

The Northern Territory's
One Big Union

*The Rise and Fall of the
North Australian Workers' Union,
1911-1972*

Bernie Brian

*Bachelor of Arts, University of Wollongong
Bachelor of Arts (Hons), Northern Territory University*

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Northern Territory University

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Declaration

I hereby declare that the work herein, now submitted as a thesis for the Degree of Doctor of Philosophy by research at the Northern Territory University, is the result of my own investigations, and all references to ideas and work of other researchers have been specifically acknowledged. I hereby certify that the work embodied in this thesis has not already been accepted in substance for any other degree, and is not being currently submitted in candidature for any other degree.

B.Brian

In Memory of

Dr Alistair Heatley
2/9/1939-17/10/2000

Terry Robinson
16/1/1915-17/1/2001

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Abstract

This thesis examines the contribution of the labour movement to Northern Territory (NT) history by investigating the origins and evolution of the largest and longest surviving trade union, the North Australian Workers' Union (NAWU). To do so, it is also necessary to study those unions preceding the NAWU because they developed the structures, practices and leadership that were incorporated into the NAWU when it was formed in 1927. The study also attempts to uncover Darwin's working class past and to shift the preoccupation of NT historiography away from stories of pioneers and settlers. It is essentially an organisational history, but one influenced by 'new' labour history. That is, it attempts to draw out the relationships between the union, its membership and the community from which it emerged. By contextualising the union within the broader community of the Territory, something of the cultures of the working class beyond the walls of the union office and Arbitration Court will be revealed.

The thesis challenges two themes that have emerged from the few existing histories of the Territory union movement, namely its militancy and its racial tolerance. Neither of these conclusions is upheld by close examination of the historical record. When unions did resort to militant action it was often a defensive reaction against management attempts to erode established wages and conditions. More often than not, these disputes were resolved through the channels of the arbitration system.

At times, Territory workers were involved in supporting civil rights for non-Anglo-Irish workers but at other times, racist bigotry was at the forefront of union discourse. For nearly 40 years the union barred members of the so-called 'coloured' races from membership. For the most part the union movement was not interested in the plight of Aboriginal workers except for when they competed with 'white' union members for jobs. The only exception to this was when members of the Communist Party were leading the union in the period immediately after the Second World War.

There is much that is different about the Territory from other parts of the country – a harsh environment, geographic isolation, a weak and distant state authority, limited amenities and

an 'undisciplined', male dominated, itinerant working class. However, this thesis suggests that the evolution of the NAWU and its predecessors was mainly influenced by national factors for three main reasons. Firstly, from 1911-1978, the Federal government administered the Territory and for most of this period the government was the main employer. Secondly, by virtue of the *Northern Territory Administration Act*, the Commonwealth Arbitration Court/Commission was responsible for regulating wages and conditions and settling industrial disputes in the Territory. Thirdly, the majority of workers in the Territory were from elsewhere and they brought with them the ideas and practices of the union movement from other parts of Australia and the world.

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I do not wish to mention them all by name but I do want to acknowledge the friendship and support I received from all my fellow postgraduates at the NTU. However, special mention must be made of Bill Wilson and Sue Stanton. I shared an office and many ideas over the last few years with Bill and Sue helped me understand the complexity of race relations in the Territory. I hope one day her grandfather, Jack McGuinness (NAWU President, 1955-58, 1962-62), gets the recognition he deserves for his contribution to the Territory labour movement and the fight for Aboriginal civil rights.

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Thanks also to Kay Graham of Stringybark Farm, Rylstone, for the use of her scanning equipment to reproduce the photos in the thesis.

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A Note on Language

1. When writing Territory history, it is difficult to avoid using racialised categories such as ‘white’, ‘coloured’, ‘half-caste’, ‘part-Aboriginal’ and ‘full-blood Aboriginal’. Such categories are not based on biology but are socially constructed and as a result have arbitrary meanings that change over time. While modern scholarship has tried to avoid the use of such racist language, there are times when the use of less value-loaded replacements leads to imprecision. For example, ‘white’ cannot be replaced by ‘European’ because at different times southern Europeans were not considered ‘white’. At other times, southern Europeans and other nationalities such as the Indians (as British subjects) were considered ‘white’. Explaining this apparent flexibility in the characterisation of ‘whiteness’, Andrew Markus writes that ‘Racial consciousness’, being a ‘construct of the imagination’ is ‘unfettered by definite boundaries’.¹ A racial group’s positioning in the social hierarchy would often (but not always) be determined by whether that group was competing with ‘white’ workers for employment.²

Problems also emerge with the term ‘half-caste’, defined as people of mixed parentage with one parent ‘white’ and one parent Aboriginal. The term was used both as a term of racial abuse and as a term of identity by ‘part-Aboriginal’ people themselves. In some cases ‘coloured’ was a broad term to describe all non-Europeans, including ‘half-castes’. However, not all ‘coloureds’ were ‘half-castes’, as their parents could have been, for example, of Asian descent. During the period covered by this thesis, the term ‘Aborigine’ referred to ‘full-blood’ Aboriginals not ‘part-Aboriginals’ or ‘half-castes’. If it is clear to whom I am referring to, I have avoided using these racialised categories but at certain times it has been unavoidable. To minimise offence, I have adopted the use of lower case lettering and have placed the terms in inverted commas.

Knowledge of the flexible definition of these racialised categories is important because it helps to explain the ambiguities of union membership rules. Until 1947, Asians and members

¹ Andrew Markus, *Australian Race Relations 1788-1993*, Allen & Unwin, St Leonards, 1994, p. 127, 144.

² Raymond Markey, “Populist Politics” in Ann Curthoys & Andrew Markus (eds), *Who Are Our Enemies?: Racism and the Working Class in Australia*, Hale & Iremonger, Neutral Bay, 1978, p 73.

of the ‘coloured race’ were not allowed to join the union, but ‘half-castes’ or ‘coloureds’ with one ‘white’ parent were.³ Southern Europeans, while perceived to be not quite ‘white’, were allowed to join the union.

2. The only place I have not placed white in inverted commas is when it denotes the white Australia policy. The white Australia policy is broad term for a range of laws enacted by various state and Federal governments over the years to restrict the entry of non-Anglo-Irish migrants into Australia. However, it most commonly refers to the *Commonwealth Immigration Restriction Act, 1901*.

3. Over the years the British meat company, Vestey Brothers, has been commonly referred to as ‘Vesteys’. This thesis has adopted the common usage. When a possessive apostrophe is required it will appear as Vesteys’.

Conversions

£1 (one pound) = 20 shillings (s)

1s (one shilling) = 12 pence (d)

³ Northern Territory Archives Service (NTAS): NTRS1853, North Australian Workers’ Union: Constitution and Rules.

Abbreviations

ACTU	Australian Council of Trade Unions.
AHPA	Australian Half-Caste Progressive Association.
AMIEU	Australasian Meat Industry Employees Union.
ASIO	Australian Security Intelligence Organisation.
AWU	Australian Workers Union.
CAC	Civil Alien Corps.
CCC	Civil Constructional Corp.
CIB	Commonwealth Investigation Branch.
DP	Displaced Person.
FCU	Federated Clerks Union.
FIA	Federated Ironworkers Association.
FMWU	Federated Miscellaneous Workers Union.
IWW	Industrial Workers of the World.0
NAIU	North Australian Industrial Union.
NAWU	North Australian Workers' Union.
NTCAR	Northern Territory Council for Aboriginal Rights.
NTTLC	Northern Territory Trades and Labor Council.
NTWPO	Northern Territory Workers Political Organisation.
NTWU	Northern Territory Workers Union.
OBU	One Big Union.
PWD	Public Works Department.
SPU	Storemen and Packers Union.
TWU	Transport Workers Union.
UWM	Unemployed Workers Movement.
WWF	Waterside Workers Federation.

Introduction

'No part of Australia has had its chances delayed to a greater extent by reason of unreasonable demands of labour than has been the case with North Australia.' – C. Price Conigrave.¹

During the 1988 May Day celebrations in Darwin, Australia's most northern city, trade unionists held a re-enactment of an event that has become part of the city's folklore. It was the 70th anniversary of the so-called Darwin Rebellion, when local workers told the Federal government-appointed Administrator to pack his bags and leave on the next boat south.² The Administrator did not leave immediately, but was gone shortly after. One senior member of the Northern Territory (NT) Administration later described the Darwin Rebellion as Australia's third popular uprising after the Rum Rebellion and Eureka Stockade.³ The local newspaper covering the re-enactment described the Darwin Rebellion as 'one of Australia's most successful revolutions'.⁴ Those involved in the re-enactment could only look back in awe to think that at one time the local labour movement had enough power to depose an administration. By 1988, Darwin unionists had experienced over ten years of conservative non-Labor government and at the time of writing this thesis, the same party remains in power.⁵ The fortunes of the labour movement had certainly changed in 70 years.

Malcolm Henry Ellis made the following observations about Darwin when he visited the town in the early 1920s.

Darwin is a city which bulks very small in the general life of this great world; but Australia has heard a great deal of it and its name generally conjures up, for the average newspaper reader, a picture of turbulent revolutionaries marching through the streets of a sort of small scale Glasgow gone mad in the wilderness...⁶

¹ C. Price Conigrave, *North Australia*, Jonathan Cape, London, 1936, p. 198. Conigrave spent 15 years in the NT public service in the early decades of last century.

² From 1863-1911, the South Australian Government administered the Territory. From 1911-1978, it was administered by the Federal Government.

³ Dr H.I. Jensen, 'The Darwin Rebellion' in *Labour History*, vol. 11, November 1966, p. 3.

⁴ *Northern Territory News (NTN)*, 3 May 1988.

⁵ I am referring to the Country Liberal Party, 'the most successful party in Australian politics in the modern era' according to Alistair Heatley (*The Territory Party: The Northern Territory Country Liberal Party, 1974-1998*, Northern Territory University Press, Darwin, 1998, p. xi).

⁶ M.H. Ellis, *The Long Lead: Across Australia by Motor Car*, T. Fisher Unwin Ltd, London, 1927, p. 162. Similarly, in 1922, a Victorian Senator described Darwin as a 'dark spot where extremists run riot' (*Commonwealth Parliamentary Debates, Senate (CPD)*, vol. 99, 20 July 1922, p. 628).

Three decades later, J. Cross repeated these sentiments when he described Darwin as having a 'political outlook quite unlike the rest of Australia for its extreme militancy'.⁷ In his reminiscences of life in the Territory, Fr Frank Flynn wrote that 'Darwinites have always been strongly unionised and this was particularly so after the war'.⁸ Alistair Heatley argues that at various times the unions were 'virtually' ruling Darwin and more recently it has been described as a 'union town'.⁹

How accurate are these descriptions of the Darwin labour movement? Are they similar to the stories depicting North Queensland unions in the early decades of last century as radical despite, according to Doug Hunt, their 'consistently pragmatic approach to industrial and political matters'? Hunt argues you cannot conclude a union is radical just because of its involvement in a spectacular strike or protest. He also suggests the radical reputation of the North Queensland unions came from exaggerated and alarmist reports on the region by visiting politicians and journalists from southern cities.¹⁰

The purpose of this study is to assess the contribution of the labour movement to Territory history by examining the origins and evolution of the largest and longest surviving trade union, the North Australian Workers' Union (NAWU). The NAWU, described by Alan Powell as 'the great union of the Territory', was registered as a trade union under the *Commonwealth Conciliation and Arbitration Act 1904* on 29 April 1927.¹¹ For over 40 years, the NAWU was a major player in the political and industrial affairs of the Territory until its amalgamation with the Federated Miscellaneous Workers Union (FMWU) in July 1971.

To understand the NAWU, it is necessary to go back to 1911 to the formation of the first union in the Territory, a Darwin branch of the North Queensland-based Amalgamated Workers Association (AWA). Two years later, the union became a branch of the Australian Workers Union (AWU) when the AWA amalgamated with the AWU. It was the AWU that participated in the 'Darwin Rebellion'. Both the NAWU and its predecessors covered similar occupations, were influenced by similar factors and often had the same leaders. Established to cover general labourers such as drovers, railway navvies, road crews, hospital staff, hotel

⁷ J. Cross, *A Survey of Darwin's Social History, 1868-1956, With Particular Emphasis on the Growth of a Provincial Society*, Honours Thesis, University of Adelaide, 1956, p. 41.

⁸ Frank Flynn MSC, *Northern Frontier*, F.P. Leonard, Sydney, 1968, p. 47.

⁹ Alistair Heatley, *The Government of the Northern Territory*, University of Queensland Press, St Lucia, 1979, p. 179; Eric Sager, *Discovering Darwin: The 1930s in Memory and History*, Historical Society of the Northern Territory, Darwin, 1993, p. 49; Julia Martinez, 'The 'Malay' Community in Pre-War Darwin' in *Queensland Review*, vol. 6, no. 2, November 1999, p. 48.

¹⁰ Douglas William Hunt, *A History of the Labour Movement in North Queensland: Trade Unionism, Politics and Industrial Conflict, 1900-1920*, PhD Thesis, James Cook University, 1979, p. xxiii, 354.

¹¹ *Commonwealth Arbitration Reports (CAR)*, vol. 27, 1927, p. 262.

workers, builders' labourers and waterside workers, they were, in the language of the day, 'one big union' (OBU). Unlike old style, narrowly-based 'craft' or occupational unions, the OBU was seen at the time as a way of uniting a large cross-section of the working class behind common objectives. For some, those objectives were the overthrow of capitalism but for others, the OBU was seen as a more effective way of pursuing day-to-day industrial (wages and conditions) issues.¹² In the Territory, it was more a case of a pragmatic solution to organising a small, occupationally diverse workforce and it was one of the few places in Australia where the OBU was successfully implemented. The NAWU and its predecessors were not the only unions in the Territory but they were by far the largest and most influential.¹³

The Territory incorporates one-sixth of the Australian continent. It extends almost 2,000 kilometres from the shores of the tropical Arafura Sea, the 'Top End', to the dry, sparsely vegetated sands of Central Australia. From its shared border with Western Australia to that of Queensland, the Territory is over 1,000 kilometres wide. There is considerable variation in climate across this vast land mass but, in general, it is a harsh working environment. In Central Australia, the summer daytime temperatures can reach 40° C, while the winter nights can drop below freezing. Somewhat milder year-round temperatures of around 32° C in the tropical Top End have to be viewed against the fact that for six months of the year, during the 'wet' season (October to April), the atmosphere becomes uncomfortably humid and enervating.

Darwin, capital of the Territory, is closer to Singapore and Jakarta than it is to other Australian capital cities. Whereas today the proximity to Asian markets is celebrated as a regional advantage, in the past it was the distance of the Territory from the rest of Australia that was seen as the major obstacle to its social and economic development.¹⁴ Today, a flight to Sydney takes four hours, but until just prior to the Second World War, the trip took 10-11 days by coastal steamer.¹⁵

Various schemes were promoted in the first decades of last century to populate the Territory with settlers and create a local market to fuel economic development but limited

¹² Ian Turner, *In Union Is Strength: A History of Trade Unions in Australia, 1788-1974*, Thomas Nelson, Melbourne, 1946, p. 69.

¹³ Skilled workers like the carpenters and engineers formed their own unions.

¹⁴ Lyn Riddett, 'The Gateway and the Gatekeepers: An Examination of Darwin's Relationship with Asia and Asians, 1942-1993' in *Journal of Australian Studies*, no. 46, September 1995, p. 56. In 1941, the Member for the Northern Territory, MacAlister Blain described Darwin as 'on the edge of the foreign world' (*CPD, House of Representatives (H of R)*, vol. 168, 20 August 1941, p. 18).

¹⁵ Northern Territory Archives Service (NTAS): NTRS 226, TS 623, transcript of interview with Rose Jenkins.

opportunities for wealth made the Territory an unattractive destination.¹⁶ Pastoral lands were monopolised by large companies employing mostly Aboriginal labour, mining booms were generally short-lived and manufacturing was virtually non-existent.¹⁷ With such a fragile economic base, it was difficult to sustain a stable workforce. Instead, the majority of non-Aboriginal workers were transients who came and went depending on demand for labour. Little interest was shown by governments in developing and maintaining an adequate social infrastructure such as housing and this in turn, worked against attracting more people to the Territory. At a time when Australian cities on the east coast were crowded and sophisticated, Darwin was still a frontier town of 'wild west' type pubs, ramshackle corrugated iron and wood dwellings fronting wide unsealed roads more likely used by a horse and cart than a modern motor car. Rapid change came after the Second World War with the start of several large mining ventures, the growth in the public service and the expansion of defence facilities.¹⁸ Only then did the conditions exist for an increase in the region's settler population.¹⁹

In the context of limited economic development, those who moved to the Territory and prospered are understandably honoured. Stories of sturdy and colourful self-made pioneers succeeding against all odds in their battle with isolation, primitive conditions and a harsh environment dominate the literature of the region.²⁰ According to Powell, the preoccupation with stories of successful pioneers in Territory writing is to be expected because 'the less exalted rank ... wrote no books'.²¹ Nevertheless, it also reflects the strength of the 'pioneer legend' in Australian historiography and the important place of Territory writing in sustaining that legend.²² John Hirst argues that the 'pioneer legend' celebrates the individual over the collective, denies class constraints and lack of opportunity and assumes that provided one works hard one can succeed.²³ Given the dominance of the pioneer motif in Territory writing, it is not surprising that there has been little research on the region's labour

¹⁶ For a discussion on early attempts to populate the north, see Lyn Riddett, *Kine, Kin and Country: The Victoria River District of the Northern Territory 1911-1966*, PhD Thesis, James Cook University, 1988, pp. 13-21.

¹⁷ For a brief introduction to the pastoral industry see F.G.G. Rose, 'The Pastoral Industry in the Northern Territory During the Period of Commonwealth Administration, 1911-1953' in *Historical Studies*, vol. 6, November 1953-May 1955, pp. 150-172.

¹⁸ Alan Powell, *Far Country: A Short History of the Northern Territory*, Melbourne University Press, Carlton, 1996, Chapter 10, pp. 189-213.

¹⁹ The non-Aboriginal population of the NT (Aboriginals were not included in census until 1967) increased by 7,000 between 1911 and 1947. Yet between 1951 and 1968, the non-Aboriginal population increased by approximately 30,000 (see *Annual Report on the Northern Territory, 1965-1966* and P.F. Donovan, *At the Other End of Australia: The Commonwealth and the Northern Territory, 1911-1978*, University of Queensland Press, St Lucia, 1984, p. 183).

²⁰ Mickey Dewar, *In Search of the 'Never-Never': The Northern Territory metaphor in Australian Writing 1837-1992*, PhD Thesis, Northern Territory University, 1993, p. 45; Powell, *Far Country*, pp. 211-213.

²¹ Powell, *Far Country*, p. 102.

²² See Dewar, *In Search of the Never-Never*, p. 7, 23 where she argues that common images in Territory writing not only reveal something of the region's land and people but are also used to sustain dominant national ideas about Australian identity.

²³ See J.B. Hirst, 'The Pioneer Legend' in *Historical Studies*, vol. 18, April 1978-October 1979, pp. 316-337.

history. The very existence of a labour movement subverts the pioneer legend because it suggests a collective response from workers is needed to confront inequalities of opportunity, wealth and power in society.

Trade Unions in Territory History

Unfortunately, where workers and their unions do appear in Territory histories, they are more often than not linked to failed development and blamed for obstructing the region from fulfilling its perceived economic potential. Archibald Grenfell Price was one of the first historians to write about the influence of trade unions in the region. In a series of lectures in 1930 on Territory history, he spoke of the 'dangerous tyranny' of the 'extremists' in the trade unions who openly discussed the prospects of revolution.²⁴ C.L.A. Abbott, NT Administrator, 1937-1946, not only blames the trade unions for failed development, but blames the slow work of wharf labourers for the loss of ships in the Japanese bombing of Darwin in February 1942.²⁵

More recent historical works have originated in the academy, yet they also tend to portray unions in a negative way. Both Powell and Peter Donovan use language such as 'shrewd, ruthless', 'destabilising' and 'ambitious' to describe Territory unions and their leaders.²⁶ One of the few who has attempted to research Territory trade unions in any depth is Frank Alcorta. He also uses disparaging words such as 'ruthless', 'bigot' and 'fanatic' to describe the leaders of the Darwin Rebellion.²⁷

My point is not to suggest that trade unions are beyond reproach. I agree with Tom Sheridan's view that 'few union histories have proved critical of their subject's organisation or policy'.²⁸ On the contrary, it is difficult not to be critical of the NAWU. Far from promoting Brian Fitzpatrick's ideal of the 'fair and reasonable' society,²⁹ many members of the NAWU and its predecessors were aggressive proponents of the racist white Australia policy and callously disregarded the plight of Aboriginal workers. There are few noble heroes in this story but, at the same time, the region's history will be incomplete until the

²⁴ A. Grenfell Price, *The History and Problems of the Northern Territory, Australia*, The John Murtagh Macrossan Lectures, University of Queensland Press, St Lucia, 1930.

²⁵ C.L.A. Abbott, *Australia's Frontier Province*, Angus & Robertson, London 1950, p. 29, 77.

²⁶ Powell, *Far Country*, p. 134; Donovan, *At The Other End Of Australia*, p. 41. Powell is less critical of unions than Donovan when he notes that the employers were not always blameless (p. 170).

²⁷ F.X. Alcorta, *Darwin Rebellion 1911-1919*, History Unit, Northern Territory University Planning Authority, Darwin, 1984, p. 30, 32.

²⁸ Tom Sheridan, 'Of Mind Sets and Market Forces: The Contribution of Historical Research to Industrial Relations' in Greg Patmore (ed), *History and Industrial Relations*, Australian Centre for Industrial Research and Teaching (ACIRRT), Sydney, 1990, p. 45.

²⁹ Brian Fitzpatrick, *Short History of the Australian Labour Movement*, Macmillan, Melbourne, 1968, p. 62.

story of the many workers who lived and died in the Territory and how they built their trade union is told. Geoffrey Bolton, in his history of North Queensland, argues that it was often the ‘unspectacular qualities’ of the small farmer and worker, not the actions of the ‘story-book heroes ... which laid the surest foundations for the future’.³⁰ In 1929, the NAWU Secretary, Robert Toupein, speaking at a function honouring a veteran union member, argued that ‘The people who went into this country first were classed as pioneers, but surely the railway men here would also be called pioneers’.³¹ Union leaders like Toupein were only too ready to assert the role of workers in Territory history, but they conveniently ignored the fact that all pioneers, irrespective of their class, were also partners in the colonisation of Aboriginal people and their land.³²

Prior to this study, there have been a number of other attempts to revise the role of trade unions in Territory history. In his study on the first 15 years of Commonwealth government administration, John Mettam celebrates the early trade unionists as ‘nation builders’.³³ But in his efforts, Mettam goes too far the other way, especially in his analysis of union support for the white Australia policy. He argues that support from Territory unions for the white Australia policy was inconsequential because racial exclusion was in place long before the formation of the first union in 1911.³⁴ There is an element of truth here, given that by the time of Federation in 1901, supporters of the use of non-‘white’ labour had been politically defeated and there was broad-based support across the community for the implementation of the white Australia policy.³⁵ However, the debate over non-‘white’ labour remained topical in the Territory because of the large number of Chinese residents and questions over the reliability and availability of European labour.³⁶ Nevertheless, after the Federal government assumed control of the Territory, it was only a matter of time before preferential hiring of ‘white’ workers became the rule, at least in the public sector. Mettam’s conclusion underestimates the ongoing prominence of the demand for a ‘white’ Australia in trade union rhetoric and the centrality of ‘white’ identity (‘whiteness’) to the construction of working

³⁰ G.C. Bolton, *A Thousand Miles Away: A History of North Queensland to 1920*, The Jacaranda Press, Brisbane, 1963, p. 323, pp. 331-332.

³¹ *The Northern Standard (NS)*, 1 November 1929.

³² Ann McGrath, ‘Modern Stone-Age Slavery’: Images of Aboriginal Labour and Sexuality’ in Ann McGrath, Kay Saunders, Jackie Huggins (eds), *Aboriginal Workers*, Special Issue of *Labour History*, no. 69, November 1995, p. 43.

³³ John J. Mettam, *Central Administration and the Northern Territory 1911-1926*, PhD Thesis, University of Sydney, 1995, p. 93.

³⁴ Mettam, *Central Administration and the Northern Territory*, p. 111.

³⁵ Andrew Markus, *Australian Race Relations 1788-1993*, Allen & Unwin, St Leonards, 1994, pp. 112-114.

³⁶ Riddett, Kine, Kin and Country (Thesis), pp. 19-20; F.X. Alcorta, *A History of the Social and Economic Development of the Northern Territory, 1911-1914 With Special Reference to the Labour Movement*, Thesis, Darwin Community College, no date, pp. 91-96.

class identity. Non-‘white’s were not only seen as a lower form of humanity but were also seen as a threat to ‘white’ working class power.³⁷

Alcorta is more precise when he argues ‘the trade union movement in the Territory was the product of European antagonism, and fear, towards Asian labour’. He places the emergence of the union movement within the context of a region where the number of Chinese residents still outnumbered the Europeans as late as 1911.³⁸ Racism was not the only reason workers formed unions but hostility to Asian workers had often been an important catalyst for union organisation in Australia.³⁹

Like Mettam, Julia Martinez, in her research on race relations on the Darwin wharf before the Second World War, also qualifies the racism of the Territory labour movement. Martinez argues that despite the rhetoric of ‘white’ Australia, Darwin was ‘unusual’ because the NAWU ‘did not judge its workers according to racial stereotypes’ and ‘there was a greater emphasis on inclusion of all workers, albeit in an assimilationist context’.⁴⁰ To support her argument, Martinez uses examples of NAWU support for assimilation, the anti-racist policies of the Communist Party and the existence of multi-racial workplaces and cultural pursuits. Martinez provides an important insight into the varied cultures of Darwin’s working class, but we need to be cautious about making generalisations about the lack of racism within the NAWU for several reasons. Firstly, the union supported the Federal government’s policy of assimilating into the ‘white’ community those Aboriginal and ‘part-Aboriginal’ people who demonstrated that they could live as ‘whites’, a policy based on racist assumptions of ‘white’ superiority. In 1930, the union went so far as to call for the segregation of ‘part-Aboriginals’ on the cattle stations from other Aboriginal people to facilitate the assimilation of the former.⁴¹ The union had always included as members, workers of any ‘coloured race’, as long as they had at least one ‘white’ parent.⁴²

³⁷ See various essays of David Roediger in *Towards the Abolition of Whiteness*, Verso, London, 1994. Also McGrath, ‘Modern Stone-Age Slavery’, p. 43.

