

Maurice Blackburn
and the
Struggle for Freedom



The Late Mr. Maurice Blackburn

By JOHN McKELLAR

MAURICE BLACKBURN
AND THE
STRUGGLE for FREEDOM

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*"A thousand years scarce serve to form a State,
An hour may lay it in the dust."*

—Byron.

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In Remembrance of Maurice Blackburn

When your friends begin to go,
And Death's dark shadow
Blots out the sunlight
Of friendship.

Is this the end you say;
Shall all that sweet concord
And thought harmonious
Know no renewal?

When Charon ferries your friend
Across the Styx,
Shall there be no returning
Of his vessel?

And your friend's constancy,
Is it the same thing
As the broken promise
Without discordance?

Does honor go into oblivion
And faithfulness decay, and,
With death and mortality,
Suffer darkness?

And what of moral victories,
Which, spurning acclaim
And the shouts of multitudes,
Take the lower seat?

Is the compromise with evil
Rewarded with success
Equal, nay, the better part,
Than integrity?

Shall men who returneth unto
dust,
All alike, noble and otherwise,
Cease among the living
Without distinction?

Whence then cometh the praise
and glory
Of the unimpaired soul,
Should the harvest of the universe
Prove unfruitful?

Nay, there cometh One who saith,
The truth shall set you free,
For this is the immortal part,
And the soul's haven.

And thus doth this valiant spirit
Cease from the haunts of men,
Forgiving enemies, and
The treachery of friends.

He bore no grudge or despite,
He was unsullied in the inmost
parts,
He loved honor more than
The world's prizes.

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FOREWORD

This book has been published for several reasons:

To pay tribute to a distinguished Australian who fought with splendid intellectual weapons to keep Australia clean.

To place on record the unsavoury history of the events through which Australia became a conscript country.

To show how a country, democratic in theory, can drift dangerously into totalitarianism; and, in the absence of an alert political consciousness, its people can be legislatively enslaved and sold into bondage.

It will be observed that I have assumed throughout the strictures of this book that the word of a politician is an honorable undertaking to the public that he will act up to his expressed conviction. In fact, the integrity of public life can rest on no other hypothesis, else we are in the unhappy condition of accepting the contrary assumption that a public man is at liberty to fling his assurance back into the face of the public, and it has no ground of complaint. That actually is what has happened. One of the most acutely critical and cynical observers of the political scene is Mr. Menzies, and he has not hesitated to draw public attention to the subversion of the moral code in the affairs of Government, yet it was Mr. Menzies who said: "If ever he reached the stage when he thought conscription ought to be introduced, it would not be a matter of going to Parliament, but he would dissolve Parliament and go to the country and risk his political life on the result."

Brave words! Subsequent events proved them to be merely rhetorical humbug. I invite a perusal of the following pages if the reader desires to know what that promise was worth. This is but one example out of scores. There are 74 members of the House of Representatives. 73 of that number were responsible for making conscription the law of the land, although, except for one or two, they had all solemnly sworn to the electors that conscription for overseas service would never be introduced during the life of the Federal Parliament. The one honorable exception was the late Mr. Maurice McCrae Blackburn, the member for Bourke. What are we to think of the chief legislative instrument in the Commonwealth when such a gross betrayal of the people can occur?

The point is, that if the public conscience has become so sick and atrophied that it can smile and wink the eye at this behaviour, it has no right to complain at any com-plot or deception Parliamentary representatives are prepared to engineer. If the community is in such a low state of moral health that it will tolerate this sort of thing without protest, then we suggest it is as well to go the whole hog and abandon any pretense of expecting our public men to act honorably towards those they represent.

Some of the material dealing with the Curtin administration did not fit into the text of the discussion, and consequently has been put into appendices at the end of the book. If read carefully, they will afford striking examples of Curtinised legislation, having the effect of leg-roping the Labour Movement, coercing and shackling the rank and file of workers, and, instead of making for a fuller and more abundant life for the masses of the people, provide, between wars, a delimited and impoverished life, a lowered standard of subsistence with a simulacrum of economic security. This latter an intimidated and conditioned community is prepared to buy at any price, rather than challenge the forces and agencies that compel us to accept this spiritual and material impoverishment. No anti-labour political parties could have even dreamt of such success as a Labour administration has won for them. Nearly everything the Labour Party has furiously and indefatigably opposed, it has accepted at the hands of the Curtin-Chifley-Evatt combination. The spirited hostility labour offered to the Lyons National Insurance plan, is surely, in the retrospect, enough to make the angels weep in the light of its supine and listless acceptance of the Chifley Taxation and Welfare Scheme of 1943 which accomplished all that the National Insurance Act aimed at. That is, it provided for a direct charge on the wages of the low paid workers for his "social benefits."

The indignant rejection by the Labour Party of the Fadden tax on the lower incomes, and then its imposition of a more exacting and intolerant incidence of taxation on £104 per annum, was another great bloodless victory for the political enemies of the labour movement. The "final surrender," in Mr. Blackburn's phrase, of conceding the principle of conscription for overseas wars, has practically meant a complete abdication of the party as a representative of the disfranchised masses.

MAURICE BLACKBURN

AND THE

STRUGGLE FOR FREEDOM



CHAPTER I

The Conscription Issue of 1943

The question of compulsory military service in the arena of war outside Australian territory was considered to have been given its quietus in the decisions recorded by Australian citizens in the Conscription Referenda of 1916 and 1917. The vote taken at a critical period in the greatest war in history, as it was then, seemed, especially within the labor movement, to have been a fatal set back to those forces in the community bent upon regimentation and suppression. The Labour Party celebrated the victory for anti-conscription by the erection of a plaque within the Melbourne Trades Hall building and which reads:

The Melbourne Trades Hall Council resolved on November 14th, 1918, to commemorate the action of the people who voted against the introduction of conscription into Australia.

First Referendum October 28th, 1916

For Conscription 1,087,557

Against Conscription 1,160,033

Second Referendum December 20th, 1917

For Conscription 1,015,159

Against Conscription 1,181,747.

The "Communist Review" for October, 1936, says, speaking of the 1916 fight against conscription, "Conscription in practice would have meant complete military dictatorship. Every semblance of democracy would have been destroyed. The people who can with truth claim 'we fought to make Australia safe for democracy,' are those who led the anti-conscription fight."

Again, "Militarism and fascism are blood brothers, they are linked irretrievably together. From one end of Australia to the other this foul brood is afoot to-day to recruit the youth of the army."

Reading the words above quoted from the memorial plaque and from the "Review," one could be pardoned for believing that the Conscription hydra was securely roped and bound, and could not escape to work its mischievous will in Australia, at least within the Labor movement.

The Anti-conscription Celebration League of 1936 had published a pamphlet by Maurice Blackburn, M.H.R., "The Conscription Referendum of 1916." In this document Mr. Blackburn elucidates the significance of the vote, and points out that "most dangerously, many have been persuaded into believing that compulsory overseas Military service can never be required without the consent of the people given by referendum vote." This, he states, is a mistake, since the Commonwealth Parliament had the power in 1916 to impose conscription by legislative action and has the same power to-day. "Section 49 of the Defence Act is the obstacle to conscription. Only by a change of law can that obstacle be removed. Unless that change is made conscription is impossible." But the difficulty Mr. W. M. Hughes as Prime Minister anticipated encountering if he attempted to amend the Section was that a majority of Labor members had promised their State Executives to oppose conscription. Hence the referendum. The situation existing in 1916 had its parallel in 1942-43, as the following pages will evince.

We have good reason to know now that political parties or leaders can have recourse to more devious and tricky methods to achieve their ends if they wish to place the country under conscript law, than the more open and honest way of appealing to the people by referendum.

This indeed, is the democratic method, especially in view of the fact that the Australian democracy had already given its decision in emphatic and unequivocal terms in 1916-17. The majority against conscription for overseas service then was 72,746 votes. The question put to the electors was as follows:—

"Are you in favour of the Government having, in this great emergency, the same compulsory powers over citizens in regard to requiring their military services for the term of this war, outside the Commonwealth, as it now has in regard to military service within the Commonwealth?" It will be observed that the question was weighted in favour of a "Yes" vote by the *insertion of an emotional appeal*, "in this great emergency." Mr. John Curtin, the present P.M., was a passionate and conspicuous opponent of the Hughes' proposal. Then, as now, in the event of the Commonwealth being in a state of war, men could be called upon for military service within Australia and its territories, but were not bound to service without their consent, on foreign soil. Mr. John Curtin, not then a member of parliament, was a vital force which contributed to the defeat of the 1916 referendum. Before me as I write is a cartoon, "The Charge of the Would-to-God-Brigade, authorised by J. Curtin, Secretary National Executive Trades Union Congress, Trades Hall, Melbourne."

This depicted all the anti-labor sections of the community in an eager scramble for the fight, armed with umbrellas, crutches, walking sticks, flags and brooms. But perhaps the most effective cartoon at that time was the "Blood Vote" also signed by J. Curtin. One verse goes:

Why is your face so white mother?

Why do you choke for breath?

"O, I have dreamt in the night my son,

That I doomed a man to death.

Whatever its deficiencies as poetry, it was one of the most effective pieces of pamphleteering of the day.

Many people are asking, what does Mr. Curtin think of that sentiment now? It is the same John Curtin (or is it the same?) who as Prime Minister of Australia,

initiated the movement which resulted in the amendment of Section 49 of the Defence Act, the charter of Australia's freedom, and for the first time in Australia's history, imposed a form of military compulsion, abhorred and execrated by the Labor Movement, and not less so by Mr. Curtin himself.

The support given to the Prime Minister's plans by the Communist Party, in the light of its declarations in 1936, and right up to June, 1941, together with other utterances which will be dealt with later, seems to indicate that there is no shameless audacity to which it will not descend, and reminds one of the Gipsy's warning, "Do not trust him gentle lady though his voice be low and sweet." This burlesque "worker's" party, denouncing militarism and fascism as blood brothers—a "foul brood" aiming at the enslavement of Australian citizens, found itself hand in glove with all the obscurantist and reactionary social elements in the community, and dragged the victories of 1916 and 1917 in the dust. Even up to the Federal elections of 1940, a year after the declaration of war against Germany, if any Labor or Communist candidate had advocated conscription he would have been annihilated at the polls and probably expelled, certainly if he had been a member of the Communist party. Said Dr. G. P. O'Day, Communist candidate for Corio in the Federal elections, "My opponents stand for war, for the interest and profits of the big financiers, for the death of thousands of Australians. The Communist Party stands for peace." Does Dr. O'Day now stand "for the death of thousands of Australians?"

The events leading up to this *volte face* afford interesting data for cynical speculation, and are an object lesson to those still prepared to fight for the retention of civil liberties.

Mr. Curtin's stink-bomb was dropped upon the Federal conference of the A.L.P., held in Melbourne on November 17th, 1942, and succeeding days. He had been on a visit to Western Australia, and came to the conference as one of the delegates from that State. Nevertheless, when he presented his proposal for an amendment of the Defence Act, he spoke as Prime Minister, and gave conference con-

fidential details of Australia's war-time position in order that delegates could place them before their State Executives.*

It must be counted for righteousness to Mr. Calwell, M.P. (and in this we include Senator Cameron and others whose personalities were not so clearly defined in the contest) that he raised an objection to Mr. Curtin's being given leave to introduce the question, probably on the ground that the Labor Party and its members were pledged against conscription for overseas service, but he was overruled by the president, Mr. C. G. Fallon, of Queensland.

Mr. Curtin explained that although large numbers of the militiamen had transferred to the A.I.F., if the party's policy were changed, the Government would send troops *only to be specified areas* in the Pacific Zone where their presence became necessary for carrying out Allied strategy. He moved: "That having regard to the paramount necessity of Australia's defence as expressed in the Federal Conference in June 1940, the Government should be authorized to add to the Defence Act in the definition of "Commonwealth" which at present defined the territory to which the Act extended, the following words: "and such other territories in the South-west Pacific area as the Governor-General proclaims as being territories associated with the defence of Australia." Senator Fraser seconded. He travelled with Mr. Curtin to the conference and probably was aware of the proposal his leader intended to make.

An amendment to this motion was subsequently carried, "that the discussion be adjourned and the subject referred to the various State branches for immediate consideration and instruction of delegates to attend a special conference before the end of December." It would appear that Mr. Curtin urged in support of his motion the contention that he was asking no more than an interpretation of the resolution carried at the 1940 conference. Section

*Apart from the extracts from Hansard used in this book, the writer, not being present at the Labor Party conferences, has had to depend upon newspaper reports for many particulars, the truth of which is assumed. The greatest care has been taken to ensure accuracy. The opinions expressed and the inferences are entirely the writer's responsibility.

2 and 5 are relevant portions in respect to this issue. They read:—

2. The entire resources of Australia (which includes all productive and financial organisations) to be under the control of the Commonwealth Government for national service in the urgent and adequate defence of Australia and the prosecution of the war.

5. National training for defence in TERMS of the EXISTING Defence Act to be maintained on the highest basis of efficiency, and provision for an adequate system of physical training throughout Australia. Complete participation in the Empire Air Force Scheme. Necessary provision for reinforcement of the Australian Imperial Force divisions, the extent of European participation by VOLUNTEER ARMY to be determined by circumstances as they arise having regard to the paramount necessity of Australia's defence."

It will be observed that European participation is to be by a volunteer army and the reference to the "existing Defence Act," leaves no room for an interpretation which would involve a complete reversal of the decision given by the electors on two occasions. Moreover, Mr. Forgan Smith and Mr. Hanlon were the movers of this resolution, and as Queensland Central Executive passed a motion after hearing Mr. Curtin's plea rejecting his proposal, proves that they did not regard the terms of the 1940 conference as capable of any other interpretation than the prima facie one.

As this was the initial move to give effect to the new ideas fermenting in Mr. Curtin's mind, it is deserving of further comment. First of all it needs to be observed that his Cabinet colleagues were entirely in the dark respecting their leader's contemplated action. The Minister for Social Services and Health, Mr. Holloway, had no inkling of what Mr. Curtin intended to do, and "he was sure most of the party members were equally taken by surprise."

(Note.—Emphases throughout are mine unless otherwise stated.—J.McK.)

What was the reason for such secrecy? Had the Prime Minister been incubating conscription over a period of time, or was it intimated to him when in the West, that it would be good for his political health if he took seriously the prescription the Fremantle people had prepared for him?

Mr. Frank Brennan indeed has said in the Federal Parliament that he had never heard the Prime Minister make a forthright declaration against the principle of conscription, but, in what he called the "good old days when we were fighting conscription," Mr. Curtin did him the honor of presiding at a meeting which he addressed in the Bijou Theatre on 4th July, 1915. "He then was a militant opponent of conscription for overseas service."

Mr. Holloway's further comment was: "Personally he was just as firm against conscription for overseas purposes as always. There had never been any need for conscription at any time, as far as the Australian army was concerned he was sure there was not now. Quite recently the army was embarrassed by the number of A.M.F. who desired to join the A.I.F., and that desire still existed. The only difficulty he could see would be to keep sufficient men at home to guard the mainland which must always be protected to meet any break through which was possible."

CHAPTER II

WHY MR. CURTIN TURNED.

It was to be expected of course that Mr. Curtin's idea (or was it his idea?) for a merger of the A.M.F. and the A.I.F. would receive the warm approval of the daily press, and that it would see in Mr. Curtin the virtues of a political leader that had hitherto unaccountably escaped its notice. He was given a pat on the back for his "courageous and timely action." And this priceless encomium was handed him:—"All followers of Labor ought to realise that their leader acted in obedience to an *enlightened* judgment and on sound military grounds." The enlightened judgment was, in all likelihood, a fruitful acquisition resulting from the visit to his constituency, and as for "sound military grounds," that is refuted by all the evidence adduced by Ministers and members of the party, and by none more effectively than Mr. Forde, the Minister for the Army, who said on October 27th, 1942: "There was **neither necessity nor justification** for conscription for overseas service," and further, "the Government's attitude has been clearly defined. It is opposed to conscription for overseas service and the introduction of the issue at this critical period does great disservice to Australia."

Mr. Curtin's changed views are perhaps not unrelated to two things:

(1) West Australia at the referendum of 1916 showed itself more favourable to compulsion for service abroad than any of the other States; 70 per cent. of the voters voted "Yes" although it had "six Labour senators and four out of a possible five—labour representatives."

(2) In the Federal elections of September, 1940, Mr. Curtin was so far back in the primary votes that his defeat was accepted as a foregone conclusion, but he received an unexpected proportion on the distribution of the preferences of Mr. Clarke, although placed last on

his ticket. His survival by the narrow majority of a few hundred votes was helped by soldiers' votes and absentee votes.

It is legitimate to infer that Mr. Curtin, knowing the prevailing views of the voters of Fremantle and being a seasoned politician to boot may have decided that the elections due towards the end of 1943 would possibly result in an even narrower margin of deliverance by which he escaped political extinction in 1940 and that his constituents would regard him with less political hostility, if he acceded to their desire for the compulsory system of military service.*

Labour in Western Australia has not moved far, if at all from the stance it took during the last war, and it might seem to be flying in the face of Providence, with a new war exacerbating the feelings of the Fremantle community, not to placate it if it were possible to do so. To escape the plunge over the political precipice when the ground was crumbling beneath his feet at a time when the war had hardly got moving, obviously seemed to point to a still more precarious foothold on the treacherous soil of a war-time election with Fremantle, which his visit no doubt revealed to him, in a mood not to be fobbed off with the voluntary system of recruitment. There were angry murmurs too throughout the country owing to the severity of the incidence of taxation, and the hampering perplexities of war-time regulations, and these manifestations of embitterment did not seem to augur well for the prospects of the party when it faced the electors.

* *Hansard* 4/2/43. Mr. Menzies said he was in West Australia when the November announcement was made and that it took the headlines immediately. "The effect of that dramatic announcement was such that inside 24 hours speculation was rife as to how long the Prime Minister would last, and who would be the new member for Fremantle."

Evidently public opinion regarded Mr. Curtin's days in the Labour Movement ended, but, on the other hand, he had no doubt already made the rough places smooth before he ventured his new policy at the Melbourne conference. It all bears out what we have suggested that he was not risking Fremantle, as Mr. Menzies seemed to suppose, but making it safe. He had correctly diagnosed the Labour Party in that State and the middle class, whose votes he required to remain a member of the Federal Parliament. We do not, of course, minimise the effect of the unrelaxed pressure of the newspaper world.

The *Argus*, Sept. 6th, 1940, reported Mr Curtin as saying in an address at the Melbourne Trades Hall: "The Government itself was opposed to conscription. Mr. Menzies had said he would not introduce conscription and he accepted his assurances. Messrs. Cameron and Thorby were conscriptionists. They had said so and if their influence in Cabinet was strengthened and that of Mr. Menzies weakened there might be an abuse of the present powers."

Cr. Turner: "Then you will repeal Regulation 128?"

Mr. Curtin said he would repeal that clause and would ask the trade union panel to formulate methods of obtaining more labour for munitions production."

Subsequent events demonstrated the worthlessness of assurances from both Mr. Menzies and Mr. Curtin. It didn't require the elimination of Messrs. Cameron and Thorby (the latter was defeated that year possibly because his constituents felt as strongly against conscription as he did for) to abuse the present powers, or to weaken Mr. Menzies.

(*Labour Call*, 17/6/43) Mr. Curtin: "The Labour Party's opposition to compulsory service outside Australia had all along been based on the Menzies Government's conception that expeditionary forces to other parts of the world came first. With Labour in power and able to implement its defence policy of priority for local defence there is a new basis for an entire transformation of labour's attitude towards compulsory service in those regions essential for securing effective defence of the Commonwealth. *It was from this angle* that the Government decided that the Defence Act should be amended to enable military forces to serve outside Australia in the South-west Pacific Zone."

We reply to this chain of verbal sophistries.

(a) Its opposition had been formulated 30 years before the Menzies Government.

(b) Its opposition was such, and its resentment to conscription so deeply ingrained in the Labour outlook, that the party demanded it should be incorporated in the constitution.

(c) It is interesting to speculate what would have happened had the Menzies' Government proposed con-

scription. The pledges of the Labour members would necessarily have involved giving it a hostile reception. Agreement to it, because introduced by Labour, is not to lessen its potentially tyrannous nature, but rather to increase it. If the Labour Party can implement tyranny which it traditionally opposed, and the people accept it from its hands, then indeed is the situation implicit with unknown dangers to social freedom.

(d) No country that has conscripted its citizens has ever relinquished its power. Another Government inheriting this legislation may find opportunities for extending its use in ways involving the worst kind of oppression. No law so strengthens the power of the indigenous fascists. It was good advice, whoever gave it: "Never give to a friendly Government power you would not wish to see used by an unfriendly Government."

Sir John Simon said in 1916: "So long as you provide that the State may take an unwilling individual and at any time put him into the army, I see the greatest and most fundamental difficulty in combining that with individual freedom." It is in fact a method of industrial intimidation. A man will hesitate in expressing hostility to industrial conditions however bad, for fear of being taken from his family and his home, and disposed of at the whim of the military authorities. He will be afraid to assert his rights. Personality is at a discount in a conscript country.

Mr. W. M. Hughes said: "Men can be conscripted into the labour forces and they have no say in the matter. Men can be conscripted into the military forces and compelled to do, not only military duties but also any other work they are directed to do. There remains to no man or woman in Australia to-day *any freedom at all.*"

That is the unhappy position in which the Labour Party has placed the citizens of this "Commonwealth." Freedom is a fragile flower that will only flourish on appropriate soil. To coerce, to dragoon, to suppress, to use force and violence as means of obtaining freedom, seems to me the method of a deranged mind. The fascism you hoped to destroy is now in the saddle in every country and riding a winner. One can almost hear the succulent intake

of Mr. Fadden's breath, as he welcomed the Curtin Militia Bill, "And now we have the bill IN OUR HANDS."

The Labour Party has long railed against a class society, and the Communists nurture a quaint idea of a classless society some time in the remote future, where it is no use to anybody, while here and now they energetically pursue the business of creating new class divisions.

