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PAPERS IN LABOUR HISTORY No. 22

**The Centenary of the ALP and the TLC
in Western Australia,
1899-1999**

EDITOR: BOBBIE OLIVER



Curtin

UNIVERSITY OF TECHNOLOGY

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Perth Branch, Australian Society for the Study of Labour History

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Cover: The delegates at the 1899 Trades and Labor Congress, Coolgardie. (Courtesy Battye Library and the ALP)

Back Cover: Delegates at the 1999 ALP State Congress, Fremantle (Courtesy ALP)

Papers in Labour History seeks to publish material of a serious nature about the historical development of the Labour Movement, and of the history of work in Western Australia. It is intended to carry a balance of contributions from students and workers and veterans of the Labour Movements. Naturally, this raises controversial issues and no apology is made for the fact that few readers will be able to agree with all the views expressed here. While the editor has made suggestions regarding some contributions, these have been largely of a stylistic nature and have not been intended in any way to interfere with the expression of the views of the authors.

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INTRODUCTION

A Century of Labor: The ALP and the TLC in Western Australia 1899-1999

Bobbie Oliver¹

On the afternoon of 11 April 1899, 28 men met at Pearce's Hall, Coolgardie, on the Western Australian Goldfields, to open the colony's first Trade Union and Labour Congress. Their meeting occurred at the end of a decade of political and social upheaval which had seen Western Australia achieve self government and be changed from a small, rural colony of less than 50,000 people, to a destination for thousands hoping to cash in on the gold boom. In a period of economic depression, immigrants from the eastern states, New Zealand, and other countries, poured into Western Australia. Many were young, single men who had some experience of industrial and political activity in the Labor movement, the Australian Labor Party (ALP) having been formed in Queensland and other eastern colonies in 1891. Western Australia had no branch of the ALP, so the Trades Union Congress, at which the Coastal and Goldfields Trades and Labor Councils united in their efforts to achieve political and industrial reform, is rightly regarded as the commencement of a united Labor movement in this State.² From 1907 until 1963, the political and industrial wings of the Labor movement in Western Australia formed two parts of the same organisation: the Australian Labor Federation until 1919, and then the Australian Labor Party (ALP).

This *Papers in Labor History* is one of a number of publications and activities during 1999 to celebrate the achievements of the Labor movement over the past one

¹ Bobbie Oliver is a Postdoctoral Research Fellow at the Research Institute for Cultural Heritage, Curtin University. She is writing a history of the ALP and the Trades and Labor Council in Western Australia, which is due to be published in 2000.

hundred years. As with any edited collection that is dependent upon a call for papers, there is a certain amount of serendipity in this issue. Although there may be some disparity in the papers gathered here, each examines a significant aspect of the Western Australian Labor movement, and together they nicely span the hundred years, with the first commencing in 1912 and the last discussing events in the late 1990s.

Ian Monk's paper on the Perth Trades Hall, traces the history of the building which was the centre of Labor activity in Perth for most of the century. Trades Halls were important focal points for local Labor communities, providing accommodation for conferences, meeting rooms and offices for unions. Kalgoorlie's Trades Hall was completed in 1900 and celebrates its centenary next year. Fremantle had its Trades Hall by 1903, but Perth had to wait until 1911 before Labor Prime Minister Andrew Fisher laid the foundation stone of the building.³ But, as Monk shows, once the Trades Hall was built, it was the home of the State Executive of the ALP, as well as the Metropolitan District Council, numerous unions and the Labor Women's Organisation. The original building, extended and renovated, served until Curtin House was opened in 1975.

Labor history is a history of struggle and reform. Most of the papers in this issue discuss struggles, victories and defeats. A major difficulty for every Labor Government in Western Australia during this century has been its inability to get reform bills past a hostile Upper House. In the first quarter century, Labor was in government for only six years: 1904-05 and 1911-16. As Simon Ward observes, however, Labor held office for 26 of the 35 years from 1924 until 1959. Ward's paper shows that, like all other Labor administrations before and after it, the Hawke Government was continually frustrated by its inability to pass Bills through a conservative-dominated Legislative Council. Hawke's 'hardy annuals', as Ward terms the Bills with which the government persisted year after year, reflect Labor's attempts to widen the Upper House franchise and to bring about

² B. Oliver, *'Unity is Strength'. A history of the organised Labor movement in Western Australia*, (a centenary history of the ALP and the Trades and Labor Council in WA), forthcoming 2000.

³ William Somerville, 'An Economic History of Western Australia with Special Referenceto Trade Unions and the Influence of the Industrial Court of Arbitration', J.S. Battye Library of Western Australian History [hereafter BL], Accession no. 451A, vol. II, pp. 460-463.

significant industrial reform. The focus of Ward's paper, the Unfair Trading and Profit Control Act, was highly controversial, and, he argues, was a major factor in Labor's election defeat in 1959. The ALP was to remain out of office for most of the next 25 years. One of the Burke Government's first acts after gaining office in 1983 was to begin the legislative process of making the Upper House more democratic.⁴ *A Joint Submission to the Royal Commission into Parliamentary Deadlocks from the Australian Labor Party (WA Branch) and the State Parliamentary Labor Party (WA Branch)*, in 1983 found that in the past 30 years, the Legislative Council had rejected 41 Labor bills during nine years of ALP administration and only one Bill during 21 years of Coalition administration. In 20 months of the Burke administration, five Bills had been rejected. The submission pointed out that Western Australia (like Tasmania, but unlike the other States) had no provision in the Constitution for Parliamentary deadlocks.⁵ It was only after the ALP lost government that the legislation reforming the Upper House bore fruit.. Ward's paper reveals the power of the non-Labor parties in Western Australia – a power which even at the end of the century has been checked only by the loss of their majority in the Upper House after the 1996 State election – but the balance of power has gone not to the ALP but to independents and minority parties who may be wooed by either side.

Other struggles involved achieving Award wages for workers. John Joseph Jones' paper not only discusses the workings of the Arbitration Court – and important element of Australian labour relations, which has so often been neglected in academic studies of the Labor movement – but also reminds us that 'workers' come from a wide variety of jobs and circumstances. The workers in Jones' paper – female teachers in independent schools – created history in 1961 by achieving an Award before their male counterparts. The Award established pay rates and teaching conditions comparable to those achieved by the State School Teachers' Union of Western Australia. Female unionists, however, had to wait until 1969 for the first granting of equal pay.

⁵ *Joint Submission to the Royal Commission into Parliamentary Deadlocks from the Australian Labor Party (WA Branch) and the State Parliamentary Labor Party (WA Branch)*, p. 22.

An entirely different group of workers was affected when, just over 30 years later, the WAGR Midland Workshops were closed by the conservative government of Richard Court. Carmel Gosper's paper discusses and questions the rationale given by the Government for closing the State's oldest and largest industrial workshops. She shows the impact of the closure on the community of Midland, and how this act preceded a package of industrial and public service 'reforms' enacted by the Court conservative coalition government. Further reforms, known as the 'First', 'Second' and 'Third' Waves, and the union movement's response, in particular the Workers' Embassy and Solidarity Park, have been the subject of *Papers in Labour History* numbers 20 and 21.

Following the Court Government's aggressive reshaping of industrial legislation, the Howard Federal Government, elected in 1996, also commenced an agenda of industrial reform. As Bill Anderson shows, in 1998, the Howard Government attempted to drive the Maritime Union of Australia from the waterfront. For students of Labor history in the twentieth century, it was as though the wheel had turned full circle from the freedom of contract battles of the 1890s to Patrick Stevedores' attempts in the 1990s – with Federal Government support – to ban unions from the maritime industries. This paper, together with another paper on waterfront reform by Shona Zulsdorf, were joint winners of the 1998 Paddy Troy Essay prize, sponsored annually by the MUA (Western Australia) in honour of maritime worker and unionist, Paddy Troy.

Both Gosper's and Anderson's paper show that unions are under considerable attack at the close of the century, and that a strong, united Labor movement is needed as much as ever to protect the rights of workers.

This issue, therefore, celebrates some of the achievements of Labor during the century, but shows, too, that major industrial struggles and legislation revoking reforms are not a thing of the past. Presently the number of union members in this State stands at

about 23 per cent of the work force.⁶ The Party membership is now much broader than the unionised workforce, and by no means all unionists belong to the Party. The ALP and the TLC are two separate and independent bodies, yet their stated aims of protecting and empowering disadvantaged members of society are the same as they were a century ago. In March 1999, John Kobelke MLA, Labor Spokesperson for Labour Relations, Employment and Training, reminded the ALP and the Trades and Labor Council that they shared 'common ground' and urged the two bodies to 'continue to develop policies and practices to be relevant and effective in the next century'.⁷ He was invoking the sentiment, if not the actual words, of the motto of Western Australia's combined Labor movement for over 60 years, 'Unity is Strength'. In the adverse industrial climate at the end of the twentieth century, many workers are discovering the truth of these words.

⁶ This figure is slightly below the national average. The Hon. Robert McMullan, Federal Member for Fraser (ACT) in an interview with the author, 16 June 1999.

⁷ John Kobelke, 'Into the new century with solidarity', *Trades and Labor Council Directory 1999*, p. 42.

Perth's Trades Hall, 1912 to 1983

Ian Monk¹

Unionism was regarded by its pioneers as a kind of religion. Each man deemed it was his duty to attend union meetings whenever possible, to take a keen interest in shaping the union policy, to incur expense in travel to meetings, to do much work as organiser, as shop steward and even secretarial work without pay or reward other than a sense of duty done.

William Somerville.²

For the Metropolitan District Council of the Australian Labor Federation, formerly the Coastal Trades and Labour Council, 1911 was an exciting year. At its December meeting, the Council reported that it had begun the year with 1,200 members and ended with 5,000 in 56 member organisations.³ One of the things most needed to promote better organisation was a permanent headquarters and plans for this were well advanced.

In December 1910, the Metropolitan District Council had secured a lease on Shearer's Memorial Hall, opposite the Victoria Library in Beaufort Street, Perth, and held its first formal meeting there on 16 December 1910. After Christmas, the Council negotiated an option to purchase but the owners, the Presbyterian Church, wished to sell all of the land and not just the hall.⁴ With the vision and business acumen of Council secretary Alexander McCallum, an arrangement was made for the recently formed People's Publishing Company, which had been created for the purpose of launching a Labor Daily newspaper, to purchase part of the land. This was a 40 foot wide strip, with frontage on Beaufort Street, on the northern side of Shearer's Hall. The initial finance was provided by the Timber Workers Union.⁵

¹ Ian Monk is retired from the workforce. He was a union member for 30 years. He is now completing a Master of Arts in Public History at Murdoch University.

² W. Somerville, "An Economic History of Western Australia with special reference to Trade Unions and the influence of the Industrial Court of Arbitration", Manuscript, J.S. Batty Library of WA, Accession no. 451A, vol. 2, Chapters 11 and 12, pp 378G-378H.

³ *Westralian Worker (WW)* 10 and 23 November 1911.

⁴ This was part of Perth Town Lot W 10. See Map, Perth City, 1903, Batty Library, Accession no. 292c.

⁵ *West Australian (WA)* 22 April 1912, and Perth City Council Rate Books, Central Ward, 1911-1916.

On 10 February, 1911, the Perth Trades Hall Association was formally established and it was incorporated on 18 May 1911.⁶ There were 19 members of the Association, all male, who were appointed by virtue of their election to the Metropolitan District Council. Together they elected three trustees, any two of whom were authorised to transact the business of the association. The first of these trustees was Alex McCallum, who was also automatically appointed the Association's secretary through his election as secretary of the Metropolitan District Council. The other trustees were James Richard Ives, blacksmith, of North Fremantle, and James Alfred Dolan, tailor, of Perth.

The objects of the Association were to provide and keep a building with all necessary fixtures and fittings in which public and private discussions, lectures and addresses could be given 'by men interested in the various labour organisations in the State' and in which such organisations could hold their meetings.⁷ There were to be offices, a hall for entertainment and a library for educational purposes. The Association could acquire, lease and sell real estate and could borrow or raise money on the security of the association's assets. Its affairs were governed by the rules and regulations of the ALF and a meeting of the Metropolitan District Council was also deemed to be a meeting of the Trades Hall Association.

*Labor's Temple.*⁸

Opened in April 1912, Perth's Trades Hall provided accommodation for the executives of the ALF and the Metropolitan District Council as well as a number of union secretaries. Wide steps led up from Beaufort Street to the high arch of the double door entrance, above which was a glass panel. This bore an inscription which quoted from the verse of the Scots poet Robbie Burns.

⁶ Australian Labor Party Metropolitan District Council (Met. Co.) Correspondence, Battye Library Accession no. 1319A, file 29: 'Rules and Regulation of Perth Trades Hall, 18-5-1911'.

⁷ Met. Co. correspondence, file 29: 'and Regulations of Perth Trades Hall', paragraph 4.

⁸ From 1912, Metropolitan District Council letters had a letterhead consisting of a picture of Trades Hall accompanied by the caption, *Labor's Temple*.

‘Be workmen true, to workmen still,
Among yourselves united,
For only by the workmen’s hands,
Will workmen’s wrongs be righted.’⁹

The main hall gave access to four ground floor rooms and to solid jarrah stairs, which led to the basement below and the four rooms of the first floor above. The rooms were large and bright with very high ceilings. The basement included toilet facilities, storage space and a meeting room.¹⁰

The new Trades Hall was so successful in unifying the affiliates into a superior organisation that already it was too small. Fourteen permanent secretaries occupied the offices and extensions were required. The Council voted in October 1912 to grant affiliated unions preference in the use of rooms at Trades Hall and began plans to extend the building in line with the original concept.¹¹ At the year’s end, the Metropolitan District Council reported that there were now 67 affiliated organisations with 6,612 members. In March 1914 the plans for extensions to Trades Hall were complete. With 6,000 pounds available, the building was to be extended 116 feet to the rear and would include the largest meeting hall in the city. Among its special features was a gallery unsupported by pillars or posts.¹² However, war in Europe halted progress for nearly a decade.

Unity Hall

On 30 May 1923, Labour’s supporters, including wives and children, gathered for the ceremony described as a *conversazione* to witness the opening of the large hall known as Unity Theatre.¹³ It was 153 feet long and 51 feet wide. The height to the ceiling was an impressive 35 feet. Entry from Beaufort Street took the visitor through the main hall where

⁹ *WA* 16 April 1962. [There is some doubt over whether Burns was the author of this verse. Ed.]

¹⁰ *WA* 16 April 1962.

¹¹ *WA* 26 October 1912

¹² *WA* 30 March 1914.

¹³ *WW* 8 June 1923.

14 union banners were displayed. These included the banners of the Railway Employees, the Builders' Labourers and the Ironmoulders' Unions.¹⁴ Readers of the *Westralian Worker* were told that the main entry led to 'a fine vestibule whence two flights of stairs give access to the balcony'.¹⁵ It could seat 400 people and was cantilevered so that the 900 people seated on the ground floor had uninterrupted views of the stage where 'the proscenium is plain but of great artistic taste'.¹⁶ The building was sparsely furnished with plain tables and chairs, a few desks and an occasional filing cabinet. The plans for a billiard room, lounge and supper room seem to have been greatly altered by the more urgent need for office space and meeting rooms. By now the building contained at least 31 rooms.¹⁷

The Occupants.

The primary purpose of Trades Hall was to provide hard pressed union secretaries and their members with good organisation, various forms of support, especially with regard to arbitration and dispute resolution, and that much sought after commodity, reasonably priced accommodation. The building's care and operation was overseen by the always hard pressed secretary of the Metropolitan District Council who, in 1925, was Peter Mooney. His staff included two typists, one of whom worked half-time, two caretakers working shifts and the professional fund raiser, Charles Cornish.¹⁸ By May 1925, only three offices were left vacant and 20 union secretaries each paid an average rent of one pound per week. The meeting rooms produced a total of about six pounds weekly and Unity Theatre four pounds. However, expenditure on wages, rates, electricity and loan interest exceeded income by about one pound per week. Consequently, money for maintenance, repair and improvement was scarce.¹⁹ Nevertheless, in 1929 visitors were impressed with the cleanliness and well kept appearance of the premises.²⁰

¹⁴ Met. Co. correspondence, 1319A, file 183. See L. Layman, *Organise! A Visual Record of the Labour Movement in Western Australia*. pp. 7-36.

