had remained cliquish and too closely tied to employer interests. It was the L.R.A. that mustered the kind of membership and following akin to that of Kyabram. Indeed in August 1904 Carruthers claimed that the L.R.A. had a membership between 75,000 and 100,000, although the very vagueness of these astonishing figures suggests they must have been an exaggeration. The Women's Liberal League, which was really the New South Wales equivalent to the A.W.N.L., was associated with the L.R.A. and not the P.R.L. (and would presumably have been included in the above estimate). Presided over by Mrs Molyneux Parkes, the Women's League claimed twenty-five branches and 'a very large membership'. In all, the P.R.L. tended to become a backroom affair, apparently concentrating its energies on fund raising for the L.R.A. This did not prevent it from being critical of the Carruthers government after 1904,

and at times it still attempted to mobilise middle-class opinion on policy issues.<sup>29</sup>

As for the New South Wales Employers' Federation, although maintaining an interest in the political situation it was in no position to engage in the empire building of Derham and Walpole. Any idea of sponsoring an anti-socialist alliance on Victorian lines was checked by the strength of the L.R.A. Furthermore, although the Federation made some effort to establish itself in the country, there was no question of begetting an organisation such as the F.P.O.P.A., for the simple reason that the Farmers and Settlers' Association already occupied the field, and at this time still considered itself politically non-partisan. The Association was, however, under some pressure. Pastoralists had for the last couple of years been pointing out the interests they had in common, and between 1904 and 1909 the F.S.A. gradually moved towards an anti-labor position. Radical farmers left the organisation, and a new 'respectable' leadership emerged. But the independent background of the F.S.A. meant that the N.S.W.E.F. could not hope to exert an influence similar to that of the V.E.F. on the F.P.O.P.A.<sup>30</sup>

Although connected with the P.R.L., the N.S.W.E.F. tended to be regarded as just one employer association among several. In January 1904 we find the Chamber of Commerce and the N.S.W.E.F. together sponsoring a conference of employer groups to discuss opposition to the local Arbitration Act and the federal Arbitration Bill. Nothing concrete came from this conference, and in July the president of the Chamber of Commerce was still lamenting the absence of a counter organisation to the trade unions. The N.S.W.E.F., itself originally envisaged as such a counter organisation, did not appear to make substantial progress in its early years, and in 1908 its condition was reported to the V.E.F. as being 'very weak'.<sup>31</sup> But employers in general could claim some success on the arbitration issue, as pressure brought to bear on Carruthers led him to propose several important amendments – the abolition of the common rule, the limitation of the preference clause to unions which represented a majority of the workers affected, and whose objects were purely industrial, and the revival of conciliation before arbitration. Early in 1904, when writing of the Act, he had proposed no such specific amendments.<sup>32</sup>

It can be seen that the patterns of anti-labor organisation in New

South Wales and Victoria were by no means identical; nevertheless, within them many of the same *motifs* recur. For example, the crucial issue for most employer associations at this time was the extent to which they should take political action. The new employer federations began by openly declaring their political intentions, and the early years of the Commonwealth saw the older employer associations absorbing something of this approach. In 1901 the president of the Sydney Chamber of Commerce was saying that the Chamber was 'not a political body'; in 1904 his successor was urging members to come forward 'as an active political force on the side of sound finance, honest administration, and freedom for private enterprise'. The Victorian Chamber of Manufactures had always been protectionist in its policies, but in the early 1900s its aggressiveness increased. Derham, when president of the Chamber, had been dismissed by Mauger as not a protectionist at all; in 1906 the Chamber shocked the V.E.F. when it approached the labor party suggesting an alliance for the federal elections. New South Wales manufacturers, on the other hand, virtually endorsed Reid's anti-socialist campaign. Merchants and manufacturers were by no means united, even within their individual organisations, but common to all was a growing readiness to become much more directly involved in the political process.<sup>33</sup>

Once the necessity of political action was accepted, employers had to decide whether it was desirable that their efforts should be publicised. At the outset the V.E.F. was tempted to follow the Taxpayers' Union in admitting to membership those who, whether employers or employees, were in sympathy with the Federation's aims and platform. The launching of the Anti-Socialist Alliance, however, acknowledged that this approach was impracticable. Only through a diversity of organisations could a worthwhile anti-labor movement be built. But, in turn, the open participation of the V.E.F. in the A.S.A. became a live issue. One V.E.F. councillor thought that 'the Federation was a dangerous power in politics and ought to submerge itself'. In 1906 a new body was launched, the Victorian Citizens' League, with the idea that the League, which would have 'prominent men' from the Federation taking an active part in its management, would replace the V.E.F. in the Anti-Socialist Alliance. And when New South Wales employers were discussing political action in 1904 they seemed to be agreed that they should operate with as much 'privacy' as possible and with the support of substantial funds.<sup>34</sup>

But here of course was the difficulty. If the employer association did not exercise direct control over the political organisation it fathered, how could it be sure that the off-spring would not rebel against parental authority? Many employers were unwilling to disburse funds to a political association whose policy they could not always determine. On the other hand, to allow the political association to collect its own funds seemed worse. The V.E.F.'s relations with the A.S.A. reflect this dilemma. Derham upheld the need for direct participation on the part of the Federation. To G. Fairbairn, Derham's successor as V.E.F. president, 'the whole question appeared to be chiefly one of finance, and the Federation naturally objected to money being collected from its members by outside alliances'. After protracted negotiations the V.E.F. decided that the Alliance was not worth the expenditure of time, effort or money, and withdrew; but the question of control and finance was to remain a basic one for anti-labor organisations in Australia.<sup>35</sup>

When it came to policies, the political leagues adopted a standard program. On the negative side, socialist legislation was opposed and the rights of private enterprise defended; in particular, modifications to industrial legislation were sought. But the combination of two factors – the birth of the Commonwealth and the economic recession – made a positive side to this program both feasible and popular. A policy of retrenchment – reduction in members, ministers, salaries, the public service and government expenditure generally – was promoted as a policy of reform. Here was a valuable label, a talisman with some power at least to combat the magic of 'labor'. And in so far as 'reform' meant definite constitutional and financial proposals for the reordering of the States, it gave its supporters the sense of holding the initiative.

Apart from this tactical advantage, 'reform' was an apt policy for employers in politics, because it tapped the legendary Australian contempt for politicians. Given the need to prune the State parliaments, it was assumed that paid politicians could not be trusted with the task; the people themselves had to intervene in order to ensure that the required number of politicians were sacrificed. Hence the idea that Kyabram and the P.R.L. were *people's* movements as distinct from *politicians'* movements. The aim of the P.R.L. was to get rid of 'the old political "deadbeat"', and to do this 'it was deemed necessary to alter the old system by which committees, composed largely of

politicians sitting in Sydney, selected the candidates for the various constituencies'. Kyabram likewise purported to sit in judgment on the politicians. The exploitation of the distrust of politicians served employers well: the result was, as Eggleston observed, 'for the first time for many years the opinions of the business classes coincided with those of the man in the street'. For employers the promotion and manipulation of the reform movement were a form of revenge against the political leaders who had so blandly ignored them in 1900-1.<sup>36</sup>

The reform leagues were a weapon employer interests could use to influence middle-class politicians to come to terms. They aimed to make their support indispensable to Irvine and Carruthers, and if this meant generally belittling politicians, that was so much bad luck. But although the employers, through the leagues, were now in a position to exert pressure on the politicians, they could not dictate terms. Much of the political initiative remained with Irvine and Carruthers, and the relative success of the reform movements in Victoria and New South Wales in the last resort depended on the extent to which these leaders were prepared to accommodate them.

The contrast between Irvine and Carruthers is an interesting one. Irvine, through his handling of the reform issue and the railway strike it provoked, rapidly became a middle-class hero. Nicknamed the Iceberg, he was well cast as the 'cool, calm strong man', and it was said that no one played the part 'more finely and successfully'. According to his supporter, Murray Smith, he was 'firm, very resolute, but slightly imperious'. Yet the appearance of strength and resolution was not achieved without a sense of strain. He was, Eggleston wrote, 'a man of intense emotions'; and lacking, it would seem, the safety valve of humour, his display of strenuous political determination took its toll. He had been in office little more than a year when he hinted that 'reasons of a private character' (assumed at the time to be financial) would soon necessitate his retirement from office; but in 1904 it was ill health that caused his resignation.<sup>37</sup> With the succession of Bent to the premiership, Victoria returned to a more familiar type of political leadership; yet Irvine's short reign was to leave a considerable mark.

Irvine had achieved a popularity with employers unmatched since the days of Service and Gillies, and the mere suggestion of his possible

resignation was enough to cause a flurry of alarm among employer organisations.<sup>38</sup> But the reform premier had been in no sense a puppet. Irvine's sense of will and integrity was such that he bowed to none: his much praised 'backbone' simply did not permit such an attitude. The conflict over constitutional reform amply bears out Irvine's independence. Reforming the Assembly was one thing, but members of the Legislative Council saw no reason why they should be disturbed. As they were unpaid, councillors argued that the orthodox justification of retrenchment did not apply. Irvine, on the other hand, saw that the two to one nexus between the two houses' membership could not be broken without upsetting a fundamental constitutional tradition. Moreover, while he wanted to make the upper house more powerful (most significantly by granting it the power of suggestion re money bills), he argued that this could only be justified by a considerable democratising of the Council. By this he meant a more liberal franchise, single member provinces, and a double dissolution formula for achieving finality in disputes between houses. Legislative councillors did not mind accepting increased powers, but they shrank from Irvine's democratic proposals. In particular the idea of a double dissolution struck terror in their hearts - here, they thought, was a constitutional innovation which could lead to the Council's ultimate destruction. For conservatives the Council had functioned very satisfactorily for half a century - what on earth, they wanted to know, made such a radical alteration of its constitution necessary at all? 'I was at the first meeting at Kyabram', W.L. Baillieu told his peers, 'and I can testify that nothing was further from the thoughts of those men than the idea that the constitution of this House must be radically altered in order to save the country.' Irvine remained insistent, and the *Argus* soon passed from irritation with him (even suggesting that Irvine's policy was a mere tactic akin to 'dishing the Whigs') to outright criticism. The final settlement gave Irvine the appearances of concessions with comparatively little substance. But there was nothing phoney, as the *Argus* hinted, about his fight. It was quite in keeping with his cast of mind that he should urge such radical changes to achieve what was politically a conservative purpose. But while the *Argus* and the V.E.F. were not prepared to go all the way with Irvine's political logic, they admired his uncompromising, authoritarian style. In his short premiership Irvine appeared to put the public service, the Trades Hall, indeed, even the politicians themselves,

firmly in their respective places. It was no wonder that employers sang his praises.<sup>39</sup>

In New South Wales Carruthers was never accorded such respect. 'A little man with a great voice', he had none of Reid's humour and personal popularity ('he never even gave me civility', one labor member complained). Neither was he able to affect Irvine's implacability in the face of criticism. Under fire Carruthers tended to become at first irritable, then bad tempered. 'I hate this life', he confided to Deakin while he was premier, 'and feel like Hamilton that one stands with his back against the wall all the time fighting for his honour and his manhood, which, in the ordinary work of one's life in a profession or business would never be assailed.'<sup>40</sup>

Employers could not forget Carruthers's membership of the labor-supported Reid government; and as late as 1901 Carruthers did not appear, publicly at least, to rule out the possibility of governing with labor support.<sup>41</sup> It was understandable, then, that employers should be reluctant to fall in behind him when he attempted to organise the reform movement. And although the Liberal Reform Association soon outstripped the P.R.L., Carruthers still needed all the support he could muster. To get a majority in his own right was no easy task; indeed, in the end he barely accomplished it. As the election of 1904 approached, he was quite willing to come to terms with employers and to promise amendments to the Arbitration Act, but at the same time he was aware of the danger of being tarnished with a conservative brush. At one stage of the campaign he claimed that he had not spoken to Bruce Smith for two years, had only seen McMillan three times in four years, and had not met Want for months – all this to deny that he was being influenced in a conservative direction.<sup>42</sup>

Once in office, Carruthers obviously felt that good relations between his government and employer groups were desirable, but he did not always find employers ready to oblige him. In 1905 when employer groups began to pester Carruthers about amending the Arbitration Act, the premier grew irritable. 'You will find that the Government propositions for the amendment of the Act will be much more drastic than you expect', he assured the secretary of the Chamber of Commerce, but he advised both the Chamber of Commerce and Employers' Federation against sending deputations to him or seeking conferences. 'You are only putting weapons in the hands of your opponents', he

said. The same applied to a 'private interview', news of which would be bound to leak out, provoking the comment, 'Oh the wealthy folk can get the ear of the Minister while the workers cannot'. In short, the premier's message was to leave it all to him, a prospect which did not enchant employers. Again, in 1906 Carruthers resisted requests from both the Chambers of Commerce and Manufactures that they should be represented on the Board of Health. 'You are not philanthropists,' he snapped at a deputation of manufacturers, 'and do not build universities and colleges out of the profits.'<sup>43</sup>

The fact was that conservatives in general, and employers in particular, were disappointed with the Carruthers government. Carruthers did not pursue retrenchment with the zeal they thought appropriate, and there were aspects of his legislative program, in particular the Government Savings Bank Bill, of which they disapproved. Even with the labor party isolated in direct opposition, it seemed to the premier's critics that his government was still too responsive to the political pressure exerted by the labour movement. It was, after all, still possible for the *Worker* to describe Carruthers, on his retirement, as 'a good democrat gone wrong'.<sup>44</sup> Although the P.R.L. co-operated with the government in the 1907 elections, there was no masking the satisfaction of employers when Carruthers suddenly resigned, ostensibly on the grounds of ill health,\* and was succeeded by C.G. Wade, a leader more in the Irvine mould. Wade, entering parliament in 1903, had become attorney-general in 1904; his lightning rise to the premiership helped convey the impression that a non-politician had taken over.

Yet although his relations with employer groups were not always happy, Carruthers was as devoted as Irvine to the cause of anti-labor. 'From the very onset of Federation I have been in favour of a Coalition between all parties opposed to Caucus Labour in politics', he told Deakin in 1904, and he urged coalition on both Deakin and Reid. Moreover, he saw the anti-labor movement as a justified reaction on the part of the 'haves' in the community:

Socialism – so called – is too good a term for the Labour platform, which aims at nothing more nor less than to grip with dirty hands

\* Spence suggested that following the land scandals involving N.W. Willis and W.P. Crick which had been exposed during his premiership, Carruthers, who had been Willis's legal adviser, 'was not prepared to face the risk of an inquiry into his own administration'. (*Australia's Awakening*, p. 164.)

men who in industrial life have succeeded by honest effort and pull them down in the hopes that by artificial legislation Unionists, bound hip and thigh by union rules, and traditions, may work the system of government for their seeming advantage.<sup>45</sup>

Both Irvine and Carruthers were aware that, faced with the political and industrial organisation of the labour movement, an anti-labor party needed a strong employer movement as a power base. But the process of bringing the parliamentary party and the employers together raised problems not only of control, but of public image as well. By reason of his record, style and personality Irvine suited employers in 1902 much more than did Carruthers; but the price Irvine paid for his short-lived 'popularity' of 1902-4 was to be a marked man politically for the rest of his life. Carruthers strove desperately to retain access to the centre in politics, and his anguished exchanges with employers indicate his sensitivity to the needs of public appearances.

Employers themselves, as we have seen, were uncertain about their precise role in politics. But fundamentally the early years of the decade saw a growing consensus among middle-class politicians, professional men and employers that an organised and politically conscious employer movement was necessary for a successful anti-labor party. Deakin himself noted the appearance of the Taxpayers' Union in 1902 with approval, saying that it would be worthwhile even if it accomplished nothing more than 'to bring into the field the power properly exercisable by capitalists and employers'.<sup>46</sup> For those who opposed, or, like Deakin, distrusted, the growing power of the labour movement, the industrial and political organisation of employers seemed both logical and rational. Deakin himself was hardly thinking in terms of an anti-labor political party at this stage; but within a few years he was to discover that once the process of organisation had begun, the logic of fusion became irresistible.

### **Class Patterns**

The organisers of the employer associations and reform leagues were spurred on by the evident growth of both the labor party and the trade union movement. Apart from the actual increase in union membership, the labour councils, which had been mere skeleton organisations in the mid-nineties, were reviving in numbers and energy. The New

South Wales labor party, although its parliamentary representatives might have been flummoxed by the development of the 'reform' issue, continued to grow at a membership level. In Victoria the determination of labour leaders to catch up politically was symbolised by the hiring of Tom Mann as organiser.\* Mann spent two years spreading the gospel of labour in Victoria, making numerous forays into the country areas which had been so neglected by the party. He even attempted to raise the red flag in Kyabram itself. Such ground work was a necessary condition for the dramatic rise in the labor vote from 12.82 per cent in 1901 to 48.37 per cent in 1910.<sup>47</sup>

Employers readily conceded that the passionate commitment of labor organisers was a major factor in the party's success. The reform movement can be seen as attempting to provide a comparable focus for middle-class involvement in politics. The penalty, of course, for pressing the cause of retrenchment was the almost certain alienation of public servants; and indeed, the large-scale defection of public servants to the labor party dates from this time. In Victoria this trend was dramatised by Irvine's determination to institute separate parliamentary representation for public servants and railway workers. The proposal itself, so impossible to justify on democratic or constitutional grounds, was extraordinary enough, but it is startling to learn that this was no sudden whim on the part of Irvine, but had been a subject for backroom discussion by Victorian politicians for some years.<sup>48</sup> Essentially this reflected a long-standing fear that the corollary of Victoria's indulgence in 'state socialism' was an enlarged public service which could influence election results in crucial seats. It was Irvine, however, who brought the issue into the open. He admitted there was no precedent for separate representation - 'We intend to make our precedent' - and claimed that the reform program could not be implemented, with any guarantee of permanent results, unless the public service vote was neutralised. Irvine was particularly influenced by the public service agitation against retrenchment which had preceded the 1902 election. He remembered with concern the celebrated mass meeting of State employees which had packed the Gaiety Theatre on 10 August, cheering the threat made by the representative of the engine drivers that if

\* Tom Mann, the well known English trade union leader and socialist (remembered particularly for his role in the 1889 London dock strike), lived and worked in Australia from 1902 to 1909.

constitutional means of protest failed, 'the wheels would stop going round'. The presence of Judge E.B. Hamilton on the platform had been bad enough, but probably more disturbing had been the evident unity in protest of blue and white collar workers.<sup>49</sup>

To its supporters separate representation seemed drastic but necessary; but to many others the exposure of this backroom project to the light of day only highlighted its fundamental absurdity. Irvine, riding high on the success of Kyabram, pushed the clause through the legislature, though according to Peacock (who admitted that he had once favoured such a proposal but now changed his mind) its passage was the result of the greatest piece of dragooning known in the parliament.<sup>50</sup> Implemented in only one election (1904), it was repealed by Irvine's successor, Bent.

Nevertheless, although separate representation was a brief aberration, it was not without repercussions, and here it is appropriate to look at the railway strike which enflamed Victoria in May 1903. The reasons for this strike are complex, and date back to the depression of the early nineties when the railways were allowed to deteriorate; but in the immediate sense the strike was a protest against the program of retrenchment launched by Irvine and his railways minister, Bent. To the railwaymen it seemed that they were being offered up as a sacrifice to the current Kyabram mania. The introduction of separate representation was the final humiliation, depriving them, so it seemed, of their rights as citizens. In January 1903 the government forbade the affiliation of railway unions with the Trades Hall Council (shades of 1890), and the government's refusal to negotiate with the railwaymen while thus affiliated provided the *casus belli* of the engine drivers' strike.<sup>51</sup>

In a time when strikes by government employees are by no means rare, it is difficult to appreciate the impact of the 1903 rail strike on middle-class opinion. There was no precedent, at least in Victoria, for such a strike: the engine drivers were seen as mutineers defying the constitutional authority of parliament. 'Public opinion was intensely stirred against the strike', observed Eggleston, and certainly groups as diverse as businessmen, professional men, commercial travellers, farmers and university students were loud in their support of the government. Irvine himself attributed the success of the government's stand to 'the overwhelming force of public opinion'. Yet this 'public

opinion' was essentially middle-class opinion. The very usage of the term indicates that public servants and trade unionists were not members of 'the public' at all. When an *Argus* headline proclaimed 'THE PUBLIC AS DETERMINED AS THE MEN', it is clear that the term was for it a convenient means of welding the disparate elements of middle-class society into a social unity.<sup>52</sup>

The trade union movement, while naturally sympathetic to the railway workers, had qualms about the strike. The T.H.C., which had not been consulted by the engine drivers, was anxious to disclaim any responsibility for the strike; possibly this also reflected a concern for the implications of the affiliation issue. But if labour leaders in and out of parliament doubted the efficacy of the strike, Irvine's introduction of the savage Strike Suppression Bill served to unite trade union feeling against the government: indeed it was this legislation, as much as the strike itself, that polarised Victorian society.\* In the Assembly the labor party was virtually isolated in its opposition to this Draconian measure. The opposition, while seeking some face-saving formula for the defeated strikers, found itself unable to resist the bill; indeed, most members saw it in simple 'law and order' terms. By this time the strike leaders had lost their nerve. Recruitment of engine drivers appeared to be proceeding satisfactorily, and there were rumours of wavering loyalty among strikers in some country centres. With the prospect of the bill becoming law hastening the collapse of morale, the strike leaders surrendered.<sup>53</sup>

The strike had lasted only a week: the victory of the government was total. It was Irvine's finest hour, and Melbourne paid its homage to the Iceberg. Yet if he had realised the cost of the government's triumph, he might have had second thoughts. In the federal sphere it made labor members determined to bring the railway workers within the scope of the proposed Arbitration Court, and it was the division on this issue which led to the subsequent fall of the Deakin and Watson ministries. Locally the legacy of the strike was a deeply embedded bitterness among the railway workers that was fuel to the growth of the labor party. The humiliating defeat created the kind of legend that can influence

\* The bill, never actually passed because of the collapse of the strike, provided for £100 fine or twelve months' gaol for joining a railway strike, prohibited the printing of strike notices and raising of strike funds, and virtually forbade meetings of strikers.



Cartoon 5

### THE LABOR PROMETHEUS

'I feel as gay as a bird' - Bent  
(*Bulletin*, 23 May 1903)

Norman Lindsay's comment on the defeat of the engine drivers in the 1903 strike. As one might expect, his sulky, scantily clad 'Labor' bears little resemblance to the picture of the Australian worker drawn by other *Bulletin* cartoonists.

the political behaviour of a generation of workers. The Stock Exchange members who gave three cheers for Irvine and Bent would soon be absorbed in other matters;<sup>54</sup> but the men who struck and then lost their jobs or their pension rights were likely to remember for the rest of their lives.

In New South Wales the governments of See and Carruthers both avoided major confrontations with public servants, whether their collars were blue or white. In spite of the often expressed admiration of Irvine among the supporters of the reform movement, the idea of separate representation was not even considered in New South Wales. And although Carruthers proposed economies in the public service, his policy was not radical in this respect, and an improving financial position made a hard-line retrenchment program seem unnecessary. Nevertheless there is little reason to doubt that public servants, the shouts of the reformers in their ears, saw their interests as being best protected by the labor party, particularly when the progressive party began to disintegrate.<sup>55</sup>

Government workers in the railway and tramway services were being mobilised in trade unions, and with this went an increase in militancy. The culmination was a strike by tramway employees in 1908 which bore some resemblance to the Victorian railway strike of 1903. The government's recent enactment of the Industrial Disputes Act (which introduced wages boards on Victorian lines) had angered trade unionists, and when the tramway workers struck there was soon talk of the railway workers joining them. The possibility of a general strike was discussed. As in Victoria the government invoked the standard of law and order, and the Industrial Court gave the government leave to prosecute twenty-eight strikers. Similarly there was evidence of middle-class support for the government stand. There was also, however, impressive evidence of working-class sympathy for the strikers, with a meeting in the Domain of some 70,000, and another at Newtown estimated at 10,000, both supporting the men. Parallel to the Victorian situation, there was a breakdown in relations between the particular union concerned and the labour council, but with the difference that the Sydney Labor Council supported the strike and wanted to take it over, while the Tramway Union took more notice of the labor members who urged a speedy settlement. The strike was over in five days. The union was defeated but, learning perhaps from the Victorian

experience, the Wade government was more generous in its terms of settlement, and dropped the threatened prosecution of strike leaders.<sup>56</sup> There were other serious strikes at this time, particularly in New South Wales, which raised the issue of law and order, but a strike against the state itself provided the best opportunity for the expression of middle-class hostility to the labour movement.

But strikes, however frequent, are still exceptional occasions, and the means by which a greater middle-class identification with the anti-labor cause was achieved need further examination. For when we compare the small and cliquish national associations of the nineties with the reform movements of the early 1900s it is clear that great changes have occurred in middle-class responses. Three factors seem to be of dominating importance here – the rise of the women's organisations, the involvement of the farmers, and the intrusion of sectarianism.

The Commonwealth and New South Wales both gave women the vote in 1902 and, although Victoria did not follow suit until 1909, the Commonwealth adult suffrage meant that there was from 1902 a general interest in the organisation of the women's vote. Before this the only significant women's political organisations had been relatively small groups dominated by ladies who, like Vida Goldstein and Rose Scott, had a somewhat blue stocking image. The appeal of the Australian Women's National League and the Women's Liberal League was quite different. They looked to 'the home-loving type of women' rather than to more militant females, and in the choice of leaders there was a natural tendency to seek ladies of some social eminence. Janet Lady Clarke lent her name (and sometimes her house, Cliveden) to the A.W.N.L.; and in Sydney Mrs Molyneux Parkes and Lady Manning presided over the Women's Liberal League and the Women's Division of the P.R.L. But the society afternoon-tea atmosphere of these women's leagues should not lead us to underestimate their seriousness. In 1906 over four thousand women attended the A.W.N.L.'s annual demonstration at the Exhibition Building. And Janet Lady Clarke addressed her members as veritable warriors: 'It is in the time of Peace the Soldier is trained regularly, and daily, so that when the sudden call to arms comes, he is ready at once to take his place in the Battle. – So – I hope, it will continue to be with our League.'<sup>57</sup>

Moreover, the women's leagues, however they were inspired, operated as independent organisations, and as such had a voice of their own.

Mrs Molyneux Parkes's W.L.L., for example, was directly represented on bodies responsible for co-ordinating the campaign for Carruthers in 1904, and Reid's anti-socialist crusade in 1906. The A.W.N.L. was probably the most formidable of these leagues. By 1911 it had 24,000 members, and the influence it exercised in anti-labor politics is well illustrated by the obstacle it presented to Deakin, whose leadership of the fusion the ladies did not care for.<sup>58</sup> Indeed there is some evidence to suggest that these solid, middle-class leagues offered their women a more satisfying political role than did the labor party, which in view of that party's support of female suffrage may seem paradoxical.\*

As for the farmers, there is no doubt that anti-labor leaders, both at the parliamentary and organisational levels, had a growing appreciation of their political significance. In 1892 the *Pastoralists' Review* dismissed the New South Wales farmer organisations as 'a few obscure and disconnected associations, some of which threw in their allegiance with the shearers' unions in their unjustifiable attack on the pastoralists last year'; ten years later we find the same journal examining the policies of the Farmers and Settlers' Association with care and respect, noting the areas of agreement and the points still at issue. In 1903 Bent told the uncompromising conservatives of the Victorian Legislative Council that the selectors should be treated as potential allies:

Look at the selectors we have now. Is not the selector as much concerned in the doings of the Council and as conservative as any man in the community? I have know a man carry his 'bluey', and twelve months afterwards I have known the same man so conservative that he would not let you tread on the bit of land he had got in the meantime. Surely that is conservative enough for the Legislative Council.

There was much sense in Bent's view. In both New South Wales and Victoria the first years of the decade saw the formation, once again, of 'country party' groups at a parliamentary level. These reflected a feeling among some country members that the interests of farmers were in danger of being neglected. As on previous occasions, the groups

\* In N.S.W. the Political Labor League did not officially provide for women's branches until 1905; this tardiness, it hardly needs saying, did not reflect a precocious belief in the equality of the sexes.

were relatively short-lived, but their emergence emphasised to leaders such as Irvine and Carruthers that an anti-labor party could not hope to gain a political majority without coming to terms with the farmers. The V.E.F.-sponsored F.P.O.P.A., although not as effective a body as the F.S.A. in New South Wales, did succeed in winning considerable farmer support; and, as already indicated, the F.S.A. was now beginning a reappraisal that led to its commitment to the anti-labor cause by the time of the fusion.<sup>59</sup>

The class situation among farmers themselves is a complex one, and cannot be analysed in detail here. In both States there was a contrast between the large, established farmers and the small, struggling newcomers. In New South Wales this corresponded broadly with the distinction between freehold and leasehold supporters, and between agrarian conservatives and agrarian radicals; in Victoria the distinction was more geographical, between the developed areas near Melbourne and to the west, and the undeveloped areas of the north and the east. According to Graham, 'farmers in Victoria were not at odds with the graziers, but were more hostile to country townsmen than most New South Wales farmers'.<sup>60</sup> This conclusion is supported by the contrast between the Victorian F.P.O.P.A. and the New South Wales F.S.A. – the former an organisation promoted by pastoralist friends of the V.E.F., but with a fair amount of farmer support; the latter a clearly delineated movement of selectors. It also helps explain the comparative success of the labor party in New South Wales rural areas, and, in these years, the almost total failure of the Victorian labor party to make a similar impression; for the hostile feelings of Victorian farmers against townsmen were exactly those which the labor party was hardly in a position to exploit. Victorian farmers seemed more sensitive to the encroachment of wage regulation than their New South Wales brothers, but labour leaders aggravated matters by a much slower appreciation of the need to penetrate the farmer vote.

Much more is involved in this question than can be discussed in this context, but the result, as Graham points out, was that in New South Wales agrarian radicalism was mainly channelled into the labor party, whereas in Victoria it remained within the orbit of non-labor politics.<sup>61</sup> However the important fact is that farmers, who had always had their own distinctive concept of what politics was all about, were being forced by events to interpret the political debate in terms of

labor against anti-labor. They were never entirely happy with the new terms of political debate – hence the disagreement we find at this time over some developmental policies, and later, the emergence of formalised country parties. Nevertheless, the first decade of the century saw a reordering of Australian politics to which farmers had, in some way, to adjust themselves.

Finally, a resurgence of sectarianism provided anti-labor leaders with a weapon many could not resist using. Sectarianism, of course, was no new feature in Australian politics, but in the second half of the nineteenth century it had tended to be associated either with particular issues (most notably education) or with individual politicians (as with Sir Henry Parkes and his Orange Lodge supporters). There had always been a broad contrast between the Protestant establishment and the Roman Catholic Irish community excluded from it. In New South Wales this led to an identification of Protestantism with the fiscal orthodoxy of free trade, and, conversely, of protection with ‘popery’; in Victoria there was a tendency, though much less pronounced, for the distribution of labels to be reversed.<sup>62</sup> But at the turn of the century, when the labor party was being recognised as a permanent part of the political scene, a more pervasive form of political sectarianism emerged.

The reasons for this can only be suggested in outline here. To Protestants it seemed that the Catholic Church was becoming more aggressive and more political. In New South Wales Cardinal Moran’s candidature for the federal convention lent some credence to such a view, and the Church’s obvious sympathy towards the See government was itself galling.\* In the public service, where the now legendary division between freemasons and Catholics was becoming an accepted fact, there is evidence that Protestants, rightly or wrongly, felt that Catholics were making some strategic gains. At an Orange banquet in Melbourne in 1902 the Rev. Edgar, one of the leading lights of the anti-sweating movement, warned that the ‘other side’ had already captured ‘several of the great departments of state’; Orangemen were entitled to ‘regain their lost position’.<sup>63</sup>

\* During the See government’s term of office there were frequent petty points of criticism in this respect. For example, when Cardinal Moran went to Rome in 1902, the fact that five cabinet ministers called at the Presbytery to say goodbye was commented on. (*S.M.H.*, 4 March 1902.)

Another dimension to the sectarian issue was provided by the temperance question. The Australian temperance movement had been growing in the last decades of the nineteenth century, but had met with limited success; by the turn of the century it was becoming more aggressive in its determination to gain effective legislation. The movement was fundamentally Protestant in both its source of inspiration and its membership, and although rather weighted towards the non-conformists, it encompassed a significant proportion of Anglican activists. Moreover the temperance movement was developing at a time when relations between the Church of England and nonconformist churches were rapidly improving. As the temperance campaigners redoubled their efforts to get parliamentary satisfaction, they tended more and more to see the Catholic Church's lack of enthusiasm as a tacit alliance with the liquor interests, both of which they began to identify with the labor party.<sup>64</sup>

Furthermore, the imperialist sentiment generated by the war in South Africa was intolerant of opposition, and the suspicion was widely entertained that the Irish community was either against the war, or not wholeheartedly in its favour. The issue became inextricably entangled with the question of Irish Home Rule, which was being advocated with renewed zeal at this time.<sup>65</sup> In all this there was new fuel for the old Green and Orange bitterness.

The result of these tensions was an outbreak of militant Protestantism in various forms. In this New South Wales, and in particular the Rev. Dr Dill Macky, led the way. The attendance of the governor at the consecration of St Mary's cathedral in 1900 upset many Protestants, as did the suggested alterations to the Coronation oath in 1901. Such aggressive Protestantism gained an organised voice with the formation of the Australian Protestant Defence Association by Dill Macky in 1901.\* By 1903 the Association claimed 16,000 members in New South Wales, and at the 1904 elections it gave its general support to Carruthers and the L.R.A. candidates. The extremist tone of Dill Macky's anti-Catholicism can be illustrated by his remark that 'if the Roman Catholic Church could again introduce the thumbscrew, the faggot, and the stake, it would do so'.<sup>66</sup>

In Victoria the mood does not appear to have been quite so militant –

\* Dill Macky, an Ulsterman, had been minister of Scots Church, Sydney, since 1887, and Grand Chaplain of the Loyal Orange Lodge since 1899.

here, no doubt, the earlier advent of the Irvine government helped matters – but there is evidence nonetheless of a growth in sectarian bitterness. The expulsion of Findley from the Legislative Assembly in 1901 because of a ‘disloyal’ article in *Tocsin* of which he was technically the publisher, was attributed by some as much to anti-Catholic feeling as to imperialist fervour. In 1902 we find one of the New South Wales Orange leaders saying that ‘he looked forward to Victorians emulating the example of their brethren in New South Wales, of arousing and kindling a healthy Protestant enthusiasm, so that Protestantism would take a more direct share in the politics of the country than ever before’. A branch of the Protestant Defence Association was established in Victoria, with Bishop H.A. Langley of Bendigo as president. In 1903 Dill Macky himself visited Melbourne, where he received a hero’s welcome from leaders of the Protestant faction.<sup>67</sup>

The labour movement was not without its own sectarian tensions, but as few members saw any future in attempting to expel the Catholics from their ranks, labour leaders generally attacked the intrusion of religion, and tended to avoid the discussion of the issues it raised. In 1907 the *Worker* summed up the *modus vivendi* established by the labor party: ‘On the Labor platform there is room for Roman Catholic and Calvinist to join hands in trying to make this world more like the Heaven to which we all hope to go.’<sup>68</sup> There *had* to be room, for with such a large Irish working and lower middle-class community co-existence was essential to a successful labor party.

In view of the various factors contributing to the sectarianism of this period, it would be wrong to see it in any sense as a Machiavellian creation of anti-labor organisers. But that they were prepared to use it is undeniable. Carruthers came to terms with the temperance leaders and received their general if not specific support in 1904. Likewise it would seem that only a couple of L.R.A. candidates in any way disclaimed their selection by Dill Macky’s A.D.P.A. The V.E.F.’s *Liberty and Progress* on a number of occasions drew attention to the connection between the labor party and the Roman Catholic Church. Now and then there were misgivings: in 1907 Carruthers privately lamented the absence of liberal-minded Catholics from his party; and *Liberty and Progress* noted the contribution of sectarianism to the defeat of the favoured McLean in 1906. But generally it is remarkable how quickly it was accepted that the Catholic vote had attached itself to the labor

party, and that, ostensibly as a result, the middle-class Protestant vote had gone to anti-labor.<sup>69</sup>

Archdeacon F.B. Boyce provides an interesting and, it would seem, not untypical example of the Protestant activist of this time. From 1884 he was rector of St Paul's, Redfern, where none other than McGowen was superintendent of the Sunday school. Boyce admired and respected McGowen but, although he claimed to have been of some political assistance to McGowen in 1891, he made it clear that 'he and I did not always see eye to eye in public matters'. Boyce was an ardent temperance campaigner, and his sympathies in 1904 were clearly with Carruthers and the L.R.A. His own son was a liberal candidate in the election. But temperance was by no means Boyce's only interest. Although he had been in Australia since the age of nine, he was British to the backbone, and when a branch of the British Empire League was established in 1901, became its first president. Boyce was by no means the fire-eating Protestant of the Dill Macky kind; indeed, in the context of the low church archdiocese of Sydney, he was a comparatively liberal evangelical. Nor was he politically conservative in the orthodox sense. He played a significant part in the campaign for both old age and invalid pensions in New South Wales, and had a life long interest in the abolition of slums. However the total framework of Boyce's concerns reflected a middle-class outlook: it was natural that he should have been drawn so readily into the orbit of anti-labor politics, even if the labor party's leader was one of his leading parishioners.<sup>70</sup>

Enthusiasm and organisation were two aspects of the labor party anti-labor leaders wished to emulate. The militant but 'home loving' women who so upset Deakin, the property-conscious selectors that Bent saw as the infantry of conservatism, and the Orange-coloured disciples of Dill Macky's anti-Catholicism, all represented new sources of political enthusiasm that were in some measure channelled into the anti-labor movement. But the process by which these various groups were activated in the anti-labor interest was complex. In the early 1900s a confluence of diverse factors – the coming of federation, the drought, female suffrage, the growth of the temperance agitation and the tightening of religious tensions, the Boer War and the jingoism that went with it – produced a significant change in middle-class mood.

The mushroom growth of middle-class leagues and associations was the result. The factors contributing to this process were diverse, but there were many points of contact. The connection between the women's leagues and the temperance movement is clear enough, for the women's vote had always been regarded as an ally by temperance leaders; so too, if necessarily more mysterious, is the connection between the freemasonry and Orangery of many employers and the politics of anti-Catholicism.

But although in the construction of this middle-class front the employers and their organisations occupied a key role, experience had taught them that they themselves could not provide the dynamism essential to a large-scale political movement. In the nineties the leaders of the national associations had faced a brick wall of seeming indifference – both on the part of the political leaders, the Turners and Reids, and on the part of the propertied middle class they considered duty bound to support them. After 1901 there is, at least at the State level, a new political situation, together with changing social attitudes. Irvine and Carruthers represent the new political leaders, ready and willing to accept the logic of anti-labor. The new leagues of reformers, women, farmers and Protestants indicated that middle-class indifference to political organisation had been, if not completely banished, at least in some measure overcome.

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## 7 The 'New Protection'

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This is one of those problems in the discussion of which the Australian Parliament is at its best, for Australian methods are generally as ingenious and original, as they are simple and direct.

B.R. Wise, *The Commonwealth of Australia*, p. 266.

### **Background**

The 'new protection' is one of the convenient formulas used to explain the politics of the early Commonwealth. It is said to epitomise the liberal-labor philosophy in action; and in a larger sense it is seen as becoming, through a process of developing consensus, one of the foundation policies of the new nation. Yet when we examine the new protection a paradox emerges. In so far as it was based on any social philosophy there was nothing essentially 'new' about it, for that philosophy had been current in Victoria in the nineties; indeed in many ways it was inherent in any popular expression of the protectionist doctrine. What were 'new' were the legislative means devised to enforce it, and these, as it turned out, were almost completely unsuccessful.