Under the law of conscription, you do not promote equality. The only free people in a coercive economy are those who administer the law, and the unfree are the conscriptees—i.e., the unprotected, defenceless citizens. There is a curious argument that has come to the fore wherever democracy is discussed, and it is surprising: the number of people who are deluded by it. The theory is that in a democratic community conscription for "defence" of the country is the only equitable form of service, as rich and poor alike contribute their talents and qualifications in equal measure. It is a plausible theory but a fallacy lies concealed in it. It overlooks the significant fact that in a society of corruptible human beings the man who knows someone who knows someone up top who has the responsibility of disposing of the destinies of conscripts is in the position of being able to avoid disagreeable and uncongenial tasks, while another not so favoured socially, must take what is directed. A man can be dragged out of his occupation to which he has become inured, such as serving in a shop or tailoring, or some sedentary occupation, clerking and so forth, or teaching, and put into a job for which he is totally unfitted by inclination, temperament and capacity, and thus be destroyed mentally and spiritually, notwithstanding the enlarged biceps he may develop as a consequence.

It is an advantage to have political friends in a conscript system.

There are any number of such cases. Thousands of personalities have been impaired and blighted already under the law of military service. What has happened to them has sometimes been worse than death. The conscriptors who administer this law, are usually safely ensconced in offices and highly paid positions, while their victims, if

they do come back, live to curse their tormentors, and frequently they are botched and ruined failures.

The arrest of Mr. G. Frank, secretary of the Victorian Branch of the Carpenters' Union, and Mr. A. W. Chalk, secretary of the Plasterers' Union, for having contravened National Security Regulations by advertising in the press stop work meetings which might be prejudicial to the war effort, furnishes as good an example as one could get of the injustices that may be done individuals who have no political friends. Although the Regulations empowered the Director General of the Allied Works Council (Mr. Theodore) to initiate prosecutions without consultation with the Minister and who acted within the law Mr. Beasley, Acting-Attorney General, said the power of arrest given by Section 13 of the regulations which permitted detention for 10 days without a charge being made, was not designed to be exercised in circumstances similar to those in the case of Mr. Frank ("Argus," 10-5-43).

But was not Mr. Theodore empowered to arrest persons whom he considered acting in a manner prejudicial to the efficient prosecution of the war? Mr. Frank and Mr. Chalk fortunately belonged to a political party which was then in power. What would have happened to an ordinary citizen who was not a union secretary, or did not belong to the Labour Party? He could have been held for 10 days without a charge being laid against him, and not a ministerial friend in the whole country.

Mr. Beasley informed the president of the Carpenters' Union (Mr. F. W. Taylor) "that the arrests had not been made with the approval or even knowledge of any Commonwealth Minister."

They did not need to be, since the regulations were framed by Dr. Evatt, and specifically transferred power of arrest from the Minister to the Director of Allied Works Council to consent to prosecutions, and all this with the approval of the Trade Union movement. Messrs. Frank and Chalk were getting a taste of the medicine prescribed by the political party to which they belonged.

It rested with Mr. Maurice Blackburn, with his cus-

tomary eagle eye for legislative acts implicit with tyranny, to expose the kind of situation possible at which the Labour Movement connived. With Mr. Rosevear, he found it necessary to protest against the issue of blank summonses signed by Edward G. Theodore, Director-General of Allied Works. There were hundreds of these summonses with Mr. Theodore's signature, which presumably had only to be filled in with the name of the person to be prosecuted by some clerk in the office.

The blank forms carried the endorsement "I consent to the prosecution summarily of the offence herein alleged."

They were signed by Edward G. Theodore, Director-General of Allied Works, a person thereto authorised in writing by the Minister of State for Defence.

Mr. Blackburn said, "I understand that forms of this kind already bearing the consent of the Director-General of Allied Works, are handed out in great numbers to subordinate officers who take upon themselves, and are expected to take the responsibility of deciding who shall be prosecuted and who shall not. That is an abuse of section 6, sub-section 3a, of the War Precautions Act which is aimed at preventing the harassing of people by frivolous prosecutions. When a magistrate sees on a summons the endorsement of a responsible officer he naturally assumes that the officer has gone into the case and is satisfied that there is ground for prosecution. That naturally weighs with the magistrate when he comes to give his decision. It is altogether unfair that a general warrant of this sort should be employed. In the 18th century there was a great struggle against this system of issuing warrants against unnamed persons. I trust that the Minister will take steps to terminate the practice so that his delegated authority may not be abused again." (Hansard 18-2, 43.)

CHAPTER 3

THE ANTI-CONSCRIPTION CAMPAIGN

Shortly after it was announced that Mr. Curtin had made overtures to the Federal Conference of the A.L.P. to obtain its sanction for overseas conscription, and the State Executives had made their decisions, Mr. Maurice Blackburn, together with Mrs. May Brodney, W. Scanlon and Mr. T. Richards, convened a meeting which was held at the Melbourne Trades Hall on December 21st, 1942. Approximately 40 persons were in attendance, and Mr. Blackburn explained the objects of the meeting. A resolution moved by Messrs. D. K. Hill and J. McClelland that "An organisation be formed to oppose conscription of the Australian people for overseas service," was carried unanimously, and later given the name of the "Anti-Conscription Campaign." Mr. Blackburn was unanimously elected president and Mr. D. K. Hill (Plumbers' Union) elected secretary. The Committee formed consisted of the following in addition to these two officers, Mr. F. Paice (member of the Iron Workers' Union and a Social Creditor), Mr. Dennis (member of the A.T.U.), Mr. P. Hill (Secretary of the Sheet-Metal Workers' Union), Mr. E. J. Grogan (Member of the Victorian Teachers' Union and a Social Creditor), Mr. J. Rennie (member of the Carpenters' Union), Mrs. Greenwald, Mrs. Brodney, Mrs. Bessie Jones, Miss Jean Almond, all members of respective branches of the A.L.P.—Brighton, Surrey Hills, St. Kilda, Coburg. Mrs. Brodney is secretary and Mrs. Greenwald is a lecturer at the Victorian Labour College, Mrs. Jones is an anti-conscriptionist of the last war, Miss Almond was later secretary of the Coburg branch.

It is desired to record the representative character of the original committee, the common basis of unity being opposition to overseas conscription.

The first public meeting of the organisation was held on the Yarra Bank on Sunday, December 27th. Regular Sunday evening meetings were arranged at the Temperance Hall and intermittently in the suburbs as circumstances permitted. Mr. Blackburn undertook the preparation of a manifesto for the organisation.

The next general meeting was held on December 30th, at which it was decided to reorganise the work of the Committee on lines of a division of work and responsibility, i.e., to attend to radio broadcasts, propaganda, organising, etc. It was decided to zone districts and set up local committees, but notwithstanding the work done in this direction the response was disappointing.

The only body of a similar character to the Anti-conscription Campaign in other States was the Anti-conscription Committee in New South Wales, which put up a great fight under the dynamic leadership of Mr. J. T. Lang. This committee went out of existence after the June, 1943, conference of the N.S.W. Branch of the A.L.P., which decided in favour of Mr. Curtin's policy.

At the Committee meeting on 5th January, 1943, Mr. Hill resigned the secretaryship on account of the meeting refusing to endorse a proposition he put forward. Mrs. Greenwald was elected in his place and carried on actively and with vigor, ably assisted by Mr. L. B. Harsant, who became secretary when Mrs. Greenwald found other duties made it impossible for her to continue. Mr. Harsant finally dropped out, and Mr. K. J. Kenafick, M.A., Dip.Ed., member of the Committee of the Labor Teachers' Union, affiliated with the Trades Hall, was elected secretary on October 20th, 1943, and still holds that office. Special public meetings were organised from time to time in the Savoy Theatre, and attracted considerable interest.

An endeavour to induce Mr. J. T. Lang to come to Melbourne for a meeting was not successful, he having his hands full in N.S.W. Mr. Blackburn readily gave his services to the campaign, and spoke against the Curtin proposals with a wealth of facts which could not but convince those who were willing to learn from them. But experience in this respect was disappointing. One found incredible opposition from many of the members of the

Labour Movement, and even from among those who, adamant to the conscription of William Morris Hughes, by some form of hypnosis, found the Curtin conscription palatable to their taste. The antagonism the anti's aroused among the masses was one of the more inexplicable aspects of the fight.

Assisting Mr. Blackburn in all this work, in addition to the names mentioned, were Mr. Vivian James, Inspector at the Maribynong Munition Works, and Social Creditor, who was chairman of the Temperance Hall meetings; Mr. P. R. Leslie, Mr. W. J. C. Banks, Mr. Martin Hannah, former M.L.A., Mr. J. McKellar, Mr. E. T. Evans, Mr. J. A. Dawson, Mr. H. Nicholls, Election Campaign secretary to Mr. Blackburn, Mr. K. McDonald. After the death of Mr. Blackburn, Mr. Hannah was elected president.

Some members of the organisation were soon out of breath and fell by the wayside, being unable to make the grade. The organisation met with considerable hostility from pro-communists at the Yarra Bank meetings, but was undeterred by this and gradually was making itself felt. With larger opportunities, it would have successfully uncovered the Curtin plot even to the satisfaction of those who were at first deceived by it. The swelling blast of the communist uproar before June, 1941, still echoes in our ears. Thus Mr. R. Dixon in "War and the Crisis: "We communists are opposed to overseas service, conscription and compulsory training because of our opposition to the war and to capitalist class rule. We must explain again and again that the Labor Movement must fight, not only against conscription, compulsory training and overseas service, it must go right to the root of the question and oppose imperialist war."

Communists continued their malicious slanders of Messrs. Monk, Clarey, Lovegrove, etc., denouncing them for failure to initiate a move against conscription, and, if you please, compulsory training. To the *Guardian* Mr. Curtin was the "Fuehrer" who had "completely betrayed working class principles for which he once strongly stood." This was long before the A.L.P. conference of 1942. "He joins with the capitalist gang in reviling the Land of Socialism." These declarations were

made when Poland, Holland, Belgium, France were overrun by the German forces, and London was being blasted with bombs. Their attitude demonstrates beyond cavil how little regard they have for Liberty, Democracy and representative government. They boasted of having infected the troops in Egypt with the anti-war spirit. The war was "Chamberlain's war," an "Imperialists' war," "This boss's war," a 'capitalist war,' a "filthy Imperialist slaughter." Then one morning Australians woke up to find that by some magical transmutation, the war had become "the most just and honorable war which civilised humanity had been called upon to conduct." It was a war of liberation," a "righteous war." It was "NOW led by the Soviet Union," which was in it to "liberate the world from tyranny." A Congress was arranged, and "as a final masterstroke the group of non-church goers, atheists and free thinkers who dominate such bodies, arranged for Canon A. H. Garnsey to open proceedings with prayer." ("Red Glows the Dawn," p.15.) Mr. Blain, M.H.R., was present, and evidently being a plain spoken man, was not quite refined and discriminating in his remarks. *Inter alia* he said: "Some time ago, for example, one of the text books described Anglican bishops—I trust his Grace and Bishop Burgmann will not think my references indelicate—as 'holy rollers, jumpers and crawlers, purveyors of religious opium.' But today I seem to see on their shining faces expressions which presage osculation rather than liquidation when their gaze rests on a prelate or a lord mayor."

It wouldn't be a bad guess if Mr. Blain after this was dropped like the proverbial hot potato.

The leaders of the Labour Movement who were "reactionary" prior to June, 1941, because they allegedly did nothing to oppose conscription, compulsory training, the Imperialist war, now became "reactionary" when they fought against the Curtin plan to amend the Defence Act for overseas service. Instead of applauding their "conversion" to anti-conscription, they denounced them for doing precisely what they had demanded they should do. The amazing arrogance, unabashed impudence, and flippant and illogical self-assertiveness of these pro-

fascists, are quite beyond the understanding of any normal intelligence. As the communist party "staggers" its policy from day to day, it was therefore not really surprising that Mr. Blackburn and the Anti-Conscription Campaign should meet with antagonism. It would not be indeed an unlikely prediction to venture that the party may be to-morrow using the same language of Mr. Curtin for being a conscriptionist, although they ardently support his policy today.

Mr. Blackburn was eager and unremitting in the work of the organisation. He did not spare himself, and it is the conviction of those associated with him that given more time, the victory of Mr. Curtin would have been turned to defeat. Time, of course, was the essence of the business to the Prime Minister. He knew well that if the Labor Movement was given any opportunity to reflect upon the implications of his manoeuvre and to visualise the disaster it meant in the long run to the Labour Movement, the tables would be turned on him.

The deferment of the Federal conference which was to decide the issue, from December to January, was a small breathing space and the campaign was got going vigorously. It was our hope that ultimately by persistent publicising the facts of the case, Mr. Blackburn's former colleagues in the fight against conscription would rally to him. But alas! Many had grown old and prosperous in the Labour Party, and doubtless looked upon Blackburn's efforts, although well meaning, as rash and rather quixotic. They preferred to follow the course of the battle through a telescope, and seemed to be unmoved by the spectacle of this hotspur idealist, this knight-errant, couching a lance for the inalienable rights and privileges of the common man in which he profoundly believed.

To many, no doubt, it seemed a precipitate and foolhardy enterprise. Were we not at war with the Japanese who had entrenched themselves in island strongholds and menaced the safety and security of Australia? Conscription was necessary, cried the intrepid union officials, protected by a reserved occupation or exemption from service; behind the barricade of their official positions they boomed and chorused that others be compulsorily mobilised and

sent to war. Communist leaders who thumped the drum of conscription had said at one stage that Curtin was a traitor-imperialist.

If an expert psycho-analyst were put to work upon those who offer these gratuitous insults, it would probably be found that the imperialism they denounce is a projection of their own consciousness—for there would be nothing so in keeping with their real nature as the opportunity to dominate and exploit others within their power. Their rejoicing over the Soviet attack on Finland before the present war proved conclusively that provided it is a Soviet imperialism, they have no objection to it.

But Mr. Blackburn knew as well as any of these clamorous, whooping cheer leaders that the nation was at war, and that "Section 49 of the Defence Act is our only guarantee that Australia will be defended. But for Section 49 we would long ago have sent overseas all our available men."

In this point of view he was supported by Major-General Rankin, M.H.R., who gave to the House of Representatives his reasons for being an anti-conscriptionist. "Personally, I do not believe in conscription. During the last war I did not vote for it, and specific reasons have prompted me to adopt this attitude. For example, a General in battle will take the best weapon that comes to his hand and he will use it again and again. If Australia had four divisions in the field with an unlimited supply of reinforcements they would be employed repeatedly, and this country would be bled white."

If the screeching communists really were concerned about Australia, and were not bigoted Stalinist-imperialists—but then, does one expect reason from such fanatics?

If anyone should know whether conscription was imperative or not, it was surely the Minister for the Army, and he categorically denied it. That he fell into step with his leader was not conversion to an opposite view, but political expediency, and a denial of what he owed to his own convictions—we almost wrote "conscience."

Despite the many set backs and discouragements, Blackburn pertinaciously held on, and while suffering from a virus that was undermining his health and vitality, he continued keeping appointments made for him by the organisation, and addressed meetings whether large or small, and they were sometimes exceedingly small. He wrote some pamphlets on the issue, and many thousands of these were distributed. "Forty Questions Answered" presents indisputable evidence of the dangers inherent in conscription legislation, and is a logical well reasoned Socratic argument against it. And in his pamphlet, "Our Last Stand," he is prophetic of burning the boats of voluntaryism for ever if conscription is once adopted by the Commonwealth. "Step by step," he writes, "since the early months of 1940, the Australian Labour Movement has abandoned its anti-militarist position. Now a Labour Cabinet asks its followers to make the last surrender. If this is made, there can be no resistance when we are asked to force men to serve anywhere in the Indo-Pacific area."

He had much to say about what conscription meant not only to the individual, but to the industrial movement. He showed how militant unionism could be weakened by the giving of this power into the hands of its political enemies. I cite one paragraph from "The Last Stand":—

If you give to any man the power to decide whether another shall or shall not be sent abroad to fight, you make him that other's master. The more that other dreads being called on to serve out of Australia the more careful will he be to avoid offending the authority that can send him. Striking coal miners have already been threatened that they will be taken from the mines and put in the army. How much more intimidating would be that threat if the striker could be conscripted to serve overseas! The conscriptionist does not propose that every fit man shall be sent to fight overseas. He demands that every fit man shall be at the disposal of the military and the manpower authorities to go or to stay as they may direct. If the conscriptionist policy is adopted, each eligible man in Australia will enjoy on sufferance his home, the companionship of his family and

his friends, his liberty of action and his freedom of conscience. A single act, a single omission, one word, a breath of rumour may deprive him of all these. No doubt the military and the manpower authorities will act according to their own conception of the national interest and the national need. But their act will be arbitrary. In the myriad of individual cases how could a Minister, how could Parliament interfere?

Mr. Blackburn often paid the penalty of his convictions, but never more so than when he was caught between the fierce fire of the Communist subsidiary, the Australian Soviet Friendship League, and the more tepid flame of the Labour Party. He accepted invitations to speak from the platform of the former, because he entertained the notion that the Soviet Union was some form of liberal democracy, not an opinion shared by all his colleagues in the Anti-conscription Campaign. However, when Mr. Blackburn became the leader of the anti-conscription movement, it was soon manifest how much liberal democracy was in the Friends of the Soviet Union. They quietly dropped him, denounced him for practising what they had preached a few hours before. The present writer can vividly recall occasions when the red fascists at the Princess Theatre volleyed him with thunderous applause as he appeared before them on the platform. They now chose Curtin, for whom at one time no invective was too corrosive or vicious.

CHAPTER 4

A GREAT MAN PASSES

Between Curtin and Blackburn there was now a great gulf fixed, and the Communists had made their choice. Thus was Blackburn wounded in the house of his friends by the pro-Communist supporters of Curtin.

Coincident with these events matters were transpiring in another field. Conspirators were at work in the Trades Hall. The Central Executive passed a resolution threatening any members of the Labour Party with expulsion if they spoke from the platform of the subsidiary organisations of the Communist party, and the A.S.F.L. was indicted by the Executive as of that character.

Blackburn ignored the injunction, and consequently was informed in October, 1941, he was no longer a member of the party. This arbitrary and ruthless proscription of one who for thirty years had been, without qualification, one of the most powerful intellectual influences Labour had known, was another brand of the hot iron of dictatorship. In his manifesto, when subsequently a candidate for Bourke he made it perfectly plain why he ignored the Executive's ruling. "Although I knew that the Executive was not authorised by the Party's rules to give such a direction, I would have complied, if compliance had been right and honourable." He went on to say that he felt it his duty to persuade people that it was to their interest to be friends of Russia because she had refused to be a tool of Hitler.

"No one can point to any rule of the Constitution, or to any plank of the platform, and say with truth 'Blackburn broke this.'

"At times loyalty to my opinions has forced me to vote against the Curtin Government. But whenever I did so, Mr. Fadden and his front bench voted

WITH the Government. Mr. Fadden and his followers voted WITH Ministers and against me for overseas conscription, for the taxation of SMALL incomes, and AGAINST increasing war pensions."

What he sought to do was to keep a vigilant eye on war-time legislation, and to scrutinise with the most meticulous care and impartiality measures for the conduct of the war to ensure that the rights of citizens were not encroached upon, or invaded or destroyed more than was absolutely essential. He was a vigorous protester when attempts were made to project war-time regulations into that sphere of social life which was outside the ambit of the National Security measures requisite for the conduct of the war.

He was president of the Council of Civil Liberties and a member of its legal panel. His work here was invaluable. His mental acumen, remarkable legal equipment, together with his Parliamentary experience and knowledge of Constitutional law, enabled him to render services in the cause of human liberty which he had hoped would be built upon and extended; any dubiety we have in that regard now has been caused by the failure of the Australian citizen to maintain the principle of voluntarism for wars on foreign battlefields. Here again the outstanding character and unflinching loyalty to principle of Maurice Blackburn was displayed in presenting an undaunted front when many of his colleagues deserted him. It seems almost incredible, but in this Council, where one would expect resistance to any type of legislation which threatened the liberty of the individual, Maurice Blackburn to a large extent ploughed a lonely furrow. Several leading members at least on the Council became conscriptionists, and apparently discerned no incongruity in functioning in defence of liberty and at the same time applauding the Government's act in depriving citizens of their liberty.

Mr. Brian Fitzpatrick, General Secretary of the Council, at a public meeting which he addressed, was asked what was his attitude to the conscriptionist actions of the Curtin Government. He replied that he considered the anti-conscription tradition one of the most admirable in Australian

life, but in view of the dangerous state Australia was in, the Government could do no other than impose what had to be admitted was industrial conscription. As to the amendment of the Defence Act extending compulsory military service to areas beyond the Commonwealth and its territories, he considered, in view of the military situation, the Government did the only thing possible.

I wonder what the reactions of Mr. Fitzpatrick would have been if say a Fadden Government had gone back on its promise not to legislate conscription? Would the military situation then be advanced to justify "the only thing possible"?

In any case, it was not the only thing possible for the Curtin Government to do. There still remained the alternative of a referendum of the people, although perhaps those members of the Council of Civil Liberties who are conscriptionists, do not subscribe to H. E. Boote's doctrine, "ONLY THE NATION SHOULD REPEAL WHAT THE NATION HAS DECREED."

It is probably no accident or coincidence that their views on conscription and denial of personal liberty coincide with the Communist Party, but how to reconcile this attitude with the objects and purposes of civil liberty is a perplexing enigma which would baffle even an expert casuist.

The question at issue is really one of power-politics; whether a Government, which HAS NO MANDATE, should proceed to legislate in a direction which the people had twice emphatically said, "You Shall Not," and is entitled to flout a decision given by nation-wide referenda. Those who, ostensibly working for the preservation of the peoples' liberties, give their approval to the former method, are endorsing the fascist technique whether they are conscious of it or not.

I would like to quote the whole of Mr. J. D. Corbett's (writer of the *Argus* Canberra Commentary) tribute to him, but I have space only for a paragraph:—

Maurice Blackburn out of Parliament must have been like a ship adrift from its moorings, for he was

profoundly and completely the Parliamentarian. He was steeped in the tradition of British and Australian Parliamentary history, and no man was more jealous of the rights and dignity of Parliament than he. With his great learning, allied to an almost unbelievable honesty of purpose, he was a distinguished figure, first in the Victorian State Parliament, and afterwards in the House of Representatives. He would have been a distinguished figure anywhere.

To his other great qualities he added a charm of manner which enabled him to make many firm friendships even among those who violently disagreed with his views, and to retain those friendships to the end.

When the historian of the future comes to set down the political chronicles of our time space will assuredly be found for the honoured name of Maurice Blackburn.