³⁸ F.X. Alcorta, ‘The Origins of Trade Unionism in the Northern Territory’ in *Labour History*, no. 43, November 1982, pp. 23-35.

³⁹ John Merritt, *The Making of the AWU*, Oxford University Press, Melbourne, 1986, p. 145; Raymond Markey, ‘Race and Organized Labour in a White Settler Society: The Australian Case, 1850-1901’ in Marcel van der Linden & Jan Lucassen (eds), *Racism and the Labour Market: Historical Studies*, Peter Lang, Berlin, 1995, pp. 354-355; Raymond Markey, *The Making of the Labor Party in New South Wales 1880-1990*, NSW University Press, Kensington, 1988, p. 293.

⁴⁰ Julia Martinez, ‘Questioning ‘White Australia’: Unionism and ‘Coloured’ Labour, 1911-37’ in *Labour History*, no. 76, May 1999, p. 13, 16.

⁴¹ See Chapter 4, pp. 119-120.

⁴² See NTAS: NTRS 1853, ‘North Australian Workers Union Constitution and General Rules’. There is no date on this version of the constitution but it includes 1936 amendments and still contains the racial exclusion clause removed in 1947.

Secondly, the Communist Party was active in the Territory and was, according to Andrew Markus, 'the one section of the labour movement ... with an overt stance opposed to racism' but the party had little influence in the NAWU before 1940.⁴³

Thirdly, an integrated workplace does not necessarily suggest the absence of racism. Frank Stevens reveals in his study of the pastoral industry that Aboriginal and non-Aboriginal workers could work side by side and even respect each other's skills but once work was over, the divide was reinstated.⁴⁴ A similar point was made about the sports field by an informant for this study when he said 'If an Aboriginal ... played well, they'd [the locals] scream and they'd carry on ... But ask them home for a cup of tea!', that was different.⁴⁵

Finally, any examples of racial tolerance by the union must be placed in their historical context. At different times in its history, the NAWU could be racist and at other times inclusive. Placing the union's policies and practices within a specific time frame, and understanding what factors led to any shift in these policies over time will be a key task of this study. For example, I suggest in Chapter Three that the reason the Darwin wharf had a multi-racial workforce by the 1930s can be traced back to a split in the union in 1922 that weakened its control on the wharf.⁴⁶ It was not until 1947 that the NAWU removed the clause in its rules that barred 'coloured' races from membership. Before that, the leadership and the majority of members fiercely resisted any attempt to remove the clause.⁴⁷

An area of Territory historical writing that is less celebratory, is that dealing with the colonisation of Aboriginal people and their lands. Such writing has its origins in the 'devastating anti-pioneer' novels of Xavier Herbert.⁴⁸ It is also an important area for labour historians, because the majority of workers in the Territory's pastoral industry were Aboriginal. While to date there has been very little written on the NAWU, there are more references to the union in these texts than in any other.

There are three broad, overlapping strands of writing on Aboriginal/European race relations in the Territory that specifically refer to the NAWU. The first strand uses oral history to examine the experience of Aboriginal workers in the Territory. Included in this body of

⁴³ Andrew Markus, 'Talka Longa Mouth' in Ann Curthoys & Andrew Markus (eds), *Who are our Enemies? Racism and the Australian Working Class*, Hale & Iremonger, Neutral Bay, 1978, p. 146, 148.

⁴⁴ Frank Stevens, *Aborigines in the Northern Territory Cattle Industry*, ANU Press, Canberra, 1974, p. 113. Lyn Riddett also looks at the conflict between the people living and working together and the persistence of strict hierarchies in Riddett, *Kine, Kin and Country* (Thesis), p. 170.

⁴⁵ Terry Robinson, interviewed by author, Darwin, 7 December 1999. Transcript available at NTAS.

⁴⁶ See Chapter 3, pp. 90-92.

⁴⁷ See Chapter 4, p. 113; Chapter 5, p. 142, 149; Chapter 6, p. 152-153; Chapter 8, pp. 221. See NTAS: NTRS 1853, 'North Australian Workers Union Constitution and General Rules'.

⁴⁸ Hirst, 'The Pioneer Legend', p. 334.

literature are the works of McGrath, Rose and Hardy.⁴⁹ The second body of literature examines government regulation of Aboriginal workers with particular reference to the 1965 arbitration case on equal wages for Aboriginal pastoral workers. Included in this body of literature are the works of Rowley, Stanner, Stevens and Wells.⁵⁰ The final body of work looks at working class racism and the attitude of the labour movement to Aboriginal workers and included in this group are the works of Stevens, Markus and Martinez.⁵¹

Stevens describes the NAWU in the late 1940s as ‘almost as callous to the suffering of the indigenes as the rest of the Australian community’, while Markus characterises the same leadership as champions of Aboriginal workers. Similarly, Rowley views trade unions as a vehicle for breaking down colonialism, while Stevens accused them of ‘paternalism’. Rose concludes from her discussions with Aboriginal people that the ‘Union Mob’ is remembered as ‘the major non-Aboriginal protagonist in the struggle for equality’.⁵² The union was all of these things, but at different times in its history. As was stated above, the union’s policies and practices need to be placed in a precise historical context.

Old or New Labour History?

When I started this research, I had visions of writing a social history of the Territory working class inspired by the works of E.P. Thompson. Thompson’s argument that class is not a ‘thing’ but a relationship created and recreated by workers through daily life has had a profound impact on labour history, expanding the concerns of labour historians from the workplace to the home and community.⁵³ My original intention was to research class formation and masculinity in the frontier and I was not interested in writing a narrative history of the activities of a trade union.⁵⁴ But after many anxious months, I realised that

⁴⁹ Ann McGrath, *Born in the Cattle’: Aborigines in the Cattle Country*, Allen & Unwin, Sydney, 1987 (and other works already cited); Deborah Bird Rose, *Hidden Histories: Black Stories From Victoria River Downs and Humbert River and Wave Hill Stations*, Aboriginal Studies Press, Canberra, 1991; Frank Hardy, *The Unlucky Australians*, Gold Star, Hawthorn, 1972.

⁵⁰ C.D. Rowley, *The Destruction of Aboriginal Society*, Penguin, Harmondsworth, 1974; C.D. Rowley, *The Remote Aborigines: Aboriginal Policy and Practice*, Volume 3, ANU Press, Canberra, 1971; Frank Stevens, *Aborigines in the Northern Territory*; Frank Stevens, *Aborigines and the Labour Movement, Origin*, 30 October 1970, pp. 10-11; Professor W. Stanner, ‘Industrial Justice in the Never Never’ in *The Australian Quarterly*, vol. 39, no. 1, March 1967, pp. 38-55; J.T.Wells, *The Long March: Assimilation Policy and Practice in Darwin, The Northern Territory, 1939-1967*, PhD Thesis, University of Queensland, 1995.

⁵¹ Andrew Markus, ‘Talka Longa Mouth’, pp. 138-157; Julia Martinez, *Racism in the Northern Territory: The Attitude of Administrators, Pastoralists and Unionists to Aborigines Employed in the Cattle Industry During the Depression, 1929-1934*, Bachelor of Arts (Honours) Thesis, University of Wollongong, 1995; Julia Martinez, ‘Questioning ‘White Australia’’, pp. 1-19.

⁵² Rose, *Hidden Histories*, p. 141.

⁵³ E.P. Thompson, *The Making of the English Working Class*, Penguin, Harmondsworth, 1984, p. 939.

⁵⁴ Bernie Brian, *Labouring in the Frontier*, Work in Progress Seminar Paper (unpublished), delivered 23 September 1997, Northern Territory University. I was also influenced by an old article from Stuart Macintyre (‘The Making of the Australian Working Class: An Historiographical Survey’ in *Historical Studies*, vol. 18, April 1978-October 1979, pp. 233-253) where he had criticised early Australian union histories for their ‘narrative format and concentration on the organisation itself’.

before I could make any theoretical conclusions on class or gender, I had to first know what the working class and its organisations had done. So in a necessary retreat, I decided to do what I had vowed not to do and write a chronological history of a working class organisation.

For a time, I felt defensive about this decision, given that organisational histories are now seen as part of 'old' labour history.⁵⁵ Old labour histories have been criticised for being preoccupied with studying unions, political parties and strikes at the expense of studying workers themselves.⁵⁶ It is argued that such a narrow focus gives a distorted view of the nature of the working class and ignores those who have been traditionally unorganised or outside of the wages system, such as women and Aboriginal workers.⁵⁷

In contrast, 'new' labour historians focus on broader themes such as the work process, working class cultures, race and gender. In recent years, the bulk of the work coming out of the discipline has been trying to redress the absences of 'old' labour history.⁵⁸ Some of this new work is influenced by Thompson, while other postmodernist influenced research, investigates how workers make sense of, and engage with, the world around them. The former can extend the focus of labour history from the workplace to the workers' living space, while the latter creates opportunities for a study of the construction of workers' identities (class, gender and ethnicity); their ideas and emotions; myths and memories; as well as spirituality, art and pageantry.⁵⁹ There is some justifiable concern these 'new' histories have elevated culture above economic materiality and individual agency above the

⁵⁵ I am not alone in feeling defensive, for example, see Barbara Cole Webster, 'To Side with the Dinosaurs or Go with the Trendies: A Dilemma for the Postgraduate Labour History Student' in *Proceedings of the 1995 Postgraduate Student Association Symposium held at Central Queensland University, 11 October 1995*, Central Queensland University Postgraduate Students Association, Rockhampton, 1995, pp. 77-83 and Mark Hearn & Harry Knowles, *One Big Union: A History of the Australian Workers Union 1886-1994*, Cambridge University Press, Cambridge, 1996, pp. 14-16.

⁵⁶ For an example of the debate between old and new labour history, see Raymond Markey, *The Making of the Labor Party*, p. 11; Raelene Frances & Bruce Scates, 'Is Labour History Dead?' in *Australian Historical Studies*, vol. 100, April 1993, pp. 470-481 and all the contributions in Terry Irving (ed), *Challenges to Labour History*, UNSW Press, Sydney, 1994. See also David Palmer, Ross Shanahan, Martin Shanahan (eds), *Australian Labour History Reconsidered*, Australian Humanities Press, Unley, 1999. For an overseas view on the debate see Herbert G. Gutman, 'Work, Culture, and Society in Industrializing America, 1815-1919' in *American Historical Review*, vol. 78, 1973, p. 536; David J. Bercuson, *Canadian Labour History: Selected Readings*, Copp Clark Pitman Ltd, Toronto, 1987; David Roediger, 'The Crisis in Labor History: Race Gender and the Replotting of the Working Class Past in the United States' in Roediger, *Abolition of Whiteness*, pp. 69-81.

⁵⁷ One of the more famous examples of this tendency was Ian Turner's statement in *Industrial Labour and Politics: The Dynamics of the Labour Movement in Eastern Australia, 1900-1921*, Australian National University Press, Canberra, 1965, p. 3, that domestic servants and shop assistants were 'not relevant to a study of the labour movement since they gave rise to no significant trade unions'.

⁵⁸ McGrath (et. al) *Aboriginal Workers*; Raelene Frances & Bruce Scates (eds), *Women, Work and the Labour Movement in Australia and Aotearoa/New Zealand*, Special Issue of *Labour History*, no. 61, 1991.

⁵⁹ For further discussion on these analytical advances see Ann Curthoys, 'Labour History and Cultural Studies' in *Labour History*, no. 67, November 1994, pp. 12-21; Sean Scalmer, 'Experience and Discourse: A Map of Recent Theoretical Approaches to Labour and Social History' in *Labour History*, no. 70, May 1996, pp. 156-168.

constraints of class position, nevertheless, the broadening of the discipline's focus has breathed new life into the field.⁶⁰

Having said this, does it mean that this investigation into a union organisation represents a regression to an outmoded form of labour history? Was my decision the easy way out given Ray Markey's argument that institutional histories are not 'theoretically demanding'?⁶¹ Even though Markey considers such institutional histories important, he argues there is a tendency to limit analysis to what takes place inside the organisation and the actions of leaders, without relating the narrative to the broader social and economic environment.⁶² Markey argues the problem is not the subject matter itself but what questions are asked. For Markey, the main questions that old labour history avoids are 'why' do classes, their leaders and institutions act in certain ways and what are the relationships between them?⁶³ In a similar way, the North American labour historian, Elizabeth Jameson, focuses on 'relationships' between workers and the broader community.⁶⁴ Unlike Jameson's work, however, the starting point for this thesis is the NAWU and not the community. In the course of analysing the activities of the NAWU, I hope I will be able to reveal something of the daily life of the Territory's working class.

Despite recent theoretical advances in labour history, the study of unions and strikes remains a central core of the discipline's focus. There are still many organisations and institutions formed by workers that have not been studied, particularly regionally or locally-based ones like the NAWU.⁶⁵ The success or otherwise of a union in a strike can tell us something of the strength of a union and its ability to mobilise its membership. It is also the case that trade unions remain an important avenue for workers to express themselves politically and as a result enter the public record.⁶⁶ It is no coincidence that the shift away from researching union histories in the last few decades has corresponded with the declining influence of trade unions in western society.

⁶⁰ Terry Irving, 'Introduction' in *Challenges to Labour History*, p. 6; Howard Kimeldorf, 'Bringing Unions Back In (Or Why We Need A New Old Labour History)' in *Labor History*, vol. 32, no. 1, 1991, p. 100.

⁶¹ Markey, *The Making of the Labor Party*, p. 10.

⁶² For example, one of the earliest labour histories, J.T. Sutcliffe in his *A History of Trade Unionism in Australia*, Macmillan, Melbourne, 1967, gives an exhaustive account of the business of the various inter-colonial trade union conferences in the late nineteenth and early twentieth centuries but offers no analysis of the reasons why various ideological differences emerged. In more recent times, John Merritt, in *The Making of the AWU*, outlines the racial exclusion rules of the AWU but does not consider why the union was racist and its effect on the union.

⁶³ Markey, *The Making of the Labor Party*, p. 10-12.

⁶⁴ Elizabeth Jameson, *All That Glitters: Class Conflict and Community in Cripple Creek*, University of Illinois Press, Urbana, 1998, p. 8, 88.

⁶⁵ Even a significant part of Elizabeth Jameson's work is a study of unions on strike. See 'The Limits of Union-Centered History: Responses to Howard Kimeldorf' in *Labor History*, vol. 32, no. 1, 1991, pp. 104-129.

⁶⁶ Turner, *Industrial Labour and Politics*, p. xviii; Kimeldorf, 'Bringing Unions Back', pp. 100-101.

What is different for today's labour historians is that we must be aware that working class institutions and leaders are not synonymous with the working class and that trade unions in the past have often been implicated in silencing sections of that class.⁶⁷ Being aware of these silences, the contemporary labour historian will continually ask himself or herself, who is represented and who is not and why.⁶⁸ There is, however, a danger that the study of a trade union organisation may again bring 'white', male workers back to centre stage, so it is necessary to adopt strategies to de-centre them.

It is difficult to write both a history of a working class organisation and a history of those excluded such as women and Aboriginal workers. Each form of history has its own methodology and relies on different sources. Aboriginal history relies very much on an oral tradition as revealed in the works of researchers like McGrath, Rose and Hardy.⁶⁹ Where possible, the voice of the Aboriginal worker will be included in this thesis but for this I will rely on the work of others. Recording the Aboriginal voice requires long-term commitment and the development of trust, which is beyond the resources of this project.⁷⁰ The starting point of this study is the NAWU and how it has influenced, and been influenced by race relations in the Territory. Nevertheless, it remains a problem when writing such an organisational history, that those sections of the working class absent from unions are not simply tacked onto the 'main event' and continue to be marginalised.⁷¹

One strategy adopted in recent years by labour historians is to focus on local or community-based activities of workers and their institutions. The May 2000 issue of *Labour History* was devoted entirely to this topic. A local focus allows a more 'intimate' view of the activities of workers and tests assumptions made about the nature of the working class derived from nationally-based studies.⁷² It is also more difficult with local studies to ignore those voices absent from national histories.⁷³ A study of the social networks within a locality can also

⁶⁷ Gutman, 'Work Culture and Society', p. 536.

⁶⁸ Robert Young, *White Mythologies: Writing History and the West*, Routledge, New York, 1990, p. 159.

⁶⁹ McGrath, *Born in the Cattle*; Rose, *Hidden Histories*; Hardy, *The Unlucky Australians*.

⁷⁰ For example, Mino Hokaru is doing his doctorate on the historicity of the Gurindji and has spent many months living at Dagaragu amongst the Gurindji. Cameron Raynes has completed his doctoral thesis at the Northern Territory University on cattle station workers in the Victoria River district and also spent many months living in that region.

⁷¹ See Bruce Nelson, 'Responses to Howard Kimeldorf', pp. 119-125.

⁷² See Lucy Taksa, 'Like a Bicycle, Forever Teetering Between Individualism and Collectivism: Considering Community in Relation to Labour History' in *Labour History*, no. 78, May 2000, p. 16; Janet McCalman, *Struggletown*, Penguin, Ringwood, 1984; Gregory S. Kealey, 'Labour and Working-Class History in Canada: Prospects in the 1980s' in Bercuson (ed), *Canadian Labor History*, p. 238; Len Richardson *Coal, Class and Community: The United Mineworkers of New Zealand, 1880-1960*, Auckland University Press, Auckland, 1995, p. vi.

⁷³ Deborah Bird Rose, Writing Place, Authors notes of lecture given at Writing Histories/Writing Cultures, Visiting Scholars Program, Centre for Cross-Cultural Research, 29 April 1999. Since reprinted in Ann Curthoys & Ann McGrath (eds), *Writing Histories: Imagination and Narration*, Monash Publications in History, Clayton, 2000, pp. 64-74.

provide insight into what factors encourage or fragment the emergence and articulation of working class identity.⁷⁴

Many of these new studies try to identify the importance of 'localism', or 'sense of place' in the behaviour of workers as opposed to other identities based on class, race or gender.⁷⁵ Even though the NAWU had coverage of workers right across the Territory, from Alice Springs to Darwin and from the Queensland to the Western Australian border, its main area of activity was in Darwin and south along the narrow 500 kilometre-long corridor of the North Australian Railway. As the NAWU was largely Darwin-based and because it was one of the more influential organisations in the town, this thesis can be considered a local study.

It is possible, however, in local studies to exaggerate a region's distinctiveness at the expense of the interconnections and similarities with adjoining regions or the nation as a whole. Greg Kealey calls this the 'celebration of region' and it is particularly evident in writing on the Territory.⁷⁶ The Territory is often described as unique, different, and exotic in an effort to differentiate it from the rest of the nation.⁷⁷ In 1915, the Deputy President of the Arbitration Commission argued that the 'conditions at Darwin are so different from the conditions elsewhere in Australia'.⁷⁸ Bertha Walker, the wife of the post-Second World War NAWU Secretary, Yorky Walker, also described Darwin as 'different' and not 'normal'.⁷⁹ There are many aspects of life in the Territory that are unique by reason of its isolation and fragile economic base, but any distinctiveness must not be seen in isolation from the national and global context.⁸⁰

Local peculiarities had significant bearing on the development of trade unions in the Territory, but it is also necessary to look outside of the Territory for the complete picture. All the difficulties workers faced in the Territory nurtured disgruntlement and in turn union growth but many of the ideas, skills, and resources of the movement, as well as the economic and political framework it operated in originated outside the region. An important influence on trade union growth in the Territory was the influx of union conscious workers from other parts of the nation, the administration of the region by the Federal government and the involvement of the Commonwealth arbitration system in the resolution of industrial

⁷⁴ Greg Patmore, 'Community and Australian Labour History' in *Challenges to Labour History*, pp. 169-188.

⁷⁵ Greg Patmore, 'Localism and Labour: Lithgow 1869-1932' in *Labour History*, no. 78, May 2000, p. 53.

⁷⁶ Kealey, 'Labour and Working-Class History', p. 239; Andrew Metcalfe, *For Freedom and Dignity: Historical Agency and Class Structures in the Coalfields of N.S.W.*, Allen & Unwin, Sydney, 1988, p. 6.

⁷⁷ Jon Stratton, 'Deconstructing the Territory' in *Cultural Studies*, vol. 3, no. 1, January 1989, p. 47.

⁷⁸ *CAR*, vol. 9, 1915, p. 10.

⁷⁹ 'Darwin is Different', draft manuscript, Bertha Walker Papers, State Library of Victoria, MC 10772, Box 2.

⁸⁰ David Montgomery, 'Responses to Howard Kimeldorf', p. 116.

disputes.⁸¹ What has emerged today in the Territory is a region that in many ways is similar to other parts of Australia and celebrating difference can hide the processes that have incorporated the region into the nation. Geoffrey Bolton, in his study of North Queensland, argues not to 'over-stress the picturesque' because it is important to consider how an isolated and independently minded community reproduced 'the Australian pattern of life almost in its entirety'.⁸² This study is interested in the role of the labour movement in the above process.

My thesis then, combines the 'old' with the 'new', the local with the national/global and organisation with community. The thesis will highlight how a locally-based union dealt with local grievances in the context of a highly transient workforce influenced by ideological trends and historical grievances emanating from all corners of the continent and indeed the world, given the large number of migrants attracted to the Territory.⁸³ My task is to determine the relative weight between local and outside factors influencing the evolution of the NAWU. In short, I argue that despite regional peculiarities, the NAWU reflected qualities very much in common with other Australian unions of its time, especially in its adherence to the white Australia policy and the arbitration system. I will also argue the NAWU was primarily influenced by events and processes emanating from other parts of the country.⁸⁴

The Arbitration System

The literature on the arbitration system in Australia is immense.⁸⁵ Of particular concern to this study is the formation in 1904 of the Commonwealth Court of Conciliation and Arbitration by the Federal government to settle industrial disputes occurring across state boundaries. When the Federal government took responsibility for the administration of the Northern Territory in 1911, jurisdiction for settling industrial disputes was granted to the Commonwealth Arbitration Court. State regulation of wages and working conditions had existed in Australia for some time, but the Commonwealth Court was more powerful because participation was compulsory, judgements were binding and unions were given legal

⁸¹ Vanden Driesen has noted similar trends in the development of trade unionism in Western Australia when eastern workers with trade union experience were attracted by the mining boom in the west (see I.H. Vanden Driesen, 'The Evolution of the Trade Union Movement in Western Australia' in C.T. Stannage, *A New History of Western Australia*, University of Western Australia Press, Nedlands, 1981, pp. 352-380).

⁸² G.C. Bolton, *A Thousand Miles Away: A History of North Queensland to 1920*, The Jacaranda Press, Brisbane, 1963, p. 323, pp. 331-332.

⁸³ This is a similar framework used by Len Richardson in his study of New Zealand coalminers in *Coal, Class and Community*, p. vii.

⁸⁴ Lyn Riddett used a similar framework for her work on the pastoral industry, see Lyn Riddett, *Kine, Kin and Country: The Victoria River District of the Northern Territory 1911-1966*, North Australian Research Unit, Darwin, 1990, p. 45.

⁸⁵ For an introduction to the history of arbitration in Australia see Greg Patmore, *Australian Labour History*, Longman Cheshire, Melbourne, 1991, pp. 101-126.

status as bargaining agents. Historians and scholars of industrial relations have debated vigorously over the advantages and disadvantages of the arbitration system for unions and, as we shall see in subsequent chapters, so have unionists. Ken Buckley and Ted Wheelwright argue workers gained little whereas Mark Hearn and Harry Knowles suggest this view is contradicted by the experience of workers in the pastoral industry where the Arbitration Court regularly granted improvements in wages except for during the Great Depression.⁸⁶ There is no doubt unions lost some autonomy when integrated into the machinery of state, but the literature highlights several areas advantageous to the unions which are relevant to this study.

Firstly, once a union was registered with the Arbitration Court, it was then recognised as the bargaining agent for its respective industry thus protecting it from the competition of rival unions.⁸⁷ Secondly, when the Arbitration Court adopted the principle of the 'fair and reasonable wage' or 'living wage' in 1907, it meant that workers in the Territory could expect to be compensated for the higher cost of living in the region. The concept of a 'fair and reasonable' wage was the linchpin of the turn of the century class alliance between unions and manufacturers, which came to be called 'New Protection'. In short, it granted increased tariff protection to manufacturers on the proviso they paid a 'fair and reasonable wage' to their employees. Judge Higgins incorporated the principle into the guidelines of the Arbitration Court in 1907, when he defined the minimum wage as one capable of satisfying the 'normal needs' of a *male worker*, his wife and children.⁸⁸ Originally, the living wage (at least in theory) was based on a worker's needs irrespective of the employers' ability to pay, but once its architect, Judge Higgins, left the Court in 1921, needs took second place to ability to pay.⁸⁹

Thirdly, as John Merritt has argued in his history of the AWU, the minimum wages and conditions stipulated by the Court's judgements (awards) protected workers from unscrupulous employers and was a major attraction or 'sanction' to workers joining unions. Merritt argues that even in times when the 'spirit of unionism' was in retreat, the AWU could sell the advantages of membership.⁹⁰ Awards were particularly relevant for workers in isolated regions like the Territory where employers sometimes took advantage of a worker's

⁸⁶ Ken Buckley & Ted Wheelwright, *No Paradise for Workers: Capitalism and the Common People in Australia 1788-1914*, Oxford University Press, Melbourne, 1988, p. 238; Hearn & Knowles, *One Big Union*, p. 18.