In its widest sense the term new protection has been used to embrace the belief that it was the duty of the Commonwealth to protect the Australian standard of living by means deemed generally acceptable: thus it could be said to include the White Australia policy, which protected workers from the competition of cheap coloured labour; or old age and invalid pensions, which established a minimum insurance against poverty. But in its more commonly used sense the new protection simply wedded the idea of wage regulation to the acceptance of a protective tariff. While this had been one of the factors contributing to the development of wage regulation in Victoria, it had played little part in New South Wales, and was not decisive in the establishment of the Commonwealth Arbitration Court. But when by 1908 protection had been accepted not only by the labor party, but by the free-trade party as well, it became convenient to rationalise the concept of wage regulation in this way. Those who opposed the direct linking of the

tariff with the provision of fair and reasonable wages, which Deakin's specific new protection legislation proposed, argued that existing State and federal arbitration machinery was a sufficient guarantee of such wages. When the High Court ruled out Deakin's legislation the thought connection remained: the system of wage regulation, built piecemeal over the previous ten years, was now linked, in social and economic terms, with the policy of protection.

From the beginning protectionists had, for the simplest of political motives, emphasised the benefits a high tariff bestowed upon the working class – it guaranteed them jobs, and offered the prospect of a standard of living immune to the challenge of cheap foreign labour. The trade union movement in Victoria very early absorbed the protectionist philosophy into its blood stream. In a way unique in the Australian colonies protection became a prerequisite for any political movement, liberal or labor, seeking the working-class vote in Victoria. Even the catastrophic depression of the nineties had remarkably little effect on the dominant protectionist mood. The initial response – as in the thirties' depression – was to impose even higher tariffs, though this did produce a mild reaction in the direction of what was called – to avoid the unacceptable label 'free-trade' – 'tariff reform'. The depression did, however, produce a chain of thought which led quite naturally to the logic of the new protection. With the prevalence of sweating and unemployment the working class was bearing the brunt of misfortune, and it became necessary to justify the continuation of protection in new ways. As has already been shown, the tentative but significant experiment in wage regulation made in 1896 was argued (although not exclusively) in these terms.

The essential logic, then, of the new protection was inherited from the Victorian political debate of the nineties. Even the label dates back to 1899, when the protectionists were gathering their forces for the federal fray.<sup>1</sup> But in the Commonwealth sphere there was a new array of factors to be taken into consideration. It was not simply a matter of free-trade New South Wales and protectionist Victoria haggling over the tariff in terms of their respective industrial and commercial interests. At the turn of the century the whole concept of wage regulation was very much up in the air in both colonies. There was confusion, not only as to the desirability of wage regulation itself, but also concerning the best means of achieving it.<sup>2</sup> It is necessary to chart

some of this confusion before Deakin's specific proposals for the new protection can be placed in proper perspective.

### **The Politicians and Wage Regulation**

The federal arbitration power, slender as it was, was lucky to get into the constitution at all. Such proposals were decisively rejected in 1891 and 1897, but the 1898 Melbourne session of the Convention finally accepted, by twenty-two votes to nineteen, Higgins's amendment for a Commonwealth power governing 'industrial disputes extending beyond the limits of any one State'. This was not a simple victory for the liberals over the conservatives; rather it was a victory for the liberals of Victoria and South Australia, aided by Sir John Forrest and his supporters from the West. Some years later Forrest explained that the Western Australians, conscious of their colony's dependence on the shipping industry, had been persuaded by the memory of the 1890 maritime strike. The main resistance to the arbitration power came from the New South Wales delegates, including the radical Wise. Supporters did not see federal legislation on the subject as being likely in the immediate future. 'This is a power', said Deakin, 'like many others, not likely to be exercised for many years to come'; putting such a power in the constitution was simply a matter of providing 'in advance for all conceivable federal contingencies'.<sup>3</sup>

The inauguration of the Commonwealth in 1901 coincided with the extension of wage regulation in Victoria and the establishment of the principle in New South Wales. The confusion of attitudes which had reigned in 1897-8 was now given a new twist. Early in the first parliament Higgins moved that it was expedient for the Commonwealth to acquire, with the States' consent under section 51 of the constitution, 'full powers to make laws for Australia as to wages and hours and conditions of labour'. The motion met with general approval and passed without a division. McMillan, who had opposed the arbitration power in 1898, explained that legislation passed by State parliaments since then had been 'of such a far-reaching character', that he was now convinced that 'those great subjects' were best dealt with by the national parliament. Less than two months later McEacharn was cheered when he told a meeting of employers in Melbourne that, in view of the need for uniform factory legislation, the States should hand over the relevant power to the federal parliament.<sup>4</sup>

The remarks of McMillan and McEacharn display a curious mixture of naïveté and shrewdness. To advocate the transfer of industrial power from State to Commonwealth was no doubt a delaying tactic, but at a time when the economic barriers between colonies had just come down, it was also seen as a means of removing any unfair advantages employers in some colonies might enjoy. It reflected the worried provincialism of established colonial interests, rather than a forward looking estimate of national needs. The full implications of federation had not been understood. So it was possible in those early, innocent days of the Commonwealth for two politicians of such entirely opposed views as Higgins and McMillan to agree on such an extension of Commonwealth power. Yet the motion was no more than a gesture, as the States were unlikely willingly to cede any such power.

Contrary to Deakin's prophecy, legislation in this field was under discussion almost from the inception of the Commonwealth. There were two reasons for this – Kingston's position in the cabinet, and the labor party's increasing certainty that arbitration could be the guarantee of trade unionism. Kingston had long been an advocate of arbitration and conciliation and, although his own South Australian legislation had been unsuccessful, his interest in the subject remained; he was, moreover, naturally receptive to the approaches of labor members, with whom he had long been a popular and respected figure. Already Deakin perceived that legislation in this field might cement an alliance with the labor party – just as it had for Lyne in New South Wales. If consolidated by 'radical proposals adverse to coloured labour' the alliance might induce non-protectionist labor members to support a higher tariff than their own preferences would dictate.<sup>5</sup>

But Deakin, although in a general liberal sense sympathetic to the concept of arbitration, was never an enthusiast in the way that radicals such as Kingston and Wise were. For Kingston the issue was one worth resigning over, which he did in 1903 when he could not get his own way in cabinet (particularly over the application of the bill to seamen working in the coastal trade). Deakin himself chose to stake his government on the legislation in 1904 – but in the cause of *limiting* the application of the bill. From the beginning one can detect an element of caution in Deakin's approach. His *Morning Post* comments on Wise's New South Wales Act were not laudatory: indeed, although it might not have been his intention, they could be interpreted as alarmist. Describing

the Act as constituting 'the high-water mark of State interference' (an emotive phrase in itself) he went on: 'Our New South Wales captains of industry find themselves turned into members of a State organisation in which they are by law compelled to take their instructions from its officials as their superiors or face the consequences of being dealt with as mutineers.'<sup>6</sup>

When he came to introduce the bill that Kingston had abandoned, Deakin, while seeing the legislation as crystallising public opinion, also pointed out the delicacy of the operation. 'We are touching some of the springs upon which the working of society depends. We are seeking to control them without interfering with what may be broadly described as legitimate business methods.' As the labor party's determination to have State railway workers brought within the scope of the bill became evident, Deakin began to sound increasingly defensive and legalistic. The labor members were not impressed by what Deakin called 'the might and majesty of the Federal principle'; their concern was directed at the Victorian rail strike of 1903 and its ruthless suppression by the Irvine government, and this Deakin, with scrupulous federal propriety, refused to discuss. Deakin's whole perspective on the Commonwealth arbitration legislation is revealed in another *Morning Post* comment, after the event:

With us [in Australia] minor measures are often turned into lightning conductors for a time, conveying more or less harmlessly into the earth immense charges of diffused political electricity. The Federal Arbitration Bill is a remarkable instance of this class of cases . . . Fundamental importance can be attached to it because a primal necessity of the Labour Party is to justify its existence by legislation which is or is believed to be of special and immediate importance to the labouring classes. As in this instance it may not warrant any of the promises made in its behalf, and may belie them from the start.<sup>7</sup>

For Deakin the Arbitration Bill was a minor measure: its importance as legislation required to justify the labor party in the eyes of 'the labouring classes' was symbolic rather than real. However correct Deakin was in his assessment of the legal limitations, his attitude smacks more of the sceptic than the believer. It is reasonable to conclude that he saw conciliation and arbitration, at a federal level (he was always,

of course, a supporter of the Victorian wages boards), as primarily a measure designed to appease the labor party.\*

When the political uncertainty of 1904-5 had been resolved, and 'Affable Alfred' was restored to office, there was new pressure for a protectionist review of the tariff. Indeed, it was Deakin's declaration, in a famous speech at Ballarat, that the fiscal issue could not be postponed indefinitely that prompted Reid's expulsion. Watson tempted Deakin with the possibility of securing a higher tariff: a majority of the party, he intimated, was willing to support Deakin in this. Once Deakin was in office the labor party turned its attention to a land tax. Watson wrote to Deakin in March 1906 urging such a policy, not only because he believed it would be popular, but because 'its adoption by your party would go a long way to cement an alliance'. Deakin would not take the plunge. Although he had been a land taxer in the nineties, his enthusiasm was waning. In 1903 he had told Brookes that 'the Land Tax has receded more and more from Australian politics', and by 1906 his view was hardening that this was not a proper sphere for federal action. Deakin's federalism, however sincere, served the purpose of directing him on more conservative paths.<sup>8</sup>

The labor party was in no position to *require* the land tax of Deakin. To the extent that it was no longer feasible for the labor party to support the free-traders, it had ceased to exercise the balance of power. Labor may have been offering 'support in return for concessions', but they had no guarantee that their 'support' would always produce the 'concessions'. Indeed Deakin, the journalist, boasted of the way that Deakin, the politician, had dictated his own terms with the labor party. This did not mean that he was not anxious to appease the labor party, but rather that he liked to choose and approve the offering. Although Fisher and Batchelor appear to have suggested the device ultimately used, the initiative for the new protection proposals came from the Deakinites: the proposals were carefully designed to make a

\* In a recent thesis R. Norris concludes that 'Barton and Deakin in fact "conceded" very little of substance that they themselves did not want'. I would not dispute this judgment: there are, however, as the arbitration issue suggests, degrees of 'wanting'. Of course Deakin's scepticism about arbitration was not shared by all his supporters. R.A. Crouch, L.E. Groom, J. Wilkinson, Higgins and Mauger supported the extension of the bill to cover railway workers, although only Crouch, Higgins and Mauger were prepared to defeat the government on the issue. (Norris, 'The Emergent Commonwealth, 1901-1910', p. 330; Forrest to Deakin, 18 April 1904, Deakin Papers; *C.P.D.*, vol. 19, p. 1243.)

protective tariff appear not only acceptable to the whole labor party, but necessary as well.<sup>9</sup> The limitations of the Victorian wages board system were now becoming apparent, and in New South Wales the Carruthers government's intended amendment of the Arbitration Act was awaited by the trade unions with apprehension. In this situation the new protection proposals offered a federal guarantee against the shortcomings of the State systems.

The essential germ of the proposals was contained in a Progress Report of the Royal Commission on Customs and Excise in 1906 (presided over by Sir John Quick), which recommended that the manufacturers of agricultural machinery and implements receive the protection of an additional  $12\frac{1}{2}$  per cent *ad valorem* duty, but that collection might be suspended by the governor-general on the presentation of a joint address by Senate and House of Representatives to the effect that 'a fair and reasonable rate of wages' was not being paid.<sup>10</sup> This cumbersome procedure was then replaced by the apparently ingenious device of an excise duty, equal to the tariff impost, which would be waived if the manufacturer paid fair and reasonable wages. This provision was limited to the agricultural machinery industry, which had been the subject of particular concern since 1905, and led directly to Higgins's celebrated Harvester judgment.

The new protection had not been a primary interest of the labor party during 1906 in either parliament or the electorate. Watson, for example, indicated at the time that he would have preferred the idea of a Commonwealth label, ruled out as unconstitutional; he also asked why the wages board awards should not be specifically accepted as 'fair and reasonable'. By the following year labor interest in the subject was increasing. Watson now observed that 'the experiment seems to have proved successful, and I think that an extension of that system will rob protection of a great number of the objections which can be urged against it at the present time'.<sup>11</sup> Then in November 1907 Higgins handed down the Harvester judgment, and this sealed the matter as far as the labour movement was concerned. Not only did new protection 'work', but with Higgins on the bench it seemed much more than just a satisfactory method of filling the gaps left by the State systems. Watson would no longer have dared suggest that the wages board determinations should be accepted as a standard, for the implication of Harvester was that such awards were often inadequate.

In the party's tradition of pragmatism the focus for labor attention now became the speedy extension of the new protection formula to all protected industries.

The government made preliminary moves to accomplish this,<sup>12</sup> but in 1908 the High Court declared the Excise Act unconstitutional, negating the Harvester judgment. This effectively ruled out existing plans for institutionalising the new protection. Having, in the course of the last few years, established the attractions of a federal system of new protection, and having, through the Harvester judgment, offered the labour movement a tantalising first instalment of the likely benefits, Deakin could hardly drop the matter. But the need to rethink the problem coincided with the growing restlessness of the labor party with Deakinite rule. In November 1908 labor support was withdrawn, and with the new protection still unrealised the two parties were left to work out their policies in relative isolation from each other. An amendment of the constitution, it seemed, could not be avoided, but Deakin's natural inclination was for as limited an addition to federal power as was strictly necessary. His proposal for an Interstate Commission with power to 'federalise' the awards of State authorities seemed to reverse the whole initiative of the new protection. No longer was the federal authority to set the standard of what was a fair and reasonable wage in a positive manner: instead, it was only to harmonise the findings of the State authorities.<sup>13</sup> The labor party, on the other hand, saw the failure of the new protection legislation in the context of what it was fast coming to recognise as the general deficiencies of Commonwealth power under the constitution. When the fusion ministry was expelled in 1910 the Fisher government twice sought, and was twice refused, extensive additions to Commonwealth power over trade, commerce, labour and employment.

The new protection, then, was never enforced. As a political issue it represents one of the dead ends of Australian history. That it has managed to survive and figure so prominently in our text books is in large measure due to the symbolic importance attached to Higgins's Harvester judgment and the circumstances surrounding it. Yet while conceding the importance of Harvester, it is salutary to put the new protection in a proper perspective. Stripped of their fine language, the new protection proposals were a Deakinite improvisation, designed to smooth the path of protection with the labor party, without offending

against the letter and spirit of federalism. It was an improvisation that failed. In the end all that remained was the fine language and the intentions it expressed. The danger of enshrining the new protection as a symbol of enlightenment in the early Commonwealth is that it obscures the extent to which it was the product of a political situation.

### **The Judges and The Minimum Wage**

Higgins's humane, and, for its time, scientific Harvester judgment has been justly regarded as of major importance in the development of Australian ideas concerning the basic wage. In many ways Higgins epitomises all that is bravest and best in Australian arbitration, and Deakin's appointment of Higgins to the Court is greatly to his credit. But Higgins did not make this judgment in a vacuum. Ideas about the minimum wage had been thrown about from the onset of the depression in the nineties, and in both Victoria and New South Wales the intervention of the state in industrial relations had already made necessary some consideration of the assumptions on which any minimum wage should rest.

When Victoria took the first tentative step towards wage regulation in the mid-nineties, much confusion existed about terms. In a discussion of 'the Minimum Wage Question' in 1894 Prendergast outlined four categories – the starvation wage, the subsistence wage, the living wage and the luxury wage. Many, like Prendergast, when they spoke of the living wage, clearly envisaged something more than a wage 'merely enough to provide for the bare necessities of life' (as the *Concise Oxford English Dictionary* defines a subsistence wage). In this sense a living wage was something akin to the new protection requirement of a wage that was 'fair and reasonable'. Others, however, used the term very much as if they meant a subsistence wage. Derham, when pressed to define a living wage rate, said he thought it should be 'sufficient to provide food, clothing, shelter, and, if possible, something for a rainy day', an austere if vague definition, which, apart from the 'possible' provision for a rainy day, definitely smacks more of subsistence than living.<sup>14</sup> Naturally enough trade unionists became suspicious of this use of the term and, as we shall see, tended to interpret its advocacy as implying a reduction rather than an increase of wages.

Deriving as it did from the anti-sweating agitation, the concept of the minimum wage as expressed through the Factory Act was condi-

tioned by existing assumptions about sweating. Derham and the Trades Hall Council agreed that 'sweating was paying a man less than he could live upon',<sup>15</sup> and in this sense a minimum wage to abolish sweating would have been essentially a subsistence wage. In fact, the early wages boards made little, if any, attempt to define the minimum wage they were setting in these terms. Instead, recourse was had to another essential assumption of the anti-sweating movement - namely that sweating, however rife, was a deviation on the part of bad, or perhaps just weak, employers. 'Reputable' employers, by definition as it were, paid fair wages: the aim of the anti-sweating movement was to make their less reputable brethren do likewise. To a certain extent this may have been a convenient fiction. It excused the anti-sweating campaigners from making general allegations against employers as a class - it was only natural that in any face-to-face discussion with employers, the sweaters - the bad employers - should be those who were not present. But the result was that the aim of factory legislation was interpreted as being not to raise the general level of wages, but rather to bring the deviants into line with what was called the *current* rate.<sup>16</sup> This view reflected the middle-class assumptions of the anti-sweating movement, and it imposed strict limits on thinking about wage regulation.

Once these limits were exceeded, ambiguity results. Union leader Stephen Barker believed that 'a fair rate is the current rate. That which a man and woman can live on decently and pay their way and have a little surplus I consider fair.' This is a revealing remark in many ways, not least of which is the failure to allow for children. But clearly, if the current rate was to be the minimum wage, any analysis of needs was irrelevant. Barker seems to be saying that needs could not be ignored in the setting of the minimum wage; at the same time he is making a declaration of faith that no reputable employer would pay a wage insufficient in this respect. Higgins, with his relentless logic, was to expose the risks and dangers of such an approach. That Methodist 'Greatheart', Edgar, reflects this sort of ambiguity even more strikingly. In 1893 he put forward a view which seemed to foreshadow the logic of Harvester:

I do not think, in this land, any honest man who has a family to support, especially in Melbourne, should have less than 45 s. a week.

I quite agree that men can live on less than that; but I am looking at the case of a man with an increasing family, and having to maintain a position and live decently, and gather a home about him; I do not see how he can do it on less than that.

In practice, however, as chairman of a wages board Edgar approved a minimum wage of 30s., and in 1901 he told the Royal Commission that 'the Act is intended to protect the helpless . . . it was not intended to fix a standard rate or a maximum rate, but a rate that would fairly compensate the slow or average worker'. There is considerable confusion here. The kind of minimum Edgar envisaged in 1893 has been consigned, by the practicalities of experience, to the realm of the ideal. In 1901 he seems to have reverted to the conventional view of factory legislation as not so much setting a general standard as merely defending the defenceless. Presumably the 45s. he had suggested in 1893 he now considered only a desirable 'standard' rate, outside the province of the Act. But Edgar's bracketing of the 'slow or average' worker adds a new dimension to the confusion. If the 'average' worker were not to receive the 'standard' wage, what is the meaning of these terms?<sup>17</sup>

There is probably no way of resolving these contradictions. Thinking about the minimum wage was conditioned by emotional factors on the one hand, and by the sombre orthodoxy of political economy on the other. Authoritative guide-lines were lacking. The first wages boards were pilot bodies, and the success or failure of each board often depended not only on its membership (and chairmanship), but on the nature of the trade itself.

Here was a matter of crucial importance to the development of minimum wage theory in Victoria. The wages board system was built on, and itself encouraged, diversity. Until the Court of Industrial Appeals was established there was no authority to review or synthesise the determinations of the various boards, except the chief secretary himself; and even when the Court did come into existence it was not appealed to very often (for reasons which will become apparent). Each board was a localised structure for a particular trade, and the argument between employers and employed, and the adjudication of the chairman, tended to be governed by the conditions and practices of that trade. Therefore generalisations about 'the' minimum wage were avoided:

each board set a minimum wage it considered appropriate for the particular trade.

The wages boards represented a formalised kind of collective bargaining, and this meant that there was much less emphasis on the judicial aspect of wage regulation. The chairman was not so much making a judgment on the intrinsic merits of a claim, as helping, and mediating between, two negotiating parties. Aided by improved economic conditions, the first boards did meet with some success in raising the level of wages, but this was achieved arbitrarily, and with little reference to any theory of a minimum wage. So while the initial aim of the boards had been to force the sweaters to pay the 'current' rate as set by reputable employers, in practice the boards became the medium for a continuous process of controlled collective bargaining between capital and labour in each trade. Employers were quick to seize on this discrepancy, claiming, sometimes with justification, that if called on to arbitrate many chairmen simply 'split the difference'.<sup>18</sup>

Employers argued that detailed trade by trade wage regulation was unnecessary. All that was required to prevent sweating was one minimum wage, a 'living' wage, that would apply generally. Some thought that parliament itself could set this universal minimum wage; Derham suggested that the boards be reconstituted with specific instructions to fix rates on a living wage standard.<sup>19</sup> The ambiguity here, of course, lay in what constituted a living wage, but in theoretical terms it could be said that employers were advocating something along the lines of the basic wage. Trade union leaders saw these proposals in the context of the employers' complaint that the minimum rates set by the boards became maximum rates; they therefore suspected them as an attempt not only to dismantle the boards, but to force down the general level of wages. As a result they were reluctant to endorse any universal minimum wage, which they saw as implying – as indeed some of the employers seemed to be advocating – an end to separate minimum rates in the various trades.

The employers had no success in dismantling the wages board system. Indeed, with the introduction of arbitration in New South Wales and the Commonwealth, Victorian employers began to appreciate the advantages of the local system. In 1905 W.N. Pratt, a representative of the V.E.F., listed these advantages to his interstate colleagues: the boards were easily convened and involved less red tape; trade technicalities

were easily understood; the powers of the boards were limited and defined; the decisions were generally 'more satisfactory'; appeals were provided for (though this needed watching, as it was a step to arbitration); and, most importantly perhaps, the boards could not order such iniquities as preference to unionists.<sup>20</sup>

Some of the limitations to which Pratt referred were the result of pressure from employers, and the V.E.F. in particular. From 1903 the appointment of new boards required the sanction of *both* houses: thus the Legislative Council regained what McLean had so cleverly deprived it of in 1900 – its power of veto. In addition a Court of Appeal was set up, and the power of boards to limit the number of apprentices abolished. The 1905 Act brought in a new and significant limitation. Boards appointed after 30 October 1903 were required to fix wages according to the average wage paid by 'reputable' employers. Here was a throw-back to the original concept of a minimum wage. The trade unions, of course, objected heartily; Harrison Ord also pressed for the repeal of this section which he considered an embarrassment. This was done in 1907, the year of Harvester, when Peacock introduced a more liberal measure.<sup>21</sup>

It should not be assumed, however, that it led automatically to a more positive interpretation of the minimum wage. The Court of Appeal remained the final arbiter of wages board determinations, and had already established a number of conservative guide-lines. In the first case to come before J.H. Hood, the Court's founding president, none other than Higgins appeared for the employees. Higgins contended that the current rate should be disregarded, and argued 'that the lowest wage should be fixed in each case with a view to the interest of the whole community'. Hood rejected this. While the legislation was intended to 'benefit the workers', the boards had no duty to the common welfare. The current wage remained the starting point, and could only be upset, if, for example, it were shown that it had been arrived at 'by reason of combination, or oppression, or over-competition'. As for a living wage, it 'has a pleasant sound, but anything more difficult to define practically it is hard to imagine'. Hood did not attempt the task. However he made it clear that a minimum wage should not contain any provision for old age, and in another case he dismissed marriage as a relevant consideration. Referring to the plight of married men in the trade he said: 'They have wives and young families to support. Their

lives are hard and dull, and their prospects in the future dismal. If generosity alone were to rule I would have felt glad to accede to the request.' Generosity was not to rule. To have increased wages in such a way, Hood believed, would not only be practising benevolence at the expense of others, but would also have led to unemployment. Hood's successor, T. a'Beckett, stayed within these general guide-lines. The Act did not require him 'to fix a new standard on a liberal estimate of human needs'; nor was an increase in the cost of living a sufficient ground for an increase in wage rates, although where some other acceptable ground existed he might take it into account in fixing the amount. But a'Beckett reaffirmed that marriage was an irrelevancy:

I think the living wage . . . contemplated is the personal wage. It is a section [of the Act] to safeguard an endangered industry, to preserve it from destruction, and it would be a strange way of doing so to insist as a condition to its existence that the least it should pay to any of its employes should be a wage large enough to support a man and his wife and family.

These words were spoken two years after *Harvester*. Well might Eggleston have observed that the wages board system 'was capable of careful development and conservative administration'.<sup>22</sup>

The New South Wales Arbitration Court was not bound by the same historical considerations as the Victorian Court of Appeal. Nevertheless, the first president, H.E. Cohen, like Hood and a'Beckett, avoided any theoretical consideration of what should constitute the minimum wage, although he made it clear that the capacity of an industry to pay was always a governing factor. But C.G. Heydon, who succeeded Cohen in 1905, attacked the problem of a minimum wage in a more positive manner. In his first case he strikingly anticipated the *Harvester* judgment. He was going to be guided by three considerations:

first, the duty of assisting to, if possible, so arrange the business of the country that every worker, however humble, shall receive enough money to enable him to lead a human life, to marry and bring up a family, and maintain them and himself with, at any rate, some small degree of comfort. This, which may be shortly defined as the duty to prevent sweating, is, I think, universally recognised in this country, and almost universally acted upon.

The statement was bold, but misleading. Although the duty to prevent sweating was 'universally recognised' it was (as we have seen in Victoria) not recognised in the terms Heydon suggested. Moreover, the statement was an extremely general one, and it was, after all, a 'consideration', not a scientific basis for a minimum. The second consideration Heydon laid down was the market price for labour. While the arbitration system had itself gone a long way towards abolishing the law of supply and demand in the labour market, this was a factor which still could not be ignored. And thirdly, the degree of prosperity in the industry concerned had to be taken into account.<sup>23</sup>

In the early years of the Court labour leaders were generally happy with the boost given to the growth of unionism and the improvement in industrial conditions. But a cloud was already on the horizon. In one of its first decisions the High Court indicated that it would not interpret the Act sympathetically. New South Wales Chief Justice F.M. Darley did not mince words either. From the bench he described the Act as productive of 'the most alarming and deplorable amount of litigation, with its concomitant ill-feeling and ill-will between employers and employees who are by this Act forced into hostile camps'. It was clear that both Supreme and High Courts were going to treat the Act with suspicion, and where possible would find difficulties. This they did in a series of decisions which severely limited the application of the Act.<sup>24</sup>

Thus at the time when the Commonwealth Arbitration Court came into being, the effectiveness of wage regulation in the States was questionable. In Victoria, whatever improvements the wages boards had achieved, wage regulation was set in a pragmatic and conservative mould, while in New South Wales a Court more open to a liberal interpretation of its duties was entangled in a net of adverse judicial decisions. The first president of the Commonwealth Court, R.E. O'Connor, avoided making general pronouncements, but he seemed to be using as a standard the level of wages that had existed before the onset of the depressed nineties. In making an award for the shearers in 1907 he fixed a rate which would 'enable the shearer to earn on the sheep of the present time substantially what he could earn on the sheep of sixteen years ago, having regard to the present day rates in other branches of skilled labour'. The award came to pastoralists as 'a staggering surprise': it was as though O'Connor, with one stroke of his judicial pen,

had undone sixteen years of successful organisation. But while this historical perspective seems to have been his general guide, when it came to estimating the requirements of a minimum wage O'Connor was unsure of himself. On the question of marriage he was obtuse, and his belief that the market value of labour must always be the most important consideration in setting a minimum recalls the Victorian emphasis on the current rate.<sup>25</sup>

However O'Connor's presidency of the Court was brief. On 14 September 1907 Higgins succeeded him as president; less than two months later came the Harvester judgment. In politics Higgins had always been a radical: if anything his radicalism had hardened as he grew older. Years later G.V. Portus described Higgins as 'the most independent thinker I have ever known', and this independence was exemplified in his espousal of unpopular causes, particularly his opposition to federation on the terms of 1898, and his condemnation of the Boer War. Of all the leading radicals of this time Higgins was the most uncompromising (some would have said bloody-minded). As a result, political office had eluded him, except for his brief experience as attorney-general with the Watson government – and his joining the labor cabinet was a gesture more quixotic than ambitious. He confessed to P.M. Glynn that if he had been ten years younger he would not have accepted the judgeship, but it must have been clear to Higgins that in politics he could hope for little more than a continuance of his career as a respected maverick, and in these circumstances he no doubt appreciated the opportunity and challenge offered by the Arbitration Court. He saw before him a new province for law and order: he was determined to be a pioneer in its development. Seen beside Hood, a'Beckett, and even the sympathetic Heydon and the respected O'Connor, Higgins was a judge of a different stamp – not only humane and progressive, but fearless in the execution of his own single-minded logic.<sup>26</sup>

Higgins insisted that a fair and reasonable wage was to be assessed according to human needs. Other tests were not only irrelevant but misleading. There was no reason to suppose, for example, that reputable employers of necessity paid fair and reasonable wages. McKay's business, Higgins said, was 'a marvel of enterprise, energy, and pluck'; but although he was not 'a bad or unfeeling employer' he had fallen, 'most naturally, into the practice of not spending more in the payment of his employees than is sufficient to induce them to work for him'.

Likewise he dismissed the market value of labour as a major consideration, for if it were there would be little point to arbitration at all. Heydon had suggested that the criterion for a minimum wage should be that it was sufficient to support a man and his family in 'some small degree of comfort', but it was left to Higgins to give this ideal concrete form. His premiss was alarmingly simple: the worker was 'a human being in a civilised community'. As such it naturally followed that he was entitled to marry and raise a family – for 'marriage is the usual fate of adults' – and to live in 'a condition of frugal comfort'. From evidence given, Higgins computed that the average weekly expenditure of a household of about five was £1.12.5. He then made some allowance for those additional items – ranging from light, clothes and furniture to books, amusements, liquor and tobacco – which he implied 'a human being in a civilised community' had a right to afford. He settled eventually for a wage of 7s. a day, and it has been suggested that in spite of the basis of human needs that he adopted, Higgins, like O'Connor, was influenced by the historical significance of that sum – for it was the wage that trade union leaders had regarded as the standard from pre-depression days.<sup>27</sup>

In this and other cases Higgins was not afraid to spell out the implications of his logic. High profits in an industry were themselves no argument for an increase in the minimum wage, for profit, after all, was the reward for enterprise. Contrariwise, the fact that an industry was in financial straits was no argument for reducing the minimum wage. Higgins did not shirk the issue: 'If a man cannot maintain his enterprise without cutting down the wages which are proper to be paid to his employees – at all events the wages which are essential for their living – it would be better that he should abandon the enterprise.' But Higgins conceded that profit might be relevant to margins above the minimum wage. For example, in a new industry, not yet economically secure, he would be prepared to set lower margins; but the minimum wage itself was sacrosanct.<sup>28</sup>

The virtue of Higgins's approach lay in its honesty and directness. By spelling out what he considered to be the reasonable human needs of a worker in a civilised community, he placed the onus on his critics to show in what way the needs he had outlined were unreasonable. They were not prepared to do so. The *Argus* admitted that 'as wages go, Mr. Justice Higgins' scale cannot be regarded as unfair or un-

reasonable on the whole, but it is important to bear in mind that it has been fixed solely from the man's standpoint'. The *Sydney Morning Herald* agreed: 'It goes without saying that wages cannot be fair that are not sufficient to ensure the workman food, shelter, clothing, frugal comfort, provision for evil days, and a special reward for the skill of an artisan.'<sup>29</sup> The *Herald* seemed to be suggesting that Higgins was only stating the obvious. Yet the brief history of the minimum wage given here surely indicates that what Higgins said, obvious or not, needed saying very much. Indeed, this is also borne out by the years immediately following Harvester. P.G. Macarthy has shown that the judgment had comparatively little effect on the level of wages generally. He has calculated that in terms of real wages the minimum wage prescribed by the New South Wales and Victorian systems actually declined between 1907 and 1919. Only in 1921 was the Harvester level achieved. There is little reason to dispute Macarthy's conclusion that the importance of Harvester was 'educational rather than practical'. Particularly did this apply to the labour movement itself: Harvester not only provided it with a modest and attainable ideal, it also dispelled the movement's own confusion about the theoretical basis of the minimum wage.<sup>30</sup>

It has already been remarked how few were the guide-lines provided by the legislatures. Hood complained how 'novel and perplexing' was the jurisdiction conferred by the various Factory Acts; he could only 'take the Acts' as he found them. Higgins, characteristically, was blunter. The legislature's failure to define what it meant by 'fair and reasonable' was a 'shunting of legislative responsibility', and there was a danger of the judiciary being brought 'within the range of political fire'.<sup>31</sup> Nor did the early arbitration judges have even the comfort of legal precedent. Each had, as it were, his own independent province for law and order. Thus it was possible for judges such as Hood and Higgins to pursue such different paths.

Earlier it was suggested that having regard to the practical failure of the new protection measures, the wedding of wage regulation to the policy of protection was a convenient rationalisation. It was convenient because, as if by sleight of hand, it killed two birds with one stone. Protection was made safe; but also the various systems of wage regulation, which could only have been abolished at the cost of enormous disruption, were assured of a general level of acceptance. It must be

remembered that until this time there was no sense of permanence about the wages boards or arbitration systems. Both were defended – and attacked – as experimental. For politicians of all parties the institutionalising of arbitration put a full stop to what had been their most difficult and perplexing problem since the maritime strike of 1890. Once this consensus had been achieved, they could breathe a sigh of relief – momentarily at least. It was no longer *their* problem – it was Higgins who had to decide what ‘fair and reasonable’ wages were. Harvester was not the charter for an immediate revolution in living standards in Australia: rather it was a statement of good intentions by one remarkable judge. In this sense it could be said that Harvester represented not the triumph of new protection, but its failure.

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## 8 Fusion

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I feel very strongly that we are about to make a mistake, and yet I am very sorry to say, I see no possible way of preventing it.

W.A. Trenwith, 26 May 1909, at the Deakinite caucus meeting: Hume Cook, 'The History of the Movement', p. 23, Hume Cook Papers.

On 5 November 1908 the federal labor caucus voted to end its general support of the Deakin government. Andrew Fisher\* announced the decision to the House of Representative the following day, but the defeat of the government was not formally accomplished until 10 November; labor took office three days later. Within a few days Reid announced his resignation as leader of the free-trade party, and before the end of the month had been succeeded by Joseph Cook. The new leader was at once active in preliminary moves for a fusion of non-labor forces, but the Fisher government gained the recess. Cook and Deakin met in February 1909, but without immediate success. Fisher announced his government's program at Gympie on 30 March: within two months Deakin and Cook had agreed on terms and the labor government was defeated in the House. On 2 June Deakin's fusion ministry took office. It had taken barely seven months to achieve the transformation from Deakin's three (or perhaps four) elevens to the broad system of labor versus anti-labor, with which Australia has lived ever since.

La Nauze has already described the drama of fusion from the point of view of its leading man, Deakin.<sup>1</sup> Here, however, the intention is to explore the meaning of fusion not only at the level of the politicians, but also at the level of organisations and interests. Deakin, of course remains pivotal. He is at once the means of fusion, and its conscience. But his relationships with the manufacturers and protectionists outside parliament reveal much about the pressures operating for fusion, pressures that need to be examined in the light of the whole concept of anti-labor as it had already developed in Australia.

\* Leader of the labor party after Watson's retirement in 1907.

### **Fusion in the Making**

The achievements of Irvine and Carruthers, and their successors Bent and Wade, were often held up to federal non-labor politicians as an example. More and more it was assumed that the fiscal issue had created an artificial party situation, and that eventually the Commonwealth must follow where the States had led. Deakin himself, however much he stressed the liberalism of protectionists and conservatism of free-traders, seems to have recognised, in a general sense, the inevitability of fusion well before 1909. In spite of his role in the expulsion of the Reid-McLean government in 1905, the elections of 1906 demonstrated to him that the long-term prospects of the protectionist party were dismal. Indeed, outside Victoria there was very little protectionist party at all. In New South Wales and Queensland it had not even bothered to contest the Senate; in South Australia its Senate vote was minimal. Reviewing the elections Deakin seemed certain that 'once the fiscal issue is settled a union of the other two parties will ensue, putting the Labour Party in a comparatively small minority'.<sup>2</sup>

This would suggest that Deakin had ruled out the prospect of any coalition with the labor party. Nevertheless in early 1908 he gave his blessing to an attempt by Lyne to bring labor into a coalition, though he later insisted that he would not have accepted a portfolio in such a ministry. Lyne failed, and a couple of months later the labor conference meeting in Brisbane declared implacably against alliances. By this time, of course, the liberal-labor coalition in Queensland had long since disintegrated, and W. Kidston, the renegade labor leader, could be pointed to as a Judas figure, whose wilful desire to pursue coalition had materially damaged the Queensland party. The South Australian liberal-labor government still existed, but with the illness of Premier Tom Price, cracks in the coalition were beginning to appear. As far as Deakin was concerned, the 1908 conference had effectively blocked any possible opening to the left. Furthermore the labor party's withdrawal of support from him suggested that there was little point in making overtures in that direction. Deakin therefore reasoned that the only long-term hope of bringing the labor party to its senses lay in negotiating with Cook:

Labour as an ally is hopeless. The Leagues will not have even an arrangement. But I am keeping the road open as long as I can in

case they venture to take it. You admit they must be frightened into it. Talking to Cook is the only way of proving to them that they have to make their choice.