He had a long Parliamentary career. First elected for Essendon in 1914, he was 34 years old, having been born at Inglewood, Victoria, on November 19th, 1880. He took his degree B.A. and L.L.B. at the Melbourne University, and was admitted to practice in 1910. He lost the Essendon seat in 1917 through his uncompromising anti-conscription stand and his refusal to lend any assistance to the recruiting campaign in his electorate. He won the Fitzroy seat in 1925, and, following a redistribution of seats in 1927, he was elected for Clifton Hill, which he held until 1934, when he was elected for Bourke in the Commonwealth Parliament. For several years he was Speaker of the Legislative Assembly of Victoria.

His services in an advisory capacity, his advice and sound judgment were of inestimable value to the Trade Union Movement, which he helped in ways too numerous to record. After his expulsion as a member of the A.L.P., he was invited to make an application to conference for re-admission. The reply he gave betokened his utter detestation of compulsory military service for overseas wars and the remarkable independence of his mind, which disregarded entirely the effect of his decision

on the question of party loyalty and personal conviction. He said, "I will never rejoin the Labour Party so long as it is a conscription party."

His political enemies, or rather opponents, vied with friends in attesting the character of Blackburn, yet he, with several decades of impeccable service, had to put up with this sort of pamphleteering from within the Labour Movement. A dodger, authorised by J. J. Roberts, advising electors to Vote Bryson 1, had this to say:—

BLACKBURN IS NOT LABOUR

John Curtin and his Ministers call upon the voters of Bourke to vote for W. G. Bryson, and declare every other type of candidate, whether purporting to be labour, or labelled as Communist, or belonging to any faction or group, is not a labour man.

DO NOT BE MISLED

By anti-labourites and by those who have been expelled from the Labour Party for Treachery to majority decisions.

It may not be amiss here to point out that Mr. W. Slater, ex-Minister to the Soviet Union, was advertised to speak at the anniversary celebrations of the Russian Revolution organised by the Australian Soviet Friendship League. He was directed by the Central Executive, as was also Senator Cameron, that this could be permitted under the ruling already given, only at the risk of expulsion from the Party. Senator Cameron advised the promoters of the meeting that he would accept the ruling of the Executive, but Mr. Slater defied it.

So far as we know, nothing has happened to Mr. Slater, and presumably he will receive the endorsement of the Party at the next State elections as a good and loyal Labour man. In the whole annals of political history in Australia, it is doubtful if there is another instance of similar base and ignoble treatment accorded a servant of the Movement as that which was the lot of Maurice Blackburn. It has been a discreditable piece of infamy, and remains to tarnish the name of Labour

for the life of this generation. But the Leader whom he opposed on all the issues detrimental to the welfare of the masses, whom he was given leadership to serve, is an extolled and honoured name within the halls of Labour.

It is Henry E. Boote's opinion that Labour thrives on internal controversies. "It educates itself and strengthens itself by these clashes of thought and action." But the mournful truth is, it did not so happen in this instance. The people whom it was expected to put on the steel armour of anti-conscription garbed themselves in the pro-Curtin rags of conformity to the new doctrine, although in December, 1941, delegates at the Trades Hall Council reaffirmed their opposition to conscription for overseas service with an overwhelming majority, based mainly on the need for the retention of the maximum manpower in the country.

All this writing and speaking, together with Parliamentary duties and his legal practice, put a heavy strain upon Blackburn, and a certain phase of weariness was noticeable to many of us, although we do not think it presaged the final collapse. As man is mind as well as body, there can be no doubt that the failure of the earlier protagonists of anti-conscription to muster to the fight on this occasion, had a deleterious effect upon his mental health. He lost to some extent the spontaneity and bright responsiveness, so characteristic of him in at his best moments.

The death of Maurice Blackburn, which occurred on March 31st, 1944, was a terrific blow to the movement. The Campaign now had no political head or representative in the Federal Parliament, and that is a great misfortune. It has lost its VOICE, and there is no one to keep the movement informed, not only of overt political developments, but what is more important, the subtle and secretive moves which are the real politics of this country. The appalling handicap that faced the Campaign will be obvious when it is realised that the whole Parliament Representatives and Senate is now wedded to a programme of compulsory military service for overseas wars. A perusal of the pages of "Hansard" shows him to have been "con-

stant as the northern star." Whether sales tax, income tax, security regulations, or any other kind of legislation having an incidence upon the life of the common people, he sought ameliorations where the effects appeared to be harsh or unjust. He was the people's servant in the highest sense of the word.

"He practised socialism as an instrument of service" is perhaps the truest word said of him by Mr. Frank Brennan, "but he was an individualist in his subtle understanding of men. He had a great gift for finding and praising the better part of the character of his fellowman. He had a passion for justice."

So far as the present writer is concerned, his memory goes back to 1915 when the University arranged a series of lectures, and Blackburn's subject was "Socialism and the War." It was a touchy and restive audience, and its ill-mannered prejudice and disapproval of his remarks were displayed by large numbers rising and swarming to the exit doors. I was much impressed by the courage and sincerity of the man and well remember the scene as he stood on the platform, his hands, as was their wont in later days, twitching spasmodically, his speech hesitating, striving for truth and accuracy, but determined to see the thing through. He did not practice the spurious method called putting the audience in a "good mood," and this gave a certain austerity to his personality, and meeting him for the first time it might have conveyed the impression that he lacked an intimate friendliness, which would be far from the truth.

Mr. R. G. Menzies in the House said: "He was, as we all know, a man of many qualities, but perhaps his most remarkable quality was his indomitable moral courage. What he felt to be right was, in his mind, right, and he would pursue it wherever the journey might take him."

This is very true. Having looked at the pros and cons of a subject, and decided on the right course to pursue, nothing could turn him from it, or deflect his purpose. Pugnacity for the right was his dominant quality. A real democrat, the ordinary man commanded the same respect from him as the most eminent and

cultured in the land. He had no affectations, but he had plenty of enthusiasm. Erudite and cultured, he yet loved simple things. He had a wide range of knowledge on many subjects, but a less pedantic man it was impossible to meet. He was sensitive to a degree regarding his honour. After his election defeat he said, almost with trepidation as it were that he may have slipped in some way, "I don't think I have anything to be ashamed of."

Never seeking the spotlight of publicity, he did good by stealth. Without reward or hope of reward or public acclaim, he assisted Ministers in drafting intricate bills, giving of his legal lore and masterly knowledge of legislation of all kinds, gratuitously and without stint. His life was a life of service if ever it could be said of a public man. It is doubtful if we shall ever see his like again in the public life of this Commonwealth. It has been said of him that his influence will live. But although men of all political creeds and parties have paid tribute to Maurice Blackburn's high character and attainments, recognising in him a man of sterling worth who could be trusted implicitly and whom the country could ill afford to lose, I do not detect the inclination to follow in his footsteps. One fears, judging from the behaviour of Parliament, that he had little influence in life, and will have less in death, although his works are a lamp to their feet and a light to their path. It is one thing to praise a man for his good works, it is another to go and do likewise. We seem to remember that Brutus praised Caesar, but joined with the assassins to betray him! Brutus died upon the sword with which he had stabbed Caesar, and Judas went out and hanged himself, but those were ancient days, when moral compunctions and remorse were among the strongest motives actuating the conduct of men.

He was an efficient public speaker, but not an attractive one. There was a notable absence of colour in Blackburn's speeches. He had none of the flowers of oratory to decorate his ideas. His was a plain language. It was practically denuded of metaphor and simile. He held his audiences by a sort of direct simplicity. He was transparently sincere, well informed, aiming at the truth

of the matter, and leaving the truth to work its will among his listeners. He practised none of the arts of the demagogue, he was incapable of them. All he said had the ring of truth and sincerity. He had remarkably sound judgment on public issues, but it did not follow that they were accepted.

The excuse Mr. Menzies offered for supporting the Curtin Militia plan that the circumstances had changed and one should not be bound by what one said in a policy speech, was not in the manner of a Blackburn. He took it for granted that a promise was a promise and virtually a *fait accompli*. One of his greatest virtues was he never paraded his integrity. If our Parliaments and public institutions were peopled with men of this type, one half of the problems that exercise our minds and sets the community at cross purposes would disappear.

He could not play traitor to the public, and as one watches the game as it is played at Canberra, with the subtle equivocations, trick speeches, clowning and general antics, one marvels how he survived and was not poisoned long ago. He was not known to palter with conscience, and having given an undertaking, whatever it was, it must be honoured.

His uprightness and incorruptibility in the atmosphere of vacillation and secret manoeuvring at Canberra is a miracle of personality which Australian public life has not seen before and is not likely to see again.

Like most sincere and serious men, he loved the stroke of wit and humour. Indeed only serious people are able to appreciate humour at its best, or shall I say, able to savour the best humour. He had no grudges or hostilities, except one, and that need not be mentioned.

CHAPTER 5

THE STATE EXECUTIVES AND THEIR ATTITUDE

Mr. Curtin's proposed amendment of the Defence Act was duly debated by the State Executives of the Labour Party and resulted in its acceptance by New South Wales, South Australia, West Australia and Tasmania. This gave the Federal Conference the requisite number of votes to endorse the Curtin plan and so put the Labour policy in reverse. It is important to note the terms in which the various Executives dealt with the matter and the voting of its members.

In New South Wales a motion was carried by 25 votes to 13.*

The policy of the Australian Labour Party has always been the adequate defence of our country. Development of aerial warfare has made it essential that places adjacent to Australia should be defended. In order to give effect to this policy we reaffirm our adherence to the principle of voluntary enlistment for service overseas, beyond the requirements of adequate defence of Australia.

The Japanese threat to Australia makes it imperative that the Party's defence policy be implemented, and that those territories in the South-west Pacific adjacent to Australia necessary for our defence be brought within the proposals of the Curtin Government to amend the Defence Act in order to provide security for the Australian people.

That youths under 21 should not be posted to active service outside Australia. The sacrifice involved in this total war must be spread over the whole community, and we request the Government to give effect to the Party's policy of an excess war profits pool tax of 100 per cent.

*The reports of the decisions of the State A.L.P. Executives have been taken from the *Melbourne Herald* 4/1/43.

It will be seen that a distinction was drawn between the phrase "service overseas" and military service in South West Pacific areas adjacent to Australia. But it is a distinction without a difference, and indicates the completely unrealistic treatment of the issue. "Service overseas" has always been understood to connote areas outside Australia and its territories, whether near or remote, and therefore the islands referred to come within the scope of that phrase and are not a part of Australia. The suggestion that "the Party's Defence policy be implemented," if taken in its full literal meaning and interpreted with literal accuracy, could signify no other than that the "principle of *voluntary enlistment* for service overseas" was a policy which had not been modified by anything said in the rest of the motion. On this ground, therefore, the delegates who attended the Federal Conference from this State could have validly refused to vote for the Curtin amendment. That what we have said on this point is the correct view to take is demonstrated by the last paragraph of the resolution.

"That youths under 21 should not be posted to active service *outside Australia*." What does "outside Australia" mean in this context but the islands in the S.W. Pacific area to which the C.M.F. could be sent under the new scheme?

The reaffirmation of adherence to the principle of voluntary enlistment for overseas service beyond the requirements of adequate defence of Australia" are terms implicit with a dangerous acquiescence in any pronouncement by any party or military junta or labour renegade which cares to say that this or that area is necessary to the defence of Australia and *ipso facto* warranting conscription. For who is to deny or refute the opinion of military experts, who may for all we know be red-fascists or plain honest fascists. The point is the N.S.W. resolution takes the decision of conscription or no-conscription completely out of the hands of the people, whose fate will be decided by others over whom they have no control. So this is democracy. Fighting in Japan or Manchuria can be declared necessary for the defence of Australia, and conscription imposed and justified by this clause in the resolution.

The request to the Government tagged on to the end of the resolution that there should be 100% excess war profits tax is the type of thing often handed out to dissidents who in this instance might be difficult to win over to conscription, but was not difficult of acceptance by the Government and ignored in practice. It was butter and honey on the bread that might otherwise be hard and sour.

Victoria's motion, which was carried by 17 votes to 5 against the Curtin policy, was moved by Mr. Calwell.

This meeting of the Central Executive is opposed to any proposals for conscription of Australian manpower for overseas service, being fundamentally the same in principle as those which the Labour movement rejected in 1916.

The Executive believes the A.I.F. can be sufficiently expanded by voluntary enlistment to fill all legitimate needs, and therefore calls on all those who have subscribed over the years to Labour's traditional hostility to conscription for service outside Australia and its territories to use their utmost to endeavour to prevent conscription being imposed on the citizens of this country.

This magnificent vote and loyalty to Labour's policy was very heartening to the anti-conscriptionists throughout Australia, and hope was born anew that the Curtin gamble with the lives and destinies of the Australian people would meet with a similar ignominious and derisive repudiation in other States.

But other and subtler moves were taking place behind the scenes, and it is alleged that in the case of N.S.W. for example, a fair proportion of the votes necessary to carry the Curtin plan were already "in the bag" before the conference met. Throughout the history of these early negotiations there were not wanting rumours that the "buying" of support for the amendment by promises of lucrative sinecures in the war organisation, was a traffic sedulously pursued, and ensured the defeat of the anti-conscriptionists, despite the strong feeling in labour ranks in that State, largely due to the superlative

organisation of J. T. Lang, and the unremitting public espousement of the traditional policy of the Labour Party by the *Century* press.

It is desirable, in dealing with the Victorian Labour attitude, to mention specially the bold stand taken by Mr. A. A. Calwell, M.P., and Senator Don. Cameron, to stem the tide of the Curtinised reaction. Both at Executive deliberations and in public places they sustained a constant barrage of opposition which regrettably was not followed up by the members who helped to defeat it on the State Executive. Senator Cameron and Mr. D. Lovegrove in the columns of the *Labour Call* exposed the sinister and noisy pro-conscriptionists in a succession of articles, and did not spare Cabinet Ministers of the Federal Parliamentary Party.

"As military conscription is diametrically opposed to the interests of the workers," Senator Cameron wrote, "inasmuch as it deprives them of the small measure of self-government they now possess, and which is necessary for their protection and against exploitation and poverty, they will be not only strongly opposed to it, but will also resist its enforcement wherever possible—after the war is over they will oppose it and refuse to be represented by any man or woman who may be in favour of military conscription."

"The history of conscription," said Mr. Lovegrove, "wherever it has been inflicted, has been written in the blood of the working class. By its aid Germany has been able to convert Europe into a bloody charnel house. It has been the bulwark of Capitalism and the scourge of the working class."

Communists please note.

These are strong words, but not too strong for the hideous thing military conscription is. As Mr. Lovegrove rightly says, that although the circumstances of the conscription issue during the last war differed somewhat from the war situation to-day, the policy of anti-labour parties is not one arising out of the latter, since they have always been bent upon enslaving the Australian people to the military machine. The question can be decided irrespective of strategical considerations. There-

fore there is a fundamental difference in principle between the two opposing political parties. Thus the surrender of the Labour Party to the policy and objective of its traditional political enemies constitutes a disastrous and ignominious defeat of Labour, even if it remains on the treasury benches, and a great triumph for the forces of reaction which it has hitherto fought and held at bay.

Senator Cameron, in a series of articles in the *Labour Call*, contested every inch of the ground and hit hard until the question was finally resolved at the January conference of the party. "Some plausible bell-wethers who are sheltering in the Labour movement," he said, "are declaring that conscription for overseas service is necessary in Australia to defeat foreign fascism—pseudo-communists with a greater love of Soviet Russia than of Australia, urging them on to sneak the jobs of staunch trade unionists whose sons or relations are in the battle zone, are yelping the cry of the Capitalist wolf pack, which is conscription."

He cites a Melbourne *Herald* statement, November 23rd, 1942: "It was disclosed at the Cabinet meeting that so far 82,000 of the militia have joined the A.I.F." The statement of the Minister for the Army (Mr. Forde) is quoted by Senator Cameron, "that enlistments for the A.I.F. (from the A.M.F.) were at the rate of 6,500 a week. . . . How mysterious, therefore, that a sudden demand should be made for conscription! What is the real reason behind it? And why was it made with such dramatic suddenness behind the backs of the members of the Federal Parliamentary Labour Party who are all equally responsible with the Prime Minister, Mr. Curtin, to the movement. Who or what is it that is bringing the pressure to bear against Labour in the Federal Parliament from behind the scenes?"

He goes on to suggest that these questions demand a satisfactory answer before any action is taken to alter the Labour Party's policy.

Senator Cameron, as a member of the Government, was obviously impaled on the horns of a dilemma. He could not, while remaining a Minister, charge his own leader with political malpractice and of fraudulently

throwing the party to the wolves, neither could he admit what we have suggested, that the Prime Minister was engaged upon making the world safe for John Curtin. Thus his own question, why was the demand for conscription "made with such dramatic suddenness behind the backs of the members of the Federal Parliamentary Labour Party?" had to remain unanswered. We can say this without questioning Senator Cameron's sincerity, or detracting from his valiant and sustained efforts to keep labour's representatives true to the pledges on which they had been elected.

Mr. Calwell was the other member of the Victorian trio who defended the bridge of Labour policy against the Tuscan-conscriptionists. "Mr. Curtin," he said, "was in the forefront of the anti-conscription campaign in the last war, and now wanted to conscript the sons of the very men who protected him in 1916. Let those in protected industries squealing for conscription go into the firing line, some of the coal miners, some of the munition workers, and some of the iron workers."

Referring to events in the caucus meeting, Mr. Calwell was reported in the press to have said at a meeting of the East Melbourne Branch of the A.L.P.: "There is no doubt in my mind that some members were influenced by a threat made by Ministers that a division of Labour members in the House on this question would be followed by the Curtin Ministers asking for a dissolution, and precipitating an election at a time when the party by its own action had been rendered unpopular."

This revealing statement helps to put the issue into proper perspective. To save their political skins members of the Labour caucus were prepared to jettison the long-standing opposition to conscription, and send young boys to their death and often worse, since the party by its own actions (what they were is not stated, but we know by reference to *Hansard*) had compromised its security, and was liable to be sent by the electors into outer darkness.

So the war had to be used to make the world safe for politicians. That the conscription issue WAS a

political and not a military necessity is thus borne out by a critical examination of the circumstances of its introduction.

SOUTH AUSTRALIA.—On December 6, the S.A. Executive accepted the Curtin proposals, and carried the following motion by 110 votes to 35:—

“That this special convention of the S.A. branch of the A.L.P. endorses the proposals of the Prime Minister to amend the Defence Act to permit of the use of the A.M.F. in any area coming within the confines of what is officially termed the South-west Pacific zone, and the delegates to the A.L.P. Conference of January 4 be instructed to vote accordingly”

Comment on the South Australia resolution is unnecessary since it was quite specific and the delegates received an instruction how to vote.

TASMANIA.—The Tasmanian Executive by a vote stated to be four to three accepted the Curtin policy. The actual terms of the motion were not released at the time, but in an official statement issued after the meeting declared—

that this decision was reached in the belief that the entire resources of Australia should be at the disposal of the Commonwealth Government for the urgent and adequate defence of Australia and the prosecution of the war.

It was also resolved, the official statement asserted, that every encouragement should be given to youths to join the A.I.F. before being compulsorily enlisted in the A.M.F., also that any member of the C.M.F. desirous of transferring to the A.I.F. should be permitted and assisted to do so.

A further resolution stated that there should be provision for the utilisation of the credit of the nation and private wealth which it was sought to protect.

That busy jade “Rumour” was very active in connection with the situation in the Tasmanian State Executive. It appears that in the morning meeting one member of the Executive, a lady, would have nothing

to do with the infamous proposal. She could not be convinced that it was a military necessity, and, planting her feet firmly on the historic platform, refused to move. It was a piquant situation. New South Wales and South Australia had accepted the Curtin policy, while Victoria had turned it down. This would mean that if Tasmania voted with the latter State, it would even the score. It was taken for certain that West Australia would support Curtin, and it was likely Queensland would vote “No.” This would give 18 votes for and 18 against at the Federal conference. In this event, according to the practise within the Labour Party, the policy would remain unaltered, and the tables would be turned on the pro-Curtins. Incidentally, one vote in the Tasmanian executive would give twelve more votes for the proposal at the Federal Conference—upon such a slender thread did the life and destinies of the Australian citizen hang. How important it was then that this refractory member be brought to heel. What was to be done? The political horse in Tasmania was hurriedly groomed and prepared for the track, and came home a winner the second time round the course. The Executive had another session in the afternoon, and by that time the eccentric lady had been made to see sense. Doubtless it had been pointed out to her that if her dissidence was persisted in, the Labour movement would need to find others more amenable to reason. It may also have been intimated that the Labour Party by its actions was unable to face the electors and survive, and to save it from disruption and keep Ministers in power to work for the salvation of the working class, Tasmania must support Mr. Curtin. The position in this State was satirised by Mr. W. J. C. Banks, the relevant portion of which we quote.

“Now there was a little girl whose name was Tassie, who heard so much from her relatives and teachers about what King John was doing that she wished very much to see him. She did not know whether King John was a good king or a bad king, for some people told her one thing and others another. In fact her aunt had said in the morning that King John was a bad king and the same afternoon had said King John was a good king. It was all very confusing.”

CHAPTER 6

THE STATE EXECUTIVES AND THEIR ATTITUDE CONTINUED

Perhaps the lady in question was a reader of *Hansard*; if so, she would have in mind Mr. Curtin's pronouncement on 21st September, 1939.

"Throughout the existence of this Federation the word Australia has been understood to mean the defence of the people and territory of the continent of Australia. That does not mean that Rottneest Island or Tasmania or any other of the islands around the coast of Australia are not to be regarded as part of Australia, but it does mean that those territories which have been added to the Commonwealth under various arrangements, and other territory which may subsequently be added *ought not* to be made the subject of conscripted service. . . . We say that there should be *no conscription* of the Australian people for the defence of Australia's overseas territories, which may be described as extra-territorial to the continent of Australia. We say that they ought to be defended by forces *voluntarily recruited*—we recognise the obligation of Australia to defend those territories, but we say they should be defended by forces *voluntarily enlisted*. We say that voluntary enlistment has never failed in Australia. It is the declared policy of this Government, and we believe it is the traditional policy of the Australian people."

The above quotation is taken from the *Labour Call*, Dec. 10th, 1942, and comment would spoil it.