⁸⁷ D.W. Rawson, *Unions and Unionists in Australia*, Allen & Unwin, Sydney, 1979, pp. 49-50, Patmore, *Labour History*, p. 121.

⁸⁸ See Fred Alexander, *Australia Since Federation*, Nelson, Melbourne, 1982, pp. 26-27, Buckley & Wheelwright, *No Paradise for Workers*, pp. 220, 232-234.

⁸⁹ Tom Sheridan, *Mindful Militants: The Amalgamated Engineering Union in Australia, 1920-72*, Cambridge University Press, Cambridge, 1975, pp. 74-75.

⁹⁰ Merritt, *The Making of the AWU*, p. 359.

ignorance of acceptable wages and conditions and the lack of a continuous union presence to pay low wages. It was a different matter for Aboriginal workers in the Territory, who were excluded from the arbitration system until 1965.⁹¹ The down-side of the system for unions was the cost and delays associated with dealing with an overly legalistic body such as the Arbitration Court.⁹² For Territory workers, the cost and delays were multiplied by the fact that the Court did not have a regular presence in the North, leading to consistent calls from the NAWU for a local arbitration tribunal.

Merritt's argument on 'sanctions' is also relevant to this study in another way. He argues that as well as offering rewards for membership, there are also penalties for not following union policy. In the case of small communities such as Darwin, there were few places a worker could hide from what Jameson describes as the 'social pressure for union loyalty'.⁹³ Not only did workers meet at the workplace, the traditional source of union strength, but also most workers in Darwin lived close together and given the limited sources of entertainment, most relaxed together. For example, in 1914, the Vesteys meat company built a singlemen's quarters large enough to house 300 workers and in the post-war period large numbers of workers were housed in the former army camps that existed in and around Darwin. These living arrangements made it easier for the union to organise its membership and helped create and sustain a sense of common identity among the workers. If a worker decided to disobey a union directive, the penalties were quite serious, including ostracism, physical assault and unemployment. These practices were especially evident on the waterfront where the union controlled the hiring of labour.

Jameson also notes that common identity was also reinforced by the experience of transiency as it brought about a 'rapid diffusion of shared histories, values and social institutions'. The Territory's itinerant workers were not isolated solitary figures roving the countryside. Many of them knew each other from previous jobs and those who did not were drawn together having shared similar experiences of a transient life.⁹⁴

According to Jameson, a union's 'social authority' can extend beyond its membership to the wider community. She argues that 'Unions operated both as social centers and as primary sites to define working-class concerns and mobilize to address them'. In the case of the

⁹¹ See Rob Castle, Craig Clothier, Jim Hagan, 'Wage Fixing for Aborigines in the Northern Territory Cattle Industry, 1911-1965' in Patrick Bertola & Janis Bailey (eds), *Frontiers of Labour: Proceedings of the Fifth National Conference of the Australian Society for the Study of Labour History, Perth, Western Australia, 2-4 October, 1997*, ASSLH, Perth, 1997, pp. 41- 56.

⁹² Merritt, *The Making of the AWU*, p. 363.

⁹³ Jameson, *All That Glitters*, p. 73.

⁹⁴ Jameson, *All That Glitters*, p. 34.

Territory, the NAWU had considerable ‘social authority’. The possibility of a non-union community leadership was diminished by the existence of a weak and unrepresentative public administration and a small, divided business class.⁹⁵

The union was also actively engaged in providing entertainment for the community through such events as the Labour Day and May Day picnics and sports days, as well as institutions like the Darwin Workers’ Club. Lively union meetings also had entertainment value as the following excerpt from *The Northern Standard* reveals: ‘Mr Westaway [the meeting’s Chairman] objected to Mr McCormack’s remarks, ... A struggle followed in which the Chairman had his shirt practically ripped off.’⁹⁶ As this passage indicates, the union was not a unified body. D.W. Rawson argues that it is often the differences within a union that are more interesting than the common issues that drive workers into unions in the first place.⁹⁷ Rawson’s comments have some relevance to the NAWU but it was the common grievances that sustained the union over such a long period of time.

In a letter to the *NT Times* in 1913, ‘A worker’s protest’, the anonymous author described working in the Territory as ‘a dog’s life at best, with none of the romantic “halo” recounted by drawing room bushmen’.⁹⁸ For much of the period covered by this study, the chief grievances were frequent unemployment, the high cost of living due to the high cost of transporting goods from distant southern cities and the poor state of housing. Workers often lived in tents or other constructions likened to a ‘bark humpy’ or an ‘oversized kennel’. The only good housing was left for the administrative elite or ‘silvertails’ as they were locally known.⁹⁹ So in a tangible and visible way, workers knew they were being treated differently and this sustained working class identity and support for trade unionism. There were, of course, some advantages to working in the Territory. Wages had to be reasonably attractive for southern workers to travel north and Territory workers also enjoyed the 44-hour week long before other Australian workers.¹⁰⁰

⁹⁵ When the Federal Government assumed the administration of the Northern Territory, local citizens lost the right to elect a member of parliament. This right was restored in 1922 with the election of a non-voting parliamentarian. The Member for the Territory did not gain full voting rights in the Federal Parliament till 1968.

⁹⁶ *NS*, 9 May 1939.

⁹⁷ Rawson, *Unionists in Australia*, p. 13.

⁹⁸ *The Northern Territory Times and Gazette (NTT)*, 1 May 1913.

⁹⁹ NTAS: NTRS 226 TS 655, transcript of interview with Patrick McDonald; NTRS 226, TS 142, transcript of interview with Arthur Wright; *CAR*, vol. 11, 1917, p. 560. In 1941, the Member for the Northern Territory, MacAlister Blain said ‘I admit that government officials in Darwin are well housed and well catered for but we have been remiss in providing houses for people on the lower rungs of the social ladder’ (*CPD, H of R*, vol. 168, 20 August 1941, p. 18).

¹⁰⁰ When the Commonwealth Government assumed responsibility for the administration of the Territory, The Labor Party Minister responsible declared that the 44-hour week the standard hours for the region, some 15 years before the shorter working week was generalised throughout Australia. See National Archives of Australia (NAA), NT: A3, NT1912/5020, Inspector Skewes’ Report on rates of Wages to Artisans, Labourers and Others NT, 16 July 1912, p. 5.

How is the effectiveness of a union judged? The answer to this question is of course determined by one's expectations of what a union should do. Those who expect unions to be in the forefront of movements for social change are more often than not disappointed. Most unions now and in the past are generally too preoccupied with day-to-day industrial issues and have little time to think of changing the world. Even when members of the Communist Party led the NAWU, most of its activity revolved around local industrial disputes and Arbitration Court hearings. In a recent conference paper, Stewart Sweeney and Ingrid Voorendt argue that labour historians have avoided answering this question and tend to assume that the mere existence of a union made a difference. For the isolated workers of the Territory, there is a strong argument to suggest that they were better off with the NAWU than without. But Sweeney and Voorendt suggest four other criteria for determining a union's effectiveness, including a union's ability to reflect the wishes of its membership, the success of its campaigns, its political and industrial influence and its ability to lead social change.¹⁰¹ These criteria among others will be used to make an historical judgement on the contribution of the NAWU to the Territory labour movement.

The Making of the Territory Working Class

Many historians (this one included) are attracted to labour history because the existence of trade unions and industrial conflict can demonstrate in a very concrete way the existence of class antagonisms in society in contrast to those histories informed by consensus models of society.¹⁰² My work is informed by the idea that class does matter and that people's life chances are, in most cases, determined by their class location. This thesis is also informed by the concept that the state as a rule acts to protect the interests of the economically dominant class.¹⁰³ In the context of the Territory, this has meant that the state's role is to create favourable conditions for the private accumulation of capital, sometimes defined as 'developmentalism'.¹⁰⁴ Yet with direct Commonwealth administration of the Territory, the interests of local capital often took second place to national interests as is evident from such policies as the white Australia policy and the control of class conflict through bodies such as the arbitration system. Both policies delivered a higher wage economy, a guaranteed place

¹⁰¹ Stewart Sweeney & Ingrid Voorendt, 'Union Effectiveness: Still Hidden From History?' in Robert Hood & Ray Markey (eds), *Labour & Community: Proceedings of the Sixth National Conference of the Australian Society for the Study of Labour History, Wollongong, NSW, 2-4 October 1999*, ASSLH, Wollongong, 1999, pp. 261-266.

¹⁰² In 1967, Eric Fry defined labour history as 'the history of class'. See E.C. Fry in 'Symposium: What is Labour History?' in *Labour History*, no. 12, May 1967, p. 61. See also Introduction by Ira Berlin in Ira Berlin (ed), Herbert G. Gutman, *Power and Culture: Essays on the American Working Class*, Pantheon, New York, 1987, p. 6.

¹⁰³ See R.W. Connell & T.H. Irving, *Class Structure in Australian History: Documents, Narrative and Argument*, Longman Cheshire, Melbourne, 1986, p. 22, 110.

¹⁰⁴ Rolf Gerritsen, 'Left Theorising on the Northern Territory Political Economy: An Introductory Note' in P. Loveday & D. Wade Marshall, *Economy and People in the North*, North Australian Research Unit, Darwin, 1985, pp. 258-284.

for trade unions in Territory society and created obstacles to capital accumulation. Those local business interests who advocated keeping the Territory separate by promoting the use of low waged 'coloured' labour or keeping the region outside the influence of the arbitration system generally lost out to national concerns.¹⁰⁵

When trying to apply a class framework to the Territory, you are confronted with what Jameson calls the 'elastic boundaries' of the working class. She notes that not all members of the union community were strictly workers but some were small business people connected to the union by past associations and experiences.¹⁰⁶ Markey makes the same observation, describing the 'fluidity' of class position as workers shifted in and out of the working class, which he defines as all those people who can only survive by the sale of their labour power.¹⁰⁷ Part of the explanation for shifts in class location is that through necessity, as job opportunities decreased, workers sought alternative sources of income such as becoming independent prospectors or farmers. But it was also due to the working class dream of acquiring property to escape wage labour.¹⁰⁸ Some small business people also associated with the labour movement because of their political ambitions and the fact that trade unions were often launching pads for parliamentary careers.¹⁰⁹

Workers were attracted to the Territory because in many people's imagination, it was a frontier – a land of opportunity; a place for new beginnings and, in the words of an American historian, 'a metaphor for promise, progress, and ingenuity'.¹¹⁰ Like Queensland, the Territory was labelled a 'working man's paradise' to attract workers from the south in search of wealth, independence or just a new start.¹¹¹ It was a common claim that people coming to the Territory 'were running away from something ... from a wife, or debts, or a criminal offence ...'.¹¹² Tom Ronan was told by one bushman that 'Those of us ... who aren't dodging the police are dodging wives ...'.¹¹³ Long-time waterside worker and Communist Party member, Bill Donnelly, who was described by an intelligence agent as 'The most dangerous

¹⁰⁵ See Chapter 1, pp. 46-48.

¹⁰⁶ Jameson, *All That Glitters*, p. 12.

¹⁰⁷ Markey, *The Making of the Labor Party*, pp. 12-13.

¹⁰⁸ For a discussion about the strength of 'petite-bourgeois' aspirations in the Australian working class see Humphrey McQueen, *A New Britannia: An Argument Concerning the Social Origins of Australian Radicalism and Nationalism*, Penguin, Ringwood, 1970, p. 146; Connell & Irving, *Class Structure*, p. 120; Merritt, *The Making of the AWU*, p. 57; Markey, *The Making of the Labor Party*, pp. 12-13, 142.

¹⁰⁹ Ross Fitzgerald, *'Red Ted': The Life of E.G. Theodore*, University of Queensland Press, St Lucia, 1994, p. 15.

¹¹⁰ David Wrobel, cited in Patricia Nelson Limerick, 'The Persistence of the Frontier' in http://web7.searchbank.com/itw/se.../31115861w3/14!xrn_53_0_A15779449.

¹¹¹ Ross Fitzgerald, *From the Dreaming to 1915: A History of Queensland*, University of Queensland Press, St Lucia, 1982, pp. 304-5; *CAR*, vol. 11, 1917, p. 558.

¹¹² Dino Hodge, *Did You Meet Any Malagas? A Homosexual History of Australia's Tropical Capital*, Little Gem Publications, Nightcliff, 1993, p. 15; J.Y. Harvey, *The Never-Never Line: The Story of the North Australian Railway*, Hyland House, South Yarra, 1987, p. 180.

¹¹³ Tom Ronan, *Once There Was A Bagman: A Memoir*, Melbourne, Cassell, 1966, p. 66.

man in Darwin labour circles’, was escaping a failed marriage.¹¹⁴ Seventeen-year-old Ted Egan, who later became a renowned entertainer in the Territory, was attracted to Darwin after hearing that ‘big money’ could be made.¹¹⁵

It is difficult to construct a generalised picture of the workers attracted to the Territory. Union organiser, Jack Munro wrote in 1915 that ‘this is a country very different from other parts of Australia, having all colours and nationalities from every part of the world’ especially Greeks, Russians and Spanish workers.¹¹⁶ The multi-racial nature of Darwin society caused Judge Powers of the Arbitration Court to comment in 1917 that ‘“White Australia” does not extend to Darwin’.¹¹⁷

In 1924, Judge Powers also stated that ‘outside Darwin the Territory is, generally speaking, a country of men getting near to middle age and old men. Ninety-five per cent of the men are not married, and do not intend to marry.’¹¹⁸ Working class women also came to the Territory but for most of the period of this study men outnumbered them. In the words of Barbara James, women did make ‘their mark’ on Territory society and on the labour movement but their voice is often silenced.¹¹⁹ We know, for instance, about Mick Ryan, the union secretary expelled under armed guard from the Territory in 1942, but we know less of Jess Grant, his partner and fellow Communist Party member who followed him to the Territory and worked in the union office.¹²⁰ There are few documents that indicate the contribution of the mostly women office staff to the union’s work. Nevertheless, because paid officials spent many months away from the union office on organising trips, or at arbitration hearings, we can assume these women took on considerable responsibility for the day to day functioning of the union.¹²¹

A new start it might have been, but finding wealth in the Territory was often more difficult. Tom Ronan had personal experiences that made him cynical about the opportunities awaiting the new arrivals. He wrote in his autobiography that ‘The bright lad who five years earlier [1927] had left Broome to help his father make a fortune now owned three horses, a swag, and four half-rotten dingo scalps.’¹²²

¹¹⁴ Bill Donnelly, notes from interview with author, 13 June 1997; NAA, ACT:A6119/90, 2509 (vol. 1), ASIO report on William Donnelly, date stamped 3 July 1956.

¹¹⁵ Ted Egan, *Sit Down Up North: An Autobiography*, Kerr, Marrickville, 1997, p. 7.

¹¹⁶ *The Worker*, 20 January 1916.

¹¹⁷ *CAR*, vol. 11, 1917, p. 558.

¹¹⁸ *CAR*, vol. 20, 1924, p. 736.

¹¹⁹ Barbara James, *No Man’s Land: Women of the Northern Territory*, Collins, Sydney, 1989, p. 11.

¹²⁰ Joyce Stevens, *Taking the Revolution Home: Work Among Women in the Communist Party of Australia: 1920-1945*, Sybylla Press, Melbourne, 1987, p. 177.

¹²¹ See Chapter 7, p. 189.

¹²² Ronan, *Bagman*, p. 195.

Probably the most devastating portrait of failed opportunities is the story of Mark Shillingsworth in Xavier Herbert's novel *Capricornia*. Few writers have been able to recreate such a vivid picture of Territory society in the 1930s. Mark and his brother came to the Territory denying their working class origins in an attempt to find their place among the Territory's elite. While the brother succeeds in becoming a landowner, Mark finds companionship among the boozing railway fettleers, socialises with Aboriginal women, fathers a 'part-Aboriginal' son and finally sinks into debt, drunkenness and unemployment.¹²³

Herbert described the sexual relations between workers and Aboriginal women (consensual and non-consensual) as the 'the chief diversion of the common herd'.¹²⁴ Jack McPhillips, NAWU Secretary, 1940-41, and a leading member of the Communist Party, remembers the main past-time in Darwin as drinking, gambling and 'chasing gins' (slang term for Aboriginal women).¹²⁵ Even one of the writers generally more sympathetic toward Aboriginal people, Bill Harney, likens such sexual relations to the 'pioneer ... using the gifts [of the country] to his needs'.¹²⁶ Such relations were very rarely talked about openly but by the 1930s, the rising number of 'part-Aboriginal' children born in the Territory began to worry government authorities (and the union) as a possible threat to a 'white' Australia.¹²⁷

The consumption of alcohol played a significant part in the lives of Territory workers. In 1912, the Chief Protector of Aboriginals, Baldwin Spencer, described Darwin's European workers as 'drunken loafers'.¹²⁸ Judge Powers of the Arbitration Court stated in 1917 that 'the want of healthful entertainment, social meetings, or means of recreation causes many men to foolishly waste their time and money in hotel bars'. Powers estimated that from 10-20 per cent of wages earned in the Territory were spent on alcoholic drinks.¹²⁹

The poet Roland Robinson described Territory workers during the Second World War as 'drunk ... unshaven, obscene, quarrelsome, rag-tag and bobtail collection of refugees'.¹³⁰ Similarly, the image of the working class in Herbert's novels is generally one of fighting

¹²³ Xavier Herbert, *Capricornia*, Angus & Robertson, Sydney, 1993, pp. 11-12.

¹²⁴ Herbert, *Capricornia*, pp. 11-12.

¹²⁵ Jack McPhillips, notes from an interview with author, Sydney, 9 October 1996.

¹²⁶ Bill Harney, *Content to Lie in the Sun*, Rigby, Adelaide, 1974, p. 50. Harney was married to an Aboriginal woman. For further discussion on this issue see McGrath, *Born in the Cattle*, pp. 68-70; Rose, *Hidden Histories*, p. 51.

¹²⁷ Tony Austin, *Never Trust a Government Man: Northern Territory Aboriginal Policy 1911-1939*, Northern Territory University Press, Darwin, 1997, pp. 17-18. For union attitude to 'part-Aboriginals' see Chapter 6, pp. 167-168.

¹²⁸ Alcorta, 'The Origins', p. 28.

¹²⁹ *CAR*, vol. 11, 1917, p. 562. Powers' comments were echoed by Senator Newland when he said 'There is scarcely any other place for single men to spend their afternoons or evenings' (*CPD, Senate*, 18 July 1917).

¹³⁰ Roland Robinson, *The Drift of Things: An Autobiography 1914-1952*, Macmillan, South Melbourne, 1973, p. 262, 407.

'Booze artists'.¹³¹ However, there are many examples of workers who did not drink alcohol. Herbert later wrote that one of his characters was based on a non-drinking railway worker, ganger Flynn. He wrote 'He was never in the fun ... He didn't drink, and he didn't go for the dusky lassies who were the major cause of the riotous behaviour'.¹³²

After working in the Territory for some time, Roland Robinson's attitude to the local workers mellowed and he described how men went 'Troppo' with boredom. He wrote that 'If a lot of the fellows in 'Belsen' [a workers' camp in Darwin] drank to an excess, then I reckon they had their own private causes for doing so. Many were quiet, withdrawn, gentle men'.¹³³ Ted Egan argued that alcohol had become the 'great sexual sublimator' as a result of the small numbers of women in Darwin.¹³⁴ Charlie Schultz, an owner-manager of the Humbert River station in the Victoria River district, sympathetically spoke of the Territorians' affection for alcohol and justified it as part of 'The Great Australian Loneliness'.¹³⁵

Jack McPhillips was rather critical of some of his fellow unionists who drank excessively. He went to the pub every Saturday afternoon to meet his members but made one drink last the entire time.¹³⁶ McPhillips felt excessive drinking was a bar to becoming a good communist. McPhillips described war-time NAWU Secretary, Yorky Walker, as a 'good type of person, has a good knowledge of the union and although not a party member has quite good politics ... and would have been admitted as a member during my time in Darwin, except for his very heavy drinking'.¹³⁷ McPhillips was, after all, a member of a party that had once stated 'We of the C.P. do not tolerate drunkenness or any other form of inefficiency in our ranks'.¹³⁸

Other radicals discussed alcohol intake in class terms. In a letter to the editor of *The Northern Standard*, an anonymous writer justifies high alcohol consumption because it helps the workers 'forget their exploitation by the master class'.¹³⁹ Union officials like Yorky Walker questioned the double standards of a society where the elite 'parasite class' got drunk

¹³¹ Herbert, *Capricornia*, p. 11, 65.

¹³² Xavier Herbert, 'Tom Flynn of Rum Jungle' in *The Bulletin*, 31 March 1962, p. 12.

¹³³ Robinson, *The Drift of Things*, p. 262, 407.

¹³⁴ Egan, *Sit Down Up North*, p. 23.

¹³⁵ Charlie Schultz & Darrell Lewis, *Beyond The Big Run: Station Life in Australia's Last Frontier*, University of Queensland Press, St Lucia, 1995, p. 68.

¹³⁶ Interview with Jack McPhillips.

¹³⁷ Jack McPhillips, 'Union Organisation in Northern Territory', NTAS: NAWU Deposit, PAC 34, Box 32.

¹³⁸ *The Workers Weekly*, 24 August 1928.

¹³⁹ *NS*, 19 January 1940.

in the privacy of their exclusive clubs while the workers were harassed by the police for drinking in public hotels.¹⁴⁰

Jock Phillips shows in his study of New Zealand masculinity, how central the public bar was to a male dominated society such as existed in the Territory. He writes

The attractions of the pub were strong where so many men were unmarried and far from friends and relatives. Men came to the pub for company ... When men here wanted a psychological prop or an antidote to oppressive loneliness, they turned to the bottle. In addition, in a world where organised amusements were few, books expensive, and men thirsty for news, the pub provided a focus for entertainment and information.¹⁴¹

Not only was the pub the centre of the male world, it was also the site for the enunciation of class discourse.¹⁴² Jack McPhillips had to go to the pub to organise his members and Yorky Walker campaigned for the protection of the pub from police raids. Given the centrality of the pub to men's lives, it is no wonder that many conflicts in Territory history have centred on the pub. The Darwin rebellion of 1918 was part stimulated by the government's decision to nationalise the pubs in 1915 and there have been several 'Great Beer Strikes' in Territory history.¹⁴³ It is even the case that the early political activity of 'part-Aboriginal' workers involved a campaign to win the right to drink in the pubs.¹⁴⁴

The Radical Frontier?

A common assumption about itinerant workers such as those in the Territory is that they tend to be more militant and union conscious due to their isolation from the conservative influences of mainstream society.¹⁴⁵ But the US labour historian, Howard Kimeldorf, argues that 'the mere fact that a group of workers is isolated tells us nothing about the content of their politics' as isolation could also quarantine workers from radical influences. In his studies of the US waterfront unions, Kimeldorf shows how the isolation theory is proven in the case of the West Coast longshoremen but disproved in the case of New York. Kimeldorf describes the workers attracted to the West Coast as 'sparkplugs of labor unrest

¹⁴⁰ NS, 9, 12 April 1940.

¹⁴¹ Jock Phillips, *A Man's Country: The Image of the Pakeha Male – A History*, Penguin, Auckland, 1987, p. 56-57.

¹⁴² A study of the role of the hotel in sustaining working class organisation is in its infancy. See April 1999 discussion in North American email discussion list – <http://www2.h-net.msu.edu/~labor/>.

¹⁴³ See Chapter 2, p. 55, 72; Chapter 3, p. 80; Chapter 4, pp. 110-112; Chapter 7, pp. 190-191; Chapter 8, p. 213.

¹⁴⁴ See Sue Stanton, 'The Australian Half-Caste Progressive Association: The Fight For Freedom and Rights in the Northern Territory' in *Journal of Northern Territory History*, no. 4, 1993, pp. 37-46; Wells, *The Long March*, p. 74.

¹⁴⁵ An argument repeated by Stuart Macintyre in his recent history of the Communist Party of Australia (*Reds*, Allen & Unwin, St Leonards, p. 354). This argument was also used by Len Richardson to explain mining community radicalism in New Zealand (*Coal, Class & Community*, p. 1).

and radicalism', yet the New York waterfront was conservative due to the weakness of the left and the dominance of ethnic and religious identities over class identities.¹⁴⁶

In the case of North Queensland, Doug Hunt has shown that early attempts to form mining unions in the region generally failed because itinerant workers were often only interested in working 'for short periods simply to finance their own small claims; they showed scant interest in improving conditions'.¹⁴⁷ The renowned independence of the itinerant worker is also just as likely to fragment working class identity and develop into hostility to any form of collective action, especially if these workers were looking for ways to escape wage labour and become small proprietors or landholders.¹⁴⁸ Nevertheless, it was also the case that workers turned to unions to advance their interests when opportunities to escape wage labour failed to eventuate.¹⁴⁹ The early union leaders in North Queensland were only able to overcome resistance to union membership through strong organisation and a series of successful strikes that proved to many workers the advantage of union membership.¹⁵⁰

There were also those among the itinerant workers who chose the lifestyle to avoid the regimentation and discipline of the workplace. Tom Sheridan notes that such workers were often attracted to the waterfront because of the casual nature of the work.¹⁵¹ Employer attacks on itinerant workers as 'drunken idlers' had a long tradition in Australia.¹⁵² Besides posing a problem for management, they were more often than not just as uncontrollable for the union leaders.