It is not being suggested that this was Deakin's essential purpose in talking to Cook. His motives were complex, and, as he virtually admitted, ambiguous. But his growing certainty that there had to be talks with Cook was reinforced by the argument, however paradoxical, that this was the only way in which the labor party might possibly be shocked into a more reasonable frame of mind. Given the political situation, it seems unlikely that he regarded this as more than a very slender possibility, but an intellect as subtle as Deakin's could not afford to ignore it; besides, it was a useful argument to put to associates such as T.R. Bavin, who were deeply suspicious of Cook and his cohorts.<sup>3</sup>

Once labor had withdrawn its support from Deakin there was immediate pressure from the free-traders for some sort of anti-labor fusion. On 9 November, before Fisher had even taken office, the *Sydney Morning Herald* declared that a fusion of the Deakinites, Reidites and the 'corner' was essential. The fact that free-traders meant business was reflected in their frank realisation that Deakin would have to be the leader of the coming fusion. He was 'the only leader capable of making the Federal Parliament an efficient instrument for controlling the immediate future of our continent'.<sup>4</sup> It was recognised, however, that there was no possibility of Reid and Deakin working together. Only a few weeks before Deakin's fall there had been angry exchanges between them, with Reid describing Deakin as 'a political mormon' enjoying 'promiscuous political intercourse'. Several free-traders, representing the smaller States, now met and conveyed to Reid their view that his continued leadership created difficulties for the prospect of union. Reid, whose parliamentary leadership over the last few years had been at best perfunctory, obliged with apparent good humour. Like the good performer he was, he recognised his cue for departure from the political stage. His last words summed up the conservative view that the federal party situation was artificial, in that it no longer reflected social and economic realities: 'the sooner their politics in Parliament resembled politics among the people the better it would be for both sides'.<sup>5</sup>

On his election as leader, Joseph Cook was immediately active in the

cause of defeating the Fisher government. There was already much common ground between the free-traders and the protectionist 'corner', led by Forrest and Irvine. Forrest and Cook were both eager to oust Fisher before parliament went into recess. Forrest succeeded in getting Deakin to meet Cook, presumably to discuss this possibility, but Deakin quashed the plan. Nevertheless Deakin had already been drawn into a general discussion with Cook, encouraging enough for the latter to report that 'a preliminary survey had been made', and that the difficulties facing a fusion did not appear 'insurmountable'. Early in February 1909 they met again. Deakin, noting that Cook was 'insistent', himself 'held out small hopes'. The result was a formal letter from Deakin which seemed more hopeful than his remark would imply. He informed Cook that while a majority of his party thought 'a future understanding' between them 'desirable', the party was unanimous in believing that nothing more could or should be done 'until the whole party has been advised'. For apart from the parliamentarians there were 'many outside Parliament whose views we ought to consider. These I am now proceeding to obtain and in this state so far they endorse the advice of members. I am about to ascertain the ideas of our friends who are not so near at hand.' He went on to stress the importance of discussion of the issues being carried on 'in the full light of day'.<sup>6</sup>

In Deakin's specific reference to those outside parliament lies the crux of the fusion issue from the protectionist point of view. Deakin and his friends assumed that, in a limited sense at least, time was on their side. It was Cook who was wooing Deakin, not vice versa. During this breathing space it was necessary not only to consult their supporters but to *find* them. The *Age*, destined to play a curious and confusing role throughout the fusion crisis, had recognised this from the outset. 'The long time which the Liberal Party has enjoyed office has militated against any proper organisation in the country.' The serious business of establishing this organisation began at precisely the moment that Deakin was refusing Cook's overtures in early February. The question arises: was this process of organisation undertaken in anticipation of fusion? That is to say, was its object to strengthen the protectionist party's position for the final round of negotiations with Cook and the free-traders? Or was it, as La Nauze has argued, undertaken, in Victoria at least, in the expectation of a three cornered contest in the next elections?<sup>7</sup>

When Deakin spoke of consulting his 'friends' outside parliament, he was talking fundamentally of those manufacturers traditionally associated with the protectionist cause. There was no existing party organisation; no one for a moment thought that the remnants of the old protectionist associations were relevant in this respect. In Melbourne Deakin was heavily dependent on the Chamber of Manufactures, and the founders of his Commonwealth Liberal Party came mostly from its ranks. In New South Wales Deakin's main contacts were Octavius Beale and James Farleigh, both leaders of the New South Wales Chamber, and the Chamber's secretary did the hack work for the infant political organisation there. In South Australia the secretary of the local Chamber again formed the accepted contact. J.M. Joshua, the Victorian president of the Associated Chambers of Manufactures, did some exploratory political work in Queensland, and Deakin himself wrote to L.E. Groom, the former attorney-general and the only Queenslander among the Deakinities, that what was needed there was the aid of 'a few good clean business and professional men' - a phrase which strikingly reveals Deakin's assumptions about who his friends were or should have been.<sup>8</sup>

The Victorian bias of the Deakinite party has already been stressed, and the Victorian situation, much complicated by the oscillations of the *Age*, must be examined separately. But outside Victoria two facts are reasonably clear: the response to Deakin's calls for a grass-roots organisation of protectionist forces was pitifully weak, and such response as there was assumed the desirability and inevitability of fusion.

To take the first proposition: in New South Wales, although Austin Chapman had confidently assured Deakin that 'our organisation is defunct, but can soon be galvanised into life', Deakin's approach to Beale provoked a much bleaker response. It is worth quoting at some length:

I don't know a secretary and hardly know to whom to turn for a secretary of the Protectionist party. The party, as such, was knocked to pieces years ago both in the State of N.S.W. before 1901 and since. The position is very uncomfortable, for altho' the policy has won, the old, sturdy crowd that we had in Dibbs and Barton's time have been so humbugged and deceived and disgusted that not *one* can be counted upon. O'Sullivan so far forgot himself as to say one evening, after a hard-won victory, (I was present and heard it) 'We had

better disband now, *we* can always get a fresh set at another election'. It will not be forgotten and it finished *him*. When he wanted his 'fresh set' the words were thrown in his face. Chapman will tell you about our experiences. So that really a fresh set is now sorely needed. And where to get 'em?

The letter strikingly reveals what a fiction the protectionist party had been in New South Wales since the turn of the century. But Deakin persisted, and paid several visits to Sydney to supervise the collecting of a 'fresh set'. He was not very happy with the result: 'they really are a most hopeless set of managers', he told Groom, 'though all of them successful business men'.<sup>9</sup>

The situation in Queensland appeared even worse. Kidston was establishing an organisation, which professed federal as well as State ambitions, and although Groom was assured that it was not aimed at the Deakinite party, its emergence made the setting up of a protectionist organisation even more difficult. Joshua's report was frankly depressing. To the question, 'what were the prospects of successfully organising the centre party' in Queensland, he replied:

*Briefly there are none.* In every port between this and C'town I am in touch with business men of standing. I talk politics generally with 'em all. You haven't a friend among them. You know why. The deeds you've done for yr. country, the efforts you made for union are no recommendation in *their* eyes. There are lots of good Australians in Q'sland - most are under 50 yrs of age, *nearly all* are in the Labor ranks.

It was in Queensland, significantly, that Deakin become convinced that a union of the anti-labor parties could be put off no longer.<sup>10</sup>

As to the assumed imminence of fusion, New South Wales and its 'hopeless set of managers' provide an interesting case study. Protection in New South Wales, even in the heyday of Dibbs and Lyne, had always had a severely limited meaning, and the protectionists had been predominantly a country party. The New South Wales Chamber of Manufactures, which might have been expected to provide an urban base for the party, was decidedly ambivalent. In 1904 the Chamber supported the Reid-McLean government, and resisted the Victorian Chamber's attempt to reopen the tariff issue; then in 1906, spuriously claiming to be 'a non-political body', the Chamber refused to pledge itself to pro-

tection.<sup>11\*</sup> At times there was a small but vocal minority in the Chamber resisting this policy, and fusion dramatically exposed this division when Lyne poured forth his wrath against the Chamber in general, and Beale and Farleigh in particular. Yet it was *these* leaders, Beale and Farleigh, that Deakin deliberately approached and included in the final negotiations. Farleigh's devotion to protection was questionable. Both merchant and manufacturer, he was to the embittered Lyne 'always a wobbler', and another critic saw him as virtually a free-trader. There can be no disputing his conservatism. Three days before the final settlement of the fusion he presided at a Liberal League meeting which carried a resolution in favour of fusion on the basis of the existing tariff, all other questions to be left to the 'united wisdom of the united Liberal party'. This was in spite of Deakin's careful reiteration of his own platform stipulations in a letter just a few days earlier.<sup>12</sup>

Octavius Beale is a more complex figure. Gentlemanly and courteous, Beale was a man of some culture, as befitted a manufacturer of pianos. His interest in politics, however, seems to have been dominated by several no doubt important but rather faddish concerns – depopulation, pure food standards and suspect medicines and drugs. Outside these particular spheres, Beale's politics tended to be of the 'why can't we all pull together' school. He was a protectionist in a general sense, but not an ardent one. What he would really have liked was a national coalition of all three parties. In 1905 his reaction to the three elevens situation was simple, if unrealistic: 'why the blank dashed parenthesis cant we lasso all three [party leaders] into a Ministry and let the Country boom along in peace, the envy of the whole earth and favourite of the gods?' Failing a national coalition, Beale favoured a fusion of the anti-labor parties. As early as 1902 he had been active in organising opposition to 'State Interference with Private Enterprise', and in 1904 he was a supporter of the Reid-McLean government.<sup>13</sup>

Deakin must have appreciated the general views of Farleigh and Beale when he first consulted them. Beale at least was a personal friend. Certainly there was great difficulty in getting the Sydney league

\* To what extent this reluctance to pursue a full protectionist policy was a response to local political conditions is difficult to estimate. The leaders of the Chamber were certainly influenced by the dominant free-trade tone of New South Wales politics, but a full explanation would depend on a detailed study of the nature of New South Wales manufacturing industries, as compared with Victoria's, and their relative reliance on tariff protection.

to adopt the required liberal platform. The Sydney manufacturers were simply not interested in Deakin's continual emphasis on *policy*. They saw only the political insignificance of protection in New South Wales, and they wanted and would support fusion so long as the existing tariff was not disturbed. Deakin's view was less parochial. Rightly or wrongly, he still saw himself as the guardian of a liberal tradition. But the very fact that he chose Beale and Farleigh as his Sydney leaders indicated that he was politically anticipating, if not actually working towards, fusion. The crucial factor here was the exclusion of Lyne, who was not consulted about the formation of the Sydney league. Lyne had renounced even the possibility of fusion, and was therefore beyond the pale. When he protested about Deakin's activities in his home territory, Deakin blandly replied that 'I know nothing of any "secret meetings" or "insults" and if I did would ignore them until wiser counsels prevail. Mr. Farleigh and Mr. Beale speak of you in the friendliest spirit . . . I . . . am confident that we shall be able to pull together.'<sup>14</sup>

At an organisational level it was clear that they could *not* pull together, and by the time of fusion the two bodies, Deakin's Liberal League and Lyne's old Protectionist Association, were openly hostile to each other. And Deakin had already noted in his diary, after a meeting with Lyne on 30 March, the words 'parting of ways'. There was one sense in which Deakin might have seen a possibility of 'pulling together'. At a time when he was nursing private doubts about personally leading or joining a fusion government, Deakin may have envisaged a situation where both he and Lyne were outside the ministry.<sup>15</sup> In the meantime, however, their positions were very different: for everyone wanted Deakin to be in the fusion ministry (and most expected him to lead it), while hardly anyone wanted Lyne in it at all.

This, then, was the situation outside Victoria. Protectionist organisation was either weak or non-existent, and most of the leaders whom Deakin and his lieutenants consulted approved of fusion. Whatever doubts Deakin may have had about his personal position, the evidence suggests that his attempts at organisation only confirmed his earlier belief that a fusion of non-labor parties was inevitable. Apart from the hopeful letters of one or two young admirers,<sup>16</sup> there is no evidence that outside Victoria anyone thought the protectionist party could survive another three cornered election.

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There remains Victoria, the bastion of protection. Did Deakin and his manufacturer friends undertake the organisation of the Commonwealth Liberal Party in the serious expectation of another three cornered election? To answer this question it will be necessary to analyse the political attitudes of manufacturers in Victoria, and the Chamber's role in expressing them, to which we must then add the unique contribution of the *Age*.

Under the presidency of Derham the Victorian Chamber of Manufactures had played a leading role in the creation of the Victorian Employers' Federation, and had affiliated with the new organisation. There was never any doubt as to what the general purposes of the V.E.F. were - namely, to oppose industrial legislation and to marshal the anti-labor forces. In the State sphere these were objects on which manufacturers and merchants could agree without difficulty, but in the federal sphere the fiscal issue remained. In the early days of the V.E.F. the threat of federal arbitration tended to overshadow other issues, and fiscal controversy was avoided. Derham, founding president of the V.E.F., also retained the presidency of the Chamber until 1903, and his commanding influence did much to preserve the appearance of unanimity.

But when Derham's energies were transferred more fully to the V.E.F. the Chamber began to have second thoughts. The Chamber had lost members, and this was blamed on the advent of the V.E.F. There was some soul-searching concerning ways and means of restoring the position; almost immediately - and hardly, it would seem, by accident - a new interest was taken in the tariff issue. Over the next two years, as the Chamber's campaign for increased protection gained momentum, tension with the V.E.F. increased. The Chamber was unwilling to support the Reid-McLean government, which came to power in August 1904, and there was consultation with the Trades Hall and Protectionist Association concerning their various tariff inquiries. In 1905 an attempt was made to end the connection with the V.E.F., and although Derham's defence won the day, the writing was on the wall. Victorian manufacturers were now increasingly obsessed with the proceedings of the Tariff Commission, and the prospect of federal elections in 1906. In June 1905 Derham managed to get the Chamber to agree to meet the V.E.F. to consider proposals for 'consolidating the anti-socialist party', but only 'on the clear understanding that under no circumstances

whatever will this Chamber consent to sink the fiscal issue'. Derham need hardly have bothered. At the end of the year the Chamber overwhelmingly supported the cancellation of its affiliation with the V.E.F., a step which marked the end of Derham's participation in the affairs of the Chamber.<sup>17</sup> The culmination of this protectionist revival was the approach made to the labor party in 1906. The president of the Chamber, Charles Atkins, wrote to the Political Labor Council urging that 'in the interests of employer and employed and the general public, a united front should be presented to the candidates of the foreign traders, both on the platform and in the ballot box'. Although the labor party's rejection of these overtures must have disappointed the Chamber, in May 1906 Joshua succeeded Atkins to the presidency on a policy of no affiliation with the V.E.F.<sup>18</sup>

All this might suggest that between 1902 and 1906 manufacturers and merchants drew steadily further apart, and that while the merchants were solemnly engaged in building their anti-socialist fortress, the flighty manufacturers were flirting with socialism. Nothing could be more misleading. The tariff position of Victorian manufacturers must be placed in perspective. Federation, while offering the boom of inter-colonial free trade, meant, initially at least, a lower tariff than they had been accustomed to. Victorian protectionists could only regard the tariff passed in 1902 as an interim measure. It was inevitable that the fiscal issue would be raised again, and the depressed conditions of 1902 and 1903 contributed to manufacturers' anxiety about their position.<sup>19</sup>

But although the Chamber increased its membership between 1904 and 1906, it still remains dubious to what extent it was representative of all Victorian manufacturers. Derham's own transition from the Chamber to the V.E.F. does not appear to have been unusual. Moreover, the ability of manufacturers mentally to keep the fiscal issue in a separate compartment should not be underestimated. The labor party was not being churlish when it rejected the Chamber's approach in 1906. The Chamber's record in opposing industrial legislation of all kinds was virtually as impressive as that of the V.E.F. Derham had made the Chamber the focal point of resistance to the Factory Act in 1899-1900, and it continued to agitate against both State wages boards and federal arbitration for some time. When in 1905 there was a major shift in policy, and employers accepted the Factory Act as a permanent basis for wage regulation, the Chamber and V.E.F., largely through the

medium of Derham, moved together. Similarly, Deakin's endeavours in the field of the new protection were not backed by manufacturers. In October 1907 Joshua warned members to be 'watchful of their interests' and, in line with the reassessment of 1905, opposition was expressed to the duplication of State and federal laws for the regulation of industry. Protectionist manufacturers, naturally enough, tended to tread more delicately in this field than other employers; but it was manufacturer McKay, after all, who was the unwilling Harvester guinea pig, and Joshua greeted the High Court invalidation with pleasure.<sup>20</sup>

In 1908 the manufacturers finally got the increased protection they had worked for. With this object accomplished, what was there to keep employers apart politically? At an industrial level it is clear that manufacturers might have, from their experience, drawn the moral that it was better for the Chamber and the Federation to be quite separate; but then this was no different from the Chamber of Commerce's attitude. In the State sphere Victorian employers generally supported the governments of Irvine and Bent, with the Legislative Council as a useful stand-by in checking the Assembly's occasional aberrations. Given this situation, what reason was there now for manufacturers *not* to acquiesce in a federal fusion, or at least coalition, of anti-labor forces?

It is at this point we must consider the *Age*. It was one thing for the manufacturers to accept fusion (they, after all, were practical men): it was quite another for the *Age*. Since what in Victorian terms was time immemorial this newspaper had acted as the conscience and defender of the peculiar Victorian patriotism that was protection. So much of its energy had been spent in denouncing Sydney's foreign traders that the prospect of embracing them politically could only induce editorial nausea. While Victorian trade unionists had grown out of their attitude of grateful respect for the *Age*, manufacturers still regarded the newspaper as, in a special sense, part of their own heritage. They could not entirely ignore its advice. The trouble was that the *Age* was not at all sure what advice to give. This indecision was not helped by the recent succession of Geoffrey Syme to the managerial chair so long occupied by his famous father.\* To Deakin, Syme and his editor, G. Schuler, were 'two silly infants - hopeless and helpless', but, alas,

\* David Syme, who took control of the *Age* in 1860.

they were infants in control of what Deakin believed to be still a very powerful machine. When Fisher took office the *Age* played down the significance of the change. There had been a change of ministers, but no real split in progressive forces, and the *Age* was keen to point out the various policy differences between liberals and conservatives. However in the new year the demise of Bent in Victoria, and the emergence of the government headed by J. Murray, found the *Age* in a different mood. Murray and his 'liberals', the *Age* believed, had been forced to accept a coalition with the 'conservatives' because of the labor party's proscribing of alliances. The newspaper now had nothing but contempt for the Victorian labor party: 'no more unpatriotic party was ever evolved out of human stupidity'. These events in the State sphere must have made the *Age* aware of the pressures operating for federal fusion. Indeed, some of its news reports seemed to appreciate the kind of game Deakin was playing. Deakin, it was noted, 'recognises that the union will come naturally early in the coming session, and when it does come he is determined that a genuinely democratic Liberalism and not a nervous, timid Conservatism shall be the guiding spirit'. But in February the *Age* was critical of the fusion negotiations, and on 2 March boasted that 'the bubble of a Liberal-Conservative coalition is effectively pricked'. This set the tone for the next couple of months, and only on the eve of fusion did the *Age* relent and bestow a grudging blessing, which was to be withdrawn within a few months.<sup>21</sup>

The *Age* and Deakin - indeed all protectionists - agreed on one thing - the need for organisation. While in this respect Deakin could ignore Lyne and his cronies in New South Wales, in Victoria it was impossible to separate the protectionist party from the *Age*. In any case, whereas Lyne had made a declaration of total opposition to fusion, the *Age*, however critical, had not. But because of the very uncertainties and ambiguities of the position there was a natural tendency to be imprecise about objectives. The first meeting of protectionist leaders simply passed a resolution recognising 'the urgency of continuing and strengthening the Liberal Movement by the formulation of an organisation with a practical progressive policy'. In the first few months of the new organisation energies were primarily devoted to stimulating the growth of kindred groups in other States and settling the platform. While it is natural enough for a new party organisation to be occupied with platform building, in the circumstances of February-May 1909

this achieved a peculiar significance. It should be noted that the first meeting mentioned above was on 8 February, just a few days after Deakin had conferred with Cook; his formal declaration that the time had not arrived for fusion was sent on 12 February. There is no doubt that in Deakin's mind the task of establishing a party platform was fundamentally that of setting the policy terms essential to the fusion. (Hence his concern over the Sydney organisation's failure to accept the Melbourne platform.) The *Age* went along with this, if a little diffidently. The platform, when finally announced, was 'the irreducible minimum'; if the opposition chose to accept it there could be no harm in the fusion.<sup>22</sup>

However La Nauze denies that 'the party was created in anticipation of a coalition of non-Labour groups, perhaps as a move by Deakin's centre group to impose a policy upon the other groups who were anxious to gain adherence, and to make plausible the claim that nothing "Liberal" had been surrendered'. He goes on to argue that 'the records of the provisional committee, and the occupations and connections of its members, strongly suggest that they were originally concerned to organize electoral support for an independent "Liberal" party, with particular stress upon protection'.<sup>23</sup>

What actual evidence is there that the C.L.P. was formed in expectation of a three cornered election? There are the occasional optimistic hints from the *Age* that the new party would be able to win a majority, which surely not even the *Age* believed. Then there is the remark made by the *Argus* after the fusion was accomplished, that the C.L.P. 'was [originally] intended to assist candidates put into the field against members in the Victorian corner, as well as against Labour members'. Irvine in particular was unpopular with the liberal protectionists, and the *Age* reported in March that the liberals were organising in his electorate, but there is no record of the C.L.P. playing any part in this.<sup>24</sup>

Finally, there is the position of Joshua, the first chairman of the C.L.P. In his retiring address to the Chamber of Manufactures on 10 May he declared that there could be no truce between free-traders and protectionists. In what was to prove a memorable reference to the fable of the lion and the ass, he urged protectionists not to be tempted into the lion's cave. Yet this was the same man who had earlier urged Deakin to 'lose no time in completing the negotiations [*sic*] for an honourable

union of parties', and who, a fortnight later, with T. Hogg, Beale and Farleigh, assisted in the birth of the fusion.<sup>25</sup> The explanation of Joshua's intemperate remarks can be found in two main factors. He appears to have been, of all the leaders of the Chamber of Manufactures, the closest to Syme and the *Age* - later events provide some corroboration here. But most important is the timing of Joshua's outburst. Although the *Age* did not report Deakin's desire to stand aside until 13 May, he had in late April already made the suggestion that culminated in the abortive attempt of Forrest and Best to negotiate a fusion with Cook. It is not unlikely that by 10 May Joshua had some general knowledge of the impending Sydney mission; indeed although this is pure conjecture, it is possible that Deakin gave him an indication himself.\* As far as Joshua and the *Age* were concerned, the idea of a fusion without Deakin was the worst of all possible worlds, for it would not in any way be bound to the platform of the C.L.P. Protection in this case might well have seemed in danger.

On the other hand, there is considerable evidence that the C.L.P. was formed to help ensure that Deakin and his supporters would *not* have to face another three cornered election. If the C.L.P. leaders were not assuming fusion, why should they approach Derham in an attempt to get a list of subscribers to the old Anti-Socialist Alliance?<sup>26</sup> Octavius Beale, who attended a C.L.P. meeting on 17 May, referred to it, on his return to Sydney, as 'an organisation for the distinct purpose of favouring the fusion of parties which do not approve of the Labor party'. Indeed Beale gave the impression that the organisation men were more anxious for the fusion than the parliamentarians. There is, moreover, the weighty evidence of Deakin himself. In his 12 February letter to Cook he said that the majority of parliamentarians he had consulted believed a future understanding between their parties 'desirable' and, given an agreed program, a closer alliance 'valuable'. He made it clear that those he had consulted in Victoria outside parliament endorsed this advice. This, surely, can refer only to the provisional committee of the C.L.P., which Deakin met for the first time on 10 February. At the meeting in April which marked the formal launching of the C.L.P. (attended, as the *Age* put it, by 'about 100 gentlemen, representing the business interests of Melbourne') Deakin remarked that 'one of the

\* There was an executive meeting of the C.L.P. on 10 May, attended by both Deakin and Joshua.

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best ways to prevent the three-party struggle was to provide against it in advance'.<sup>27</sup>

'Providing against it' meant organising electoral support for the liberal protectionists. The supporters of Cook and the Victorian corner had behind them the V.E.F., the A.W.N.L. and the F.P.O.P.A., and in any fusion it would have been embarrassing, if not dangerous, for protectionists to be dependent on such organisations. For protection to survive under the fusion, it needed not only the formal acceptance of the policy by Cook, but some guarantee that the protectionist members would have the support of an organised electoral machine. In this sense it was important that the C.L.P. should be 'independent', and a fusion of the extra-parliamentary organisations was never, at this stage, at stake. Deakin's insistence on consulting those outside parliament implied that their consent to the fusion was necessary, but it did not mean that they were part of it. The C.L.P. was, from Deakin's point of view, vital to ensure that the protectionists inside the fusion had a satisfactory power base. But in electoral terms this strategy assumed that the end was to guarantee that there were *no* three cornered contests in 1910, for this was fundamental to the survival of protectionist members.

In the last resort the degree of truth in the statement that the C.L.P. was formed in the expectation of a three cornered election depends on the prospect existing, at the time of its launching, of the fusion not eventuating during the life of the parliament. Clearly in one sense the establishment of the organisation was a necessary insurance policy, but was this its overriding purpose? It is here that Geoffrey Syme and the *Age* obscure our view of the situation. In some moods the *Age* tended to accept the inevitability of fusion, but it could not face its necessary implications. The result, therefore, is that although its general attitudes are clear enough (concern for protection, suspicion of Cook, and frustrated impatience with labor) the *Age*'s position in terms of immediate political objectives is often confused and contradictory. At times it even resorted to its old and quite meaningless panacea - elective ministries and an end to the party system. It is hard then to say how seriously Syme and the *Age* believed the protectionists could afford to risk another three cornered election. But the *Age* was important, and Syme's prejudices had to be pandered to; he was, apart from anything else, the C.L.P.'s first substantial donor. When he later broke

with the organisation however, none of its leaders left with him, though Joshua was sympathetic.<sup>28</sup>

One can see the C.L.P.'s formation in terms of a timetable culminating in the 1910 election. But surely the more relevant timetable was that imposed by the fusion negotiations themselves, and the progress of those negotiations was governed by the assembling of parliament in late May. The concentration on building the platform, the general postponement of actual branch establishment, the holding of the first public meeting on 25 May, the eve of parliament itself, all combine to suggest that in the minds of its leaders the launching of the C.L.P. was dominated by the coming of fusion.

After the failure of the Reid-McLean government of 1904-5, the desirability of fusion for all three non-labor groups had increased; indeed for the protectionist corner this was its *raison d'être*. As a result, although there was scepticism and distaste here and there, acceptance among politicians was high. For the free-traders fusion meant gaining power in the federal sphere for the first time, for the Reid-McLean government, with its almost non-existent majority, could hardly be counted. Although it could be argued that in the long term time was on their side and that, as the centre party withered away, the government benches would draw nearer, this might entail a long wait. Sir Josiah Symon was the only notable free-trader to speak out in opposition to the fusion.<sup>29</sup>

For the protectionists it was rather different. In the cause of efficient democracy they were being asked to give up their strategic position as a centre party. They were sacrificing much more political freedom than the free-traders, but their reasons for doing so were correspondingly greater. They had just lost the perquisites of office; many of them were in danger of losing their seats as well. It was an unfortunate electoral truth that theirs were the constituencies most susceptible to the challenge of labor. Deakin was unkind enough to suggest that those members of his party opposing the fusion were the ones who were most confident of electoral immunity from the labor party. But the charge was in itself a confession of the driving motive for fusion among the others. If, as Deakin attempted to imply, his major objection to the Fisher government was its announced policy, it was reasonable for G.H. Wise to suggest that a decisive move should not be made until

labor actually 'did something which was contrary to our policy, and sufficiently glaring to warrant their overthrow'.<sup>30</sup> All the evidence suggests that as far as erstwhile radicals such as Deakin, Groom, Hume Cook and Mauger were concerned, the necessity of fusion there and then was based not on considerations of policy, but on a realistic appraisal of electoral probabilities. There was no point in waiting for a suitable issue of policy; the logic was essentially that

If it were done when 'tis done, then 'twere well  
It were done quickly.

Time would be necessary for the fusion government to establish itself; it could then go to the people in 1910 with the confidence engendered by a successful record.

It was a little unfair of Deakin to question the motives of the members of his party who opposed the fusion. No doubt he was thinking principally of Lyne, that 'N.S.W. trained wire puller'. But also included in the dissenting minority were two senators, J.H. Keating and Trenwith, for whom the immunity issue was irrelevant. Trenwith put his finger on a sensitive point of principle: 'The action of the Labour Party in the constituencies was very trying and he therefore "quite understood the attitude of members who asked: What are we to do?" Nevertheless, "all this has only a *personal* significance."' When the split came, and Lyne, J.M. Chanter and G.H. Wise separated from their colleagues, Trenwith remained loyal to Deakin, for 'if a compact be made, I feel it my duty to stand by my comrades'.\* It was ironic that the former labor leader, who had been so reluctant to accept the caucus system, should end his career with this display of labor-like solidarity.<sup>31</sup>

Employers, whose influence had been so decisive in the movement towards an anti-labor fusion, were not greatly involved with the final practicalities of settlement and terms. When Deakin did call in Beale, Farleigh, Hogg and Joshua, it was primarily to explain to Cook what manufacturers would regard as tariff anomalies requiring correction, and at the same time to assure manufacturers in general that their interests were being looked after. Apart from the manufacturers' special concern with the tariff itself, what occupied employers' minds

\* Six members, Chanter, Wise, Keating, Trenwith, D. Storrer and Lyne, out of a total of seventeen, had opposed withdrawing support from the Fisher government.

most at this time were Deakin's proposals for implementing the new protection. Joshua had made it clear to Deakin that manufacturers would not support anything along the lines of 'Excise New Protection'. The V.E.F. was equally concerned, and at a special meeting of its own manufacturers' section, Hogg, the new president of the Chamber of Manufactures, assured those present that Deakin was not advocating new protection with excise. 'I got it from his own lips', he explained. The Chamber and V.E.F. conferred and agreed that they would not oppose an amendment of the constitution 'if such be necessary', but only to enable the Commonwealth to appoint wages boards where the States had failed to do so. As both organisations had accepted wages boards as a basis for industrial regulation this involved no radical departure in policy. When, after the politicians had made their compact, the V.E.F. realised that the second plank of the fusion agreement provided for an Interstate Commission to 'federalise' the findings of wages boards, a new alarm was raised. The Federation continued to balk at this plank, and, although approving the fusion, did not formally pass a resolution expressing its support until late August.<sup>32</sup>

It can be seen, then, that, while the fusion represented a political reconciliation of manufacturing and commercial interests, it was in another sense a compromise between the requirements of political expediency and the interests of employers as a whole. Deakin's new protection policy was, to him, a guarantee of the liberal character of the fusion government. In organising the C.L.P. and kindred groups he had been in the hands of the manufacturers; he must have been aware that as leader of the anti-labor party he would be increasingly dependent on employers as a whole for money and organisation. But they, for a time at least, were dependent on him too. Deakin's leadership of the fusion was essential to the protectionists and acceptable to the free-traders; in the circumstances the V.E.F. would have to put up with it as well.

For Deakin himself the coming of fusion had the added dimension of a personal crisis. It was one thing to foresee and accept the inevitability of anti-labor fusion; it was quite another to preside over the event himself. The decision was a matter for much soul-searching. He lost sleep, weight and strength, and 'only continued by force of will'. To some he later gave the impression that the success of the negotiations caught him unawares, yet he knew that the need to come to terms before

parliament met was recognised on all sides. The complexity of Deakin's motivation emerges here again. It is, for example, possible to interpret his actions during this crisis as an extremely clever tactical manoeuvre, the object of which was to ensure that fusion, when it came, would be under his leadership and on his terms. He knew when he stepped aside and put Forrest and Best forward to negotiate with Cook that their chances of success were slim. He might well have guessed that the failure of the Forrest mission would draw the opposition corner closer to himself. This is exactly what happened. As Deakin explained to his sister:

The *Argus*, thoroughly aroused, sent an emissary to Cook, telling him he must either grant my terms or face them as allies of the Forrest corner, which in sheer fright, and in animosity to Cook for his snub to Forrest, was coming over to me in a body. Cook reluctantly agreed to their terms on behalf of their section.

Yet he still expressed himself surprised at the outcome: 'out of the realm of fairy tale I wonder if it would be possible to find a parallel personal adventure with such an issue'. After all the heartache fusion had become a fairy tale, with Deakin, presumably, cast as the handsome prince.<sup>33</sup>

It had always been one of Deakin's favourite metaphors to visualise himself as 'going straight on', regardless of the shifts and movements about him.<sup>34</sup> So during the fusion crisis the impression he created was very much that of Deakin, the liberal leader, accepting the now enlightened free-traders into the protectionist fold. His policy was steadfast and unalterable: therefore his integrity was intact. But although he had won a tactical victory for protection, he had not 'gone straight on'. Whatever the terms, fusion meant compromise. In his heart he knew this, and the sordid realities of the electoral situation nagged at him. It would be presumptuous to suggest that power had corrupted Deakin, but it is worthwhile to remember that he was at his most radical in the nineties – when he chose to be out of office. Then his duty had seemed clear. What was it now? Office had only increased the complexity of moral decisions. Part of him, weary and sceptical, wished to escape from the humiliation of politics. Yet to be at the helm again, whether it was a temptation or a duty, also spelt life and fulfilment. In the midst of such doubts, it was a moral comfort to Deakin to realise that he was indispensable to a successful anti-labor fusion in 1909.

**Fusion in Action**

Deakin survived the psychological ordeal of fusing with Cook. He recovered his spirits, and by the end of the year he was able to survey the fruits of fusion and describe them as 'splendid'.<sup>35</sup> Indeed he went to the polls in 1910 proud of the legislative record of his government, and confident of victory. Generally, as far as operating as a united team was concerned, the government could be said to have performed reasonably well, aided in this respect by the fury of the labor opposition's onslaught. It was outside parliament that the real tensions occurred, for here there was no united party organisation to match the labor machine. The 1909 fusion had been a parliamentary deal; fusion at an electoral level took more time.

In New South Wales the weakness of the protectionist organisation and the sense of relief with which it greeted fusion, are shown by its readiness, once that was achieved, to commit suicide. July saw the formation of the New South Wales Federal Liberal League, which drew together the Liberal and Reform Association, the People's Reform League and the Liberal and Progressive League (surely a splendidly confusing trio of labels!). Free-traders dominated the new organisation and Lyne, still seething, poured forth his scorn on it.<sup>36</sup>

In Victoria there was no such ready merger of organisations. The C.L.P. continued to think of itself as the party organisation of the fusion ministry, but the V.E.F. and its cohorts refused to acknowledge its leadership. The various organisations met to consider the establishment of a central committee, but the C.L.P. would only accept this on an informal basis, with the constituent bodies not being named. Clearly Deakin's supporters were wary of being publicly associated with the V.E.F. The negotiations failed, and the C.L.P. tried to maintain the fiction that it was somehow the official party machine. It would support 'each sitting member who pledges himself to the Party's Platform in its entirety', but such pledges were sometimes hard to obtain. Deakin warned that to require a written pledge was getting dangerously close to the labor system; his suggestion that each member be asked only for a public platform pledge to his electors was accepted. Such discussions were, however, largely academic, as there was no question of the C.L.P. endangering the fusion by nominating candidates against sitting members of whom it disapproved.<sup>37</sup>

The unreality of the C.L.P. posing as the party machine of the fusion

government was exposed when the question of finances arose. In the business of fund raising the C.L.P. leaders were novices. When former donors to the now defunct Anti-Socialist Alliance were approached, the C.L.P. met a cool response; it was said that large sums were being withheld 'because all are not working together'. Joshua, displaying some political naïveté, suggested that the money would flow if the parliamentary party endorsed the C.L.P. as its only outside representative. The truth was that the V.E.F. had already pre-empted the field. The Federation's disillusion with the A.S.A. had only served to reactivate its own political interests; moreover, the whole moral of the A.S.A. episode had been that the ultimate weapon for employers in any political organisation was the power to supply or withhold funds. Quite early in 1908 the V.E.F. began planning for the next federal elections, which were seen as crucial for capital in Australia. The V.E.F. set its sights high. Fairbairn reported that 'the raising of a large sum of money in England to fight the Elections' had been discussed, and suggested that Secretary Walpole should be sent to England to help in the matter. Walpole, although 'not personally interested in going', agreed that London was just the place to raise £30,000. He departed a few months later. The trip was 'to rehabilitate his health', but his parting words were that 'one of the greatest political fights Australia had ever seen would be in 1909 and 1910 to decide who was to be top dog in this country'. The records of the V.E.F. do not indicate how successful Walpole was; when he reported to the executive in March 1909 the minutes simply refer, with irritating discretion, to 'the work done and to be done'. Possibly £30,000 was something of a tall order, but it is evident that London provided some assistance, and this money would seem to have found its way into an account referred to as the George Fairbairn Trust Account. In June Hogg reported to the C.L.P. that Fairbairn 'had collected a considerable amount of money'.<sup>38</sup>

A satisfactory *modus vivendi* between the various anti-labor organisations was not achieved till the end of 1909, and Fairbairn\* appears to have played a significant role in this settlement. While some V.E.F. leaders were eager to use the financial weapon to bludgeon the C.L.P. into an organisational fusion, Herbert Brookes, the C.L.P. treasurer,

\* George Fairbairn retired as president of the V.E.F. in 1909. As a former State member for Toorak, and, from 1906, federal member for Fawkner, he was well acquainted with parliamentary leaders.

confirmed that Fairbairn was helpful. For the C.L.P. the problem was that they needed money. Fairbairn not only had the cash, but access to more. But while some sort of accommodation had to be reached, it was agreed that 'a central financial authority' was 'the very thing to which we cannot agree'. As a result, the funds which Fairbairn and his colleagues had collected were allocated by a committee of parliamentarians, the Parliamentary Finance Committee. Initially the C.L.P.'s collector of funds, J.R. Crowther, was appointed to act as the committee's canvasser for new donations, but the V.E.F. raised immediate objections. If Crowther was going to be approaching Federation members, the V.E.F. insisted that it had control over the moneys collected. A compromise was hastily reached. The V.E.F. authorised Crowther as a collector, and retained the right to take as much of these subscriptions 'as the subscriber has been in the habit of paying to the Federation'. Theoretically the V.E.F., not being officially represented on the Finance Committee, had no voice in the allotment of funds. But of course Fairbairn was on the Committee in his parliamentary capacity, and he kept the V.E.F. fully informed of the allocations made. This improvised system of distributing the money meant that the C.L.P. maintained its formal independence as an organisation, but at the same time the V.E.F. effectively deprived it of any direct access to the source of the funds. Although obliged to retire into the background once again, the V.E.F. retained its hold on the purse strings. It had, at any time, an effective power of veto.<sup>39</sup>

That the C.L.P. should have been so dependent on these funds raises some interesting questions. What of the manufacturers whose interests the C.L.P. was set up to protect? Why were they not more forthcoming with financial support?

In the first place, the manufacturing industries of Victoria, in spite of their economic importance, represented much less in terms of wealth than the commercial, pastoral and financial interests based on Melbourne. H.V. McKay, for example, however much a manufacturing success story, could hardly rate comparison with B.H.P.<sup>40</sup> Furthermore, a number of the large manufacturers, as already indicated, were by this time closer to the V.E.F. than to the Chamber. The V.E.F. had seven years of experience behind it, whereas the C.L.P. was only beginning to think seriously of raising funds when the fusion eventuated. The fact that Fairbairn and his colleagues already had 'a considerable

amount of money' in hand was not so much a challenge to the C.L.P. as a temptation. There was not much point indulging in competitive collecting when money was already there. After all, fusion *was* fusion. The C.L.P. had no objections to receiving funds from the V.E.F., so long as (a), there were no visible strings, and (b), the money was not seen changing hands. Both Deakin and Fairbairn recognised that the fusion government could not conduct a successful election campaign without some co-ordination of the resources at its disposal.

There remains the possibility that manufacturers, suspicious of fusion, were deliberately withholding funds. This brings us to the ambiguous role of Geoffrey Syme in the C.L.P. The *Age* had bestowed an unenthusiastic blessing on the fusion ministry, but within a few weeks it was attacking the V.E.F. for hatching 'a conservative plot' to control the raising of party funds. By August Syme had lost all patience with the fusion. He believed that 'we should give the Secretary a map of Victoria, say here is your field and direct him to organise our Party throughout the State irrespective of the fusion'. But although such an attitude still had some appeal, in that C.L.P. leaders were not full of love and affection for the farmers' and women's leagues, what in fact was 'our party'? Syme's influence in the C.L.P. decreased proportionately as his criticisms of the fusion government increased. In August Deakin and the State premiers negotiated the Financial Agreement, under which the Commonwealth was to pay the States 25s. per head of population annually. The *Age* bitterly opposed the Agreement, particularly the proposal that it should be submitted to the people as a formal amendment to the constitution. By early September the *Age* had declared war, not only on the Financial Agreement, but virtually on the fusion government itself. In these circumstances it was only surprising that Syme did not resign from the C.L.P. until February 1910.<sup>41</sup>

The only evident support for Syme in the C.L.P. came from Joshua. In September he seems to have echoed the *Age's* criticisms of the Financial Agreement, and in October he resigned as chairman of the C.L.P., pleading pressure of business.<sup>42</sup> He remained on the executive, however, and was still there after the elections. It is difficult to estimate how much sympathy there was among manufacturers for the *Age's* opposition to the Deakin government. There were few expressions of outright opposition to the fusion from manufacturers: on the other

hand it may well have been that many were less alarmed at the prospect of a labor government than their merchant brothers, and in this sense were less enthusiastic about investing in the fusion election campaign. But the records of the C.L.P. do not suggest any disappointment with the response of manufacturers; rather they indicate that C.L.P. leaders simply realised that the big money for political funds lay elsewhere.