QUEENSLAND.—On December 12, after many hours of deliberation, the Queensland Central Executive, of which Mr. C. G. Fallon, President of the Federal Executive and of the Federal A.L.P., is chairman, rejected the Curtin policy by 19 votes to 12 against the recommendation of the Premier (Mr. Cooper), who gave Mr. Curtin's proposal solid support at the interstate conference in Melbourne in November.

Since that decision, rank and file meetings of important unions in Queensland have declared strongly for the Curtin policy.

Queensland, supposed to share with New South Wales the doubtful distinction of being the home of militant labour, rejected the Curtin amendment by the narrow margin of 7 votes in a total of 31, but this is partly explained by the fact that the Premier (Mr. Cooper) had thrown his influence in with the pro-Curtins, and probably accounted for some "yes" votes that otherwise would have been "no." The Queensland vote therefore could be interpreted as a strongly anti-Curtin one.

WESTERN AUSTRALIA.—On December 18, the Prime Minister's own State adopted his policy by a majority which was officially declared to be about 10 to one. The W.A. A.L.P. also adopted resolutions of confidence in Mr. Curtin and in his Government.

The Eastern Goldfields (Kalgoorlie) District Council, through its delegate, Mr. Heenan, M.L.C., a Kalgoorlie solicitor, led the opposition, and put up a stubborn resistance to the impact of numbers.

This unswerving loyalty to the Party's policy in the P.M.'s home town is deserving of a niche in Labour's pantheon while it lasts, for soon there will be no further need of it, as labour is fast running out of figures to aureole. Mr. Forde, as is indicated later, managed to dig out a rather crumpled halo for the Prime Minister.

That Mr. Curtin, with unflinching intuition, had correctly adjudged the temper of Western Australian Labour, became evident when the State Executive discussed the P.M.'s resolution. An alternative proposal was submitted, possibly by the unfortunate but still articulate minority, that the matter be referred to a referendum, but it was overwhelmingly defeated, showing clearly that the Labour oligarchy wanted conscription or nothing, and wouldn't be happy till it got it. The idea that the people whose lives and destinies hung in the balance should be consulted was preposterous!

On the whole, surveying the reception of the Curtin policy among the State Executives, it is a dismaying re-

flection that Labour should make a surrender of a vital principle which has sustained it as a party of democratic freedom for so many years, to its traditional political enemy. We shall see directly what rejoicing there was among the ranks of Tuscany when the bridge fell into their hands so easily, without, indeed, a fight. It is not a temporary capitulation, as some apologists in Labour circles would have us believe. Australia, with Canada and South Africa, were the last bastions of resistance to the encroachment of military dominance over the lives of their nationals. Having struck its colours and retreated, the recovery of the ground lost will be a difficult task, and it may be indeed that for years beyond calculation, conscription will remain the law of the land. Government by the people is a spurious democracy where such a law operates.

But what is even more disturbing is that this lamentable step was taken by a political party, which it was expected, by all historical precedents, to defend the masses from this form of social slavery. Its move has put into the hands of reaction a power of coercion, which it will not be slow to avail itself of, and there can be no argument against it. Extenuating circumstances for the application of military constraints and coercive methods can always be found by those whose interests require them when once the existing law has been "softened." The Labour Party's defection, engineered by one who himself was protected by the law he now amends and is so startling in the dramatic inversion of all the probabilities, that it is hardly credible yet to many staunch labourites. They find it difficult to visualise where it all leads to. Any political party may now do likewise and point to the lead already given, and what better justification could any political party find than that the Labour Party pioneered conscription in Australia? Priorities is the principle governing all social activities in time of war, but a priority in Universal Compulsory Military service on foreign battle fields was not one expected to be exercised by the Labour Party.

We do not hesitate to say that Mr. Curtin's defection

from principle, yet whose vigorous assertion in other war years was unsurpassed, has stabbed the Australian democracy in the back, ably assisted by the red-fascists whose political circus it would be exhilarating to watch, did not their clowning bear such evil consequence.

We may add to Sir Earle's Page's remark in support of the Prime Minister's new policy, "Our own army would be able to go out and fight wherever the flag might be unfurled"—and for a cause not necessarily concerned with the defeat of fascism, or the repelling of the Japanese from these shores.

Numbers of Trades Unions passed resolutions supporting the Curtin policy, but a number were against it. Although the N.S.W. Executive supported the Curtin plan, it did not by any means represent the real feeling among the affiliated Unions. The *Australian Worker* reported, 2/12/42: "The resolution carried by the State Executive of the A.L.P. in New South Wales last Friday night in favour of Mr. Curtin's Militia proposal has already been discounted, if not discredited, by other bodies more closely in touch with the mass of Labour supporters in the State. By 53 votes to 2 a Sydney Eastern Suburbs Regional Conference of the A.L.P. on Monday demanded that a special rank and file conference be held to deal with the Government conscription move.

"Three electoral councils of the A.L.P. (Parkes, Reid and Newcastle) have also repudiated the Executive decision and called for a conference of the whole of the States' affiliated Labour organisations. That is as it should be. The State Executive is too small and exclusive a body to decide a matter so vitally important to the labour men and women of New South Wales.

"A rank and file conference of the entire State would be more expressive of labour opinion, and by virtue of its numbers, less susceptible to governmental influence. A concerted move should be made in this direction.

"If we can't have a referendum of all Australia, State Labour Conferences would be infinitely preferable

to State Executives for the determination of so grave an issue."

The remarkable thing about the fight in New South Wales was that, although the State Executive voted in favour of the Curtin plan, large numbers of branches of the Party and affiliated unions voted against it. According to the *Century* 87 branches of the A.L.P., 38 Unions, 30 members of the State Parliament voted against, and many Federal A.L.P. Councils turned it down with overwhelming majorities, as did State A.L.P. Councils.

In a letter which Mr. J. S. Rosevear, M.H.R., wrote to the Annandale Branch of the N.S.W., A.L.P., he said: "On the question as to whether the A.M.F. and the A.I.F. should be merged into one force there is one complete answer which I challenge Mr. Curtin or any other member of the Cabinet to deny, and that is, that there are more members of the A.I.F. in Australia who have signed up to serve in any part of the world than we will ever dare to send out of Australia."

In Victoria many unions gave their blessing to the Curtin proposal. Unequivocal support was given by the Clothing Trades Union with its "socialist" secretary. The shop stewards of the Ammunition Workers' Union put through a motion favouring the plan, and the assistant-secretary Sharpley said because of this lead by the shop stewards it was expected the State Executive of the Union would do likewise. It is interesting to recall that when Mr. Sharpley was asked by some nosey parker why he did not enlist, he was reported to have replied: "My Union could not do without me." (Mr. Sharpley's indispensability is a thing to marvel at.) Evidently he thought his union could do without some of *his members*, who with his connivance may be compelled to serve, whereas Mr. Sharpley enjoyed, with some other union executives, an exemption, and could not be called up.

The Wonthaggi Labour Council decided unanimously to endorse the Curtin plan.

The attitude of the A.C.T.U., according to the *Argus* 9/12/42, was that Mr. Monk was communicating with members of the A.C.T.U. in other States asking them if they accepted his and Mr. Croft's amendment at the Victorian Executive's meeting on December 4th in favour of a referendum as being the views of the A.C.T.U. We have not been able to discover what replies were given. Presumably their suggestion was not endorsed.

The Trades and Labour Councils of various States declared themselves as follows:—New South Wales supported Curtin's move. The Victorian Trades Hall voted 98 for 98 against. The casting vote of the acting-chairman, ex-Senator Sheehan, defeated the move. The Ballarat Trades Council supported, as did a Conference of Provincial Trades Halls in Victoria. The Queensland Trades Union Congress supported. It is presumed that the industrial movement in Tasmania supported the move. The Adelaide Trades and Labour Council endorsed the Curtin plan. The Australian Workers' Union opposed it. These represent a few of the official opinions we have been able to collect.

An interesting decision was that of the Australian Federated Union of Locomotive Enginemen, which claimed that the only true course was to resubmit the question to the people by referendum together with a further question of granting power to conscript the wealth of Australia. The Curtin Government, its official journal stated, was subjecting the people to a veiled dictatorship; and several members of the Cabinet regarded themselves not as the people's servants, but their masters. The press reported that the Minister for Air and Civil Aviation (Mr. Drakeford) has given the Ministry strong support on all phases of war policy.

Mr. E. Thornton's description of Messrs. Calwell, Cameron and Holloway as reactionary because they opposed conscription, shows how a Communist can indulge himself in an arbitrary and ludicrous misuse of words. "Reactionary" is a fluid word which he can pour into any mould his distorted imagination fabricates.

If anyone wants the strange story of Mr. Thornton's prodigal-son wanderings, and his return to the communist-bosom, repentant and a wiser son, sick of the husks of independent thinking, they will find it set out very entertainingly in Mr. J. T. Lang's book, "Communism in Australia."

The Melbourne *Herald* on 4/12/42 reported: "The general secretary of the A.R.U. (Mr. J. F. Chapple), one of the first union officials publically to declare support for the Curtin policy, said today that there was a wide-spread support among railway men for more effective use of the C.M.F. Mr. Chapple refuted the idea that the policy was one of conscription. Mr. Curtin was merely seeking to increase the mobility of our forces. It was corrupt and illogical to compare the present situation with the previous conscription issue. Circumstances were entirely different, and every intelligent and loyal Australian should be prepared to support the Curtin policy."

I may leave it to the readers of this book to decide where the corrupted thinking lies throughout this issue. Mr. Chapple has left it to be inferred that Mr. Blackburn and those who supported his views are not loyal Australians. It was Mr. Hughes who in 1916 wanted to "increase the mobility of our forces," but not even he disguised the nature of military compulsion either then or in the present instance. The amendment to the Defence Act was conscription without any casuistry or humbug.

"WE LIFT THE CURTAIN and CURTIN"

is the title of a striking article in the *Timber Worker*, journal of the Timber Workers' Union (Victorian Branch), January, 1943:

"Following the resignation of the present Prime Minister as secretary of No. 2 branch of the Australian Timber Workers' Union, he was appointed secretary of the Victorian Anti-Conscription National Executive."

The article goes on to say that "he convened an anti-conscription congress. Over 200 delegates attended, representing all trades unions."

The congress recorded its "uncompromising hostility to Conscription of life and labour, and on behalf of the industrially organised workers of Australia resolutely declares against any attempt to foist conscription upon the people of Australia."

The article mentions that "Jack Curtin was charged before Mr. Cohen, Police Magistrate, with failing to enrol as required by the Proclamation under the Defence Act," and how Mr. Blackburn appeared for the defendant.*

"Later Curtin left for West Australia. He was there charged in the following month of December with a breach of the Wartime Regulations, and a fine of £15 was imposed. Curtin had to enter into a surety bond of £25 as a guarantee that he would comply with all the wartime legislation."

"The principal slogan of the 1916 Anti-Conscription National Executive in its appeal to the people of Australia was—

"Freedom of conscience and Liberty. You prize Freedom of Conscience! Conscription is the enemy of Freedom of Conscience. You prize Civil Liberty! Remember that Conscription is the enemy of Civil Liberty! Conscription has destroyed Civil Liberty in Germany."

* See Page 72 "A Glance Into History."

CHAPTER 7

MR. BLACKBURN'S AMENDMENT

We now proceed to trace the development of the issue in the Federal Parliament. On the 10th December, 1942, the Prime Minister gave a resume of international affairs. It was mainly an account of the New Guinea fighting, and had little relation to the home front beyond stating that the Australian Government, under arrangement, had "Surrendered a part of its sovereignty and placed its defence forces under the control of a commander of an allied nation . . . it was dictated," said Mr. Curtin, "by the strategic needs of the war with Japan." He made no reference in this speech to the necessity for conscription, and Mr. Fadden (Leader of the Opposition) expressed his regret and disappointment for the omission. "The House," he said, "must be profoundly disappointed because the Prime Minister's review contained no reference whatsoever to the need for a united Australian Army available for service anywhere as required without limitation." He reviewed the circumstances of Mr. Curtin's new policy as announced to the Federal Conference on the historic 17th November, and pointed out that in May, 1942, he had moved an amendment to a motion for the printing of the statement on international affairs made by the Prime Minister on that occasion as follows:—

"In order that the Australian Imperial Force and the Australian Military Forces may be effectively welded into one fighting army available for offence as well as defence, this House is of opinion that all territorial limitations upon the power of the Commonwealth Government to employ the Australian Military forces should be removed."

It will be observed that with this amendment the anti-Labour Opposition resumed its traditional role as a

conscriptionist party. The mask it had worn at the 1940 elections when it had announced itself as opposed to conscription was now torn off, and the real features of the U.A.P. revealed. The amendment was defeated by 31 votes to 27, labour members voting against it to a man, assisted by the independents.

Although the House expected Mr. Fadden to move a similar amendment to Mr. Curtin's motion, "that the paper be printed," he did not do so, cryptically alleging that the opposition always "placed national responsibilities and consequences above party political considerations"; but Mr. Calwell probably gave the correct interpretation of it in his speech. "I take it," he said, "that he (Mr. Fadden) is quite satisfied at the moment with the stepping stone instalment of conscription which he hopes will receive the approval of the Labour Party Conference on the 4th January next."

Mr. Blackburn moved an amendment, "That all the words after 'that' be left out with a view to inserting the following words: 'This House, re-affirming the policy upon which the majority of its members were elected, opposes the imposition of any form of compulsory service outside Australia and the Territories of the Commonwealth'."

It was seconded by Mr. Calwell, who reserved the right to speak. This was a demand on members of all parties with a vengeance. As already indicated, the converse of this point of view had been emphatically repudiated by members of the Labour Party only a few months before and Mr. Blackburn was entitled to expect some measure of consistency and virtue, but as events proved these are qualities in the people's representatives as rare as acorns at the North Pole.

The debate which ensued evinced a determined effort by the Opposition to have this amendment defeated, notwithstanding the House was a non-conscription assembly, according to the assurances given the electors when on the hustings in 1940. Mr. Curtin enunciated Labour's policy on the air from Perth on 28th of August of that year. "Necessary provision shall be made," he said, "for

the reinforcement of the A.I.F. Division, the extent of European participation by the Volunteer Army to be determined by circumstances as they arise, having regard to the paramount necessity of Australia's defence."

Mr. Blackburn's amendment was a challenge to Labour to honour its pledge, and not less so to Mr. Curtin himself, and as Labour members of Parliament had only a few months before voted *en bloc* against the Fadden attempt to remove the limitations on the power of the Government to employ the A.M.F. for overseas service, it seemed as if there was no loophole through which to escape the obligation of reaffirming their election pledges. But on what a slender foundation this faith rested events were soon to prove.

It will be necessary to show at some length the treatment accorded the Blackburn amendment. Some members, particularly Mr. Forde and Dr. Evatt, did not scruple to attribute to Mr. Blackburn an ulterior motive, which in the light of a public career without equal in Australia for honourable service and incorruptibility, was a personal reflection upon the moral and intellectual integrity of the member totally unwarranted and deeply resented by the friends of Mr. Blackburn. As will appear later, it was not Mr. Blackburn, but Mr. Forde who figured in a rather unsavoury light in respect to this issue, and who, judging by his behaviour, regarded party and loyalty to Mr. Curtin, more important than loyalty to his constituents and his own conscience, assuming, of course, that this inconvenient prompter of moral virtues, is known to Mr. Forde.

Sir Charles Marr took the opportunity to castigate the Government for imprisoning soldiers in gaols with common criminals for an offence against army regulations and for which they had been found guilty by court martial.

It was left to the acute Mr. Frank Brennan, always courageously outspoken, and who did not mince his words, to point to the extraordinary position the Prime Minister and every member of the Labour Party would have been in had Mr. Fadden moved an amendment affirming allegiance to the principle of conscription as laid down by Mr.

Curtin himself at the November Conference of the A.L.P., since the policy of the Labour Party was still *anti-conscription*. We would have had the spectacle of the head of the Government and leader of the party in the extraordinary position of having to oppose his own changed views. Members of the party would have been bound together with the Prime Minister to oppose the Fadden amendment, "just as they will be bound to support the spirit of the motion of the Hon. member for Bourke as I most cordially do," added the member for Batman.

Was there an arrangement with Mr. Fadden NOT to move an amendment and so avoid causing embarrassment to the leader and members of the Labour Party? Stranger things have happened in politics.

The burden of Mr. Brennan's contribution to the debate was, why bastardise conscription. To speak of a merger of the two armies and of territories not far away but close at hand outside Australia and its jurisdiction was merely to apologise for conscription for overseas service. "The blossom of conscription flourishes remarkably well in the congenial atmosphere of Western Australia. The words used by the Prime Minister in his proposed amendment of the Defence Act were precise and lucid enough to satisfy any ardent conscriptionist—they mean service in foreign countries—such other territories in the South West Pacific area as the Governor-General proclaims as being territories associated with the defence of Australia has very wide scope."

In any case, having inserted the point of the bayonet in the groin, it would require but little pressure to press it home.

If we yield to the present clamour for this amendment, we shall yield the last ditch. The proposal now before us is conscription for foreign service, stark and unshamed." Mr. Brennan cited the *Australian Worker* for the 2nd December, 1942, where in a leading article Mr. H. Boote had succinctly put the matter in his usual forthright way. He wrote (p. 1710 *Hansard*, Dec. 10th, 1942):

Should the Prime Minister get his way, the

State Labour Executives or the Interstate Labour Conference will have agreed to something profoundly and nationally serious for which nothing worthy of being called justification has been advanced.

In that event a mere handful of men will have destroyed, at the request of a single person, a principle which more than a million people established by their votes on two historic occasions.

What Australia did in the last great war commanded the world's admiration.

And this applied not only to the deeds of our soldiers on the fields of battle, but also to the magnificent determination of the nation to carry its love of freedom to the length of forbidding the conscription of its sons even in the hour of dire peril.

*There Should be Another Referendum on This Issue.
Only the Nation Should Repeal What the Nation
has Decried.*

"That the head of the Government," commented Mr. Brennan, "should spring upon the public a declaration of a radical change of policy of the kind here foreshadowed without consulting his Cabinet or his party, the electorate to which he was pledged as a deeply dyed in the wool anti-conscriptionist, or even his Army Minister, and without knowing whether or not at the very moment at which he was expounding his new policy one of his faithful Labour Ministers might have been expounding the old policy, is as amazing as it is inexplicable."

Mr. Harrison made the point which socialists are too disposed to gloss over when he said: "Those privileges which are common to socialism and communism have been defended by the very means to which exception is now taken; in other words, communism has reverted to the very elements of autocracy in an endeavour to defend its privileges, including the compulsion of every unit in the Communistic State."

He accused Mr. Blackburn, whom he described as the "Arch-priest of Socialism," as directing a dagger at the heart of democracy and socialism; Mr. Harrison evidently meant that Socialism—the brand of it in the Soviet Union—which Communists accept and Socialists deny, requires conscription, bureaucracy, industrial regimentation, and all those shackles beloved of the possessing classes to make it a success. He may be right when it comes to practical politics, but Mr. Blackburn, being essentially a Liberal, although a warm adherent of theoretical socialism, conceived of socialism as a higher form of liberalism, and not a condition of dominance by the State such as exists in the Soviet Republics, where industrial freedom is a sham, and the worker a pawn on the Stalinist chess board.

Naturally, in view of the fact that Mr. Curtin had come his way, Mr. Harrison had nothing but admiration for the Prime Minister, and considered that "his diligence, energy and patriotism during the war had wiped out many blots on his escutcheon." "Would to God," exclaimed Mr. Harrison, "he would go a little further in the interests of his country."

All of which goes to show that it all depends how you look at things and what your interests are. To many thousands of Australians Mr. Curtin has not purified his escutcheon, but rather stained it indelibly with political trickery and deception and damaged the moral and political credit of the Labour Party irremediably. It would seem from the compliments of the Opposition, that when a Labour representative becomes sufficiently given to repressive measures his new found impeccability will atone for all the sins of adhering to Labour Policy. And if he would go further and become a conscriptionist, the enemies of Labour will be prepared to canonise him as a political saint, whose example and precept should prove a model for all successive Labour Prime Ministers. The lily-white virtues suddenly discovered in vacillating Labour men is a phenomenon not begun with, nor confined to the happenings of to-day. Gifts of £25,000 are not considered too high a price to pay for the services of any one who has lost his sense of moral obligation to the movement which nurtured and established him. We may

yet see John Curtin moving still further backward if conversion to a policy of conscription is not the furthest one can go.

Speaking in support of Mr. Blackburn's amendment, Mr. A. A. Calwell, not then Minister for Information, stated he could see no fundamental difference between conscription in the 1916 and 1917 campaigns and the proposal in 1942. "I moved a resolution at the meeting of the Victorian Central Executive of the Australian Labour Party expressing the view that there was no fundamental difference between the proposals enunciated by the Prime Minister in 1942 and those enunciated by the Right Hon. member for North Sydney (Mr. Hughes) in 1916 . . . whether the compulsion is for the South West Pacific or for Europe, it is still military conscription for overseas service, and therefore abhorrent to the traditional democratic principles of this country, and something that should be abhorred and shunned . . . the Right Hon. member for Kooyong (Mr. Menzies) as Prime Minister went so far with the unanimous support of his Government and his party as to incorporate in the National Security Act a provision that regulations under that Act should not be used for forcing conscription for overseas service upon the people of this country . . . the Prime Minister told the conference in Melbourne that whereas many thousands had volunteered for the Australian Imperial Forces it was not desired that any more should volunteer, because the Government wished not to destroy the Citizen Military Force divisions, but to take the whole of these soldiers as conscripts and use them in Timor or somewhere else."

There can be little doubt that the initial mistake of the Labour Party and its organisations was the handing over of all control of manpower to the Government in the early stages of the war, since it established a precedent for the Prime Minister to argue for the extension of this power to the South West Pacific Zone; just as the granting of power for the latter makes it easier for Mr. Curtin to further enlarge this area of conscript service as the Government decides. Small increments of conscription inevitably lead to a larger and ever larger

exercise of powers over the individual. The undoing of this social evil will prove a gigantic task, if not an insuperable one for progressive people, with the masses conditioned to accept war as inevitable.