As will become clearer in subsequent chapters, itinerancy was a factor in the emergence of trade unions in the Territory, not so much because of any inherent radicalism of the itinerant worker, but because of their trade union experience in other parts of Australia, especially North Queensland. Ray Markey also notes that in nineteenth century Australia, it was the itinerant worker who spread the gospel of unionism to all corners of the country.¹⁵³ Given the large number of itinerant workers in the Territory, it is little wonder that the NAWU quickly adopted many of the ideas and practices of trade unions in other parts of the country.

¹⁴⁶ Howard Kimeldorf, *Reds or Rackets: The Making of Radical and Conservative Unions on the Waterfront*, University of California Press, Berkeley, 1988, pp. 13, 22-23, 44.

¹⁴⁷ Doug Hunt, 'Mining Unionism in the Far North, 1907-1910' in *Lectures on North Queensland History, Third Series*, James Cook University, Townsville, 1979, p. 38.

¹⁴⁸ See footnote 108.

¹⁴⁹ See Markey, *The Making of the Labor Party*, pp. 138-139.

¹⁵⁰ Hunt, 'Mining Unionism', p. 44.

¹⁵¹ Tom Sheridan, 'Australian Wharfies 1943-1967: Casual Attitudes, Militant Leadership and Workplace Change' in *Journal of Industrial Relations*, vol. 36, no. 2, June 1994, p. 262.

¹⁵² Connell & Irving, *Class Structure*, p. 120.

¹⁵³ Markey, *The Making of the Labor Party*, pp. 138-139.

The Search for Evidence

When I started this project the main concern expressed by my peers was the likelihood that primary source material would be hard to find. Cyclones, wartime looting and termites, as well as a union that neglected to preserve its records, made my job harder. It is fortunate that the local newspaper for 30 years, *The Northern Standard*, was also the union paper. But stories of the last NAWU Secretary, Paddy Carroll, burning union files in a 44-gallon drum out the back of the union office just prior to amalgamation with the FMWU haunted me.¹⁵⁴ Some documents from the pre-1970s did survive in a number of boxes deposited with the Northern Territory Archives Service (NTAS).¹⁵⁵ I also spent several days with two other labour historians moving boxes from the damp, mouldy basement of the Northern Territory Labour Council. We were able to find a few more items, including a late 1940s water damaged membership book and a statutory declaration from a long-term union member on the formation of the NAWU, but little else. Otherwise, my research has involved looking far and wide for any reference to the union in archives throughout Australia. A lack of funds meant I could not visit every state and there are some archives that may still reveal something more of the nature of the union.¹⁵⁶ I leave that to those who come after me. Oral history has been an important source of information, but it too has been limited by the number of workers and union activists who had either left the Territory or have since died. Attempts to find surviving members through newspaper advertisements, letters and radio appeals were not very fruitful. Nevertheless, an invaluable source for all Territory historians is the extensive oral history collection of the NTAS.

Crucial to my research were the thousands of dossiers kept on labour movement activists by the Australian Security Intelligence Organisation (ASIO) and its predecessors over the last 80 years. The NAWU, when members of the Communist Party led it, was a particular target of ASIO surveillance. As an historian (but not as a civil libertarian), I felt somewhat grateful for the ASIO agent who wrote to his superiors in 1951 stating that ‘The affairs of this union will be watched closely’.¹⁵⁷ To my knowledge, no historian of the Northern Territory has utilised this material before. Apparently many files have been destroyed and ASIO will only release what they choose to but, as a rule, they are only concerned with restricting information that may identify their agents and informers. Included in these deposits are documents obtained by various police raids of Communist Party offices, transcriptions of intercepted union mail, tapped phone conversations and important (sometimes inaccurate)

¹⁵⁴ Email correspondence with Brian Manning from Darwin, 28 September 2000.

¹⁵⁵ NTAS: NAWU Deposit, PAC 34. At the time of writing, this deposit has not been catalogued.

¹⁵⁶ In particular the Frank Bishop papers at James Cook University.

¹⁵⁷ NAA, ACT: A6122/R1, 244, ASIO field officer’s report, 7 July 1951.

biographical information about those under investigation. The bulk of the material involves reports from field agents who are particularly biased against those they are investigating. No doubt, this is partially driven by the security agency trying to justify its existence by demonising its targets. However, even the most biased reports give us a useful (sometimes humorous) insight into the nature of the times.

The other major source of information has been the local Darwin newspapers, *The Northern Territory Times and Gazette* (1873-1932), *The Northern Standard* (1921-1955) and *The Northern Territory News* (established 1952). Herbert Gutman, the Thompson-inspired North American labour historian, has argued that local newspapers, as opposed to national newspapers, provide valuable information on local labour movements. Gutman argued that they often provide extensive data about workers that is not reported nationally.¹⁵⁸ Elizabeth Jameson used local papers extensively in her research and argues that such papers are a rich source of 'daily life and gossip'.¹⁵⁹ Even though non-Territory newspapers covered the activities of the northern labour movement, they had a tendency to over-dramatise and demonise union activities. Local papers are often less hostile to unions because they rely on unionists to buy the paper and where else is there a day to day record of local events? In 1964, the NAWU Secretary, Paddy Carroll, told his members that 'we are very well covered by the press in the Northern Territory and this helps us when fighting for better conditions'.¹⁶⁰

Finally, as we will see, the NAWU's commitment to the arbitration system has meant that the judgements of arbitration cases involving the union have been recorded in the *Commonwealth Arbitration Reports*. As a result, this thesis is also a history of the application of the arbitration system to the Northern Territory.

Throughout the thesis, it will become clear that I have made a conscious effort to include as much biographical detail of the main protagonists as possible.¹⁶¹ Predicting that they would be accused of reviving the 'Great Man' theory, Hearn and Knowles argue in the introduction to their history of the AWU, that the stories of strong individuals (often men) cannot be avoided when writing trade union histories because such individuals often found agency through trade unions.¹⁶² If such a situation was possible in a large union like the AWU, it is even more likely in a small union like the NAWU and in a small community such as Darwin.

¹⁵⁸ 'Interview with Herbert Gutman' in Gutman, *Power and Culture*, pp. 329-356.

¹⁵⁹ Jameson, *All That Glitters*, p. 11.

¹⁶⁰ NTAS: Pac 34, Box 32, Minutes of NAWU Central Council, 25 October 1964.

¹⁶¹ It is also a feature of Elizabeth Jameson's work.

¹⁶² Hearn & Knowles, *One Big Union*, p. 16.

More importantly, however, I use the biographical information to reveal the links between the NAWU's mostly transient membership, and the labour movement in other parts of Australia.

The thesis is divided into nine chapters corresponding to specific periods in the history of the NAWU and its predecessors. As stated earlier, a history of the NAWU necessitates an examination of those unions that preceded it and this will occur in the opening chapters. Much of the character of the NAWU was evident in these early unions which in turn were influenced by ideas emanating from North Queensland. Chapter One describes the formation of the first union in the Territory and introduces some of the key leaders who went on to play a significant role in the formation of the NAWU in 1927. This chapter also includes an analysis of the first intervention of the arbitration system into the Northern Territory, an event that set the industrial relation's agenda for the next 50 years. Chapter One also shows that right from the start these early unions did not limit their activity to the workplace but followed the tradition of their North Queensland counterparts and actively intervened in electoral politics.

Chapter Two examines the issues that led to the Darwin Rebellion, a defining moment for trade unionism in the Territory but an event that is just as much indicative of post-war working class militancy across Australia than something peculiar to the Territory.

Chapter Three outlines the events that led to a serious split in the Territory union movement, out of which emerged the NAWU. The split was directly related to the political and industrial fall-out created by the closure of the Darwin meatworks and a nation-wide conservative reaction against trade union militancy. This chapter also shows how the NAWU was looking to amalgamate with the larger southern-based AWU rather than remain a distinct Territory entity.

Chapters Four and Five concentrate on the tensions created within the NAWU by the onset of the Great Depression and the formation in Darwin of a branch of the Communist Party. Distance and isolation could not protect the NAWU from these major economic and political forces. Chapter Six is an account of the continuing ideological battle between the left and right wings of the union, leading to the ultimate success of the left and the rise of Communist Party influence in the union.

Chapter Seven is an account of how the union was able to reorganise during and after the Second World War with the support of friendly southern-based union officials. Chapter

Eight outlines the events leading to the defeat of Communist Party leadership of the NAWU and the relationship between these events and similar events in other parts of the country.

Chapter Nine is the story of the union under the leadership of Paddy Carroll, who was NAWU Secretary continuously from 1958 until it was taken over by the FMWU in 1972. Carroll is most remembered nationally for his involvement in the NAWU's 1965 claim before the Arbitration Court for award wages for Aboriginal pastoral workers. This chapter critically assesses the role of the NAWU in that campaign. Chapter Nine also examines the reasons why the NAWU membership voted to give up its regional identity and amalgamate with a large southern-based union. Finally I will offer some conclusions based on the questions raised in this introduction as well as make an assessment of the place the NAWU and its predecessors hold in Territory history.

Having completed this survey of historical writing dealing with the Territory, its workers and their organisations, it is now time to begin our narrative with the formation of the first trade union in the Territory, a Darwin branch of the 'Fighting AWA'.¹⁶³

¹⁶³ Ernest Lane (brother of radical journalist William Lane) coined the phrase 'fighting AWA'. See K.H. Kennedy, 'The Rise of the Amalgamated Workers Association' in *Lectures on North Queensland History, Second Series*, James Cook University, Townsville, 1975, p. 204.

Chapter One

‘all the firebrands have come this way’¹

1911-1915

‘Owing to the isolation of Darwin and environs, workmen by organizing have been able to enforce their demands to an extent which would have been impossible if surplus labour had at the moment of demand been available. But even after allowance for this strategic enforcement of demands, it has become well established that a substantial addition to the bare cost of living should be made to meet the peculiar disadvantages of employment in the Territory. – Arbitration Court Judge Beeby, 20 September 1927.’²

Two days before Christmas day, 1911, about 40 male European workers, dressed in white or khaki light linen suits made by local Chinese tailors, met in the Palmerston Town Hall to form a local branch of the Queensland-based Amalgamated Workers Association (AWA).³ The Town Hall was not an imposing ornate structure like those in Sydney or Melbourne, but it was still one of the few substantial stone buildings in the small frontier town and the site often chosen by Darwin’s citizens for public meetings.

Who were these pioneer unionists, where had they come from and why were they meeting to form a union that Saturday evening in the hot and humid wet season conditions, under the flickering acetylene lights of the Town Hall?⁴ This chapter investigates these questions and examines the type of unionism that was planted in the Territory in the early decades of last century.

¹ AWU Organiser Jack Munro’s report on Darwin to 3rd Annual Delegates Meeting, Queensland Branch AWU, 6 January 1916 in Australian Workers Union, Darwin Matters, Northern Territory University Library Special Collection.

² *Commonwealth Arbitration Reports (CAR)*, vol. 25, 1927, p. 899.

³ *The Northern Territory Times and Gazette (NTT)*, 29 December 1911. Prior to 1911, Darwin township was known as Palmerston. In *NTT*, 15 December 1911, it was announced that plans were underway to set up a North Australian Workers Union but this name did not appear again until 1926.

⁴ The *NTT* of 26 July 1920 records that the Town Hall had acetylene lighting.

It is unfortunate that the work of the minutes secretary, 52-year-old shop owner, Villiers Presley, a future mayor of Darwin, did not survive. Prior to arriving in Darwin in 1908 with his wife and four children, Presley had shown an interest in 'labour matters' in Queensland. Once in the Territory, Presley tried his luck at prospecting on the short-lived Umbrawarra Gorge tin field, near Pine Creek.⁵

Presley, like hundreds of others, had been attracted to the Umbrawarra Gorge after hearing 'sensational "yarns" ' about the field's prospects.⁶ The *Northern Territory Times and Gazette (Times)* regularly welcomed the arrival of a 'sturdy' European prospector into the Territory seeking 'to make his fortune'.⁷ Many of them had come from Queensland but as was often the case with mining in the Territory, the promises proved illusory.⁸ Conditions were poor and many miners died from undisclosed fevers. The nearest doctor was 200 kilometres away in Darwin.⁹ In July 1909, there were 200 men working in the narrow, steep-sided rocky gorge, but by October the situation was 'gloomy and depressing' and a month later there were only 14 miners left.¹⁰ By this stage, many wandering fortune seekers were trying their luck at new El Dorado's such as the Tanami goldfield, close to a thousand kilometres away near the Western Australian border.¹¹ Some prospectors had been successful but most were just 'making tucker'.¹² Men like Presley were more fortunate because they could fall back on their business interests, while others returned to Darwin to compete for the few available jobs or, if they had the fare, leave the Territory. Darwin at this time was a very small village with a commercial sector dominated by Chinese merchants and little industry apart from the railway, the wharf and an occasional government or municipal contract.

By 1911, Presley was already a seasoned political campaigner having unsuccessfully stood for preselection as an election candidate for the Umbrawarra Political and Progress Association (UPPA) prior to the 1910 South Australian election.¹³ The demands of this fledgling labour organisation, formed to 'advance the interests of every workingman in the N.T.', reflected many of the concerns of the Australian labour movement in the early years

⁵ *NTT*, 14 January 1910; Helen J. Wilson & Edna Neilson, 'Presley, Villiers Clarence Murray' in David Carment & Barbara James (eds), *Northern Territory Dictionary of Biography, Volume Two*, NTU Press, Darwin, 1992, pp. 168-170. Presley was Mayor in 1926 (*The Northern Standard (NS)*, 6 August 1926).

⁶ *NTT*, 9 April 1909. Five years earlier miners had complained in the *NTT* about the exaggeration by southern newspapers of the potential of tin mining in the Territory (*NTT*, 19 August 1904).

⁷ *NTT*, 4 June, 15 October 1909.

⁸ *NTT*, 11 June, 13 August, 10 September, 15 October 1909.

⁹ *NTT*, 9, 23 April, 18 June, 27 August 1909.

¹⁰ *NTT*, 30 July, 22 October, 5 November 1909.

¹¹ *NTT*, 15 October 1909, 24 June, 19 August 1910, 27 November 1911.

¹² *NTT*, 1 April 1910.

¹³ Wilson & Neilson, 'Presley', pp. 168-170.

of last century. These demands included a 'white' Australia, minimum wages and the desire to ultimately escape wage labour through ownership of land or mineral leases.¹⁴ There were calls for government assistance to 'bona-fide' [non-Asian] prospectors and the redistribution of Territory lands from the large absentee landholders to the small settler.¹⁵ However, divisions emerged in the UPPA, resulting in several candidates competing for the workers' vote including another prospector and self described 'general agitator', William J. Bournes.¹⁶

Presley's minutes of the first AWA meeting may not have survived, but we can get an idea of what was probably discussed from records of other events close to the date. Perhaps the workers present were enthusiastic about the prospect of the gains won by the AWA in Queensland being extended to the Territory, especially in the light of the August 1911 victory by the union over the giant Colonial Sugar Refinery for increased wages, shorter hours and union recognition.¹⁷

Frank Alcorta makes an issue of the confusion of these pioneer unionists over the name of their new organisation. In the local press, unionists called their new organisation various names including the AWA and the Australian Workers Union (AWU). Such confusion is understandable given the close links between the two Queensland unions. The AWA and the AWU shared a common journal, *The Worker*, and by 1913, the two unions had merged into a single organisation with the name AWU. According to historian, Kett Kennedy, the Queensland AWA was one of the most influential unions in the country at the time.¹⁸ Formed in 1907 by a future Queensland premier and federal treasurer, Ted Theodore, the AWA operated in North Queensland and was popularly known as the 'Fighting AWA' because of its reputation for militancy. Like the future NAWU, it was a general labourers union incorporating miners, sugar workers, railway labourers, smelter hands and town labourers.

¹⁴ See Introduction p. 19; *NTT*, 19 November 1909.

¹⁵ *NTT*, 18 March 1910.

¹⁶ For a description of the 1910 election campaign see Frank Alcorta, 'The Origins of Trade Unionism in the Northern Territory' in *Labour History*, no. 43, November 1982, pp. 30-31; *NTT*, 18 March 1910, 28 April 1925.

¹⁷ For more information on the AWA see K.H. Kennedy, 'The Rise of the Amalgamated Workers Association' in *Lectures in North Queensland History Second Series*, James Cook University, Townsville, 1975, pp. 189-210; Ross Fitzgerald, *From Dreaming to 1915: A History of Queensland*, University of Queensland Press, St Lucia, 1982, pp. 327-8; Mark Hearn & Harry Knowles, *One Big Union: A History of the Australian Workers Union 1886-1994*, Cambridge University Press, Cambridge, 1996, pp. 112-115. For specific information on the 1911 Sugar Strike see John Armstrong, 'The Sugar Strike, 1911' in D.J. Murphy (ed), *The Big Strikes: Queensland 1889-1965*, University of Queensland Press, St Lucia, 1983, pp. 100-116; Kay Saunders, 'Masters and Servants' in Ann Curthoys & Andrew Markus (eds) *Who Are Our Enemies?: Racism and the Working Class in Australia*, Hale & Iremonger, Neutral Bay, 1978, pp. 96-111.

¹⁸ Kennedy, 'The Rise of the Amalgamated Workers Association', p. 189.

We can also safely assume that the 'Chinese question' was discussed that Saturday evening.¹⁹ Right up until 1911, the number of Chinese in the Territory outnumbered the Europeans even though racial exclusion policies had existed during the period when South Australia administered the region.²⁰ Specifically, these included a ban on the employment of Chinese on new mining fields and a clause in government contracts stipulating the use of European labour 'if available'. However, the inclusion of the last two words in the contracts generally meant that Chinese workers were still often employed before Europeans.²¹ The Chinese worked the wharf, the sorting sheds as well as successfully bidding for most municipal contracts.²² A central part of William Bournes' election campaign in 1910 was the call to exclude 'Asiatics' from employment.²³

With the Commonwealth takeover of the Territory in 1911, the white Australia policy was tightened. One of the first acts of the Fisher Labor Government (1910-1913) was to direct that only Europeans be employed on the wharf unloading ships. Although there were protests from the Chinese community about the hardship created by this decision, the Acting Administrator had little power to revoke a Federal government directive.²⁴ William Bournes, who appears not to have been at the first union meeting, could claim some credit for the decision to exclude the Chinese from the wharf. He had sent a telegram to the Minister for External Affairs (the minister responsible for the Territory) in January 1911 protesting the employment of Chinese workers while there were unemployed Europeans in Darwin.²⁵ In his telegram, Bournes also asked for the wages of European wharf labourers to be increased by 6d to 24d per hour (the Chinese workers received 12d) for the day shift (7am to 6pm) plus

¹⁹ In 1910, Thomas Crush, Brock's Creek (near Pine Creek) publican and Labor Party representative for the Northern Territory in the South Australian Parliament argued that 'apart from the Chinese question, there were no labour problems to be dealt with yet in this country' (Barbara James, 'Crush, Thomas George (Tom)' in David Carment & Helen J. Wilson (eds), *Northern Territory Dictionary of Biography, Volume Three*, NTU Press, Darwin, 1996, p. 63).

²⁰ *Annual Report of Acting Administrator, 1911*.

²¹ For information on the exclusion of the Chinese from mining see Timothy G. Jones, *The Chinese in the Northern Territory*, NTU Press, Darwin, 1990, p. 48; Sue Harlow, *Tin Gods: A Social History of the Men and Women of Maranboy 1913-1962*, Historical Society of the Northern Territory, Darwin, 1997, p. 3; *NTT*, 28 May 1909. For information on government contracts see *South Australian Parliamentary Debates (SAPD)*, 23 November 1909.

²² The sorting sheds were approximately one kilometre from the wharf and it was here that goods were collected before delivery to local customers or to waiting steamers. Frank Alcorta has shown how the Chinese were often awarded contracts over cheaper European tenders because they were considered more reliable and harder working (Alcorta, 'Origins', p. 27).

²³ *NTT*, 18 March 1910.

²⁴ *NTT*, 3 March 1911.

²⁵ National Archives of Australia (NAA), ACT: A1/15, 1912/4203, telegram, Bournes to Minister External Affairs, 7 January 1911. I want to credit Frank Alcorta for drawing my attention to this file.

time and a half for overtime, a rate more akin to other ports in Western Australia and Queensland.²⁶

The man in charge of the wharf, the Superintendent of the North Australian Railway, complied with the government's instructions but used his own permanent railway employees rather than the town's unemployed, whom he considered 'undependable', 'worthless' and who 'will not leave the hotels in the town'.²⁷ Nevertheless, in April, the Minister directed the Superintendent to employ casual workers from among the local unemployed and pay them the same as wharf labourers at the North Queensland port of Cairns.²⁸

Employment on the wharf was better than nothing but there were so few ships using the port that it was no guarantee against poverty. Some months later, the Acting Administrator admitted to the Minister for External Affairs that 'no lumper [wharf labourer] can live on the money he earns here'. According to the Acting Administrator, the average earnings of a waterside worker at this time were 29s per month.²⁹ Given that board and lodgings at the three hotels in Darwin could range from 20s to 30s per week, poverty must have been a common experience for many workers in Darwin who did not have the luxury of permanent work.³⁰

We can be almost certain that the workers present at the first AWA meeting also discussed the strike on the wharf the previous Saturday when railway workers seconded to the wharf were denied overtime rates after 1pm, the usual practice in other northern ports. The strike spread to the sorting shed, after Chinese labourers were used to replace the striking wharfies who had been dismissed. Edward Finnegan, a leader of the strike and the union's new treasurer, would have been able to report to the meeting that the Minister had ordered the men reinstated and launched an inquiry into the issue.³¹

²⁶ NAA, ACT: A1/15, 1912/4203, letter, Superintendent of Northern Territory Railway to Government Resident, 26 January 1911. Prior to 1914, there was no standardised award for waterside workers and each port operated under a local agreement (Margo Beasley, *Wharfies: A History of the Waterside Workers' Federation of Australia*, Halstead Press, Rushcutters Bay, 1996, p. 31).

²⁷ NAA, ACT: A1/15, 1912/4203, letter, Superintendent, Northern Territory Railway to Acting Administrator, 19 December 1911.

²⁸ NAA, ACT: A1/15, 1912/4203, letter, Secretary, Department External Affairs to Acting Administrator, 5 April 1911. See letter in *NTT*, 17 March 1911 by 'Nyngan' calling for non-rail workers to work the wharf.

²⁹ NAA, ACT: A1/15, 1912/4203, telegram, Acting Administrator to Minister External Affairs, 27 February 1912.

³⁰ NAA, ACT: A3, NT1912/5020, Inspector Skewes' Report on Rates of Wages to Artisans, Labourers, and Others N.T., 16 July 1912.

³¹ *NTT*, 22, 29 December 1911, 5 January 1912; NAA, ACT: A1/15, 1912/4203, telegram, Finnegan to Department External Affairs, 18 December 1911 & Evidence of Station Master Pickford.

What is apparent from the success of Bournes and Finnegan in lobbying the Federal government, is that despite their geographic isolation, Darwin workers had some knowledge of the wages and conditions in other Australian ports. They were also adept at using their contacts with the rest of the Australian labour movement to advance their claims. These connections with the wider labour movement were a result of the itinerant nature of the Territory's working class. For waterside workers, it was also a help to have a government led by a Prime Minister who had spent time on the executive of the Waterside Workers Federation.³²

The connections the local workers had with the Federal government clearly angered the manager of the railway, who wrote a letter to the Acting Administrator claiming that his 'control of the employees will be impossible' if telegrams from 'irresponsible persons' can get dismissed workers 'reinstated without any inquiry'.³³ The manager also told the Acting Administrator he felt the casual workers were 'now in the hands of agitators'.³⁴ He may have been right. Four days after the inaugural meeting of the Darwin AWA, a group of casual labourers refused to load coal at the '2½ mile' (present day Parap) railway loading yard when they were denied the same wages as wharf labourers.³⁵ The workers were then replaced with sailors from the naval vessel requiring the coal, which in turn led to more strikes over the use of non-union labour.³⁶

As the new year dawned, relations between the union and the NT Administration continued to deteriorate. In January 1912, the Acting Administrator wired the Minister, arguing that the use of Darwin's unemployed as casual hands on the wharf was not 'satisfactory'. He described the local unemployed as itinerants usually 'found staying at Hotels and are here either on ill health, for a change, for a holiday, or for a drinking bout'.³⁷ Nevertheless, the union continued to win support from the Federal government and in late January was granted its claim of overtime rates after 1pm on Saturday.³⁸

From this high point, the union's campaign quickly degenerated. When the wharf labourers received their next pay they discovered they were being paid the Cairns rate for all work.

³² Beasley, *Wharfies*, p. 22.

³³ NAA, ACT: A1/15, 1912/4203, letter, Superintendent, Northern Territory Railway to Acting Administrator, 19 December 1911.

³⁴ NAA, ACT: A1/15, 1912/4203, telegram, Acting Administrator to Minister External Affairs, 16 December 1911.

³⁵ NAA, ACT: A1/15, 1912/4203, letter, Superintendent Northern Territory Railway to Acting Administrator, 30 December 1911.

³⁶ NAA, ACT: A1/15, 1912/4203, Wharf Labourers: Record of Wharf Work After Strike, 16/12/11.

³⁷ NAA, ACT: A1/15, 1912/4203, telegram, Acting Administrator to Minister for External Affairs, 8 January 1912.

³⁸ NAA, ACT: A1/15, 1912/4203, letter, Minister External Affairs to Acting Administrator, 27 January 1912.