¹⁵ *WW*, 25 May 1923.

¹⁶ *WW*, 25 May 1923.

¹⁷ *WW*, 25-5-1923.

¹⁸ Met. Co. correspondence, 1319A, file 62.

¹⁹ Met. Co. correspondence, 1319A, file 30.

²⁰ Met. Co. correspondence, 1319A, file 266.

Most offices were occupied by full time union secretaries, almost all of whom were men. If not attending their office during the day, they were travelling the metropolitan area meeting their members to collect dues and to discuss the workers' concerns. They met with employers to make representation on their members' behalf and attended the Arbitration Court to present a case for an improved award or for a dispute resolution. At the end of the day, the secretary would attend the regular union meeting, usually once a fortnight, as the evening was frequently the only time when the committee could attend. The smaller unions could save expense by crowding into the secretary's office but the larger gatherings would book one of the meeting rooms. Once every six months, each union appointed two delegates to the Metropolitan District Council, which met fortnightly. Often, the secretary was one of the delegates. Council delegates were in turn appointed to sub-committees which dealt with specific matters such as fund raising, Labour Day celebrations, improvements to Trades Hall and the conduct of strikes. But the busy life of the union secretary did not necessarily stop there for many were deeply involved in the affairs of the Australian Labor Party. They attended lectures and discussions, assisted in election campaigns and, in some cases, won election to Parliament. These union secretaries worked long and hard for little more than the basic wage of their union members, whose union dues paid the secretary's salary and travel expenses, rent for the office in Trades Hall, for electricity used, rooms hired and the levy on membership, which sustained the Metropolitan District Council.

The Professionals.

In 1924, the Metropolitan District Council represented 62 labour organisations with 47 unions having an office or a letterbox in Trades Hall.²¹ While J.J. Kenneally, the president of the Metropolitan District Council, was secretary of one union representing 916 members, some officials such as P.J. Trainer, representing 496 members and J. Breydon, 200 members, were each appointed secretary of two unions and J.W. Hogarth represented the 439 members of three unions. E.W. Walsh was the secretary for many years of five

²¹ Met. Co. correspondence, 1319A, file 62 and *West Australian Industrial Gazette*, 7 November, 1924, pp.

small unions including the musicians, plasterers and pastry cooks, which together had a membership of less than 400. By representing more than one small union, a secretary could afford an office in Trades Hall and so provide a better service. But it seems that those such as J. Breydon must have also had some other paid labour and Walsh may have survived on a low income. This did not deter him from a long career as a union official and in May 1933, he attempted, unsuccessfully, to bring an end to 'sweating' in the building industry, through the replacement of subcontracting and piecework with the day work system.²² However, G.C. Kerr must surely have been the epitome of the truly professional union official, good at organisation, capable in negotiation and very industrious. For many years in the inter-war period, he was the secretary of six unions, mainly in the brewing industry but including in 1924, 749 members of the Government Water, Sewerage and Drainage Employees' Union and the 22 members of the Bottleyard and Marine Store Union. His combined membership was well over 2,000.²³

It is not hard to imagine the euphoria shared by these hard working residents of Trades Hall, when Unity Hall was packed beyond capacity by labor supporters celebrating the return of a State Labor government in May 1933. With people spilling out from the galleries into the corridors, 'union secretaries threw open their offices' where 'old friends renewed fellowships'. The *Westralian Worker* commented,

When the Trades Hall is not large enough to accommodate those eager to enter we may have hope and confidence in the future. This time has come.²⁴

The Beaufort Street Extensions.

As more unions rented rooms and accommodation became increasingly scarce, the house committee explored the possibility of acquiring adjacent land for additional building.²⁵

131-135.

²² *WW*, 5 May 1933.

²³ *West Australian Industrial Gazette*, 7 November, 1924, pp. 131-135.

Eventually, in 1930, the whole of the Churchyard estate, with property in Beaufort, Roe and Stirling Streets, came onto the property market and was offered at auction. Trades Hall Inc. acquired four small lots in Beaufort Street, next to and on the south side of Trades Hall, for 5,000 pounds. They were 26 feet wide and 165 feet deep. Three had small brick cottages and on the fourth there was a two storeyed shop and dwelling occupied by a tobacconist.²⁶

When the new building was opened in December 1934, it was acclaimed as a welcome improvement to Beaufort Street and of great assistance to the much needed revival of the building industry.²⁷ The three storey building bridged the gap between Trades Hall and the Court Hotel and, with the city council's new concrete slab footpath, the appearance of the street was much improved.²⁸ The final structure had seven shops, a hostel and several flats. Plans for future development were made so that the centre shop could be converted into an entrance for a hall and for a suite of offices. Reinforced concrete was used in order to reduce the problems of noise and the risks of fire. The shops had 'modern shop fronts' and on the inside they had glazed, mottled blue tiles. They included the hairdresser, and a tobacconist, tailor, book shop, women's toilet salon, cake shop, and a cool drinks shop with a wide entrance and curved counter 'enabling refreshments to be served expeditiously even during rush periods'. A cantilevered verandah with a Wunderlich pressed metal ceiling gave shoppers protection from the sun and rain.²⁹

The first floor was devoted entirely to a 16 room hostel, which included a kitchen, wash room, bathrooms and other conveniences. The second floor contained two flats, one of which was for the caretaker, and they each had three rooms, a kitchen and all modern conveniences including 'an open air wash house'. The two flats were separated by a flat roof 28 feet wide and 70 feet long and at the front was a timber pergola giving summer shade. Perhaps the most striking feature was 'a commanding view of the city'

²⁴ *WW*, 12 May 1933.

²⁵ Met. Co. correspondence, 1319A, files 62 & 266 & *WA*, 9 April 1927.

²⁶ Met. Co. correspondence, 1319A, files 235 and 250.

²⁷ *WW*, 14 December, 1934.

²⁸ *WW*, 14 December 1934.

complemented by the ‘uninterrupted view of the Darling Ranges’.³⁰ With the worst of the Depression now past, business and employment were improving and, with a State Labor government in office and Trades Hall now a large and – it was hoped – prosperous landlord, the future was bright.

Decline and Division. 1934-1958.

The 1934 extension was another successful step towards fulfilling the hopes of Alex McCallum and his contemporaries for a much larger Trades Hall reaching through to Stirling Street. But difficult days in the 1930s led to darker days of a world once more at war. When he took over as secretary of the Metropolitan District Council in 1943, Bob Hartley was confronted by a place in decline. His office was small, he had only one office worker and the filing system was in disarray. Trades Hall received minimal maintenance and almost everything, including money, was in short supply. However, hope was kept alive by the council delegates. Like Robert Hartley, most were union secretaries and were ‘the cream of the labour movement’. Fine speakers, they were rough and forthright and were kept in order by the firm control of the council president, Herb Graham.³¹

At the end of the war, a start was made in improving the original 1912 building. But a surge in demand for office space accompanied the post war boom and by 1948, drastic action was required. One serious proposal was to convert Unity Hall into offices but this was declined in favour of a plan to take over the entire first floor above the Beaufort Street shops. The Carpenters’ Union objected strongly to this, because it meant the residents of the rooms would be given notice at a time when rental accommodation was in short supply. But 17 unions required accommodation and the Unity plan would have required extensive structural change at great expense. So the rooms above the shops were resumed and the space adapted to its new purpose at a cost of about 300 pounds. In addition, room 21 was

²⁹ *WW*, 14 December 1934.

³⁰ *WW*, 14 December, 1934.

³¹ Robert Hartley, transcript of an interview by Stuart Reid, 1988-1990, Battye Library Accession no. OH 2370, p.22.

subdivided into three more offices and the State Executive was relocated, along with its Industrial Research Bureau, to the basement.³²

In 1950, Hobbs, Winning and Leighton supervised the remodelling of the basement. A parquet wood block floor was laid, a balustrade and a new counter were installed and a second office and a meeting room created. With fluorescent lighting, the changes cost almost 1,000 pounds. The cost of these improvements necessitated rents being increased by 300 per cent. This brought a sharp response from the unions, and the beleaguered Secretary explained that there was a need to look ahead. Maintenance costs were rising, the entire building needed attention estimated to cost 3,000 pounds over the coming two or three years and, when that was done, there was a need for a capital sinking fund, debenture reduction and a maintenance account. If this was achieved, an extensive building programme was planned.³³ The Council was a victim of its main purpose, which was to provide accommodation at the lowest cost to its affiliated labour organisations. It could not set costs or pass on extra charges like a commercial enterprise.

At the same time, other changes occurred. Complaints about the problems of noise within the building adopted a post-war flavour when some unions objected to the behaviour of the children of 'New Australians' attending dances. Another sign of change came with the provision of a 'girls' amenities room' in June 1953, perhaps acknowledging the contribution being made by the increasing number of female office workers in Trades Hall. Some of them worked there for up to forty years.³⁴ Usually, their office conditions were Spartan, as were those of the men for whom they worked. Like others before them, these union officials rose from the rank and file without training in the skills of office administration or advocacy and worked long hours for little more than the basic wage. Against the odds, they provided their members with a service without which the workers' lives, and those of their families, would have been impoverished.³⁵

³² Met. Co. correspondence, 1718A, file 68.

³³ *Ibid.*

³⁴ Lyla Elliott, transcript of interview by Rhonda Jamieson, 1987, Battye Library Accession no. OH 1761, p.47, and Met. Co. correspondence, 1718A, file 68.

³⁵ Lyla Elliott, p.47.

Throughout the 1950s and 1960s, when boxing and dancing continued to be an important part of the life of Unity Hall, it seemed, perhaps, that little had changed. But, when asked in 1959 why there was no consideration given to a much needed new building, Hartley replied that Trades Hall owed 13,000 pounds and was unable to reduce the debt. Although costs were being contained, they could not be passed on fully and so the building was falling into disrepair.³⁶

Division and Property Ownership.

Also in decline was the relationship between the industrial and political wings of the ALP. Dissatisfaction with the existing situation combined with the long held belief that political matters took precedence over industrial affairs. This led to the creation of an independent Trades and Labour Council, which met in Trades Hall for the first time on 22 January 1963. Present were 118 delegates representing 50 unions and their special guest was the President of the ACTU, Albert Monk, who accepted their affiliation with the rest of the Australian union movement.³⁷

The ALP, the legal owner of Trades Hall, was committed to maintaining the unity of the WA labour movement and elected to retain full control of all assets with the intention of providing affiliated unions with accommodation. To meet demand, it decided to use the large space in Unity Hall to create new offices. So, in 1966, an entirely new concrete floor was built at the gallery level. The first floor was converted to several different sized rooms, while the new second floor was retained as a large meeting hall, with a new stage at the eastern end. This venue preserved a tradition of ALP state conferences, which had been held biennially or triennially since 1927 beneath the panelled ceiling that

³⁶ Met. Co. correspondence, 1718A, file 68.

³⁷ Harold Peden Lecture by Lyla Elliott, pp. 18-24. A published version of this address appears in *Papers in Labour History* no. 17, pp. 1-18.

had so greatly impressed visitors to Unity Theatre in 1923. The architect was Marshall Clifton.³⁸

In 1973, the seven shops between Trades Hall and the Court Hotel were demolished and the large, multi-storey office building known as Curtin House was built.³⁹ Unlike the Scaddan Labor government in 1912, the Tonkin State Labor Government followed the example of State Governments around the nation and guaranteed the loan.⁴⁰ But just a few years later, in 1979, the ALP decided to sell Curtin House to provide funds for a proposed development of Trades Hall. This included the 40-foot wide former *Westralian Worker* land on the northern side of Trades Hall. After the *Worker* had ceased publication, the land had been sold to the Perth United Friendly Societies in 1934, acquired by the Trades Hall Association sometime after 1946 and leased to a car dealer for many years.⁴¹

The TLC was prepared to participate in the proposal but required specific details. It had developed clear ideas about its need for a modern standard of office facilities providing controlled lighting, heating, cooling and sound and delivering a high value return on floor space. The old Trades Hall building had large rooms and high ceilings but did not meet the TLC's criteria. Despite this difficulty, the TLC agreed to purchase the first and second floors of Trades Hall for \$150,000, while the basement remained with the ALP. The total redevelopment was to be part new structure and part renovation, which would be integrated structurally and visually. Of importance for the TLC, its services were to meet modern office standards.⁴²

At the same time, more than one alternative building plan was discussed. One idea was to purchase the land behind Curtin House and another proposed that the TLC become a joint owner, with two other bodies, of Turnbull's store nearby in Beaufort Street. Joint

³⁸ See microfilm of architectural plans: Battye Library, WAS 1457, Cons. 5094.

³⁹ *Western Sun*, Jan-Feb., 1973, p.1.

⁴⁰ Conversation with Hon. John Cowdell, MLC, 30 April 1998; also *WA*, 6, 7 and 19 September 1972.

⁴¹ PCC Rate Books, Central Ward, 1934, Assessment 2733 and *WA* 16 April, 1962.

⁴² Trades and Labour Council (TLC) Files, Battye Library MN 1177, Cons. 3492A, file 136.

ownership was seen as undesirable. Instead, under a strata title agreement, the TLC finally bought its two floors of Trades Hall in 1981. Even this was unsatisfactory. The TLC felt its investment was poor because of the high proportion of unusable floor space, much of which was devoted to wide passageways and stairs or determined by the size of the rooms.⁴³

At last, in about 1982, Curtin House was sold to the State Superannuation Board. With the proceeds, the ALP purchased the Court Hotel, built the new Labor Centre on the north side of Trades Hall, and commenced to modernise the 1912 building, including double glazing the Beaufort Street windows and closing the wide, arched entries which had led, somewhat grandly, up flights of stairs into Unity Hall.

*The Labor Centre and the Art Gallery*⁴⁴

For some years, the proprietor of Delaney Art Gallery in Claremont had been aware of the potential of Trades Hall to serve as an art gallery and had expressed an interest in purchasing the building.⁴⁵ Nevertheless, it came as a shock to many in the labour movement when, in 1985, the TLC sold its strata title to Delaney Galleries and moved to newer premises in Brewer Street.⁴⁶ The ALP subsequently sold the basement to Delaney and retained only Unity Theatre and the Labor Centre, renamed the Beaufort Centre late in 1999. Outside, above the main entrance to the original 1912 building, behind the Delaney Galleries' sign, the original name of Perth's Trades Hall remains intact, perhaps as a symbol of hope that the building might one day be returned to the labour movement.

⁴³ TLC Files, Cons. 4443A, file 125.

⁴⁵ Conversation with Ms. Rose Delaney, 28 April, 1998.

⁴⁶ *WA*, 10 July, 1985.

Appendix I

Perth Trades Hall room allocation and use, 1924-1925.

Room	Secretary.	Union.
1a	General Secretary	State Executive of the ALP.
1b	Peter Mooney	Metropolitan District Council.
2		ALP State Finance Committee.
3	G.J. Keith	Australasian Meat Industry Employees Union.
4	O.E. Nilsson	1. Carters and Drivers Union. 2. Perth Carters and Drivers Union.
5-7		Unknown
8		Library Committee.
9		Unknown
10	J.J. Kenneally	Locomotive Engine Drivers', Firemen's & Cleaners Union.
11	T. Kenafick	Railway and Tramway Officers Union.
12	A.W. Richardson	Coastal Brickyard and Pottery Works Union.
13	C. Haynes	Amalgamated Society of Railway Employees.
14	S. Faull	Amalgamated Industrial Association of Engineers.
15	P.J. Trainer	1. Coastal Coach, Car and Rolling Stock Builders. 2. Plumbers Union, Perth and Fremantle.
16	G. Ryce	1. The Perth Hotel, Club, Caterers, Tea Room & Restaurant Employees Union. 2. Coastal Districts Fire Brigade Employees Union.
17	J. Breyden	1. The Bunbury & District Branch of the Metropolitan & South West Amalgamated Certificated Union of Engine Drivers. 2. Engine Drivers' & Firemen's Federated Assn of Aust'asia. 3. Metropolitan Engine Drivers & Firemen & South-Western Federated Union of Workers.
18-19		Unknown
20		Organisation of Labor Women.
21		Empty
22		Unknown
23		Meeting Room.
24	T. Neilsen	Perth and Fremantle Bakers' Operative Union.
25	J.E.B. Keaughran	Printing Industry Employees' Union of Australia.
26	R.H. Nash	The Perth Electric Tramways Employees' Union.
27		Meeting Room.
28		Seldom Used.
29		Unknown
30	W.E. Broderick	The Coastal Painters' and Paperhangers' Union.
31		Unknown
32		Empty
33		Large Meeting room. (Also used for dancing)
34		Smaller Meeting Room.