The problem here is to distinguish between opposition to the fusion, and tensions within it. In New South Wales Lyne's consistent opposition to fusion simplified the situation. That free-trade bogey man, Bruce Smith, was opposed in his seat of Parkes by a member of the New South Wales Chamber of Manufactures Council, H.E. Pratten, in a triangular contest that attracted much interest. And after the elections another prominent manufacturer, C.F. Doutreband, claimed that the bulk of the Chamber's members had been unable to support the free-trade candidates put up by the fusion in New South Wales. But then, on the inside, Beale, who had been such a protagonist of fusion, was also critical of the way things had worked out. He told Joshua that there seemed to be an attempt in New South Wales to put up free-traders against labor members. And to Deakin he complained: 'If you read our daily papers, for your sins, you will perceive that we're not so much a Fusion as an Exclusion, and if there wasn't a Restless Worker to shake us all up, we'd soon separate.'<sup>43</sup>

In Victoria the situation was more complex. Syme and the *Age* had started by accepting the fusion, at least in theory: they ended up opposing it tooth and nail. Joshua, on the other hand, remained within the C.L.P. and could therefore be said technically to be working in the cause of the fusion government. It was only after the election that he publicly declared that fusion might have been a free-trade trap after all, and that in such circumstances a labor government might be preferable. But, allowing for Joshua's sincerity, words spoken *after* the election have not the same significance. With three, if not more, years of labor rule beckoning, a number of manufacturers might well have wanted to make the best of things.<sup>44</sup>

On the free-trade side, the tensions within the fusion were reflected in a pointed lack of enthusiasm for Deakin's leadership. The free-trade parliamentarians generally accepted the necessity of Deakin's leadership as a political fact, but their organisations outside parliament, in so far as they were prepared to put up with Deakin, did so by ostentatiously

ignoring him. Although Mrs Deakin is reported to have opened a Toorak fête for the A.W.N.L., that organisation for the most part worked for the return of the fusion government as if Deakin did not exist. The organising secretary of the W.L.L. in Sydney was quite frank after the elections: 'with a good leader, someone who could inspire enthusiasm and confidence, we should have come out of this conflict to better advantage'. The *Daily Telegraph* recognised that the old rivalries had been difficult to submerge: the fusion 'did not prove such an easy and rapid process among the people as the politicians'. The verdict is an ironic one when one recalls Reid's argument for fusion that 'the sooner their politics in Parliament resembled politics among the people the better it would be for both sides'.<sup>45</sup> But although the *Telegraph* was commenting on the election results, its reference to fusion among 'the people' really pointed to the difficulties of protectionists and free-traders co-operating at an organisational level. Whatever the tensions experienced by the anti-labor fusion in its first year of existence, the new party had been made possible by Deakin's own confirmation of Reid's thesis. Deakin had found that a centre party had ceased to be viable: 'politics among the people' (and the manufacturers) would no longer sustain it. Embracing fusion, from Deakin's point of view, was accepting reality. Reality, however, is many sided. In so far as he hoped to carry on the liberal tradition, Deakin's move was an avoidance of reality. No matter what the agreement with Cook and Forrest said about platforms and policies, he was now not only on the same side as the employer federations but financially dependent on them. The terminology, accepted by all, was revealing. It *was* a fusion not a coalition. For better or for worse they had been made one flesh. The marriage may not have been made in Heaven, but divorce would prove as unthinkable as if it had.

### Fusion in Defeat

The comparative intensity of the 1910 election campaign was a recognition of the fact that a labor victory was possible. Nevertheless the fusion leaders were confident of success. In February Deakin had privately forecast 'a sweeping victory', and Cook was certainly optimistic, reporting a local prophecy that 'there was no reason why we should not win "hands down" and stay in office as long as Laurier or Macdonald'. To most liberals (and probably quite a few labor men as

well) the overwhelming rejection of the fusion government came as a considerable shock. Not only did labor win a clear majority in the House of Representatives, it also swept the Senate in every State. The total labor vote rose from 38.73 per cent in 1906 to 50.29 per cent in 1910. It was particularly alarming in that there had been a much larger poll than for any previous federal election, and the anti-labor myth had always been that labor voters were a well drilled army, whereas apathy was the curse of the middle class; and therefore every new voter who could be enticed to the polling booths would be a liberal in the making. Alas, the fusion vote increased only marginally over the vote of the non-labor parties in 1906, while the labor vote nearly doubled. The swing was highest in Tasmania, Victoria and New South Wales; only in Western Australia, where labor had polled exceptionally well in 1906, was there a marginal drop in the party's percentage. Labor captured fifteen seats from the fusion, eleven of which were in New South Wales and Victoria. In Victoria the political scene was astonishingly transformed. Eight seats recorded a swing of over 15 per cent to the labor party.\* It is not surprising then, that while the Trades Halls round the Commonwealth rang with jubilant cheers, anti-labor leaders at all levels began a serious inquiry into the causes of this massive shift in political opinion.<sup>46</sup>

Perhaps the most striking feature of the explanations offered for the defeat of the government is the lack of stress placed on specific issues of policy. While Deakin confided to his notebook some thoughts on 'the material ambitions of the masses', he did not consider, for example, the progressive land tax proposed by labor, which in earlier years would have been at home in a Deakinite platform. Brookes, in some notes on 'The Sins of A.D.'s politics' mentioned 'Going back on New Protection', but listed it only third among the sins. Glynn was one of the few to assign importance to a policy issue: in his view the Financial

\* And this does not include three seats where official labor candidates were not fielded in 1906, and Melbourne Ports where the 1906 labor vote was split. The percentage swing to labor was 15.65 in Victoria, 24.5 in Tasmania, 9.21 in New South Wales, 8.36 in Queensland and 7.09 in South Australia; in Western Australia the labor vote was down 1.67 per cent. (These percentages are based on Senate figures, as House of Representatives figures are complicated by uncontested seats.) As well as the fifteen seats lost by the fusion, three non-labor members who had opposed it, Lyne, G.H. Wise and J.M. Chanter, were returned against fusion candidates. In Western Australia J.M. Fowler, a renegade labor member, retained his seat as a fusion candidate.

Agreement was 'the real cause of the defeat'. One would hesitate to go as far as this, but certainly the rather extraordinary proposal to enshrine the Financial Agreement in the constitution was made much of by the *Age*. The *Daily Telegraph*, in one of its post-mortems, did admit the need to evolve 'a policy pulsating with progressive life', but this seemed to be urged more as a unifying influence to overcome fiscal antagonisms, rather than as a necessary means of combating or matching labor policies.<sup>47</sup>

It is significant, in view of the whole development of anti-labor, that the most tangible reason seen by most liberals for the defeat was labor's formidable organisation. The *Sydney Morning Herald* pointed the moral that it was necessary between elections for liberals to 'maintain as a living organism the party machinery': thus had been sounded the final knell for amateur politics, nineteenth century style. But it was more than a matter of mere technique. Deakin had for many years observed the labor leagues at work with a curious mixture of admiration and distaste, and in 1910, surveying the wreckage of the fusion, he pointed first of all to the expansion of the labor leagues and their 'great army of unpaid zealots'.<sup>48</sup>

The intrusion of sectarianism was regarded as another factor contributing to the defeat. Yet anti-labor leaders had no right to be surprised at this. In the development of organised sectarianism in Australian party politics the 1910 election was the culmination of a process launched by Dill Macky in 1901. Just as the growth of the reform movement had been boosted by an outburst of militant anti-Catholicism, so in 1909 the making of the fusion was accompanied by Protestant noises off. The Orange men were on the move, publishing platforms, and boasting that they 'were going to try, with God's help, to purify political life and uplift the people'. It was unwise for liberals such as Mauger and Hume Cook in Victoria and Wilks in New South Wales, all of whom represented electorates with a large working-class component, to associate themselves with such a crusade.<sup>49</sup> Deakin must have had some idea what, under this new two party system, the repercussions were likely to be, and after the event both he and Hume Cook believed that the Catholic vote had gone against them. In Victoria there was a tendency to blame this sectarian backlash on Cook and the New South Wales contingent, and it is true that Deakin was reaping much of what Reid had sown. But the movement of Catholic voters

towards the labor party, which had begun at the turn of the century, had now achieved a momentum of its own. The Orange support of the fusion only set the seal on the Catholic community's commitment to the labor party. The *Catholic Press* itself claimed that labor had won on the Catholic vote, and the *Daily Telegraph* reprinted the article in which this claim was made, clearly with the aim of provoking a discussion of the sectarian issue.<sup>50</sup>

There were indications, too, that many small 'I' liberals were unhappy with the fusion, and although these were no longer numerous enough to sustain a centre party, they were sufficient to cause a sizable swing to the labor party. At one level this was not necessarily disapproval of fusion itself, but a scepticism about the way it had been achieved. 'Why is this fusion fixed up so hurriedly?' journalist Arthur Jose had asked, and Brookes saw Deakin's cardinal sin as 'combining with other members to turn out Fisher before he had a chance to show what he could do'. This, Brookes believed, had given offence to 'the average intelligent worker': in other words, Deakin had offended against the Australian principle of a 'fair go'. But it seemed it was not only 'the average intelligent worker' who had been offended. R.R. Garran consulted that other legendary figure, 'the man in the street', and concluded that 'there is a very large section of the liberal vote in New South Wales which had no enthusiasm for the fusion, and which voted labour on this occasion'. Such a vote for labor could be seen as a protest against the fusion, though as such it could have little positive effect; it could also be interpreted as fair warning that in a two party system the 'undecided' voter could pose as the master of democracy.<sup>51</sup>

It was also believed that labor had made a substantial impact on young voters. No doubt labor, invoking the dynamic of progress, appealed to the optimism of youth, but it was thought that it also benefited by being identified 'in some unexplained way' as 'the Australian Party'.<sup>52</sup> Labor had always attempted to project such an image, and was probably aided in this by the lusty singing of 'Rule Britannia' by its opponents. It may well have been that Deakin's uncharacteristic posturing during the dreadnought agitation was not such good politics after all: it revealed colonial imperialism in its most imitative form.\*

\* In March 1909 the scare over growing German naval strength hit Australia, and a public campaign was launched to have Australia offer Britain a dreadnought. The Fisher government politely refused to do so.

Such were the explanations offered by contemporaries for the labor victory of 1910, and it is clear that none of them can be dismissed as irrelevant. But if one were to ask what was the essential motif of the campaign, the answer is plain: most observers (and participants) agreed that the campaign was characterised by a degree of class bitterness not witnessed before in federal politics. In New South Wales this was particularly associated with the Newcastle coal strike and Wade's 'Coercion Act'. Indeed, Cook saw the strike, together with labor's superiority in organisation, as the two main reasons for the government's defeat. Leaders of the Women's Liberal League in Sydney commented on the bitterness shown to them by labor 'womenfolk', and attributed this, at least in part, to the strike. Mrs Mackinnon observed that while the men could go and have a drink together, women tended to brood. But although the strike might have accentuated antagonisms, this ill feeling was not confined to New South Wales. In Victoria, according to Hume Cook, 'the contest aroused an intensity of feeling such as I had never before witnessed', while Deakin reported that 'never before has "class consciousness" been so manifest in the Commonwealth'. It was Herbert Brookes, however, who made the most astute diagnosis: 'The union of Liberals created officially and permanently the Gulf between the two parties and so rallied all laborers, wage earners etc. to their class in the absence of better and more sane promises from Liberals.'<sup>53</sup> Brookes consigns policy issues to a negative role in the election results, which is indeed the implication of many of the explanations examined here. Whatever the constitutional virtues of a two party system, the fusion established it *on labor's terms*. The fusion party was 'anti-labor': the very purpose of its creation was to oust a labor government. The complexity of the three (or four) party system had cast some doubts on labor's basic message, which was that the interests of the workers could only be protected by a trade union based labor party. Fusion in large measure removed these doubts. How could the interests of workers be protected by a party which was so dependent, organisationally and financially, on employer groups? As Brookes saw, the 'gulf' had been created 'officially and permanently'. Not even a leader of Deakin's calibre could hope to persuade workers that the gulf was simply one of policies and methods. While labor's victory in 1910 may have been dependent on a sympathy and anti-fusion vote from a section of the middle class (the scale of the victory certainly

was), the ultimate significance of the election was that it proclaimed the reality and strength of the party's working-class base. The radicals of the old free-trade and protectionist parties had over the previous twenty years retained a foothold in working-class districts, though Reid's espousal of anti-socialism did much to destroy the free-traders' position in this respect. In Melbourne labor took the seats of Batman, Bourke and Maribyrnong with substantial majorities: they were, from this time, all relatively safe labor seats. Likewise in New South Wales labor in one blow won and made safe the Sydney seats of Dalley and East Sydney, and the semi-urban seat of Hunter, which included Maitland and Cessnock.\* Labor's proprietorial hold on the working-class vote was now fully established. There would always be workers who, for various reasons, would *not* vote labor: 1910 put them into perspective as a relatively small dissenting minority.

Ian Hancock, in his study of the 1910 elections in Victoria, stresses the complexity of the situation as regards policies and interests, and emphasises the dangers of reducing the election to simple terms of fusion versus labor. Yet these were 'the crude alternatives' imposed by the election itself. Hancock responds by depicting both parties as coalitions of interests and principles. Now any political party is in this sense a coalition, and no party is without its internal tensions. But a party is a party, and where lie the common interest, the common principle, that make it possible? The question is especially relevant to our consideration of the fusion party, where the element of coalition is both more obvious and more recent. This analysis has shown that, although there were conflicts of interests between merchants and manufacturers, they shared, as employers, common interests as well. Although a small minority of manufacturers disapproved of the fusion settlement, manufacturers in general could see neither point nor future in continuing a centre party. But if this was the situation, in simplest form, at the level of interests, what was it at the level of leaders? Hancock takes his namesake, W.K. Hancock, to task on the subject:

He [W.K. Hancock] did not appreciate that the liberal tradition of Deakin and Groom meant far more than any class unity with the

\* Between 1910 and the major redistribution of 1949, Batman, Maribyrnong and East Sydney were briefly held by the U.A.P., 1931-4, and Bourke was held by the independent labor member, Mrs M. Blackburn, 1946-9.

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conservative Free-trade and Tariff Reform parties and fears of 'the socialist tiger'. In the final analysis only Labour's decision to fight all parties in the electorates meant more than the tradition.<sup>54</sup>

Yet the liberal tradition was already receding, even in the minds of Deakin and Groom. The Deakinites had largely abandoned any interest in the land tax, and by the time of the fusion their concern for the new protection also seemed to be waning. A tradition does not disintegrate overnight, but in 1909 Deakin's liberalism was showing its cobwebs. Furthermore, the last sentence provides a massive qualification: 'only Labour's decision to fight all parties in the electorate meant more than the tradition'. By that 'only' hangs the subsequent political history of the Commonwealth. So much was involved in this decision and in the liberal reaction to it. It was not merely a matter of day to day political tactics. It involved the labor caucus system, the pledge, the relationship of the parliamentary party to the labor leagues; indeed it involved the whole labor concept of party in particular and politics in general. Deakin certainly viewed Reid's makeshift conservatism and his style of politics with enormous distaste; he was aware that as a Victorian he himself came from a different political tradition from Reid, Cook, or for that matter, Lyne ('N.S.W. wire pullers' all). Fusion was not in any literal sense an exercise in parliamentary middle-class togetherness, but Deakin and his supporters could not dissociate politics in parliament from 'politics among the people'. Deakin himself was always conscious of the hidden strength of class in Australia. 'The division between classes is terribly real though unperceived', he told Brookes in 1903. The political surface of that reality was the labor party, and as he saw it in 1904 'everywhere in Australia the riddle of politics is what to do with the Labour movement'.<sup>55</sup> Fusion was Deakin's final answer to the riddle.

It was ironic that the two party system, which enemies of the labor party had always assumed would place it firmly in opposition, should have been inaugurated by such a sweeping labor victory. But in spite of the bitterness of the campaign and the harsh words spoken, it was not the end of the world. Publicly anti-labor leaders bowed their heads to the people. (Few were as impenitent as Forrest who roundly declared that 'the people did not deserve self-government'.) The *Sydney Morning Herald* advised its readers not to make a fetish of the

name 'Liberal', for 'much of Labour policy is only the continuance of Liberal tradition', and the Lord Mayor of Sydney, comforted by the British genius for self-government, thought that the verdict of the people was ultimately right. Nor was the result without its compensations for some. The V.E.F. noted that the defeat was not as bad as it appeared, because those who had lost their seats were the 'wobblers', all members of the C.L.P. What was left was 'a straight out opposition which might form the nucleus of a strong party in the near future'. It was clear that the V.E.F. would redouble its efforts to put its stamp on the fusion party, and within a few days plans for organisation and fund raising for future elections were under discussion.<sup>56</sup>

In fact fusion had only begun. A united national party machine had still to be constructed, and through it, some means of achieving an equilibrium between the various interests that would seek to use it. Nevertheless, 1909 remains a watershed in Australian history. The Deakinite years lead us back into the marshy regions of colonial politics. On the other side we see the development, recognisable to this day, of the two alternative traditions of Australian politics.

part four

1890-1910: Class in Australia



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## 9 Class and the Politicians

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Mr. Deakin spoke of the crushing burdens of office with the rapt expression of a priest of Ephesus intoning the Eleusinian mysteries, and through his speech ran as a persistent leitmotiv his conviction of our utter, complete and incurable incapacity and unworthiness to occupy the high and responsible office to which the cross currents of party politics had carried us.

W.M. Hughes describing the advent of the Watson labor government in 1904, in *Nation Building in Australia* (ed. J. Groom), p. 244.

The years between 1890 and 1910 were dominated by the restructuring of Australian politics that the emergence and growth of the labor party made necessary. But at the same time, and inside this total process as it were, a revolution was taking place in the concept of the politician. Serle's judgment that in the 1880s in Victoria 'the notion of Parliament as a collection of individuals whose prime duty was to act as agents for local constituents remained strong' applies equally to New South Wales. Whatever the claims of party or faction, each member was essentially an individual, and the success of his career was often mapped out in roads and bridges. Although graft and corruption were uncommon, colonial politics had a free-for-all quality that projected an image of the politician as a shrewd and sometimes noisy operator. The Deakins and Wises were there, of course, as upholders of the English tradition of politics as an honourable calling, but they were sometimes distressed by the tone of the political *milieu*. 'Gladstone Peel and Bright have won great reputations as Parliamentary orators', Wise wrote to that local impersonation of a Grand Old Man, Sir Henry Parkes, 'but they have never had to speak upon a matter of the highest State importance to an audience of Traills O'Sullivan's Cricks and Willises'. There were, it is true, sometimes unfortunate parliamentary scenes, over which the press tut-tutted, and the demon drink was sometimes blamed. But 'the boisterous, thirsty demagogue,

with brazen front and leathern lungs, who bulks so largely in certain unflattering descriptions of colonial parliaments' was really a pre-labor phenomenon.<sup>1</sup>

Before the arrival of the labor party colonial parliaments were meeting places for three broad, but by no means discrete, categories of politicians: the professional men, usually lawyers, for whom politics had always been a natural outlet; those, such as pastoralists, merchants or manufacturers, who entered parliament largely to defend or further the interests of their class; and those, usually of a lower social rank, for whom politics was a means of advancing their personal careers, in terms of money, influence or power. Yet for all their differences of background, most belonged to the colonial middle class, even if some had entered its ranks as self-made men. Nor was it simply the non-payment of members that excluded working-class representatives, as the case of Victoria proves. There was an immense psychological barrier to be overcome. Politics was a middle-class pastime, requiring, if not middle-class manners and education, at least a middle-class occupation to support it; working-class participation tended to be of the nature of a Greek chorus at public meetings and declarations of polls. In the eighties many trade union leaders had begun to question this assumption, but it required the shock of 1890 to break down the barrier.

Before 1890 the odd working-class representative had been absorbed without undue fuss. After all, every parliament boasted its few 'characters'. But the drama of 1890, and the labour movement's ensuing assault on the various colonial parliaments, resulted in an influx of working-class members at a time when middle-class society was particularly sensitive.\* They had read in their newspapers the wild and bitter speeches that the 'agitators' had made during and after the strike: now these self-same hotheads had become legislators. *Were* they

\* Of the thirty-five N.S.W. labor members elected in 1891, at least twenty were manual workers or trade union officials who had been manual workers; in Queensland ten of the sixteen 1893 members were manual workers, and another three had some background in manual work; in South Australia Batchelor claimed that in 1893 all fourteen successful candidates were from the ranks of the workers, while the only two unsuccessful candidates were both candidates 'under what was called the broad qualification'. In Victoria, on the other hand, out of the eleven P.P.L. representatives elected in 1892, only four were trade unionists. (Nairn, *Civilising Capitalism*, p. 62; Murphy, Joyce, Hughes (eds.), *Prelude to Power*; Batchelor, *Worker*, 16 March 1895; T.H.C. Minutes, 22 April 1892.)

revolutionaries? How much respect did they have for parliamentary institutions? Would they be rude and unruly? Or would they simply make fools of themselves, and be laughed out of court?

It was very soon evident that the labor members were not revolutionary ogres; their arrival in parliament was not marked by any threats of death to the bourgeoisie. It was true that Andrew Kelly gave a firm undertaking never to wear a top hat, but his first real speech to the Assembly was so overwhelmingly respectful that it almost conveyed the impression he considered himself unworthy of one. Someone like Trenwith, on the other hand, provoked some surprise because he looked and dressed like a gentleman. But there need have been few fears about the respectability of the labor members, for it seemed to be a personal quality that most of them desired above all others. They were 'well-meaning respectable men', Parkes assured the English readers of the *Contemporary Review* in 1892, and time seemed to confirm this verdict. The initial contribution of teetotal nonconformism to the labor party did much to set this tone. The first batch of labor members in New South Wales included three, possibly more, lay preachers, one Sunday school teacher, an editor of a temperance magazine, and at least one other teetotaler.<sup>2</sup>

After the turn of the century the party's association with the liquor trade at times tarnished labor's reputation for moral rectitude, and in Victoria the shadowy background presence of John Wren was beginning by 1910 to give the party a sleazy image. In fact, even from the beginning there had been an element of tension within the labor party between the puritan and anti-puritan traditions. Nevertheless, in these years at least, the labor member generally retained his image of respectability. When Reid was hell-bent on his anti-socialist campaign, some of his most enthusiastic supporters – the 'majestic dames' of the women's leagues were particularly good at it – argued that a victory for the labor party would place the institution of marriage in peril. For under socialism people would live in barracks, and free love would be the order of the day (or night). Yet this kind of propaganda was manifestly absurd. Could anyone believe these moral nightmares with leaders such as Watson, Prendergast and McGowen? McGowen, for example, a happily married man with six sons and two daughters, and the superintendent of his local Anglican Sunday school for thirty-two years, was unlikely to be planning any assault on the

institution of marriage. In 1906 the *Daily Telegraph*, while backing Reid's campaign to the hilt, deprecated these sorts of attack on the labor party. 'Let us fight fairly', the *Telegraph* advised, admitting that as regards 'general moral character' there was little to choose between the adherents of the various parties.<sup>3</sup>

It was generally agreed that the labor members were earnest and hard working. They had got into parliament the hard way, and most were determined to give a good account of themselves; many, if they lost their seats, would have to return to their former occupations. It is no surprise then that the 'notable thing' about the first labor party 'was the way it buried itself in the Parliamentary Library'. They were soon renowned for their excellent record for parliamentary attendance, particularly at the exhausting late night sittings; indeed, it was through such stamina that they were sometimes said to have won concessions in committee. Reeves even imagined that he discerned a particular physical type among the labor members which went with these characteristics: they were 'often short men with the nervous build of the skilled mechanic who reads and argues, and frets at the bars of "low birth and iron fortune"'. J.D. Fitzgerald, himself from time to time a labor member, attributed the success of labor leaders to 'self-culture and self-sacrifice', and it is true that a number of them, of whom Hughes and Holman were the shining examples, worked hard at advancing their education.<sup>4</sup>

Eggleston confessed that he found it hard to explain 'the political competence of the Labour member. He makes his political work his life work, and is closer to realities; his experience of life is more intense.' According to Hughes 'Labour in those wonderful days was to many a veritable religion', and Deakin, though understandably less starry-eyed, agreed that 'the secret of the labour representatives' strength is to be found in the almost religious fervour, often fired to fanaticism, pervading their ranks, making doubt of their doctrine a sinful infidelity and its contradiction unpardonable heresy'.<sup>5</sup> The 1910 election represented the climax in the growth of this crusading zeal: time and the realities of office were to mellow the evangelism of many labor members.

A remarkable statistical characteristic of the first labor members was the low proportion of native-born among them. Less than a third of the New South Wales members of 1891 were Australian-born; almost

half were over the age of eighteen when they arrived in the colonies.\* Of the sixteen Queensland labor members elected in 1893 only three were native-born. It is surprising, however, in view of the nationalist image promoted by the labor party, that the immigrant factor did not provoke more comment at the time. The *Bulletin* noted the proportion of British-born among the 1891 members, but drew no conclusions; and although reference was sometimes made to the fact that many labour 'agitators' were 'foreigners' this was intended to suggest European rather than British origins.<sup>6</sup>

There were, of course, various criticisms levelled at the labor members. Sometimes they were attacked, at a superficial level, for their middle-class pretensions. One Victorian member sneered at them as 'perfect dudes, dressed in the latest fashion, with high hats, light trousers, frock coats, and lavender ties, and their hands do not show the faintest indication of ever having done a day's work in their lives'. The labor members were pointed out to Beatrice Webb smoking and playing billiards, rather as if this were something to be noted with wry amusement. It was clearly un-labor-like conduct for Hancock to take himself off to the races, and O'Sullivan unkindly suggested that New South Wales labor members were 'occupied in attending cricket matches' when they should have been talking to the unemployed. Many such carping criticisms were no doubt provoked by the sheer effrontery of the new party taking out a patent on the word 'labor' - 'I was here fighting for labour long before they were heard of', roared the aggrieved O'Sullivan. By conveying the impression that labor members were busy living it up, such critics were suggesting to working-class voters that the labor party was not necessarily their best protector; and there were those within the labour movement who agreed with the criticisms if not the inference. E.J. Polkinghorne, one of the Broken Hill strike leaders gaoled in 1892, thought the labor

\* I cannot agree with Nairn's view that the low proportion of native-born is 'of minimal historical significance', which he justifies on the ground that 'practically all of the members had been well assimilated by the colonial Labor/radical movement'. The very fact of their election to parliament is presumably evidence of their assimilation, but it does nothing to explain the interesting disparity between labor and non-labor members, a disparity accentuated by the labor members' comparative youth. Why should only eleven out of thirty-five labor members be native-born, when about two thirds of non-labor members were? (Nairn, *Civilising Capitalism*, p. 63; A.W. Martin and P. Wardle, *Members of the Legislative Assembly of South Wales 1856-1901*.)

members in both Victoria and New South Wales were 'getting too confoundedly respectable', and there were complaints about the parliamentary party drifting away from the trade union movement.<sup>7</sup>

Were the labor members seduced by their new parliamentary environment? Beatrice Webb, noting the luxury of their Victorian parliament, wrote:

Altogether one realises that £300 a year, the use of this Club and free travelling throughout the colonies, together with the self-importance of the position of member, must be a most attractive prize to the lower middle-class or working-man, a prize which he may be a little too anxious to keep at all hazards.

Although allowing that Trenwith was a 'fairly sensible person', she thought he was one who was inclined to settle down on £300 a year. One T.J. Ryan was the first casualty in Queensland, succumbing to drink and debts. 'The friends were too warm, the whisky too strong, and the cushions too soft for Tommy Ryan', he confessed. 'His place is out among the shearers on the billabongs.'<sup>8</sup> Yet however numerous the undiscovered Ryans, the risks involved in direct labour representation were unavoidable. The fact that £300 a year was an 'attractive prize' for labor members was another way of saying that for most other members it was not. If the labor innocents were overwhelmed by the middle-class comforts of parliamentary life, it was only a measure of the social gulf in colonial society. But clearly, in so far as the labor member was claiming to set new standards of political conduct, he was in a vulnerable position.

When in later years labor members actually bought property they came in for jeers from some conservatives. *Liberty and Progress* printed photographs of the offending houses, implying that these were no mere artisans' cottages - their owners were the 'wealth getters of the Caucus'.<sup>9</sup> It was hardly an accusation of graft and corruption; rather the complaint seemed to be that such house ownership made a mockery of the labor party's 'socialism'. Yet perhaps the real point of such attacks was more subtle. Was it not another way of saying that the labor members were no longer working men? Instead of conquering parliament, parliament had conquered them. Of course, at the time they were made - just before the 1910 federal elections - such accusations were a political red herring. But they reveal some of the inevitable conse-

quences of the working man attempting to enter that exclusive domain of the middle class, parliament.

The more serious criticism levelled at the labor members was that they were mediocre. True, they were serious fellows, 'a very decent lot' Patterson called them, who worked hard and displayed admirable teamwork. But precisely because of this teamwork the party 'could never be rich in personalities'. The labor party did not help matters by its own innate suspicion of brilliance in any form. One of the first labor members in New South Wales said that 'they did not want men of great ability in the House so much as they wanted men of honesty and singleness of purpose'. Such pronouncements hinted at an awareness that some workers might not be without middle-class pretensions. Hancock complained that 'working men too often said, "What, vote for Jim; why I worked along side of him?" Well, that was the very reason they should vote for Jim, if they knew him to be honest and capable.' 'Honest and capable', 'singleness of purpose' - there was here not only the suggestion that brilliance was necessarily a middle-class characteristic, but also a new criterion for a representative. A labor candidate was qualified, not by his record in public affairs, but by his own essential ordinariness. You should vote for Jim because he worked alongside you; but by the same token Jim's status as a fellow worker was a necessary qualification for his candidature. Trade union experience was desirable but involvement in, say, municipal affairs only provoked the suspicion of possible middle-class taint. No labor member could afford to risk an accusation of putting on airs. 'The mass of workers', observed Michael Davitt, 'strain upon their jealous watchfulness of men of their own rank and calling who attain public eminence or popularity'. Hughes was one who became increasingly cynical about the party's distrust of brilliance, before he took his own brilliance elsewhere. He predicted (wrongly) to Thorold Waters that he would never get the labor leadership. 'The brains are the trouble. Our fellows distrust 'em. They'd sooner have 'Andy' Fisher. He's moderately supplied so they think he's safe.'<sup>10</sup>

The corollary of the argument that labor members were generally mediocre was that the party could not be entrusted with office. The Queensland labor members came in for the worst drubbing: Beatrice Webb reported that they were 'utterly unfitted to take up the work of Government'. They were by no means considered an exception

in this respect, and complaints made about lack of training and education usually carried the implication that labor members did not have the qualifications for ministerial leadership. Possibly the most outstanding case of prejudice in this regard is Deakin, who remarked on 'the dearth of conspicuous ability' among labor members generally. In 1904 Deakin seems to have hoped that if labor were forced to take office the inadequacies of its leadership would be exposed for all to see. 'Not a minister except Mr. Watson himself has given any proof of Parliamentary or administrative capacity', he wrote in the *Morning Post*. The lynx-eyed Hughes was swift to detect Deakin's prejudices at the time. Even those more sympathetic to the labor party could not exclude a note of patronage from their comments when Watson took office. 'I feel sure that your influence will be used to give them a fair trial, if not even encouragement', Higgins wrote to Deakin. 'The poor fellows need encouragement.' It was rather as if the second eleven had taken over.<sup>11</sup>

Middle-class radicals such as Deakin, Higgins and Wise could not help feeling that their leadership was essential to the progressive cause. They had approved and even welcomed the arrival of working-class representatives in parliament. Having such members, direct, as it were, from 'the bench and the workroom', meant 'that instead of having to go outside for information about thoughts and feelings and technicalities, the Liberal members have information about these things from experts who are of their number'.<sup>12</sup> Even where party lines were more distinct, as in New South Wales, radicals clearly assumed that the most satisfactory situation was one in which they governed and the labor members supported. The whole experience of the nineties seemed to suggest that the labor party depended on the middle-class radicals for most legislative initiatives. They were therefore, perhaps understandably, put out when labor members became restless with this tutelage.

There was a personal problem in all this for the Deakins and Wises. Were they, as radicals, expendable? There was no question of *their* joining the labor party, for that in itself would have implied an acceptance of working-class leadership. Generally they hoped and worked for understandings, alliances or coalitions, but as the labor party gathered momentum it received these approaches with less favour. The crowning irony, of course, was where the roles were reversed. The idea of supporting, while labor governed, was not one Deakin relished - there was

never any real prospect of the Fisher government surviving on these terms.

The relationship, political and personal, between middle-class radicals and labor members was full of ambivalence. Labor members, for all their growing exclusiveness, were quite prepared to make heroes of middle-class leaders. Higinbotham always commanded enormous respect from the labour movement, and Kingston and Higgins achieved a like status. Wise would have appreciated a similar canonisation, but, for a number of reasons, it was denied him. Yet he was not without some admirers in the labour movement. J.H. Catts, union secretary and later M.H.R., had in 1901 been campaign secretary for Wise's successful opponent for the federal seat of Canoblas. Nevertheless Catts had considerable respect for Wise, and on one occasion invited him to speak at a union meeting. 'One can imagine Jim's pride', his wife wrote, 'when he could entertain this brilliant man at a meeting of the Union to which he was General Secretary.'<sup>13</sup> Yet it was these selfsame 'brilliant' men, the Deakins and Wises, that Catts and his party were politically destroying.

One wonders, when looking at this curious mixture of deference and defiance, how much the labor members and middle-class radicals mixed socially. They met of course in and about parliament itself, but that could be regarded as a no-man's-land. (Deakin and Watson got along well enough, but how often had Deakin met *Mrs* Watson?) 'People came upon the platform with us, and that sort of thing,' said one labor member, 'but they drew the line at mixing with us.'<sup>14</sup> Deakin, Wise, Higgins and company represented a colonial elite; what's more they knew it. They were repulsed by the vulgarity and tedium of colonial 'society'; but they could only be oppressed by the insularity and philistinism of the rising labour movement. By Australian standards these men were cosmopolitan in their outlook and cultural interests. Watson, of course, was one of the most bourgeois of labor leaders, and this made him initially more approachable than his colleagues; but the very fact that his personal values seemed to be very much those of the self-made man indicates the gap that existed. How much could those well bred lawyers have in common with a man who retired from politics, not to write, or to dispense justice from the bench, nor even to represent his country abroad, but to make some money in a mining venture in South Africa?

This was not, in any absolute sense, a question of class. As regards insularity and philistinism it could be argued that the educated radical had as much to fear from, say, the employers. The V.E.F. journal, *Liberty and Progress*, for example, thought that Higgins's donation of £1000 for a Chair of Poetry at Melbourne University reflected 'the curious impracticability of the socialist mind'.<sup>15</sup> But if radicalism was to remain 'radical', contact with, and understanding of, the labour movement and its leaders were supremely important. Watson, however bourgeois his personal values, could mix and move in the labour movement in a way that the middle-class radicals could not. Most of the labor members who were not early absorbed by the other parties either had a trade union background or had lived and worked close enough to the working class to be able to talk the language of labour politics. For Deakin, Higgins and Wise, no matter how much they co-operated with the labor party and approved the working class's entry into politics, the labour movement remained a foreign world, which they would not have thought of entering.

As for the labor members' seemingly callous disregard of this dilemma, only tentative explanations can be offered. At a political level there was the factor of expediency. An expanding party, with the smell of success in its nostrils, is not going to risk mercy or generosity. Besides, the argument that any relaxation of discipline and exclusiveness would only help weaken the party internally seemed unanswerable.

But at the personal level, what was the attitude of labor members to these radicals in decline? Certainly most of them felt respect and some degree of gratitude, even admiration. But had they not been, in a quite subtle way, patronised by them? The helpfulness of these well informed radicals always assumed that the labor members *needed* help. Perhaps they had or had not - but now their auntyish presence could only be an embarrassment. The labor party was making a bid for middle-class voters, but it was a bid made on its own terms: for no matter what rhetoric the labor leaders used (wasn't everyone a worker except the unfair employer?) the party was based on, and irrevocably bound to, the trade union movement. It was a complete reversal of the nineties situation. No longer were the labor members there to provide the numbers for middle-class liberalism. The labor party itself would now draw on the traditional resources of middle-class

radicalism – the lawyers, the do-gooders and reformers – when and as required.

The consensus of opinion that the labor members were respectable and conscientious did not necessarily mean that the implications of labour representation were generally accepted. The main evidence of this lies in the continued but now forgotten opposition to the payment of members. Particularly was this so in New South Wales, where the introduction of payment of members was most dramatically linked with the emergence of the labor party.

Two forms of opposition can be discerned, one questioning the soundness of the principle underlying payment of members, the other condemning it in terms of the results. At times the first was used to strengthen the latter, but it remains important to distinguish them. For some politicians, however agreeable it might have been to have the pocket money, payment of members degraded the position of a parliamentarian in the community. Representation now became a job rather than a duty; every penny that slipped into the member's pocket eroded his independence, and reduced the authority of his leadership among the people, who could now regard him as a hireling. Those who held such views included not only *laissez-faire* conservatives such as Murray Smith and McMillan, but leaders as diverse as Dibbs, Forrest, and, perhaps most surprising of all, Reid. In 1894 when making his bid for the radical and labour vote, Reid still admitted his personal opposition to payment of members.<sup>16</sup>

But in the legislative councils, and in the drawing rooms of Toorak and Woollahra, payment of members was 'the curse of the country' mainly because of the increased political influence it had given the labour movement. Indeed it was possible to attribute all the ills of the nineties to this one measure. 'It has brought all our troubles upon us', lamented one councillor. 'We should not have had the trouble we have now, and we should never have been in the state of depression we are now except for the payment of members.'<sup>17</sup> When payment of members had been legislated for in New South Wales the altered circumstances of the nineties could hardly have been imagined; it was very tempting in this new situation, with the sudden onslaught of 'class legislation', to remove the enemy from the field simply by removing their pay packets. It is not surprising therefore that payment of members con-

tinued to be attacked by the national associations, chambers of commerce and such organisations.<sup>18</sup>

Yet although in such circles intense scepticism about payment of members remained for many years, outright repeal was politically impossible. A society which claimed to be democratic had to pay its parliamentary representatives: it was, Beatrice Webb admitted, 'a necessary evil', and Bryce found that no one could tell him 'how it was possible to avoid payment of members if it was desired to have the wage-earning class duly represented'.<sup>19</sup> In 1907 when federal salaries rose to £600 p.a. there was little opposition among members to the increase. It was all very well to hanker for the old days when a parliamentary career had been (theoretically) the hobby of those with a sense of public duty, but such a concept was incompatible with the new era of professional politics. Parliamentary salaries, and the raising of them, were now destined to pass into Australian folk-lore.

There was, throughout this period, a converse to the theme of labour representation: where, it was repeatedly asked, were the merchants, the businessmen, the employers in public life? (In the legislative councils might well have been the answer.) It was a question which had been asked long before the arrival of the labor party, and it was still being asked many years later. 'Few wealthy classes have done less to lead the community', Eggleston remarked in his latter day *Reflections*.<sup>20</sup>

But although the contribution, or lack of it, of the wealthy to Australian public life has been a continuing theme in our history, in the period of the labor party's infancy it had a heightened significance. The president of the Sydney Chamber of Commerce warned his fellow merchants in 1892:

Mr. McMillan once said in this Chamber, 'Take my word for it, gentlemen, if you do not look after politics, politics will not look after you.' These were true words, and bear repetition, and should some day induce our business men to take their share in the politics of the colony. If merchants with a large stake in the country fail to occupy their right in making laws for the benefit of all concerned, they have only themselves to blame if those with a smaller stake combine for purposes antagonistic to mercantile interests.