Because the Cairns rate for normal (non-overtime) hours was inferior to the Darwin rate, the workers once again went on strike. At this point, divisions began to emerge in the union. The *Times* argued that the workers had been 'led astray by Finnegan' on the advantages of the Cairns rates.³⁹ In a telegram to the Minister on 16 February, the Acting Administrator stated that a deputation of workers had met him and had 'condemned' the strike as 'antagonistic' to the union.⁴⁰ A motion was also passed at an AWA meeting censuring the wharf workers for striking without union authorisation.⁴¹

By late February, the union had clarified its demand, which was basically a combination of both the Cairns and Darwin rates. The workers argued for the Darwin weekday rates and the Cairns rates for Saturday overtime.⁴² The Minister expressed to the Acting Administrator that he had some sympathy with the union's demands because of the intermittency of work on the wharf, but he was anxious not to increase stevedoring costs.⁴³ The Acting Administrator urged the Minister to show 'firmness' to the 'gang of town loafers' on the wharf and adhere to only one set of rates.⁴⁴ By the beginning of March, however, the Minister had washed his hands of the matter and told the Acting Administrator to get the shipping companies to make their own arrangements for labour.⁴⁵

As a result of the industrial unrest in Darwin, the Federal government sent Mr Skewes, a Queensland Public Service Inspector, to the Territory in June 1912, to determine a 'fair and reasonable' wage for labourers in the government service.⁴⁶ In his report, Skewes argued that the cost of living in Darwin was 37 per cent higher than Sydney, Melbourne and Brisbane and that Darwin wages should be adjusted accordingly with some deduction for what he considered the poor efficiency of Darwin workers. Skewes reported that 'Some of the men employed are rendering satisfactory service, but the majority are not'. In the end he recommended an increase in the wage of a labourer from just over 16d per hour to 17d. This increase did not apply to wharf workers who were already earning 21d, but did apply to labourers on public works, the railway, survey hands and cooks.⁴⁷ The Skewes Report is important because its findings were again used in 1915 when the Arbitration Court handed

³⁹ *NTT*, 23 February 1912.

⁴⁰ NAA, ACT: A1/15, 1912/4203, telegram, Acting Administrator to Minister External Affairs, 16 February 1912.

⁴¹ *NTT*, 23 February 1912.

⁴² NAA, ACT: A1/15, 1912/4203, telegram, Acting Administrator to Minister External Affairs, 20 February 1912.

⁴³ NAA, ACT: A1/15, 1912/4203, telegram, Minister External Affairs to Acting Administrator, 23 February 1912.

⁴⁴ NAA, ACT: A1/15, 1912/4203, telegram, Acting Administrator to Minister External Affairs, 27 February 1912.

⁴⁵ NAA, ACT: A1/15, 1912/4203, telegram, Minister External Affairs to Acting Administrator, 1 March 1912.

⁴⁶ See Introduction, p. 15.

⁴⁷ Skewes Report.

down the first award for the Northern Territory and based it on the principal of a 'fair and reasonable wage'.

AWA financial statements report that by mid 1912, the Darwin branch had 128 members.⁴⁸ There is little else reported in the local press of union activity for the remainder of that year but the next year was a calamitous one for the local union.

'discredited ... mischief makers'

In January 1913, a former AWA militant, Charles 'Chas' O'Malley, was elected as the new Chairman of the Darwin branch. Described by Terence Cutler as an 'inspired orator', O'Malley had gained his union experience as a shearer in the AWU and was a founding member in 1909 of the North Queensland-based Sugar Workers Union, which later amalgamated with the AWA. In one incident during a strike of sugar harvesters, O'Malley was charged but acquitted of conspiring to blow up a sugar mill.⁴⁹ Joining O'Malley on the AWA executive were William Bournes and Edward Finnegan.⁵⁰ Also present in the union was Alf Pain, a former miner from Herberton in North Queensland and a veteran of the Queensland labour movement. In 1907, Pain formed the Herberton Socialist League, and stood unsuccessfully as an endorsed Labor candidate in the elections of 1907 and 1908. In 1909, Pain lost Labor preselection to AWA leader, Ted Theodore, who subsequently won the election. Pain had criticised Theodore and the AWA leadership, for the lack of rank and file control in the union. In 1909 he also ran for the position of AWA organiser. He was later censured by the AWA conference for slandering his rival, another future Queensland premier, William McCormack. In 1909, *The Worker* accused Pain of being a 'traitor' for suggesting that all workers, irrespective of race, should be allowed to join the AWA. Because of this view and his support for more rank and file control, Pain was accused of being a member of the Industrial Workers of the World (IWW) and this accusation followed him to the Territory.⁵¹

⁴⁸ Noel Butlin Archives Centre, Australian National University, Canberra (NBAC): Australian Workers Union, N117/386, Annual Report and Financial Statement of the Amalgamated Workers Association of Queensland.

⁴⁹ T.A. Cutler, *The History of the Australasian Meat Industry Employees Union: A Study of the Internal Dynamics of a Labour Organisation*, PhD Thesis, University of NSW, 1976, p. 96; Doug Hunt, *A History of the Labour Movement in North Queensland: Trade Union Politics and Industrial Conflict, 1900-1920*, PhD Thesis, James Cook University, 1979, p. 36, 51; Doug Hunt, 'Exclusivism and Unionism' in Curthoys & Markus (eds), *Who Are Our Enemies?*, p. 89.

⁵⁰ *NTT*, 9 January 1913.

⁵¹ Doug Hunt, 'Mining Unionism in the Far North, 1907-1910' in *Lectures on North Queensland History, Third Series*, James Cook University, Townsville, 1979, p. 41, 53; Hunt, *Labour Movement in North Queensland*, p. 103; Raymond Evans, *Loyalty and Disloyalty: Social Conflict on the Queensland Homefront, 1914-18*, Allen & Unwin, Sydney, 1987, p. 15; Ross Fitzgerald, *"Red Ted": The Life of E.G. Theodore*, University of Queensland Press, St Lucia, 1994, pp. 14-40.

The IWW or the ‘wobblies’ as it was popularly known, originated in the United States of America in 1905 and made its appearance in Australia in 1907. It was a revolutionary syndicalist organisation, meaning that it saw the anti-capitalist revolution being organised by workers in one large united industrial trade union, the ‘one big union’, rather than through a political party. The IWW advocated direct action as opposed to arbitration, inclusive unionism as opposed to racially-based unionism, and an anarchistic disdain for union leaders and the Labor Party.⁵² Given such views, it is easy to see why Theodore disliked Pain but it is unclear if in fact Pain was ever a member of the IWW, or whether he was just accused of being so by his opponents in order to discredit him.⁵³ Before the formation of the Communist Party in the 1920s, the IWW was the most militant organisation among Australian workers and any outbreak of dissent among workers, no matter what its cause, was often attributed to the IWW.

Because of the presence of O’Malley and Pain in the Darwin union, Theodore described the new leadership as ‘discredited ... mischief makers’.⁵⁴ In March 1913, the new NT Administrator, J.A. Gilruth, announced that from 1 April, government survey hands would no longer receive a weekly 15s tropical allowance, a wage cut of 17 per cent per week.⁵⁵ As a result of this announcement, 10 labourers resigned from the Daly River surveyors’ camp (approximately 200 kilometres south west of Darwin) in March arguing that their treatment would discourage other workers from making the Territory their home.⁵⁶ The Administration, however, was not short of replacements as it had been advertising in the southern capitals throughout March for new survey hands. Gilruth justified the wage cut on the grounds that costs in the North were not ‘so excessive over the cost in the south as to warrant such an advance’.⁵⁷ The new rates were also in accord with the schedule set by Inspector Skewes the year before.⁵⁸

In the words of ‘Cicada’, in the *Times*, the Territory is not the ‘paradise ... advertised by Government officials in southern papers ... it is a veritable penitentiary’.⁵⁹ In another letter to the *Times*, the mood in the Territory was described as ‘a great discontented feeling’. The

⁵² Frank Farrell, *International Socialism & Australian Labour: The Left in Australia*, Hale & Iremonger, Sydney, 1981, pp. 10-12.

⁵³ Frank Cain in *The Wobblies at War: A History of the IWW and the Great War in Australia*, Spectrum Publications, Melbourne, 1993, p. 165, suggests that Pain was a member but gives no references for this information.

⁵⁴ *The Worker*, 15 May 1913.

⁵⁵ *NTT*, 27 March 1913. Frank Alcorta has written a thorough account of the 1913 strike, see Frank Alcorta, ‘Labor in the Northern Territory: A Descriptive Account of the 1913 Strike’ in *Northern Perspective*, vol. 4, no. 2, pp. 9-13.

⁵⁶ *NTT*, 27 March 1913. Daly River is approximately 200 kilometres southwest of Darwin.

⁵⁷ *Annual Report of Northern Territory Administrator, 1913*.

⁵⁸ Skewes Report.

⁵⁹ *NTT*, 10 April 1913.

writer also raised a theme that emerged many times in Territory history when he argued that 'white' workers would not settle in the region unless wages were adequate for them to bring their families as well.⁶⁰ For a similar reason, the workers gained the support of the editor of the *Times*, Charles Kirkland, who argued that the survey hands' wages were 'not a living wage under the conditions prevalent in this Territory and the general all-round increase in the cost of living'. He went on to suggest that it was 'essential' for the 'national venture' of 'white' settlement that wages be paid which allow men to 'marry and rear families in ordinary decency and comfort'. Kirkland concluded by questioning whether it was wise to withhold money from men who will be the 'bone and sinew' of Territory development.⁶¹

It is also possible that Kirkland supported the union because Chas O'Malley had come to his defence when the editor was gaoled by Judge Bevan for questioning the same Judge's handling of a sexual assault charge against the manager of the Batchelor Experimental Farm.⁶² The experimental farms were a source of constant tension between the Administration and sections of the public in this period. In 1912, two farms were established at Batchelor (80 kilometres south of Darwin) and one at Daly River to attract settlers to the Territory but insufficient capital, poor management and inappropriate crops resulted in their failure.⁶³ In addition, workers employed at Daly River, some of whom were union members, often complained to the *Times* about government neglect and the state of both living and working conditions.⁶⁴ In the court case referred to above, the manager of the Experimental Farm was alleged to have sexually assaulted the 16-year-old daughter of a Russian migrant working at the farm. The girl's father was also charged with publicly libelling the manager when he repeated the allegations at a meeting of the Darwin AWA. When Bevan acquitted the manager, Kirkland published an article accusing the Judge of bias and the editor was subsequently charged, fined and gaoled.⁶⁵ Kirkland's fine was paid by public subscription and a large gathering of the town's citizens, including unionists, 'rabid socialists' and businessmen, gave an heroic reception for the editor on his release from gaol.⁶⁶

As a result of the Administrator's actions in cutting the wages of the survey hands, the union submitted a demand to the Administration for a minimum wage of £4 (a small increase on the original wage of survey hands) and for unionists to be given preferential hiring.

⁶⁰ *NTT*, 1 May 1913.

⁶¹ *NTT*, 12 May 1913.

⁶² *NTT*, 1 May 1913.

⁶³ Alan Powell, *Far Country: A Short History of the Northern Territory*, Melbourne University Press, Carlton, 1996, pp. 126-30.

⁶⁴ *NTT*, 4 June 1914.

⁶⁵ *NTT*, 24 April 1913.

⁶⁶ *NTT*, 1 May 1913. The story is also told in Douglas Lockwood, *The Front Door: Darwin 1869-1969*, Rigby, Adelaide, 1969, pp. 176-178.

Following the rejection of these demands, a secret ballot was held to gauge support for a strike, with 102 voting for a strike and 18 against.⁶⁷ Given that only six months earlier the union was only claiming 128 members, this was a very high response rate and indicates the strength of feeling among the union's rank and file.

Soon after, O'Malley sent a telegram to *The Worker* stating that a strike of all AWA members was 'in full blast' involving a 'Splendid type of old times solid unionists' and that 'Chinese and all colored people out in sympathy'.⁶⁸ Even senior officers of the Administration like the Director of Lands, George Ryland, staffed picket lines outside Government House.⁶⁹ Ryland had also supported the AWA during the 1911 Queensland sugar workers' strike.⁷⁰ The strike lasted from 28 April until 3 June, a total of 37 days. At first the strike had the support of the AWA leadership in Townsville but several days into the strike the Darwin unionists were told by their parent body that they 'must accept' the offer from the Federal government for the matter to be arbitrated.⁷¹ *The Worker* told its readers that the AWU could not support the strike as 'the policy of the AWU was arbitration'.⁷²

Seven days into the strike, a meeting was held at the Darwin Town Hall on the afternoon of Sunday 4 May to consider the next steps. The workers were aware that if they remained on strike they would lose the support of the Queensland executive. Ryland, who had been in contact with the Queensland General Secretary, William McCormack, was invited to speak at the meeting where he reiterated the state executive's position that the men should return to work and accept arbitration. However, by a vote of 89 to 24, the meeting decided to remain on strike and again place their demands before the Administrator.⁷³ The men argued that their demands were 'a bedrock proposition ... therefore could not be risked in arbitration'.⁷⁴ After having their demands rejected again, a further meeting voted 108 to six to continue the strike.⁷⁵ That same day a number of public servants and a group of Aboriginal labourers were deployed to unload the Dutch East Indies steamer, the *Van Linschoten*. It was revealed in the 1920's Royal Commission into the administration of the Territory, that Judge Bevan also volunteered for strikebreaking duties and was paid for it. The presiding judge concluded

⁶⁷ *NTT*, 29 May 1913.

⁶⁸ *NTT*, 1 May 1913. With the amalgamation of the Queensland AWA and AWU under way, the Darwin AWA automatically became the Darwin branch of the Queensland AWU.

⁶⁹ *NTT*, 1 May 1913.

⁷⁰ Armstrong, 'The Sugar Strike', p. 107.

⁷¹ *NTT*, 29 May 1913.

⁷² *The Worker*, 8 May 1913.

⁷³ *NTT*, 8 May 1913.

⁷⁴ *NTT*, 22 May 1913.

⁷⁵ *NTT*, 12 May 1913.

that Bevan's actions were 'improper' given his position as the only judge in the Territory.⁷⁶ Such actions, along with the earlier gaoling of the *Times* editor, made Bevan a principal target of union hostility.

Supporters of the Labor Party in other parts of the country were beginning to fear that the events in Darwin, which were reported widely in the southern press, would be used to embarrass the Fisher Labor Government in the lead-up to the 31 May federal election. A year later a Federal parliamentarian accused the Darwin AWA of being a 'bogus union' that had initiated the strike to help Joseph Cook defeat Fisher.⁷⁷ But the Darwin workers received support from other sections of the labour movement. In a letter to the Darwin union, the Secretary of the Queensland Branch of the Federated House and Ship Painters, Paperhangers and Decorators Employees Association of Australasia, wrote that 'We regret that any Government, least of all a Labor Government should see fit to employ Chinamen and colored labor (sic) to try and defeat you in your demands'.⁷⁸ Another article in the Brisbane *Courier* argued that 'Mr Fisher's Government is the father of a delightful gang of white, black and yellow strike breakers'.⁷⁹

National leaders of the AWU feared that Darwin members were under the influence of the IWW. No doubt the AWU leaders were referring to Alf Pain, an active member of the strike committee, but according to Alcorta, there is no evidence indicating the presence of an IWW cell in Darwin at this time.⁸⁰ Nevertheless, the IWW strongly favoured the use of direct action over arbitration, and any union or unionist expressing similar views was often accused of being under its influence.

Despite opposition from Queensland, the strike had strong support from union members in Darwin and they believed they were fighting for big stakes. In a telegram to *The Worker*, O'Malley argued that failure of the strike would be a 'death blow to unionism'.⁸¹ Alcorta concludes that the decision to defy the central leadership weakened the strike, as some of the workers were able to return to work with the backing of the central leadership.⁸² The weak link appeared to be the new workers who had responded to the Administration's advertisements. Some of these workers were not prepared to defy the Queensland

⁷⁶ Justice Ewing, *Report on the Northern Territory Administration, Commonwealth Parliamentary Papers (CPP)*, No. 28, Session 1920-21, vol. 3, p. 1658.

⁷⁷ *Commonwealth Parliamentary Debates (CPD)*, House of Representatives, 21 May 1914.

⁷⁸ *NTT*, 5 June 1913.

⁷⁹ *NTT*, 5 June 1913.

⁸⁰ Alcorta, 'The 1913 Strike', p. 11.

⁸¹ *NTT*, 1 May 1913.

⁸² Alcorta, 'The 1913 Strike', p. 11.

leadership.⁸³ It was reported in the *Times* that a worker named Neihus had telegraphed McCormack to ascertain the standing of 25 workers who had resumed work on the executive's orders. McCormack replied that the Darwin union leaders had defied the executive and he advised the workers to 'kick them out' of office.⁸⁴ The strike committee responded by labelling those who had returned to work 'traitors', expelling them from the union and declaring they would 'Fight to a finish'.⁸⁵

There is no question the Gilruth administration's decision to unilaterally cut survey hands' wages was the spark that ignited this dispute. Alcorta argues that events may have turned out differently if Gilruth had shown more willingness to negotiate.⁸⁶ In particular, Alcorta refers to a famous incident, three weeks into the strike, when the Administrator refused to meet a delegation of strikers and rejected their reduced demands by sending them a piece of paper with the word 'No' written on it.⁸⁷ It was a rude rebuff to the Darwin unionists but Alcorta does not mention that the union left itself open for such a rejection by passing a resolution which called on the Administrator to give an 'immediate reply 'Yes' or 'No' '.⁸⁸

O'Malley's claim that the union had the support of the 'coloured men' was also repeated some years later by Pain. In a letter to the *Times* in 1922, Pain wrote that 'it is a fact that not one coloured man worked while the white men were on strike ... it was a wonderful exhibition of loyalty to their white brothers'.⁸⁹ Two and a half weeks into the strike, however, some of the Chinese carters returned to work and by the fourth week, Chinese labourers were being used on the wharf. In a wire to the Brisbane media, the AWU declared that the 'White Australia policy is a farce' in the Northern Territory.⁹⁰ According to Alcorta, the strike was also weakened by the refusal of the newly formed Darwin branches of the Amalgamated Society of Engineers, and the Amalgamated Society of Carpenters and Joiners to support the strike.⁹¹ Nevertheless, the Director of Public Works, C. Kellaway, in his 1913 *Annual Report*, wrote that most of the skilled workers 'passively' supported the strike.⁹²

⁸³ *NTT*, 12 May 1913.

⁸⁴ *NTT*, 15 May 1913.

⁸⁵ *NTT*, 22 May 1913.

⁸⁶ F.X. Alcorta, *A History of the Social and Economic Development of the Northern Territory, 1911- 1914*, with Special Reference to the Labour Movement, Unspecified Research Thesis, Darwin Community College, no date, p. 123.

⁸⁷ Alcorta, 'The 1913 Strike', p. 12. This story was also repeated in the official publication for the 1988 May Day Celebrations in Darwin where the re-enactment of the Darwin Rebellion took place (See *Northern Standard*, Issue No. 1, 13 April 1988).

⁸⁸ *NTT*, 22 May 1913.

⁸⁹ *NTT*, 29 April 1922.

⁹⁰ *NTT*, 15, 22, 29 May 1913.

⁹¹ Alcorta, 'The 1913 Strike', p. 10; *NTT*, 8 May 1913.

⁹² *Annual Report of Northern Territory Administrator, 1913*.

Some carpenters refused to work with non-strikers on the railway and were dismissed from their positions.⁹³

On 26 May, four weeks into the strike, a meeting was held at which a motion was passed 88 to one expressing ‘disgust at ... the stubborn and obstinate stand taken by’ the Administrator and that it ‘is not the action of a gentleman or person suitable to hold the high position of Governor of this Northern Territory’. The strike was entering its last phase, the workers were exhausted, and all they had left was this public attack on Gilruth. The workers even suggested to the local press that they might consider requesting support from the Premier of Western Australia to emigrate *en-mass* as the ‘Territory administration [is] impossible’. A day after the above meeting the workers sent a message to Gilruth and the Minister for External Affairs agreeing to return to work if all the strikers were reinstated to their former jobs. Gilruth once again refused the workers’ request.⁹⁴ A week later, on 4 June, despite the strike committee’s opposition to arbitration, a motion to return to work was ‘carried by a large majority’, after the Minister promised to have the union’s claims arbitrated. Not everybody was convinced. As recently as the day before the strike was called off, a return to work motion was rejected by 50 votes to 26.⁹⁵ The bitterness between those who called for a return to work and those opposed to it remained for many years. Pain claimed some years later that he tore up his union card after the vote to return to work and from that moment on became a bitter critic of the union and its future leader Harold Nelson, whom Pain claimed supported a return to work.⁹⁶

The *Times* praised the conduct of the strikers and argued that the dispute could have been settled weeks earlier if only the Territory had a ‘wise’ and ‘generous’ administration.⁹⁷ O’Malley later praised Kirkland for giving the ‘working class of the Territory a fair go’.⁹⁸ The actions of Gilruth in 1913 marked him for the term of his appointment, alongside Judge Bevan, as an enemy of the union movement. Despite the return to work, the union did not accept its defeat graciously, describing Gilruth among other things as a ‘despot’.⁹⁹ The return to work resolutions also foreshadowed future demands of the local unionists for better accommodation and for a campaign against the employment of Aboriginal labour.¹⁰⁰

⁹³ *NTT*, 14, 22 May 1913.

⁹⁴ *NTT*, 29 May 1913.

⁹⁵ *NTT*, 5 June 1913.

⁹⁶ *NTT*, 29 April 1922.

⁹⁷ *NTT*, 5 June 1913.

⁹⁸ *NTT*, 2 August 1913.

⁹⁹ *NTT*, 5 June 1913.

¹⁰⁰ *NTT*, 5 June 1913.

As O'Malley predicted, the defeat was terminal for the AWA. The union did not re-emerge until December 1913 when 30 workers attended a meeting to form a local branch of the AWU. By this stage the AWU and AWA had merged in Queensland. Except for William Bourne, the committee was all new.¹⁰¹ Chas O'Malley had left the Territory the previous July and was residing in Brisbane but still championing the cause of the 1913 strike.¹⁰² He returned to the Territory on at least one occasion but did not play any further role in the Territory labour movement. North Queensland became O'Malley's arena. In August 1918, he surfaced during a strike of cane-cutters at Ingham. The strike failed to gain AWU support because the union argued it was engineered by the IWW. Threats from the police and the defeat of the strike saw O'Malley move on once again.¹⁰³ In 1919, he was a leader of the unemployed during the Townsville meatworkers strike. Cutler quotes intelligence reports that describe O'Malley proudly wearing an IWW tattoo on his arm.¹⁰⁴ On another occasion during the same year he was described as a 'nomadic advocate of Soviet government rule' in reference to his speaking tours throughout North Queensland.¹⁰⁵

Notwithstanding the defeat of the year before, 1914 was a turning point for the AWU in the Territory. Workers were once again attracted to the Territory when the giant British meat company, Vestey Brothers, decided to build a meatworks in Darwin and construction was started on the extension of the North Australian Railway to Katherine. Two new names became associated with the union that would dominate the Territory labour movement for years to come: Robert Toupein and Harold Nelson. The 27-year-old Toupein, a short round-faced man with a receding hairline, was born near Gunnedah in western New South Wales and came to the Territory in 1912 to work on the railway. In 1913, he began operating a barber shop on what became popularly known as Toupein's Corner, at the intersection of Bennett and Cavenagh Streets in Darwin. By June 1914 he was announcing himself as the local Secretary of the AWU.¹⁰⁶

¹⁰¹ Alcorta, *A History of the Social and Economic Development of the Northern Territory*, p. 135; *NTT*, 18 December 1913.

¹⁰² *NTT*, 2 August 1913.

¹⁰³ Evans, *Loyalty and Disloyalty*, p. 137.

¹⁰⁴ Cutler, *The History of the Australasian Meat Industry Employees Union*, p. 179.

¹⁰⁵ *NTT*, 18 October 1919.

¹⁰⁶ *NTT*, 18 June 1914; *The Worker*, 20 January 1920; *NS*, 15 July 1949; Notes taken during discussion between author and Jeanette Toupein of Port Macquarie (Robert's niece), 13 April 1999. Toupein's name does not appear on the list of office holders elected at the end of 1913 but it may be the case that Toupein was the organising secretary whose appointment was announced at the Annual Conference of the Queensland Branch of the AWU in January 1914 (1st Annual Delegates Meeting, Queensland AWU, Brisbane, 8 January 1914, Australian Worker's Union, Darwin Matters).