1. United Met. Timber Yards, Saw Mills & Woodworkers Employees' Union.
2. Coastal Barmaids' and Barmen's Union.
3. Coastal Bottleyards & Marine Store Employees' Union.
4. Government Water, Sewerage & Drainage Employees' Union.
5. Coastal Breweries Employees' Union.
6. Coastal Municipal & Roads Boards Employees' Union.

[Source: *WA Industrial Gazette*, 7 November 1924, and Metropolitan Council files especially 1319A/62].



The Trades Hall building as it was in 1999, flanked by the ALP's present headquarters, the Labor Centre on the left and Curtin House (right), built and partially occupied by the ALP during the late 1970s and early 1980s. (Photograph: Ian Monk).

Appendix II

Present in Trades Hall: room not identified.

Secretary

E.W. Walsh.

Union

1. Coastal Aerated Water & Cordial Manufacturers' Employees' Union.
2. Fibrous Plaster and Plaster Modellers and Cement Goods Manufacturers' Employees' Union.
3. Musicians' Union of Australia – District of WA.
4. Coastal Operative Pastry Cooks' & Confectioners' Union, Perth.
5. Saddlery and Leather Workers Traders Employees' Federation, Perth.

J.W. Hogarth.

1. United Furniture Traders' Union, Perth.
2. WA Dental Mechanics, Mechanics' Assistants and Apprentices to Dental Work.
3. Perth, Fremantle and Midland Junction Undertakers' Assistants and Cemetery Employees.

J.A. Lake

Coastal Operative Bootmakers' Union.

B.G. Deering.

Coastal Operative Bricklayers' Union.

E.N. Fitzgerald.

Metropolitan Cleaners', Caretakers' and Lift Attendants' Union.

W.H. Kitson

Coastal Districts Australian Clerical Association.

J.W. Clapham.

1. WA Clothing and Allied Trades' Union.

2. Metropolitan Laundry Employees' Union.

Fred Glossop.

Perth Branch Amalgamated Society of Engineers.

J.M. Fallon.

Perth No.2 Branch Amalgamated Society of Engineers.

A. Carter.

Metropolitan Gas Works Union of Workers.

J.C. Jerring.

Metropolitan Jewellers, Watchmakers and Allied Trades.

E.W.G. Turner.

Perth Federated Moulders (Metal) Union.

C. Haynes.

WA Amalgamated Society of Railway Employees, Perth

G.H. Brooks

WA Federated Tanners' and Leather Dressers' Employees Industrial Union of Workers of Australia

A.H. Panton

WA Government Tramways and Electricity Supply Officers' Industrial Union of Workers, Perth.

P.M. Bungert

Metropolitan Wine and Spirit Warehouse Employees' Union, WA.

The Hawke Government's Unfair Trading and Profit Control Legislation, 1956-59

Simon Ward¹

The period 1953-1959 was one of changing fortunes for the Western Australian Branch of the Australian Labor Party (ALP). Despite being returned to the government benches at the 1953 election in a seeming renewal of its political success, by 1959 the ALP was heading for an extended period in Opposition and the political wilderness. The ALP had held office in Western Australia for 26 of the 35 years between 1924 and 1959 and, between 1924 and 1947, was in power for all but three years. Following the defeat of the Hawke Government in 1959, the ALP failed to regain government until the Tonkin Government of 1971-74 and then not again until the Burke/Dowding/Lawrence Governments of 1983-93. Much subsequent historical analysis has concluded that the period of Labor ascendancy beginning in 1924, had ended by 1947 and that the period from 1947 to 1959 forms an interregnum in the political history of the state. This argument stresses that the political and demographic changes in the post-war period led to a fundamental shift in the balance of power between the parties. Indeed this is the theme of David Black's chapter in Stannage's *A New History of Western Australia*.²

This paper is extracted from the author's Honours thesis which focused on the final Labor Government of this era and explained what occurred within the Government, within the extra-parliamentary party and within the electorate to end Labor's dominance. The thesis examined the validity of this argument in relation to the Labor Party. In particular, it suggested that the period of Labor ascendancy did not end until 1959 and that the changes and events that occurred during the Hawke Government's second period in office were of

¹ Simon Ward holds a Bachelor of Arts (Honours) degree in Social Science from Curtin University. He is currently an Industrial Organiser with the Community and Public Sector Union (PSU Group) and (having been recently elected unopposed) will commence a three-year term as Assistant Branch Secretary on 1 January 2000. He is also the Secretary of the Victoria Park/Carlisle sub-branch of the ALP.

² Black, D., "Liberals Triumphant - The Politics of Development 1947-1980", in C.T. Stannage (ed), *A New History of Western Australia* (Nedlands: University of Western Australia Press), 1981, p. 441.

immense significance for those seeking to place the Hawke Government's downfall within an historical, rather than a merely temporal, perspective. The thesis concluded that, on balance, Labor's dominance did not end until 1959 and that it was the problems that came to the surface during the period of the Hawke Government that in no small part led to the end of the Labor era.³

This paper concentrates on the Government legislation and direction during the period of the second Hawke Government. In examining the decision making process within the Government, an extensive case study of the Unfair Trading and Profit Control Act has been undertaken..

The Hawke Government was re-elected on 7 April 1956 with an increased majority. No longer with a knife-edge majority or in the minority on the floor of the Assembly, the Government faced the new Parliament with the immense confidence of a renewed mandate and launched a legislative programme without precedent. The Caucus minutes of the meetings following the Government's re-election indicate both increased confidence and the issues which the Government and Hawke in particular wished to put before the electorate in an effort to maintain public support.⁴

During the first Session of the new Parliament, 109 bills were introduced. Most of these bills were straight-forward machinery type bills which made minor amendments to existing legislation. Fifteen bills were lost, amongst which were many of the Government's 'hardy annuals' as they became known, because they were introduced and re-introduced in each session of Parliament without success. These included measures to widen the franchise in elections for the Legislative Council, to give the State Government Insurance Office the power to undertake all forms of fire and general accident insurance (except life

³ Simon Ward, 'The Labor Party in Western Australia during the 1950s, with particular referenceto the Hawke Government 1953-59 – the end of an era?' BA Honours Thesis, Curtin University, 1998.

⁴ J.S. Batty Library of Western Australian History (hereafterBL), MN 300, Australian Labor Party (WA Branch), Acc 1313A, No. 13, State Parliamentary Labor Party (SPLP), Caucus Minutes, [hereafterCaucus Minutes], 13.04.1955 - 1.3.1962.

insurance), to enable women to serve on juries, to compel the Arbitration Court to adjust the State basic wage in accordance with the cost of living; to replace the Public Service Commissioner with a three-member board, and to ban night and Saturday afternoon shopping.⁵ Over the period of the Parliament, 40 bills which originated in the Legislative Assembly were defeated in the Legislative Council. Divisions in the Council on almost all major and controversial bills provided very narrow margins either in support of, or against, Government legislation, with support often coming from the independent action of members of the Country Party.⁶

The case study on the Unfair Trading and Profit Control Act is central to this paper. In particular, it demonstrates the manner in which decisions were made within the Government and the degree to which the Government was essentially an oligarchy, despite the apparent structural restraints upon the parliamentary party. It also provides the best example of the type of legislation that was foremost in the mind of the Government, the effect the political campaign surrounding the legislation had on the electorate and, in effect, the ongoing legacy of the legislation and the period as typified by it.

In examining the oligarchic nature of the decision making process, it is worthwhile reflecting on the theory of Michels and his 'iron law of oligarchy' which concludes that even leaders of ostensibly democratic political parties have power far beyond that which the party's rules confer.⁷ In his study of leadership influence and policy formulation as it affected the Western Australian Branch of the ALP in the 'thirties, Pervan summarised the application of the theory of not only Michels, but also Duverger in that,

The influence of the party membership is not totally discounted or denied but it is seen as basically a negative influence; the leaders are restricted only in the sense that sculptors are restricted by the nature of the material with

⁵ Crowley, F.K., 'Political Chronicle July-December 1956', in *Australian Journal of Politics and History*, 2, 2, [hereafter *AJPH*], (May 1957), P. 246.

⁶ Crowley, F.K., 'Political Chronicle July-December 1956', *AJPH*, 2, 2, (May 1957), p. 246.

⁷ Michels, R., *Political Parties*, translated by Eden and Cedar Paul, (New York: Dover Publications), 1959.

which they work. That is, the leadership decides what course to pursue but the range of choices is not completely unlimited.⁸

Pervan concluded that, in the determination of policy on non-industrial matters, the extra-parliamentary organisation played a most insignificant role.⁹ Whether or not this continued in the Labor's period of office during the 'fifties is one of the foci of this paper.

The Legislative Council had repeatedly refused to pass Government legislation permitting price controls during the Hawke Government's first term. In an attempt to achieve similar aims by different means, during its second term, the Government introduced a Bill to prevent profiteering and other unfair trading. The resulting Act was later described as, 'Without a doubt the most controversial and far reaching legislation', introduced following the Hawke Government's re-election.¹⁰ In examining the Act, this paper will address the following questions: What was the Unfair Trading and Profit Control Act? Why was it introduced? What were the social, legal and political effects? What were the consequences? In particular, the role that issues surrounding the Act played in Labor's defeat at the 1959 State election will be identified and discussed, as will the Act's contribution to the end of the Labor era.

The Unfair Trading and Profit Control Act was originally introduced in the Parliament as the Profiteering and Unfair Trading Prevention Bill by the Premier, the Hon. A.R.G. Hawke on 5 September 1956.¹¹ In his second reading speech the next day, the Premier described the current economic situation as a period of general inflation where, 'for

⁸ Pervan, R., 'Leadership influence on the nature of the political party: the case of the W.A. branch of the ALP in the 'thirties' *Labour History*, 19 Nov 1970, p. 37. See also Pervan, R., 'Policy formulation and implementation: the W.A. branch of the ALP in the 'thirties' *Labour History*, 20, May 1971.

⁹ Pervan, R., 'Policy formulation and implementation', p. 26.

¹⁰ The University of Western Australia, *Annual Law Review*, Vol. IV, 1957-59, p. 101.

¹¹ *Western Australian Parliamentary Debates* [hereafter *WAPD*], 5 September 1956, Vol. 143, p. 613. The discussion which follows utilises the following sources: Layman, L., 'Continuity and Change, 1947-1965', p. 174; *Annual Law Review*, p. 101-103; Black, D., 'Liberals Triumphant', p. 452; and Crowley, F.K., 'Political Chronicle July-December 1956', *AJPH*, 2, 2, (May 1957), p. 246. See also Rahl, J. A., 'The Unfair Trading and Profit Control Act: An American's View', *Annual Law Review*, Vol. IV, 1957-59 for a detailed interpretation of the legislation and a comparison with American trading laws.

some years there has been an upward movement in production costs, prices and the general level of wages and salaries'.¹² He continued:

... we have found some people emphasising that wages and salaries are the cause of high prices, and that as a result of wages and salaries being high, costs of production generally have increased considerably and, in some particular instances, to a level which has made activities in those instances either only just payable or not payable at all.

Wage and salary earners generally claim that the cost of living has been forced up by the taking of profits which, in their judgement have been unreasonable. They have claimed that, as a result of excess profits being taken in many directions, prices constantly have risen and some of the increased prices have registered in the cost of living statistics ... As a result of the last mentioned increases, wages and salaries, where quarterly adjustments have continued to be applied, have risen correspondingly and those increased wages and salaries have registered their effects upon the costs of production.¹³

Hawke argued that while, 'wages and salaries are under strict control',¹⁴ profits were not and that:

We seem to have reached a situation where some attempt ought to be made to stabilise the cost of living in this State as far as it is possible for us to do. I am absolutely convinced myself that the organised workers of this State or of Australia generally for that matter, will not peacefully submit to further controls unless they are given adequate protection in regard to the cost of living ...

... It is felt that, at least in this serious period of our existence, steps should be taken to ensure that the community is given a reasonable measure of protection against those who might still be tempted, successfully tempted, to take more than a fair thing in the way of profits from the community.¹⁵

Hawke described the main objects of the Bill as: (a) to prevent unfair profit-making; (b) to prevent unfair methods of trading; and (c) to prevent unfair methods of trade

¹² *WAPD*, 6 September 1956, 143, p. 679.

¹³ *Ibid.*

¹⁴ *Ibid.*

¹⁵ *Ibid.*, pp. 680-1.

competition.¹⁶ He declared, ‘I want to make it clear that this Bill does not provide for any general price fixing system’ and, ‘ ... profiteering would be investigated only in the individual instance where it was known or thought to exist’.¹⁷

The legislation specified the appointment of a Commissioner (the Unfair Trading Control Commissioner), with wide powers of investigation or inquiry. The Commissioner would have the power to enter and search business premises, investigate and make rulings on profit levels, the existence of trade restraint agreements, minimum resale price agreements and combinations to monopolise trade and commerce. Those found guilty of offences under the Act would be certified as ‘declared traders’— and subject to penalties of up to double the amount taken in unfair profit and/or Government controls on the trader’s pricing and selling policies. Hawke indicated that the Commissioner would use, ‘no yardstick as there are difficulties in comparing relative profit levels’.¹⁸ He concluded his speech by stating that:

On behalf of the Government I would like to appeal to all members to give this legislation careful consideration. It is a genuine attempt on behalf of the Government to meet a situation which we think urgently requires attention. Apart from what I said earlier about the cost of living and the relationship of wages and salaries to the cost of living, there is the fact that the primary industries – some of them at any rate – are not as prosperous as they were. I think we all know that some people make very great profits out of the primary industries; and they are people who are not directly engaged in the industries themselves. This Bill could be of some considerable help in that direction.¹⁹

Hawke had described the economic background and the economic reasons behind the decision to introduce the legislation, but what was the political background? As Labor’s political opponents later argued, the legislation had not been foreshadowed during the 1956

¹⁶ Ibid., p. 681.

¹⁷ Ibid.

¹⁸ Ibid., p. 682.

¹⁹ Ibid., p. 685.

election campaign,²⁰ nor was it mentioned in the Lieutenant Governor's speech. The sole mention of price controls during the election campaign was in response to a question from the *West Australian* newspaper. Asked whether he would re-introduce the wartime and post-war price controls, Hawke stated that, 'Legislation to prevent profiteering and to prevent rack-renting would be introduced if circumstances justified such action'.²¹ There was no follow-up on this statement by either the newspaper or the Opposition. Directly after the election, a letter to the Minister for Justice from the Chief Parliamentary Draftsman, G.B. Darcy, asked for directions as to requirements for the drafting of legislation for the 1956 session. Darcy referred to newspaper and other reports which had given indications of possible legislative measures. Included in these was a quote from the *West Australian* that:

The Government might seek to control by regulation items on which it considered profiteering was taking place.

Like all other regulations the proposed price-control regulations would be disallowable by Parliament.²²

There is no indication that any such regulation was ever proceeded with. Past experience would have indicated to the Government the likely negative attitude of the Legislative Council to this type of measure.

At the 1 August 1956 caucus meeting, Hawke stated in his Leader's report that the, '... Lieutenant Governor's speech will contain a review of Government activities. Main bills will be amendments to Arbitration, Compensation, State Insurance etc. ... The Government's Legislative programme is well advanced but some important matters are not yet complete'.²³ There was no mention in the Caucus minutes of unfair trading or legislation concerned with it. There are two possibilities arising from this omission: either the unfair trading legislation was not yet on the agenda, or it was amongst the 'important

²⁰ G.F. Roberts MLA, *WAPD*, 143, 25 September 1956, p. 1059.

²¹ *West Australian*, 29 March 1956.

²² *West Australian*, 23 March 1956, (quoted by G.B. Darcy, letter to Hon. E. Nulsen, MLA, Minister for Justice, 11 April 1956, BL, AN2/4, Premier's Department, Acc 1496, File No 100/56, Proposed Legislation 1956).