In terms of actual numbers employers as a class hardly seem to have

been underrepresented. But a source of constant regret for businessmen was that the 'best men' did not come forward. The real commercial and industrial leaders, the ones 'with a large stake in the country', seemed to leave it to the small fry, and the small fry were too easily corrupted by the political process. The chambers of commerce and employer federations wanted representatives in parliament who did not play to the gallery, and who were not ashamed to speak for commerce and industry. The members whom they regarded as truly representing their interests were remarkably few and far between. In 1897 Sydney merchant S.A. Joseph remarked that when he had been in parliament 'he had always felt that he was alone', and in 1901 Derham complained that Victorian employers had no one at all to speak for them in the Assembly. All this, of course, reflected an interpretation of politics in terms of interests: labour had its due contingent of members, and capital deserved similar (and it was implied, equivalent) representation.<sup>21</sup>

Where were the 'best men', and why did they not come forward as required? The electorate, it was believed, was prejudiced against rich men. 'Wealth was always a handicap in Victorian politics', wrote Eggleston, 'and to be associated with capitalistic organisations' was a positive disadvantage.' It is interesting in this respect that when Fairbairn stood for the federal parliament it was suggested to him that he should resign the presidency of the V.E.F., and his refusal to do so was regarded by employers as indicative of his integrity. Bryce, too, linked the absence of businessmen from public life with the popular suspicion of those belonging to the richer class.<sup>22</sup>

But was it the electorate scorning the wealthy, or the wealthy scorning the electorate? Eggleston himself seems uncertain on the point, and parliamentarian Dugald Thomson admitted that 'the political arena offers few attractions to the average business man'.<sup>23</sup> The immense suspicion of the democratic process, so marked in the legislative councils, likewise encouraged businessmen to consider politics beneath them. 'The rich people take no part and actually pride themselves on their contempt for public affairs', reported Beatrice Webb. Merchant J.H. Storey confessed that he 'had often pitied candidates standing before the electors, feeling that they were standing before a lot of people who had absolutely nothing at stake'. From this point of view it seemed quite extraordinary that the successful man should need the

endorsement of the unsuccessful in order to govern the country. Politics, moreover, meant a sacrifice of time and money, and businessmen, who prided themselves on being 'busy', were prone to feel the sacrifice was not worthwhile.<sup>24</sup>

It was, to be sure, fashionable for the wealthy to scoff at colonial politics: they had none of the inherited grandeur of the English variety. Could you, they might well have asked, seriously compare the h-dropping Sir Henry Parkes with a Gladstone or Disraeli? Colonial politics were just like colonial products – of inferior quality. It might, however, also be relevant that the wealthy classes in Australia lacked not only a tradition of public service, but the political sophistication that goes with it. The successful businessman of this era, so often still bearing the marks of the self-made man, was not without a certain naïveté. The analogy he favoured – that if government were conducted on 'strict business principles' it would be better for all concerned – reflected a view of politics peculiarly inappropriate to Australian conditions. Moreover, this sort of dogmatic, managerial approach was not guaranteed to win friends and influence his fellow politicians. 'As a plain businessman himself', Swinburne told his peers, 'he was trying to learn politics. It was a difficult job, as many politicians who were to be met with would not learn business.'<sup>25</sup> Swinburne persevered, and as a businessman turned politician he could be counted a success, but many another 'plain businessman' simply turned away in disgust or dismay. Politics was full of lawyers and mercenaries: a true businessman simply felt out of place there. Thus the paradox was that because of this enormous distaste for politics as conducted in the colonies, businessmen continued to leave it to the lawyers and mercenaries. Although the reform movements claimed to be sponsoring a better 'type' of candidate, employers generally settled for a role of backroom influence. The relative success of organisations such as the V.E.F. and P.R.L. to some degree compensated employers for their failure to make a more direct impact on Australian politics. But the basic dissatisfaction remained. In 1910 we find the president of the N.S.W.E.F. suggesting that in order to improve standards of representation the liberal party should ask employer organisations to nominate 'certain candidates' which the party would then support. Thus the coming of the two-party system had simplified, but not removed, the problem of the businessman's alienation from politics.<sup>26</sup>

Payment of members heralded the arrival of the professional politician, but it was in the guise of the labor member that this new phenomenon materialised in most Australian parliaments. The labor members had a profound respect for parliamentary institutions, but they did not share the preconceptions of middle-class parliamentarians about the conduct of politics. Professionalism came naturally to them: it was for many a product of their experience as trade union organisers.<sup>27</sup>

However as the legislative pace increased during the nineties – and this in itself can be interpreted, at least in part, as a response to the presence of the labor members – all members found they had more homework to do. It became increasingly necessary to match the professionalism of the labor members. This was not easy. Deakin posed the problem from a middle-class point of view:

The £400 a year to be paid to [federal] members is attractive only to those who live by their hands until they are chosen by their comrades to be Labour representatives. Their election costs them nothing, and they live luxuriously on the allotted income. To all others the cost of winning and retaining a seat must absorb more than they receive, without reckoning their loss of time, energy and earning power while discharging public duties at a great distance from their homes.<sup>28</sup>

In many ways this is monstrously unfair of Deakin. He completely ignores the many calls on his income the labor member, simply because of his comparative affluence, was always receiving; and the idea that only labor members could live 'luxuriously' on £400 p.a. implies a Victorian concept of the allotted stations of life. But he was right, of course, in that no middle-class gentleman could be expected to live on £300 or £400 a year, and it was very inconsiderate of the labor members to manage it.

Nor was it simply the professionalism of the labor members that made things harder for parliamentarians as a whole. As the responsibilities of the state expanded, legislation was becoming more complex and demanding. At the same time, constituencies were getting larger, thus increasing not only representative duties, but the cost of campaigning. New South Wales, Victoria and South Australia all reduced the size of their legislative assemblies in the wake of federation. Moreover, federation, with its even larger constituencies, set parliamentarians

new problems. With parliament meeting in Melbourne those from other States faced hours of arduous travel, and when parliament was sitting they were usually separated from any other means of livelihood. One of the main complaints made against Reid's leadership of the federal opposition was that he was not in parliament often enough.<sup>29</sup>

The result, it was feared, would be that a parliamentary career could only be 'afforded' by the rich or the poor. But the disinclination of the rich to soil their hands with politics meant that parliament was likely, by default, to pass into the hands of the poor. Of course much of this was simply a lament over the growing power of the labor party. As far as parliamentary representation itself was concerned, the critics were reluctant to prescribe remedies. They regretted that 'the business of Parliament should be left to a class of politicians who, if they are not experts, are at least salaried officials', but they found themselves in a position in which they were unable to argue the case for abolition of payment of members, and were not prepared to go to the opposite extreme and advocate the raising of parliamentary salaries to a more respectable middle-class level.<sup>30</sup>

Any legislative institution encourages a certain sense of unreality: it is very easy – and tempting – for its members to see themselves as an elite, self-evidently superior to the people they govern. There are two contrasting aspects to the entry of working men into parliament. Viewed from a working-class perspective there was the creeping respectability that threatened to dull the edges of the labor member. Whether he lived 'luxuriously' or not, entry into parliament necessarily meant adopting many of the forms of middle-class life. There was always the danger that the very *point* of labour representation would be lost. This suspicion contributed to the tensions already developing between the trade unions and the parliamentary parties. Nevertheless, accepting the compromise necessarily involved in direct labour representation, in the wider perspective parliament became more real and meaningful with the advent of the labor members. The radicals and liberals accorded them a patronising welcome, while the conservatives, although polite, hinted darkly at the dangers of 'class' being imported into politics. Both reactions indicate how necessary the labor phenomenon was. The democracy the radicals and liberals had expended so much effort in establishing could have no meaning unless the working class

could participate in it without a sense of political inferiority; while the notion that 'class' was somehow taboo in politics was a means of distancing parliament from the society it allegedly represented, and as such needed a practical refutation. We are accustomed to evaluating the arrival of the labor member in terms of the revolution he did not advocate or the reforms he did. In doing so we are inclined to forget the significance, in human terms, of his being there at all.

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## 10 Class and Arbitration

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The industrial legislation in Australia involves no revolutionary change in the relations of employer and employee. It recognises the wage system, and perpetuates it.

F.W. Eggleston, in *Trade Unionism In Australia* (ed. Meredith Atkinson), p. 80.

The judgment that arbitration is 'an outstanding example of the institutionalization of conflict which characterizes Australian society to an unusually high degree',<sup>1</sup> is not an uncommon one. But this was institutionalisation not only in the sense that arbitration formally incorporated labour and capital into a special legal system, but also in the way that it encouraged the growth, and in some cases the establishment, of organisations on both sides. The formation of the employers' federations in Victoria and New South Wales was a direct response to the introduction of industrial legislation in both States, while the threatened introduction of arbitration at a federal level gave a further impetus to their growth. Likewise the trade unions not only received a moral boost from the impending introduction of industrial legislation, but benefited materially from the setting-up of arbitration or wages board systems. This was particularly so in New South Wales where the Court was empowered to grant preference to unionists: indeed, the Act was specifically designed to encourage the development of unions on both sides. However the wages boards system, with its provision for election of representatives of employers and workers, also made organisation desirable.

But why should such 'institutionalisation' be 'characteristic' of Australian society; or to rephrase the question, how was it possible for this 'institutionalisation of conflict' to be achieved with such relative ease? For although in both Victoria and New South Wales the intervention of the state in the sphere of industrial relations met with considerable if not concerted opposition from employers, it is remarkable how in a short span of years such a sweeping regulation of industry

could take place. Wise himself noted that in many other spheres, such as factory legislation and workmen's compensation, Australia lagged behind Great Britain. It was only in wage regulation and the limitation of the hours of labour that Australia could be said to be a social laboratory. Wise explained this paradox in economic terms. In England industries were not only more localised, but employed larger numbers, and both employers and employed were better able to organise. Through voluntary and private conciliation it was possible for an 'economic compulsion' to control industrial relations. In Australia, he argued, where communities were more dispersed and industry less developed, it was necessary for the state to intervene in order to achieve a similar degree of organisation. Yet such an explanation is little more than begging the question. 'The object in both countries is the same', Wise wrote; but why *should* the state feel moved to perfect 'the organisation of both employers and employed'?<sup>2</sup>

English labour leaders were frankly unimpressed by compulsory arbitration as a solution. 'The Australian system is therefore Protection, Wages Boards, Prices Boards', Ramsay Macdonald wrote in 1908, '—more Wages Boards, more Prices Boards — round and round and round, and in the end practically nothing has happened — except that a generation's effort has been wasted.' Clearly there is more involved here than a difference in economic situations. Hughes argued that labor in Australia, being more politically advanced, had a greater need for practical policies; but this does not explain the continued lack of British enthusiasm for compulsory arbitration, Australasian-style.<sup>3</sup>

It is true enough, of course, that Australians had always had few inhibitions about resorting to state action. The role of government in communications and development had from the beginning been a significant one; and the adoption of a protective tariff by Victoria assumed the need for a more positive state role than the orthodoxy of *laissez-faire* would allow. Yet this inherent pragmatism, although it may well have been a pre-condition of state experiments such as arbitration and wages boards, does not necessarily explain them. Why was state intervention achieved more easily in these spheres than others? And why should it take these particular forms?

Before 1890 the trade unions were immensely suspicious of any state role in arbitration. We have seen how industrial and political circumstances induced a great change in this attitude during the nineties.

Yet one wonders why union leaders and workers should want the power of regulating wages placed in the hands of a judiciary so clearly upper middle class in its orientation. Recalling the profound suspicion of the machinery of the law expressed by labour leaders in 1890, 1891 and 1892, it is remarkable that they should have agreed so readily to the extension of the legal system into the field of industrial relations. On the other hand it is equally interesting that employers, in spite of their initial resistance, should so quickly have accepted the principle of compulsory arbitration, even if they attempted to amend its practical application. While realising that in theory arbitration was an offence against the whole concept of free enterprise, they concentrated on adapting it to their own ends.

There is no doubt that many labour leaders suspected that the law, by its very nature as a preserver of social order, must lean more to the established interest of the 'haves' than to those of the 'have nots'. As one Victorian union leader put it, the working man nine out of ten times was worsted when he went to law. Indeed the history of trade unions in the nineteenth century had hinged on freeing them from restraints imposed by the law. Judges, by background, education and life-style, were immutably fixed in the middle class, a fact which must influence their judgments. 'Their whole surroundings, the people they mix with . . . make them biassed men', argued R. Sleath, who had himself been gaoled as a strike leader in 1892. As another labor member put it, by the simple fact of receiving an income of £2,000 a year 'the president [of an arbitration court] becomes alienated from the ordinary life of those who are parties to one side of an industrial dispute'. Moreover, as the middle-class theme of 'law and order' emerged, it was easy to see the courts as instruments of the state for the oppression of the working class. In the heat of 1890 Hancock saw the unions as being opposed by 'the pulpit, the bench, the army and the Parliament'. The Queensland experience of 1891, and the imprisonment of Broken Hill strike leaders in 1892, increased suspicion in this respect, and in later years, when arbitration had been established, it was easy to allege that the conservatism of judges in constitutional decisions was thwarting the intentions of the legislatures.<sup>4</sup>

Yet those outbursts, however genuine, represent a recurring mood rather than a sustained attitude. Those self-same labour leaders were all law-abiding citizens with the bourgeois standards of respectability

we have remarked in the labor members. They had every respect for law and order in its everyday form: there was no whiff of anarchism about them. Furthermore, their suspicion that the machinery of the law was capable of misuse was modified by several important considerations. Most labour leaders seem to have shared a belief that the higher one went in the legal system, the greater the chance of unalloyed justice. It was the magistrates and justices of the peace, particularly in the country, who were the most susceptible to social pressures. For example, where the justice of the peace was a local squatter the law too often seemed a means of disciplining shearers who had offended him. Even in Melbourne Harrison Ord assumed that magistrates could be expected to be prejudiced against the implementation of the Factory Act. Labour leaders, clearly sharing the English infatuation with the trappings of the law, assumed that as learning in the law increased, so would the degree of justice:

A judge is human like every other man. He has his bias, his prejudices, and his class interests, I admit, but I would rather have a judge as final arbiter in a matter of this kind, for the reason that he has a judicial mind and is trained in the weighing of evidence.

It was nearly always argued that it was essential for a Supreme or High Court judge to preside over an arbitration court. Partly this was to ensure a sufficient status for the court; but partly too it was thought that the higher the judge, the more Olympian and disinterested would be his view. In 1908 one New South Wales labor member declared that a supreme court judge was 'more apart from class feelings and interests than any other man in the community'; and another believed that even Chief Justice Darley, who had made direct attacks on arbitration legislation from the bench, would be impartial in chairing a wages board. At the very least, even if the class background of the judge was seen as prejudicial to labour's interests, a labor member might admit 'that a judge is under no necessity to conform with the ideas of anyone in politics'.<sup>5</sup>

This lurking respect for the traditions of British law owed much to the few outstanding judges of liberal reputation the colonies had managed to produce. That there should have been two such chief justices as Higinbotham and Lilley presiding over colonial benches at the same time was perhaps remarkable: both won an established

place in labour lore. In the High Court of the new Commonwealth, Isaacs and Higgins (although usually forming a kind of judicial opposition to the majority alliance of the chief justice, Sir Samuel Griffith, Barton and O'Connor) helped maintain such a respect. It was always assumed that a judge of more liberal sentiments – an equity judge, Watson had suggested<sup>6</sup> – would be appointed to any arbitration court, if only because a judge politically opposed to arbitration would be unlikely to accept the appointment. The law might be a conservative institution, but the fact that it could accommodate a Higinbotham and a Higgins provided a measure of reassurance to the labour movement.

The most ingenious rationalisation of the labour movement's acceptance of a legal framework for arbitration was provided by Holman:

Unhappily the stress of commercial conditions and industrial life in Australia has so far done nothing towards the evolving of the same leisured class as that to which appeal can be made in England for an impartial judgment on these matters. A member of the aristocracy, a member of the diplomatic body, a member of the cultured and leisured middle class who happens to be in public life can always be appealed to in England . . . But here it is almost impossible to find men who have no connection with either side who are of sufficient public prominence, unless we take them from the ranks of one of the professions . . . We find in Australia no class corresponding to the leisured, cultured middle class of England. We turn, then, to the best available substitute that we have – official life . . .

The absence of a leisured class from colonial society was a generally noted phenomenon, but it is remarkable to find a labor member lamenting the fact in such Whiggish tones. It is unlikely that many of his colleagues shared his regret, but they agreed that in Australia there was no alternative but to call in the judges. Arthur Griffith admitted that he was 'not greatly in love with the idea of a Supreme Court judge, but who would be better'; and Spence, answering Reid's 'unbounded astonishment' that 'the champions of labour should be the first to come down and pray to a judge of the Supreme Court to deliver them from all their afflictions', explained that 'it was not because we had any great liking for Supreme Court judges, that we asked that a Supreme Court judge should be the arbitrator. It was because the alternative

bristled with a number of unsatisfactory conditions.' But if you couldn't have arbitration without judges, you could certainly manage without lawyers. The labor party vented its distrust of the legal profession by repeatedly attempting to exclude lawyers from the new courts. However in this they were defeated by the politicians (and lawyers) of the main parties.<sup>7</sup>

There was, then, a certain ambivalence in the attitude of labour leaders to the courts and processes of law. They were suspicious of the law and its acolytes, and produced reasons why the legal system could not help but be biased against the working class; yet they wanted arbitration to be clothed in the majesty of the law, and to be armed with legal powers. This apparent inconsistency is explained by the perhaps naïve confidence of labour leaders that the case of the trade unions for better wages and conditions of labour was not only sound, but self-evidently so. The case had only to be *heard* for its merits to be recognised, and the legal processes of taking and examining evidence would make this possible. The problem since 1890 had been to establish any sort of dialogue with employers at all, and the resistance of employers to schemes of arbitration seemed to labour leaders a tacit admission that trade union claims were reasonable. As Hughes put it, 'law and order' no longer meant a policeman with his truncheon, or a soldier with rifle and bayonet: now 'law' was an invitation to appear before an arbitration court, and 'order' was the order of that court for the regulation of wages and hours.<sup>8</sup> Moreover the whole *raison d'être* of arbitration was that the judge in some way embodied the public conscience, so that he would feel a responsibility to apply the recognised social and ethical standards of the community.

It soon became clear, however, that the labour movement's belief that, judges and lawyers notwithstanding, the natural tendency of arbitration must be in its favour, was not always well founded. True, arbitration dramatically aided the growth of trade unionism; true, also, it did provide a minimum guarantee of industrial conditions that was particularly valuable to weaker unions. But employers, having accepted the movement towards wage regulation as irreversible, soon appreciated that arbitration might have its compensations. If the decisions of the court were accepted by the trade unions, the immediate cost of paying wage increases might be offset by the prospect of stability in the industry for a prescribed period of time. If, on the other hand, the trade unions



Cartoon 6 THE AFFILIATION OF JUSTICE  
AND LABOUR

(*Bulletin*, 11 October 1890)

A comment on Higinbotham's support for the labour movement in the 1890 maritime strike: here labour's vision of the role of the law in arbitration is prefigured.

at any time did not accept the court's decision, if they were so discontented as to go on strike against an award of the court, then the employers had the whole paraphernalia of 'law and order' on their side, in an even more powerful form than before. If the court embodied the public conscience, then a strike against an award was a strike against the public. Although Wise always made it clear that his Act did not set out to prevent striking against an award – indeed it was his view that arbitration could only enforce the *terms* of an award, and could not compel employers to give work nor workers to take it – this was a distinction which was soon to become a nicety. Likewise the Victorian wages board legislation, not being conceived in terms of industrial disputes, made no provision for banning strikes or lockouts. When in 1907 there was a strike in the baking trade (not against the determination of the board, but in protest against a decision of the Industrial Court reviewing the determination), employers were outraged by what they saw as disobedience to the law. Was the Trades Hall Council to be allowed 'to break the law and flout the public', the V.E.F. demanded, or was 'the law-abiding portion of the public . . . to be protected in its rights?' New South Wales coalmine owners, who had resisted conciliation and arbitration throughout the nineties, at first viewed the operation of the Arbitration Act with immense suspicion. In 1907 F.L. Learmouth of the Australian Agricultural Company lamented that 'the Collieries will never again as a body be allowed to settle their disputes in their own way'. But by the time of the coal strike of 1909–10 the owners saw that arbitration could itself become an instrument of the 'law and order' they had always cherished. Learmouth believed that it was their 'firm attitude' that forced the Wade government into passing the 'Coercion Act' under which Peter Bowling and his associates were gaoled.<sup>9</sup>

It had always been the theoretical justification of arbitration that it would render strikes and lockouts unnecessary. But in fact, although the trade union movement calculated on arbitration providing certain material benefits, there was hardly a union leader who was prepared to dispense with the strike weapon entirely. Employers regarded this as labour having its cake and eating it, but to union leaders it was simply a matter of keeping their options open. Indeed, employers themselves were guilty of similar behaviour. Where possible, particularly in the early years, they sought to circumvent the awards of the various courts

by legal technicalities and constitutional challenges; yet at other times, where convenient, they appealed to the authority of the arbitration system in the cause of law and order.

Arbitration had never been conceived as a total solution to the economic conflict between capital and labour. Rather it had been put forward as a means of channelling that conflict into a system in which reason, and not brute force, would preside. Yet in as much as arbitration depended on the development of organisation on both sides, it also offered the prospect of enlarging the scope of conflict between them. In this sense arbitration added to the complexity of industrial relations: there were now more pieces on the chess board. Both sides would use all their resources of gamesmanship in order to work the system to their own ends. Where this seemed fruitless, they would consider the alternatives to it. The new province for law and order was never accorded the absolute recognition by its subjects that Higgins's term implied: the conflict was always likely to be taken over the provincial border into the wilderness.

In their day to day use of the arbitration system, employers and trade unions tended to assume that they were the only two parties concerned. But through the very nature of the political rhetoric associated with arbitration, there was always a third party present, however shadowy and unsubstantial – the community. In the beginning the right of the state to intervene in industrial relations had to be justified, and this was most easily done by setting up the community as the party in whose interests arbitration was really conceived. In the shadow of 1890 Kingston put it this way: 'I think that the rights of the community are of such a character that there are many instances in which they may regulate the mode in which the individual should assert his rights. They do in minor matters, why not in larger?' It was the community which was the injured and innocent party in industrial strife, and it was expedient that arbitration should be promoted, not as a means of strengthening the position of the labour movement, but as a means of the community controlling the anarchy of economic war. So Deakin could see 'public opinion' as being 'crystallised and expressed' in the federal Arbitration Bill; so too it was natural for Higgins to assume that 'this Court, as I take it, represents the public between the two contending factions'. The idea of arbitration began as a means of settling industrial disputes, but in practice it took shape

as an institutional guardian of national standards, an enigmatic expression of the Australian psyche.<sup>10</sup>

There was some degree of artifice in all this. Victor Clark believed that popular sentiment had followed rather than led the legislators. This would appear to be true of New Zealand, where Reeves remarked of his arbitration legislation that 'during the three years and a half in which its fate was in suspense, it neither roused the least enthusiasm nor attracted very much attention'; the 'general public', he made clear, 'was not interested in its fate'.<sup>11</sup> It is also true that early legislative attempts in Victoria, New South Wales and South Australia likewise provoked no storm of interest. The tentative, generally impractical schemes offered were neither politically controversial nor far-reaching enough to merit much public attention. Similarly, compulsory arbitration was not a public issue in New South Wales at the time legislation was first introduced in 1900, though it soon became one. In this sense it is true to say that there was no widespread clamour for wage regulation as such, which prompted the legislation providing for it. The issues involved were, to start with, technical. Even the politicians had difficulty understanding them; the general public did not bother.

Nevertheless the politicians' approach to arbitration was conditioned by an awareness of what they deemed to be public sentiment. Even where the subject provoked little interest, it was clearly thought impolitic to oppose conciliation and arbitration. And when the final legislative steps were taken in Victoria and New South Wales, they were, unlike in New Zealand, accompanied by a concerted expression of public opinion. In Victoria the anti-sweating movement surged into life in 1895-6, and only a few conservative free-traders were left upholding orthodox political economy. But although public opinion had been mobilised by an emotional campaign against sweating, at the popular level there was little consideration of the pros and cons of wage regulation *per se*. The principle that wages and conditions should be compulsorily fixed by a state-sponsored wages board had not, strictly speaking, been approved, for that would imply a conscious recognition of the issues at stake; rather, what happened was that, in an emotional atmosphere, the practice of wage regulation in particular trades was accepted as a palliative for immediate distress. Similarly, in New South Wales the fact that compulsory arbitration would lead to the general regulation of wages was not made clear to the electorate

when it cast its vote in favour of the legislation in 1901. All that the public saw was that arbitration was better than industrial warfare, and that if either party were recalcitrant it was fair enough, in the public interest, to compel them to accept arbitration. It could be said, then, that Australia acquired wage regulation in the way that Britain is said to have acquired its empire – in a fit of absence of mind.

The public sentiment governing attitudes to conciliation and arbitration was general and ill defined. Basic to it was a belief that Australia was still somehow the working man's paradise. It was considered normal and proper that living standards in Australia should be higher than in 'old' Europe; there was something unnatural about sagging living standards and unemployment in such an emergent society.<sup>12</sup> Nor was this simply a working-class perspective. Until 1890 such attitudes had been encouraged by the pattern of economic growth. Although industrial strife was by no means unknown, in general the peaceful expansion of the trade union movement was observed without alarm. Indeed the adoption of Eight Hours' Day as an Australian festival demonstrated the acceptance of trade unionism by the community, and the labour councils were respected institutions. If B.H.P. was a symbol of colonial prosperity, so too was the Melbourne Trades Hall. The unanimous sense of colonial superiority reached a climax in 1889 with the generous despatch of £37,000 to aid the London dockers, a donation which came by no means only from the trade unions.<sup>13</sup> The depression of the nineties removed the economic underpinning of this optimism, but the reaction was not so much to revise the ethic of the working man's paradise, as to seek new ways of restoring its reality. The intervention of the state through the regulation of wages, whether by wages boards or arbitration courts, formally recognised the status of labour in the community. The new legislation in effect restored the self-respect of labour, whether explicitly through the stimulation of trade unionism, or implicitly through the guaranteeing of hours and wages. Seen in terms of 'support in return for concessions' arbitration and factory legislation resulted from the pressure of political labour. But while the pressure of political labour was a vital factor (at least in the case of arbitration in New South Wales and the Commonwealth) the extensive middle-class support for these experiments cannot be explained in terms of sheer political expediency. Nor at a popular level is it meaningful to attribute this support to any particular enthusiasm for establish-

ing a social laboratory for the world. Rather it was an attempt to restore something of the balance and cohesion of pre-1890 Australian society. Many commentators, from Eggleston to Fitzpatrick, have pointed out the innate conservatism of arbitration, which for all its reliance on the state, merely 'institutionalises' the wage system. This is a reasonable observation, so long as it is not meant to imply (a) that arbitration was really an employers' plot, or (b) that arbitration was ever advocated as a first step to the abolition of capitalism. In terms of goals arbitration looked back rather than forward. It was not so much introduced to create a new order, as to help restore an order which had disintegrated. So it was that the judges, consciously or unconsciously, harked back to living standards that had existed before the catastrophe of 1890; so it was that labour leaders held in their sights the magic figure of 7s. a day.

In the introduction and early development of wage regulation we see many of the central themes in Australian history. We have noted the dependence of the labour movement on the middle-class radicals for ideas and techniques. Even more apparent is the Australian tendency to achieve ends by a process of piecemeal construction and extension – so much so that one wonders whether the ends themselves were ever recognised as such, or whether, after the event, it has been merely convenient to assume premeditation. The Turner government, when it sought to amend the Factory Act in 1895, had no plan for revolutionising the structure of industrial relations in Victoria; it was indeed a pleasant surprise for Peacock in later years to discover that he had fathered the wages board system. Wise, well briefed by the Webbs and other experts, had more vision, but his scheme was never allowed to develop as planned. This was partly for political reasons, partly because of legal and constitutional difficulties. Here arbitration takes us into the huge muddle of federalism in Australia. The federal compromise made inevitable the development of seven different industrial systems in the Commonwealth. It was natural that the systems should overlap, and from all sides there was constant pressure for amendment and adjustment. Thus to please New South Wales employers Victorian-style wages boards were imported into the local system, but to appease the angered trade unions a framework of arbitration was retained. The ramshackle structure of wage regulation in Australia was to remain part of the political scenery, at times giving an impression of stability,

at times appearing on the verge of collapse – but always there, casting its long shadow over the politics of the nation. If arbitration as a solution represented a kind of governmental escapism, its continued political repercussions (from 1929 to the present day) can only be regarded as ironic.

Arbitration is the Australian solution, *par excellence*, for industrial strife and declining living standards. The right of the government to intervene is established with relative ease; these preliminaries over, the government acts, but the aim of its intervention is in fact to defuse the problem politically, wrap it up in the brown paper of bureaucracy and hand it over to the courts. While this relieves the politicians, the judicial framework of the solution also satisfies the Australian temper. It declares a parity of status between employer and employed. The relationship between capital and labour has been subtly transmuted. It is no longer a struggle between bourgeois wealth and proletarian solidarity. There are bosses and there are workers, but the arbitration system casts them as two parties to a legal dispute. Class is at once recognised and rejected. The existence of class conflict is indeed the basis of the whole system, which cannot operate without the organisation of capital and labour. But the form of the solution – particularly in New South Wales with the workers' and employers' representatives side by side with the judge on the bench\* – pays lip service to the Australian concept of egalitarianism. Arbitration is the most explicit statement possible of the Australian belief that Jack is as good as his master. This does not of course alter their roles; indeed it is based on the assumption that Jack will remain Jack. Arbitration has not only institutionalised conflict in Australian society, it has also institutionalised some of Australia's most cherished beliefs (and prejudices) about itself and life in general.

Already this discussion has provoked some generalisations concerning the nature of Australian society. It is now time to take a wide-ranging look at social attitudes and the ways in which they changed between 1890 and 1910, and to draw some broad historical conclusions on the nature of class in Australia.

\* This judicial trinity disappeared with the reshaping of the system under the Industrial Disputes Act of 1908.

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## II Class Consciousness in Australia

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The finest-meshed sociological net cannot give us a pure specimen of class, any more than it gives us one of deference or love. The relationship must always be embodied in real people and in a real context.

E.P. Thompson, *The Making of the English Working Class*, Pelican, 1968, p. 9.

A superficial glance would suggest that there was a considerable development of class consciousness in Australia between 1890 and 1910. Trade union membership trebled between these years, and by 1912 over 50 per cent of male employees in New South Wales and nearly 44 per cent in Victoria were unionised (see Appendix B). These two decades also witnessed the founding and expansion of a new range of employer associations, with developing political interests. And if the intervention of the state in the regulation of wages had been intended to reduce industrial tension, its success by 1910 seemed dubious. Indeed, the coalminers' strike of 1909-10 can be seen as ushering in a new period of industrial strife, which reached its climax during World War I.

In politics these twenty years present a remarkable change in style and structure. In 1890 colonial parliaments reflected a curious mixture of systems and traditions, the concepts of party, coalition and faction all exercising varying degrees of influence on local situations. The result was not so much instability as confusion - confusion concerning the nature and basis of political division. Depending on the time, place and issue, politics could be said to be about free trade versus protection, liberalism versus conservatism, the maintenance of a party system versus coalition, Protestantism versus popery, a simple conflict between leaders, or any combination of these views. By 1910 politics have been revolutionised. Throughout the Commonwealth a two party system has been established, and the professional and the party machine have all but taken over. On the one side is the labor party supported by the massed strength of the trade union movement: on the other, the anti-labor, usually liberal, party, supported by a varied group of employer and farmer organisations. The confusion as to what politics

is all about has not, of course, necessarily disappeared, but it is now contained within the finite bounds of a party system. It is tempting to conclude that Australia, lacking the traditional order of English politics, between 1890 and 1910 replaces the improvisations of colonial politics with a two party structure based on lines of class.

Such a conclusion is supported by the evidence of contemporary language. In 1890 the most common terminology of democracy was 'the classes' versus 'the masses'. The classes were the traditional ogres of colonial society, the squatters, merchants, and the large financial and shipping interests; the masses were all the rest. The whole point of this terminology was to emphasise the injustice of a situation in which the privileges of a wealthy minority were able to thwart the rights of a deprived majority. After 1890 this terminology gradually falls into disuse. It still lingers on here and there, but by 1910 when it is used it has an old fashioned ring. One is surprised to find Deakin using the terms to explain the defeat of that year, particularly as he does not seem disturbed by the implication that he has now graduated as a member of the classes. But generally this kind of the-few-versus-the-many analysis gives way to a new class-oriented language. The strikes of the period demonstrate this change. The ultimate importance of the maritime strike was the change it produced in community attitudes to the use of the strike weapon. Public sympathy no longer leant to the strikers. The strike had somehow become 'political'. The railway strike of 1903 was not, Deakin himself argued, a case of the classes versus the masses, but of organised labour against the rest of the community.<sup>1</sup>

What had happened, of course, was that 'the masses' had now been overtaken by 'the workers'. Before 1890 there are 'working classes' rather than a working class. Indeed, while the causes for which the aid of the masses had been invoked dominated politics – electoral reform, land legislation, protection and such – there is no point in attempting to identify a working class. The term 'working classes' is a descriptive one and suggests their different characteristics: that some are skilled artisans, with aspirations to property and respectability, others mere labourers whose jobs are often subject to the fluctuations of the economy; or that some are conscientious trade unionists, who believe that labour is not only a commodity but a cause, while others are cynics who believe in very little at all. During the eighties there is already a percep-

tible change. The language of class is heard much more in unionist rhetoric. The word 'labour' is now posed against 'capital', and in the process acquires a more political connotation. But it is not until the nineties that, encouraged by the angry militancy engendered by industrial conflict on the one hand, and the emergence of political labour as a focus for unity on the other, the new language takes over. Less and less do labour leaders speak of 'trades unionism' and 'working classes'; more and more do they speak simply of 'labour', 'the working class' or, most common of all, 'the workers'.<sup>2</sup>

Yet a class-based interpretation of Australian politics raises as many questions as it answers. In particular there has been, in some quarters, a tendency to be sceptical of the 'outward flourishes' of class in Australia, and to dismiss class consciousness in the Australian context as essentially unreal. Eggleston wrote in 1915:

Workers generally are content with their position. Great schemes for the improvement of the workers lack support; class loyalty, let alone consciousness, can hardly be said to exist. The class war may be a reality in England, America, or Europe, but in Australia it is a figment of the imagination.

Yet even for Eggleston this was not an entirely satisfactory explanation. Some years later, while still insisting that there were 'no hard and fast divisions between classes or between rich and poor', he nevertheless admitted the bitterness of class feeling in Australia. In his *Reflections* he reaffirmed his belief that there were no clearly defined classes in Australia, yet described the labor party as a class party. Sometimes this sort of conflict is expressed even more blatantly as, for example, in this excerpt from a *Sydney Morning Herald* leader of 1903:

In every conflict between workers and their employers, whatever its nature, a certain amount of class sympathy goes without thought on both sides. That is to be expected. These strikes and lock-outs represent class conflicts in the opinion of those who take this unreasoning attitude. But in a country like this, where there are practically no divisions of classes, the sentiment is a false one.

There is class feeling, runs this extraordinary argument, but as we have no class divisions in Australia it follows that this class feeling (although 'to be expected') is 'false'. Here, it may be remarked, is a

'false consciousness' in quite a different sense from that intended by Marx!<sup>3</sup>

Two factors are involved here. One is the nature of class consciousness. Eggleston implies that the term has no meaning unless used within the Marxist framework of the class war: it will be convenient to consider this question, involving as it does the use of sociological terms, after the historical evidence has been surveyed. The other factor is one that has been referred to at several points in this work, but needs now to be met face to face – the Australian tradition of egalitarianism. For it is plain that much of the feeling that here 'there are practically no divisions of classes' derives from a belief in the strength of social egalitarianism in Australian society.

In this period the belief was expressed as much by English visitors as by Australians themselves, and was based on a standard pattern of observations. Fundamental to the belief was the traditionally accepted levelling effect of life in a colony: it was taken for granted that in a pioneer situation old-world class barriers ceased to apply. Of course by 1890 few Australians could be said to be living in a pioneer situation, but evidence of this influence was easily found. In Australia everyone worked. There was no leisured class. As much as Holman might have lamented its absence, most Australians were proud of the fact.<sup>4</sup> Furthermore, the gospel of work as preached in Australia maintained the pioneer tradition in approving the value of manual work in particular.

The growing adulation of the shearer is a case in point. In the bitter nineties one might have expected some attempts to denigrate the shearer's character: on the contrary, there was general agreement that while retaining his manly qualities he had become more mature, even more respectable.<sup>5</sup> According to Russel Ward this was part of the apotheosis of the nomad bushman, but one wonders how much it also reflected the Australian preoccupation with the virtue and dignity of manual work; a preoccupation that finds its urban form in the celebration of the eight hours movement, and the campaign for technical education.<sup>6</sup>

Nor in this sense was manual work the prerogative of 'the workers'. There was, as Ward himself has noted, a sneaking respect for the squatter: as one labour man put it, 'many of the so-called squatters proved virile characters not lacking in grit'. But in nearly all sections

of society the necessity of manual work was, if not actually seized, at least accepted without embarrassment:

One may be engaged . . . in manual labour, and yet not cut off from society. It is possible to meet in the morning a man dressed like a navvy, working on his farm or in his orchard, and to see him again in the evening in his dress clothes, and not concerned for his roughened hands. I have seen, in one of the colonies, a lady whose husband occupies the highest position in local politics, and is largely indebted to her tact and popularity for his long lease of power, doing some of the family washing on her back verandah, while her guests of the afternoon drank tea with her, thirsty and unashamed. That was due to a mistake as to her 'at-home' day, and the washing was mainly lace and such matters; but she did not put the tub away.

Likewise, a visiting English clergyman recounted the story of two beautifully dressed ladies at a ball overheard complaining that they were too tired to dance, it having been their washing day.<sup>7</sup>

This brings us to the legendary difficulty of engaging servants in Australia. Although it was possible in 1891 for Anglican prayers to be offered for servants, usually the prayer was directed to finding any servants at all. Between 1891 and 1911 there was a decline in the percentage employed in domestic service, particularly in Victoria. It is clear that the Australian prejudice against domestic service had hardened. In 1892 the playwright-pastoralist F.R.C. Hopkins observed that Australians regarded the occupation of a servant as *infra dig*, and that consequently servants here tended to be Irish. Six years later Barton was lamenting the fact that Australian girls preferred to work in factories, in spite of all their moral dangers, rather than enter the wholesome atmosphere of domestic service.<sup>8</sup>

Given this sellers' market it is not surprising that Australian servants had a reputation for independence. 'No cook will consent to serve hot dinner on Sunday evening', one English visitor was shocked to discover; it was also said that servants simply took their holidays when they felt like it. In all, Australian servants showed very little of the deference that their English counterparts gave their employers as a matter of course. Those upper middle-class families who employed servants usually had to make compromises: there always seemed to be a makeshift character about the household organisation.<sup>9</sup> The upper middle

class may have managed with few or no servants simply because it had to, but it is possible too that the egalitarianism characterising the servants was to some extent present in their employers as well – the lady who did her washing on the verandah while entertaining her friends to tea may have done so, not because there was no help available, but because she prided herself on doing some of the domestic chores; indeed, there is an inverted snobbery about the fact that she would not dream of postponing the task.