The 32-year-old Harold Nelson, a ‘medium-sized, nuggety’ engine driver from Queensland, moved to Pine Creek with his wife and five children in 1913.¹⁰⁷ A passionate orator with a penchant for the theatrical, Nelson was described by Douglas Lockwood, as having had ‘a greater influence on Territory affairs ... than anyone before or since’.¹⁰⁸ Throughout these early years of trade unionism in the Territory, Nelson revealed himself to be somewhat of a chameleon. He gained a reputation for promoting industrial action yet was equally likely to censure it. He could denounce arbitration at the same time as using the system to make whatever gains he could for his members. He was a fervent supporter of ‘white’ Australia yet non ‘Britishers’ became the backbone of his union. He attacked politicians as a ‘parasite on the movement’ while eventually becoming one himself.¹⁰⁹ Nelson was elected as the first organiser for the AWU at a meeting in Darwin on 7 July 1914. Nelson gained 52 of the 80 votes cast and was a clear winner against a number of rival candidates including William Bournes.¹¹⁰

In 1914, the AWU also organised the first recorded Eight-Hour Day celebration in Darwin. The event on Monday 12 October involved a procession of approximately 100 unionists, led by the Darwin Brass Band and a large, ornate, locally-painted banner with the words ‘Australian Workers Union’ in bold letters above the Commonwealth coat of arms (see photo, p. 54). Funds from the sports carnival following the procession were donated to the orphans of Australian troops fighting in the recently declared war in Europe.¹¹¹ These are hardly the images associated with radical revolutionaries bent on overthrowing the empire. The coat of arms indicates just how dominant nationalism was in the thinking of Australian unions in the early decades of last century and in particular, on the eve of the First World War.¹¹²

Before the year was out, the union, under Nelson and Toupein’s leadership, confidently flexed its muscles and declared that from now on the Darwin waterfront would work to union rules.¹¹³ Three issues were involved in this decision. Firstly, the union was seeking to stop the practice of visiting ships using their own crews to unload goods, a common practice in the days when the cranes were on the ship rather than the wharf. In Darwin the issue was related to the union’s support for the white Australia policy since most ships visiting Darwin

¹⁰⁷ Dr H.I. Jensen, ‘The Darwin Rebellion’ in *Labour History*, vol. 11, November 1966, p. 4; David Carment & Murray Maynard, ‘Nelson, Harold George’ in David Carment, Robyn Maynard, Alan Powell (eds), *Northern Territory Dictionary of Biography, Volume 1*, NTU Press, Darwin, 1990, pp. 220-222.

¹⁰⁸ Lockwood, *The Front Door*, p. 195.

¹⁰⁹ *The Worker*, 13 January 1916, 21 February 1918.

¹¹⁰ *NTT*, 9 July 1914.

¹¹¹ *NTT*, 27 August 1914, 22 October 1914.

¹¹² The banner reappeared at the 1939 May Day march (*NS*, 21, 28 July 1939).

¹¹³ *NTT*, 26 November 1914.

had Asian crews.¹¹⁴ Secondly, since the wharf strikes of 1911-12, when the government relinquished control of the wharf, labour had been supplied under contract.¹¹⁵ In other words, groups of workers offered to supply their labour for a set fee irrespective of the length of time on the job. The fee was often determined by the lowest tender. The Darwin AWU considered contract work to be against the 'principles of unionism' because it undermined working class solidarity by forcing workers to compete for the lowest bid, thus reducing wages over time. Thirdly, all workers on the wharf would now have to be members of the union.

One indication of the strength of the union at this time was that the shipping agents and ship companies grudgingly accepted these new conditions. An exchange of letters between Nelson and one of the shipping agents also indicates the class polarisation that was beginning to develop in Darwin. For the first time, Darwin society saw a glimpse of the colourful invective that Nelson was capable of directing at his opponents. Phrases such as 'barons of capital', 'traitors', 'Galley Slaves' (to describe the waterside workers) were directed at the chief shipping agent Walter Bell. Bell responded with his own accusations of the union using 'brute force' and acting like a 'highwayman'.¹¹⁶ Each writer accused the other of providing false figures indicating the efficiency or otherwise of union labour. Although it is difficult so long after the event to determine the accuracy of the respective claims, there is probably an element of truth in the argument that some union labour was undisciplined and untrained for waterfront work. The waterfront often attracted a particular type of worker who shunned the discipline and regimentation of normal industrial life and was attracted to the lack of routine associated with a casual industry.¹¹⁷ But it is also the case that slow unloading rates were the result of workers having to deal with poorly loaded holds and inadequate, badly maintained lifting gear.¹¹⁸

The situation was further compounded in Darwin because of the peculiar construction of the Darwin wharf. The wharf could only handle one ship at a time. It was shaped like the letter 'L' so a ship's cargo, once unloaded onto rail trucks, had to be manually pushed along a rail to a turntable at the 90° angle in the centre of the 'L'. Once at the turntable, each rail truck was manoeuvred onto a new line running to the sorting shed. On arrival at the sorting shed, the goods were handled a second time and placed in storage. The limited amount of storage space in the sorting shed often meant that the unloading of ships could stop altogether when

¹¹⁴ *Annual Report of Northern Territory Administrator, 1914-1915.*

¹¹⁵ See above p. 35.

¹¹⁶ *NTT*, 3, 10, 17 December 1914.

¹¹⁷ See Tom Sheridan, 'Australian Wharfies 1943-1967: Casual Attitudes, Militant Leadership and Workplace Change' in *Journal Of Industrial Relations*, vol. 36, no. 2, June 1994, p. 262.

¹¹⁸ Beasley, *Wharfies*, p. 76.

the storage shed was full and all available rail trucks were utilised. Poor construction of the Darwin wharf remained an issue for governments and workers for the next fifty years.¹¹⁹

On top of the poor design of the wharf, some compensation must be allowed for the difficulties of working in the tropics. If waterside work as a rule was described as ‘hard, unpleasant [and] dangerous’, it was even worse in tropical Darwin, on a wharf with no shelter from the sun.¹²⁰

A ‘ruinous’ award?

In 1914, Vestey's began employing workers in Sydney to construct its meatworks at rates below the Skewes rate paid on government jobs in Darwin. Once workers arrived in Darwin and found this to be the case, they refused to work at the rate offered by Vestey's.¹²¹ After a series of abortive conferences, an agreement was signed between the company and Harold Nelson as well as the secretary of the carpenters union, Robert Munro Balding, to pay the government rate while the matter was referred to the Arbitration Court.¹²² It is interesting to note that this agreement was only achieved after Gilruth offered his services as mediator.¹²³ Alcorta described this agreement as a ‘surrender’ on the part of Vestey's because it ‘ensured a permanent infrastructure of high prices and high wages in the north which still continues’.¹²⁴ What Alcorta fails to explain is that labour shortages in Darwin required Vestey's to pay higher wages in order to attract sufficient numbers of workers to the north.

Although the Arbitration Court did not convene any sessions in Darwin, the Deputy President of the Court, Judge Powers, authorised a Darwin magistrate to take evidence from local people on the Court's behalf. Nine people presented evidence to the special hearings in Darwin on behalf of Vestey's and 36 on behalf of the AWU and other craft unions, including union veterans, Villiers Presley and William Bournes.¹²⁵ Common to the evidence of all union witnesses was the impossibility of purchasing basic needs such as food and housing, let alone maintaining a family, on the minimum wages paid in Darwin. When he finally

¹¹⁹ *NTT*, 16 October 1923; *NS*, 10, 14 March, 24 October 1939; NAA, ACT: A431/1, 1946/184, letter, Arthur Blakeley to J.S. Collings, Minister for Interior, 19 October 1941.

¹²⁰ Beasley, *Wharfies*, p. 20; *NTT*, 1 January 1924; *NS*, 12, 22 October, 12 November 1926.

¹²¹ *CAR*, vol. 9, 1915, p. 3.

¹²² *NTT*, 26 November 1914.

¹²³ 2nd Annual Delegates Meeting, Queensland AWU, Brisbane, 14 January 1915, Australian Workers Union, Darwin Matters.

¹²⁴ F.X. Alcorta: *Darwin Rebellion 1911-1919*, History Unit, Northern Territory University Planning Authority, Darwin, 1984, p. 31.

¹²⁵ *CAR*, vol. 9, 1915, pp. 11-17. Bournes was now working as a cook for the Cable Guard, a special unit controlled by the defence forces to protect the Overland Telegraph Line and the wharf (see *Minutes of Evidence, Royal Commission on the Northern Territory*, Government Printer of Victoria, 1920, p. 88).

delivered his judgement in March 1915, Judge Powers agreed with the union and found that the wage offered by Vestey's was 'below what I find to be a minimum living wage' and 'in fairness' there should be a 'considerable increase' in the minimum wages in Darwin.¹²⁶ In his ruling Powers accepted the argument that Territory workers should be compensated for the higher cost of living in the region. Estimating that the cost of living in Darwin was 43 per cent higher than in the southern states, Powers increased the minimum rates for a labourer from the Skewes rate of 17d per hour to 21d per hour or the equivalent of £3 17s for a 44-hour week, well below the union demand of £4 5s per week.¹²⁷

Archibald Grenfell Price described the Powers award as 'ruinous' and blamed the failure of any future development in the Territory on this award in much the same way that Alcorta described Vestey's 'surrender'.¹²⁸ Gilruth did not object to the payment of higher wages but argued that some of the Arbitration Court's assumptions were not applicable to the Territory. He argued that workers were less efficient in the Territory and that the idea of paying a wage sufficient to keep a family was not appropriate when the workforce was mostly single.¹²⁹ In a similar way, Vestey's had argued for a 'special' single man's wage but Powers rejected this argument on the grounds that it was also the duty of the Court to 'consider public interests'. In effect Powers was arguing that the national interest of colonising the Territory with 'white' families was more important than the local interests of Vestey's. Powers suggested that the main reason married men were not attracted to the Territory was a lack of housing, arguing that it was the Federal government's responsibility to end this 'great obstacle to settlement of the Territory'. Even though Powers did not visit the Territory, he knew from evidence submitted to the Court that many new workers in Darwin were camping in vacant allotments in the town with no water or sanitation. Because of this, Powers argued that 'If a Daceyville [a public housing scheme] was justified in Sydney because rents were high, a Fisherville or a Cookville in the Territory may be worth the consideration of the Federal Parliament where houses are not available at any price'.¹³⁰

The award was given a life of six months and at first only applied to Vestey's workers, who were not the highest paid workers in Darwin at the time. Powers pointed out that the Palmerston Council and other private employers were paying £4 per week.¹³¹ Nevertheless,

¹²⁶ CAR, vol. 9, 1915, p. 3, 11.

¹²⁷ CAR, vol. 9, 1915, p. 22, 25.

¹²⁸ A. Grenfell Price, *The History and Problems of the Northern Territory, Australia*, The John Murtagh Macrossan Lectures, University of Queensland, 1930, p. 47.

¹²⁹ *Annual Report of Northern Territory Administrator, 1914-1915*.

¹³⁰ CAR, vol. 9, 1915, p. 7; *Minutes of Evidence, Royal Commission on the Northern Territory*, p. 331.

¹³¹ The Palmerston District Council raised wages from the Skewes rate of £3 2s 4d to £4 in December 1914 because of the increased cost of living.

the acceptance of the higher cost of living argument in a court of law meant there was an eventual flow-on to other workers. Twelve months later, the Powers 43 per cent cost of living loading was granted to the waterside workers. As a result the wages of waterside workers increased to 30d per hour ordinary time and 45d overtime. Echoing Vestey's call for a singleman's wage, the *Times* questioned the application of the Higgins living wage concept to Darwin given the fact that only about 10 per cent of Darwin men were maintaining a family in the town.¹³²

After victories against Vestey's and the shipping agents, Nelson gloated to his Queensland branch members that 'we have pinned No. 2 capitalistic scalp to our banner'.¹³³ By early 1915, Nelson claimed there were 500 members in the AWU.¹³⁴

Having achieved its first award, the attention of the union was once again directed to the campaign against Gilruth. On 5 February 1915, Nelson shared a platform with Walter Bell, to protest the abolition of the Palmerston District Council by the Minister for External Affairs. In its place, the government announced the establishment of a new council comprising the Administrator, two government nominees and two representatives of ratepayers. Bell had been a councillor along with Villiers Presley. At this meeting, the AWU seconded a motion moved by Bell declaring that the people of Darwin were now 'under the autocratic rule of the Administrator'. The old council had been popular with Darwin's workers because one of its last decisions had been to increase the wages of its employees. Nelson described the abolition of the council as 'the passing of the last spark of democracy' and described the Administrator as an 'uncrowned king' and a 'czar'.¹³⁵ Robert Toupein also moved a resolution calling on the Administration to allow all residents, not just those with property, to vote in council elections. Toupein's motion was passed with only two dissenters. Douglas Watts, another former councillor and local businessman with union sympathies, argued that if the council ceased to be representative then the Town Hall should be handed to the union for use as a trades hall.

The abolition of the only form of representative government in the Territory ensured that the union became an important vehicle for the expression of community dissent. Without

¹³² *NTT*, 16 March 1916.

¹³³ *The Worker*, 14 January 1915.

¹³⁴ *The Worker*, 14 January 1915; *NTT*, 11 February 1915; NBAC: Australian Workers Union, E154/48, AWU Queensland Branch Secretary Report for Year Ending 31 May 1914, 31 May 1915, 31 May 1916. An unspecified levy roll at the NBAC, but probably a levy to pay Nelson's wage (see *The Worker*, 20 January 1916), lists 109 names, half being from Darwin. This number is probably a more accurate figure of the number of more conscious union members (NBAC: Australian Workers Union, E154/52, Levy Rolls For Darwin Branch, 1914-15).

¹³⁵ *NTT*, 11 February 1915.

representative government, the administrators of the Territory lacked legitimacy, fuelling much of the community protest that engulfed the Territory in the following years.

The same coalition of business and union interests that criticised the abolition of the town council held another protest meeting on 25 February and motions were moved expressing no confidence in the administration of the Territory. There were also motions calling for the establishment of a local enlistment centre for volunteers for the war effort and for the appointment of a doctor to attend the needs of the 700, mostly railway workers, in the Pine Creek-Katherine region.¹³⁶

Like the rest of Australia, the Territory was caught up in war fever. Both the AWU and the carpenters' union held patriotic meetings every time one of their members volunteered. At these meetings speeches and songs were given in honour of the allies and all volunteers. At least two of the union's executive members, James McDonald and AWU Chairman, Jack Burton, enlisted.¹³⁷ Burton, a Boer War veteran, was a former AWU representative from North Queensland who arrived in Darwin just before the 1913 labourers strike. He worked on the railway and remained active in the union movement for over 40 years.¹³⁸ Hostilities with the Administrator were suspended when the union leadership shared a platform with Gilruth to promote the Australia Day Fund to aid war casualties.¹³⁹ The union, however, was not so caught up in nationalist fervour that it ignored class issues. It supported the calls to tax the wealthy to aid wounded soldiers and their families, for price controls and the nationalisation of industry.¹⁴⁰ Most workers continued to support the war, but there was concern that all classes should equally bear the burden.¹⁴¹

Meanwhile the community continued to protest the abolition of the town council with some success. On 18 March 1915, it was reported in the local press that the Minister had agreed to increase the number of residents on the council to four and that all residents would be allowed to vote.¹⁴² Following this decision, the community coalition began to break up as both business and union representatives manoeuvred to take advantage of the democratic opening. Within a month the carpenters' union secretary, Robert Balding, and Robert Toupein called a meeting to form the Northern Territory Workers Political Organisation

¹³⁶ *NTT*, 25 February 1915.

¹³⁷ *NTT*, 4 March 1915, 20 September 1919. McDonald was badly gassed during his tour of duty (*NS*, 29 November 1932).

¹³⁸ *NS*, 10 October 1927.

¹³⁹ *NTT*, 5 August 1915. Robert Toupein became one of the three joint secretaries of the fund.

¹⁴⁰ *NTT*, 12 August 1915.

¹⁴¹ Ian Turner, *In Union is Strength: A History of Trade Unions in Australia 1788-1983*, Nelson, Melbourne, 1983, pp. 64-67.

¹⁴² *NTT*, 18 March 1915.

(NTWPO) with plans to run candidates for the new Darwin Town Council.¹⁴³ By doing so, they were following a tradition set in Queensland by the AWA, described by Hunt as ‘the political trade union *par excellence*’.¹⁴⁴ AWA leaders used the union as much for a launching pad into parliamentary office as for effectively organising industrial action.

The Darwin AWU’s campaign for local government was spurred on when the union became involved in a dispute with the existing Palmerston District Council over its refusal to grant holiday pay to its labourers. The power of the union was evident when councillors like Presley and Watt tried to distance themselves from any responsibility for the policy and publicly declared their sympathies for the union cause.¹⁴⁵ The union’s success in putting pressure on the council to reverse its policy also strengthened the council’s resistance to a Federal government call for it to lower the wages of its labourers.¹⁴⁶

The union may have been strong enough to exert pressure on the local councillors but it could not convince local residents to elect it to council. On Saturday 30 October 1915, all three NTWPO candidates, Watts, Burton and local boarding house proprietor, E.W. Pearse, were defeated by the ‘Town Party’ of local businessmen and public servants, including Nelson’s old foe Walter Bell.¹⁴⁷ It took two more years and a large increase in the working class population before a union candidate was successful at the ballot box.

Old foes like Nelson and Bell could briefly unite around the twin causes of defence of the empire and democratic rights but unity soon evaporated when a dispute erupted on the wharf that was remembered for many years after. By August 1915, wharf workers had been reorganised as the ‘Waterside Section’ of the AWU. On Tuesday 24 August, work stopped on the wharf after the workers claimed that the stevedoring company was victimising one of its members. The workers, however, did not have the support of their leaders and the local executive intervened and abolished the section after the strikers refused to return to work.¹⁴⁸

Alf Pain, now prospecting in Pine Creek and no longer a member of the union since tearing up his union card, proceeded to organise a group of ‘coloured’ workers to replace the striking workers. By this stage, Pain was allegedly promoting himself as a local representative of the IWW although the editor of the *Times* stated that it was ‘news to us to learn that the “I.W.W.

¹⁴³ *NTT*, 15 April 1915.

¹⁴⁴ Hunt, *Labour Movement in North Queensland*, p. 36, 133.

¹⁴⁵ *NTT*, 15, 22 April 1915.

¹⁴⁶ *NTT*, 22 July 1915.

¹⁴⁷ *NTT*, 4 November, 1915.

¹⁴⁸ *NTT*, 2 September 1915.

influence” was responsible for the strike’.¹⁴⁹ Once again there are conflicting reports on whether the IWW actually existed in Darwin or not. According to the IWW newspaper, *Direct Action*, 19 ‘coloured workers’ of Asian descent in Darwin had formed a branch of the organisation in early 1915 with the assistance of ‘several white fellow workers’.¹⁵⁰ A month later the General Secretary of the IWW, Tom Barker, wrote in the same paper that the ‘AWU stands for the white man alone’ and that it has refused to allow these Asian workers into the union.¹⁵¹ It appears that much of the information for this article came from Pain as it repeats the accusations he made about the AWU betrayal of the ‘coloured’ workers after the 1913 strike. In the article, Barker suggests that the AWU would only have itself to blame if ‘coloured’ workers were used as strike breakers in the future. This is in fact what Pain did when he organised a gang of ‘coloured’ workers to work the wharves while the waterside section was on strike. Barker later publicly disassociated the IWW from Pain’s actions, calling him a ‘catspaw for the employers’ by organising ‘coloured’ workers to ‘scab’ on ‘white’ workers.¹⁵²

It took some time for the AWU to retrieve the situation as the employers maintained they had promised the so-called ‘IWW’ workers that they could remain on the job until the ships currently in port had been discharged. A ‘monster’ meeting of all members of the AWU was held on Sunday 29 August 1915 at the Don Stadium, an open-air theatre at Toupein’s Corner. At this meeting, all striking waterside workers were ordered to return to work and fined 2s 6d for defying a union decision (see photo, p. 54). The meeting also threatened to call a general strike of all Territory workers if the IWW men were not removed. The union also rejected a compromise proposal from the Administrator that work on the wharf be evenly divided between the ‘IWW’ men and the AWU men. The dispute was only resolved when Pain intervened and absolved the shipping agents of their earlier promises to the ‘IWW’ men.¹⁵³ The *Times* reported that all the employers were doing was keeping faith with promises made to the ‘IWW’ men, but the union clearly saw it as both a challenge to a ‘white’ Australia and union coverage of waterfront work. Moreover, given Walter Bell’s earlier opposition to union involvement on the wharf, it is likely that he saw an opportunity to rid himself of an unruly workforce. The dispute only lasted about seven days but

¹⁴⁹ *NTT*, 30 September 1915.

¹⁵⁰ *Direct Action*, 1 March 1915.

¹⁵¹ *Direct Action*, 1 April 1915.

¹⁵² *NTT*, 11 November 1915.

¹⁵³ *NTT*, 2 September 1915.

memories of it and Pain's role lasted for many years. However, the IWW never again achieved notoriety in Darwin.¹⁵⁴

By the end of 1915, the union had been in existence for four years and was steadily recovering from the debacle of 1913. In his written report to the conference of the Queensland AWU in January 1916, Jack Munro¹⁵⁵, the Darwin AWU's new organiser (Nelson had replaced Toupein as secretary) states that '... this is a country very different from other parts of Australia, having all colours and nationalities from every part of the world' especially Greeks, Russians and Spanish speaking workers. In recent years the number of migrants had been increasing as a result of the construction of the meatworks and the extension of the rail line to Katherine.¹⁵⁶ According to J.Y. Harvey, by the end of 1915 there were 600 migrants and their families working on the railway construction.¹⁵⁷ Indicating contemporary attitudes of racial superiority, Munro was not impressed by these workers and suggests the 'Australian' worker can do three times as much work. Munro had attempted to use interpreters to communicate with the migrant workers, but his main base of support and the reason for 'so much fighting' was that 'all the firebrands [from Queensland and Western Australia] have come this way'.¹⁵⁸ Apart from job opportunities on the railway and meatworks construction, prospectors were once again being attracted to the Territory after hearing exaggerated claims of the riches available on the new Maranboy tin field, south east of Katherine and approximately 370 kilometres from Darwin.¹⁵⁹

There are no details in his report to the conference, but it is clear that Munro had been travelling afield over 'bush tracks' to the isolated mines and construction camps in an effort to build the union.¹⁶⁰ By this stage, the union was claiming over 1,000 members. It was not a unique situation for an Australian union, as the first 15 years of the twentieth century were golden years for trade unionism in Australia. As a result of economic growth and the legal status granted by the arbitration system, membership of trade unions in Australia increased

¹⁵⁴ In March 1917, an IWW member arrived in Darwin, possibly Chas O'Malley, and began collecting funds outside the Vesteys meatworks for the legal defence of IWW members imprisoned in Sydney (*Direct Action*, 10 March 1917; *NTT*, 15 March 1917).

¹⁵⁵ Little is known of Jack Munro's past. He may have been a former AWU/AWA organiser as he speaks of the 'old game' in his reports to the Queensland AWU. So far I have been unable to confirm if he is the same Jack Munro that Ernest Lane refers to (*Dawn to Dusk: Reminiscences of a Rebel*, William Brooks & Co. Brisbane, 1939, p. 130) who was a former member of AWA and a supporter of Theodore and McCormack. That Jack Munro was gaoled during the 1912 Brisbane General Strike and later moved to Western Australia.

¹⁵⁶ AWU Organiser Jack Munro's report on Darwin to 3rd Annual Delegates Meeting, Queensland AWU, 6 January 1916, Australian Workers Union, Darwin Matters.

¹⁵⁷ J.Y. Harvey, *The Never-Never Line: The Story of the North Australian Railway*, Hyland House, South Yarra, 1987, p. 86.

¹⁵⁸ AWU Organiser Jack Munro's report on Darwin to 3rd Annual Delegates Meeting, Queensland AWU, 6 January 1916, Australian Workers Union, Darwin Matters.

¹⁵⁹ Sue Harlow, *Tin Gods*, p. 6.

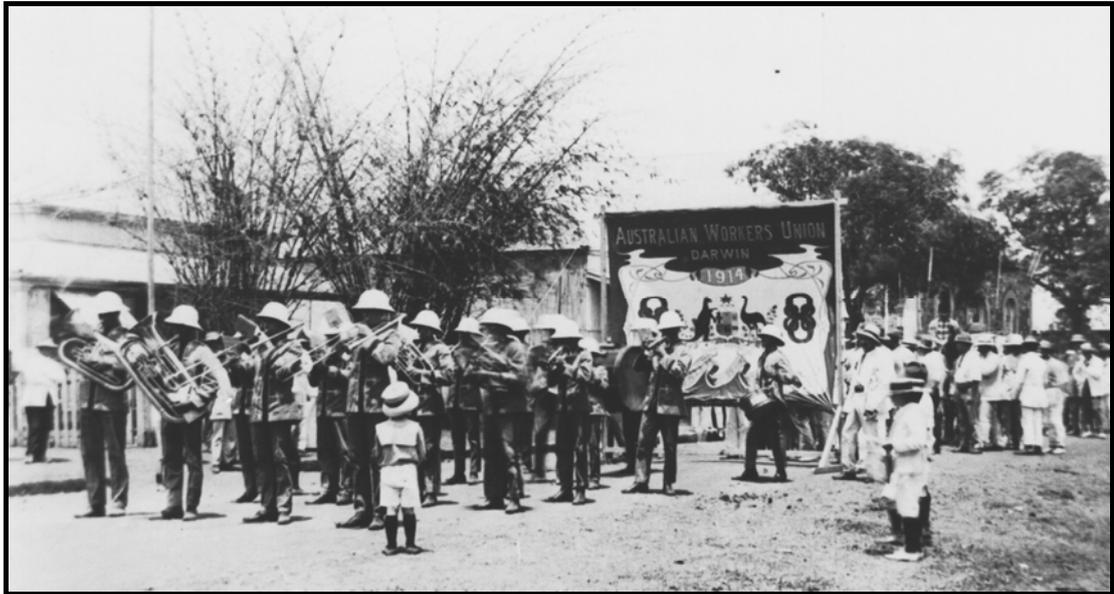
¹⁶⁰ *The Worker*, 20 January 1916.

by 500 per cent between 1901 and 1914.¹⁶¹ The Darwin AWU was now a separate district of the Queensland union and had been involved in 19 strikes in 16 months.¹⁶² But despite the union's growing reputation in the south for militancy, its leaders had already shown a willingness to oppose unauthorised strike action by its members. The union was firmly implanted in Darwin society and was playing both an industrial role and a political one. Although Queensland militants had initially formed the union, they were in turn pacified by a new more pragmatic leadership from Queensland and other parts of the country. It was this new leadership that eventually went on to form the NAWU in 1927.