²³ Caucus Minutes, 13.04.1955 - 1.3.1962.

matters not yet complete'. Either way, it would appear that the caucus as a whole was not involved in, nor aware of, the development of the legislation. Party records also indicate that there seems to have been no discussion of the issue at the State Executive of the ALP prior to the introduction of the Bill apart from some on-going consideration of the desirability of an overall price control regime.

At a meeting on 12 July 1956, the State Executive Officers present – C.A. Gough, R.A. Hartley, M. Fox, C.J. Jamieson MLA, J.C. Pereira and F.E. Chamberlain – considered a letter from the Eastern Goldfields District Council which:

expressed concern at the increasing prices, and request[ed] the State Executive to make necessary representations to the Government to have legislative action taken to control prices.

The Officers recommended that the Executive respond to the letter, rejecting the request on the grounds that any such move would be defeated by the Legislative Council, and reaffirming the belief that price control could only be effective on a National basis. They also recommended that the State Executive request that the Federal Executive initiate moves in this regard and:

That the Premier of the State be requested to press this viewpoint at any meeting of the Premiers, convened by the Federal Government for the purpose of considering uniform wagefixation.²⁴

It is worth noting the presence of Colin Jamieson MLA at these meetings of State Executive Officers. As a Government backbencher, one would expect that Jamieson would have been a common point of reference between the caucus and the State Executive. This appears not to have been the case, however, as the caucus was not involved in any way in the formulation of legislation or the decision-making process leading up to the introduction of new measures. Caucus was not tied to a vote on anything that did not appear in the Party platform. As Jamieson himself stated, '[N]one of the legislation that was put before Parliament ever came before caucus. The first time we'd know anything about it was when

²⁴ BL, MN 300, ALP (WA Branch), Acc 2890A, No. 559, State Executive Minutes [hereafter SE Minutes], 1955-1957.

it hit the floor of the House, same as the Opposition'.²⁵ Jamieson later became Party President, which he described as, '... difficult because I sort of became a referee between caucus and what was then known as the State Executive Officers, ... in trying to sort out the many differences that occurred from time to time'.²⁶ In his biography of Hawke, Philip Pental argues that caucus, 'played little or no part', in the formulation of the unfair trading legislation.²⁷ An examination of caucus records supports this assertion, although in the case of the unfair trading legislation, both the caucus and the wider community were aware of its existence before it was raised in the Parliament.

On 20 August, Hawke, having recently returned to Western Australia from a Premiers' Conference in the Eastern States, emerged from a Cabinet meeting and announced to journalists that the Government would be introducing anti-profiteering legislation in the very near future. He provided few details and from all indications the reports received little attention.²⁸ At the Caucus meeting on 22 August, Hawke reported on the recent Premiers' Conference. He was particularly impressed with the anti-profiteering measures introduced by the Liberal Government in South Australia, and told the meeting that Playford, the Premier of South Australia, had argued strongly for the control of prices and profiteering and had quoted useful figures. He announced that Cabinet had appointed a sub-committee to 'introduce legislation to control profiteering and excess prices. It was hoped to do this in a pretty general way and not need to introduce detailed controls'.²⁹ Yet, Cabinet records do not reflect the existence of this sub-committee. Copies of Cabinet Minutes and Decisions make reference to the formation of a sub-committee on rent control, established at the Cabinet meeting on 20 August 1956. This sub-committee was 'to consist of the Hon. Messrs. Tonkin, Fraser and Graham'.³⁰ This does not mean that the sub-committee on price control did not exist, but rather that the records may be incomplete, for other

²⁵ Jamieson, C., interview with Stuart Reid, 29 November -15 December 1989, transcript OH 2265, p. 48.

²⁶ Ibid. p. 55.

²⁷ Pental, P., "Son of Labor: A Biography of A.R.G. Hawke", unpublished manuscript, p. 258.

²⁸ Ibid., pp. 250-1.

²⁹ Caucus Minutes, 13.04.1955 - 1.3.1962.

³⁰ BL, AN2/16, Premier's Department, Acc 1819, File No. 403/1954, Cabinet Minutes and Decisions, 1/3/53-25/10/56.

records show that Hawke told both the Caucus and the State Executive that the sub-committee was in existence. It is highly probable that the sub-committee on price control was either already in existence prior to 20 August (although Cabinet records do not indicate this), or was formed at the same time as the rent control sub-committee.

A Prices Control Bill had last been introduced into Parliament in 1955. This Bill was defeated – along with other major legislation concerning arbitration, indexation of wages, the welfare of Aboriginal people, and rent control – during the period of the first Hawke Ministry. Cabinet records indicate that the Unfair Trading Bill was the responsibility of the Minister for Labour, the Hon. William Hegney. At the Cabinet meeting on 19 September 1955, Hegney submitted a printer's proof of the proposed Prices Control Bill, which the Cabinet approved for introduction to Parliament.³¹ This would suggest that the unidentified Bill presented by the Minister for Labour at the Cabinet meeting of 3 September 1956, and which was approved for introduction to Parliament at that Cabinet meeting, was the unfair trading legislation, then known as the Profiteering and Unfair Trading Prevention Bill.³²

At the Caucus meeting on 4 September, Hawke reported that 'the Anti-Profiteering bill has been drafted and approved by Cabinet and will be introduced by Mr Hegney later'.³³ According to the minutes, Hegney then reported that:

... the proposal is different from previous Price Control Acts. It aims at preventing excess and improper profits. The Commissioner will have full inspection power. Maximum penalty £500. Traders found guilty of unfair trading may be ordered to put up a notice advertising the conviction. Goods can also be seized and imprisonment can be ordered in certain cases and penalty of twice the excess profit can be ordered. It is hoped that the pshchological [*sic*] effect will be salutary [*sic*].³⁴

³¹ *Ibid.*

³² *Ibid.*

³³ Caucus Minutes, 13.04.1955 - 1.3.1962.

³⁴ *Ibid.*

Members debated the motion of Hegney and May, 'That the introduction of the Bill be authorised'. On a technical matter, S.E. Lapham, the Member for North Perth asked if control would be imposed on single items or lines, to which Hegney replied that, '... the Bill will cover both wholesale and retail traders'.³⁵

Pendal puts forward the view that the unfair trading legislation was an indication of Hawke's strength within the party. He argues that the lack of caucus involvement shows the immense faith in Hawke as leader.³⁶ Having been returned with an increased majority, there seems little doubt that the party was fully behind Hawke, but Jamieson's account of the role of caucus indicates that its lack of involvement was nothing out of the ordinary. Indeed, Jamieson states that the only bill that caucus was involved in was the starting price betting legislation, 'because that was a concern of everybody'.³⁷

Whether or not there was any pressure on the Government to introduce the legislation is largely a matter of speculation. Pervan and Mitchell have argued that, having been returned to Government at the 1956 election with a comfortable majority:

... the extra-parliamentary organisation now expected the government to implement some of the party's more contentious commitments. ... [W]hile Hawke had apparently introduced the monopolies and trade practices legislation because of a personal conviction that it was necessary and desirable, the government may have anticipated pressure for such an initiative from the extra-parliamentary organisation.³⁸

In relation to industrial matters, the ALP State Secretary, F.E. Chamberlain, stated that, '[t]he Government did not move until it knew the attitude of the Trade Unions Industrial Council through the Committee'.³⁹ Whether or not this carried through to all policy

³⁵ Ibid.

³⁶ Pendal, p. 257.

³⁷ Jamieson, interview transcript, p. 48.

³⁸ Pervan, R., and Mitchell, D., "The Changing Nature of the Australian Labor Party", p. 141.

³⁹ Chamberlain, F.E., Report to Special Unions Conference, 10 Dec. 1957 (cited by Elliott, L., in 'The marriage and divorce of industrial and political labor in Western Australia', unpublished essay, 1994, p. 20).

matters is open to debate, but it would not seem to have been within Hawke's nature to accept such direction. Writing after the 1956 election, Alexander stated that:

... the electoral victory has further strengthened the leadership of Mr. Hawke, who would seem to have developed an unusual capacity for keeping his own counsel on major matters (to the mild irritation of his departmental advisers if not also his Cabinet colleagues) while allegedly observing the democratic traditions of the Labor movement by referring minutiae for full Cabinet discussion.⁴⁰

An examination of the Cabinet Minutes and Decisions supports this contention. As stated above, there is little or no reference to the unfair trading legislation prior to its introduction but decisions on a range of seemingly minor administrative matters are extensively recorded. Nor is there any evidence in the Parliamentary Caucus or State Executive minutes to suggest that the unfair trading legislation was forced on Hawke, or even that he was not its most enthusiastic advocate. Having seen price control legislation repeatedly defeated in the Legislative Council, been appraised of the benefits of the anti-profiteering legislation enacted in South Australia and convinced that inflation was the major problem facing the Western Australian economy, it is not surprising that, after being returned with an increased majority, Hawke would decide that the time was right to introduce a measure which he was convinced would stabilise the cost of living.

The reaction of both the Opposition and the business community to the Bill was hostile to say the least. In a one-and-a-half hour response to Hawke's introduction of the Bill, the Member for Nedlands, Charles (later Sir Charles) Court dismissed the Premier's 'almost childlike faith' in the Bill's ability to counter inflation, and argued that, '... the Government does not realise just what a monster it is creating, a monster which can be more devilish than the alleged evil it is trying to destroy'.⁴¹ In a clear indication of the Opposition's deep set ideological objections to the Bill, Court stated that it struck, 'at the

⁴⁰ Alexander, F., "Political Chronicle January-June 1956", *AJPH*, 2, 1, (November 1956).

⁴¹ *WAPD*, 18 September 1956, 143, p. 900.

very roots of our ideas of personal freedom and fairness'.⁴² In an indication of the future direction of the attacks on the legislation, Court commented that:

I feel that this Bill will be a deterrent to investors in this State, both local and overseas. Nothing scares them off so much as adverse publicity and restrictive legislation.

... The Bill splits the situation wide open. Once a piece of legislation like this is implemented, it follows that a chasm is developed between the Government and the traders concerned. An air of suspicion arises and there will be stand-over tactics on both sides. It will flare up arguments of class warfare, and it creates suspicion in the minds of the public, who would get the idea that every trader is out to fleece them, when in point of fact, he is not.⁴³

It was clear that there would be no agreement between the Labor Government and the Liberal Party over this legislation. Whilst Hegney declared that the legislation would, 'protect the ordinary people in the community',⁴⁴ Liberal Party members such as the Member for Vasse, Stewart (later Sir Stewart) Bovell argued that:

The most effective way to deal with excess profit and high prices is the encouragement of completely free enterprise in all its forms of business.

[The Bill] ... is sinister, vicious, ruthless. It will have a terrifically adverse impact on the individual initiative and enterprise of every freedom-loving Western Australian.⁴⁵

The reaction from the business community as reported in the press, and from the press itself, was similarly antagonistic. On 8 September, the President of the Chamber of Manufactures, C.J. Cornish, was reported in the press as stating, 'The Profiteering Bill serves to show at last the sinister purpose of the present government' and that, 'None in their right mind would invest a penny in our State while profits here were being subjected to such crippling control'.⁴⁶ Criticism was not limited to Western Australia. The

⁴² Ibid.

⁴³ Ibid., pp. 907-909.

⁴⁴ Ibid., p. 914.

⁴⁵ Ibid., p. 917.

⁴⁶ *West Australian*, 8 September 1956.

nationally circulated *Financial Review* commented the legislation had been introduced by Hawke:

In what looked like a political move to provide him with a defence against criticism from his supporters that he has failed adequately to control profits ...⁴⁷

The article continued in an attempt to look at the issues beyond the legislation itself stating that:

... there is reason to believe that the Bill will fail in the Legislative Council where the Liberal and Country Parties hold the majority. To interpret Mr Hawke's motives a trifle cynically it is possible that is what he is counting on. Nevertheless, the proposal does illuminate the strength of the anti-democratic sentiment in the Western Australian Labour Party. Mr Hawke's proposal must surely secure him a firm place on the anti-liberty left-wing of the Labour Party.⁴⁸

Relations between the *West Australian* and the Government were further strained when an article appeared which stated that:

Private enterprise finds the principles of the anti-profiteering Bill contrary to basic tenets of Australian freedom and contrary to the economic interests of Western Australia.⁴⁹

S.E. Lapham, the Labor Member for North Perth, responded:

It will be a poor state of affairs for Western Australia when its economic interests are tied up with unfair practices and profiteering. If 'The West Australian' feels it is necessary and desirable to have unfair practices and profiteering, then I must disagree with it entirely.⁵⁰

The *West Australian* also reported that:

Representatives of three firms which are contemplating establishment or expansion here have indicated that they will not proceed with their plans if the Profiteering and Unfair Trading Bill becomes law ... Mr Hawke said that the State

⁴⁷ *Financial Review*, 13 September 1956.

⁴⁸ Ibid.

⁴⁹ *West Australian*, 18 September 1956.

⁵⁰ *WAPD*, 20 September 1956, 143, p. 983.

would probably be better off without three firms of the type mentioned.⁵¹

Despite the Government's seeming conviction that the legislation was justified and necessary, the intense opposition must have been of some concern. At the Cabinet meeting on 17 September 1956, the following decision was recorded: 'Cabinet agrees not to withdraw the Profiteering and Unfair Trading Prevention Bill'.⁵² The records do not indicate which member of Cabinet raised the matter of withdrawal, but that a formal decision such as this was taken less than two weeks after the Bill was introduced into Parliament suggests that there may have been some anxiety about its possible political consequences. Alternatively, the matter may have been raised by Hawke merely as a means of confirming Cabinet's position. According to Pental, by mid-September, businessmen were asking Hawke to withdraw the Bill.⁵³ Therefore, the second scenario would seem more likely, especially given the attitude reflected in the minutes of the Caucus meeting of 11 September. Hawke stated that:

Business organisations are squealing about the Anti-Profiteering Bill and it seems that the bill will prove very effective. It is believed that the public are in full support. Business has pressed Playford in South Australia very strongly and we can anticipate very heavy pressure as we attempt to curb their profits. It is possible to improve the bill, there is no doubt and useful amendments will be studied.⁵⁴

That the position taken by the *West Australian* was of concern is indicated in the minutes by the suggestion by the Member for Victoria Park, H.D. Andrews, that, '... no Government statements be made through the *West Australian*, in an attempt to press them to be reasonable'.⁵⁵ Along similar lines, Jamieson asked, '... that Government advertising

⁵¹ *West Australian*, 18 September 1956, (read in to Hansard by C.D. Nalder MLA, *WAPD*, 27 September 1956, 143, p. 1142).

⁵² Cabinet Minutes and Decisions, 1.03.53-25.10.56.

⁵³ Pental, p. 256.

⁵⁴ Caucus Minutes, 13.04.1955 - 1.3.1962.

⁵⁵ *Ibid.*

be put into the weekend papers', rather than the *West Australian*.⁵⁶ On 28 December 1956, the following Memorandum was issued by the Under-Treasurer:

The Premier has instructed that as from January 1st, 1957, all Government advertising is to be through the *Sunday Times*.

Please arrange to have advertising in the hands of the Government advertising clerk before 10 am. on Friday of each week.⁵⁷

The Leader of the Opposition, the Hon. Sir Ross McLarty, speaking during the debate on the Bill on 25 September, commented that, 'During the whole of my parliamentary experience, I have never known a measure that has caused such widespread resentment as this Bill has'.⁵⁸ Advertisements which appeared in the press were referred to in Parliament in both a positive and a negative sense. The text of one such advertisement read as follows:

Citizen. Storekeeper. Business man. Farmer.
Do you know the effects of the Bill that the Government now has before the Parliament and calls the Profiteering and Unfair Trading Prevention Bill? It affects everyone!
This Bill would replace the way your business runs today with a ruthless system of control that authorised:
 A one man dictatorship of industry, business and the sale of farm products.
Complete investigation of your business without a warrant and with the right to enter by force.
You to be named a profiteer if the dictator - called "the commissioner" - does not like your prices or the way you sell.
Confiscation of your goods and documents without right of appeal.
The dictator to direct your way of business if he "declares" you.
The dictator to be investigator, prosecutor, judge and jury, all in one, without appeal against him.

⁵⁶ Ibid.