Although there was nothing equivocal or ambiguous in Mr. Calwell's treatment of the subject, he failed to stand up to the issue at the critical moment when the vote was taken. There seemed to be a suggestion that his speech before the dinner adjournment was modelled on more astringent lines than that which he delivered afterwards when the House resumed. At least, he was twitted by the Opposition with modifying it, and if this was the case, it explains why Mr. Calwell did not carry his indignation to the vote. In reply to an interjection he retorted: "Having seconded the amendment, I propose to vote for it." As a matter of fact, when the vote was taken Mr. Calwell stultified himself by voting against the amendment he had seconded. Members may have pointed out to him the folly of persisting in this course unless he was indifferent to his political advancement in the party. He at least put the Communists on the grill when he pointed out that they, who at one stage derided the war, the Prime Minister, conscription and the U.A.P., were now bed fellows with the latter, and burning advocates of compulsory service *for those who had not been fortunate enough to get into the shelter of a protected occupation.*

Mr. James, the member for Hunter, undertook to explain why Mr. Blackburn's amendment was proposed, and incidentally revealed that it was identical with the motion submitted in the caucus meeting by Mr. Calwell and defeated by 37 votes to 13 (*Hansard*, 11th Dec., '42, p. 1805): "It was defeated mainly because the majority of the caucus meeting believed that the question under review is one for decision by the delegates to the Federal Labour Conference, not the servants of the movement." A queer pretext this, and one which must have made his colleagues uneasy.

As we have pointed out earlier, the matter was not one for the conference primarily. It was one for the

people to determine. The "servants" of the movement, up to that stage, *had an obligation to support the policy* of the party as declared for many years and repeated at the Federal elections by every member, and by the Leader of the Party. No one has put this point of view more strongly and convincingly than Mr. Henry Boote, the editor of the *Australian Worker*, 2/12/42. "We who oppose conscription to-day," he said, "offer no apology for harking back to 1916 and 1917 when the Australian people made manifest to the whole world their passion for freedom under arms. The Labour Movement played a glorious part in those two critical periods. Some of its trusted leaders fell for the dope of the military caste, and the Labour Movement repudiated their leadership and cast them off. Scornful of efforts to pervert its principles and turn it from its true course, it went straight on and victory crowned its faith in the righteousness of its cause and the responsiveness of the people. The lapse of time has made no essential difference in the conscription issue thrust upon us again in 1942—the whole essence of the present issue is summed up in those two facts:

THE PEOPLE HATE CONSCRIPTION,

IT ISN'T NECESSARY.

There should be another referendum on this issue. *Only the nation should repeal what the nation has decreed.*"

CHAPTER 8

GUILTY MEN

Some attention needs to be given to Mr. James, since he represents the mining areas of N.S.W., where apparently a conflict exists among the miners who are anti-conscriptionist, and probably still take the view about the war which the Communist Party favoured before June, 1941, and the red-fascist conscriptionists, who would delight to force into the battle zone those who had not been equally expert in the contortionist act of transforming an imperialist war into a war for liberation and democracy.

Mr. James himself is, doubtless, occupying an equivocal and dubious position. For the moment the communist section has control of the Miners' Federation, and Mr. James would run a grave risk of political hari kari did he offend the pooh bahs of the Federation. It would be interesting to speculate what Mr. James' views on conscription would have been had the issue been raised prior to the entry of Russia into the war. The attack he made on Mr. Calwell because he demanded allegiance to the policy of the party would doubtless not have been made had the issue arisen then. It was in any case an ignorant and petulant outburst which Mr. James may yet have cause to regret.

His apologia for the Prime Minister's action in raising the question at the Melbourne Conference was a jejune attempt to appeal for the right of a party meeting to decide the issue as it was an intra-party political quarrel. Mr. James has his own peculiar freudian complex, very reminiscent of the bizarre illogicalities of the communists in dealing with the question, and to isolate the issue from the traditional repugnance of an Australian democracy to military regimentation, from the Prime Minister's brusque and contemptuous treat-

ment of his cabinet colleagues, from the weighty evidence that political expediency not military necessity was the motivation behind Mr. Curtin's manoeuvre — separated from all these and other factors, Mr. James disingenuously argued that "no member with any common decency in him would have remained in the party, if he had strongly disagreed with it on this issue," which, if logically conceived, would involve the resignation of Mr. James as a conscriptionist prior to January 4th, 1943, when the conference reversed the party's policy of no-conscription for overseas service. Where was Mr. James when the party defeated the Fadden motion in May of that year? Why did he not vote for conscription then? He voted against it.

Mr. Ward's position in the matter was peculiar. His opposition to conscription was based on the theory that "irreparable damage will be done to the war effort if the field of conscription be extended," an argument somewhat difficult to follow.

On the other hand, he presented a powerful plea for the volunteer system which generally has been overlooked. *Hansard*, Dec. 11th, p. 1814—

We have two forces to-day—a volunteer force, the Australian Imperial Force, and conscripted soldiers serving in the Militia. If one talks to men who have come back from fighting fronts where both forces are in operation, one finds that undeniably there is considerable friction between them. The Australian Imperial Force men refer to the Militia as "choco" soldiers. So strongly has this feeling developed between the two forces that I understand that in certain areas separate picture shows have to be provided, because volunteers and conscripts cannot be trusted to go to the same theatre together without coming into conflict.

Mr. Jolly: That is an argument for merging the forces.

Mr. Ward: For merging them as volunteers. The honourable member's interjection is pertinent. If

we merge the forces, we shall not remove that division. The honourable member will not deny that there is friction between the two forces?

Mr. Jolly: Not that I know of.

Mr. Ward: If we merge the forces we shall still have that division, because the soldier in the Australian Imperial Force will still want a distinguishing badge to show that he was a volunteer, whereas the other man was a conscript. There can be no denying that there is friction. The lack of co-ordination will continue. The only way in which these forces can be effectively merged is by allowing the merger to be voluntary.

Mr. Rankin: Thousands of eighteen-year olds have not been allowed to join the Australian Imperial Force.

Mr. Ward: That is exactly the point I was going to make. Members of the Citizen Military Forces, instead of being encouraged to join the Australian Imperial Force, have been discouraged. That was admitted by the Prime Minister, according to certain extracts from the speech delivered by him at the conference of the Australian Labour Party, which were placed on record by the honourable member for Melbourne.

Practically no recognition was given to the fact during the course of the debate that all Mr. Blackburn's amendment did so far as labour members were concerned was to ask for reaffirmation of the assurances they had given to their constituents and repeated only a few months before in defeating the Fadden amendment, but this, as it turned out, they declined to do.

Dr. Evatt followed Mr. James in the assertion that to vote for amendment would prejudice consideration of the matter at the forthcoming Labour conference. But did not every Labour man have a right to prejudice the Labour conference against conscription, seeing that they had given pledges in that direction? *Dr. Evatt had a duty to his electorate to prejudice the conference against breaking down a policy that had been determined by the Australian*

people in two referenda? He had pledged himself to oppose conscription, and the obligation was upon him to take such steps as would enable him to honour his word. But the moral astigmatism which blinded Dr. Evatt to the obvious course he should take evidently was an affliction not confined to him. Why was it only thirteen members of the caucus voted for the Labour Platform when Mr. Calwell's motion was debated?

"It is absurd," said Dr. Evatt, "*to suggest that Government supporters are bound to support any amendment merely because it is based on the Labour Platform*" (Hansard, Dec. 11th, 1942, p. 1821). Dr. Evatt doubted the sincerity of Mr. Blackburn (Ibid), alleging that the amendment was "intended not to assist the Government or the Labour Movement, but rather to embarrass and prejudice the decision of the conference. All that is very plain."

To lay a charge of this character against a reputation for honesty and sincerity and a long and unblemished record of service in the Labour movement, unequalled in the life of a public man anywhere, at any rate in Australia, manifestly reveals the imperfections of Dr. Evatt himself. His forensic subtleties and special pleadings, as pretexts for the political obliquity of himself and Cabinet colleagues, may do very well for a corrupt Parliament, but, let the erudite and too clever lawyer in this gentleman, attempt to put his specious arguments over the electorate when soliciting votes, and it will know how to deal with him. "Why hark back to what one said in a policy speech" was Mr. Menzies naive reply to the reporters who wanted to know how he stood on the Curtin proposal. This is the communist line of talk. "Even if we did denounce the war before June, 1941, as an imperialist war," say these contortionists and verbal jugglers, "the circumstances have made it a war for democracy." All political traitors in all ages have found similar devious verbal loopholes to escape their responsibilities and to discard their sacred pledges—

Honor's a rag tossed out for winds to rend,
And virtue is most shamed and lust goes free,
And trembling wisdom vainly seeks a friend

Dr. Evatt proceeded to justify the modification of Labour's policy on the ground that the power sought was for a limited Pacific area. But the casuistry that has entered frequently into the administration of the Curtin Government only found another striking manifestation. It has practically destroyed all semblance of democratic policy the Labour Party had. But more will be said of this in succeeding pages. In the meantime, it needs to be pointed out that by such specious arguments adduced by Dr. Evatt, any of the pledges given to the electors could be violated, and have indeed been violated by the pseudo-logic of political lawyers.

The real seriousness of the position so far as the Labour Movement is concerned arises from the fact that a caucus elected on a no-conscription platform, refused to endorse that platform when the opportunity was given it to do so. How did Dr. Evatt vote in caucus and Cabinet? Did he *prejudice the issue against conscription*? Clearly it was his duty to do so. Two referenda against Labour's platform, his personal pledge and defeating the Fadden amendment in May, was that not enough? That Cabinet's decision did affect the issue at the conference on January 4th is obvious, whereas if members had been true to their pledges, the conference delegates would have hesitated in flouting the lead given by the Parliamentary representatives, Mr. Curtin notwithstanding.

The *Argus*, Jan. 29th, 1943, reported that Caucus by 41 votes to 10 approved the Government's proposed legislation to amend the Defence Act to permit the C.M.F. to be sent to the S.W. Pacific Zone.

The *Herald*, Nov. 24th, 1942, reported that of the 19 members of Cabinet, 16 had voted for the Curtin plan. Mr. Ward, Mr. Holloway and Senator Cameron were the only Ministers who stood firm to the Labour platform.

The responsibility for making Australia a conscript country unquestionably rests, not so much on the January conference, although it is not exculpable, but upon the Curtin defection primarily and those who supported it in the Cabinet, who played false with honour. These are the vicars of Bray whose deviation from prin-

ciple, and ready adaptation to the winds of circumstance, will be a reproach and hissing to all men who still value the dignity of truth and fidelity to conscience.

Although the statement that the Curtin proposal was unknown to his Cabinet colleagues has been generally accepted, reviewing the speeches in the House, one is entitled to infer that it was actually known what Curtin intended to do at the Melbourne Conference.

Dr. Evatt was probably in the know and pledged to silence, a pledge by the way, if given—and one can hardly doubt it was—he thought worthy of being kept. "Guilty Men" is the title of a book which has had phenomenal sales. It is a pity the author was not aware of happenings in the Parliament of the Commonwealth; it would have added a piquant item of reality to much that was probably got up as the pabulum suitable to a war-time public. I find it hard not to believe that many members of the Cabinet knew what was going to happen, and if they did know they were doubly traitors to the people.

Mr. Forde insisted that "the amendment was moved after careful planning to embarrass the Government and to prevent the full and free consideration of the question by the properly constituted authority of the Labour movement to the principles of which the Government members have subscribed," Mr. Forde should be the last man to jibe at Mr. Blackburn.

Would it be such a heinous sin if Mr. Blackburn took the opportunity of preventing the conference going conscriptionist? At least, he desired to keep his promise to his constituents. I have no doubt he intended to thwart, if possible, the attempt to turn the Labour movement from its policy? Is that deserving of censure? Does Mr. Forde think fulfilling Labour's platform a desirable objective? If it is not, why not say so before the electors, and not in a place where he cannot be criticised?

That the amendment was moved "after careful planning to embarrass the government," is a gross libel on a man of honour. We remind Mr. Forde and all other

servants of the Labour Movement, that the properly constituted authority is not the Federal Conference, already charged with the administration of a policy predetermined by delegates empowered by State Conferences, not by State Executives, but the representatives of Branches and Unions who empower the State conference to give effect to decisions they reach after deliberation and the hearing of various points of view. And for 25 years such conferences have reaffirmed the decision of the electors of the Commonwealth that conscription of Australia's manhood was repugnant to them, was a sinister weapon in the hands of the possessing classes, and was used where ever it operated to destroy the hard won victories of liberty.

Until the people changed this policy, the obvious duty of the Parliamentary representatives was to go before them and announce any proposed new policy. "We no longer believe in the voluntary system of recruitment for the army," we fancy we hear them saying, "which we put before you at the elections; we believe that citizens should be compulsorily mobilised for service outside Australia and its Territories or where the military authorities decide."

What would be the reactions of the electors to a statement of this character? What do you say, Dr. Evatt, and Messrs. James and Forde?

The policy of the party was changed by what was in effect a snap vote in an atmosphere charged with war hysteria, in a detestably surreptitious manner where votes were bartered, it has been said, by promises of lucrative sinecures, and in six weeks the age old struggle of Labour to extend the scope and area of social freedom and intellectual liberty was transformed by the votes of 24 men, one was a woman (the lesser being included in the greater) acting under orders from State executives, many of the members of which were already in protected undertakings and the recipients of fat remunerations far surpassing their fondest dreams in Capitalist society! Why shouldn't they . . . ? Others were not so happily placed, but relied on promises which, judging by after events, were adequately fulfilled.

We are on pretty firm ground in suggesting that Dr. Evatt, Mr. Forde and Mr. James or any members of the Parliamentary Labour Party, would have been very reluctant to face an election immediately on the changed policy. The election of August, 1943, did not put the question to the test, or even if it entered the heads of any voters was not in a proper perspective, since the issue was shrouded beneath a fog of topical fustian, and the public memory being notoriously short, cannot be depended upon to store up its indignation for eight or nine months.

Mr. Forde's plea on behalf of a man whom he asserted had "an unblemished record of 30 years of service to Australia and the Labour cause," does nothing to minimise the one act of infidelity by which he sold out to his political enemies.

The Melbourne *Herald*, reporting the conclusion of the debate (11/12/43) said: "The Blackburn amendment opposing conscription for service outside Australia, was defeated on the voices in the House of Representatives this afternoon. Mr. Blackburn (Ind. Lab. Vic.) was the only member to call for a division. Mr. Calwell (Lab. Vic.), who had seconded the amendment, did not request a division which allowed him to avoid the serious course of voting against his party. Under standing orders there cannot be a division unless asked for by a minimum of two. The course adopted by Mr. Calwell gave him the opportunity of avoiding a vote against the Labour Party which would have involved him in serious political consequences. The threatened crisis with its implications of a party mutiny against Mr. Curtin thus fizzled out ignominiously."

Herald, 12/12/42: "Notwithstanding their bitter criticism of the Prime Minister's proposal and expression of opinion contrary to Labour caucus decision, the Minister for Labour (Mr. Ward) and the member for Melbourne (Mr. Calwell) have saved their political futures by refraining from voting the way they spoke. Had they voted against the Govern-

ment and in favour of Mr. Blackburn's amendment, it is certain that the Prime Minister would have exercised his right of dismissing Mr. Ward, and Caucus would have disciplined Mr. Calwell. Mr. Calwell would also have faced the danger of losing the official labour endorsement for his seat in Melbourne."

In justice to Mr. Calwell it should be pointed out that in a public speech he stated that he did not call for a division as he had intended, as it would have embarrassed other non-conscriptionist labour members. "After trying to persuade members at a caucus meeting to vote against Mr. Blackburn's amendment, Mr. Curtin declared carried a resolution that the members of the party should vote against it even though it was the Party's policy." This revelation by Mr. Calwell of the value of "assurances" should be an object lesson to electors how easy dictatorship is exercised within the democratic framework.

At this time, anti-conscription was still the platform of the party, and to have voted against the Government may have been to disobey a direction of caucus, *not to have been disloyal to the policy of the party*. Or are we in the position of having to accept decisions of caucus when it goes contrary to the policy of the party as it did on this occasion?

Labour members should now, if they have any grace remaining, tender humble apologies to Mr. W. M. Hughes for many decades of defamation of that honourable gentleman. He is Snow White compared to those who have consistently blackened his character.

CHAPTER 9

A GLANCE INTO HISTORY

While we are not concerned with the political clash of arms in April, 1939, between the evanescent Prime Minister (Sir Earle Page) and Mr. R. G. Menzies, there are certain features of it which have a significant bearing upon the conscription issue. Sir Earle Page declared that if Mr. Menzies was commissioned to form a new Government the Country Party would find itself unable to work with him for three reasons—

1. While Attorney-General in the Lyons Government he had resigned on the question of the implementation of the National Insurance Act at a time when the Government was engaged in preparing the country for war.
2. A few weeks before Mr. Menzies had made a speech in Sydney on leadership which was interpreted by some sections of the press as an attack upon his own leader.
3. He was a member of the Australian Military Forces during the 1914-18 war, but resigned in 1915 and did not go overseas for service.

To the first charge, Mr. Menzies replied that he resigned from the Government *in order to carry out a pledge* which he had given to his constituents. "Is it a contemptible thing," he said, "or is it the act of a coward to keep my word on an issue which is far from popular? I regard my resignation as one of the more respectable acts of my life."

We are not concerned with the second charge beyond thinking it likely that Sir Earle hit upon the truth. We remember it was Mr. W. M. Hughes who gave us an excellent summary of the political character of Mr. Menzies.

The *Age*, 7/4/43, reported Mr. Hughes as saying: "Mr. Menzies deplored self seeking and whispering campaigns and intrigues. He passionately urged the need for unity, but he himself was the great self seeker, the

man behind the scenes in every intrigue, the fountain head of every whispering campaign, the destroyer of unity."

Mr. Fadden, too, had something to say in referring to Mr. Menzies' criticism of his financial proposals in his policy speech: "This stab in the back at this juncture makes another betrayal in the series for which Mr. Menzies has become notorious. The statement causes no surprise to me, for I heard last week in Sydney that something might happen because the personal ambitions of one man thought it preferable that we should lose this election." (*Argus*, 26/7/43.)

Mr. Menzies' career has been a somewhat peculiar one, and it is quite likely he saw some political advantage in resigning at appropriate moments, and even if what he was after did not mature, the intention was probably very real.

To the third charge he said: "The fact is that I was a universal trainee in common with other young men of my age. I did not resign anything, but went through my ordinary term. At the time I had to ask the question as did many others: "Is it my duty to go to the war or is it not? These questions related to a man's private, intimate and personal family affairs. They could not be answered on the public platform. Facing this problem of intense difficulty I found myself for reasons, which were urgent and compelling, unable to join my two soldier brothers."

Mr. Holloway interjected: "That was your private right."

We regret the necessity of referring to these two quarrelsome politicians and their splenetic frustrations, but this story of conscription in the present world war would be neither a complete nor faithful record did we omit to point out some of the implications of the episode.

First, if Mr. Holloway thinks it was Mr. Menzies' right to make a choice of serving or not serving, why is he in a Government which denies the private right of EVERY individual to make a choice now? I completely agree with him it is a "private" right, but how this fits in with the failure to make this point on the floor of the

House is not only inexplicable to me, but to other friends of Mr. Holloway.

Mr. Menzies' own explanation why he did not enlist in the last war was a perfectly sound and valid one which many men would like a similar opportunity of stating, but unfortunately they can only do so before a police magistrate, not on the public platform or in the House of Parliament. If the Court is not satisfied with the "family affairs" he adduces, he goes to jail. Mr. Menzies is one of those responsible for this law.

The right as a citizen which Mr. Menzies claimed for himself, to exercise his own judgment as to whether he should take up arms in defence of the Empire overseas, is precisely the right which the Anti-conscription movement claims for all citizens, and is essentially the burden of these pages. Prate of democracy as he may, we know no distinction between Mr. Menzies and the commonest citizen in this matter. Why should not the common working man also be able to plead that, because of "private, intimate and personal family reasons, reasons which are urgent and compelling," he is unable to engage in the decimation of his fellow human beings. In Mr. Holloway's words, "It is his private right," but Mr. Menzies and the Labour Party have robbed him of this right.

Mr. Menzies' pledges are useful political subterfuges of value as occasion requires. HE ALSO GAVE A PLEDGE that he and his party would not support any attempt to conscript the youth of Australia for overseas service. But it is noticeable that he did not consider this pledge sufficiently binding to cause him to take the spectacular step and resign. He even urged that the restricted scope of the amending law should be widened to embrace any area determined by the military authorities.

Would the military, under a law of conscription, listen to a dignified reply (as the press described Mr. Menzies' rejoinder to Sir Earle Page) of one who did not want to go to the war outside Australia? More likely to say, "To hell with your dignity." Twitted by newspaper reporters on the pledge he gave of "no-conscription and service outside Australian territory," Mr. Menzies gave the astonishing and disingenuous answer 20/12/42: "It

was the duty of the Government to recognise sensibly all the altered circumstance . . . every new circumstance would have to be dealt with on its merits. When the national safety was involved and the stress of war encountered it was useless to hark back to things that were said in policy speeches on some earlier occasion."

It is significant that Menzies did not put forward this plea of altered circumstances UNTIL AFTER Curtin's defection. Obviously he was looking for a pretext to assume his natural role and the natural role of his party. What an exquisite let out it was for him? It would have been a burning brand to handle had it emanated from himself or from one of his colleagues and would have shrivelled up his party at the polls; but conscription being *made a virtue* by the Labour Party, and by none other than one of its leading hostile witnesses, was a gift from the political gods which it would be churlish to refuse. Menzies could now incorporate it as a plank in the new "liberal" policy, since it was sanctioned by the Labour Party. Mr. Menzies took care not to "recognise sensibly all the altered circumstances," until subsequent to the Melbourne conference and the new light had first invaded the Curtin mind. I wonder if it occurs to Mr. Menzies that but for the vote of the people in 1916 he might not be with us to-day.

Apparently Mr. Menzies regards pledges as of varying quality; depending, it would seem, upon their political results—whether they be good or bad in their reactions on Mr. Menzies' future—those which compel them to be honoured and those which do not. We do not see why a man of honour could not say when the Government failed to implement National Insurance legislation, "Why hark back to election pledges? We are girding up our Lyons (loins) for war, and a unified party is requisite to that end." We put the question seriously in his own words, "Is it a contemptible thing or is it the act of a coward to keep my word on an issue which is far from popular?" Plainly, if a pledge to electors was valid in 1939, what made a pledge in 1943 of no consequence? Dishonouring it cannot be justified on the ground that military operations were jeopardised with two armies, because one could still go to the electors and get a man-

date for the new policy, that is if one is an honourable man, who regards the breaking of his word a contemptible thing.