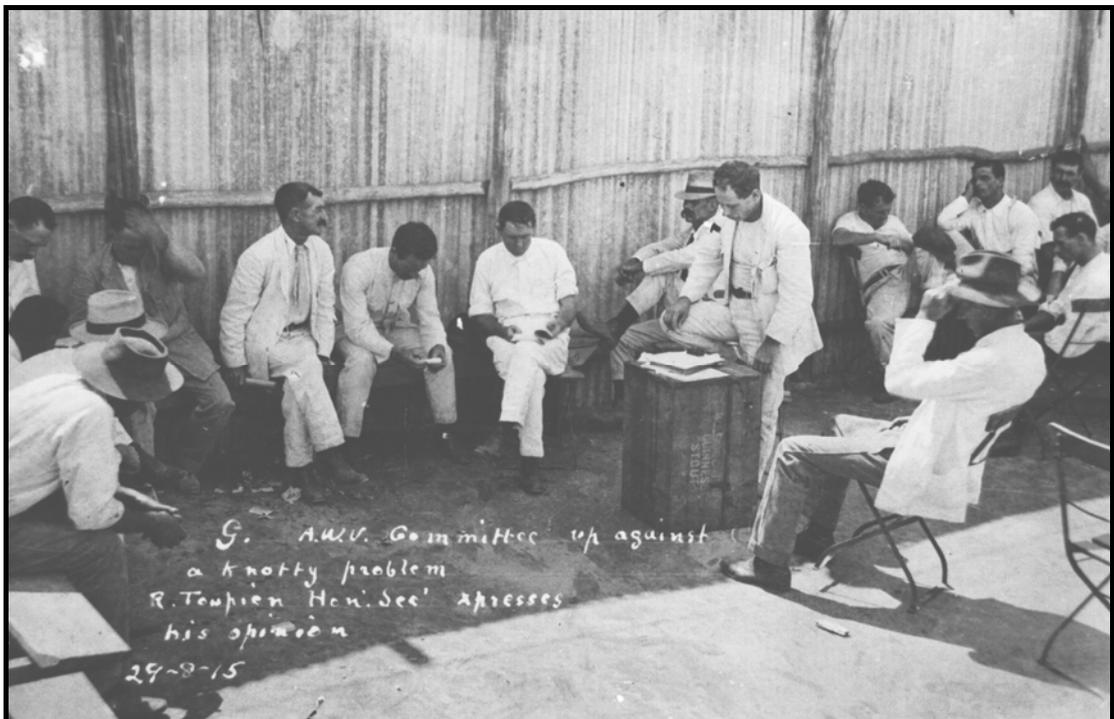
In 1915, Judge Powers described the 'conditions of life' in Darwin as being 'so different' from other parts of Australia but more than anything it was the Arbitration Court and the white Australia policy that had the biggest bearing on the evolution of unionism in the Territory in these formative years. All this, however, was a dress rehearsal for major battles such as the Darwin Rebellion, which, more than any other event, would create the radical reputation of the Darwin union movement. But as we will see in coming chapters, the union leaders remained committed to arbitration and continued to show a willingness to pacify any members who departed from this policy.

¹⁶¹ Turner, *Industrial Labour and Politics*, p. 34.

¹⁶² 3rd Annual Delegates Meeting, Queensland AWU, Brisbane, 6 January 1916, Australian Workers Union, Darwin Matters.



Darwin Labour Day Marchers assembling behind the Darwin Brass Band on Smith Street, near the Town Hall on Monday 12 October 1914. Note the AWU banner with the Commonwealth coat of arms in between two eight-hour day symbols. The banner was painted by C Lister and reappeared at the 1939 May Day March. NTAS: NTRS 1854, Image 1321, NT Historical Society Collection.



A 'monster' meeting of the AWU at the Don Stadium, Sunday 29 August 1915. AWU Secretary Robert Toupin is speaking from the 'Guinness Stout' rostrum. Union Organiser, Harold Nelson is seated to his right (hatless, in white and reading). The meeting was called to protest the use of coloured labourers on the wharf who were allegedly members of the Industrial Workers of the World (IWW). NTAS: NTRS 1854, Image 1252, Historical Society Collection.

Chapter Two

The Price of Beer and Other Grievances

1915-1918

'I have heard a statement that a man named Nelson, Secretary of the local branch of the Australian Workers Union had induced the people of Darwin to riot a few days ago.' – Mr Mathews, Member for Melbourne Ports, speaking in Federal Parliament, 19 December 1918.¹

On Thursday 18 November 1915, a notice appeared in the *Times* authorised by AWU Organiser Jack Munro and Acting Secretary John Reardon, instructing all union members to 'keep away from hotel bars' and issuing a 'final warning ... that those who drink in hotels and other places will be dealt with as rules allow, which is ... expulsion'.² Nelson, who was in Melbourne on union business, later told fellow Queensland AWU members that Reardon had been one of the first AWA secretaries in Darwin and had been forced into prospecting after being banned from government jobs by the Administrator, J.A. Gilruth.³ The appearance of Reardon and Munro's notice marked the 27th day of the first of many 'great beer strikes' in Territory history. This particular strike lasted another 46 days until 3 January 1916, a total of 10 weeks. Three years later a further beer strike coincided with the so-called Darwin Rebellion which forced the departure of Gilruth from the Territory. This chapter investigates the growing power of the Territory union movement in the years leading up to the fall of the Administrator.

Darwin's small size made it easier for the union to police actions like the 1916 beer boycott. Ten weeks was a long time for a group of workers infamous for their drinking exploits to abstain. However, Gilruth questioned the success of the boycott, claiming that the bar most

¹ *Commonwealth Parliamentary Debates, House of Representatives (CPD, H of R)*, 19 December 1918, p. 9857.

² *Northern Territory Times and Gazette (NTT)*, 18 November 1915.

³ Report on Darwin to 3rd Annual Delegates Meeting, Queensland AWU, 6 January 1916 in Australian Workers Union, Darwin Matters, Northern Territory University Library Special Collection.

frequented by unionists did a roaring trade.⁴ Frank Alcorta agrees with the Administrator's version of events but Douglas Lockwood praises the 'loyalty and suffering of men who forsook their beer'.⁵ Nevertheless, there must have been a few recalcitrants for the union to issue a warning. A few days after Munro and Reardon's notice appeared, the Administration retaliated and stopped the sale of all liquor in Darwin.⁶

The strike was the result of the Administration's decision to take over the management of Darwin's three hotels – the Victoria, Terminus and Club – and the hotel at Pine Creek from 1 October 1915.⁷ While all opprobrium for this decision was directed at Gilruth, there had been calls three years earlier by some of Darwin's religious leaders to nationalise the liquor industry in an attempt to control public drunkenness.⁸ That the Administration had a similar aim, as well as attempting to boost government revenue, is evident from a statement by the Supervisor of Hotels, J.W. Callan, when he argued that his position gave him the opportunity to check 'intemperance'.⁹

Unfortunately for the Administration, the union insisted that having become a government enterprise, the hotels should abide by the white Australia policy. This meant removing the Chinese and Aboriginal workers who had traditionally provided most of the labour in the private hotels. Callan agreed and soon after met with Nelson and prepared a new schedule of wages. Under the new schedule, cooks were to be paid £5, Barmen £3 15s, and waitresses £2 10s per week including food and accommodation. Three weeks later, on 15 October, without consulting the union, Gilruth cancelled the agreement and introduced his own schedule.¹⁰

There was not much difference between the 'Callan log' and the new rates fixed by the Administrator except for the waitresses wages, which were cut by 30-40 per cent.¹¹ The main issue for the union, apart from the cut in wages, was Gilruth's penchant for taking unilateral action. The union leaders may have been angry with Gilruth but it did not stop them inviting the Administrator to open the Eight Hour Day celebrations on 18 October that included a procession, said to be the 'largest ... yet witnessed in Darwin'. Highlights of the

⁴ *Annual Report of the Northern Territory Administrator, 1915-17*. The Administrator was referring to either the Terminus in Cavenagh Street, Chinatown (locally known as the 'Bloodhouse' or 'Chamber of Horrors' – NS, 15 May 1934) or The Club in Mitchell Street (presently Kitty O'Shea's). The Victoria had been closed to the public except for boarders.

⁵ F.X. Alcorta, *Darwin Rebellion 1911-1919*, History Unit, Northern Territory University Planning Authority, Darwin, 1984, p. 45; Douglas Lockwood, *The Front Door: Darwin 1869-1969*, Rigby, Adelaide, 1969, p. 197.

⁶ *NTT*, 21 November 1915.

⁷ *Annual Report of the Northern Territory Administrator, 1915-1917*.

⁸ *NTT*, 8, 15 March 1912.

⁹ *Annual Report of Northern Territory Administrator, 1915-1917*.

¹⁰ *Commonwealth Arbitration Reports (CAR)*, vol. 10, 1916, p. 447. Gilruth actually increased the wages of male waiters 5s a week simply because he thought they should get higher wages than the waitresses.

¹¹ *CAR*, vol. 10, 1916, p. 448.

day included the victory of the AWU 'Tug of War' team over a Queensland team after the earlier elimination of the Greek and Russian teams. Judge Bevan was also an unlikely contestant and runner up in 'Putting the Shot'.¹²

The immediate effect of the hotel strike, which began on 23 October 1915, was described by the *Times* as a 'huge joke' as boarders, including 'prominent business men' pitched in and shared cooking and serving duties. According to the newspaper, the cooks were allowed to return to work the next day after some hungry union members put pressure on the AWU executive to reopen the kitchens.¹³ The cooks returned but went on strike again shortly after when they were told they were being paid the Administrator's rates.¹⁴ Three weeks later, railway workers also struck after several porters (luggage and freight handlers) were suspended for refusing to handle a liquor shipment. Work on the railway resumed the next day after local business people agreed not to send any more shipments of liquor.¹⁵

By late December the kitchens remained closed and the strike was causing tension in the community. On 20 December, a well-attended 'citizens' meeting called to discuss the strike was prematurely adjourned. The meeting's convenors were unhappy that their original motion calling on the Administration to reopen the hotels for accommodation was successfully amended from the floor to support the union's wage claim. One of the convenors, Donald Roberts, a local solicitor, would shortly become one of the main opponents of the union in Darwin.

During his trip to Melbourne, Nelson met with the Minister responsible for the Territory and it was agreed to establish a Reference Board in Darwin with the power to arbitrate on the dispute. Reference boards or wages boards were an early form of arbitration in use from the late nineteenth century and consisted of an equal number of employee and employer representatives and an impartial chair. However, such bodies were rarely effective as the decisions were not binding on either party and the presence in this case of Judge Bevan as the 'impartial chair' did not give the union confidence in a fair outcome.¹⁶ In a statement to AWU members, Reardon asked why Darwin workers could not have access to the Arbitration Court like 'southern members'.¹⁷ It is interesting to note that Vestey's also echoed Reardon's comments. On several occasions over the next 12 months, Vestey's wrote to the government requesting the establishment of a local arbitration tribunal to facilitate the

¹² *NTT*, 28 October 1915.

¹³ *NTT*, 28 October 1915.

¹⁴ *NTT*, 21 November 1915.

¹⁵ *NTT*, 18 November, 16 December 1915.

¹⁶ Greg Patmore, *Australian Labour History*, Longman Cheshire, Melbourne, 1991, pp. 117-119.

¹⁷ *NTT*, 23 December 1915.

speedy resolution of disputes. Vestey's argued the delays caused by having the nearest tribunal separated by a journey of 12 days on a steamship often meant the intensification of any hostilities and their extension to other work sites. The company also implied that the isolation of Darwin and the difficulty of finding replacement labour during an industrial dispute placed the unions in a strong bargaining position, making it even more important to settle disputes promptly.¹⁸

In the meantime, a Reference Board was convened on Christmas Eve with the union refusing to return to work unless the Administration was prepared to offer wage rates within the bounds of 'reason'. Yet before the day was out, the Reference Board was adjourned when the Minister agreed to refer the matter to the Arbitration Court.¹⁹

The hotel workers returned to work on 3 January 1916 and the union's claim was filed with the Arbitration Court on 18 January. Judge Powers, as he had done during the previous year, appointed a special magistrate to take evidence in Darwin. In his submission to the Court, Callan maintained that the wages in his log were 'fair and reasonable', while the Administrator specifically objected to the wages paid to the waitresses. In his judgement, delivered eight months later on 28 September 1916, the judge agreed with Callan and argued that it had been the practice of the Court to grant women equal wages if their work was of equal value to that of men. Powers was concerned that under the Administrator's rates, some 'white' women were earning less than Chinese waiters. Powers also rejected the Administration's argument that higher wages made the hotel industry unprofitable. He argued that it was the practice of the Court to enforce 'fair wages' irrespective of profitability. The final award, made operational from the day the hotel workers returned to work, was not markedly different from either the Callan log or the Administrator's log but it significantly increased the wages of waitresses.²⁰

By May 1916, the union had taken another important step in its development, namely the purchase of land in Woods Street, Darwin for a union office and by June, it had established a local committee as far south as the Maranboy tin field.²¹ There were now 1,400 men, 16 women and 10 youths in the union.²²

¹⁸ National Archives of Australia (NAA), ACT: A1/1, 1932/661, memorandum, Department of External Affairs, 7 September 1916, letter from Northern Agency Limited to NT Administrator, 7 May 1917.

¹⁹ *NTT*, 30 December 1915.

²⁰ *CAR*, vol. 10, 1916, pp. 456-457.

²¹ *NTT*, 25 May 1916, 15 June 1916.

²² Noel Butlin Archives Centre, Australian National University, Canberra (NBAC/ANU): Australian Workers Union, E154/48, AWU Queensland Branch Secretary's Report for Year Ending 31 May 1916.

In the second half of 1916, Vesteys was hit by a spate of disputes, some of which only indirectly involved the company but still disrupted the supply of building materials to the meatworks. In one dispute, the AWU banned the delivery of bricks to the meatworks because they were produced by non-union labour, some of whom were Chinese and Aboriginal. In September, three plasterers and their foreman who, according to the company, were 'misled by an unscrupulous agitator', went on strike seeking wage parity with bricklayers.²³ In the same month, workers at the local quarry supplying building stone to the meatworks also went on strike over the issue of an abusive foreman. At first the quarry workers were supported by the AWU, but in November, Nelson wrote to the company stating that the union did not sanction the strike.²⁴ It is not stated in the surviving documents why the union opposed the strike but it may have been a combination of factors, including the threat of 500 workers being laid off if the dispute continued, or because the strike was led by 'foreigners'.²⁵ In the end the dispute dragged on for 10 weeks causing the Administrator to suggest that the union 'does not seem to have the power – or perhaps the desire to discipline its rebellious members'.²⁶ The outcome of the dispute is not recorded in the local press, but Nelson reported to the Queensland AWU several months later that the quarry had resumed operations 'with new bosses' and that the 'men will in future receive the treatment that men and unionists are entitled to'.²⁷

'Not of British blood'

A new dynamic of rebellious migrants had entered the Territory labour movement. The workers Jack Munro had recently accused of being less than satisfactory and deaf to the union were now being referred to as the main force behind many of the strikes.²⁸ One report in the *Times* about a strike on the wharf in November 1916 states that the strongest supporters of strike action were 'those members of the A.W.U. who are not of British blood'. Another article in the same issue noted that that Greeks and Russians were behind the strike and the 'principle sufferers' were the British.²⁹ Despite these reports, Robert Toupein told the Royal Commission into the administration of the Territory in 1920 that migrants 'as a

²³ NAA, ACT: A1/1, 1932/661, letter from Government Secretary, Atlee Hunt, 26 October 1916.

²⁴ NAA, ACT: A1/1, 1932/661, memorandum, Department External Affairs, 'Trouble with Quarrymen – Northern Agency Ltd, Darwin, Precis', no date.

²⁵ NAA, ACT: A1/1, 1932/661, memorandum, Department of External Affairs, 7 September 1916; letter from Government Secretary, Atlee Hunt, 26 October 1916.

²⁶ NAA, ACT: A1/1, 1932/661, letter, Gilruth to Minister External Affairs, 11 December 1916.

²⁷ 4th Annual Delegates Meeting, Queensland AWU, Brisbane, 16 January 1917, Australian Workers Union, Darwin Matters.

²⁸ See Chapter 1, p. 52.

²⁹ *NTT*, 9 November 1916.

rule ... take very little interest in union matters'.³⁰ It is also important to remember that during the First World War, there had been increasing paranoia about the presence of 'disloyal' elements in the community. Raymond Evans reveals in his study of wartime Queensland, that the loyalty of migrant workers to Australia and the war effort was often questioned.³¹ In the final months of 1916, Greeks were particularly targeted because of the Greek King's support for Germany.³² Anti-Greek attitudes led to some fighting on the streets of Darwin but what was later described as a 'full scale riot' was at the time described by the *Times* as simply a drunken 'squabble'.³³ The Darwin Russian community was another group developing a political voice. In March 1917, approximately 200 members of the Russian community and their supporters marched through Darwin carrying socialist and, according to the *Times*, 'sinister' anarchist banners celebrating the fall of the Russian monarchy.³⁴

Paranoia in the community about potentially disloyal elements helped the Federal government justify restrictions on democratic rights during the war. In particular, the *War Precautions Act* banned the display of such things as red flags and proscribed 'disloyal' organisations like the IWW. It was not long before Harold Nelson and other local unionists were also targeted. An AWU plumber working at Vestey's who was opposed to military conscription was fined for throwing mud at a defence poster near the meatworks.³⁵ In late 1917, Nelson was fined £50 under the Act for being on board the *Houtman* with a fellow unionist who had not been issued a boarding pass by the local military authorities. The man prosecuting on behalf of the military authorities was the local solicitor and union opponent, Donald Roberts.³⁶

The dispute on the wharf referred to above where the leaders were 'not of British blood' was sparked by the AWU's attempt in late 1916 to get Darwin's three European shop owners to recognise the union and accept union conditions for shop assistants. Understandably, these business people were annoyed that similar demands were not placed on their Chinese competitors and that the union would not even accept Chinese shop assistants as members. These shop owners were also critical of unionists who demanded a 'white' Australia but continued to frequent the Chinese-owned stores. In the course of this campaign for union

³⁰ *Minutes of Evidence, Royal Commission on the Northern Territory*, Government Printer of Victoria, 1920, p. 110.

³¹ Raymond Evans, *Loyalty and Disloyalty: Social Conflict on the Queensland Homefront, 1914-18*, Allen & Unwin, Sydney, 1987, p. 115.

³² See Andrew Markus, *Australian Race Relations 1788-1993*, Allen & Unwin, St Leonards, 1994, p. 150; M.F. Christie, *From the Islands: A History of Greek Settlement in the Top End of Australia 1914-84*, publisher unknown, Darwin, no date, pp. 97-101.

³³ Alan Powell, *Far Country: A Short History of the Northern Territory*, Melbourne University Press, Carlton, 1996, p. 137; *NTT*, 23, 30 November 1916.

³⁴ *NTT*, 23 March 1917.

³⁵ *NTT*, 2 November 1916.

³⁶ *NTT*, 4 October 1917.

recognition, the AWU threatened to stop unloading all cargo destined for the European stores, a threat countermanded by the AWU's national General Secretary, Edward Grayndler, after intercession by the President of the Arbitration Court, Judge Higgins. When the steamer *Houtman* arrived in Darwin on 1 November 1916, unloading was disrupted when wharf labourers demanded an apology from the ship's captain about certain remarks made about an injured Russian wharf labourer. The Secretary to the Department of External Affairs, Atlee Hunt, described the union's actions as 'merely a pretext' to carry out their stated intention of disrupting the discharge of cargo. Hunt, like Vestey, believed that a local arbitration tribunal could have settled the dispute earlier.³⁷ After a number of conferences involving Nelson, the men still refused to return to work and the ship left Darwin with 900 tons of unloaded cargo.³⁸

By the end of 1916, there were signs of growing anger in the Australian labour movement caused by the perception that the working class was bearing a larger share of the burdens of war due to rising prices and unemployment. This anger was manifested in the campaign by the labour movement against Federal government plans to introduce military conscription.³⁹ The Federal government held two referendums on the issue in October 1916 and December 1917, and each time the labour movement campaigned strongly for the 'No' case. In both cases, conscription was narrowly rejected by Australian voters but in the Territory, despite the efforts of the AWU, the barest majority voted 'Yes', indicating that support for the union, at least on the emotive question of the war, was far from absolute.⁴⁰ The 1916 campaign by the Darwin AWU against conscription was subdued, but in 1917, meetings for and against the issue were held at various towns along the railway to Katherine and there was extensive coverage in the local press. Robert Toupein is reported to have told a large gathering at the Darwin Town Hall on 30 November 1917 that conscription was a 'diabolical attempt to enslave the workers and break down the White Australia policy'. Opposing the union's stance was the shipping agent, Walter Bell, who described the unionists as being 'slaves' of the Labor Party and wrote of the 'sacred right of man ... to defend his country'.⁴¹

³⁷ NAA, ACT: A1/1, 1932/661, memorandum, Atlee Hunt, Government Secretary to Minister External Affairs, 11 December 1916; *Annual Report of Northern Territory Administrator, 1915-1917*.

³⁸ *NTT*, 9 November 1916.

³⁹ For more on trade union attitudes to First World War see J.M. Main (ed), *Conscription: The Australian Debate, 1901-1970*, Cassell, North Melbourne, 1970, p. 37; Frank Farrell, *International Socialism and Australian Labour: The Left in Australia, 1919-1939*, Hale & Iremonger, Sydney, 1981, p. 22; Ian Turner, *In Union is Strength: A History of Trade Unions in Australia 1788-1983*, Nelson, Melbourne, 1983, pp. 64-67.

⁴⁰ Normally Territorians did not vote in national referendums but an exception was made for the 1916 and 1917 conscription referendums. In 1916, 588 voted for conscription and 503 voted 'No' (*NTT*, 2 November 1916). In 1917, the margin was even less with 679 voting 'Yes' and 678 voting 'No' (*NTT*, 5 January 1918).

⁴¹ *NTT*, 6 December 1917. Bell was supported by a defector from the AWU, Arthur C. Love who was a candidate for union organiser in April 1917. Described variously as a stockman, prospector, navy and construction worker, Love was a veteran of election campaigns, having stood as a Labor candidate in the 1905 South Australian elections (*NTT*, 12 May 1905, 26 April 1917).

In January 1917, George Long, a painter at Vesteys, travelled to Brisbane as the Darwin delegate to the Fourth Annual Delegates Meeting of the Queensland AWU. In Nelson's written report to this meeting, he stated the union had just over 1,100 members, a decline from the previous year.⁴² The meatworks and railway constructions were drawing to a close and this was having an impact on the union. Despite this, Nelson was optimistic the union would maintain its membership. Nelson also stated that the union was beginning to organise station hands, but gave no details.⁴³

The Brisbane meeting passed a number of motions relevant to the Darwin branch. These included a call for the re-introduction of the adult franchise in the Territory, opposition to the reappointment of Gilruth as Administrator and a request to the forthcoming Annual Convention of the national AWU to separate the Darwin AWU from Queensland.⁴⁴ The idea of making Darwin a separate branch had been rejected by the national meeting of the AWU 12 months earlier. At that meeting, William McCormack, who had clear memories of his battles with Chas O'Malley in 1913, argued that the only way to stop Darwin doing 'foolish things' was to keep them part of Queensland. One delegate asked 'Was Mr Nelson an anarchist?' because of the undeserved reputation of the Darwin union for rejecting arbitration. In reply, the Queensland delegates argued that most of the issues relating to Darwin were federal issues and that the branch should communicate directly with the Federal government in Melbourne rather than through Brisbane. The General Secretary of the Queensland AWU, W.J. Dunstan, also mentioned that the union had other difficulties such as having no parliamentary representation and a 'dictator' for an Administrator who had employed 'Asiatics' at Government House and censored union mail.⁴⁵ By the January 1917 Annual Convention of the national AWU in Sydney, the mood had changed and the delegates agreed to give Darwin separate status. The only opposition came from a delegate who argued that Darwin had too few members to be a viable branch.⁴⁶

⁴² Only 170 votes had been cast in Darwin in the recent Queensland branch elections but given the transiency of labour in the NT and the difficulties of communication, a 15 per cent return is probably reasonable (*The Worker*, 4 January 1917).

⁴³ 4th Annual Delegates Meeting, Queensland AWU, Brisbane, 16 January 1917, Australian Workers Union, Darwin Matters.

⁴⁴ 4th Annual Delegates Meeting, Queensland AWU, Australian Workers Union, Darwin Matters.

⁴⁵ NBAC/ANU: Australian Workers Union (AWU), E154/17, *Australian Workers Union, Official Report of 30th Annual Convention*, 27 January 1916, pp. 60-62. The Darwin AWU claimed that its mail and telegrams were being intercepted by the Administration. While this charge was never proven, the military intelligence officer in Darwin told the Royal Commission in 1920 that the Government Secretary, Henry Carey, had sought information from him on the contents of telegrams being sent from Darwin. Carey denied this charge (see *Minutes of Evidence, Royal Commission on the Northern Territory*, p. 185, 366).

⁴⁶ NBAC/ANU: AWU, E154/17, *Australian Workers Union, Official Report of 31st Annual Convention*, 23 January 1917, pp. 69-70.