The egalitarian quality of Australian society was seen in various aspects of colonial life. Dress, for example, was no sure indication of social class, and public transport seemed to be used by the entire public in a way that surprised visiting English gentry. Writing of Melbourne's trams, Lady Sarah Wilson remarked that 'people of every class seemed to avail themselves of them just as one would a hansom in London'. As Wise put it, 'the penny tram will take a girl to Government House as safely as a hansom cab, and almost as quickly'. There was nothing unusual about Prime Minister Deakin taking a tram to his home in South Yarra, behaviour that would have been eccentric for an English political leader. In the theatre, according to Grattan Grey, you might see the artisan and his wife sitting along side the Supreme Court judge and his wife. Then there was that great leveller – the Australian accent. 'All Australians speak alike', declared C.E. Jacomb uncompromisingly. Foster Fraser, while not accepting this sweeping judgment, agreed that there was no class basis to the accent. 'The speaking of it [Cockney] is not limited to one stratum of society. The curious thing to me was that Cockney was spoken by one member of a family, whilst the other members of the family spoke perfectly correct English.'<sup>10</sup>

Such facts of colonial life are important, but to take them as implying a classless society is a gross misinterpretation. Moreover it is a misinterpretation not made by the more astute of contemporary observers. 'The belief in the absence of class distinctions in Australia is cherished by the masses in the face of an existing class', wrote Buley, and saw evidence of the 'covert antipathy' between the masses and the classes in the former's contempt for the titles sought by the latter. And Percy Rowland insisted that 'the fact that in Australia "sir" is seldom heard, that a "lady" does the washing, and a "gentleman" is behind the bar does not in the least mean that class distinctions are non-existent'; indeed Rowland thought that 'the "classes" collectively distrust and

fear the "masses" collectively far more than is the case at home'. Here, of course, the terms still imply a conflict between the few and the many. It was Bryce, however, who suggested that the absence of social distinctions might actually serve to *increase* class tensions. 'The passion for equality has induced social jealousy', he wrote, observing 'an apparent belief among the workers that the interests of the richer and those of the poorer are and must be mutually opposed' which did not exist in Britain, Canada or the U.S.A. Yet although he dubbed the labor party 'a class party' Bryce's analysis of classes seems curiously incomplete. He saw three 'classes' or 'types': wage earners and poorer people, landowners and the wealthier members of the commercial class, and professional men. If the wage earners form the class basis of the labor party, the last two 'classes' would hardly appear sufficient to explain the electoral support for anti-labor. Likewise when C.H. Northcott saw the line of political division as being between employers and employed, the result, in democratic terms, would appear to be a very unequal struggle.<sup>11</sup>

All these writers were trying to explain the unique character of class in Australia; yet all found themselves in some measure resorting to the masses and classes formula. This is plausible when applied to the nineteenth century struggles between the popular forces of liberalism and the entrenched conservatism of upper house elites, but is less convincing as an explanation of the political orientation that was developing during this period. What sort of class analysis is appropriate, then, to the political structure that had emerged by 1910? The essential role of the labour councils in the birth of the labor party, and the corresponding part played by employer associations in the development of anti-labor, have already been charted here. But at the mass level, what evidence is there of a working-class consciousness, apart from the mere statistics of a growing labor vote; and is there such a thing as a middle-class consciousness underlying the anti-labor forces?

Something of a working-class consciousness was forced on wage earners between 1890 and 1910 by sheer economic facts. The social mobility of earlier colonial society no longer existed. The continuing problem of unemployment throughout this period, and the financial difficulties faced by many enterprises in the nineties, stressed the fact that the worker's scope for improving himself was very limited. The proportion

of wage and salary earners in the community increased dramatically in New South Wales, and at least significantly in Victoria (see Appendix A).

The distance between employer and employed, even in physical terms, had increased. The factory owner no longer lived on the site; more and more the middle class had abandoned the inner suburbs, leaving them to develop a distinctive working-class character. The urban social pattern in this respect had been set in a way that would not drastically be revised until after World War II. Workers no longer *knew* their employers. In 1891 the *Bulletin* singled out the building industry for its unique democratic character:

In no other trade do such friendly feelings exist between employer and employed, and a tone of perfect equality prevails from the hod-carrier to the boss himself. In fact it is not unusual for the men to address the master by his Christian name. The reason is not hard to discover: the successful builder is a practical tradesman, and must have undergone long pupilage at real 'hard graft' . . .

Leaving aside, for the moment, the whole question of the self-made man, this *Bulletin* comment interestingly reflects the Australian regard for 'hard graft', which alone could redeem men. There is also involved here a particular tradition in the building trade which has survived, at least among small builders, through to the present day – witness the experiences of 'Nino Culotta'. But even at the time the *Bulletin* realised that this sort of behaviour pattern was exceptional. With Broken Hill in mind one labor member said that 'the workman rarely or never came into contact with his actual employer', and a radical member complained that

The position of employers to-day is very different to what it was a few years back. Employers used then to be brought into immediate contact with employees, and the employer respected the employees, not only for their powers of workmanship, but also for their powers of manhood. The employers of to-day, however, are, to a large extent, composed of large joint stock concerns, with boards of management, whose function is simply to present a dividend to the shareholders. They have no respect for their employees.

Indeed it was thought that there was less camaraderie between employer

and worker in Australia than in England, where, as Edden explained, 'as a father dies his son takes his place, and the masters know the feeling of the men and the men know the feelings of the masters'. Whether true or not, this comparison reflected a growing feeling that the ideal state of Christian name intimacy and respect between boss and worker as the *Bulletin* had described it just did not – indeed, could not – exist generally. Occasional twinges of conscience on the part of employers about their lack of contact with their men confirmed the fact.<sup>12</sup>

Another factor which severely restricted social mobility was education, or rather, the lack of it. Education may have been free, compulsory and secular, but it was also extremely limited. Moreover, such facilities as did exist were cut back during the depression. Victoria had no state secondary school system at all during this period, and the bursaries which the government provided for attendance at private secondary schools were discontinued in 1892, and not revived until 1904. New South Wales had set up eight fee-paying high schools, but by 1899 four of these had been closed down. For the great majority of the community, therefore, the avenue to the professions was closed.<sup>13</sup>

Indeed, the main interest in educational reform at this time centred on technical education, the whole tenor of which was now increasingly against social mobility. The democratic ethos of state education had suffered some erosion, and technical education, originally conceived in terms of emancipating the working man, now became a means of reinforcing class barriers. According to the *Daily Telegraph* 'the problem of State education is to fit the children of the masses for the battle of life by training their hands to do the work by which they must live'. Education was positively *harmful* if it gave 'the children of the masses' the idea that there were occupations other than manual labour open to them. The Victorian Royal Commission on Technical Education noted the 'baneful effects' of a curriculum which was 'almost exclusively literary' and discouraged manual occupations. An interest in technical education on the part of a businessman such as George Swinburne could be seen as enlightened and progressive, but it assumed the need for working-class children being trained for working-class occupations. Writing from the American viewpoint Victor Clark recognised the importance of the education system in promoting a class structured society. Australian opinion was fifty years behind

that in America: 'Australasian educators strive to give each pupil the kind and amount of education that will fit him to follow the footsteps of his father.'<sup>14</sup>

The labour movement showed only a marginal interest in the question of education, and to this extent acquiesced in the current view. In 1901 the New South Wales P.L.L. Conference voted for a plank for free education, with an extension of the bursary system to university level, but this pious wish was never promoted as an issue. When it came to technical education the first concern of the craft unions was the danger of the labour market being flooded with skilled labour, and employer enthusiasm for more apprentices was therefore resisted. The aim of the trade union movement became, paradoxically, to ensure that technical education *was* reserved for the sons of workmen. In 1905 a deputation from the Sydney Labor Council to Premier Carruthers asked that the boys of workmen should have preference in instruction. Carruthers interjected, with some indignation, 'But you can't tell who are workmen. My father was a working man, and my children may have to work.' One delegate replied that it was no good at night teaching a draper's assistant to be an engineer.<sup>15</sup>

Such an attitude must be seen in the context of the essentially defensive role played by trade unions during this period. The nineties had witnessed the decimation of the trade union movement, which wage regulation was now rectifying. When union leaders saw their first task as protecting the interests of their members, they always assumed that this meant their interests *as workers*. In this sense the existence of trade unions itself became a guarantee of the wage relationship, and arbitration (the labour movement's security blanket) was part of this arrangement. Talk of socialism at a political level in the labour movement had an increasingly unreal quality as the trade unions recovered and stabilised. Clark saw the labour movement in Australasia as 'a manifestation of national introspection'. He realised that unlike their American counterparts Australian workers 'accept the status of worker as permanent, and do not aspire or strive to leave that class with the same ardour that they would if they accepted the present state of society as just or final'. The explanation appears contradictory, but Clark's point is that if Australian workers did not consider their position capable of amelioration they would show more desperation about escaping from their class. This was virtually Jose's argument:

The average Australian working man accepts the status of 'worker' as his place in life. In the conditions surrounding him he believes that loyalty to his organisation and his class will secure him a position of moderate comfort and ease quite as satisfactory to his mind as any he could secure by personal effort in the pursuit of individual gain.

The worker's acceptance of his status was partly an acceptance of the changed economic climate since 1890, but it was a process aided by the Australian respect for 'hard graft' and, indeed, by the egalitarianism already discussed. It is hard to say how much rationalisation was involved in this. The phrase 'quite as satisfactory to his mind' aptly sums up the kind of judgment involved. By the time Bryce visited Australia, and saw the passion for equality as inspiring social jealousy, it is clear that the jealousy did not imply any conscious desire to give up the role of 'worker'. Quite the contrary. The very rhetoric used by labour leaders in Australia when they spoke of 'the workers' rather than the working class neatly expresses the Australian outlook: for although it was an appeal to class consciousness, it was made in terms of what was seen as a tradition rather than revolutionary strategy.<sup>16</sup>

There was, then, an essential tension in the acceptance of his status by the worker. On the one hand there was the inheritance of pride and self-respect, a belief in the myth of Australian labour: on the other, the recurrent dissatisfaction with actual wages and conditions, and the industrial militancy which this promoted. The solidarity of the unionists in the strikes of the early nineties was often remarked upon, but as time wore on a generation gap seems to have become apparent. According to Gregson 'the miner whose voice chiefly rules in lodge meetings is the young unmarried man who looks upon a strike as a holiday'. It was always the single men who were seen as the trouble makers, but clearly it was not just a matter of youthful irresponsibility. In 1898 O'Connor blamed his electoral defeat on the young workers: 'the fathers of these lads were with me but the young fellows follow Unionism blindly'.\* Similar explanations were offered for the increasing industrial unrest after 1908, and Jacomb, in his jaundiced view of 'God's Own Country',

\* One employer thought that 'the easy method in which men blindly follow strike leaders' was due to 'the over-indulgence of parents nowadays', which ties in with another recurring theme of the period, the alleged precociousness of Australian children. (A.H. Moore, *N.S.W.E.F. Annual General Meeting*, 8 September 1910, p. 9.)

observed that the younger workers were 'universally imbued with the most ultra views on Capitalism and Nationalism, and hate the employers personally as well as officially'.<sup>17</sup> Whether the mass of younger workers held ultra views or not – this was of course the time when the I.W.W.\* was rearing its revolutionary head – it is relevant that their generation had grown up with no personal memories of the palmy pre-1890 days. Trade unionism was not, for them, a colonial success story. Rather it was just part of their lives, through which they could express their discontent, and, at times, vent their anger. Many of them had joined unions, not out of any sense of devotion to the cause of labour, but because the processes of wage regulation made it advisable, if not necessary. They had no sense of being pioneers. Belonging to a union was simply part of being a worker.

A working-class consciousness did emerge in Australia between 1890 and 1910, but it was a consciousness governed as much by negative as positive factors. The growth of the labor party was itself evidence of this consciousness. However, it is relevant here to recall the contribution of the British-born to the labour leadership. It is almost as if the hardy immigrant, sensing the relative openness of Australian society, seized the opportunity for organising labour, while the native-born, oscillating between moods of unrest and apathy, were content to follow.

The nineties saw a marginal decline rather than increase in the labor vote; it was only with the turn of the century that the labor bandwagon started to roll. The gathering of forces against it actually stimulated the growth of the labor party, while the introduction of wage regulation provided the guarantee for a restored trade union movement necessary to this growth. Labour leaders may have protested that trade unionists did not necessarily vote for the party, but leaving aside the contribution of unions to party finances, belonging to a trade union was likely to focus a worker's political attention on the labor party.<sup>18</sup> This is not to say that the rapid expansion of the labor party between 1900 and 1910 was somehow artificial; simply that the class consciousness that produced this vote had very limited horizons. In terms of the whole pattern of Australian history it is a nice irony that government action should in

\*The Industrial Workers of the World derived from the syndicalist movement in the United States. I.W.W. clubs were formed in Australia from 1907. (See I. Turner, *Industrial Labour and Politics*, pp. 62-7.)

itself have been a major factor in the development of this consciousness.

It has been argued in this work that the development of politically conscious employer organisations was necessary before an effective anti-labor party could emerge. It has also been argued that after the failure of the national associations in the nineties employers increasingly appreciated that an anti-labor party, to be successful, would have to tap wider loyalties. The emergence of the labor party carried with it the threat that political conflict might still be interpreted in terms of the masses versus the classes, with the masses simply updated to mean the workers, in the widest rhetorical sense, and the classes likewise transformed into the bosses. Such was the analysis offered by George Black when he described the class represented by labor members as 'the class of all classes' which was 'as wide as humanity'.<sup>19\*</sup> Anti-labor could not afford to allow the labor party to dictate such terms: it had, therefore, to establish its own version of the grounds for political conflict.

Events came to the employers' aid. The trade union basis of the labor party, however necessary to it, had some political disadvantages. Although labor politicians made their appeal in the most ambiguous way possible to 'the workers', the party could not avoid being regarded as a working-class organisation. We have already considered the growth of the various leagues formed in the anti-labor interest, and have in general terms spoken of their middle-class character. If we are to go further and speak of a middle-class consciousness its basis must be seen as a rejection of working-class values. Those white-collar workers who supported the anti-labor cause did so for a variety of reasons, but common to most was a refusal to consider themselves working-class. For them the 'workers' of whom the labor party spoke so glibly meant manual workers. To say that you were a worker was to admit that you were lower-class – a view, of course, implicit in the term 'middle-class'. It is clear that the social distinction between manual and non-manual

\* A similar assumption is made by historian E.C. Fry when explaining the need for 'labour history': 'the old history is very shortsighted. It describes only the top of the iceberg. We need to study the submerged bulk to understand the configuration of the peaks, let alone to know how it is changing and whether it will topple over.' Here labour (the working class?) is the 'submerged bulk', the nine-tenths of the iceberg. ('Symposium: What is Labour History?' p. 64.)

workers is of enormous importance in the class context, and has been, until recently, comparatively neglected.<sup>20</sup>

From this distinction derived the whole dilemma of the shabby-genteel. In many ways they suffered greatly during this period. Teaching was, in a minimal way, respectable – to be a pupil teacher was ‘a very nice occupation for girls’, according to Mrs Melvyn in *My Brilliant Career*. The mass of teachers was, however, grossly underpaid (and undertrained), and in the country town of this period the schoolmaster appears to have been ‘definitely below the salt’. Nor were clerks much better off. According to the president of the Sydney Chamber of Commerce in 1909 the supply of unskilled clerical labour was in excess of demand the world over, and he excused the low remuneration paid to many clerks on the grounds that those who joined ‘the straw-hat brigade’ in order to be in the city and near its amusements were taking the easy way out. Shop assistants had at least won early closing, but the plight of many others had escaped attention. In 1909, for example, a governess could be found for £30 a year, while a cook could ask for and get 35s. a week. Yet as their shabbiness increased, so did their determination to remain genteel. It was clearly a humiliation for the brave but insufferable mother and daughters in Ada Cambridge’s *A Humble Enterprise* to fight their poverty by opening a tea room, but in the author’s terms this was a mark of their breeding.<sup>21</sup>

Some white-collar workers were drawn into the orbit of labor politics. The lower and middle ranks of the civil service were the most notable examples, but, as has already been indicated, they saw their livelihood at stake. The labor party’s part in the early closing movement probably had some influence among shop assistants, and by the end of the period attempts were being made to bring clerks within the arbitration system. But the mass of the shabby-genteel seems to have obstinately resisted any identification with ‘the workers’. They were victims of what the *Bulletin* called a ‘bastard gentility’, which caused ‘counter-jumpers, and store-clerks, and calf-padded flunkys, and barbers’ mates, and the hair-oiled sections generally, to roll up whenever corpulent employers sound the tocsin against men in moleskins’. *The Worker* agreed that ‘quill-drivers as a class are the most hopelessly servile, feckless, small-minded, and ignorant – on political and economic subjects – of all who live by wage labor’. To prove the point the New South Wales Society of Stenographers objected to the idea of being

brought under the Arbitration Court because it would place them on the 'same level as an ordinary manual calling'.<sup>22</sup>

In any class analysis white-collar workers tend to be a borderline case. Ian Turner, for example, considering them for inclusion in the term 'working class', decided that they were 'like the platypus, for some purposes yes, for others no'. Here, however, we are concerned not with any objective classification, but with the extent to which white-collar workers were themselves conscious of any class affiliation. Certainly the evidence would suggest that a large majority of the 'straw-hat brigade' preferred to think of themselves as middle-class – at least in the sense that they were non-working-class. Moreover, those who did, politically or industrially, throw in their lot with the labour movement, were often made to feel that they could never be, in the full sense, labour men. The labor party's insistence that the working man (that is the manual worker) was a fit person to be a parliamentary representative often became a prejudice against the non-working man in the party ranks. William Astley ('Price Warung' of the *Bulletin*) had this prejudice in mind when, in a homily to labor parliamentarians, he admitted that he was not 'as the cant phrase goes, "of your class" – as though all workers, of hand and of head, were not of the one class'.<sup>23</sup>

In this context one can appreciate the paradox that although the Australian tradition glorified the dignity of manual labour, the life of the office worker was obviously attractive to many Australians. Even in the eighties it was remarked that 'you can get a hundred clerks at 30s. a week for every bricklayer or carpenter at £3 or £4', and the change in economic climate after 1890 seems only to have accentuated the position. The idea always present in the minds of technical educationists that men needed to be lured away from 'a white-collar lotus land of sloth and parasitism' reflected the concern that Australians were not the disciples of 'hard graft' they were supposed to be.<sup>24</sup> Said one merchant in 1909:

I have been informed of cases, gentlemen, where youths have been in the habit of riding home from their daily employment in the evening in a first-class railway carriage, smoking cigars, while their fathers, begrimed with the day's toil, have ridden second class in the same train perhaps content to smoke a pipe.<sup>25</sup>

It is absurd, of course, to imagine that hordes of manual workers were

anxious to don starched white butterfly collars. What the speaker is really commenting on is the growing influence of a large urban middle class, with its own cultural values, quite different from those of 'the workers'. The world of Ethel Turner's *Seven Little Australians* is a far cry from Dyson's *Fact'ry 'Ands*, and for many Australians the former was more real and meaningful.

Only a few of the differences can be suggested here. In middle-class suburbia the churches remained important. The Sunday School picnic, for example, was an important institution, as representative of middle-class values as the eight hours celebration was of working-class values. The Catholic Church was the only church which now exercised any real influence on working-class life. As far as the Protestant churches were concerned, it was said that 'to speak of one man as a "Labour" man and another as a "Liberal" is almost synonymous with saying that one is anti-Church and the other a Church man'.<sup>26</sup> The nonconformist influence which was so evident among the labor members of 1891 did not evaporate overnight, but the Protestant churches as institutions were now increasingly identified as being anti-labor and, therefore, anti-working class. With God, of course, went the Empire. The importance of imperialist sentiment in cementing middle-class feeling cannot be overestimated. It is no accident that the period which sees the emergence of relatively stable classes in Australia is the period in which loyalty to Britain and Empire reaches a crescendo. Nationalism, it has been noted, may often serve as the prime expression of lower middle-class consciousness,<sup>27</sup> and in Australia's case there is the added dimension that the adoption of an imperialist-oriented nationalism involved the rejection of a radical nationalist tradition more attuned to working-class values. Imperialist sentiment, of course, seeped through to the labour movement as well, but there it was to be a source of tension (as demonstrated in 1916-17) rather than a source of unity.

The most dramatic exposure of the broad division between middle and working-class values is provided by the recurrent strike crises which are a theme of this period. The national maritime strike of 1890 was followed by strikes involving shearers in 1891 and 1894, Broken Hill miners in 1892, Victorian railway workers in 1903, Sydney tram workers in 1908, New South Wales coalminers in 1909-10, and the mass of Brisbane workers in 1912, all of which tended to polarise society. Most of these strikes had the drama of novelty: they were

either strikes for which there was no precedent (Victoria in 1903 and Brisbane in 1912) or else they were conducted on a scale and with a bitterness unknown before (1890 and Queensland in 1891). In such strike situations the tug of loyalties became quite clear – the sense of worker solidarity, and at times, trade union isolation, was opposed by middle-class concern for social stability. No matter how much sympathy some might feel for trade unionists in their particular grievances against employers, from a middle-class viewpoint strikes increasingly symbolised social disruption, if not disintegration. The theme of law and order provided the platform for an improvised middle-class solidarity, and on this platform employers, professional men, the shabby-genteel, indeed even liberals such as Deakin could momentarily join hands for a chorus of the National Anthem. Here was, as it were, the other Australia, and it was this tradition which provided the broad class basis of political anti-labor. By rejecting any allegiance to ‘the workers’ the man in the white collar might have been demonstrating a sense of status, but he was also asserting that his cultural values were different. As the sociologist Lockwood has argued, it is misleading to consider the white-collar worker as somehow guilty of a ‘false consciousness’, for even in objective terms his class position is not the same as the blue-collar worker, as orthodox Marxist theory would suggest.<sup>28</sup>

The main problem with this simple working and middle-class analysis of Australian politics is the role of the farmers. To a limited extent the model can accommodate them. From the very emergence of the labor party there were those who were confident that the small landholder would be ‘our chief safeguard against Socialism and injustice’. This indeed was the whole assumption of the campaign for the dual vote in the early nineties. It was however the reform movement that made the first systematic attempt to harness the farmers to the anti-labor cause. Irvine, Bent and Carruthers all recognised the crucial importance of the farmer if an effective anti-labor vote was to be mobilised. Looking from the standpoint of American individualism, Clark saw that the small landholder in Australia had ‘upon the whole, socialist sympathies’ and that he was ‘open to a certain amount of political bargaining with city working men’; yet Clark discerned that nevertheless ‘he never forgets his distinct class interests, which now appear threatened by the policy of the labourists’. The labor party, particularly in New South

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Wales, succeeded in capturing a section of the farmer vote, but the farmers' organisations by 1910 were drawn into the anti-labor fold. It would have been unthinkable for Steele Rudd's Dad to have been a labor member. His views on law, order and property indicate just where he would stand in a strike situation:

The law is only a servant – the policeman that protects a man's property for him. It never had, and could never have, the giving of property to anyone. The law was born in the same stable as property, and when property disappears the law will be as dead as the man they hanged in gaol last year.

The 1903 railway strike saw the trade union movement cast in the role of the anarchic disruptor of the service which was so essential to farmers. One suspects that the sons of a Victorian Dad would have been only too keen to serve as strike-breakers.<sup>29</sup>

Yet if the period 1890–1910 saw class established as an axis of politics, it also saw intermittent interference from a rival axis, namely, the city versus the country. Even in the pre-1890 days, when the farmers had been such a key section of the deprived 'masses', their sense of rural allegiance was a source of tension within the democratic alliance. The farmers' attitude to the fiscal issue tended to be remarkably pragmatic, even in Australian terms. Not for them the fiscal polemics of the Reids and Wises, the Turners and the Trenwiths. In Victoria the farmers were protectionists in so far as that policy assured them a stock tax; in New South Wales their embracing of protection was very much an expression of anti-Sydney feeling. During the nineties, while the labor party remained fairly small, farmers could continue to regard it as an interest group with which from time to time they could be usefully allied. On land issues they could look to labor members for support against the squatters; in return they were prepared to support industrial wage regulation which did not apply to them. It has been argued in this work that the extent to which the labor party held the balance of power in the nineties has been exaggerated – in the case of Victoria, grossly. At many points it is just as plausible to see the farmers' representatives – those recurring 'country parties' – as holding, or at least sharing, such a balance. Indeed, the relative stability of the Reid and Turner regimes disguises the fact that this was a time in which parliamentary parties and factions were still very fluid.

Once, however, it became clear that the new systems of wage regulation — which the farmers' representatives had helped introduce — had set the labour movement on a path of dynamic expansion, attitudes changed with great speed. A class-oriented labour movement could no longer be regarded as a mere interest group. The reform leagues, shrewdly appealing to farmers' prejudices, depicted the labor party as an urban ogre. Farmers began to appreciate that the 'socialism' (with or without doctrines) of the labor party would not necessarily dictate the same political priorities as what Clark called the farmers' own 'socialist sympathies'. While some labor policies — particularly the progressive land tax — retained an attraction for some farmers, the majority were forced to consider themselves 'anti-labor'.

Yet although by 1910 farmers had to adapt themselves to a class-oriented political system, it does not follow that they were satisfied with it. True, most of them had rejected the working-class values of the labour movement, but this did not mean that they necessarily considered this sort of judgment to be of supreme political importance. For many farmers, whatever the *formal* party system, the essence of politics was the defence of country interests in a situation of ever increasing urbanisation. The subsequent emergence of the Country Party after World War I was proof that rural interests had their own scale of political values. At the same time, the fact that the party in most cases remained within the broad framework of anti-labor emphasised that the dissolution of the old concept of the masses and the classes was permanent. In short, by 1910 class had become the main classifier of political allegiances in Australia, but it was at no stage the only one. The city-country division exercised a continuing, and at times competing, influence.

The other possible weakness in this working-class/middle-class model of Australian politics is the extent to which it excludes the possibility of an upper class. There need be no embarrassment about the linguistic difficulty of having a middle class which is not in the middle. We should not be imprisoned by the inherited meaning of words. The term 'middle class' was usually applied in Australia with the class structure of English society in mind as a standard, and in this sense it was observed that there was no upper class in Australia.<sup>30</sup> More vital is Encel's objection that 'no industrial society can operate without some kind of "upper class"'. Why this should be so is not clear. At another point Encel

seems to imply that an upper or ruling class is much the same as a power elite, but clearly if the three axes of class, status and power, which form the basis of Encel's work, have any meaning, this is not necessarily so. Encel himself admits the difficulties of identifying an upper class in Australia, and there seems little point in attempting it simply for the sake of formal symmetry. Occasional resort to the label 'upper middle class' may seem the easy way out, but it bears more relation to the reality of Australian society. It would, for example, be quite meaningless to see the emergence of the employer associations as evidence of an upper-class consciousness, for apart from any other consideration, the majority of the members of these associations were definitely not, by Encel's definition, upper-class.<sup>31\*</sup> On the other hand, in the inner working of these associations, and in their relationship to the growth of anti-labor, one can see the coming together of something much more like a power elite. To call this elite a ruling class would be misleading – in the first case it does not necessarily rule (that indeed is the whole point of it coming together) and in the second place there would appear to be no specific class basis for its formation. This is not to imply a pluralist view of power being shared more or less equally by competing elites. Indeed it is logical to suggest that a centralised and wealthy power elite, such as dominated the employer groups, could exercise more coherent and systematic influence on politics than any elite of trade union leaders who represented an unwieldy and unfederated labour movement. Those who wish may call this power elite a ruling class, but they do so at some risk to accuracy in both objective and subjective terms.

The central case of Deakin might illuminate this point. It would be easy to see Deakin, the old colleague and friend of Service and Derham, in 1909 returning to his true position in the ruling class, which he had presumably deserted in the nineties (or had he? – federation, after all, could be ruling-class plot). But it is quite evident that Deakin saw himself as having a different scale of political values from the employers who now supported him. If they had been brought together by any shared consciousness it lay primarily in their opposition to the labor party. Now Deakin's reasons for opposing the labor party were not the

\* Encel sees four groups as providing an *ad hoc* upper class — professional men, especially doctors and lawyers; judges and arbitrators; old established pastoral families; and old established business families.

same as the employers', but common to them was a rejection of the labor approach to politics; a rejection of the caucus, the pledge, the structure and the exclusiveness of the labor party, all of which derived from the working-class values of the labor founders.

No matter what the complicating influences of new issues and old loyalties, the 1910 election was a political class confrontation on a scale not witnessed before in Australia. To vote labor was to declare oneself a member of 'the workers', or at least 'with' the workers; to vote for the fusion was explicitly to reject the organised political movement of the working class. It is a truism, of course, that the term 'middle class' itself involves a rejection of a class conflict view of politics. 'Middle class' is status-oriented, while 'working class' is occupation-oriented. There are many values which we might agree to label as middle-class, but we can speak of a middle-class consciousness only in so far as there is a rejection of a working-class orientation of political struggle. A middle-class consciousness has no reason to exist (in the Australian context) except when it is stimulated by a working-class consciousness. This is a situation we see first in the major strikes of this period, and then in the development of the two party system. The essential role of the employers in both these spheres should not lead us to believe, however, that this middle-class consciousness is a mere emanation of their economic power. The evidence has already suggested how employers nurtured and manipulated middle-class organisations, but to see the rank and file of the reform leagues as mere dupes is to devalue the forces motivating them. A rejection of working-class values can be made as meaningfully by clerks as by employers. The employers, because of their key organisational role, will exercise a decisive influence on particular policies of the anti-labor party, but the broader middle-class participation may in fact dictate the tone and style of the party.

In sum, it is historically valid to see the two decades between 1890 and 1910 as a period in which class emerges as the major determinant of political loyalties in Australia. Out of the social upheaval of the previous forty years, two class traditions emerge and, conditioned by economic circumstances, achieve a relative stability. The duality of this process has been obscured by the primacy historians have given the bush ethos and the working-class tradition. It is only recently that one historian could, with conviction, sum up the social history of New South Wales between the gold rushes and federation in two words,

'colonial bourgeois'.<sup>32</sup> Of course the working-class and middle-class traditions are, in a sense, in continual dialogue with each other, constantly interacting. Yet although at various points overlapping (in different ways both will claim Gallipoli, for example) they survive in contemporary Australia, distinct and recognisable. 1910 marks the formal establishment of their political counterparts as alternatives competing for the national *imprimatur*.

There is no difficulty in reconciling social egalitarianism with this class structure – indeed it is this very egalitarianism which gives class in Australia its distinctive flavour. Encel has remarked that 'democratic manners, as in the United States and Australia, dilute class hostility because they deprive it of the social distance which supports it'.<sup>33</sup> Yet we have seen that there were intelligent observers in this period who thought just the opposite – that the relative lack of social status encouraged class bitterness, in that class barriers, when they developed, seemed all the more insupportable. In some societies social distance may imply social deference, which of course militates against class hostility, and in this sense the relative absence of social distance in Australia removed a barrier to the development of class consciousness.

However the absence of social distance was only *relative*. Egalitarianism in Australia was indeed very much a matter of manners only. When one considers the education gap, the polarisation of suburbs and the general breaking down of social mobility, it is evident that in one form social distance was becoming a cogent factor in Australian society. Egalitarianism became a set of social rituals that did not necessarily correspond with social facts, and for this very reason were clung to all the more. The self-made man symbolises this incongruity. Usually he was proud of his democratic manners – his ability to 'get on' with his employees and so on – and yet he was noted for his conservative politics. The building contractors, employers in a trade remarked on earlier for its egalitarian traditions, were in the forefront of the resurgence of employer organisation at the turn of the century.<sup>34</sup> Whatever his attitude to social *status*, the self-made man was usually very conscious of his *class* position.

Furthermore, the celebration of the ritual was determined by time and place. Rejecting the theory that in the colonies the men were not snobs but the women were, Rowland pointed out that 'the truth is, as we all know, that the husband may meet on friendly terms in the

office, at the club, or the political committee, men whom he would not wish to meet in his drawing-room or marry to his daughters'. It is precisely this sort of 'truth' which, it has been suggested, might apply to the personal relationships between liberal and labor politicians at this time. It should be noted too that in spite of the prevalence of egalitarianism, there were discrepancies. That inheritance of middle-class Anglicanism, the pew-rented church, was still not uncommon in Australia.<sup>35</sup>

And yet the tradition of social egalitarianism was of enormous historical importance in Australia, even if not for the reasons that many contemporaries supposed. The myth of egalitarianism was a convenient one for both sides in politics. Radicals, both in and out of the labor party, could place the reforms they advocated in an historical tradition, while conservatives could oppose such reforms as unnecessary in a society, in their view, already demonstrably egalitarian. As a ritual, egalitarianism tended to shape the form of political solutions, and in this respect the relatively sudden and widespread adoption of industrial arbitration achieves a new significance. In the nineties it was increasingly hard to believe that Jack was as good as his master: through arbitration the state reassured Jack that he was. Arbitration formally disposed of the concept of a master-servant relationship, which was still a touchy point with trade unionists. Whether egalitarianism stimulated or diluted class hostility remains a matter of debate. What it certainly did was to dictate the forms in which class feeling was expressed.

Finally, in a work devoted to class consciousness, one might note the legendary complaint of Morris Ginsberg that he didn't know what he was supposed to be conscious of when he was class conscious.<sup>36</sup> It has been assumed throughout that class consciousness means some awareness of an identity of interest, which in this case is reflected in political action. But clearly such consciousness is very much a matter of degree: it may range from a desire for revolution to a merely protective gathering together. Some sociologists draw a distinction between class awareness and class consciousness, meaning the simple awareness of one's position in a class structure, as opposed to a consciousness of common interest. Beyond this there is the concept of what one sociologist has called 'class unconsciousness' - 'class induced behaviour of which the individual is not aware'.<sup>37</sup> Such distinctions are very relevant to any

analysis of class in Australia.\* The positive characteristics of working-class consciousness in the period have been noted, and they necessarily provided the initial impetus for the labor party. But after 1900 various factors encouraged a development of social class in a negative way. At one level there was the political crumbling away of the centre party, which although admittedly a matter of cause and effect, derived at least partly from the strategically weak electoral position of a centre party when first-pass-the-post voting applied. At a more fundamental level was the influence of wage regulation itself in making membership of a union desirable, if not actually necessary. Here one can see the arbitration system functioning to create an awareness of class; but in circumstances such as these, does joining a union take the worker across the shadowy border of class awareness into the promised land of class consciousness?

It is this very difficulty which sums up the peculiar flavour of class in Australia. There is much evidence that in this period working-class people came to see themselves as working-class, in a way that implied acceptance of their position as relatively permanent. After the first flourishes of neo-revolutionary rhetoric, the development of any political consciousness was very much confined to improving the lot of the workers in a way that guaranteed they remained workers in a capitalist society. In this sense the labour movement was never wedded to a program of radical change. Its leaders might have interpreted this as facing political reality but it was just as much a sizing-up of working-class attitudes in Australia. In short, the workers wanted their lot improved, but they had no desire to escape it altogether. The labor party was there as a political insurance policy, but as a party of initiative its range was extremely limited.

The Marxist tradition has tied the notion of class to conflict. In Australia there are elements of conflict, but they remain surprisingly elusive. The ferocity of a strike situation often seems lost in an aftermath of political apathy. Just when there is a whiff of anger in the air, it is dissipated in cynical detachment. A consciousness of identity, even a

\* In a recent study Ronald Lawson concludes that Brisbane society in the nineties was not marked by 'self-conscious, antagonistic classes'. In the strict Marxian sense he is no doubt right, but how does he explain the emergence of the labor party (even if its policies were 'reformist') and the early fusion of non-labor forces in Queensland? And would he make the same judgment of Brisbane in 1910? (*Brisbane in the 1890s*, pp. 78-88.)

consciousness of shared interest, are one thing; but the concept of class conflict – of interests *diametrically* opposed – is another. In many ways class awareness among Australian workers was very strong during this period, but this did not imply any sustained commitment to the class war. While not dismissing the role of class conflict, one can already see class as a symbol of social continuity. Given an industrial society the two traditions of working-class and middle-class values serve the purposes which all traditions serve – they define and limit the prospects for change. It is ironic that the development of class in Australia, far from being a signal for change, ensured that things stayed very much as they were. For all the superficial appearance of change – the much vaunted progress symbolised by arbitration, the new protection, and the labor triumph of 1910 – Australia had become the country of which Louis Esson could remark, ‘The time is not yet ripe’, meaning, indeed, that the time would never be ripe. (The time was not even ripe for Esson’s play.)<sup>38</sup> The structure of Australian society had solidified, and in the process consciousness of class had become a comfort rather than a scourge.

## Appendix A

### Occupational Statistics for New South Wales and Victoria 1891-1911

The categories are as follows:

E: Employer

O: Person working on his own account, without employing others.

A: Person assisting head of establishment without receiving salary or wages.

W: Person in receipt of salary or wages.

N: Out of work at date of census, and for one week prior to that of census.

NA: Not applicable.

	E	O	A	W	N	NA	All Grades
<b>N.S.W. Males</b> (percentages in parentheses)							
1891	53,589 (8.81)	49,664 (8.17)	8,970 (1.48)	246,365 (40.52)	19,526 (3.21)	229,889 (37.81)	608,003
1901	49,077 (6.91)	65,798 (9.27)	17,674 (2.49)	291,322 (41.03)	21,177 (2.98)	264,957 (37.32)	710,005
1911	71,315 (8.31)	51,707 (6.02)	20,843 (2.43)	399,548 (46.53)	16,431 (1.91)	298,846 (34.80)	858,690
<b>Victoria Males</b> (percentages in parentheses)							
1891	40,013 (6.69)	59,031 (9.87)	20,787 (3.47)	246,536 (41.22)	18,523 (3.10)	213,199 (35.65)	598,089
1901	43,288 (7.17)	66,811 (11.07)	26,889 (4.45)	233,211 (38.63)	12,183 (2.02)	221,338 (36.66)	603,720
1911	63,127 (9.63)	39,895 (6.08)	19,910 (3.04)	287,268 (43.82)	15,220 (2.32)	230,171 (35.11)	655,591

Source: 1911 Commonwealth Census, vol. 1, pp. 370-1. Total Australian figures for 1891 and 1901 are unavailable.

Between 1901 and 1911 the number of wage earners in New South Wales rose by 108,261 (37.1 per cent) and in Victoria by 54,057 (23.2

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per cent). It is interesting to note, however, that the number and proportion of *employers* also rose significantly in both States. The explanation for this would appear to lie in the even larger slump in those working on their own account (category O). In the nineties, with work hard to get, this category had increased; in the 1900s it would seem that some were successful enough to become employers, while others returned to the ranks of wage labour. The proportion of employers and self-employed, taken together, fell between 1901 and 1911: from 16.8 to 14.33 per cent in New South Wales, and 18.24 to 15.71 per cent in Victoria.

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## Appendix B

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### Trade Union Statistics, 1891-1912

There are no accurate figures of trade union membership before 1912 in Australia, and the problem of estimating membership in the nineties is particularly difficult. In 1913 the Commonwealth Bureau of Census and Statistics gave these estimates of total trade union membership in Australia:

1891	54,888
1896	55,066
1901	97,174
1911	364,732
1912	433,224

Bearing in mind the accuracy of the 1912 figure, those for 1911 and to a lesser extent 1901 are feasible enough. However the estimates for 1891 and 1896 are manifestly absurd in relation to each other, as we know from other sources that union membership collapsed in the intervening years, and did not start to recover before 1898-9.

It is not difficult to establish that in 1890, and it would seem 1891, total union membership was well over 100,000. At that time the New South Wales T.L.C. claimed an affiliated membership of 35,000, and the Melbourne T.H.C. 50,000. While allowing for exaggeration, it must be remembered that there were a number of unions not affiliated with these bodies. At the Royal Commission on Strikes in early 1891 P.J. Brennan said there were 'about 40,000' affiliated with the T.L.C., and estimated between 10,000 and 15,000 unionists outside the T.L.C. in New South Wales. In Queensland there were over 21,000 members of unions registered under the 1886 Trade Union Act (registration was not compulsory). If we take a total of 50,000 unionists as a safe estimate for New South Wales, and add, say 55,000 for Victoria and 25,000 for Queensland, we arrive at a rough estimate of 130,000 for the three eastern colonies. South Australian numbers are even harder to guess at. In his thesis, K.R. Bowes does not attempt the task. The sixteen unions for which he gives membership figures in 1890 total some 3030 unionists; but, as there were fifty-seven unions operating in South Australia, a

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total in the vicinity of 10,000 is feasible. This would produce a grand total for Australia in the order of 140,000. (Western Australia and Tasmania had negligible trade union movements at this time.)

Bearing in mind the fact that New South Wales and Victoria each had approximately 246,000 wage and salary earners in 1891, it can be seen that Gollan's estimate that 20 per cent of this category were union members is realistic, for these colonies at least.