⁵⁷ Memorandum reprinted in *West Australian*, 14 April 1959, (cited by Crowley, F.K., *State Election: The Fall of the Hawke Government*, Perth: Author (1959), p. 14).

⁵⁸ *WAPD*, 25 September 1956, 143, p. 1038.

These powers oppose the Australian way of life and Australian principles of freedom and fair play.

The Bill as law could damage business as a service to the public, interfere with progress and create more unemployment. It has already brought adverse publicity for Western Australia.⁵⁹

Bodies opposed to the legislation included the People's Union, which described itself as a non-party organisation, and the Citizens Rights Association. The People's Union analysed the Bill and circulated the results widely. Some of their literature reached the Labor Member for Collie, who replied in a letter that their analysis was, 'sheer bunkum' and that their 'filthy and low down insinuations as contained in the trash now under reply leaves me cold and thoroughly disgusted'.⁶⁰ The Citizens Rights Association took out full page newspaper advertisements refuting the Government's explanations of the causes of inflation. Arthur Moir, the Labor Member for Boulder, responded, stating that the Citizens Rights Association was, 'a mysterious organisation which should be called the Privileged Citizens Rights Association'.⁶¹ One advertisement, which Moir referred to in Parliament, read:

To all who read between the lines.

George Orwell wrote a book called "1984". Have you read it? It showed what happened in a Police State. In the wall of every room in every home there was a television eye. BIG BROTHER IS WATCHING YOU.

Western Australia is still a fair way from this; some say a long way. But the Profiteering and Unfair Trading Bill is a move in its direction.⁶²

The right wing League of Rights was also active, circulating a booklet titled, 'Does Government price control prevent inflation?' Whilst not a specific attack on the Hawke Government's legislation, it strongly opposed price controls and made much of the

⁵⁹ Ibid. pp. 1059-60, (read into Hansard by the Labor Member for Collie, Harry May).

⁶⁰ May, H., letter to the People's Union, (cited by Pental, p. 255).

⁶¹ *West Australian* 28 September 1956, (cited by Pental, p. 255).

⁶² *WAPD*, 27 September 1956, 143, p. 1134.

statement by a former communist that ‘one control tends to cause another, until, as a logical result, the State controls and finally owns everything’.⁶³

The most effective opposition outside of the Parliament came from the WA Trade Bureau. Formed in 1955 prior to the introduction of the unfair trading legislation, the Trade Bureau represented approximately 70 trade and professional associations, and used its attack on the legislation to spearhead a campaign against all forms of ‘State trading’ and the Government’s ‘socialistic’ policies. While it purported to be non-party political, its president from 1955 to 1958 was small-goods manufacturer and State President of the Liberal and Country League, F.A. Johnston, who ensured that it maintained a strong anti-Labor bias.⁶⁴ The WA Trade Bureau’s campaign against the Government became a significant issue in the 1959 State election.

The Bill passed the second reading stage in the Legislative Assembly on 27 September, and entered the committee stage on 2 October. A number of amendments were accepted by the Government, including amendments to the definitions of ‘unfair trading’ and ‘unfair profits’, which both sides agreed would make the Bill more workable, as well as the appointment of a four member advisory council to assist the Commissioner. It was during the committee stage in the Assembly that the difference in attitude between that of the Liberal Party and that of the Country Party first appeared. The Leader of the Country Party, the Hon. A.F. Watts, moved for an additional clause to be added to the Bill as follows, ‘This Act shall remain in force for a period of twelve months after its commencement and no longer’.⁶⁵ Whilst defeated by the Government in the Assembly, this amendment would be the key to its success or failure in the Legislative Council where the Government lacked a majority. The Liberal Party, in the words of Charles Court, believed that, ‘one cannot shake hands with a cobra’, and, whilst participating in the debate, did not move any amendments as it ‘did not want to be misunderstood by anyone

⁶³ League of Rights, ‘Does Government price control prevent inflation’, (cited by Pental, p. 256).

⁶⁴ Crowley, F.K., *State Election: The Fall of the Hawke Government*, pp. 22-23.

⁶⁵ *WAPD*, 4 October 1956, 144, p. 1272.

thinking we are supporting the Bill'.⁶⁶ The Opposition even took the uncustomary action of trying to defeat the Bill at its third reading in the Legislative Assembly.⁶⁷ Despite having been successful in gaining some amendments during the committee stage, the Country Party joined with the Liberals in opposing the third reading, with Watts arguing that although, '... there is no doubt the Bill is now considerably improved ... it is not improved enough'.⁶⁸

Country Party members in the Legislative Council were successful in achieving further amendments, including a change in the title of the Bill. The new title became the Unfair Trading and Profit Control Act.⁶⁹ Other amendments imposed as the Bill went back and forth between the Council and the Assembly included further tightening of the definitions of 'unfair trading', a right of appeal to a Supreme Court judge, and reductions in the extensive searching powers which were initially proposed. There was considerable debate over the composition of the council to advise the Commissioner, in particular, the nature of the organisations to be represented.⁷⁰

The Liberal and Country Parties in the Legislative Council continued to insist upon amendments which were unacceptable to the Government, but the Government was able to gain the support of two Country Party members in the Council, Hugh Roche, Member for South Province and Leslie Diver, Member for Central Province.⁷¹ Roche had argued in favour of the Bill from the beginning, stating in Parliament that:

No matter how much criticism is directed at the Bill, I think that, before Australia can get on an even economic keel, the

⁶⁶ *WAPD*, 2 October 1956, 143, p. 1179.

⁶⁷ *WAPD*, 11 October 1956, 144, p. 1321.

⁶⁸ *Ibid.*, p. 1338.

⁶⁹ *WAPD*, 30 October 1956, 144, p. 1704.

⁷⁰ *WAPD*, 20 November 1956, 145, pp. 2435-2441.

⁷¹ The Bill was vigorously debated up to and including the third reading where the vote was 14 votes to 13 (one pair being granted), with Roche and Diver voting with 12 ALP members to ensure the Bill's passage, (although Midland MLC, A.R. Jones (Country Party) had also voted with the Government at times during the committee stage). See *WAPD*, 1956, Vols 144 and 145, (see index of volumes for listing of relevant page numbers for debate on the Bill).

rest of the Commonwealth will have to consider introducing legislation similar to this.⁷²

Although he thought some amendments were necessary, Roche argued that the legislation was in the best interests of the farming community and the best interests of Western Australia. Similarly, Diver argued that the legislation was necessary to protect those:

... people who are on the lowest rung of fortune's ladder at the moment; those who have no brick and mortar investment; those who have no substantial interests in shares of any worth-while institution which can follow the inflationary spiral.⁷³

Arguing for the passage of the Bill with the twelve month trial proviso included, Diver stated:

I cannot foresee the creation of the great monster that some people would have us believe we are going to create. I would say here and now that, whoever may be appointed to act as commissioner under this Bill, if he were to exercise his powers in the manner foreshadowed by all those who oppose the measure, then on the next appearance of the legislation before this Chamber I would take the necessary steps to end its life.⁷⁴

That there was some Country Party support for the Bill was not a complete surprise. The Country Party policy platform included a statement which called for, 'Legislation to prevent excess profits in industry with full investigatory powers'.⁷⁵ Traditional Country Party ideology saw rural people as victims who were discriminated against by powerful city interests, by business and by union interest groups. These lobby groups prevented country people from receiving their rightful share of the country's prosperity.⁷⁶ Whilst Roche and Diver were accused of being, 'out of step with their party on a matter of fundamental importance',⁷⁷ it would be equally valid to argue that they voted in a manner

⁷² *WAPD*, 23 October 1956, vol. 144, p. 1482.

⁷³ *WAPD*, 25 October 1956, vol. 144, p. 1614.

⁷⁴ *Ibid.*, p. 1615.

⁷⁵ *WAPD*, 25 September 1956, vol. 143, p. 1054, (included in a speech by Country Party MLA, J.H. Ackland).

⁷⁶ Layman, L., 'The Country Party: Rise and Decline', in R. Pervan and C. Sharman, eds, *Essays on Western Australian Politics*, Nedlands: University of Western Australia Press, 1979, p. 162.

⁷⁷ *West Australian* 3 November 1956, (cited by Pental, p. 261).

true to the party platform on one of the rare issues which demonstrated a difference between the Liberal and Country parties. Indeed, in later life, Diver recalled that when he and Roche were summoned to the office of the Country Party leader, Arthur Watts, and asked to explain why they had supported the legislation, he (armed with a copy of the party platform in case it was required), had simply stated that what they had done was in line with the objectives of the Country Party. This was good enough for Watts who said, 'Oh go on, get going', essentially ending the matter between them.⁷⁸ It was the lack of action taken against the 'rebel' members that led the Liberal Party to believe that the Country Party tacitly approved the action of these members in crossing the floor.⁷⁹

Relations between the Liberal and Country parties had been increasingly uneasy since the 1955 Federal election. The Liberal Party had decided not to re-endorse Senator Agnes Robertson on the grounds of her age. The Senator then switched her allegiance to the Country Party, gained pre-selection and was easily re-elected with the preferences of Labor voters.⁸⁰ Since that time, the two parties had divided over railway closures (with the Liberals supporting the Government), and increased land taxation measures (with the Country Party supporting the Government in an effort to avoid increased country rail freights as the alternative source of revenue). The passage of the unfair trading legislation was the final straw for some Liberal Party members. At its 1957 Conference, the Swan Division censured the Country Party for its support of some of 'the most socialistic legislation ever passed in this State'.⁸¹ Taken in combination with the high profile defection of Senator Robertson, this outcome put relations between the two parties on an almost hostile basis and is indicative of the significant differences between the parties' ideologies.

⁷⁸ Diver, Sir L., 'From Plough to Politics: An interview with Sir Leslie Diver', (unpublished manuscript in Batty Library), interview conducted by Chris Jeffrey between July 1985 and March 1986, p. 132.

⁷⁹ West, K., *Power in the Liberal Party*, Melbourne: F.W. Cheshire, 1965, p. 103, footnote 73.

⁸⁰ Alexander, F., 'Political Chronicle January-June 1957', *AJPH*, 3, 1, (November 1957), p. 114.

⁸¹ Cited by Alexander, F., 'Political Chronicle January-June 1957', *AJPH*, 3, 1, (November 1957), p. 115.

During 1957, a Liberal plan for the future titled, 'A Blue-Print for the LCL', was produced. It stated that the party's organisational aim was to expand:

... steadily and deliberately so that the LCL will *form a State Government in its own right* ... That is, to avoid the formation of a coalition government with the Country Party. [The] Party should aim to emerge as the uncompromising champion of free enterprise so that the policy of the development of the State by free enterprise becomes completely associated in the public mind with the LCL. ... [The Country Party] will be reduced to the role of a minor party dependent for its existence on policies of expediency and sectionalism.⁸²

Although much of the pressure regarding this legislation was on the Labor Government, the problems within the Opposition parties should not be under-estimated. The *West Australian* referred frankly to the 'increasingly evident' tension between Parliamentary members of the two parties.⁸³ There were some signs that the tension began to ease with the selection of David (later Sir David) Brand to replace Sir Ross McLarty as Parliamentary Liberal leader in February 1957. Brand represented the country constituency of Greenough (which had for many years in the past been a strong Country Party electorate), and it was hoped he would be able to facilitate a more co-operative relationship with the Country Party, at least within the Parliament.⁸⁴ Court was elected Deputy Leader. Although McLarty had represented the country constituency of Pinjarra, he was generally considered to have been unable to match Hawke within the Parliament. Brand, however, proved to be a far better opponent with the result that much of Hawke's rancour towards the Opposition was directed at Court.⁸⁵

⁸² 'A Blue-Print for the LCL', attached to LCL State Council minutes, 24 February 1958, State Council Minute Book 1949-1962, Liberal Party papers, (cited by Layman, L., 'The Country Party: Rise and Decline', pp. 181-2 - emphasis in original).

⁸³ Alexander, F., 'Political Chronicle January-June 1957', *AJPH*, 3, 1, (November 1957), p. 115.

⁸⁴ *Ibid.*

⁸⁵ Pendal, p. 214. Court was by profession an accountant with seemingly little empathy for country issues and less ministerial experience than Brand.

On 28 November 1956, the Bill returned to the Legislative Assembly for the last time. In accepting the Legislative Council's amendments, the Minister for Labour stated that:

... never in my parliamentary experience have I known a measure to be criticised in such unreasonable terms. ...

After careful consideration the Government decided to accept the amendments rather than lose the Bill so as to ensure that the people of this State will have some chance of redress where they consider they have been exploited.⁸⁶

H.E. Graham, the Minister for Housing, made a statement to Caucus that, 'the Legislative Council amendments ... will make the bill hard to operate, however it [Cabinet] has agreed to take what we have got and do our best'.⁸⁷

The controversial nature of the legislation – and the fact that it was initially passed for a limited twelve month period, which required a continuance bill to be passed at its conclusion – ensured that the Act stayed very much in the public eye. The Act also required amendments to broaden its scope in some respects and tighten up the legislation in others.⁸⁸ The Government was trying to attract major private capital investment into Western Australia, but at the same time the WA Trade Bureau was drawing the public's attention to the alarm that the legislation was causing overseas. The Government had maintained the support of the Country Party members of the Legislative Council, which was necessary in order to pass its amendments to the unfair trading legislation, further damaging relations between the coalition partners. The *West Australian* commented that

⁸⁶ *WAPD*, 28 November 1956, 145, pp 2696-7.

⁸⁷ Caucus Minutes, 13.04.1955 - 1.3.1962.

⁸⁸ In 1957 an amending Act banned secret discounts as a form of unfair trading and allowed for the appointment of a Director of Investigation to separate the investigative and judicial functions of the Commissioner. In 1958, the Act's name was changed to the Monopolies and Restrictive Trade Practices Control Act and its terms were extended to outlaw collusive trading. See *WAPD*, 1957, vol. 148, pp. 3079-3081; and *The Statutes of Western Australia*, 1958, pp. 209-213, (this summary of changes appears in footnote 167 of Layman, 'Continuity and Change, 1947-1965'). See also The University of Western Australia, *Annual Law Review*, Vol. IV, 1957-59, pp. 284-5 and p. 470 for a more expansive account of the legislative changes.

the Country Party, '[i]n the Council ... has become (except where there is an obvious and direct threat to rural interests) a loosely knit band of political individualists'.⁸⁹

Despite the opposition to and controversy surrounding the Act it seems that the Premier was still fully committed to it. In a letter to the Minister for Labour on 29 April 1957, Hawke wrote:

In view of the vital importance of cost of living figures as used by the State Arbitration Court for the purposes of measuring quarterly adjustments to wages and salaries, I regard enquiries which are associated with groceries and other goods which come within the "C" Series Index [which measured variations in the cost of living] as being of very great importance.

As you know, large increases in the cost of living, and subsequently in wages and salaries, place a very heavy financial burden upon the finances of the Government and also upon private industry.⁹⁰

Several weeks later at the Caucus meeting of 26 June 1957, Hawke reported that:

Mr Wallwork as Commissioner under the Unfair Trading Act has made a number of enquiries. Cement was an early one. The tactics of the people enquired into has been to delay and defer in the hope that the Act will fail before any decisive action is taken. It is anticipated that Country Party members in Council will support continuances.⁹¹

Industrial development in the Kwinana area had been one of the major achievements of the second term (1950-53) of the McLarty-Watts Liberal-Country Party Government and one which the Opposition was keen to continue claiming credit for. The key public servant involved in the development, R.J. Dumas, the Co-ordinator of Works and Industrial Development, assured Kwinana companies when Labor came to power in 1953 that, 'the

⁸⁹ *West Australian*, 4 December 1957, cited by Crowley, F.K., 'Political Chronicle July-December 1957', *AJPH*, 3, 2, (May 1958), p. 251.

⁹⁰ Hawke, A.R.G., letter to W. Hegney, 29 April 1957, BL, WAS 1143, File No. 85/57, Office of the Unfair Trading Control Commissioner, Acc 916, Box No. 1, Advisory Council Files, 16/1/57-25/6/59.