And if Mr. Menzies exercised his "private right" to determine his participation or no participation in the war of 1914, when the Empire was fighting for its existence, by what sort of political subtlety does he prevent a man exercising a similar right in 1943?

Mr. Menzies' reasons for not being in uniform in the last war have a striking parallel in an incident in which two persons figured who are comparatively unknown to the present generation, but who were conspicuous antagonists of an earlier period.

Mr. Frank Brennan, member for Batman, made a public speech in 1915 when he declared, "if a loaded rifle were placed in his hands and he saw a Turk in front of him he would not pull the trigger." Mr. W. A. Watt, member for Balaclava in the House of Representatives, denounced this as the "utterance of a pigeon-livered man."

One newspaper reported that "sensational developments in Parliament led to an episode from which the anti-conscriptionists acquired a certain amount of moral prestige."

Mr. Watt repeated that he knew all the members of the Brennan family, but this one was the only pigeon-livered member of it.

Mr. Brennan promptly put the courage of Mr. Watt to the test. He challenged him to meet him at 10.30 a.m. at the Melbourne Town Hall recruiting Depot and enlist together. Mr. Brennan was not only a prominent and eloquent anti-conscriptionist and still is, but was bitterly cynical about the war aims of the allies, and he has been completely justified by events. But his attitude at the time was no more popular than the same attitude to-day.

The day arrived for what was expected to be for Brennan a very trying ordeal in view of his beliefs, and from which he could have been excused had he withdrawn. The event, however, proved even more terrorising for the fire-eating Mr. Watt as it did at the same time for the eligible fire-eating Mr. Menzies. At 11.15 Mr.

Brennan walked into the depot and inquired for Mr. Watt. He was told he had not arrived. Earlier in the morning he had sent Watt a telegram repeating his offer and extending the time. To which Watt naively rejoined, "What right has this man to put a condition of half-an-hour or an hour on a challenge of this kind?" From this one would gather that given time enough, say ten years, he might accept. Watt announced he would reply at the Armadale Theatre why he shrank from the contest.

To a large audience of conscriptionists that night Mr. Watt declared: "Young men should enlist, and when my turn came I would step into the ranks." He had talked it over with his wife and she was of the same opinion. "My circumstances," said Mr. Watt, "are not prosperous, AND NO MAN GOES TO WAR IMPULSIVELY without casting up all the facts that relate not merely to himself, but to those who are near and dear to him. No man who volunteers regardless of consideration of those whom he brought into the world is worth a dump as a British fighting man. I am not convinced yet that my call has come." (Neither was Mr. Menzies.) "I will go to-morrow morning at any time I can arrange with the Prime Minister, either with or without Mr. Brennan. I will tell him the facts of my life as I have told you, and if he says it is up to me to go I will volunteer within half-an-hour."

What an awful thing it would have been if Mr. Fisher, who was Prime Minister of a Labour Government, had thought he would make a good soldier. This incredible speech went down with the select audience at Armadale accompanied by ferocious cheers. Ironically enough it was a recruiting meeting where this speech was delivered, and there were many prominent citizens on the platform who were there to encourage the young men of the nation to give their services to the war. It is certain that no slacker in the audience could have presented such eloquent reasons as Mr. Watt for not enlisting.

Think of it? His plea was that NO MAN should neglect his family for an impulsive quixotic notion of going to the war. Such a man was a washout as a fighting Britisher. He was not convinced that he should

enlist, but any other man who thought others also were not convinced, was "a pigeon livered cur." As Mr. Brennan said, "Apparently Mr. Watt had made the text outside the Town Hall, "MY COUNTRY NEEDS ME?" to read "in my own drawing room, at the Austral Salon, or in the office of the Woman's National League. He consulted the Prime Minister, the Leader of the Opposition, everyone but his own conscience."

It would be a pity to spoil this exquisitely naive apologia with further comment. A fitting conclusion to the episode was the telegram from W. A. Holman, "Labour" Premier of New South Wales: "Watt's influence worth a thousand men at the front. He must disregard personal challenges. He can render such services to his country here."

It is hardly necessary to point to the extraordinary correspondence between these two patriots. Watt was then a man of 44, and a well set up, personable looking fellow, with a square, clean shaven blue jaw, fit to scare to death any Turk he saw in front of him. (His jaw was a gift to the cartoonists.) He could "jaw" fluently for hours on the conscription platform on the duty of other people to go to the war; and here again the parallel with Menzies is perfect. Menzies was probably about 20 years old, doubtless one of those "young men" Watt thought should shed their blood on foreign battle fields, but the trainee Menzies had other views. Being trained to hold a rifle, he was more fit than others. His reflections on the war as affecting himself did not find articulate expression, so far as we know, until 1939, but he evidently nurtured opinions hardly distinguishable from Watt's; nor had he the excuse of having brought any infant-Menzies into the world, but like Mr. Watt, he did not act impulsively; that would have made him not worth a dump as a British fighting man. It is at least interesting to discover how similar are the views of those who believe that conscription for others is the path of glory, and whom the nation will do honour, provided, of course, you are not slaughtered or drowned or eaten by the monsters of the deep. Doubtless both Watt and Menzies were perspicuous enough to see that if they died for their

country, they would never see it again. The only battles in which Mr. Menzies displays his courage are of the political and forensic type, wherein he flourishes the sword of legal argument and pounds the enemy position with 10,000 shells of verbal sophistry to prove the importance of dying to keep Australia free.

We should not be surprised at these two revealing episodes, because conscriptionists are mostly baptised in the same pool, and although a young man like Mr. Curtin had an inexplicable dislike to being conscripted for the war of 1914, we do not find him as an older man nourishing the same silly prejudice against forcing other young men to fit themselves with uniforms.

The following is taken from the *Age* newspaper, 13/12/1916:—

Union Secretary Arrested

"John Curtin, secretary to the Wood Workers' Union and a prominent speaker in anti-conscription circles, has been arrested by Plainclothes Constable Dugdale, of Brunswick, on a commitment warrant in connection with a charge heard in the local court recently in which he was accused of having failed to enlist in accordance with the Military Service Proclamation. He was summoned to appear at the court on 24th November, but failed to appear in person.

Mr. Cohen, P.M., sentenced him to three months' imprisonment. Mr. F. Trumble, acting secretary for Defence, when this action was brought under his notice yesterday, said that steps would be taken for the release of Curtin in accordance with the usual procedure in such cases."

The Compulsory Military Service Proclamation was a ukase issued by Mr. W. M. Hughes, Prime Minister, in anticipation of the Conscription referendum being carried. It was withdrawn on 22nd November, 1916.*

* The Government issued an order which became the subject of bitter criticism. Exercising its power under the Defence Act, it called upon all unmarried men between 21 and 35 to register at once for military service *inside the Commonwealth*, and if shown to be medically fit, to go into camp.—Professor Ernest Scott, *Official History of Australia in the War 1914-18*, p. 349.

Vox Populi Vox Dei. The people had spoken on October 28th, and it was THEIR VOICE WHICH SAVED John Curtin from three months' imprisonment and from military service. It is a pity someone did not remind him of this at the Melbourne Conference. "Gentlemen," he said, "there is no argument against one army." So thought "Billy" Hughes in 1916 and gaoled John Curtin for not agreeing with him. Mr. Hughes has really done posterity a disservice in not mentioning this when the amending Bill was discussed. It would surely have provoked gargantuan laughter and hit the newspaper headlines. John Curtin might even have blushed.

But one other item in the affair, had it been made known, would surely have caused a Parliamentary sensation. Mr. Maurice Blackburn was the solicitor defending Curtin.

It is really one of the exquisite ironies of political history that Curtin's thorn in the flesh on the Militia Bill and other matters—Mr. Blackburn, should be his legal adviser when he was dodging the penalty of the Military proclamation. That Curtin was released from custody by the people's vote and was preserved to deny the people a referendum and gaol those who did not obey his conscription law, is a change of mental climate almost past believing.

But conversions such as this command the approval and admiration of labour's political enemies, since they represent one more added to the growing number of labour defaulters who, convinced of no moral certainties, see nothing despicable or disloyal in passing over to serve under the flag of the foe. In the army, of course, a deserter is court martialled, but in political life such is the code operating there, he is acclaimed as a man who is serving his country and following the light.

Why not extend the same moral laxity to other employees in the community? If one may place a premium on dishonesty in the highest legislative tribunal in the land, why not the cashier, the contractor, the porter who collects tickets at the barrier, the bank clerk. Why should politicians be exempt from all the standards of

honesty we expect to be observed by other sections of the community? I suppose Mr. Menzies has been as vociferous as any politician at the behaviour of the miners. But they have acted not so badly compared with the behaviour of those who juggled with promises and justified their infraction. The miners, who seem to have been the special object of Mr. Menzies' moral darts, could show him points in decent behaviour.

It is only we who have lived through the turbulent period of the last war who are able to realise what vast cataracts of moral indignation were poured out by the Labour Movement when it became known that Hughes was brewing a conscription conspiracy.

Does the conscription plot of the present war, in which a supine acquiescence takes the place of indignant militancy, connote a decline in moral and intellectual leadership—a fall in the moral temperature of the Labour Party? We fear it does. If the heat of passionate anger at the spectacle of wrong done to conscientious objectors, by a man who was saved by the burning indignation of the people on another occasion, has evaporated, it is an unhappy future the party faces. Who does not remember the celebrations, the boastings, the glorifications of the triumphs of the party? These have all now been swept away by the treachery of one man to a principle, of which he was a most distinguished and outstanding exponent.

The fact that his perfidy was possible with the consent and connivance of the labour party is of tremendous significance as showing the drift from time honoured principles. "Anti-conscription," as Frank Brennan said, "was bone of its bone and flesh of its flesh." It has now become a skin to be sloughed off at a leader's will. If, as in this instance, the party is prepared to tolerate and condone such a fundamental mutation of its essential being, and surrender its key position to the forces which for centuries were resistant to social freedom and economic liberation, it is a disaster the magnitude of which is not yet measurable.

CHAPTER 10

AMENDMENT OF THE DEFENCE ACT

Section 49 of the Defence Act 1903-1941 reads: "Members of the Defence Force who are members of the Military Forces shall not be required, unless they voluntarily agree to do so, to serve beyond the limits of the Commonwealth and those of any Territory under the authority of the Commonwealth."

Section 13a of the National Security Act which was inserted by Mr. Menzies when Prime Minister in June, 1940, includes the following proviso: "Provided that nothing in this section shall authorise the imposition of any form of compulsory service beyond the limits of Australia."

Clause 4 of the Defence (Citizen Military Forces) Bill 1943 provides that: "Notwithstanding anything contained in the Defence Act, 1903-1941, or in the National Security Act 1939-1940, any member of the Citizen Military Forces may be required to serve in such areas contained in the South Western Pacific Zone, as specified by proclamation."

Mr. Curtin, in moving the second reading of the amending Bill, stated that the South Western Pacific Zone was the area bounded on the West by the one hundred and tenth meridian of east longitude, on the north by the Equator, and on the east by the one hundred and fifty-ninth meridian of east longitude. . . . Australia and adjacent islands and waters to the north are now in the South-west Pacific Area," according to an arrangement between Mr. Churchill and Mr. Roosevelt for the strategical control of operations. "Its boundaries were fixed at Washington and concurred in by the then Commonwealth Government."

There was nothing disclosed in Mr. Curtin's speech to warrant the use of conscripted soldiers for the defence of this area, even though the "defence of Australia is not confined to its territorial limits," since volunteers were available. Although he was criticised by the Opposition for not having amended the Defence Act earlier in the war, the Prime Minister effectively disposed of that carping complaint by pointing out—(1) No Government had attempted to amend Section 49 of the Defence Act although they had majorities in both Houses, and it had remained unaltered for 40 years. This is a criticism which rebounded on the Labour Party also, although Mr. Curtin conveniently closed his eyes to that. (2) Governments previous to the Curtin regime during the war had taken no steps to amend the section, but had actually in the National Security Act provided that no power could be exercised under it to destroy the principle of voluntary service embodied in it. Voluntaryism is the principle applying to the Air Force, the Royal Australian Navy, and has been the traditional policy of the Australian people for service abroad. Concluding his speech the Prime Minister said: "The Commonwealth Government has assigned to General MacArthur all the forces it possesses. It now says to him, 'we will extend the area within which the Citizen Military Forces may be used. When your offensive exceeds the boundaries of this Zone, you shall have in your Allied Expeditionary Force the maximum naval, land and air components that can be furnished, having regard to the needs of defending your base which is Australia and your line of communication areas, which are the territories you conquer; and having regard to the capacity of Australian man-power to maintain the forces that have been raised.'"

It is apparent that in the terms of the amending bill the South Western Pacific Zone, whilst the area for the time being specified by Mr. Curtin, could be extended any time Washington decided, so that the plea of the conscriptionist that it was only for a definitely limited geographical locality turns out to be only part of the gigantic conspiracy of deception, characteristic of the history of this eventful period in the Australian nation.

The important speeches in the second debate on the Bill were not those of the Opposition, since they consisted mainly of a repetition of hackneyed political peevishness anent the "indefensible procrastinations" and "deliberate evasion" of the Government in not extending the Militia area at an earlier stage in the war.

It did appear, however, according to Mr. Fadden, that the Prime Minister's intention was not a secret from everybody, but that in all probability he had, sub rosa, not kept the Leader of the Opposition in the dark in respect to his moving away from Labour Policy. Mr. Fadden said: "We in this chamber know that the Right Hon. gentleman has PERSEVERED TIME AND AGAIN AGAINST SUBSTANTIAL PRESSURE, in an endeavour to have the Defence Act amended, and we realise that as a Labour man he cannot ignore the wishes of the Labour Movement."

Were Messrs. Forde, Chifley, Beasley, James, Makin, Drakeford, Senator Fraser (who comes from W.A.), Dr. Evatt and Dedman entirely ignorant of what Mr. Curtin was hatching? And what of other members of the caucus? Were they altogether unconscious of the witches' brew their leader was stirring? It does look as if a number of labour ostriches thrust their heads into the sand, and then looked surprised when Curtin sprang his views on the November conference.

It seemed to be generally agreed in the House that actually ONE PERSON in Tasmania was responsible for conscription in Australia. Both Mr. Menzies and Mr. Fadden directed attention to press reports which revealed that the opportunity the Parliament was given to debate the amendment of the Defence Act was due to a "Tasmanian delegate to the conference who, although he opposed the Prime Minister proposals in November, supported them in January."

It is to be hoped that Mr. James, the member for Hunter, and others of the Labour Party are satisfied with minority government within its ranks, for that is what it amounts to. ONE PERSON ACTUALLY DECIDED THE ISSUE OF CONSCRIPTION FOR AUSTRALIA.

The Opposition accepted with ill-concealed delight and gratification the compromise Labour had made with principle, and in the party rooms doubtless joined in gleeful back slapping on the victorious conclusion of an insistent campaign covering many decades. "We accept this measure as an advance by the Labour Party from the anti-conscriptionist tradition that it has cherished for so many years. It is something upon which a responsible Government, when the time comes, can AND WILL BUILD if the need should unfortunately arise." Thus the Leader of the Opposition, Mr. Fadden.

The Fadden speech was described by Mr. Coles as "the most insincere address that I have ever heard." If this caustic reflection related to the sickly and fulsome insistence on the sole desire of the Opposition to assist the Government, and "national considerations transcended party politics by the Opposition," the rebuke was even less pungent than it might have been.

Mr. Menzies' speech had all the fluency of one who in his arguments for a wider extension of Military coercion, would not himself be affected. We shall never know how the member for Kooyong would have argued, if, when a youth, liable to be sent to the European battle zone in 1914-18, it had been proposed to conscript youths of 20 years of age, but we can at least hazard a guess based on his reply to the attack made upon him by Sir Earle Page in 1939. He has told us what he thinks of voluntary enlistment and family ties, and presumably those considerations would have added weight had Mr. W. M. Hughes put through conscription by legislation.

So here is Mr. Menzies in the Federal Parliament, being the same age as was Mr. Watt when *he* made his celebrated declaration about consulting the Prime Minister, but not his patriotism or his conscience or his duty to the Empire, and he is a quite excellent prototype of all conscriptionist politicians, who balk at the issue when their own lives are threatened by a law of compulsory service. It will avail little to plead, as Mr. Menzies did, in justification of his failure to introduce conscription for overseas service when taking powers over persons and property in the National Security Act in June, 1940,

that the war was thousands of miles away from Australia, and therefore it was unnecessary. He was then leader of a party as much traditionally conscriptionist as the Labour Party was traditionally anti, and despite his protestations on the hustings that conscription would not be introduced by his party should it be returned as the Government, we fear it was not a manifestation of repentance for holding a wrong belief so much, as that the matter was exceedingly unpopular at the time and a party was asking to be guillotined, and the hustings become a tumbrell for those who favoured it. In his first public pronouncement as Prime Minister on 27th April, 1939, he said: "No Australian troops will be compelled to go to a foreign battle field" The newspaper featuring this speech carried a three-column black headline—"No Conscription Overseas."

What is the value of a promise of a politician everyone now knows.

Necessities of space will only allow for a few extracts from the brilliant and moving speech of the member for Batman, Mr. F. Brennan. He put the case with biting incisiveness, and expounded the principle of opposition to conscription law with a force and vehemence that could hardly be excelled. What the feelings of pledged Labour members were as they listened it may be difficult to fathom, but that they could afterwards vote for the bill, consigning the youth of the country to compulsory service in foreign fields of war, may be a measure of that process of moral erosion which is effectively destroying the confidence of the public in its political representatives, and bringing the country under the heel of the despot; yet, as Mr. Brennan pointed out, the Labour Party has been always consciously apprehensive of the social degradation and denial of human rights and personality in a conscript law, and consequently has struck at the monster wherever it showed its head. To see it now embracing what it one time abhorred and execrated, is a pitiful spectacle to those who have fought for a life time for the preservation of a free citizenship.

"The Labour Party," said Mr. Brennan, "was almost ruthless in its opposition. Hard bitten members

who had given conspicuous service in building up the party were expelled from its membership. To admit oneself a conscriptionist was to place oneself outside the Labour Party. Time will not wither nor custom stifle the infinite variety of the methods by which the Labour Party has congratulated itself as the anniversary of its great achievement has recurred."

He then mentioned a special journey which he and Mr. Beasley made to the Paddington Town Hall, Sydney, to celebrate the achievement of other days. "Opposition to conscription for overseas service was a part of our structure, it was our bone and sinew, it was of the spirit and the soul of the Labour Party."

Mr. Brennan, so far as I am aware, is the only man in recent times who has given consistent expression to the real nature of the law of conscription as affecting the lives and destinies of the youth of the country, but whether a blush of shame mantled the tough mental skins of those who listened to his trenchant flagellation of the pro-conscriptionists we do not know. A party which could, with such affrontery, go back on its historic obligations to defend the liberties of the people, was not likely to be perturbed by any moral disquisition, however convincingly presented.

"My opposition to conscription," he continued, and I am sure expressed the sincere convictions of many tens of thousands of Australian citizens, "was based upon other considerations which had nothing to do with the necessity or expediency, but which had to do with the fact that as a legislator I was asked to be an instrument in seizing an Australian citizen, if indeed he had ever been admitted to citizen rights at all, forcibly expatriating him from his own country and making him, for my protection and the protection of others, an instrument for waging war in a foreign country or at least in a country whose government was not responsible for him or to the voters of the land from which he was expatriated . . . the persons who are selected for deportation are youths who in many cases have not yet been admitted to the franchise—or given any part in the making of these laws under which they are required to

suffer such tremendous penalties. They are young men potentially at least voted out of life by old men."

The real position could not be put with more plainmannered bluntness. Speaking of the institution of Parliament, Mr. Brennan made a powerful but vain appeal to the "conscience" of members. "You have been at great pains to make this a protected industry, with priority number 1 in your favour. In this category and in this law factory, you have forged and are forging the clamps upon a selected group of your fellow Australians by a law which falls not equally upon all, but especially upon a few (and we may add who cannot fight back) and from which you, in the exercise of your privilege and power, have most carefully exempted yourselves."

Of those who listened to these impassioned words, it might well be written as it was of a race long ago, that their stony hearts were unmoved, and they continued exuberantly in the despicable job of enslaving their fellows to a law from the effects of which they were immune.

Mr. Cameron moved an amendment: "That all words after 'that' be left out with a view to insert in lieu thereof the following words: 'the bill be withdrawn and redrafted to provide that any member of the Citizen Military Forces may be required to serve anywhere beyond the limits of Australia.'"

It remained for Mr. W. M. Hughes to cap the debate with stinging words of reproach directed at the Prime Minister. Whatever may have been the reasons, Mr. Hughes did not legislate conscription in the first great war; the fact remains he did give the people of the Commonwealth the opportunity of making the decision before their sons were forcibly hurried off to the charnel house of Europe, there to nourish the soil with their blood. Mr. Calwell declared that Mr. Hughes was forced against his own wishes to take a referendum. The Labour Caucus would not accept his proposal, and the referendum was a plan devised to satisfy the majority of members of the caucus.

The caucus today evidently seems to have lost the moral cohesion and rectitude of the 1916 Parliamentary

representatives, since the anti-conscriptionist members of the caucus were badly outvoted on the question of how the party should vote in the House on Curtin's Militia Bill.

Mr. Hughes had the right of retaliation—"As one who for 27 years has been exposed to obloquy as the arch priest of conscription, let me say that I never imposed conscription on the people of this country, but the present Prime Minister proposes to do so . . . I pledged myself to give the people an opportunity to express an opinion on the conscription issue, and I did so. The Prime Minister gave the same pledge, but he has dishonoured it . . . the fact is conscription has been introduced behind the backs of the people . . . he has imposed conscription though he promised the people that conscription would not be imposed, until the people had been consulted. He stated in the House that the people had a positive guarantee and that he was one of the guarantors that conscription would not be imposed without their being consulted. . . . In 1939 he was opposed to compulsory training, now he stands as the man who for the first time in the history of Australia has introduced conscription." Mr. Hughes also pointed out that the Prime Minister's speech, properly interpreted, meant that when circumstances warranted it the limitation for overseas service stated in the bill would be removed to enable conscript troops to serve according to military necessity. He regarded the Prime Minister's action as a tacit admission that in everything he had contended in the last 27 years he had been in the wrong.