*Sources :*

Commonwealth Bureau of Census and Statistics, Labour and Industrial Branch, *Report No. 2*, April 1913.

*Report of Royal Commission on Strikes*, qu. 4408.

D.J. Murphy, R.B. Joyce, Colin A. Hughes (eds.), *Prelude to Power*, p. 315.

R. Gollan, *Radical and Working Class Politics*, pp. 132-3.

K.R. Bowes, 'The 1890 Maritime Strike in South Australia'.

P.G. Macarthy, 'Victorian Trade Union Statistics, 1889-1914'.

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## Notes

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### Introduction

1. T.A. Coghlan, *Labour and Industry in Australia*; J.T. Sutcliffe, *A History of Trade Unionism in Australia*; B. Fitzpatrick, *The British Empire in Australia*, and *A Short History of the Australian Labor Movement*; R. Gollan, *Radical and Working Class Politics and The Coalminers of New South Wales*; I. Turner, *Industrial Labour and Politics*; B. Nairn, *Civilising Capitalism*; the journal, *Labour History*.
2. E.P. Thompson, *The Making of the English Working Class*, Pelican, 1968, p. 9.

### Chapter One 1890: The strike and the aftermath

1. Fitzpatrick, *A Short History of the Australian Labor Movement*, p. 57.
2. E.A. Boehm, *Prosperity and Depression in Australia, 1887-1897*, pp. 26-32. Boehm is at pains to correct the impression created by N.G. Butlin that 1889 was a general economic turning point throughout Australia. (*Investment in Australian Economic Development, 1861-1900*, pp. 9, 409).
3. N.B. Nairn's thesis 'Some Aspects of the Development of the Labor Movement in New South Wales, 1870-1900', pp. 185-6, and his article, 'The 1890 Maritime Strike in New South Wales', p. 2; *R.R.C.S.*, p. 3.
4. B. Cowderoy, *The Relation of Capital and Labour*; A.J. Taylor, *Trade Unionism as a Factor in Social Evolution*. See also J. Philipp's article, '1890 - The Turning Point in Labour History?'
5. A. Bruce Smith, *Strikes and Their Cure*, p. 12.
6. Nairn, 'The 1890 Maritime Strike'. For the authorised version, see Coghlan, *Labour and Industry in Australia*, vol. 3, pp. 1591-4; Fitzpatrick, *A Short History of the Australian Labor Movement*, pp. 65-76; Gollan, *Radical and Working Class Politics*, pp. 131-2.
7. Nairn, 'The 1890 Maritime Strike', p. 6.
8. *Argus*, 7, 21 May, 19 June 1890; Pastoralists' Union of N.S.W. Minutes, 9 July 1890; *Daily Telegraph*, 11 July 1890; P. Gerrard's thesis, 'Employers and Employer Groups in the 1890 Maritime Strike', ch. 3.
9. This was the phrase used by both Victorian and New South Wales Pastoralists' Unions when outlining their object in their initial rules ('Rules of Various Unions, Pamphlets, etc.', vol. 1; see also F.S. Piggin's article 'New South Wales Pastoralists and the Strike of 1890 and 1891', pp. 547-9).
10. Pastoralists' Union of Victoria Minutes, 23, 24 and 28 July 1890; Pastoralists' Union of N.S.W. Minutes, 22, 25, 29, 31 July 1890; *Argus*, 31 July 1890; evidence of W.E. Abbott, *R.R.C.S.*, qus. 3228-60.
11. *Age*, 19 July 1890; G.R. Henning's article, 'Steamships and the 1890 Maritime Strike'.
12. J.H. Storey, *Daily Telegraph*, 24 July 1890; *Argus*, 29 July 1890. For details of Lamb's behind the scenes activities, see Pastoralists' Union of Victoria Minutes, 24 and 28 July 1890; also F.E. Stewart to J. Abbott, 29 July 1890, G.M. Papers, 2/30A.

13. The likelihood of banks and financial institutions giving squatters extensions on their overdrafts was reported (*Argus*, 31 July 1890; *Daily Telegraph*, 2 August 1890).
14. Desp. 562, 18 July 1890, and desp. 563, 15 August 1890, A.A. Co. Papers, 78/1/63; Stewart to G. Maiden, 4 August 1890, G.M. Papers, 2/30A. Nairn quotes Gregson's decision to recognise the shearers' union as an example of how Spence would have achieved the object of the closed shop peacefully, if he had been more conciliatory to the pastoralists. In fact, Gregson was frightened into the decision by the aggressive policy of Spence which Nairn condemns ('The 1890 Maritime Strike', p. 14).
15. Stewart to Abbott, 4 August 1890, G.M. Papers, 2/30A; *Argus*, 30 July 1890.
16. *Argus*, 7 May 1890; T.H.C. Minutes, 9 May 1890.
17. Nairn, 'The 1890 Maritime Strike', p. 5; desp. 563, 15 August 1890, A.A. Co. Papers, 78/1/63; J.H. Storey, *S.M.H.*, 24 July 1890.
18. Nairn, 'The 1890 Maritime Strike', p. 3.
19. These overtures, to the Maritime Council and the Seamen's Union in Sydney, were not favourably received: *Argus*, 23 April 1890; *R.R.C.S.*, Spence, qus. 1970-1, and Davis, qu. 8183.
20. *Argus*, 13, 14 May; *Age*, 24 May 1890; Murphy's evidence, *R.R.C.S.*, qu. 7617; T.H.C. Minutes, 23 May 1890.
21. *R.R.C.S.*, Murphy's evidence, qus. 7617-8; Nairn, 'The 1890 Maritime Strike', p. 10.
22. *Argus*, 26 May 4, 11 June, 4, 10 July 1890; *Age*, 6 June 1890; *S.M.H.*, 26 June 1890; *R.R.C.S.*, Willis's evidence, qu. 5796, Murphy, qus. 7603-5.
23. *Argus*, 21 July 1890; *R.R.C.S.*, qu. 7741; Nairn, 'The 1890 Maritime Strike', p. 11.
24. *S.M.H.*, 26 June 1890.
25. D. Melville, *V.P.D.*, vol. 63, p. 729; *Argus*, 11 July 1890; Report of the Chief Inspector of Factories for 1890, *V.P.P.*, 1891, vol. 3, p. 7; *Daily Telegraph*, 2 August 1890.
26. Gollan, *The Coalminers of New South Wales*, pp. 85-6; *Age*, 26 August; *Daily Telegraph*, 3 September; *Argus*, 3, 4 September 1890; manager's letter 1459, 8 September 1890, S.A.I. Co. Papers; desp. 572, 7 November 1890, A.A. Co. Papers, 78/1/63.
27. *Age*, 14 August, 15 September 1890; *Daily Telegraph*, 1 August 1890.
28. Parkes to McMillan, 13 September 1890, Parkes Papers; H. Parkes, *Fifty Years in the Making of Australian History*, pp. 541-2, and the *N.S.W.P.D.*, vol. 48, p. 4461; J.A. La Nauze, *Alfred Deakin*, vol. 1, pp. 127-32.
29. *Age*, 25 August 1890; *Bulletin*, 6 September 1890.
30. *Age*, 29 September; *Daily Telegraph*, 2 October; *S.M.H.*, 19 September 1890; *V.P.D.*, vol. 64, p. 1570.
31. V.E.U. Executive Minutes, 16 September 1890. The Victorian Chamber of Manufactures and Pastoralists' Union, and the Sydney Chamber of Commerce, all made attempts to promote a conference (V.C.M. Council Minutes, 25 August, 22 September 1890; V.P.U. Minutes, 1, 8 October; S.C.C. Minutes, 19, 25 September 1890).
32. Service to Crisp, 8 September 1890, Crisp Papers.
33. *Argus*, 28 June 1890.
34. Desp. 658, 6 October 1893, A.A. Co. Papers, 78/1/66.

35. P.G. Macarthy's thesis, 'The Harvester Judgment: an historical perspective', p. 295.
36. *Argus*, 27 March 1895; *Summary of Report of Trustees*, A.A. Co. Papers, Colliery Labour Papers, Box F.
37. Gollan, *Radical and Working Class Politics*, ch. 6; Nairn's article, 'The Role of the Trades and Labour Council in New South Wales, 1871-1891', and thesis, 'Some Aspects of the Labor Movement in New South Wales, 1870-1900'; J. Philipp's thesis, 'Trade Union Organization in New South Wales and Victoria, 1870-1890'.
38. *Bulletin*, 5 July 1890. Re affiliation figures, see *Daily Telegraph*, 4, 15 July 1890.
39. *Argus*, 2 April 1890; *S.M.H.*, 30 June 1890.
40. Hancock, *Argus*, 29 April, 3 May 1890; T.H.C. Minutes, 9 May 1890; *Argus*, 10 May 1890.
41. *Argus*, 13 May 1890. For Hancock on protection, see 18 June.
42. *Argus*, 14 June 1890.
43. *R.R.C.S.*, evidence, qu. 2193.
44. W.G. Spence, *The Ethics of New Unionism*, p. 8. See also C. Lansbury's article, 'William Guthrie Spence'.
45. Nairn, 'The 1890 Maritime Strike', pp. 13-15; J.A. Merritt's article, 'W.G. Spence and the 1890 Maritime Strike'. Note also the Victorian Pastoralists' Union statement to Spence in early August that it could not 'enter into any agreement which would in any way tend to force non-union shearers into joining your union' (*Argus*, 6 August).
46. Nairn, 'The 1890 Maritime Strike', p. 11.
47. Trenwith to Murphy, 10 September 1890, Trades Hall Papers; *R.R.C.S.*, Spence's evidence, qus. 1771, 1982-5. Brennan (qu. 3819) claimed that no objection was made to calling out the shearers. Perhaps Spence objected very quietly.
48. *Age*, 1 September 1890; Spence, *Australia's Awakening*, p. 94.
49. *S.M.H.*, 24 September 1890. See also Sir Alfred Stephen to Davis, Finch and Thompson, 16 October 1890, Stephen Papers; Gregson, desp. 572, 7 November 1890, A.A. Co. Papers, 78/1/63.
50. *N.S.W.P.D.*, vol. 48, p. 3919.
51. A. Hutchinson, *N.S.W.P.D.*, vol. 48, p. 3994; *Argus*, 5 September 1890. For Hancock on the unemployed, 5 July.
52. J.H. Storey, *S.M.H.*, 24 July 1890. See also a letter from S.C. Hancock, son of John Hancock, describing his father's unsuccessful attempts to keep the Melbourne gas stokers at work: *Herald*, 7 May 1903.
53. Nairn, 'The 1890 Maritime Strike', pp. 2, 14.
54. *Argus*, 5 September 1890.
55. *R.R.C.S.*, Brennan's evidence, qu. 4119; Trenwith, *Age*, 28 October 1890.
56. T.L.C. Minutes, 23 October 1890, 26 February 1891; *S.M.H.*, 27 February 1891; *Age*, 26 March 1891.
57. T.L.C. Minutes, 27 November 1890; T. Walker, *N.S.W.P.D.*, vol. 50, p. 5965. In fact various unionists, including T.J. Houghton, secretary of the T.L.C., accepted appointments to the Commission.
58. *Age*, 23 August 1890; Champion to Fitzgerald, 18 September 1890, Fitzgerald Papers; Fitzgerald, *Age*, 14 March 1891; *Bulletin*, 18 October 1890; see also *Daily Telegraph*, 13 September 1890.

59. *Argus*, 4 October 1890. For the text of Higinbotham's letter see R.N. Ebbels, *The Australian Labor Movement, 1850-1907*, p. 134.
60. *Age*, 5 November 1890.
61. *S.M.H.*, 19 March 1891.
62. Ebbels, *The Australian Labor Movement*, pp. 150-2; *Age*, 6 February 1891.
63. Report for half year ending 30 June 1892, T.L.C. Minutes.
64. J.T. Lang, *The Great Bust*, p. 5; N. Brennan, *John Wren: gambler*, p. 23; L.F. Crisp, *Ben Chifley*, p. 4.

### Chapter Two Labour and capital in politics

1. See the articles of J. Philipp, J. O'Connor and N.B. Nairn, *Historical Studies Selected Articles, Second Series*.
2. *S.M.H.*, 27 October 1890. See also Nairn, *Civilising Capitalism*, pp. 39-40.
3. *Age*, 8 December 1890; *Argus*, 10 December 1890; W.P. Reeves, *State Experiments in Australia and New Zealand*, vol. 1, p. 76.
4. F. Cotton for East Sydney, and J.L. Fegan for Newcastle. Both were to win seats at the 1891 general election.
5. *Age*, 16, 18 April; *Bulletin*, 25 April 1891.
6. Quoted, Ebbels, *The Australian Labor Movement*, p. 101; re Sydney delegates, *Age*, 20 April 1891.
7. *Adelaide Advertiser*, 11 May 1891.
8. J.D. Fitzgerald, *The Rise of the Australian Labor Party*, pp. 14-15; T.R. Roydhouse and H.J. Taperell, *The Labour Party in New South Wales*, pp. 13-14.
9. Parkes, 'The Labour Party in New South Wales', p. 197; Lane to Fitzgerald, 18 November 1891, Fitzgerald Papers; Coghlan, *Labour and Industry in Australia*, vol. 4, p. 1843; *S.M.H.*, 17 June 1891.
10. *Bulletin*, 11 July 1891; G. Davies, *Argus*, 31 July 1891.
11. *Bulletin*, 30 April 1892. For selected P.P.L. candidates, see *Commonweal*, 16 April 1892.
12. Philipp, 'Trade Union Organization in N.S.W. and Victoria', p. 157.
13. *Argus*, 26 November 1892; see also C. Dilke, *Problems of Greater Britain*, p. 521.
14. J. Hagan, *Printers and Politics*, pp. 72, 83; also R.T. Fitzgerald, *The Printers of Melbourne*, pp. 87-9.
15. *Age*, 29 June 1891; *Commonweal*, 15 August 1891; M. Hirsch, *Democracy Versus Socialism*, p. 247. Hirsch saw factory legislation as a palliative only: although 'necessary' it was still an unjust infringement of freedom.
16. Trenwith, *Age*, 5 November, 15 December 1890; H.A. Harwood, *Argus*, 13 October 1891.
17. Deakin to Berry, 23 October 1891, Berry Papers.
18. *Commonweal*, 23, 30 April 1892; Barrett and Winter, *Age*, 23 April 1892; *Age*, 18 April 1892.
19. P. Loveday and A.W. Martin, *Parliament, Factions and Parties*, ch. 6; and articles by Nairn, 'J.C. Watson in New South Wales Politics, 1890-94', p. 81; J.A. Ryan, 'Faction Politics: a problem in historical interpretation', p. 37; and Loveday and Martin, 'The Politics of New South Wales: a reply'.
20. G.N. Hawker, *The Parliament of New South Wales, 1856-1965*, p. 181.
21. J.L. Fegan, *N.S.W.P.D.*, vol. 52, p. 135; H.A. Harwood, *Commonweal*, 20 February 1892.

22. Black, *N.S.W.P.D.*, vol. 52, p. 101; *Bulletin*, 8 August 1891.
23. For example, in 1891 Hancock indicated that he did not consider Dr W. Maloney a true labour man, when he described Trenwith and himself as the only two representatives of labour in the Victorian Assembly. On the early problems of the N.S.W. labor party, see Nairn, *Civilising Capitalism*, chs. 7-11.
24. Gollan, *Radical and Working Class Politics*, pp. 132-3; Nairn, *Civilising Capitalism*, pp. 59-61; see also Appendix B. For electoral figures, see C.A. Hughes and B.D. Graham, *A Handbook of Australian Government and Politics, 1890-1964*.
25. Douglas, *Age*, 13 April 1892; Wise to Parkes, 7 November 1890, Parkes Papers; T.L.C. Minutes, 5 May 1894.
26. Sam Smith, S.D.C. Minutes, 30 August 1894; Spence, *Argus*, 20 July 1891 and *Australia's Awakening*, p. 201; *Age*, 25 July 1891; Coghlan, *Labour and Industry in Australia*, vol. 4, p. 1883.
27. *Daily Telegraph*, 27 October 1890; *Argus*, 10 December 1890; V.E.U. Executive Minutes, 16 December 1890; *Australasian Pastoralists' Review*, 16 March 1891.
28. *S.M.H.*, 24 January 1891.
29. V.E.U. Executive Minutes, 28 April to 23 June 1891; V.E.U. legislative committee minutes, 13 July 1891; Meudell, *Age*, 10 February 1892.
30. V.E.U. Executive Minutes, 28 July 1891; *Liberty*, 17 December 1894.
31. The founder quoted is A.C. Stephen, in a letter, *S.M.H.*, 19 September 1891.
32. V.E.U. Executive Minutes, 27 October, 17 November 1891, and 23 February, 8 March 1892; desp. 717, 21 February 1896, A.A. Co. Papers, 78/1/68.
33. Calder, *Argus*, 4 July 1891; Maxwell, *Argus*, 2 September 1891.
34. *Argus*, 4 July 1891; J.R. Poynter, *Russell Grimwade*, p. 43; M.G. Finlayson's thesis, 'Groups in Victorian Politics, 1889-1894', p. 111.
35. *Liberty*, 17 December 1894. For profiles of Association leaders, see *Liberty*, June-December 1896.
36. *Argus*, 2 October 1891. On attempts to win support from the shabby-genteel, see *Argus*, 21 November 1891, and Meudell's remarks, *Age*, 10 February 1892; also G. Meudell, *The Pleasant Career of a Spendthrift*, p. 35.
37. *Liberty*, 17 December 1894.
38. Kelly was speaking at the annual meeting, 5 March 1896, but these remarks are quoted in a leaflet, *The Necessity for Combination*, bound with *Liberty* in the Mitchell Library.
39. *Age*, 7 October 1891, 29 February 1892; *Argus*, 29 August 1891; B.D. Graham, *The Formation of The Australian Country Parties*, p. 68.
40. Timotheus, *Argus*, 19 September 1891; *Geelong Advertiser*, 19 April 1892.
41. *Age*, 22 April 1892.
42. See *Liberty*, 1894-8; *Argus*, 6, 10 January 1896; *Sixth Annual Report of the Camperdown Branch of the Australasian National League (Victorian Section)*, 31 October 1901.
43. See for example, Wise to Parkes, 31 August 1894, Parkes Papers, A930.
44. G. Serle's article, 'The Victorian Legislative Council, 1856-1950', pp. 130-5.

45. Lawson to Beauchamp, 19 January 1900, quoted, C. Roderick (ed.), *Henry Lawson Letters, 1890-1922*, p. 114; A.G. Austin (ed.), *The Webbs' Australian Diary 1898*, pp. 50, 66; Service, *V.P.D.*, vol. 68, p. 2344.
46. S.M. Ingham's thesis, 'Political Parties in the Victorian Legislative Assembly, 1880-1900's, pp. 96, 107.
47. *N.S.W.P.D.*, vol. 61, pp. 2453-4.

### Chapter Three The search for solutions

1. Reeves, *State Experiments in Australia and New Zealand*, vol. 1, p. 74.
2. Goe, *Age*, 30 September 1890; R.B. Walker, 'Presbyterian Church and People in the Colony of N.S.W. in the Late Nineteenth Century', p. 57. See also J.D. Bollen, *Protestantism and Social Reform in N.S.W., 1890-1910*, ch. 2.
3. Moran, *Daily Telegraph*, 5 September 1890; Carr, *Argus*, 13 October 1890; 6 July 1891; Booth, *Argus*, 22, 23 September 1891.
4. Smith, *S.M.H.*, 25 July 1892; *Argus*, 10 November 1895.
5. Deakin, *V.P.D.*, vol. 64, p. 1536; B.R. Wise, *The Labour Question*, pp. 3, 10, and 'What Parliament can do for Labour', p. 231; Deakin, *V.P.D.*, vol. 69, pp. 1136-7, and Deakin to Crisp, 6 February 1893, Crisp Papers.
6. 'J.S.' in the *Argus*, 4 November 1891; *N.S.W.P.D.*, vol. 55, p. 3702ff.; *V.P.D.*, vol. 67, p. 2104ff.
7. A dual vote amendment was defeated by 46 to 33: *V.P.D.*, vol. 67, p. 1853.
8. *V.P.D.*, vol. 67, p. 1747. Concerning farmers and squatters, see S.M. Ingham, 'Some Aspects of Victorian Liberalism, 1880-1900', p. 68.
9. H. George Jr, *The Life of Henry George*, pp. 533-4; Deakin, *V.P.D.*, vol. 70, p. 2391; Reid, *S.M.H.*, 18 October 1892, and ch. 5 of this book. On the influence of Henry George in Australia, see Gollan, *Radical and Working Class Politics*, pp. 120-1.
10. See, for example, H.C. Dangar, *N.S.W.P.D.*, vol. 56, p. 5244; J.M. Creed, p. 4805; and S.A. Joseph, vol. 63, p. 4865.
11. But see Gollan, *The Commonwealth Bank of Australia*, chs. 2-4; Walker's article, 'The Ambiguous Experiment - agricultural co-operatives in New South Wales, 1893-1896'; C. Woods's thesis, 'Village Settlement in Victoria'.
12. W.H.G. Armytage, *A.J. Mundella, 1825-1897: the liberal background to the labour movement*, London, 1951.
13. Gollan, *The Coalminers of New South Wales*, pp. 52-3; Coghlan, *Labour and Industry in Australia*, vol. 4, p. 1834; Serle, *The Rush to be Rich*, pp. 118-19; Board of Conciliation Minutes, 27 February 1888, with V.E.U. Minutes.
14. Coghlan, *Labour and Industry in Australia*, vol. 4, p. 1840; *R.R.C.S.*, qu. 3856.
15. *V.P.L.A.N.S.W.*, 1890, vol. 8, pp. 58-60; *V.P.D.*, vol. 64, p. 1073.
16. *Argus*, 20 May 1890; J. Macdonald to Gregson, 21 July 1890, attached desp. 563, A.A. Co. Papers, 78/1/63.
17. Copeland, *N.S.W.P.D.*, vol. 48, p. 3988; Langridge, *Argus*, 29 November 1890; Dibbs, *N.S.W.P.D.*, vol. 47, p. 3459; Stephen to Dibbs, copy, 16 September 1890, Stephen Papers.
18. *R.R.C.S.*, Spence's evidence, qus. 1645, 2080-1; S. Smith, qu. 8306; J. Fitzgerald, qu. 10913. For employers in favour of binding agreements, see T. Napier, W.E. Abbott, W.C. Willis and P. Dow (qus. 2558, 3146, 5897, 9050).

19. *R.R.C.S.*, p. 34; *N.S.W.P.D.*, vol. 57, p. 6358.
20. *President's Inaugural Address*, 13 October 1892, leaflet in Colliery Labour Papers, A.A. Co. Papers, 1/62/Box E; *Pastoralists' Review*, 15 December 1892. See also articles by Walker, 'Australia's Second Arbitration Act', and B. Dickey, 'The Broken Hill Strike, 1892, Further Documents'.
21. *N.S.W.P.D.*, vol. 69, p. 1132, and vol. 76, pp. 4871, 5317; S.D.C. Minutes, 31 January 1895.
22. Richardson, *V.P.D.*, vol. 66, pp. 961, 965; Deakin, vol. 67, p. 1436; Armytage, vol. 67, p. 1440.
23. M.C.C. Minutes, 10 February 1891.
24. V.E.U. Minutes, 11 November 1890, 14, 28 July, 11 August 1891.
25. M.C.C. Minutes, 24 November, 8 December 1891; V.E.U. Legislative Committee Minutes, 23 January, 4 May [?] 1892. For the details of the scheme, see K. Chan, 'The Origins of Compulsion in Australia: the case of Victoria, 1888-1894'.
26. M.C.C. Minutes, 7 December 1893. Concerning the V.E.U.'s secretary, F. Humphries, see V.E.U. Executive Minutes, 18 January 1893.
27. M.C.C. Minutes, 28 September 1894.
28. *Argus*, 23 October 1894. The T.H.C. was showing signs of mounting a political campaign on the arbitration issue (M.C.C. Minutes, 8 February 1894).
29. M.C.C. Minutes, 1 November 1894.
30. Philipp, '1890 - The Turning Point in Labour History?', p. 131.
31. *Melbourne Herald*, 3 December 1890; T.L.C. Minutes, 17 November 1892.
32. T.L.C. Minutes, 14 July 1892; S.D.C. Minutes, 30 August 1894; *Worker*, 2 February 1895. Cf. Nairn, who implies that Brennan never forsook the voluntary principle, *Australian Dictionary of Biography*, vol. 3, p. 226.
33. *Argus*, 18 October 1894; *N.S.W.P.D.*, vol. 76, p. 4890.

#### Part Two : Introduction

1. Butlin, *Investment in Australian Economic Development*, pp. 443-4; Boehm, *Prosperity and Depression in Australia*, pp. 26-8.
2. Coghlan, *Labour and Industry in Australia*, vol. 4, p. 1891.
3. *Age*, 11 October 1894.

#### Chapter Four Victoria: Turner and consensus politics

1. B. Hoare, *Looking Back Gaily*, pp. 181-3; Deakin in J.A. La Nauze (ed.), *Federated Australia*, p. 155; J.F. Hogan, *The Sister Dominions*, p. 20; Austin, *The Webbs' Australian Diary*, p. 67; *V.P.D.*, vol. 93, p. 2745.
2. *Age*, 15, 16 August 1894.
3. *Argus*, 6 September 1894.
4. See, for example, Hogan, *The Sister Dominions*, p. 20; *Free Lance*, 25 June 1896; Eggleston in E.H. Sugden and F.W. Eggleston, *George Swinburne*, p. 46.
5. Deakin on Williams, *The Crisis in Victorian Politics, 1879-1881*, p. 55; on Duffy, *V.P.D.*, vol. 69, pp. 1129-30; and on 'the ideal bourgeois', *The Federal Story*, p. 68. Sargood and Pratt were replaced by two other M.L.C.s, D. Courtts and S. Williamson.
6. W. McLellan, *V.P.D.*, vol. 74, p. 304.
7. *V.P.D.*, vol. 76, pp. 1768-91.

8. *Age*, 28, 29 May, 8, 10 June 1890. See also Serle, *The Rush To Be Rich*, pp. 100-6, and F.H. Cutler's thesis, 'A History of the Anti-Sweating Movement in Victoria, 1873-1896'.
9. T.H.C. Minutes, 20 October 1893, 30 March 1894, 5 April 1895; Factory Act Inquiry Board, Evidence, *V.P.P.*, 1895-6, vol. 3, qus. 3540, 4885.
10. *Age*, 10 June 1890.
11. See T.H.C. letter, quoted T.L.C. Minutes, 19 November 1891.
12. Factory Act Inquiry Board, Evidence, *V.P.P.*, 1895-6, vol. 3, qus. 98, 372-7; Report of the Chief Inspector of Factories for 1893, *V.P.P.*, 1894, vol.2; Report etc. for 1894, *V.P.P.*, 1895-6, vol. 3.
13. Factory Act Inquiry Board, First Progress Report, *V.P.P.*, 1893, vol. 2, p. 27.
14. Second Progress Report, *V.P.P.*, 1894, vol. 1, p. 16.
15. *V.P.D.*, vol. 77, p. 3. On the Turner government's open-minded approach to parliament's reception of its legislative proposals, see Best's remarks re the suggested land tax, *V.P.D.*, vol. 75, p. 207.
16. *Worker* (Melbourne), 13 July 1895. The T.H.C.'s parliamentary committee had also recommended calling a meeting of the various trade societies, but the fact that Mauger, and not the president of the T.H.C., chaired the meeting would seem to bear out the *Worker* report (T.H.C. Minutes, 7 July 1895).
17. Anti-Sweating League Minutes, 23, 29 July, 12 August 1895 (Mauger Papers).
18. *Worker* (Melbourne), 7 September 1895.
19. T.H.C. Minutes, 18 October, 8, 11, 22 November 1895.
20. Sugden and Eggleston, *George Swinburne*, p. 56.
21. *V.P.D.*, vol. 78, pp. 2633-49.
22. *V.P.D.*, vol. 78, pp. 2636-7. The anecdote re the origins of the wages board idea is related by H.M. Murphy, chief inspector of factories in 1914 (A.M. Laughton and T.S. Hall, *Handbook to Victoria*, p. 203). Peacock was again minister for labour at this time, so it would seem that the story had been authenticated by him.
23. *Age*, 25 May 1895; Coghlan, *Labour and Industry in Australia*, vol. 4, pp. 2225-6.
24. *Age*, 24 June 1895; *V.P.D.*, vol. 77, pp. 576, 617.
25. T.H.C. Minutes, 18 October 1895; *V.P.D.*, vol. 79, p. 3150. P.G. Macarthy, noting the above T.H.C. minute, incorrectly concludes that 'the concept of fixing wages for adult males by special boards was first mooted in the T.H.C.' ('Victorian Wages Boards', p. 121).
26. See Deakin, *V.P.D.*, vol. 78, p. 2667, and W.H. Irvine, p. 3146.
27. *Champion*, 6 July 1895.
28. *Argus*, 10 September 1895; also the single tax magazine, *Beacon*, 1 August 1895.
29. Melville, *V.P.D.*, vol 79, p. 4404; *Minutes of the Proceedings of the Legislative Council of Victoria*, 1895-6, Select Committee, evidence, qus. 24-9, 358, 1176.
30. *V.P.D.*, vol. 78, p. 2652.
31. Sargood and Brunton, *V.P.D.*, vol. 80, pp. 5831-2; Grimwade and Sargood, vol. 79, p. 4339; Godfrey, vol. 79, p. 4416.
32. Report of the Chief Inspector of Factories for 1894, *V.P.P.*, 1895-6,

- vol. 3, p. 7; also Report for 1893, *V.P.P.*, 1894, vol. 2; *V.P.D.*, vol. 78 pp. 2647-8.
33. Smith, *Liberty and Liberalism*, pp. 359-60; Higgins, *V.P.D.*, vol. 78, p. 3121; McIntyre, vol. 79, p. 3377; Peacock, vol. 78, p. 2649.
  34. Higgins, *V.P.D.*, vol. 78, p. 3122; Sargood, vol. 79, p. 4321.
  35. T. Smith, *V.P.D.*, vol. 78, p. 2659; J.C. Campbell, vol. 80, p. 5551; McColl, vol. 78, pp. 3116-17; McLellan, vol. 78, p. 3121.
  36. Trenwith, *V.P.D.*, vol. 80, p. 6169; Peacock, p. 6280.
  37. *Argus*, 7 March 1896; *Age*, 5, 16 March 1896; Anti-Sweating League Minutes, 11 March 1896.
  38. *V.P.D.*, vol. 81, pp. 93-122. Cf. T.G. Parsons's recent criticism of Deakin's role in the passing of the 1885 Factory Act: 'his own indecision and compromise effectively weakened the bill without Council interference' ('Alfred Deakin and the Victorian Factory Act of 1885: a note', p. 207).
  39. *Advocate*, 22 September 1895, 28 March 1896; Anti-Sweating League Minutes, 17 August, 7 September 1896. See also Coghlan, *Labour and Industry in Australia*, vol. 4, p. 2228.
  40. *Tocsin*, 22 March 1900.
  41. Turner, *Argus*, 29 September 1897 (also for *Argus* leader); McIntyre, *Argus*, 1 October; Deakin, *Argus*, 7 October.
  42. McCay, *V.P.D.*, vol. 93, p. 2751. Re reluctance of some labor members, see W. Maloney, p. 2775.
  43. H.G. Turner, *A History of the Colony of Victoria*, vol. 2, p. 326; *V.P.D.*, vol. 93, p. 2730.
  44. Report of the Board of Inquiry on Unemployment, *V.P.P.*, 1900, vol. 2, p. 9; Peacock, *V.P.D.*, vol. 92, p. 2150; Reeves, *State Experiments in Australia and New Zealand*, vol. 2, p. 54; Report of the Chief Inspector of Factories for 1898, *V.P.P.*, 1899-1900, vol. 3, p. 5.
  45. T.H.C. Minutes, 22 July, 25 October 1898, 24 March, 5 May, 16 June 1899; Anti-Sweating League Minutes, 8 August, 12 September, 7 November 1898, 17 April 1899; V.C.M. Minutes, 19 June, 30 October 1899.
  46. *V.P.D.*, vol. 93, pp. 3440-5, 3496-9.
  47. *V.P.D.*, vol. 93, p. 3707.
  48. *Age*, *Argus*, 8 and 9 February 1900; also Sargood's résumé, *V.P.D.*, vol. 93, pp. 3823-6.
  49. Sargood, *V.P.D.*, vol. 93, p. 3825; Wynne, p. 3835.
  50. Peacock, *V.P.D.*, vol. 92, p. 2145; details of manufacturers' petitions, vol. 93, p. 2992; Derham quoted by Peacock, vol. 92, p. 2398. See also Fitzgerald, *The Printers of Melbourne*, pp. 83-5.
  51. *Age*, 1-14 November 1898.
  52. V.C.M. Minutes, 17 May 1899. Concerning Derham's last minute efforts to get the Legislative Council to amend the bill, see Swallow and Ariell Minutes, 8, 15 February 1900.
  53. Macarthy, 'Victorian Wages Boards', p. 122.
  54. *Argus*, 8 February 1900; Serle, 'The Victorian Legislative Council', pp. 132-3.
  55. *Age*, 31 July 1899; *Argus*, 8 February 1900.
  56. Anti-Sweating League Minutes, 23 July 1895.
  57. Report of the Chief Inspector of Factories for 1898, *V.P.P.*, 1899-1900, vol. 3, p. 13; Report of the Royal Commission on Old Age Pensions, *V.P.P.*,

- 1898, vol. 3, p. vff. and J.G. Barratt's evidence, qu. 3316; Wynne, *V.P.D.*, vol. 96, p. 359. The 1891 Census revealed that Victoria had 345 persons over the age of sixty-five per 10,000 of population, compared with New South Wales's 252 (*Victorian 1893 Year Book*, p. 101).
58. *Age*, 2 November 1899; Report of the Board of Inquiry on Unemployment, *V.P.D.*, 1900, vol. 2, pp. 7-11; H. de R. Walker, *Australasian Democracy*, p. 255.
  59. P.G. Macarthy, 'Labour and the Living Wage 1890-1910', p. 83; Report of Board of Inquiry on Unemployment, *V.P.D.*, 1900, vol. 2, p. 6; T.P. Guest to J. Daskein, 5 October 1896, letter book, Guest Papers.
  60. See the articles by R.S. Parker, G. Blainey, J. Bastin and A.W. Martin, reprinted in *Historical Studies Selected Articles*, Melbourne, 1964. On employer attitudes to federation in the eighties see Serle, 'The Victorian Government's Campaign for Federation, 1883-1889', in A.W. Martin (ed.), *Essays in Australian Federation*, pp. 40-4; and on employer attitudes to federation during the depression, V.E.U. Minutes, 30 May, 20 June 1893, and *Australasian Pastoralists' Review*, 15 March, 15 May 1893.
  61. Deakin, *The Federal Story*, p. 96; M. Aveling's thesis, 'A History of the Australian Natives Association, 1871-1900', pp. 379-89.
  62. Concerning Tucker and the campaign, *Free Lance*, 14 May, 5 September 1896; Champion's comments come from *Champion*, 6 June 1896. The by-election figures were: Tucker, 573, Mauger, 391, Owen, 305, Champion, 146, Bent, 49, Dalglish, 34.
  63. Bishop, *Argus*, 2 October 1897; Hancock, *Argus*, 29 September 1897; Trenwith, *Argus*, 6 October 1897.
  64. T.H.C. Minutes, 16 November 1894, 23 October 1896, 17 September 1897, 14 April, 27 November, 11 December 1899, 15 December 1900.
  65. Gollan, *Radical and Working Class Politics*, p. 140.
  66. Report of the Chief Inspector of Factories for 1898, *V.P.P.*, 1899-1900, vol. 3, p. 13 (Ord's italics); Anti-Sweating League Minutes, 8 August, 12 September 1898.
  67. T.H.C. Minutes, 29 October 1897, 24 March, 12 April 1898.

#### Chapter Five New South Wales: Reid and party politics

1. E.W. O'Sullivan's manuscript, 'Reminiscences - mainly political', p. 301.
2. Reeves, *State Experiments in Australia and New Zealand*, vol. 1, p. 144; T. Waters, *Much Besides Music*, p. 22; G.H. Reid, *My Reminiscences*, p. 144; Austin, *The Webbs' Australian Diary*, pp. 24-6.
3. Reid, *My Reminiscences*, pp. 20-1; Deakin, *The Federal Story*, p. 63.
4. Reid, *My Reminiscences*, p. 90; *S.M.H.*, 19 November 1891, 3 August 1894.
5. Wise, *S.M.H.*, 18 July 1894; *S.M.H.*, 7 July 1894. Re Free Trade Council, see B. Dickey, *Politics in New South Wales, 1856-1900*, pp. 181-3.
6. Reid, *Daily Telegraph*, 3 July 1894; leading article, 2 July 1894; Moran, 14 July 1894.
7. *S.M.H.*, 20 July 1894; re Wise and McMillan, 2 and 3 August 1894.
8. *Liberty*, 17 December 1894; King to de Satge, 28 July 1894, Peel River Co. Papers, 78/15/33.
9. *Worker*, 23 April 1904. Re the pledge, see Nairn, *Civilising Capitalism*, ch. 8.
10. A.W. Martin's thesis, 'Political Developments in New South Wales, 1894-6', p. 69.

11. In particular Wise hoped for support from the Australian Labor Federation: see Wise to Parkes, 30 August 1894, quoted Dickey, *Politics in N.S.W.*, p. 185.
12. *N.S.W.P.D.*, vol. 75, p. 3981.
13. *V.P.L.A.N.S.W.*, 1894-5, vol. 3, pp. 29, 45.
14. Want, *N.S.W.P.D.*, vol. 77, p. 6575; Coghlan, *Labour and Industry in Australia*, vol. 4, p. 1975; Reid, *My Reminiscences*, p. 105. Re free trade and protectionist parties, see Martin, 'Political Developments in N.S.W.', pp. 37-50, 125-6, 145.
15. For Reid's difficulties with the labor members on another issue see the debate on the local government bill, *N.S.W.P.D.*, vol. 77, pp. 5635-40, 5727-53.
16. *N.S.W.P.D.*, vol. 75, pp. 4132-3; see also Cook, p. 4238.
17. *N.S.W.P.D.*, vol. 75, pp. 4125-60, 4222-77; Reid, *My Reminiscences*, pp. 111-13.
18. *N.S.W.P.D.*, vol. 77, p. 6187. See also A.B. Piddington, *Worshipful Masters*, pp. 132-3.
19. Martin, 'Political Developments in N.S.W.', p. 157.
20. *Worker*, 13 July 1895; Parkes, *S.M.H.*, 20 July 1895; Reid, *S.M.H.*, 22 July 1895.
21. *S.M.H.*, 2 July 1895; S.C.C., *Report of Annual General Meeting*, 30 July 1895.
22. A.H. Jacob and A. Brown, *N.S.W.P.D.*, vol. 80, pp. 1800, 2006; J. Ashton to P.H. Morton, 10 July 1895, Morton Papers.
23. Coghlan, *Labour and Industry in Australia*, vol. 4, pp. 2199-201.
24. MacLaurin, *N.S.W.P.D.*, vol. 80, p. 1599; Dangar, p. 2035; Reid, *My Reminiscences*, p. 125, and *N.S.W.P.D.*, vol. 81, p. 2848.
25. See, for example, *N.S.W.P.D.*, vol. 73, pp. 1615-32.
26. L.T. Hollis and W.H. Wilks, *N.S.W.P.D.*, vol. 73, pp. 1624, 1629.
27. W.M. Hughes, *Crusts and Crusades*, pp. 123-4; *N.S.W.P.D.*, vol. 72, p. 279.
28. S. Charles, *N.S.W.P.D.*, vol. 74, p. 2957; Coal-Mining Regulation Bill, Report of the Royal Commission, *V.P.L.A.N.S.W.*, 1895, vol. 3, p. 175; and evidence, *V.P.L.A.N.S.W.*, 1896, vol. 3, p. 611.
29. Watson, *N.S.W.P.D.*, vol. 84, p. 2901; Garrard, p. 2905. Concerning the limitations of the Act, see Report on the Working of the Factories and Shops Act, Conciliation and Arbitration Act, for 1899, *V.P.L.A.N.S.W.*, 1900, vol. 6, p. 916.
30. Coghlan, *Labour and Industry in Australia*, vol. 4, pp. 2196-7; Salomons, *N.S.W.P.D.*, vol. 76, pp. 5321-2.
31. Reid, *N.S.W.P.D.*, vol. 83, p. 1403.
32. *N.S.W.P.D.*, vol. 75, p. 4311.
33. B.K. de Garis, 'The Colonial Office and the Commonwealth Constitution Bill', in Martin, *Essays on Australian Federation*, p. 94. On Reid's presumed interest in the future premiership of Australia, see Deakin, *The Federal Story*, p. 175.
34. *Worker*, 22 June 1895; *Australasian Pastoralists' Review*, 16 May 1898; *Australasian Ironmonger*, 1 July 1899.
35. For a spirited defence of Reid's position, see W.G. McMinn's article, 'George Reid and Federation: the origin of the yes-no policy'.