⁹¹ BL, MN 300, ALP (WA Branch), Acc 1313A, No. 13, SPLP, Caucus Minutes, 13.04.1955 - 1.3.1962.

change will make no difference whatever'.⁹² Whilst there were no changes to the substance of Government policy and obligations, it was ironic that the first (and only) major prosecution under the Unfair Trading and Profit Control Act was of one of the major Kwinana-based companies, Cockburn Cement.⁹³

In fact, three cement companies – Cockburn Cement Pty. Ltd., Swan Portland Cement Ltd. and Cement Sales Pty. Ltd. – were charged with unfair trading; it was alleged that they had agreed to combine to monopolise the trade in Portland cement in Western Australia. In January 1958, Cockburn Cement was found guilty of unfair trading and became the first company to be a 'declared trader' under the Act.⁹⁴ Even prior to this declaration, however, the British industrialist, Sir Halford Reddish, the Chairman of Cockburn Cement's parent company, had mounted his own campaign against the legislation and the Government.

Reddish had flown to Western Australia in October 1957 to examine Cockburn Cement's operations. He announced that as a direct result of the Government's legislation, his company was abandoning a £3 million expansion which would have doubled the capacity of its Kwinana development.⁹⁵ The *West Australian* reported Reddish as stating that, 'In the present circumstances, we find the prospects most unattractive ... The State needs a large flow of capital from outside but present legislation will effectively prevent it from coming'.⁹⁶

F.E. Chamberlain was a member of the Government-appointed Advisory Council to the Unfair Trading Control Commissioner. Following the Commissioner's investigations,

⁹² Dumas to Coxon, 4 March 1953, and Dumas to Reddish, 30 March 1953, Dumas papers (held in BL), (cited by Layman, L., 'Development Ideology in Western Australia 1933-1965', *Historical Studies*, 20, 79, (October 1982), p. 253.

⁹³ *Ibid.*, p. 255.

⁹⁴ This conviction was eventually overturned on appeal to the Supreme Court of Western Australia. See *Western Australian Law Reports*, (Perth: Hales' Reporters), Vol. 59, 1957-58, p. 75.

⁹⁵ Pental, p. 263.

⁹⁶ *West Australian*, 30 October 1957, (cited in *ibid.*).

the Advisory Council voted in December 1957 to determine whether or not Cockburn Cement should be 'declared'. The Advisory Council was split two-two and it was left to Commissioner W.J. Wallwork to decide. Chamberlain was in favour of declaration, arguing in written advice to the Commissioner that:

... I hold the view that the Commissioner, having regard for the objects of the Act and the interests of the public, should exercise the maximum power granted him.⁹⁷

If Chamberlain had voted against the 'declaration' of Cockburn Cement, unlikely as that may seem, the Commissioner would not have proceeded with the legal action against the company, and much of the opposition engendered by Reddish would have been negated.

In an attempt to counter the accusations that potential investors were being discouraged, Deputy Premier John Tonkin embarked on a four month overseas trade mission with the aim of attracting overseas capital investment. The mission left for London on 24 May 1958, but before its arrival, Reddish had raised the nature of the unfair trading legislation in the London *Financial Times*, issuing a warning to investors and calling on Premier Hawke to repeal the legislation.⁹⁸ Hawke responded with a letter to the *Financial Times*, and the issue gained considerable coverage in both London and Western Australia. So, too, did Hawke's claims in Parliament in August 1958 (based on a report from the Agent-General in London, E.K. Hoar), that British investors were, 'not scared, worried, upset or concerned by the propaganda of Sir Halford Reddish'.⁹⁹ For his part, Tonkin had gained the impression that the British did regard the legislation as a limitation on profits, and that they believed if they were willing to take the risks of investing, they should be allowed to do so unrestricted. Tonkin later stated that, 'Whilst this restriction was there they lost interest and were prepared to look elsewhere'.¹⁰⁰

⁹⁷ Chamberlain, F.E., report included in minutes of meeting held 13 December 1957, BL, WAS 1144, Office of the Unfair Trading Control Commissioner, Acc 916, Item No. 1, Advisory Council Minutes, 1/1/57-17/11/59.

⁹⁸ Layman, 'Development Ideology in Western Australia 1933-1965', pp. 256-7.

⁹⁹ Cited by Pental, p. 266.

¹⁰⁰ Tonkin, J.T., interview with Philip Pental, 1973, (cited by Pental, p. 267).

Ultimately, Tonkin's trade mission would be regarded as a failure. Although he returned claiming that at least 14 British and American companies were keen to set up their industries in the State,¹⁰¹ and with an assurance to caucus that there was very little overseas opposition to the legislation,¹⁰² the majority of the investment that did come the way of the State occurred following the 1959 election, with the new Coalition Government gaining the kudos.

By the time the State Election was announced, the hard-hitting and well organised advertising campaign by the WA Trade Bureau against the Government had severely damaged Labor's chances of retaining power. Throughout its period in office, the Government had expanded the role of government instrumentalities, directing that the Government Printing Office handle all government printing work and that day-labour through the Public Works Department be preferred to private contractors on public construction sites. This further incensed the WA Trade Bureau which broadened the scope of its attack to include all the 'socialistic' policies of the Government and in particular, State owned trading concerns such as hotels, meatworks, sawmills, brickworks, engineering and iron works and the Metropolitan Transport Trust.¹⁰³ Pervan and Mitchell identified this campaign as one of the major factors which led to the Hawke Government's defeat.¹⁰⁴ Along with the problems of the 'split' in the ALP, and the direct loss of four Labor seats to the Liberal Party as a result of Democratic Labor Party preferences, the widely-distributed and scathing advertisements of the WA Trade Bureau embarrassed the Government and harmed its public credibility significantly. One advertisement titled, 'Just Before You Go, Mr. Hawke', read:

Candidly, Mr. Hawke, you're a good man who got in with the wrong bunch. The Evatt-Chamberlain bunch. You let the

¹⁰¹ Legge, J.D., 'Political Chronicle July-December 1958', *AJPH*, 5, 1, (May 1959).

¹⁰² Caucus Minutes, 13.04.1955 - 1.3. 1962.

¹⁰³ Layman, 'Continuity and Change, 1947-1965' in D. Black, ed., *The House on the Hill: A history of the Parliament of Western Australia 1832-1990*, Perth: Parliament of Western Australia, 1991, p. 175; Black, 'Liberals Triumphant', p. 452.

¹⁰⁴ Pervan, R., and Mitchell, D., 'The State Labor Party in Western Australia 1920-1960', p. 93-94. See also Crowley, F.K., *State Election: The Fall of the Hawke Government*, for an account of the election.

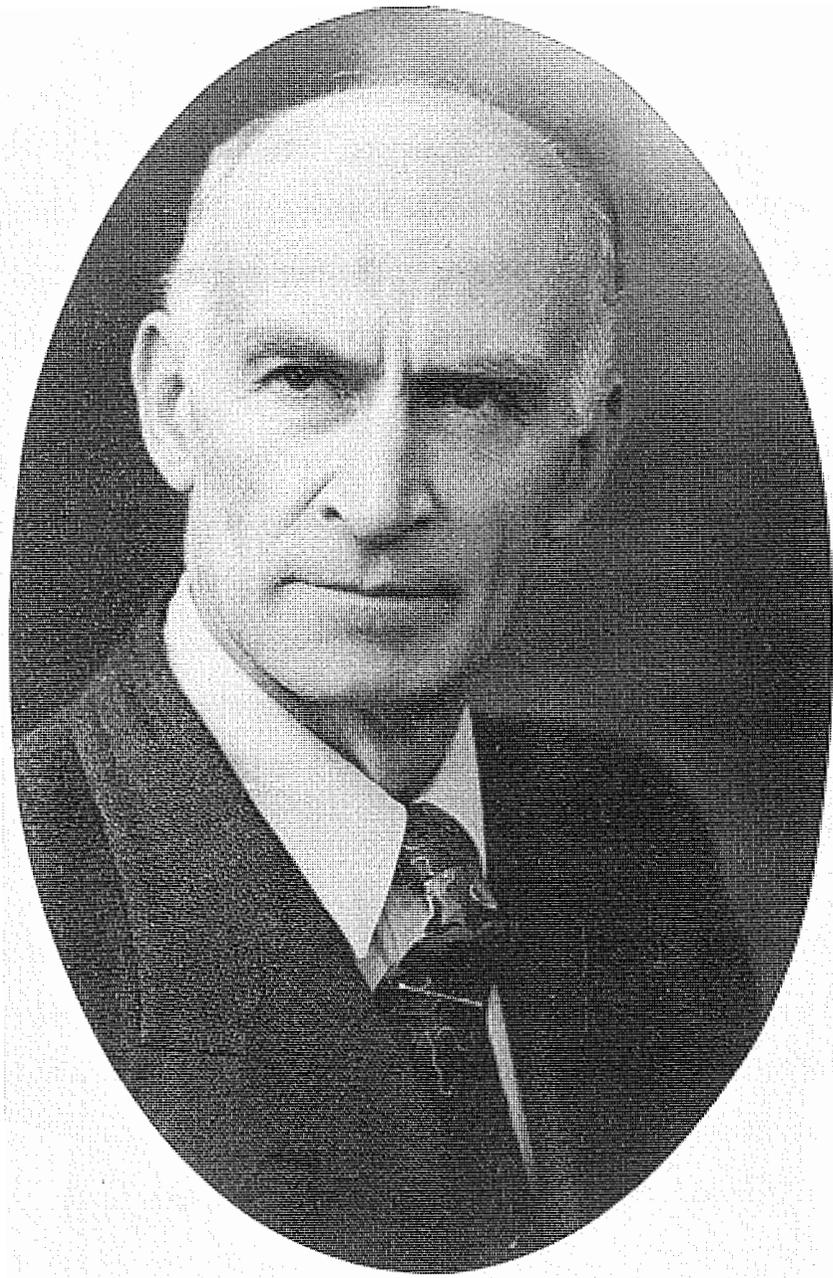
crazy un-Australian doctrine of Socialism upset your judgement to a point where you introduced the fatal Unfair Trading Act which has scared off millions of pounds of Overseas Capital to other States ... WE CAN'T AFFORD TO LET THE CHAMBERLAIN-EVATT INFLUENCE DRAG WESTERN AUSTRALIA ANY FURTHER DOWN THE LADDER OF LIVING STANDARDS. WESTERN AUSTRALIA CAN'T AFFORD ANY MORE SOCIALISM.¹⁰⁵

With the advantage of hindsight it seems clear that the Unfair Trading and Profit Control Act was a distinct negative when the Government faced the electorate in 1959. The Act represented everything that the Liberal Party and the business community despised about the Labor Party and, along with Labor's problems in attracting industrial capital, it became a symbol of both repression and economic stagnation. Combined with Labor's other problems, the end was inevitable. Considering the massed opposition it faced, Labor did extremely well to avoid a complete landslide. It was, however, to be a long time before Labor could attract enough support to again form government. Labor's perceived weakness as an economic manager of the State's affairs was also to be an ongoing problem for the party. For the non-Labor parties, antipathies of the kind typified by this episode were to continue in the future to the extent that by 1960 negotiations on a combined campaign for the 1962 election broke down completely when the Country Party reserved its right to contest Liberal held seats.¹⁰⁶

As a case study, the passage and implementation of the Unfair Trading and Profit Control Act tells us a great deal about the Labor style of government during the period and is indicative of the problems the party would face until it essentially re-invented itself in the 1980s. Again, however, the 1980s embodied the oligarchical style of leadership, but with political methods which would bring many problems of their own.

¹⁰⁵ Text quoted in *ibid*, p. 25.

¹⁰⁶ Orr, R.R., 'Political Chronicle July-December 1960', *AJPH*, 7, 1, (May 1961), p. 117.



'Bert' Hawke, Premier of Western Australia,
1953-1956
(Courtesy ALP)

The Independent Ladies¹

John Joseph Jones²

Bonnets bustled at one another in court number five of the Supreme Court buildings in Perth on Monday, 4 September 1961, when ladies from the Independent Schools of Western Australia attended in force to support their advocate, G. ('Taffy') Wall, as he presented the case for an Award for Female Teachers on behalf of the Independent Schools Salaried Staff Officers' Union (ISSOU). The respondents were St. Hilda's Church of England Ladies' School, industrial lawyer Martin appearing on their behalf.

The appearance of the case before Conciliation Commissioner, F. Schnaars, climaxed fifteen months of determination by the ladies to gain wage justice in their chosen calling. By an industrial irony, the Union was formed in 1960 as an immediate response to the Miscellaneous Workers' Union, which had attempted to gain industrial jurisdiction over the teachers in independent schools. At the time of the attempted take-over, there already existed an Independent Masters' Association which had until then managed to steer clear of the turbulent waters of female membership.

With tradition as their backstop, the men had resisted female entry into their association and it remained a gentlemanly preserve. But with the threat of becoming part and parcel of the Miscellaneous Workers Union (MWU), which had a history of industrial militancy, the men were compelled to enlist the support of the women in order to form the new Salaried Officers' Union. The schools recoiled in dismay at the possibility of the

¹ This article was written in 1961 while the outcome of the case was still being determined. It is reproduced largely in its original form, although some minor changes have been made to facilitate the flow of the text. The original is in Mr Jones' papers in the J.S. Battye Library.

² John Joseph Jones BA (UWA), T.C. (Claremont), trained as a teacher after serving as an instructor in the RAAF, and entered the service of Christ Church Grammar School. He was an active union member and participated fully in supporting the claim for an Award for women teachers. He stood unsuccessfully for the Union Presidency against Mr Bill Rucks. Mr Jones was an Education and Research Officer for 6½ years and edited *The Teachers' Journal* for the SSTUWA. He designed and built the Parkerville Amphitheatre in a rehabilitation project for prisoners in 1968-69, and has published many poems and plays.

MWU gaining coverage and promoted the urgent need to set up the ISSSOU, at the same time wanting it to be called an 'association', rather than a 'union'. The inaugural meeting packed the newly-completed gymnasium at Christ Church Grammar School, and by a solid majority the Union came into being, covering headmaster and headmistress, male and female, teacher and non-teacher alike. The MWU had been forestalled by only a matter of days and the ISSSOU was able to object successfully to their application in the Arbitration Court.

The immediate problem of women's salaries came up almost as soon as the Union was registered. Women teachers packed the meetings while most men were content to stay away, apparently being satisfied with their lot and being unwilling to prejudice their own private contracts by pressing for an award for men or women. As was revealed in the Court, men's salaries were significantly higher than women's. But the men could not stem the efforts of the women members, who were anything but satisfied with their rates of pay. At the first annual general meeting, held in August 1960, the women succeeded in moving a motion for an award with the condition that it be referred to the Arbitration Court if necessary.

Negotiations between the Union and the respondents failed. According to Wall, the schools had just not played the game as it should be played, for he alleged that they had adopted a policy of non-cooperation, by withholding information relevant to his claim. The answer which the schools had finally made came too late to prevent the case going to Conciliation. The original motion requesting the Union to seek an award could only have been altered by a general meeting. The hearing had been fixed prior to the next general meeting. Wall had no power but to continue with the application.

The Union used as the datum the general conditions of service covering teachers in the State schools of Western Australia but also referred to conditions governing the employment of women in Queensland and Victoria, both of which had awards covering

Independent schools. Wall emphasised that his Union's requests were very moderate when compared with Queensland and Victorian pay scales, although two witnesses later testified that their teaching experience in Independent Schools in those States had not shown any appreciable differences in duties. Wall drove home a vital point in his comparisons by drawing attention to the similarity of teacher-pupil ratios in the Independent Schools of Queensland, Victoria and Western Australia. If, he said, as the facts show, the teacher-pupil ratio is comparable and, as the witnesses testified, the teaching duties are comparable, why then should salaries not be closer? So far the Union has not compared the female salaries currently paid with the male rates paid. It is doubtful whether such information could be obtained from the male teachers.³ Furthermore, the comparison would not be an easy one, since married male teachers receive certain privileges from their schools – including such privileges as free tuition for their sons – which are not available to single female employees, and few married women are employed as teachers.

In advertising positions for male teachers at salaries comparable to the Departmental rates, two schools – Hale and Christ Church – were probably the forerunners of wage justice for Independent Schools staff in Western Australia. But wage justice comes at a price. Wall, unfortunately, received his notice in writing from the Hale school headmaster, Mr Prince, two weeks before the hearing commenced. No reason was given for his dismissal. It remained to be seen whether the women for whom he had fought so untiringly would remain interested enough in the Union to back him when the award was granted. The composition of the Union's membership is probably unique in industrial history, since headmasters and headmistresses are eligible for membership; this despite the fact that they hire and fire teachers and act as the employer in every respect except the payment of wages.