The Minister for the Army (Mr. Forde) contented himself with—(a) jeering at the Opposition, a strange behaviour in view of the fact that the Labour Party had rattled on its time honoured principle, and was now truckling to the policy at which *IT* had jeered. (b) Putting up a specious plea for the course of action the Prime Minister had pursued in having gone to the supreme authority to change the law for Military service overseas. He then sheered off the subject and put up the smoke screen of the deficiencies of the U.A.P. as a win the war party. "History," he said, "will declare him (Mr. Curtin)

to have been the greatest war-time Prime Minister Australia has had"—a dubious compliment and one we hope Mr. Curtin is not proud of. It should be remembered that it was Mr. Hughes who was the recipient of a precisely similar laudation. Greatest war-leaders are always appearing. They seem to be legion whenever a new war breaks out. Mr. Forde's speech on the bill is deserving of the same comment Mr. Coles passed on the Fadden effusion. His equivocations and trumped up Machiavellian arguments, intended to vindicate the treachery of the party and its leader, were ably and succinctly exposed by Mr. Harrison, and we leave it at that.

CHAPTER 11

CONSCRIPTION THE LAW OF THE LAND

But Mr. Harrison's citations from the *Century* are too delicious to leave out (*Hansard*, 5/2/43, 362):—
"The Prime Minister's reluctance to act will be appreciated when I quote from a manifesto written in 1916 by John Curtin, and entitled *Australian Trades Union Anti-Conscription Congress — The One-Day Stop-Work Meeting*. Doubtless, some honourable members have read the article, for it was reprinted in the *Century* newspaper on the 15th January last. Some of the most interesting paragraphs are—

In the fight against conscription of labour and life, the Labour movement finds itself also compelled to fight certain men whom it put into high places to serve the movement and not to betray it. Unity of action is, therefore, now more essential than at any time in Australia's history.

If the Labour movement loses, it means that corruption, treachery and reaction win. Fight then you must for your life, your cause, your liberties.

Those sentences excellently interpret the Labour Party's

attitude to conscription. In another part of the article, the author stated—

On the Wednesday fixed upon, you will be expected to show that, under strong provocation, willing a general holiday, you shall have it in the teeth of a lying press and a recreant Parliament. Not a cab, bus, tram or train should run, not a ship should sail, not a shop or factory or hotel or theatre should be open; not a newspaper should come out; not a butcher's, baker's or grocer's cart should be seen in the streets; not a man of the all-powerful working class should be at work. Will you, as a unionist, help in the success of this policy? It is a policy for the protection and preservation of trades unionism, with all that it implies in better wages and conditions through the glorious gospel and might of organization.

The article proceeded—

Therefore, stand together in defiant protest against an infamous and unconstitutional proclamation intended to wreck your unionism, lessen your standard of subsistence, terrorize your hearth and home, and manacle you and your children. Refuse to be bullied or lied or voted into the slavery of military control, under which your progress—the admiration of a world—will be stayed and your life made unendurable.

I quote those extracts for the purpose of illustrating the background of the Prime Minister, because I wish to show the reasons for the introduction of this legislation. I am not at all satisfied that the introduction of the bill represents a sincere effort on the part of the right honourable gentleman. I may, in my later analysis, come to a conclusion that the House will readily accept; but I shall first examine some of the resolutions of the Labour Party on the subject because, the Labour Party is, what the members who represent it are. On the 24th March, 1940, the conference of the New South Wales branch of the Australian Labour Party agreed to the following resolution:—

The Labour Party has always been opposed to imperialistic wars, and to-day we demand that every energy should be utilised to bring about the establishment of peace at the earliest opportunity.

At that time, the British Empire was fighting for its existence against Nazi-ism and Fascism, and, as the Minister for the Army has stated, "everybody knew that Japan would strike without warning and we were not

making any provision to protect ourselves." But the attitude of the Labour Party is expressed in those words. The resolution continued—

We declare that the Australian people have nothing to gain from the continuance of the war. The management of this war, in the hands of anti-Labour Menzies Government in association with the anti-Labour Chamberlain Government, means that the war is being pursued in the interests of big finance and monopolists. Conference is opposed to Australia participation in overseas conflicts. The Labour Party unhesitatingly demands that no Australian troops be permitted to leave Australia.

I ask: Can the leopard change its spots? I do not think the Labour Party can, though when in a dangerous position, it would like to be able. No matter how it may manoeuvre, it cannot rid itself of the many spots upon its skin. In June, 1940, the Victorian branch of the Labour party carried the following resolution:—

In view of the Government's policy that there will be no conscription for overseas service, the plank for the deletion from the Defence Act of all clauses relating to compulsory training and service stand in abeyance for the duration of the present war.

Again, the Labour Party refused to countenance conscription in any shape or form. From its inception, the party has been opposed to conscription. Even after the Munich agreement in 1938, the then Leader of Opposition (Mr. Curtin) declared:—

I say that any increase of defence expenditure after the Munich pact so far as Australia is concerned appears to me to be an utterly unjustifiable and hysterical piece of panic propaganda—that is what I say in respect of the alarmist statements that have been made.

Although the soil of New Guinea has been bathed with some of the best Australian blood, the Minister for Labour and National Service (Mr. Ward) said on the 2nd November, 1938—

It is amusing to hear people say that we shall not give up New Guinea—to those people I would say that if it becomes necessary to defend our mandated territory they should defend it themselves. As far as I am concerned all I can judge about the necessity for retaining New Guinea is that a handful of exploiters have got hold of the country, some in gold-mining, and some in search for oil. These people want to retain New Guinea in order to preserve their own commercial interests.

Speaking in this chamber on the 5th November, 1936, the Minister also said—

I should not be prepared to take up arms against the workers of any country whether they be German or of any other nationality. As a matter of fact, because I am not prepared to do that I am not prepared to tell others to do so.

Those quotations illustrate the background of members of the present Government and their strong anti-conscription complex.

Mr. Holloway: "Hear, hear!"

Labour members of the Federal Parliament are an inexhaustible source of amazement to any person who accepts their utterances as sincerely expressing their personal convictions. Mr. Holloway's "Hear, hear," to Mr. Harrison's references to the members of the Government strong anti-conscription complex, and Mr. Ward's flashy denunciation of the taking up of arms against the workers of any country, leaves us completely confounded in the light of their administration in a war-time Government. They are engaged as instruments in the prosecution of a war to maim and kill other workers in other countries, and if they cherish their beliefs, the proper course is to leave what they regard as a corrupt and unclean business to others. This is not a criticism of two members of the Labour Party, but of all of them, for they are equally guilty men. "The Labour Party is, what the men who represent it are," are words of Mr. Harrison's, which at least we can underline even if we deny his other conclusions.

It is more than merely interesting to note that Mr. Curtin's attitude during the last war corresponds in a remarkable way to the attitude of wharfies and coal miners to-day, whom he not only denounces, but puts the machinery of the law and regulations into operation against them. They are following his advice and displaying the militancy which he once described as "the admiration of the world." "Stand together," said the Curtin of another day, "in defiant protest against an infamous and unconstitutional proclamation intended to wreck your unionism, lessen your standard of subsistence,

terrorise your hearth and home and manacle you and your children." To which we exclaim, "Bravo!" Or was it mere rhetoric? Mr. Curtin's advice to stage a general strike, "not a man of the all-powerful working class should be at work," would receive short shrift from the Curtin of the second world war. Similar things are occurring in New Zealand, where the men who fought militarism and conscription in the last war are enthusiastically engaged upon the sorry business of gaoling those who are following their instigations.

But what of those members of the party and industrial leaders who were in accord with the views of their leader? Do they still think that conscription is a weapon designed to wreck the worker's organisations, and means the victory of corruption, treachery, and reaction? If so, what are they going to do about it? Labour members of an earlier day were prepared to sunder the party in twain rather than sell out to the treacherous political cabals who want conscription for the infamous purpose of destroying trades unionism. It would be to the advantage of the Labour movement so to act to-day, since the retention of political power by the Labour Party has done nothing to preserve the standards of subsistence of the masses of the community, but actually has been used in a surreptitious and disingenuous manner against them, as we have pointed out in the appendix to this book.* Political power is a sham and a shadow unless wage earners have economic power, and economic power has been taken from them by the Labour Party led by Mr. John Curtin.

Purchasing power has steadily been diluted by the taxation instrument, deleteriously affecting the wages of members of the Labour movement and their standards of living more than of any other classes in the community. The Curtin Government has gradually and deliberately legislated in a way that has given supreme gratification to the U.A.P. since they have witnessed the implementation of their programme without the odium of actually doing the job. The long continued efforts

*See Appendix 3 (Page 111)

of the U.A.P. forces in the Federal Parliament to bring all wage earners within the ambit of income taxation, alleging there is no citizenship without responsibility, has at last been successful through the Curtin-Chifflay-Evatt combination, who unquestionably have been the leaders of reaction within the Labour Party. This super-trinity has done its dirty work, and the anti-labour parties in Parliament can now point to precedents for the type of legislation they desire, to the Labour Party's work in the Federal sphere. A schism in the ranks of Labour over the conscription issue would have been preferable to the equivocal position in which it has landed the labour movement.

Dr. Evatt's speech seemed to lend some plausibility to Mr. Harrison's suspicions that the Opposition was being trapped into supporting Mr. Coles' intended amendment empowering the Governor-General to proclaim what areas were essential for the defence of Australia, so that the Government could, in refusing to accept it, throw the bill under the table and make the Opposition take the responsibility of not giving the country the measure of conscription commensurate with present needs (?). Dr. Evatt said he couldn't understand why Mr. Harrison should condemn the bill as inadequate and incomplete and yet support it.

But can we believe that the quondam High Court judge, erudite and accomplished lawyer, and already a seasoned and shrewd politician, is so naive as not to realise that having got their toe into the open door, it would be an easy matter for the Leader of the Opposition when a capricious public demanded another kind of political hash, and he became P.M. to push it wide ajar!

To pretend he couldn't see the reason why an avowed conscriptionist gave his blessing to a policy so in harmony with his political beliefs, is too much altogether to swallow. Fie, Dr. Evatt! You almost make us believe that if the Opposition proposed the nationalisation of the banks the Labour Party would oppose it.

Mr. Blackburn, on the other hand, with his usual acuteness of perception, declared that the Opposition

showed great wisdom in not opposing the bill "because everything will fall into its lap." In contradistinction to the obtuseness of Mr. Menzies, Maurice Blackburn claimed that the Bill was designedly drafted to make the boundaries of Military coercion ridiculous. I quote his comment:

"It has been pointed out that under the present plan of the Government, men may be sent to Dutch South Borneo, but not to Dutch North Boreno or British North Borneo. There is a more ridiculous consequence. They may be sent under compulsion to Dutch West Borneo yet not to Pontianak, the capital of it. Their commander may be told that he must not take them to the principal towns and the principal port. They may be sent to the south of the Celebes, but they cannot be sent to the north, although in the north there are the second, third, fourth and fifth principal ports. When we come to the island of Halmahera, or Jilolo, we find that only in a tiny part of the south can men be compelled to serve. Obviously, when men reach the Equator, the Government will fulfil the mandate given to it by the party. Therefore this is only a preliminary step towards that end. The Prime Minister can bind all the members of the party to observe that authority."

Dr. Evatt took the bit between his teeth and protested against the assumption that amendments had been moved to enveigle the Opposition into a position where the bill could be dropped, and staunchly maintained the sincerity of the movers in desiring conscription on a wider, and unrestricted front. Now here this legal luminary was on surer ground. Of course they wanted conscription, and were prepared to accept it in gradually expanding quantities. He proved a splendid henchman to the Prime Minister, and with all the forensic subtlety at his command made out more than a respectable case for the measure. He theorised that such were the limitations of available man-power in Australia, and Australia itself and approaches were threatened, that a definite ambit had to be set beyond which it would be unwise to send

Australian soldiers, presumably the conscript units, but that point was not made clear.

Mr. Calwell in a public meeting in the Fitzroy Town Hall had blown this piece of special pleading sky high, and amply demonstrated by the figures of enlistment that the very shortage of man-power for defence of Australia was NOT AN argument FOR conscription, but AGAINST it, in order that sufficient armed forces be kept within the country.

Now stepped into the field the one man in the Federal Parliament who honoured his pledge to vote against any legislative introduction of conscription, without consultation with the people by referendum—Mr. Maurice Blackburn. His speech covered such important ground that, in view of the nature of his remarks and in tribute to his distinguished personality and moral and intellectual leadership of the people, it is worthy of special note by the reader. Having indicated the steps leading to the introduction of the Bill, he cited the magazine *Fortune* as having defined the area under the command of General MacArthur. He proceeded: "It is obvious that this Bill does not exhaust the authority given the Prime Minister by the Australian Labour Party. The limits of that authority are significant, because the Prime Minister can call upon the members of that party to support a measure going beyond the limits set by the present Bill and extending to the limits of the South West Pacific Area, however that may be defined from time to time."

Exposing the machinations and the wily artifices in the drafting of the Bill, he scouted the contention of Mr. Menzies that the provisions of the Bill would not allow the Citizen Forces to serve in any island through which the Equator ran; he bluntly averred "it was the *intention* of the Bill that such a ridiculous consequence *shall arise*, and that when it does a further response will be made to public pressure."

If Mr. Curtin had deliberately had the Bill drafted in this manner in order that he may use it as a lever to get control over the lives of Australians to dispose of as he willed, or as Washington determined, for that is the ultimate authority which Australia now obeys, the

machiavellian devilishness of the move to make Australia a conscript country is worse than even we suspected. Mr. Blackburn expressed it as his conviction that the Government would soon exhaust the whole of the mandate given it by the party and would proceed beyond the boundaries now fixed: "The Bill makes it impossible to resist a further extension to the whole of the South West Pacific Area, and such an extension will render it impossible to resist a further one to include the whole of the Indo-Pacific area. Machievelli advised Caesar Borgia, in attempting to make himself master of Italy, to take it city by city as a man eats an artichoke, leaf by leaf . . . when the Bill has been passed the last real basis for the Opposition to conscription for overseas service will have disappeared. I regard this as the last chance we shall have to defend the Australian tradition against conscription for overseas. It is not merely an Australian, but a British tradition."

Mr. Blackburn then proceeded to point out the distinction between taking up arms for the defence of one's own country and going into foreign countries to take the lives of people with whom one has to quarrel. "If a man volunteers to fight abroad he must be prepared to do what he is told, but a man who believes that it is wrong to fight against civilians or against natives, should not be required to do so. That is my view, and even if it were the only objection I had to conscription I should regard it as sufficient." . . . I believe that the doctrine which is being preached in connection with this issue by some honourable members is as totalitarian as that of the nations to which we are opposed . . . we owe no duty to Russia. I am one of those who value greatly what Russia has done, but Russia has only defended itself." At the time this debate took place in the Federal Parliament, it was true enough for Mr. Blackburn to say that Russia has raised no conscript armies for service outside Russia in this war, but it is not true now since Russia is spreading its conscript armies all over Europe. It furnishes another of the proofs which have been established already, that once the principle of conscription for service outside Australia is acknowledged, there is no limit set to the area in which men may be compelled to

fight, and for purposes totally unconnected with defence; it may be indeed for purposes liable to drag the country into embroilments and complications of a political and military character leading to our own undoing.

Mr. Blackburn attempted in Committee to get an amendment through that the bill should not become law before being submitted to a referendum, but it was defeated on the voices. Members of the Labour Party were as determined as the Opposition that the public should have no opportunity of deciding this tremendous issue affecting the life and future of the men and women of Australia.

The Melbourne *Argus* for 23rd Nov., 1942, published a letter of Mr. Blackburn's in which he set out succinctly the "Ethics of Compulsion." It is an important contribution to this vexed question, and I quote it in full:—

Sir: It seems that some cannot see any difference in principle between compulsion to serve in Australia and compulsion to serve out of Australia. I dislike any form of military compulsion, but, providing that conscientious objections are respected, I can accept the organisation by compulsion of citizens to resist and to rebel an invader. Nothing can give anyone a right to come armed into Australia, and anyone so coming is an unmistakable aggressor. Here is a natural obligation to resist him, and the legal obligation reinforces the natural obligation. But there is no natural obligation, obvious to all, to enter another man's country in arms, even though his nation is the first aggressor. There should be no such legal obligation. But the conscript, like the volunteer, must obey his orders. He may be used against people against whom neither he nor his people have any conceivable ground of quarrel. He may be required, and this is especially true of the Indo-Pacific regions, to make war upon subject peoples who have no wish, and perhaps no reason, to become embroiled in the quarrels of alien nations. This distinction has overpowering reality for me. The man who thinks it unreal may himself volunteer or urge others to volunteer. But I deny his right to coerce his fellow for whom this distinction is real.—MAURICE BLACKBURN (Melbourne).

THE LABOUR PARTY FLOUTS ITS OWN RULES

Strange indeed are the ways of labour these times. In March, 1943, Mr. J. T. Lang was expelled from the Labour Party by 21 votes to 8. It was alleged he was the cause of disruption in the party by his criticism of Labour Governments. So it can happen here after all. It should be remembered that this act of despotism coincided with Mr. Lang's brilliant and sustained defence of the anti-conscription plank of the platform. He had justly been critical also of the Chiffley raid on small income earners, and various other steps by which a peoples' party was passing through the metamorphosis to become a tyranny.

It is painful to record that Mr. H. E. Roote, sometime great Editor of the *Australian Worker*, should join in the chorus of castigation and stigmatise Mr. Lang as a "lone wolf" (a term, by the way, which Mr. Curtin used of his former friend and defending solicitor, Mr. Blackburn, to denote that he did not run now with the cankered Labour Party), having an "incurable cussedness," some "innate perversity" which prevented him co-operating. Mr. Boote thinks he has a "positive genius and passion for disruption." But he himself opposed the Curtin Militia Bill. Was that cussedness? Who are the real disruptionists but those who within the party, slyly and insidiously white-ant its policy, and break down the standards long and laboriously erected through many decades of service and militant agitation. The difference is that Mr. Boote did not carry his very real detestation of conscription to the lengths that Mr. Lang was prepared to go, but continues to extol the party with fulsome rhetoric, although he is aware, if any man is, that the Labour Party has sunk to the lowest level it has ever been. "Lone wolf" is applied to reproach one who refuses to line up with expediency. In the case of Lang and Blackburn it signalises a determination not to follow the ignoble paths upon which Labour has now embarked. Both Mr. Lang and Mr. Blackburn found themselves outside the party not for sins against the code, but for loyalty to its principles.

Dr. Nicholas Murray Butler's warning to the Americans 20 years ago is apposite to the Australian situation. "The unfortunate fact relative to these unseen and persistent underminings of the democratic principle is that they go forward so largely without any cognisance on the part of the general public. If this condition is permitted to continue the day will come when American public opinion (and Australian) will awake to find that its form of Government has been changed, that its democracy has been destroyed and yet that its constitution has not been amended."

Instead of the Executive using its power to compel labour representatives to honour the platform, it sets up a sort of inverted inquisition to penalise and excommunicate those who wish to defend the true doctrine. Not only did it EXPEL conscriptionists one time, but celebrated it with the following insertions in the Rules of the Party:—

Page 39 of the A.L.P. 1939 Constitution and Platform reads:

EXPELLED CONSCRIPTIONIST LABOUR MEMBERS

Resolution of 1919 interstate A.L.P. Conference:

"That any member of Parliament or conscriptionist candidate expelled for advocating overseas conscription shall not at any time, or under any pretext, be readmitted to the Labour Movement."

Strong words: "Not under any pretext"! NOT at any time"!

Doubtless as this was of the ex post facto order, Mr. Curtin escaped the guillotine. But the resolution cannot mean other than that those who have backed the Curtin amendment of the Defence Act should not be endorsed as labour candidates, for "under no pretext shall they be readmitted to the labour movement." But Mr. Lang, who demanded the enforcement of this item in the Rules is lampooned as a "lone wolf," while the men who ought to come under the interdict function as the Hitlers and the Goerings of the Party with entire approval.

On page 30 an amendment of the Commonwealth Constitution is suggested "to ensure that no Australian citizen can be conscripted for military service."

On page 65 an amendment of the Defence Act is demanded to secure the deletion of all clauses relating to compulsory training and service.

"No raising of forces for service outside the Commonwealth or participation or promise of participation in any future overseas war, *except by decision of the people.*"

The violation of all these rules demonstrates how far labour has moved to the right and become a militarised oligarchy. The lethargy of the masses has provided the golden opportunity for the power-crazed dictators within the movement. They have not been slow to seize it and use it to their own advantage. Blackburn and Lang, both *expelled by edict*, not by trial and examination, not through any infraction of labour's policy, but because they dared to affront the centralised absolutism, which has enthroned itself in the Party. The flanking movement of the Communists within the Party is having its measure of success, for we suspect it is this secretive, plotting, amoral, and well organised cabal, which is poisoning the veins of labour.

These homicidal fanatics do not place any value on the life of the common man. They regard him as the raw material of revolution. For example, if Menzies or Curtin reduced wages 25% it would be an execrable piece of despotism, but Stalin can do it and it becomes a virtue. This shows how precious little the doctrinaire and theory-ridden communists are concerned with human values. Dissent from Stalin is not a difference of opinion, but heresy, disruption, wickedness, sabotage, counter-revolution. Russia is a conscript country, and that is sufficient to recommend conscription to the communists. They are not concerned about the Australian situation. Give anything a label, "Made in the U.S.S.R." and it is acceptable

Fascism, as it has truly been pointed out, was founded on the policy that the opposition must be gagged at all costs; and if anyone can see a distinction between the methods employed in totalitarian countries to silence criticism, and the actions of those who were responsible for stifling the voice of the leaders of anti-conscription in two States, they must be blessed with unique percep-

tions not enjoyed by the common intelligence. Carrying its fascistic reventfulness almost to full length in true totalitarian style, the Ghengis Khans of labour proceeded to declare the *Century* black, threaten with expulsion any member who dared to earn his living by writing for it, and directors on the paper were given 14 days to resign. One more step should be taken; any member of the Labour Party caught or suspected of reading the *Century* should be warned that they will be summarily dealt with. But that would deplete the party in N.S.W. of its membership and strengthen Lang's party, for who does not read the *Century* in that State?