36. Dangar, *S.M.H.*, 30 July 1898; Reid, *S.M.H.*, 23 May 1898.
37. *Liberty*, 24 August 1897; Dickey, *Politics in N.S.W.*, pp. 156, 190.
38. King to de Satge, 28 July 1894, and copy, Dangar to King, 16 July 1894, with desp. 23 July 1894, Peel River Co. Papers, 78/15/33; Abbott to the Chairman, 4 March 1895, Dangar to the Chairman, 20 March 1895, and desp. 4 May 1895, Peel River Co. Papers, 78/15/34.
39. Desp. 649, 19 May 1893, A.A. Co. Papers, 78/1/66; desp. 669, 21 March 1894, desp. 687, 21 December 1894, 78/1/67; desp. 722, 17 April 1896, 78/1/69.
40. *Liberty*, 27 April 1898; Martin's article, 'Economic Influences in the "New Federation Movement"'
41. *Daily Telegraph*, 5 August 1894.
42. T.L.C. Minutes, 7, 14, 21 July 1892; T.L.C. Executive Minutes, 19 June 1894; *Newcastle Morning Herald*, 20 July 1896.
43. *Newcastle Morning Herald*, 20 July 1896; *N.S.W.P.D.*, vol. 88, pp. 1196, 1613; vol. 90, pp. 3548, 3832; vol. 91, p. 5341.
44. S.D.C. Minutes, 4 June, 16 July 1896, 7, 21 October, 2 December 1897, 24 March 1898; *Worker*, 5 February, 26 March 1898.
45. Gollan, *The Coalminers of New South Wales*, pp. 105-6; *Daily Telegraph*, 17 May 1898; *Worker*, 21 May 1898.
46. S.D.C. Minutes, 28 July, 22 September, 6 October 1898.
47. The unions represented at the 1899 conference were: the Typographical Society, Painters, Journeymen Tailors, United Furniture Trades, Tobacco Workers, Federated Seamen, United Laborers, Operative Stonemasons, Coachmakers, Carpenters, Bakers, Bookbinders, Cigarmakers and Coopers (S.D.C. Minutes, 6 October 1898, 16 November 1899; F. Flowers, *N.S.W. P.D.*, vol. 2 (N.S.), p. 2025).
48. S.D.C. Minutes, 20 October 1898; *Worker*, 3, 10 December 1898; *S.M.H.*, 26, 28, 29 November, 3 December 1898.
49. *N.S.W.P.D.*, vol. 96, p. 3279 ff., and vol. 98, p. 288 ff.; *Daily Telegraph*, 7 July 1899.
50. Arbitration settled a lock-out at Bulli, but failed to resolve disputes at Lithgow, Teralba and South Bulli: see Report on the Working of the Factories and Shops Act, Conciliation and Arbitration Act, for 1899, *V.P.L.A. N.S.W.*, 1900, vol. 6, pp. 923-4; Report for 1900, *V.P.L.A.N.S.W.*, 1901, vol. 6, pp. 722-3.
51. Deakin, *The Federal Story*, p. 64; C. Spence, *An Autobiography*, p. 92; Hughes, *Policies and Potentates*, p. 4.
52. Deakin, *The Federal Story*, p. 64; Austin, *The Webbs' Australian Diary*, p. 28; Wise Memoir, p. 1 (kindly made available to me by John Ryan of Macquarie University).
53. Deakin, *Morning Post*, 5 March 1901 ('Sydney', 29 January 1901), Deakin Papers; P. Glynn Diary, 4 January 1901. Concerning Wise's reputation for misquoting cases, see W.L. Beauchamp Diary and H.V. Evtatt, *Australian Labour Leader*, p. 118.
54. Beauchamp Diary. Concerning Reid's reconciliation with Parkes, see Reid, *My Reminiscences*, pp. 128-9, and Piddington, *Worshipful Masters*, p. 66.
55. Nairn, 'The Role of the Trades and Labour Council in N.S.W.', p. 172; Wise's letter, *S.M.H.*, 2 April 1891; Wise's article, 'What Parliament can

- do for Labour', p. 227, and also *The Labour Question*; Austin, *The Webbs' Australian Diary*, p. 27. Cf. Reeves, *State Experiments in Australia and New Zealand*, vol. 1, p. 86.
56. *Australasian Federal Convention Debates*, Melbourne Session, pp. 189-91; *N.S.W.P.D.*, vol. 96, pp. 3297, 3304, 3310.
  57. Spence, *Australia's Awakening*, p. 156; L.F. Fitzhardinge, *William Morris Hughes*, vol. 1, pp. 74-5.
  58. *Worker*, 8 April 1899; O'Sullivan, *N.S.W.P.D.*, vol. 100, p. 1095; Hughes, *Daily Telegraph*, 20 and 23 September 1899.
  59. Hogue, *N.S.W.P.D.*, vol. 99, p. 982; Fitzhardinge, *William Morris Hughes*, vol. 1, p. 75.
  60. *Daily Telegraph*, 7 September 1899; Coghlan, *Labour and Industry in Australia*, vol. 4, pp. 2203, 2211; Evatt, *Australian Labour Leader*, p. 121. According to the *Telegraph* five members - Holman, Edden, A.H. Griffith, D. Watkins and J. Thomson - threatened to resign their seats. On the other hand Coghlan nominates Hughes, Dacey, Edden, Holman, Thomson and J. Thomas as comprising the 'solid six', but adds that only four of this number (whom, unfortunately, he does not identify) made such a threat.
  61. Fitzhardinge, *William Morris Hughes*, p. 75; B.E. Mansfield, *Australian Democrat*, p. 145. Mansfield's view is supported by P. Weller, 'The Labor Party and the Defeat of Reid: a re-assessment'.
  62. Dacey, *Worker*, 5 February 1898; S.D.C. Report for Half Year ending 31 December 1899. Re early closing movement, see Fitzhardinge, *William Morris Hughes*, p. 76, and P.F. Rowland, *The New Nation*, p. 142.
  63. *N.S.W.P.D.*, vol. 103, p. 641 ff.; also vol. 2 (N.S.), p. 1836.
  64. McGowen, *N.S.W.P.D.*, vol. 105, p. 2199; S.D.C. Minutes, 29 June, 13 July 1899; S.L.C. Minutes, 11 April 1901.
  65. S.L.C. Minutes, 3 October 1901; *Daily Telegraph*, 4 October 1901; Flowers, *N.S.W.P.D.*, vol. 2 (N.S.), pp. 2024-5.
  66. Gregson to Board of Directors, 13 July 1900, A.A. Co. Papers, 78/2/1.
  67. *S.M.H.*, 17, 18, 23, 26 July, 1 August 1900; S.C.C. Minutes, 31 July 1900.
  68. A.G. Braddon, *S.M.H.*, 11 July 1900; Sandford, *S.M.H.*, 12 July 1900.
  69. *S.M.H.*, 17 July, 9, 16, 23 August 1900.
  70. Cullen, *N.S.W.P.D.*, vol. 107, p. 4811; Report of P.L.L. Executive for 1900.
  71. *Worker*, 9 February, 25 May 1901; *Daily Telegraph*, 20, 21 June 1901; *N.S.W.P.D.*, vol. 2 (N.S.), p. 2110; Wise, vol. 107, p. 4555; H.C. Dangar, vol. 4 (N.S.), p. 3939.
  72. Fitzpatrick, *A Short History of the Australian Labor Movement*, pp. 151-3.
  73. *Pastoralists' Review*, 15 September 1901, 15 February 1902. On the revival of trade unionism, see the series of articles in the *Daily Telegraph*, 18, 19, 20 September 1901.
  74. S. Encel, *Equality and Authority*, p. 61. Higgins, it should be noted, played little part in 'devising' compulsory arbitration at all. See also Turner, *Industrial Labour and Politics*, pp. 24-6 and Gollan, *Radical and Working Class Politics*, pp. 183-6.
  75. See, for example, S.L.C. Minutes, 4 April 1901.
  76. *Daily Telegraph*, 5 July 1901. For electoral figures, see Hughes and Graham, *A Handbook of Australian Government and Politics*, p. 435.
  77. Hughes, *Worker*, 5 February 1898; *Daily Telegraph*, 28 January 1901.

78. Hughes, *Policies and Potentates*, p. 33.
79. C. Hamilton's article, 'Irish Catholics of New South Wales and the Labor Party'; V.M. Jansen's thesis, 'The Social Background of Members of the New South Wales Legislative Assembly, 1901-1959'.
80. Reid, *N.S.W.P.D.*, vol. 104, p. 1784; Carruthers, vol. 1 (N.S.), pp. 922-3.

*Part Three : Introduction*

1. La Nauze, *Alfred Deakin*, vol. 2, p. 363.

*Chapter Six Anti-labor takes shape*

1. *Australasian Ironmonger*, 1 December 1900; C.R. Hall, *The Manufacturers*, pp. 90-9; S.C.C., *Report of the Committee for year ending 30 June 1899* and *Report of the Council for year ending 30 June 1900*; M.C.C. Minutes, 9 June 1897, 28 April 1898; P. Loveday and I. Campbell, *Groups in Theory and Practice*, pp. 44-5, 71-2.
2. Peacock, *V.P.D.*, vol. 92, p. 2145; Peacock and Derham, *Argus*, 30 August 1901.
3. W.E. Abbott's letter, *S.M.H.*, 17 August 1900; report of Chamber of Manufactures meeting, *S.M.H.*, 17 July 1900.
4. Report of Annual Meeting, 28 June 1901, Swallow and Ariell Papers; *Argus*, 7, 26 August 1901; *Age*, 6 August 1901; Derham, *Argus*, 6 August 1901.
5. *Argus*, 7, 19, 20 August 1901.
6. *Argus*, 11 February 1902.
7. Metal Trades Employers' Association History File 1; Cohen and Cruickshank, *S.M.H.*, 26 March 1902; see also W. Alison of the Taxpayers' Union, *Argus*, 6 November 1902.
8. S.C.C. Minutes, 30 December 1901; *S.M.H.*, 25 February, 3 April 1902; *Pastoralists' Review*, 15 March 1902; circulars, *The Taxpayers' Union and Committee's Report*, 20 February 1902, in the Creed Papers.
9. S.C.C. Minutes, 28 July, 11 August 1902, and minutes of joint meeting of S.C.C. and Taxpayers' Union, 16 September 1902, and joint meeting of S.C.C., Chamber of Manufactures, Master Builders' Association, Taxpayers' Union and Newcastle Chamber of Commerce, 23 September 1902; Hall, *The Manufacturers*, pp. 154-6; *S.M.H.*, 17 April, 2 May 1903.
10. *S.M.H.*, 17, 18 April 1903.
11. S.C.C. Minutes, 19 January 1903; *S.M.H.*, 18 April, 11 June 1903; Derham to Hudson, 7 May 1903, letterbook 'vol. 5', Swallow and Ariell Papers; 'M.T.E.A. History File 1', and I.T.E.A. Minutes, 12 February 1912.
12. *S.M.H.*, 15 May, 11 June 1903; S.C.C., *Report, Annual General Meeting*, 27 July 1903.
13. Minutes, V.E.U. Special Committee, 29 May 1888.
14. The V.E.F. asked the N.S.W.E.F. to convene a meeting to arrange mutual action concerning the Commonwealth Arbitration Bill. The conference took place on 29 February 1904 and recommended the formation of the Central Council (V.E.F. Council Minutes, 22 January, 11 February, 17 March 1904).
15. The only detailed account of this episode is to be found in Mansfield's biography of O'Sullivan, *Australian Democrat*, pp. 165-7. However Mansfield is primarily concerned with deciding whether See envisaged sacrificing

- O'Sullivan in the reshuffle, and leaves the McGowen aspect open. My own account is based on: *Daily Telegraph*, 4, 9, 10, 11 April; Carruthers's own explanation, *N.S.W.P.D.*, vol. 1 (N.S.), pp. 126-7, and Bruncker's, p. 241; McMillan to See, 15 April 1901, vol. 27, See Papers.
16. *Argus*, 27 November 1901; J. McCulloch, *V.P.D.*, vol. 102, p. 1867.
  17. McMillan to See, 15 April 1901, vol. 27, See Papers.
  18. H.L. Nielsen, *The Voice of the People*, p. 1. Nielsen's account is suitably enshrined as gospel by Kyabram's local historian, W.H. Bossence, in *Kyabram*, pp. 78-91. See also J. Smith (ed.), *Cyclopedia of Victoria*, vol. 3, pp. 354-7, and Meudell's scrapbook, 'The History of the Kyabram Reform League'.
  19. Report of meeting of the Emerald Hill branch of the labor party, *Age*, 29 April 1902, with Derham's denial, 30 April; Notice, 17 July 1903, letterbook 'vol. IV', Swallow and Ariell Papers.
  20. Meudell, *The Pleasant Career of a Spendthrift*, p. 34. On Derham's interest in the Kyabram movement, see Nielsen, *The Voice of the People*, p. 14, and V.C.M. Minutes, 14 April 1902.
  21. Waters, *Much Besides Music*, pp. 68-9; Sugden and Eggleston, *George Swinburne*, p. 81; Nielsen, *The Voice of the People*, frontispiece and p. 71.
  22. V.E.F. Executive Minutes, 15, 17, 19, 22 and 29 September 1902, and 9 August 1904.
  23. McLennan, *Argus*, 16 April 1904; Graham, *The Formation of the Australian Country Parties*, p. 74.
  24. V.E.F. Council Minutes, 11 May 1903, and Executive Minutes, 17 February 1904; *Argus*, 29 September 1903; *Liberty and Progress*, 25 May, 25 July 1904, 25 July 1905. Concerning Freda Derham and the anti-suffrage movement, see her father's remarks, *S.M.H.*, 11 October 1900.
  25. V.E.F. Council Minutes, 22 January, 17 March 1904, and Executive Minutes, 3 October 1904; Gillespie, *Argus*, 28 January 1904.
  26. *S.M.H.*, 7 May 1902.
  27. *S.M.H.*, 17 May 1902.
  28. J. Stinson, president of the P.R.L., *S.M.H.*, 26 May 1903; Carruthers, *S.M.H.*, 27 May, 4 June 1903; McMillan, *Daily Telegraph*, 4 April 1904; Reid, *Daily Telegraph*, 8 April 1904; Stinson, *Daily Telegraph*, 8 July 1904.
  29. Carruthers, *S.M.H.*, 11 August 1904; *S.M.H.*, 22 July 1904; Loveday and Campbell, *Groups in Theory and Practice*, pp. 92-3; J. Rydon and R.N. Spann, *New South Wales Politics, 1901-1910*, pp. 71-2.
  30. *Liberty and Progress*, 25 October 1904; *Pastoralists' Review*, 15 August 1902; Graham, *The Formation of the Australian Country Parties*, pp. 62-3.
  31. Minutes, joint conference of S.C.C. and sundry associations, 27 January 1904; *Report Annual General Meeting, Sydney Chamber of Commerce*, 28 July 1904; V.E.F. Executive Minutes, 16 March 1908.
  32. *Daily Telegraph*, 15 July 1904; J.H. Carruthers's article, 'The Arbitration Act and its Working in the State of New South Wales'.
  33. S.C.C., *Report of Annual General Meeting, 8 August 1901*, p. 29, and *Report, etc.*, 28 July 1904, p. 43; Mauger, *C.P.D.*, vol. 1, p. 175; V.E.F. Executive Minutes, 5 March 1906; N.S.W.C.M. Minutes, 19 April, 3, 21 May 1906.
  34. V.E.F. Council Minutes, 25 November 1902, 10 October 1904, 19 March 1906; Minutes of joint conference of S.C.C. and sundry associations, 27 January 1904.

35. Derham, V.E.F. Executive Minutes, 14 May 1906; Fairbairn, V.E.F. Executive Minutes, 18 March 1907; V.E.F. Executive Minutes, 19 August 1907.
36. Re P.R.L., *Cyclopedia of the New South Wales*, p. 102a; Sugden and Eggleston, *George Swinburne*, p. 78.
37. A. Buchanan, *The Real Australia*, p. 78; Murray Smith, *Argus*, 18 November 1903; Sugden and Eggleston, *George Swinburne*, p. 57; *Argus*, 10 November 1903.
38. Both the V.E.F. and Chamber of Manufactures urged Irvine to stay on: *Argus*, 17 November 1903; V.E.F. Council Minutes, 12 November 1903; V.C.M. Minutes, 16 November 1903.
39. Irvine, *V.P.D.*, vol. 103, p. 2983; Baillieu, *V.P.D.*, vol. 101, p. 11; *Argus*, 9, 11 March 1903. On Irvine as a radical conservative, see K. Rollinson's thesis, 'Groups and Attitudes in the Victorian Legislative Assembly, 1900-1909', p. 456.
40. Deakin, *The Federal Story*, p. 66; Dacey, *N.S.W.P.D.*, vol. 1 (N.S.), p. 168; Carruthers to Deakin, 13 June 1905, Deakin Papers.
41. 'Very likely the line of cleavage will be between those in favour of humanitarian reform and those against', said Carruthers in 1901: *N.S.W.P.D.*, vol. 1 (N.S.), p. 126.
42. *S.M.H.*, 23 July 1904.
43. S.C.C. Minutes, 29 May 1905; N.S.W.C.M. Minutes, 25 October 1906.
44. S.C.C. Minutes, 31 October 1904; Rydon and Spann, *N.S.W. Politics*, pp. 50-1; *Worker*, 3 October 1907.
45. Carruthers to Deakin, 1 May 1904, 7 June 1905, Deakin Papers.
46. *Morning Post*, 8 April 1902 ('Sydney', 4 March 1902), Deakin Papers.
47. T. Mann, *Tom Mann's Memoirs*, pp. 142-50. The percentages quoted are based on Senate figures: Hughes and Graham, *A Handbook of Australian Government and Politics*, pp. 287, 303.
48. According to an *Argus* correspondent, the idea of separate representation had been 'one of the undercurrents of politics any time for the last twenty years' (Ithuriel, 15 November 1902).
49. Irvine, *V.P.D.*, vol. 101, pp. 566, 570, 766; *Argus*, 11 August 1902.
50. *V.P.D.*, vol. 101, p. 761, and vol. 113, p. 394.
51. For a more detailed account of this strike and its causation, see L. Benham and J. Rickard, 'Masters and Servants: the Victorian railway strike of 1903', in J. Iremonger, J. Merritt and G. Osborne (eds.), *Strikes*, p. 1.
52. Sugden and Eggleston, *George Swinburne*, p. 110; Irvine, *Argus*, 16 May 1903; *Argus*, 11 May 1903.
53. Benham and Rickard, 'Master and Servants', pp. 15-16, 19-20.
54. *Argus*, 16 May 1903.
55. Rydon and Spann, *N.S.W. Politics*, pp. 50, 60. Note the popularity of O'Sullivan with public servants (*Daily Telegraph*, 14 July 1904). O'Sullivan was one of the very few government candidates granted immunity from labor opposition at the 1904 elections; he joined the labor party in 1909.
56. J.C. Docherty's thesis 'The Rise of Railway Unionism', pp. 153-7; D.M. Catts, *James Howard Catts M.H.R.*, pp. 15-38; Rydon and Spann, *N.S.W. Politics*, p. 98; *S.M.H.*, 23-9 July 1908; S.C.C. Minutes, 27 July 1908; S.L.C. Minutes, 25, 30 July, 6 August 1908.
57. *Liberty and Progress*, 28 April 1904, 23 October 1906, 25 November 1905.

58. Rydon and Spann, *N.S.W. Politics*, pp. 43, 77; La Nauze, *Alfred Deakin*, vol. 2, pp. 617-19.
59. *Pastoralists' Review*, 14 May 1892, 15 August 1902; Bent, *V.P.D.*, vol. 103, p. 3037; Graham, *The Formation of the Australian Country Parties*, pp. 58-9, 70-1, 74.
60. Graham, *The Formation of the Australian Country Parties*, p. 74. Graham's interpretation is borne out by W. Epps, *Land Systems of Australasia*, p. 84.
61. Graham, *The Formation of the Australian Country Parties*, p. 75.
62. See M.B. Marshall's thesis, 'Some Aspects of the Australian Protestant Defence Association, 1901-1904', p. 7, quoting *The Watchman*, 22 March 1903.
63. W.J. Galloway, *Advanced Australia*, p. 29; *Argus*, 6 November 1902.
64. Reeves, *State Experiments in Australia and New Zealand*, vol. 2, ch. 3; F.B. Boyce, *Fourscore Years and Seven*, pp. 21-2; J.D. Bollen's article, 'The Temperance Movement and the Liberal Party in New South Wales Politics, 1900-1904'.
65. *Advocate*, 14 October 1899; Rydon and Spann, *N.S.W. Politics*, p. 22; H. Moran, *Viewless Winds*, pp. 22, 26-8.
66. *S.M.H.*, 17, 25 September 1900; *Daily Telegraph*, 21 May 1901; Rydon and Spann, *N.S.W. Politics*, pp. 34, 44-5; Dill Macky, *Argus*, 9 November 1903. See also, H. Gainford, *Shadows of the Red Hat*, pp. 9-19.
67. Spence, *Australia's Awakening*, pp. 204-6; T. Jessop, *Argus*, 6 November 1902, 7 November 1903.
68. *Worker*, 10 January 1907.
69. Bollen, 'The Temperance Movement and the Liberal Party in N.S.W.', p. 160; *Daily Telegraph*, 4 August 1904; *Liberty and Progress*, 25 February, 21 December 1905, 22 December 1906, 25 May 1907; Carruthers to J.D. Fitzgerald, 17 October 1907, Fitzgerald Papers.
70. Boyce, *Fourscore Years and Seven*, pp. 78, 112-18, 146, 156; T.H. Kewley, *Social Security in Australia*, pp. 28, 96.

#### Chapter Seven The 'new protection'

1. La Nauze, *Alfred Deakin*, vol. 2, p. 411; *Age*, 3, 8 November 1899.
2. Both New South Wales and Victoria, for different political reasons, felt royal commissions necessary at this time: *Report of the Royal Commission on Compulsory Conciliation and Arbitration Laws*, Sydney, 1901; Report of the Royal Commission on the Factories and Shops Law of Victoria, *V.P.P.*, 1902-3, vol. 2.
3. Forrest, *C.P.D.*, vol. 18, pp. 594-5; Deakin, *Australian Federal Convention Debates*, Third Session, p. 203. For a more detailed account of the passing of Higgins's amendment, see La Nauze, *The Making of the Australian Constitution*, pp. 206-8.
4. *C.P.D.*, vol. 2, pp. 1819, 1821; *Argus*, 20 August 1901.
5. *Morning Post*, 14 August 1901 ('Sydney', 9 July 1901), Deakin Papers.
6. La Nauze, *Alfred Deakin*, vol. 1, pp. 297-8; *Morning Post*, 4 February 1902 ('Sydney', 31 December 1901), Deakin Papers.
7. *C.P.D.*, vol. 15, p. 2863; vol. 18, p. 1057; vol. 16, pp. 4756-7; *Morning Post*, 11 April 1906 ('Sydney', 19 February 1906), Deakin Papers.
8. Watson to Deakin, 22 June 1905, 8 March 1906, and Deakin to Brookes, 31 July 1903, Deakin Papers; Deakin, *The Liberal Party and its Liberal Programme*, p. 23.

9. *Morning Post*, 25 October 1906 ('Sydney', 27 August 1906), Deakin Papers; La Nauze, *Alfred Deakin*, vol 2, p. 414. See also Loveday's illuminating article, 'Support in Return for Concessions'.
10. Progress Report No. 5, *C.P.P.*, 1906, vol. 4, p. 44.
11. *C.P.D.*, vol. 34, pp. 5135-7, and vol. 36, p. 219.
12. See the Explanatory Memorandum, *C.P.P.*, 1907-8, vol. 2.
13. La Nauze, *Alfred Deakin*, vol. 2, p. 580.
14. Prendergast, *Age*, 18 December 1894; Derham's evidence, Report of the Royal Commission on Factories, *V.P.P.*, 1902-3, vol. 2, qu. 8712.
15. Report of the Royal Commission on Factories, *V.P.P.*, 1902-3, vol. 2, qu. 8712.
16. See Harrison Ord's evidence, Report of the Select Committee, *Minutes of the Proceedings of the Legislative Council of Victoria*, 1895-6, qu. 1677.
17. Barker, Factory Act Inquiry Board, Evidence, *V.P.P.*, 1895-6, vol. 3, qu. 1122; Edgar, qu. 2186., and Royal Commission on Factories, *V.P.P.*, 1902-3, vol. 2, qus. 9212, 9262-4.
18. Note particularly the case of Boot Board chairman, J. Keogh: Royal Commission on Factories, *V.P.P.*, 1902-3, vol. 2, qu. 7061.
19. *V.P.P.*, 1902-3, vol. 2, B.A. Pearson, qu. 7828, J. Barnett, qu. 7954, and Derham, qu. 8727.
20. *Australian Employers' Federations, Report of the 1905 Conference, Adelaide*, p. 92.
21. Reports of the Chief Inspector of Factories for 1906 and 1907, *V.P.P.*, 1907, vol. 2, and 1908, vol. 1.
22. Hood, re the Artificial Manure Board, 10 *A.L.R.*, 1904, pp. 231-2, and in re Starch Board, 13 *A.L.R.*, 1907, p. 558; a'Beckett, in re Fellmongers' Board, 15 *A.L.R.*, 1909, pp. 227-33; Sugden and Eggleston, *George Swinburne*, p. 47.
23. Cohen, Barrier Branch of A.M.A. of Broken Hill v. B.H.P., 1 *I.A.R.*, 1902, p. 531; Heydon, N.S.W. Saw-Mill and Timber Yard Employees' Association v. Sydney and Suburban Timber Merchants' Association, 4 *I.A.R.*, 1905, p. 309.
24. Clancy v. Butchers' Shop Employees' Union, 1 *C.L.R.*, 1903-4, p. 201; ex parte Brickmasters and Pipe Manufacturers' Union, 4 *State Reports* (N.S.W.), 1904, p. 229; Wise, *The Commonwealth of Australia*, pp. 312-14.
25. A.W.U. v. Pastoralists' Federal Council, 1 *C.A.R.*, 1905-7, p. 92; *Pastoralists' Review*, 15 August 1907; Merchant Service Guild v. Commonwealth Steamship Owners' Association, 1 *C.A.R.*, 1905-7, pp. 25-7.
26. G.V. Portus, *Happy Highways*, p. 234; Glynn Diaries, 1906 (date unspecified), p. 913.
27. Ex parte H.V. McKay, 2 *C.A.R.*, 1907-8, pp. 3-17; Jumbunna Coal Mine v. Victorian Coal Miners' Association, 2 *C.A.R.*, 1907-8, p. 64; Macarthy, 'The Harvester Judgment', p. 500.
28. Barrier Branch of the A.M.A. of Broken Hill v. B.H.P., 3 *C.A.R.*, 1909, p. 32.
29. *Argus*, *S.M.H.*, 11 November 1907.
30. Macarthy, 'The Harvester Judgment', Tables 13 and 14, and p. 479. For a labour reaction to the judgment, see Hughes in the *Daily Telegraph*, 16 November 1907.
31. Hood, re Artificial Manure Board, 10 *A.L.R.*, 1904, p. 231; Higgins, ex

parte McKay, 2 *C.A.R.*, 1907-8, p. 3. Cf. Deakin's defence of legislation in the Explanatory Memorandum, *C.P.P.*, 1907-8, vol. 2.

#### Chapter Eight Fusion\*

1. La Nauze, *Alfred Deakin*, vol. 2, ch. 24.
2. *Morning Post*, 30 January 1907 ('Sydney', 17 December 1906), and also 2 April 1907 ('Sydney', 11 February 1907).
3. La Nauze, *Alfred Deakin*, vol. 2, p. 434; *Official Report of the Fourth Commonwealth Political Labour Conference*, p. 28; A.H. Peake, South Australian liberal leader, *Advertiser*, 19 February 1909, and J. Verran, labor leader, 30 March 1909; Deakin to Bavin, 18 February 1909, Bavin correspondence.
4. *S.M.H.*, 3 March 1909.
5. *C.P.D.*, vol. 47, p. 1403; *S.M.H.*, 17 November 1908. See also La Nauze, *Alfred Deakin*, p. 535.
6. Cook, *S.M.H.*, 26 December 1908; Rough Diaries, 3 February 1909; Deakin to Cook, 12 February 1908, quoted in full, La Nauze, *Alfred Deakin*, pp. 538-9.
7. *Age*, 11 November 1908; La Nauze, *Alfred Deakin*, p. 546.
8. La Nauze, *Alfred Deakin*, p. 547; Hall, *The Manufacturers*, p. 243; C.L.P. Minutes, 15 March 1909; Deakin to Groom, 19 February 1909, Groom Papers.
9. Chapman to Deakin, 21 January 1909; Beale to Deakin, 15 February 1909; Deakin to Groom, 10 May 1909, Groom Papers.
10. Groom to Deakin, 25 February 1909; Joshua to Deakin, c. February 1909 (Joshua's emphasis); Deakin's 'Counsel's Fees' notebook, 25 July 1909.
11. N.S.W.C.M. Minutes, 22 September 1904 and 23 September 1906.
12. Lyne, *C.P.D.*, vol. 49, p. 1024; Ald. T. Barlow on Farleigh, *Age*, 22 May 1909; Hall, *The Manufacturers*, pp. 250-2. For a profile of Farleigh, see *Australian Manufacturers' Journal*, 15 March 1910.
13. Hall, *The Manufacturers*, pp. 437-8; Beale to Deakin, 4 June 1905; Minutes joint meeting S.C.C., N.S.W.C.M., etc., 23 September 1902; V.C.M. Minutes, 30 August 1904. On the subject of the declining birth rate, Beale published a tome cheerfully entitled *Racial Decay*, London, 1910.
14. Copy Deakin to Lyne, 8 April 1909; Hall, *The Manufacturers*, p. 236.
15. Rough Diaries, 30 March 1909; La Nauze, *Alfred Deakin*, pp. 542-3.
16. For example, Frank Fox to Deakin, 11 February 1909.
17. V.C.M. Minutes, 15 February, 21 March, 20 June, 30 August, 17 October, 7 November 1904; 6 February, 3 April, 12 June, 4, 18 December 1905.
18. Atkins's letter quoted, *Age*, 5 March 1906. Re Joshua's policy, see his later statement, *Age*, 11 May 1909. Joshua did not win the presidency without a fight, being opposed by R.B. Lawrence. It was, ironically, the first contested election for the presidency since 1897, when Derham began his reign.
19. Report of the Chief Inspector for Factories for 1902, *V.P.P.*, 1903, vol. 2, p. 7, and Report for 1903, *V.P.P.*, 1904, vol. 2, p. 7.

\* All manuscript material in this chapter is from the Deakin Papers unless otherwise cited.

20. V.E.F. Council Minutes, 12 June 1905; V.C.M. Minutes, 19 June 1905, 7 October, 25 November 1907, 29 June 1908.
21. Deakin on Syme and Schuler, Rough Diaries, 4 February 1909; *Age*, 9, 11, 12 November 1908, and 4, 22 January, 2 March, 25 May 1909.
22. C.L.P. Minutes, 8 February 1909; *Age*, 11, 13, 24 May 1909. See also Hume Cook to Deakin, 15 April 1909.
23. La Nauze, *Alfred Deakin*, pp. 546-7.
24. *Age*, 5, 16 March 1909; *Argus*, 6 July 1909.
25. *Age*, 11 May 1909; Joshua to Deakin, c. February 1909.
26. On 29 April 1909 the C.L.P. finance sub-committee, of which Syme was not a member, authorised H. Harper to approach Derham.
27. Beale, *Daily Telegraph*, 20 May 1909; La Nauze, *Alfred Deakin*, p. 539; Deakin, *Age*, 6 April 1909.
28. *Age* on elective ministries, 18 March 1909. Syme promised the C.L.P. £100 (Minutes, 15 March 1909).
29. *C.P.D.*, vol. 49, p. 878.
30. Hume Cook's account of the Deakinite caucus meeting, 26 May 1909, 'The History of The Movement', Hume Cook Papers.
31. Deakin to James, 18 April 1909, photostat, MSS. 296, A.N.L.; Hume Cook. 'The History of The Movement', Hume Cook Papers.
32. V.C.M. Minutes, 19 April, 31 May 1909; V.E.F. Manufacturers' Section Minutes, 12 May, V.E.F. Executive, 26 August 1909.
33. Rough Diaries, 31 December 1909; 'Counsel's Fees', 14 January 1910; Deakin to Wise, 29 May 1909, Wise Papers; Deakin to C.S. Deakin, 31 May 1909, no longer extant, but quoted in full by W. Murdoch, *Alfred Deakin: a sketch*, pp. 279-81. See also Hume Cook to Deakin, 15 April 1909.
34. La Nauze, *Alfred Deakin*, p. 363.
35. Rough Diaries, 31 December 1909.
36. *C.P.D.*, vol. 49, p. 1024; *Age*, 6 July 1909.
37. C.L.P. Minutes, 28, 30 June, 7, 28 July, 4 December 1909.
38. C.L.P. Minutes, 16 June, 28 July, 15 September 1909; C.L.P. Treasurer's Cash Book, p. 12; V.E.F. Executive Minutes, 16, 29 March 1909; *Liberty and Progress*, 25 May 1908.
39. C.L.P. Minutes, 15 September, 3 November, 15 December 1909; V.E.F. Executive Minutes, 3, 13, 20 December 1909.
40. McKay donated £50 to the C.L.P.: Treasurer's Cash Book.
41. *Age*, 19 June 1909; C.L.P. Minutes, 25 August 1909, 16 February 1910; La Nauze, *Alfred Deakin*, p. 591.
42. C.L.P. Minutes, 8 September (deleted section), 13 October 1909.
43. Hall, *The Manufacturers*, pp. 260-1; Doutreband, *Daily Telegraph*, 20 April 1910; Joshua reporting Beale, C.L.P. Minutes, 6 October 1909; Beale to Deakin, 13 January 1910 (mistakenly headed 1909).
44. Hall, *The Manufacturers*, pp. 268-70.
45. *Woman*, 28 January 1910; *Daily Telegraph*, 15, 18 April 1910; Reid, *S.M.H.*, 17 November 1908.
46. 'Counsel's Fees', 5 February 1910; Cook to Deakin, 22 December 1909. Total State and federal percentages are taken from Hughes and Graham, *A Handbook of Australian Government and Politics*; other figures from the official returns.

47. 'Counsel's Fees', 6 May 1910; Brookes's notes, Box 72; Glynn Diaries, 30 April 1910; *Daily Telegraph*, 18 April 1910.
48. *S.M.H.*, 14 April 1910; 'Counsel's Fees', 6 May 1910.
49. O.R. Snowball's words at the Victorian Grand Lodge dinner, which Mauger and Hume Cook attended (*Age*, 14 April 1909). Wilks was an organiser of the 'Orange Party' in Sydney (*C.P.D.*, vol. 49, pp. 199-200).
50. 'Counsel's Fees', 6 May 1910; 'The Story of My Life', Hume Cook Papers, p. 206; Brookes's notes, 'The Sins of A.D.'s politics'; *Daily Telegraph*, 23 April 1910.
51. Jose to Deakin, c. late 1909; Brookes, 'The Sins of A.D.'s politics'; Garran quoted by Glynn, Diaries, 19 April 1910. See also Hoare, *Looking Back Gaily*, p. 209.
52. *Daily Telegraph*, 19 April 1910; also letter from 'Australian' in *S.M.H.*, 20 April 1910.
53. Cook, *S.M.H.*, 16 April 1910; Mrs Mackinnon, *Daily Telegraph*, 15 April 1910; 'The Story of My Life', p. 206, Hume Cook Papers; Deakin, 'Counsel's Fees', 6 May 1910; Brookes's notes, 'Weakness in Liberal Programme', Box 72.
54. I. Hancock's thesis, 'The 1910 Federal Elections in Victoria', p. 4.
55. Deakin to Brookes, 31 July 1903; *Morning Post*, 19 March 1904 ('Sydney' 9 February 1904), quoted La Nauze, *Federated Australia*, p. 136.
56. Forrest, *S.M.H.*, 22 April 1910; *S.M.H.*, 16, 20 April 1910; V.E.F. Council Minutes, 18 April 1910.

#### Chapter Nine Class and the politicians

1. Serle, *The Rush To Be Rich*, p. 31; Loveday and Martin, *Parliament, Factions and Parties*, p. 150; Wise to Parkes, 8 May 1890, Parkes Papers; Reeves, *State Experiments in Australia and New Zealand*, vol. 1, p. 55.
2. Re Kelly, Roydhouse and Taperell, *The Labour Party in N.S.W.*, pp. 42-3, and *N.S.W.P.D.*, vol. 52, p. 282; re Trenwith, Hoare, *Looking Back Gaily*, pp. 142-3, and Hume Cook, 'The Story of My Life', p. 43, Hume Cook Papers; Parkes, *Contemporary Review*, February 1892, vol. 61, p. 204; re nonconformists, Roydhouse and Taperell, *The Labour Party in N.S.W.*, and Catts, *James Howard Catts*, p. 209.
3. Concerning socialism and marriage, see *Liberty and Progress*, 25 April, 25 May, 25 October 1905 (the 'majestic dames' was the *Age's* sarcastic label for the A.W.N.L., 10 July 1905); *Daily Telegraph*, 18 October 1906.
4. C. B. Fletcher, *The Great Wheel*, p. 157; G. Black, *The Labor Party in New South Wales*, p. 9; Reeves, *State Experiments in Australia and New Zealand*, vol. 1, p. 55; Fitzgerald, *The Rise of the Australian Labor Party*, pp. 19-20.
5. Sugden and Eggleston, *George Swinburne*, p. 60; Hughes, *Crusts and Crusades*, p. 70; Deakin, *Morning Post*, 19 March 1904 ('Sydney', 9 February 1904), quoted La Nauze, *Federated Australia*, p. 137.
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John Rickard is a graduate of Sydney, Oxford and Monash Universities. Before taking up his present position as a lecturer in Australian history at Monash University, he worked for an international oil company and, for eight years, in theatre, radio and television in Australia and England. He retains his interest in the theatre, being actively involved in a professional company operating on the Monash campus, and has contributed articles to the *Australian Dictionary of Biography* on actors and entrepreneurs.



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John Rickard is a graduate of Sydney, Oxford and Monash Universities. Before taking up his present position as a lecturer in Australian history at Monash University, he worked for an international oil company and, for eight years, in theatre, radio and television in Australia and England. He retains his interest in the theatre, being actively involved in a professional company operating on the Monash campus, and has contributed articles to the *Australian Dictionary of Biography* on actors and entrepreneurs.

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