The presence of Dr. V. Summers, Monseigneur Burke of the Catholic Education Office, and – for the first and second day of the hearing – Mr. P. Moyes of Christ Church,

³ It was considered 'improper' to discuss one's salary with other teachers. The schools encouraged silence on such matters.

deterred neither attendance nor witnesses and the case proceeded with an air of uneasy calm. Noted by his absence was the Union President, W. Rucks. Wall would almost certainly be elected, having shown an excellent court presence and having carried the great weight of teaching full-time while doing most of the preparation for the log of claims prior to the hearing.

The pay increases themselves could be met reasonably well by raising school fees a moderate amount. As Wall pointed out, the parents who send their children to these schools have all benefited by pay increases in some way or another; they should not mind contributing to the payment of a reasonable salary for those who are ultimately their employees. Long service leave conditions were more likely to cause difficulty. The Union's request of six months' leave after fifteen years' service had been answered with an offer of three months after twenty years. Sick leave provisions were also a sticky point, with the Union asking parity with the Education Department's ten days on full pay and five days on half pay with an indefinite accumulation of leave. Wall explained that at the moment under common law, teachers in Independent Schools were entitled to unlimited sick leave. The Union's request therefore sought to restrict teachers' rights rather than to extend them. The respondents had answered with an offer of one week on full pay with a maximum accumulation of three weeks. Wall suggested that in fact this would cost the employers nothing since it was not usual to engage relieving teachers to undertake the duties of sick teachers for periods of less than two or three weeks. The extra load was carried by the other teachers.

Does all of this union activity in conciliation point to a degeneration in the principles of female Independent School teachers? I think not. The Independent Schools were among the first industries established in this State and yet they were the last to have approached the Arbitration Court for a salary determination. Why was this so? Traditionalism both on the part of the schools and the teachers; an unwillingness to appear in public in a court which had often been the arbiter of bitter disputes and long drawn-out struggles, and a reluctance on the part of the headmistresses and headmasters to accept any

outside authority over what had for so long been their private demesne – the engagement of staff at the salary which they had thought the most appropriate. A great amount of animosity between teachers and administrators could have been avoided if the Independent Schools had recognised the beneficial effects which could result from friendly and cooperative negotiation. It appeared that a favourable award would be granted to the Union.⁴

One of the factors that had delayed the unionisation of Independent Schools staff was the Schools' recruitment policy. They employed teachers from wherever they could be found – interstate, overseas or the WA Department of Education. Such a policy brought together teachers with a variety of qualifications and outlooks. Some highly competent male teachers in the senior age groups had little interest in the formation of a union; their battles had already been fought elsewhere, and with only a few years of teaching left, they were a conservative nucleus. It is doubtful whether there would have been a union now had the Miscellaneous Workers' Union not made its original application. Rather than face the ignominy of their staff members belonging to such a union, the Independent Schools joined forces to establish the union which they [the Schools] are now opposing. In addition, there was no existing award for a union to protect.

The salaries determined by the Court were operative as from 1962. The Independent school teachers greatly benefited from a salary scale comparable with the Education Department's. For the first time in their history, the headmasters and headmistresses were able to meet prospective female teachers without having to apologise for their low pay rates; they were able to attract the most able, qualified teachers and could seriously compete as employers with the Education Department; staff once engaged would no longer be attracted away from the schools to better-paid positions in the teaching industry, and the prestige of the Independent Schools would take – in common with the rest of the State – a 'great leap forward'.

⁴ This is confirmed in the contemporary Postscript to this article.

Undoubtedly, the Roman Catholic schools will use the necessity of paying higher salaries to their lay staff as ammunition in their campaign for aid for church schools.⁵ We have not as yet seen any coordinated endeavour by all denominational schools for aid but the raising of staff salaries may be a test of loyalty among the denominations themselves as to whether they really believe that general aid is needed to keep a religious tone in education or merely their own religious tone. Moves to interest the State Government in paying at least the salaries of teachers in Independent Schools have long been mooted. Within the structure of Australian democracy, the idea is probably as close as we could hope to come for aid to the denominational schools. Certainly, we should not continue to permit lay teachers, with all the normal responsibilities of contemporary life, to offer their services in denominational schools at less than their fair hire. Their burden in extra time will always be with them but, in their dedication, they have carried it without demur and will continue to do so because they realise that education is an amalgamation of art and a science which demands the total involvement of the teacher, the parent and the pupil.

POSTSCRIPT, 1999

The Independent Ladies won an Award which established comparable pay rates and teaching conditions not yet on par with those enjoyed by the State School Teachers' Union of WA. In the *Industrial Gazette*, of 22 September 1961, Commissioner F. Schnaars said, 'I cannot ignore the State School Teachers' salaries but can do no more than present them as a guide'. The original Award did not provide for male teachers, although revisions were made to do so later on. Because of this feature covering *only female workers* in a workplace in which male workers were also employed, the Award set an Australian precedent in that a female worker had been used to determine the judgement solely; normally the female wage rate was set as a percentage of an already determined male rate. The rise in female teachers' wage rates was significant. Evidence was tendered showing that senior female teachers were receiving approximately the female Basic Wage. The Independent Schools objected that fees could not accommodate the wage rises, but this has

⁵ This forecast proved to be correct.

proven incorrect. All schools implemented the Award. It was a real first for women in Australia.⁶

'Taffy' Wall took an advocate's position following his dismissal from Hale School; Courtney Stoate, a vigorous unionist, resigned and migrated to Canada to teach French in Quebec; I resigned and became Education and Research Officer of the SSTUWA. After consistent requests and motions in the ISSSOU, the headmasters and headmistresses finally decided to relinquish their right to union membership.



John Joseph Jones (1961)
(Courtesy J.J. Jones)

⁶ See also Josephine Hiller, A History of ISSOA from 1960-1976, unpublished thesis, UWA, 1982, for a history of the Union during the pay case and after the Award was granted.

The Closure of the WAGR Midland Workshops

Carmel Gosper¹

The West Australian Government Railways (WAGR) Workshops, located at Midland, were functional for 90 years. When they opened in 1904, the workshops were one of the biggest of their kind in the country; building, repairing and maintaining trains, providing apprenticeships, and at times providing up to 3000 jobs. They also played an important part in the 1940s war effort as a munitions factory.² In the 1980s the workshops became less economically viable, and the Westrail workforce had been more than halved.³ After the newly elected Premier, Richard Court, announced a proposal to close the workshops in 1993, no amount of social and union protest could save them. The Midland workshops closed in March 1994. The action was to affect hundreds of workers, and had a wider impact on the general public, whose faith in government credibility was rocked.

In February 1993, the Coalition was voted into power by a community intent on punishing Labor for the malpractices of the 1980s.⁴ In the election campaign, the Coalition had promised that no public servant would be sacked as a result of public service restructuring. The Liberal Party Transport Policy pledged that if elected, the Coalition would: "Embark on a programme of re-equipping the Midland workshops and ensuring their long-term future."⁵ Needless to say, when Court announced the closure of the very same workshops less than three months later, the public, unions and workers were shocked and irate.

¹ Carmel Gosper completed a Bachelor in Applied Heritage Studies at Curtin University in 1999.

² *Midland Workshops*, Westrail pamphlet, Perth, c1983.

³ Peter Hooker & Malcolm Quekett, "Hundreds of rail jobs gets the axe," *West Australian* 28 April, 1993, p.1.

⁴ Steven Loxley, "Election promise dies on Midland jobs derailment," *West* 1 May 1993, p. 10.

⁵ Malcolm Quekett, "Closure breaks election pledge," *West* 29 April, 1993, p. 6.

On 27 April 1993 Cabinet approved a package of sweeping reforms for Westrail, with the goal of making it more efficient. The closure of the Midland workshops would force over 1000 workers to choose from a \$13 million redundancy package or redeployment. Premier Richard Court faced the media with the statement:

We believe there are many areas currently handled by road transport that should be handled by the rail industry. That's why we want to make Westrail a more competitive organisation so it can start winning back some of that work that has been lost.⁶

The news was 'gut wrenching' and even resulted in the suicide of one employee.⁷ Many labourers had been at Westrail their entire working lives, and regarded the place and its people as family. For the public, this was to be the first glimpse of the Coalition's public service reform agenda, which became known as 'The Court Agenda'.

Tony Cooke, then Assistant Secretary of the Trades and Labour Council (TLC), said that the government had not consulted unions before making the decision.⁸ Westrail was accused of doing secret deals with the government, and unions called on workers to refuse redundancies in protest. The government's argument was primarily one of economic rationalism. It seemed that the previous year's \$18 million loss made closure inevitable. When key documentation on which the decision was based was eventually made public, the unions rejected it for lack of detail.⁹ Railway Officers Union Secretary Tony Borger said: 'Not even a banana republic would make such decisions on such flimsy evidence. There are people's lives at stake here'.¹⁰ A campaign was started, which was 'no flash in the pan.

⁶ Peter Hooker & Malcolm Quekett, "Hundreds of rail jobs gets the axe," *West Australian* 28 April, 1993, p. 1.

⁷ Stuart Reid, "*Westrail (previously WAGR) Midland workshops 1952-1994*," Oral history-Kevin Mountain, Battye 1994, p. 69.

⁸ Peter Hooker & Angela Wellington, "Midland workshops axed as 1050 Westrail jobs go," *West Australian* 29 April, 1993, pp. 6-7.

⁹ Grace Meertens, "Charlton hangs on the cabinet papers," *West Australian* 1 May 1993, p. 4. Cooke was elected as Secretary of the TLC in January 1995.

¹⁰ Roger Martin, "Rail workers to discuss closure," *West Australian* 3 May 1993, p. 13.

This is going to be a 12 month campaign.’¹¹ It included petitions, media releases, letters, videos in shopping centres, and distributing pamphlets to enlist public support.

It seemed that the public were willing to support the Westrail employees, because the issue at the heart of the matter was the breaking of an election promise. Political analyst Steven Loxley commented in the *West Australian* that Court had done nothing to restore public trust in government.¹² It seemed Court did not comprehend the importance of politicians sticking to their word, if credibility and integrity were to be restored to the public. The public were disappointed in the lack of integrity in present day politics. ‘They [the politicians] merely shrug their shoulders and dismiss the reversal of policy as regrettable but unavoidable.’¹³

Making himself even more unpopular with the public, on 4 May 1993 Court warned that the new government ‘may swing wider’ to include reforms in the meat industry, the R & I bank, SGIC, SEC and the Water Authority.¹⁴ On the same day he announced the closure of the Robb Jetty meat works. Apparently the Midland workshops’ closure was just the start of structural reform, and Court was looking for areas of efficiency improvement in all government trading enterprises – ominous signs for the public sector.

On 6 May 1993, workers marched from the Workshops to a public meeting at Midland Town Hall. Court was in Canberra, but Eric Charlton attended. Long term Westrail employee Kevin Mountain comments that he was an ‘arrogant mongrel’ and ‘as a Minister of the Crown he saluted everyone with a common old Australian two-fingered salute.’¹⁵ The meeting became heated and demonstrated the frustration felt by the workers

¹¹ Angela Wellington, “Rail unions dig in for battle over closure,” *West Australian* 4 May 1993, p. 12.

¹² Steven Loxley, “Election promise dies on Midland jobs derailment,” *West Australian* 1 May 1993, p. 10.

¹³ Gary Congdon, Letter, *West Australian* 4 May 1993, p. 10.

¹⁴ Martin Quekett, et al, “We may swing axe wider, warns Court,” *West Australian* 5 May 1993, p. 7.

¹⁵ Stuart Reid, Mountain Interview, p. 72.

and union officials towards the government. The argument for economic rationalism did not sit well with unions, who said that Westrail had deliberately contracted work out to make the Workshops look redundant, and let them get run down.¹⁶ Relations were made more hostile when Labour Relations Minister Graham Kierath threatened that if unions disrupted services to protest against reforms, the workshops could close earlier.¹⁷

A 'Day of Action,' including a march to Parliament, was organised by the TLC on 17 June 1993. The main message from TLC Secretary Rob Meecham was that the government must consult workers before it makes radical decisions. The crowd was controllable until the appearance of Sir Charles Court, the Premier's father.¹⁸ Four arrests were made, and the headlines in the *West* the next day read: 'Ugly clashes as union rally erupts.'¹⁹

Despite public protest, the Midland workshops closed on 4 March 1994. In the last weeks the mood was melancholy, morale was low, and many workers used up sick pay and stole equipment in one final act of defiance.²⁰ On the last day, Kevin Mountain was chosen to lower the flag for the last time. There were wakes at the local hotels in Midland, and the day was washed in sentiment. The newspapers called on the rhetoric of the battler, the hard-done-by labourer, and the loyal employee against the big, insensitive government.²¹ It was the end of a tradition, and a way of life.

The old buildings - battered and scarred by decades of industrial wear and tear - reinforced the sense of continuity across generations of trade workers. All the activities over all the years at the workshops will soon belong to the realm of ghosts and memories....the workshops are about as old as the nation.²²

¹⁶ Simon Dowding, "Lost hours drain Westrail," *West Australian* 11 May 1993, p. 3.

¹⁷ Simon Dowding, "Kierath threatens unions," *West Australian* 7 May 1993, p. 7.

¹⁸ "Ugly clashes as union rally erupts," *West Australian* 18 June 1993:1.

¹⁹ *West Australian* 18 June 1993, p. 1.

²⁰ Stuart Reid, Mountain Interview, p. 71.

²¹ Nic Ellis, "Rail veterans face future on the dole," *West Australian* 29 April, 1993, p. 7.

²² Nic Ellis & Zoltan Kovacs, "Midland: a pictorial essay," *West Australian* Big Weekend 5 Mar 1994, p. 5.

Already the workshops had been cast into the realms of history and national identity. It is interesting to note the shifting focus on events. Workers' perceptions at first were that the entire exercise was solely to break up and disempower unions, because the Workshops had become a big location for labour union formations. But later, perhaps conceding defeat, the press' rhetoric took on the wider perspective, and the issue became one of government industrial relations policy. An editorial in the *West Australian* said:

Too often, decisions are presented as necessary efficiency and cost saving measures without regard to the social upheaval and personal hardship imposed. That was the situation in April last year when the Court government said it would close the Midland Railway workshops, throwing 750 people out of work...there is no need to overlook the human element when such restructuring is taking place. Advance warnings and sensible negotiations must be part of the process.²³

In hindsight, the closure of the WAGR Midland Workshops raised some interesting issues about government industrial relations. Another editorial said that workers at Midland 'had every right to feel aggrieved about the insensitive way the government handled decisions about closing...even though those actions might have been justified on economic grounds.'²⁴ And if, as Charlton said at the time, it is *not* up to the government to be the social conscience of the community, then no wonder the public were disillusioned.²⁵

²³ "Human side to labour changes," Editorial, *West Australian* 18 Feb 1994, p. 10.

²⁴ "State and unions draw battle lines," Editorial, *West Australian* 19 June 1993.

²⁵ Arthur Dunstan, Letter, *West Australian* 4 May 1993, p. 10.

On the Waterfront

Bill Anderson¹ was born in Lanarkshire, Scotland, and migrated to Australia in 1976 with his Australian-born wife. After studying History/Politics at Deakin University, Bill completed a Dip. Ed. and Ph.D at the University of Melbourne. He has held a number of positions including, most recently, lecturing on the Holocaust at Deakin University, Melbourne. A Research Associate attached to the National Centre for Australian Studies, Monash University, he is currently writing a 25th anniversary history of Deakin University.

Bill recently completed *Fever Hospital* a commissioned history of Fairfield Infectious Diseases Hospital in Melbourne (to be published by Melbourne University Press) and is working on a biography of Labor Prime Minister Andrew Fisher. He is an active member of the Fellowship of Australian Writers, and a published poet. Some 40 of his poems, which are mainly politically inspired and are sometimes written in his native Glaswegian, have appeared in publications such as *Green Left Weekly*, *Red lamp* (Cambridge), *Frontline*, *Progress Press*, and *Slacker*(Glasgow). He was recently awarded first prize in the Clarissa Stein Multicultural Poetry Prize, awarded annually by the Australian Multicultural Book Review.