Senator Keane furnishes us with another beautiful example of the streamlined agility, and the suppleness of mental acrobatics the passage of time makes possible. In 1939 Mr. Curtin demanded that Mr. Menzies reaffirm the pledge given by the late Mr. Lyons that "a policy of conscription WILL NEVER be put into force. An emphatic declaration on that point will go a long way towards making a National effort truly national."

Senator Keane hurried to the verbal war with a statement of how little anyone could trust a politician who did not wear labour epaulets. "Labour *could not* rely on a statement of the Prime Minister that Australian troops would not be compelled to fight on foreign battlefields." And shuddering at the horrifying prospect, "Many people accuse Hitler of tearing up agreements, but Mr. Chamberlain is *not setting the best of examples* in introducing conscription at the request of France. It might not be too much to suppose that Mr. Menzies would accede to a similar request to enforce conscription on Australia at the behest of England, France, Russia, or EVEN Turkey" (*The Age*, 28/4/39).

Senator Keane's fertility of invention in 1945 now takes this shape: "The Militia proposal was not a conscription issue, and he supported Mr. Curtin 100 per cent., the Minister for Customs (Senator Keane) said to-day. The Minister, who was one of the five who voted against Mr. Calwell's motion at the meeting of the Victorian Central Executive rejecting the Prime Minis-

ter's plan, said Mr. Curtin was asking the party to interpret an adequate defence for Australia."

Examining the *Australian Worker*, one could not but notice that Henry E. Boote conducted the protest this time in a more gentlemanly fashion. The scorching pen had cooled, the fire had gone out of it. Where were those trenchant words that bit and stung—that scoriated the foe and slashed with infuriated venom at the monster of conscription wherever it showed its ugly head? What had happened to the once virile spirit of the Labour Movement? Had mere political ambition damped its moral force? So it would appear.

I believe I have shown that there was no military necessity compelling conscription. It had political motives. It was not a demand IN THE LABOUR MOVEMENT. But for the Curtin influence in the caucus it would have been as much as anyone's political life was worth to suggest it. All the evidence goes to show that it was Curtin's way of saving Fremantle. And despite the disclaimers of Ministers, it is legitimate to infer that some at least were acquainted with the intended move. It seems incredible that Dr. Evatt and Mr. Chifley were kept in the dark. And are we to believe that the responsible Minister for the Army, Mr. Forde, was not aware of the proposal his leader was about to make for the reorganisation of the army? It is too much to believe that the Prime Minister did not consult with his colleague of the changes anticipated in the control and administration of his department.

That is why we have denounced the amendment of the Defence Act 1943 as a conspiracy.

Conscription for overseas service was introduced on the eve of the Prime Minister publicly declaring that Australia was safe from invasion. We conclude, therefore, that it was less required for military exigencies than before.

The one influence likely to deter the Federal Parliament from further encroachments on human freedom is now no more. But in his life he towered high above his fellows, and perjured not his soul for the petty ambitions of an evanescent day.

APPENDICES.

Appendix I

The A.C.C. and The Federal Elections, 1943

The 1943 Federal elections it was anticipated, would provide the opportunity to awaken the electorates to the menace of the amended Defence Act, and to expose the base violation of the trust the people had reposed in their elected representatives. The A.C.C. did not put up candidates, but several members of the organisation nominated for seats and had its imprimatur, Mr. Blackburn, not now being a member of the Labor Party, nominated for Bourke, pledging himself to the Labor Party's Constitution and Platform. "My exclusion," he said, "has not changed my beliefs nor affected my actions."

Mr. K. J. Kenafick, M.A., Dip.Ed., a member of the Labor Teachers' Union, and Vice-President of the High School Branch in the Victorian Teachers' Union, stood for Maribyrnong against Mr. Arthur Drakeford, Minister for Civil Aviation.

Mr. W. J. C. Banks, B.A., contested the Bendigo seat against Mr. Rankin, U.A.P. as independent no-conscription candidate. Mr. Banks is a resident of the electorate, his family having been pioneers in the Charlton district where he has been farming for several years. Although not a member of the Labor Party, he nominated with the object of defending the no-conscription plank of the Labor Party's platform whether on the industrial or the military field. "The schoolboy of to-day will be the conscript of to-morrow."

Both Mr. Kenafick and Mr. Banks were contesting elections for the first time, and although neophytes, put up a splendid case against Labor's recreancy, as a scrutiny of their manifestos amply testifies. It is disquieting to have to record the adversity they encountered on this issue, so vital to the welfare of the masses. It was expected that many thousands of voters would sustain a hatred of militarism to the extent of welcoming the advent of these determined opponents of Prime Minister Curtin, but we had not reckoned on the effect of the war on the public conscience. Mr. Kenafick obtained 1254 votes, and Mr. Banks 1292.

Mr. Blackburn's case was a peculiar one in the worst sense. He led by 1772 over the endorsed Labor candidate, Mr. Bryson, but was defeated by the distribution of the preferences of Mr. Smith whose voting card placed Mr. Bryson second.

Such was the hatred of Blackburn and his views, that even the customary political technique was discarded. Party hostility is so strong in Australian politics that it is usual for one party to arrange preferences so that they will not favour the opposing party. But in this instance the U.A.P. gave its second preference to the official labor candidate and placed Blackburn last on its voting ticket. It resulted in his defeat. In the Henty electorate, labor did not stand a candidate, but supported Mr. Coles who had

helped to put the Labor Party on the Government benches and keep it there. But in Bourke, and against a man to whom Labor owed a debt it could not repay, Blackburn was rewarded by some of the *most scurrilous* innuendoes ever used by a political party to win an election.

"Blackburn does not share in the glory of labor achievements. Do not be misled by anti-laborites and by those who have been expelled from the Labor Party for treachery to majority decisions." Such was the caption on Mr. Bryson's leaflets.

The official labor propaganda was *all the more odious* because aimed against a man who, in the sight of his political opponents, always fought a clean battle. No one could have been less deserving of the foul insinuations of traitorous conduct.

The enmity of the U.A.P. is still somewhat inexplicable. This party must at least have recognised in him a man of honour, but this did not weigh in his favour since Mr. Curtin had surrendered to it most of what it had fought for years to obtain. As Mr. Fadden said on the Defence Act amendment "he supported it because it represented an instalment of the opposition policy."

Mr. Blackburn's defeat by the U.A.P. preferences is a signal instance of its hatred of anyone who sincerely demands the implementation of Labor's platform. The fact that it was more favourably disposed to the official Labor candidate shows that he was *not to be regarded* as the real political enemy of the U.A.P. A similar state of affairs existed in the Reid electorate, N.S.W., where Mr. J. T. Lang contested the seat as an anti-conscriptionist against Mr. Morgan, the sitting official labor candidate. Mr. Lang took the lead on the first count but was defeated by the distribution of the preferences of the U.A.P. candidate. Official labor gives the U.A.P. what it wants. Mr. Lang demands the carrying out of the Labor platform.

Mr. Blackburn's reactions to Mr. Curtin were of a hostile nature. He felt that he was a menace to the integrity of the Labor movement, and the legislation he was contriving was sapping the foundation of the Party. That this opposition had good ground was evident by the remarks of Mr. Calwell when Mr. Curtin complained that he had been attacked by him inside and outside Parliament. Mr. Calwell did not deny this, but contended such attacks were necessary because of the Government's refusal to carry out the policy of the Party. "Why, in caucus," said Mr. Calwell, "we had to line you up against a wall on the question of paying to old age pensioners 25/- per week, and then we only won by one vote."

So we were given the mortifying spectacle of a genuine servant of the people thrown upon the political scrap heap by methods which reveal the unscrupulous operations of machine-politics, and the alarming disregard of personal integrity in the public life of the country.

It is not surprising, therefore, in the light of the moral deprivation of the Labor Party, that Messrs. Kenafick and Banks both lost their deposits. The "Thirty Crimes Against Labor" distributed by Mr. Kenafick, deserving to rank high as an impressive

piece of pamphleteering, and pointing out that for the most part the Curtin Government was pro-U.A.P.; and Mr. Banks' satirical broadcasts, the form of campaign he was adopting owing to the difficulty of meeting electors, were indubitable evidence of the intellectual calibre of these two candidates, and given better opportunity of making contacts, which were deplorably lacking, the resulting figures would have been different. The war psychosis and the Prime Minister's announcement only a few months before that "Australia had been saved from invasion," gave the Labor Party an extraordinary fillip, and enabled it to sweep the polls all over Australia.

Mr. Kenafick protested against the many acts of betrayal of Labor policy—such as: the taxation of lower incomes in violation of election pledges; the use of troops to break strikes; the repudiation of preference to unionists; empowering Messrs. Theodore and Packer with dictatorial power over the workers; the use of Gestapo methods of raiding civilians; the disregard of the opinions and wishes of unions when issuing regulations affecting workers; the persecution of conscientious objectors—these were but a few of his accusations against the Curtin Government.

Mr. Leslie and Mr. James organised an efficient campaign in Maribyrnong for Mr. Kenafick's no-conscription policy, but Mr. Banks was not so well served in this respect, and practically the whole of the fight was upon his shoulders in the Bendigo electorate.

Mr. Banks' manifesto pointed out that in the war of 1914-18—*Mr. Curtin* was organiser of the anti-conscription campaign.

Mr. Menzies decided family ties were more important and declined to enlist.

Mr. Fadden got married.

"These now want your sons and your husbands and your brothers to go and fight for them!"

All three are men who *praise* fighting but *do not* fight.

All three are men who *praise* the military virtues, but *shun* them like a contagious disease.

If the attitude of electors to the no-conscription candidates is symptomatic of the regard they have for political rectitude and the value of liberty, the *future* may hold in store *some unpleasant surprises*. If the peoples' representatives are to be permitted to ignore their pledges with the endorsement of the electors—for that is what in essence the elections amounted to—we hereafter cannot object to any dishonesty or subterfuge. The sum total of the lessons these experiences made clear was: that the Labor Party is only a fighting organisation when it is NOT sucking the plums of political portfolios. Its legislative record shows it has implemented for its political opponents a programme it had *striven against* in many a historic battle. Its abdication as a workers' party has been the most humiliating in Australian history. Alongside it the failure of the Scullin Government in the infamous 30's was but a rehearsal. Not a shred remains of the principles the Labor Party stood for before the Curtin Government took office.

Appendix II The Referendum, 1944

The A.C.C. after fully discussing the referendum proposals of the Government officially decided to oppose them. There were two main grounds of objection to the granting of additional constitutional powers:

1. The powers already embodied on the Constitution were adequate for post-war reconstruction.
2. The additional powers asked for had all the potentialities of tyrannies which the A.C.C. had been organised to resist, e.g., industrial conscription after the war, the creation of a fresh army of bureaucrats and further restrictions upon individual freedom. Although primarily the A.C.C. was brought into being to defeat compulsory military service, it was secondarily concerned to prevent economic conscription being carried over into a peace economy.

In respect to the first, the Government had all the constitutional powers over the money resources of the Commonwealth to enable it to proceed with post-war rehabilitation. It was the sole borrowing power, it controlled Customs and Excise, it had introduced uniform income taxation and excluded the States from that field. Therefore it could to the extent that the public desired or permitted, raise all the revenue requisite to deal with the problems set out by the Government as requiring further constitutional powers. Section 96 of the constitution reads: "The Parliament may grant financial assistance to any state on such terms and conditions as the Parliament thinks fit."

In every State there exists the organisation and equipment for development, they only wait upon the treasurer to set the machinery in motion. Victoria affords as good an example as any of the ability to give the people the services they require. The Country Roads Board, the State Rivers and Water Supply Commission, the Metro. Board of Works, the State Electricity Commission, the Housing Commission—these bodies are staffed by technicians, engineers, scientists, experts of one sort and another, trained and efficient personnel, and only await release from the restrictions the war economy places upon them, to provide all the services the public requires and to put men into jobs. The referendum conception of centralising these functions at Canberra or of establishing over-riding authorities whose sanction would be required before they could work, appeared to the A.C.C. as a move ministering to the gratification of bureaucrats, rather than contributing to social welfare.

There is in fact no conceivable objection the States could raise to improving their rural and secondary industries, putting social services on a less impoverished footing, building homes and public buildings and schools as required, setting to work upon re-forestation, water conservation, sewerage and other multitudinous works which wait upon the necessary finance. This power, which can be a liberating or restricting and hampering power, already resides in the Constitution. The State Instrumentalities are well equipped to do all these necessary works, and it did not seem to the A.C.C. to serve any legitimate purpose to give the Commonwealth control over employment beyond that which is inherent in the control of the public purse.

Dr. Lloyd Ross's claim that "bureaucrats, and planning will be essential to full time employment in post war years," may be treated with the contempt it deserves, although we are not oblivious or unapprehensive of the fact that bureaucratic despotism is the mood of the times. Dr. Ross is evidently of the doctrinaire socialist type which rejoices in planning other people's lives. Nicely settled in an advisory-research job at Canberra, he evidently regards with disrelish any abandonment of bureaucratic controls.

Some of us remember how Dr. Ross agitated against the entry of Count Von Luckner into the Commonwealth because he held political opinions not satisfactory to Dr. Ross. His behaviour then as an embryo-dictator was sufficient to show how he would act when fully matured. Proceeding on the lines on which he urged the authorities to exclude Von Luckner from Australia, we should find good justification for extinguishing the voice of Dr. Ross. Why should he have the right to advocate bureaucracy when I am against it? There is a noticeable absence of that rational articulation one might have been led to expect from the academic degrees which adorn his name.

The powers asked for would have opened up wonderful possibilities of advancement in the hierarchy of bureaucracy. One might commence as a very lowly servant to become an obscure vicar, then, advance to the dignity of a bishop and so on to ultimate power.

It was preposterous to assert that the referendum "guaranteed the only sure method of giving security of employment to all and adequate standards for the rural population," or "without the powers Australia would not be saved from economic depression and widespread unemployment."

The pace of rehabilitation now or after the war can be set by the Government with the liberal exercise of its financial power. There need be no lack of work for anyone after the war if the Federal Government has the courage to bring the financial system into line with the productive powers of the Commonwealth. Dr. Evatt admitted (Hansard 11-2-44) that Australia as a nation can take the steps necessary to eliminate unemployment by grants to the States. Under the system of uniform taxation it already provides the States with finance and can increase the grants to any amount it pleases. "It can practically dictate terms to the States."

Dr. Evatt himself provided the best argument for voting "No." That is, if he were not outdone by Senator Cameron, who said at a public meeting in Melbourne: "If I were in opposition and the referendum powers were asked for by Mr. Menzies and his party, I would oppose them."

The second point that the proposals smacked of the unsavoury odour of economic conscription despite the denials of the Ministers, led the A.C.C. into blitzkrieg warfare against them. The "assurances" given by Ministers that industrial conscription would end with the war, following upon the complete disregard of "assurances" in respect to military conscription, were not such as the public could rely upon which had any memory of the earlier betrayal.

To call industrial conscription a "bogey" as did Dr. Evatt—"the argument that the Labor Movement wanted to impose industrial conscription was a bogey"—hardly fitted in with the more candid utterance of the learned doctor at the School of Political Science, "that people would have to forfeit their right to change their employment."

Mr. J. T. Lang rightly described the referendum as a "plan to place Australia under that system of government known as totalitarianism. It is sometimes described as fascism and sometimes called communism."

The referendum involved a highly centralised form of Government which, in the hands of benevolently disposed and liberal-minded statesmen, or administered by Cherubim, might turn out for the good of a people which either does not know its own mind, or is too apathetic to care, but as the powers would be manipulated by fallible human beings, not excessively intelligent nor yet developed morally, the citizens of this Commonwealth wisely thought it the part of discretion not to empower their representatives with weapons they did not know how to use.

If the history of the fight against the imposition of conscription is any indication of the value of "assurances," the instinct of the people on this occasion unquestionably guided them aright.

Mr. Dedman, who held up Mr. Curtin's hands at the Victorian Executive meeting, who, with other labor candidates was resolutely hostile to conscription up to the date of Mr. Curtin's abandonment of the Labor policy, during the referendum displayed a fervid indignation at the suggestion that the Labor Party contemplated industrial conscription under the referendum powers. "He hated industrial conscription so much that if it were introduced after the war he would walk out of the Cabinet, and several other ministers would do the same." Marvellous! Mr. Curtin said that "he could see no justification for any form of conscription of any shape or kind after the war." This is even more marvellous in the light of what has actually happened.

The A.C.C. organised a successful opposition to the Government's proposals. Although subjected to what had the appearance of organised heckling by pro-communists, the speakers compelled a hearing. At the Temperance Hall for several weeks of the campaign, speakers dealt with the question from their individual angle, not always coinciding with the general views of the organisation, but nonetheless effective. Many thousands of dodgers were printed and circulated demonstrating the deceptive nature of the claims made on behalf of the "Yes" vote.

The referendum brought into juxtaposition and fellowship a strange assortment of advocates. The Minister for Information, Mr. Calwell, who had been Sir Keith Murdoch's most vitriolic critic, found himself with the great newspaper baron, hugging the same lamp-post. The "No's" in the ranks of labor were discovered to their embarrassment walking arm in arm with Mr. R. G. Menzies. Mr. John Curtin, although he had known their fellowship for some time, found himself with many members of the Opposition. The "Yes" referendum committee was composed of a weird combination of official labor, Communists, and U.A.P. Mr. W. M. Hughes, the hero of a hundred losing fights, was found cheek by jowl with Dr. Evatt, Mr. Curtin, the young man whom in the last war, all the "Case for Labor," Hughes wanted to put into uniform.

Despite the best efforts of this miscellaneous troupe of newspaper magnates, protean labor politicians and affluent mercenaries, the common sense of the people prevailed, and for a time at least the set of the tide towards totalitarian controls and regimentation was turned.

Appendix III The Unemployment and Sickness Benefit Act

Another important activity of the A.C.C. was to direct attention of Labour Ministers to the coercive nature of the Unemployment and Sickness Benefits Acts 1944. The following letter, which speaks for itself, was sent by the secretary, Mr. Kenafick, to several members of Cabinet and to the Prime Minister, Mr. Curtin.

November 22, 1944.

Dear Sir,

I desire on behalf of this organisation to draw attention to the Unemployment and Sickness Benefits Act 1944 and particularly to Clauses 8, 15, 45 and 46.

Clause 15 disqualifies any person who cannot satisfy the Director General that "his unemployment is not due to his being a direct participant in a strike" or is not "willing to undertake work which in the opinion of the Director General is suitable to be undertaken by that person."

This, of course, discriminates against strikers and imposes industrial conscription.

Clause 45 says—"if, in the opinion of the Director-General any claimant or beneficiary should—

- A. Undergo a course of training in any occupation.
- B. Submit himself for examination at any medical, psychological, or other like institution.
- C. Receive any medical or other treatment.
- D. Undergo any course of training for the improvement of his physical or mental capacities, or
- E. Do any work required of him.

The Director-General may direct that payment of benefit to that person shall be subject to the condition that he shall comply with the requirements of the Director-General in respect of any such matter." Section (e) reinforces the industrial conscription section of Clause 15.

Clause 46 says: "The Director-General may require any person whom he believes to be in a position to do so, to furnish to him a confidential report relating to any matter which might affect the payment of benefit to any other person, and a person so required shall not fail to furnish a report accordingly within a reasonable time and shall not furnish a report which is false or misleading in any particular. Penalty Fifty pounds or imprisonment for three months."

You will observe that under this provision any person could under threat penalty or imprisonment be compelled to inform on his or her closest relatives. This procedure is strangely reminiscent, not of British tradition, but of the Fascist regimes against whose ideas the Government states it is fighting.

In addition it is to be observed that these vast powers of compulsion and industrial conscription are invested in one person the Director-General, and can be exercised according to his *opinion, belief, or state of mind*" (clause 8 subsection (2) emphasis mine). This does not prevent him, however, from delegating his powers to "*any other person*" he chooses (emphasis mine) without at the same time his abdicating that power, and a person so delegated can operate in a similar manner upon his *opinion, belief, or state of mind*" (emphasis mine) Clause 8, section 2.

The only appeal is to the Director-General, and against his decision there can be no appeal, nor can any determination of his be appealed against.

Throughout the Act it is made clear that all things must be done according to the Director-General's "*opinion*" and as he "*determines*" or "*directs*" (emphasis mine). See particularly Clauses 9 10, 12, 23, 30, 37, 45.

The alternative for the unemployed or sick person who does not agree with the Director-General's "*opinion*," "*belief*" or "*state of mind*," "*determination*" or "*direction*" is that he will not receive any employment or sickness benefit and therefore, by exercising his own freedom of opinion and determination will also leave himself free to starve or die. We therefore have an Act supposed to benefit the unemployed and sick which presents the following features:—

- A. It indirectly seeks to break strikes.
- B. It imposes industrial conscription on the unemployed.
- C. Consequently on the foregoing it gives not unemployed benefit at all, but forced labour. The intention of the Act, therefore, does not correspond with its title.
- D. The powers given to the Director-General are those of a Dictator operating through a bureaucracy.
- E. Section 46 creates a Gestapo-like system of espionage and compulsory informing.

The whole Act therefore amounts to a system of economic and industrial conscription of Fascist tendencies utterly opposed to the principles of the Labour Movement and Party, and to what I am sure are your own beliefs.

In connection with this point I desire to draw your attention to a pledge which you signed during the recent Powers Referendum campaign, which was published as a pamphlet by the Commonwealth Government under date 17th July, 1944, and of which I possess a copy. In that document, signed by you and 72 other members of the Federal Parliament you made the following declaration:—

"We, the undersigned, members of the Senate and the House of Representatives, pledge ourselves that, as long as we are members of the Parliament of the Commonwealth, we shall not sanction any form of industrial conscription after the war. We emphatically repudiate any suggestion that we would allow any Government to regiment conscript or compel the labour of any free Australian citizen."

This declaration is clear, specific, unambiguous. I now ask you to compare this declaration with the provisions of the Unemployed and Sickness Benefits Act, and I feel that you will realise that it is impossible for you, in view of the above pledge, to support the enforcement of that Act. I therefore urge you to press for its repeal and the substitution for it of a measure that will be really democratic and working class in character.

I request the favour of a reply to this communication.

Yours faithfully,

K. J. KENAFICK,

Secretary.