Come All Ye
Come one, come all,
hear the call
support the MUA
All the way.

Come one, come all,
big and small,
back the Union
they fight for us all.

Don't delay
contribute today.
If the Union don't win
the future is grim.²

¹ Dr Bill Anderson is a Lecturer at Monash University.

² This and all of the other poems quoted in this paper were written by the author in 1998

It is the contention of this paper that the lockout of Maritime Union of Australia (MUA) members in 1998 provides a barometer of the strength and influence of unions in this country and indeed, that the industrial campaign mounted by the MUA and supported by the Australian Labour movement and a wide cross section of the Australian public, provided a barometer for political and economic discontent throughout the community. As suggested in the short poem which opens this paper, a substantial number of Australians — by no means all of whom were committed trade unionists — saw the MUA's gutsy and tenacious struggle to protect their jobs as profoundly symbolic, a critically important David and Goliath struggle between ordinary Australians and the forces of aggressive and uncaring economic rationalism. The outcome of this struggle would play an important part not only in the economic future of the nation but the quality of life, not only of trade unionists or even the working class, but of the whole population. The sacking of MUA members on the docks, and the lockout which followed, struck a resonant chord within an Australian community which was becoming increasingly afraid of the effects that economic rationalist policies were having on their lives and on the economic prospects for their children. Not only were employees faced with the casualisation of their work contracts and a general deterioration of their working conditions but also with a dramatic decline in the quantity and quality of service provision in education, health and welfare, and widespread closures in community-based banking and transportation services. So, for a nation in which increasing numbers of people were feeling under siege from a heartless and seemingly unstoppable economic rationalist attack, the stand made by the MUA was inspirational and the struggle was invested with an importance which rose far beyond its immediate industrial ramifications.

To understand why events on the waterfront during the industrial struggle between the MUA and Patrick Stevedores provided a barometer of the strength and influence of the Australian union movement and why it came to exert such a powerful impact on the national psyche, we must firstly examine the history of the Union and the background to the dispute. It was the convergence of the traditionally most militant arm of the labour movement with the cutting edge of the economic rationalist creed that crystallised this

particular industrial struggle into what both the Prime Minister, John Howard, and the National Secretary of the MUA, John Coombs, described as a defining moment in our history.³ In the *Age* on 24 February, 1998, Karen Deerfly noted that the waterfront industry has a history of almost inhuman exploitation. The men who have worked on the waterfront over the years have reacted to the difficult and dangerous work which they faced on the docks by embracing the concepts of mutual support and solidarity. This has been reflected in their passionate commitment to their union; a commitment, indeed a legacy, passed down through the generations.

In every industrialised society there is a union movement of some description and within that movement invariably there is one particularly militant section which has won a reputation as the vanguard. In Britain, the coalminers were the vanguard of the labour movement, their militancy widely respected and occasionally emulated by the wider movement and their major industrial struggles in 1926 and 1984 being critical barometers for the British Labour movement and the working class as a whole. Coalminers prided themselves on their militancy and on the respect with which they were held amongst the working class. Being the vanguard, however, as the history of National Union of Miners (NUM) has shown, exposes a union and makes it the chief target of the labour movement's enemies. Successive British governments have always believed that if the NUM could be brought to heel the whole union movement would become acquiescent, hence the incredible —and not infrequently legally dubious —efforts by Margaret Thatcher's Conservative Government to destroy the Union in 1984, a year in which George Orwell's prophetic nightmare world came very close to being realised.⁴

In Australia, the wharfies have played much the same role as the miners have in Britain, in as much as they are recognised as having established a tradition of militancy and leadership within the broader movement. It is hardly surprising that men who work in the hardest and most dangerous industrial environments will develop militant tendencies —

³ *Age*, 9 April, 1998, p.6

⁴ See, for example, V.L. Allen, *The Militancy of British Miners*, The Moor Press, Shipley, 1981, and M. Crick, *Scargill And The Miners*, Penguin, Harmondsworth, 1985.

simply to avoid being crushed by the always difficult and sometimes desperate conditions under which they are forced to work. They must learn to fight, they must strive tooth and nail to improve their working conditions. This struggle, often referred to as bolshie by employers, is in fact better described in terms of self-preservation. But the workers on the waterfront have established a reputation which transcends purely defensive and essentially reactive militancy. On many occasions over the years, they have risen above pure self-interest and above Australian-based concerns and taken strong and courageous stands on important moral and political issues. Some of the wharf workers most famous interventions are noted in my poem Wharfies . For any believer in democracy let alone a leftie — these must be seen as a litany of good causes, a veritable roll of honour.

Wharfies

On support for Spain
in 36 — the wharfies
were right — the Right
was wrong ...

On Pig-Iron for Japan
in 37 — the wharfies
were right — the Right
was wrong ...

On blacking Indonesia
in the 60s — the wharfies
were right — the Right
was wrong ...

On opposing the Vietnam War
in the 60s and 70s — the wharfies
were right — the Right
was wrong ...

On opposing apartheid and racism
over many decades — the wharfies
were right — the Right
was wrong ...

And in standing up to Patrick
in '98 — the wharfies
are right — the Right
is once again — wrong.

Won't the greedy
right wing, wrong-headed,
slow learning bastards
ever learn?

The Union has a record that includes supporting the elected Spanish Government when it was attacked by Franco's fascists, fighting against Menzies' plan to ship pig-iron to Japan in the years before World War Two,⁵ supporting the Indonesian nationalists in their struggle to throw off their colonial yokes, actively opposing Australian involvement in the Vietnam War and opposing the apartheid in South Africa—a stance which won the Union the respect and support of Nelson Mandela, who presented the wharfies with a plaque commemorating their boycotting of the South African apartheid regime which led eventually to a world-wide boycott.⁶ The wharfies' magnificent record in supporting the aforementioned good causes is well known and widely respected—although being somewhat more politically advanced than the mainstream, premature anti-fascists in the 1930s etc—has played no small part in the demonisation which the Union has faced from some elements of the media. What is not so well known is that the MUA has continued to place itself at the forefront of struggles not only to make the world a more just and equitable place but also to protect the environment. In an article in *Catalyst* published during the lockout, a spokesperson for the environmental movement had this to say:

The Maritime Union of Australia (MUA) have been one of the most successful unions over the years in getting reasonable working conditions for its workers; they have also been ... active in a lot of community campaigns, including the environment movement. Since the Howard Government has been in power they have successfully brought in policy after policy attacking not only workers, indigenous

⁵ See Rupert Lockwood, *War On The Waterfront: Menzies, Japan and the Pig-Iron Dispute*, Southwood Press, Marrickville, 1987.

⁶ K. Cain and B. Best, *Surprise at the Docks*, *Crosslight: The Magazine of the Uniting Church In Victoria*, No. 67, May 1998.

Australians and migrants, but have also spat in the face of environmentalists [by] bringing in numerous environmentally degrading policies and programs ... On the other hand, the MUA have been significant advocates for the environmental movement over the years. As far back as 1982, they have been on the wharves defending the environment. When the Green Peace ship the *Pacific Peacemaker* was rammed by the French navy for going inside the 12 mile territorial limit of Mururoa Atoll, the activists avoided a potential six months jail sentence by limping to New Zealand and then back to the Sydney Wharves, where they had the protection of the MUA members, preventing the French from docking and arresting them. The wharfies have also been integral in the campaign against the import of endangered rainforest timber, where they have refused to unload such ships in solidarity with environmentalists and the indigenous peoples of South East Asia and South America who were losing their homes at an ever increasing rate. They have also supported the anti-uranium campaign, peace activists, many endangered species campaigns including the international ban on whaling and much more.

Finally, it is important to remember that these attacks on the MUA are just the start of a campaign led by big business to not only erode the right of workers to have decent conditions and to be members of union, but also part of an increasing trend toward a world which puts profit for the very rich above everything else, including workers rights and the environment. It is very important for environmentalists and all green minded people to show solidarity with the MUA and stand together against all those regressive moves, if not just because of their intrinsic right to be a union member and have decent conditions, then atleast to keep a much needed green comrade on the Australian wharves...⁷

It is only when we understand the role of the MUA in supporting progressive causes — political and moral stands, which have won it manystaunch friends, but have also led to it being demonised by the more conservative sections of the community —that we can begin to understand why the Union s struggle became a rallying point for those who object to the greed and inhumanity which impels the economic rationalism and managerialism that is undermining our society. The fact that the MUA funds a cancer research program at the rate of \$30,000 yearly, and that —ironically enough —it donated \$60,000 to drought stricken farmers in 1997, reinforced a view in the community that what was at stake was a much wider and much more important issue than waterfront reform. It was a test of strength to see what sort of a society we are to become — caring and sharing or dog eat dog and the devil take the hindmost? Angered by the involvement of the National Farmer s Federation in the dispute I penned a rather bitter poem:

Sling Your Hook

The Men on the Land
want Scabs on the Docks,
or at least the money men
- the Ratpack Company -
who pull their strings do.

We have long memories...

Divide and Rule seems
a concept beyond the ken
of these manipulated
farming men.
But let this be known

We have long memories...

When next our country cousins
whine and whinge of drought,
of falling prices, of rising costs
we may tell them to
Sling their Hook.

We with the long memories...

Most of us can to some extent understand why Patrick Stevedores acted as they did. We may well disagree with their actions but we can all understand and recognise greed when we see it. We can also perhaps understand the machinations of the Coalition Government and its lackeys. Reith, Howard and Company are driven by right wing ideological chimeras which have blinded them to their responsibility to represent the whole Australian community rather than just moneyed interests. But how do we explain the farmers joining into an unholy conspiracy to destroy a union of working men ?

The importance of the struggle for the future of the Australian Labour Movement and for what might be called the moral future of our country was outlined by Pamela Bone in an article in the *Age*. She noted that:

⁷ *Catalyst*, Edition 5, 29 April 1998, p. 27.

At a rally in Melbourne in support of the wharf labourers, Bishop Hilton Deakin, of the Melbourne Catholic diocese, called for us to pray for, the leaders who are not leading us . The biggest moral failing of the Government is that it seeks to appeal not to our best instincts but to our worst ... it is hard to reconcile the kind of philosophies articulated by some on the right ... with traditional ideas of morality.⁸

It was, I would suggest, the Government's divisive and clearly ideologically driven involvement in the dispute that led many non-partisan Australians to question the morality and indeed the legality of the lockout on the wharves and to reject the Government's attempt to portray the MUA as Union bully-boys . For most Australians it was impossible to see the MUA as anything but the victim of a planned and cowardly attack designed to destroy the union and by so doing to create irreparable damage to the Australian union movement.

The Australian community was divided as to whether the wharf dispute came about through an attempt by Patrick Stevedores, the Federal Government and the National Farmers Federation to institute real reform on the wharfs, or whether they were simply involved in an unholy alliance determined on carrying through a well-planned union bashing exercise. The actual chronology of the lockout is well known. Over 1,000 members of the MUA were sacked en masse . They were sacked, not because of any wrongdoing, but simply because they were members of a union. It was implied that they deserved to be sacked because they were crooks at worst, lazy and inefficient workers at best .⁹ It may well be that among their number there were some who were lazy, dishonest, or inefficient (as there are in any profession —consider the recent scandals about the travel rorts of politicians). However, no one can reasonably argue that every member of the MUA, or indeed any significant number of its members, deserved to be sacked. Consider, for example, the claim that MUA members were inefficient. Statistics from the Bureau of Transport Communication and Economics show that in the last five years waterfront productivity has increased by 75 per cent, from 13.5 container movements per hour to 23.5. container movements per hour. This is a most significant increase and one which is

⁸ *Age*, 21 May 1988, p. 15.

⁹ Cain and Best op cit.

perhaps unrivalled in other industrial sectors. And yet we constantly hear Peter Reith pontificating about the country's desperate need for real waterfront reform. According to Reith, the dramatic productivity improvements instituted over the last four or five years isn't real reform. Real reform for Reith and those of his ilk is about downsizing the labour force, introducing restrictive and often repressive working conditions and - perhaps most importantly - destroying the organisations of labour.

A misconception that was widely disseminated during the waterfront dispute was that waterfront workers were lazy overpaid and inefficient. Widely varying figures were quoted regarding wharfies' incomes, with Peter Reith constantly repeating his mantra that wharfies earn \$90,000 a year for a 14 hour week. Even after these figures were shown to be absurd through independent CSIRO statistics, which showed that the average maritime worker's wage was approximately \$40,000. Some wharfies earned significantly more than this average figure as a result of working long hours of overtime. They were required to do so much overtime because of a massive 40 per cent cut in the waterfront work force. The wharfies were doing the work of almost twice their previous number.

The MUA work force at P&O Stevedores (Patrick Stevedores' main rival) moves 24 containers per hour. This being 0.5 containers per hour more than Patrick where the figure is at present 23.5 containers per hour. P&O made more one hundred and forty million dollars profit on the waterfront last year. Perhaps instead of sacking rank and file workers, Chris Corrigan, Patrick Stevedores CEO, should have looked at his own performance and the performance of his senior managers. Julian Knight, a former Patrick executive, quit his job and publicly stated that he had done so as he was so fed up with senior management at Patrick failing to act on fundamental operational and maintenance matters which caused lengthy delays and reduced productivity.

There is a myth that Australia's waterfront is —in Peter Reith's words, the world's laughing stock — and that we need to implement world's best practice. The fact is that waterfront productivity in Australia compares favourably with that in the USA,

Britain and Japan. The New Right, however, prefer to make productivity comparisons with third world countries as they are still working under the conditions of industrial —and not infrequently political — servitude. Who then gains from eliminating the MUA from the waterfront? Is the supposed need for wharf reform a mask for a hidden agenda to smash the safeguard of the workers —the union movement? In the absence of unions, employers can enforce conditions most favourable to their interests. The idea that workers should be able to exert some control over the conditions under which they work is anathema to many employers.

When unions formed on the waterfront they struggled for many long hard years to achieve more reasonable working conditions. If the MUA was broken, what would stop conditions returning to those which existed in the bad old days? Employers are as greedy as ever. Profits still come before people every time. The favoured option to replace union representation of workers in negotiations with employers is the rather oddly named enterprise bargaining. Essentially this involves the individual employee and the employer negotiating the employee's wage. In these times of high unemployment, enterprise bargaining leaves the unemployed work force open to exploitation by unscrupulous employers. As the union slogan goes: united we negotiate divided we beg! . Pamela Bone, in an article in the *Age*, has noted that it is apparent that divisions between rich and poor in Australia are getting bigger and class gaps are getting wider.¹⁰ In this respect, society is regressing to the days before union membership. Professor Gerry Griffin of the National Key Centre in Industrial Relations at Monash University, in a related comment, has noted that:

the coalition government is committed ideologically to breaking union power and in relation to the industrial struggle under discussion in this paper has noted that if an employer can take on the MUA and win it will be the green light to all other employers to push for individual contracts. If the MUA goes down then the doors are wide open for every employer to bring in contract labour.

It is clear that if the MUA had been defeated, its defeat would have paved the way for employers on the waterfront to pay lower wages, offer poorer conditions of employment

and eliminate job security, without any guarantee that resulting financial savings will be passed on to waterfront users. It comes down to this: does Australia want a society where cooperation and consideration for people's welfare is the prime concern, or a society where principles, justice and the welfare of workers are sacrificed for profits?

In conclusion, I would suggest that the MUA's action to protect waterfront jobs was indeed a barometer of the strength and influence of the unions in this country and that their actions were not only a brave defence of their own jobs but also a critically important stand against the economic rationalist vandalism which has been threatening to destroy so much of what we love and respect in our nation. In an article which appeared in the *Age* on May Day this year, Tony Wright drew attention to what he termed the weird warp of history; rather than a weird warp, I, —and I am sure many others —hope that the historical parallels to which he draws attention are in fact prophetic. In 1929, the Government of Stanley Melbourne Bruce set out to destroy trade unions, particularly the maritime unions. A strike-breaking company was established, called P and C Stevedores. Bruce went on to become the only Prime Minister to lose his own seat at an election. The seat was Flinders, now held by Peter Reith ¹¹...

¹⁰ *Age*, 8 April 1998.

¹¹ *Age*, 1 May 1998, p 17.



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