The new AWU Darwin branch held an election for all official positions four months later. Nelson was unopposed as secretary but there was a contest between Toupein and George Long for president. Union stalwart William Bournes, who was now mining tin at Hayes Creek, 180 kilometres south of Darwin, was elected unopposed to the executive. The results of the presidential ballot were not recorded but it can only be assumed that Toupein was elected. Dick Thomas, who had been the organiser during the *Houtman* dispute six months earlier, was re-elected organiser.⁴⁷

The Darwin branch may have been a small part of the great AWU, but during 1917 and over the next few years its influence in the Darwin community increased markedly. On 23 June, both Nelson and Toupein were elected to the Darwin Town Council, at the expense of prominent businessman, Percy Kelsey. Kelsey had topped the poll two years earlier when the union failed to win any position on the council. Nelson and Toupein's policies, however, were far from radical. They argued for a fairer and more open council answerable to the voters and not the Administration or absentee landlords like Vesteys.⁴⁸ Within a year, the union and its supporters were a majority on council. During this time, Nelson was also being feted by large local gatherings for his services to unionism. One such gathering, a 'concert and ball' in the vicinity of the new meatworks at Parap, attracted up to 1,000 people. The event was organised by the combined Territory unions to raise funds for the construction of a Trades Hall in Darwin but it was also timed to impress the Deputy President of the Arbitration Court, Judge Powers who was visiting Darwin. There was a mixture of singing, comedy and theatre, including a farce on justice in the Territory, which apparently even made Judge Bevan laugh.⁴⁹

Powers' presence in Darwin from 13-20 July 1917 was brought about when the AWU and several other unions served a series of claims on the Administration and Vesteys. It was the first time an Arbitration Court judge had visited the Territory. In all, there were seven cases before the Judge, relating to the wages and conditions of labourers constructing the meatworks, hotel workers, station hands and waterside workers. Claims from the carpenters at Vesteys, engineers on the railway and privately employed clerks were also heard by Powers, although these workers were not members of the AWU.⁵⁰ By the time Powers arrived in Darwin, the unions and employers had reached agreement on many of the issues in

⁴⁷ *NTT*, 9 November 1916, 26 April 1917. Thomas had been opposed by Arthur Love (see footnote 41).

⁴⁸ *NTT*, 21, 28 June 1917.

⁴⁹ *NTT*, 19 July 1917.

⁵⁰ These workers were members of the Amalgamated Society of Carpenters and Joiners, Amalgamated Society of Engineers and the Federated Clerks Union.

dispute so there was little controversy when most of the judgements were delivered over the next few months.

When he revised the 1915 meatworks construction award, Powers granted a further 20 per cent wage increase, arguing that the company 'can afford to pay them and ... is willing to do so'.⁵¹ Powers also increased the wages of non-Aboriginal station hands and justified it on the grounds of the extra responsibilities involved in supervising Aboriginal workers. The judge argued that station owners could afford the increase due to the low wages paid to the Aboriginal station hands who made up the bulk of the workforce.⁵² Waterside labourers were also granted a wage rise, making their wage 70-80 per cent higher than it had been in 1912.⁵³

The more interesting of Powers' judgements, were his decisions on the wages and conditions of skilled workers on the railway and clerks working for private employees in Darwin. In these judgements, Powers commented on the high wages being offered by Vestey's so it could attract workers to Darwin and limit industrial action at the meatworks. He also argued that Vestey's was more profitable than any other employer and could easily afford the higher rates.⁵⁴ Powers' argument contrasts sharply with Alcorta's view that Vestey's was a victim of aggressive unionism. Clearly the union was aggressive in its demands, but it also suited Vestey's to agree to most union demands in order to guarantee a steady supply of labour and uninterrupted production. On one occasion, Vestey's agreed to pay government rail workers a 'bonus' to stop them going on strike when their own employer, the Federal government, refused to accede to their wage claims.⁵⁵

In the clerks decision, Powers 'complimented' the company on the high wages it paid and the 'comfortable bachelors' quarters it had built for 300 of its men. Powers felt that such high wages, which had resulted in Darwin being called a 'working man's paradise', were justified because of the difficulties of living in the Territory. In his judgement, Powers argued that 'In the paradise in question there is no gas, no electric light, no trams, no cabs or buses ... and in the evenings picture shows and the public houses are the only places of entertainment'. He reiterated the views contained in his 1915 judgement on the higher cost of living in Darwin and the fact that a lack of housing meant that many married men were also maintaining a second house for their families still living down south. Powers also added that, although Darwin was a healthy place to live and food was satisfactory, its remoteness and

⁵¹ *CAR*, vol. 11, 1917, p. 547.

⁵² *CAR*, vol. 11, 1917, p. 577.

⁵³ *CAR*, vol. 11, 1917, pp. 518-522.

⁵⁴ *CAR*, vol. 11, 1917, p. 530, 557.

⁵⁵ *CAR*, vol. 11, 1917, p. 529.

climatic conditions made life difficult: 'Personally I feel bound to consider the existing conditions and disadvantages a man and his family have to submit to in fixing a basic wage.'⁵⁶

Powers included for the first time in all of these awards a 'no strike' clause designed to guarantee that all disputes were channelled through the Court. According to the Judge 'strikes ... are now unnecessary'.⁵⁷ In response to the Court's judgements, the Administrator commented in his *Annual Report*, that the wage rates set by Powers were 'very great' compared to southern wages, but he 'confidently hoped' for an end to industrial unrest during the life of the new awards.⁵⁸

There was some reprieve from industrial action but the Administrator did not gain any respite from the public campaign against him, especially after his reappointment for a second term. At a public meeting called by the AWU on the evening of 30 August 1917, which, according to the *Times* correspondent, filled the Darwin Town Hall, Nelson called Gilruth the 'representative of the capitalist'. The next evening, another large gathering at the same venue welcomed Gilruth, indicating that not everybody was opposed to his return. A plan by the AWU to hold a protest outside the second meeting was either not reported or did not eventuate.⁵⁹

The attention of the union was also focused outside of the Territory when the AWU voted to levy its members a hefty 20 per cent of their wages to aid the 70,000 workers involved in the New South Wales (NSW) general strike of August-September 1917.⁶⁰ There are no records available to indicate what percentage of members complied with the levy, but Territory unionists were singled out for special mention at the Annual Delegates Meeting of the Queensland AWU for their 'wonderful work' in supporting the strike.⁶¹ In 10 weeks, the union raised the considerable sum of £5,600 in strike relief, roughly equivalent to every Darwin worker contributing one week's wages.⁶² Angered by the continuing burdens of war, strikes such as the NSW general strike had strong support from Australian workers and signified a new militant spirit in the country's union movement.

⁵⁶ *CAR*, vol. 11, 1917, pp. 557-562. See also *NTT*, 22 March 1917.

⁵⁷ *CAR*, vol. 11, 1917, p. 530.

⁵⁸ *Annual Report of Northern Territory Administrator, 1915-1917*.

⁵⁹ *NTT*, 2 August 1917.

⁶⁰ *NTT*, 4 October 1917.

⁶¹ 5th Annual Delegates Meeting, Queensland AWU, Brisbane, 17 January 1918, Australian Workers Union, Darwin Matters.

⁶² *NTT*, 20 December 1917.

Against Progress and Christian Civilisation

By the second half of 1917, despite the strong support for the AWU and its leaders, there were some members of the community who were not hesitant in expressing opposition to the union. The new editor of the *Times*, Fred Thompson, began to criticise the local union leaders in his paper. Accusing the labour leaders of ‘operating against true progress’, the paper reminded the unions that they ‘hold the key which will unlock the gates of capital’. Once again, the waterside workers were singled out for special criticism for their slow unloading rates.⁶³ On the day when Vestey’s first shipment of frozen meat left Darwin, the *Times* argued that ‘the result has been achieved, not with the assistance of the labour organisations but despite them’. The author, probably Thompson, equated the union to a ‘Highwayman’ and argued that ‘labour is now awakening’ and that in future there will be no place for the ‘slackers, wasters, go-slow men, [and] drones’.⁶⁴ The *Times* particularly feared the influence of the union militants on the ‘increasing number of foreigners in our midst’ like the ‘Greek’ who is ‘not slow to follow any lead given’.

Let labour leaders insist on honest work for good pay and they will in time, make good citizens of the foreign element. Lead them in foolish schemes against authority in go-slow methods and such like, and they will nurture a force that will turn and rend us.⁶⁵

Alf Pain, the 1913 strike leader and alleged IWW organiser, who was now a part-owner of a mine near Pine Creek, also continued to use the pages of the paper to attack his former comrades in the union. Pain still identified with the ‘great labour union movement’ of the past, but he argued that unionism was now discredited due to parasitic leaders and the ‘doctrines of “Go-slow”, of lawlessness and licence of disloyalty’. Clearly Pain had shifted in his political views. Whether this was a result of his belief that Nelson had betrayed the 1913 strike or was an expression of wartime patriotism is unknown, but it was not the last time that Pain publicly attacked the unions.⁶⁶ The local churches also took the opportunity to attack the local union. Darwin’s Methodist Minister, J. Albert Pratt sermonised that the ‘disturbances, strikes and labour troubles of the last few months have struck deeply at the heart of our Christian civilisation’.⁶⁷

According to the *Times*, however, much of the disputation on the wharf was generated by rebellious elements acting against the instructions of their own union leaders. The paper referred to three incidents on the wharf in October and November 1917 when disputes

⁶³ *NTT*, 1 November 1917.

⁶⁴ *NTT*, 13 December 1917.

⁶⁵ *NTT*, 18 October 1917.

⁶⁶ *NTT*, 13 September, 15 November 1917.

⁶⁷ *NTT*, 8 November 1917.

occurred against the wishes of the AWU leaders. In the first case the waterside workers reduced the size of slings despite an agreement between Vestey's and the AWU that the union try and achieve discharge rates similar to southern ports.⁶⁸ In the second incident, wharfies insisted on double rates for loading some Daly River copper ore that was rumoured to have been mined by Chinese labourers. In this case, Nelson was unable to placate his members because he had been refused entry on to the wharf by a military sentry. In the third incident even the press could not blame the workers for objecting to loading bags of fertiliser that had been poorly packed and were spilling great clouds into the ships holds and onto unprotected workers.⁶⁹

In February 1918, Nelson attended the Annual Convention of the national AWU in Sydney for the first time as a delegate from the stand-alone Darwin branch. Nelson had been elected delegate in a ballot of local members the previous October. His only rival was George Long, the unsuccessful candidate for president at the last union elections. Nelson defeated Long by 177 votes to 21, although there was a large informal vote of 53. Possibly this large informal vote indicates the considerable number of non-English speaking migrants in the union. The total number of votes cast was 258, providing a more accurate figure of the number of active members in the union.⁷⁰

Unlike previous years, Darwin did not feature largely in the agenda of the national conference, but Nelson did intervene in the debate on arbitration. The national leadership of the AWU was still firmly committed to arbitration, but they could not quarantine their membership from the shift to the left of Australian workers during the war. Reflecting this militant mood, Nelson argued that arbitration was a 'capitalistic machine' that had 'killed the individuality of members'. Nelson argued that the 'experience in the Northern Territory with arbitration had not meant satisfactory redress for their grievances; whilst, on the contrary, results through the medium of direct action had been pretty good'.⁷¹ Nelson was of course speaking to his audience and being a little dishonest with this claim. Much of the union's activity in the last few years had been directed through the Arbitration Court and many gains had been achieved. Nelson also successfully moved a motion for an internal union plebiscite on the issue.⁷²

⁶⁸ Vestey's took over the management of the wharf in June 1916 (see *Northern Standard (NS)*, 6 October 1921).

⁶⁹ *NTT*, 15 November 1917.

⁷⁰ *NTT*, 1 November 1917.

⁷¹ *The Worker*, 21 February 1918.

⁷² *The Worker*, 18 April 1918. The NT results of this plebiscite were 165 against arbitration and 53 for. The results had no effect on AWU policy (*The Worker*, 31 July 1919).

In Nelson's absence, responsibility for organising trade union activity in the Territory fell to A.E. Welsby, the Honorary Secretary of the NT Industrial Council. The Industrial Council had been formed the previous June by the AWU, carpenters, clerks and the newly formed Australasian Meat Industry Employees Union (AMIEU) to coordinate the activities of all unions.⁷³ Welsby, who had a penchant for quoting Karl Marx, was described as 'a student and deep reader of international affairs'.⁷⁴

Initially, the AWU resented the formation in 1915 of a branch of the meatworkers' union in Darwin. The acting secretary at the time, John Reardon, had argued that the meatworks should be under AWU control 'as this part of Australia is just ripe for One Big Union'.⁷⁵ However, the national AWU had made an agreement with the AMIEU in 1915, not to sign up workers in the meat industry without the meat union's authority.⁷⁶ With the end of construction, most workers at the meatworks were now members of the AMIEU. Not only did the AWU leadership lose influence at the meatworks, but also local workers started to resent losing work to skilled meat processors brought in from Queensland.

According to Terrence Cutler, the Queensland AMIEU was the most militant section of the meatworkers' union and was strongly influenced by the IWW and its philosophies of union control of the job and disdain for arbitration. By 1910, the Queensland meatworkers had rejected arbitration in favour of collective bargaining (direct negotiation) with their employers. The nature of the meat industry with its reliance on skilled labour and the perishability of its product, placed the workers in a very strong bargaining position. Employers were required to offer high wages to attract workers to their seasonal and often isolated establishments. Union control of hiring and firing also guaranteed the maintenance of union strength on the job.⁷⁷

In early March, it was announced in the *Times* that the meatworks was not going to open for the 1918 season as negotiations had broken down between the Queensland AMIEU and Vestey's over the wage rates for the coming season.⁷⁸ The Queensland butchers were demanding a 20 per cent increase in rates. Vestey's was prepared to accept any increase as long as it was granted by the Arbitration Court and the union promised not to strike for the rest of the season. At first Welsby and the Industrial Council defended the claim due to the

⁷³ *NTT*, 17 June 1917.

⁷⁴ *NTT*, 6 December 1917.

⁷⁵ 3rd Annual Delegates Meeting, Queensland AWU, 6 January 1916 in Australian Workers Union, Darwin Matters.

⁷⁶ *NTT*, 19 August 1920.

⁷⁷ T.A. Cutler, *The History of the Australasian Meat Industry Employees Union: A Study in the Internal Dynamics of a Labour Organisation*, PhD Thesis, University of NSW, 1976, p. 24-26, 161-175.

⁷⁸ *NTT*, 9 March 1918.

rising cost of living. They also argued that it would be tantamount to strike-breaking if the Industrial Council gave an undertaking for no further strikes at a time when workers such as the railway workers were earning less than the Vesteys workers. Replying to the *Times*, which was now openly supporting Vesteys, Welsby wrote that 'I have been in Darwin close on twelve months, but fail to see any semblance of a paradise'.⁷⁹ Nevertheless, he admitted to the press, that the matter was 'out of the hands of the local unions' and in the hands of the Brisbane butchers.⁸⁰ A week later, Welsby told the press that local workers were prepared to accept the Vesteys offer.⁸¹ The Brisbane workers, however, were involved in the annual bargaining game at the beginning of each meat season when both the employer and union attempt to call the others' bluff in an effort to secure the best deal for the new season. The Queensland meatworkers' union would have been aware that Vesteys was operating in a very favourable market of increasing prices and guaranteed wartime exports to England.⁸²

The *Times* reacted with horror to the news that the meatworks was not opening, declaring it the 'heaviest blow' in the Territory's history, and describing Vesteys as 'a most generous employer' and the 'only hope' for the Territory.⁸³ A letter appeared in the press from 'one of the workers' accusing the Industrial Council of being 'out of touch' with local workers.⁸⁴ Even the ex-militant, Alf Pain, described Vesteys as the 'ideal employer' and accused the union officials of 'criminal stupidity' and 'selfishness', adding that they should be removed from office.⁸⁵ With an estimated 500 unemployed workers waiting in Darwin for the meatworks to open, the union leaders were under enormous pressure to reach a settlement.⁸⁶ This no doubt explains why Welsby became less sympathetic to the Brisbane butchers as the dispute continued. There is also some indication that some of the regular Darwin butchers resident in Queensland were putting pressure on their own union to reach a settlement. At a meeting in Brisbane on 9 March, regular Darwin butchers unanimously passed a motion calling on the State Executive of the Queensland AMIEU to hold an inquiry into the 'unfortunate position' in Darwin and to find out who is to 'blame' for the crisis.⁸⁷

By March, a pessimistic mood had set in and the Industrial Council had started taking names of any worker wanting to leave the Territory on the next available steamer.⁸⁸ A week later, possibly as a response to the actions of the Darwin butchers, the Industrial Council called a

⁷⁹ *NTT*, 2 March 1918.

⁸⁰ *NTT*, 9 March 1918.

⁸¹ *NTT*, 16 March 1918.

⁸² Cutler, *The History of the Australasian Meat Industry Employees Union*, p. 149.

⁸³ *NTT*, 16 March 1918.

⁸⁴ *NTT*, 9 March 1918.

⁸⁵ *NTT*, 16 March 1918.

⁸⁶ *NTT*, 9 March 1918.

⁸⁷ *NTT*, 16 March 1918.

⁸⁸ *NTT*, 16 March 1918.

meeting and recommended acceptance of the company's offer which had just been increased as a result of an Arbitration Court determination on the Queensland Butchers Award. The Council also revealed that it had received an assurance from Vesteys that the meatworks would begin operations if the offer was accepted. On Sunday 17 March, 327 workers voted to accept the company's offer and to direct Brisbane-based butchers to do likewise. Despite Welsby's previous opposition, a guarantee of no further strikes for the remainder of the season was also given.⁸⁹ In a marked change of tone, the *Times* congratulated the 'temperate and able' Welsby and former AWU secretary/organiser Jack Munro for their efforts and hoped that 'the better side of unionism is finding expression'.⁹⁰ Both men, according to the press, told the meeting that once the agreement was signed, it was a matter of honour for all unionists to abide by it. Nevertheless, it is interesting to note that even with the press campaign against the union and the threat of unemployment, 73 workers still opposed acceptance of the company's offer.⁹¹ Despite this sizeable opposition, the actions of Welsby and Munro were a far cry from the accepted image of Darwin unionists as 'firebrands', 'highwaymen' and 'vampires'.⁹²

With an amicable agreement now signed with Vesteys, the combined unions could once again concentrate their fire on the hated Gilruth. The issue at hand was the management of the state hotels. It had been two and a half years since the hotels had been nationalised. From all accounts the business was delivering a handsome profit to the Administration but there were growing complaints from the public that this was being achieved at the expense of quality of service. As well, the sly grog trade was flourishing and public drunkenness was still considered by many observers to be a serious problem. One report in the *Times* on the opening of a new bar at the Terminus Hotel detailed up to 72 fights in a single day.⁹³ Attempts had been made to stamp out the sly grog shops but the close knit nature of the Darwin community had meant that law enforcement officers were easily detected and were unable to learn the whereabouts of the offending premises.⁹⁴

On 7 May 1918, a public meeting was held in the Town Hall to highlight some of the community's concerns about the state of the liquor industry in the Territory. The meeting was initiated by 'over forty residents' including the *Times* editor Fred Thompson, but most of the speakers were associated with the union movement, including local councillors,

⁸⁹ *NTT*, 23, 30 March 1918.

⁹⁰ *NTT*, 23, 30 March 1918.

⁹¹ *NTT*, 23 March 1918.

⁹² 'Unionism is a vampire that is sucking the lifeblood of the Territory' – J. McMahon, *Courier Mail* representative touring the Northern Territory in 1917 in *NTT*, 8 March 1917.

⁹³ *NTT*, 9 February 1918.

⁹⁴ *Annual Report of Northern Territory Administrator, 1915-17.*

Toupein and Nelson. A resolution was unanimously passed that raised many of the public's concerns about the state hotels. The resolution stated that the hotels were supplying a limited range of poor quality beverages, especially bulk whisky. The resolution also called for the dismissal of a hotel manager who was accused of watering down the beer with bar spills and cordials.⁹⁵ Accusations were also made that the hotels were selling liquor at highly inflated prices and that the quality of their accommodation had deteriorated. It is clear from the press reports of the meeting that all speakers personally blamed Gilruth, whom Nelson comically dubbed the 'Big Gee'. The meeting also raised the demand for the establishment of a fully representative citizens council to advise the Minister responsible for the Territory on local matters.⁹⁶

The labour movement's campaign against Gilruth was further strengthened in June, when E.W. Pearse, an AWU executive member, joined Nelson, Toupein and Douglas Watts on the Darwin Town Council at the expense of Town Party candidates, Percy Kelsey and the anti-union solicitor, Donald Roberts.⁹⁷ Nelson and Toupein were able to use their control of the council to organise a series of public protests against the Administrator. On one occasion, in early November, the council passed a resolution condemning the Administrator for undermining the white Australia policy by employing Chinese workers while 'white' female domestics were forced to leave the Territory in search of work.⁹⁸

Shortly after, an even deeper crisis developed for Gilruth at a time when the Territory and the nation as a whole were celebrating the end of the First World War on 11 November. To celebrate the armistice, Vestey's granted its workers one week's holiday on full pay. In contrast, when the AWU Waterside Section Secretary, H. Collins, requested that the state hotel waitresses be given some time off to celebrate the armistice, the Administration refused. When the women took leave anyway, they were suspended, which led to a walkout of all staff in sympathy and the closure of the hotels. One wonders how Gilruth could have been so vindictive at a time of intense nationalist fervour and against such a popular section of the Darwin workforce. With the hotels being so central to the lives of Darwin's workers, these women had daily contact with the majority of the town's population. The lockout only lasted four days as the women were eventually reinstated with no loss of entitlements, but it

⁹⁵ *NTT*, 11 May 1918. In evidence to the 1920 Royal Commission, the Supervisor of Hotels, Callan indicated that he thought the stories of slops being put in the beer were true (*Minutes of Evidence, Royal Commission on the Northern Territory*, p. 110).

⁹⁶ *NTT*, 11 May 1918.

⁹⁷ *NTT*, 15, 29 June, 9 November 1918. Watts, a local businessman with labour sympathies and a joint Vice President of the AWU, had been elected to the council in June 1916 (*NTT*, 29 June 1916).

⁹⁸ *NTT*, 9 November 1918.

further weakened Gilruth's support in the community.⁹⁹ In particular, Gilruth had attracted the ire of Fred Thompson, the editor of the only newspaper in the Territory.

The events that ultimately brought an end to Gilruth's reign were sparked by the decision of the Administration to raise the price of liquors sold in the state hotels. The increase was defended on the grounds of increased wholesale rates, but it was an unwise decision given the already strong opposition in the community to the management of the hotels.

On 3 December 1918, two separate meetings were held to plan a response to the price increase. The first, held near the meatworks and initiated by a petition of 50 union members from the meatworks, voted for an immediate boycott of the state hotels until prices were reduced and that any member not abiding by the boycott be considered a 'scab'.¹⁰⁰ That evening, Douglas Watts, who was recently elected Mayor, chaired another meeting at the Town Hall that also unanimously passed a resolution calling for a boycott. Particular concern was expressed at the 16 per cent increase in the price of beer from 1s 6d to 1s 9d per bottle. The 'large gathering' also unanimously voted to institute a levy on all Territory unionists to pay the wages of bar staff laid off as a result of any boycott.¹⁰¹

On 6 December 1918, a delegation including the Watts, Nelson, H. Collins and the new Industrial Council Secretary and former carpenters' union secretary, Robert Munro Balding, met with the Administrator. During the one and a half-hour meeting, Gilruth admitted that the price of whisky was excessive but he refused to consider lowering the price of liquor and denied that the state hotels were making exorbitant profits.¹⁰²

The next day a 'mass meeting' was held at the Darwin Oval, not far from the Administrator's residence, to report on the delegation. In his opening speech, Mayor Watts challenged the figures issued by the Administrator to justify the increase in liquor prices, but for Nelson and Collins, the issue had shifted from the price of liquor to the fate of Gilruth. Nelson, using his usual colourful oratory, told the assembled crowd that

Personally I do not care particularly about the price of beer; this is only one of the many grievances ... Like the people of Russia when the supply of vodka was stopped, so the people of the Northern Territory have realised that they have been duped by the Administrator for the past five years. Why should we lie down any longer under the tyranny of a despot who can punish us if we raise our voices in protest against his maladministration. In the near future you will be asked to take action and I hope you will rise to your responsibility and end the reign of despotism.¹⁰³

⁹⁹ *NTT*, 16 November 1918.

¹⁰⁰ *NTT*, 7 December 1918.

¹⁰¹ *NTT*, 7 December 1918.

¹⁰² *NTT*, 7 December 1918.

¹⁰³ *NTT*, 14 December 1918.

Collins followed and agreed with Nelson that the boycott was ‘merely a means to an end’, the removal of the Administrator, ‘as great a despot as the Kaiser’.¹⁰⁴ Even though this ‘despot’ had very little real power and was entirely answerable to the Minister in Melbourne, Gilruth’s arrogant, tactless and authoritarian leadership had made him the target for the many grievances Territorians had with the Commonwealth government.

The Darwin Rebellion¹⁰⁵

Ten days later, the Boycott Committee called on the people to ‘take action’. However, there are differing accounts of the nature of this action. Gilruth called it a ‘serious riot’, while the *Times* simply called it a ‘demonstration’.¹⁰⁶ The officer commanding troops stationed in the Territory called it a ‘disturbance’, as did the later Royal Commission into the event.¹⁰⁷ The *Bulletin* called it an ‘insurrection ... a preliminary attempt at Soviet rule’ and the *Sydney Mail* described the events as ‘absolute anarchy’.¹⁰⁸

The ‘action’ of 17 December 1918, began late in the afternoon when 400 people set out to walk the six kilometres from the meatworks at Parap into town.¹⁰⁹ The meatworks season had finished but perhaps the union wanted to first meet at Parap to guarantee that most of the residents living in proximity to the meatworks would feel obliged to participate in the afternoon’s events. In Gilruth’s report on the event, he noted that names had been taken during the march and some months later there were complaints in the local press from a number of workers who had been denied work because they had not participated in the march.¹¹⁰ The air was hot and humid, the only relief being the occasional early wet season storm rolling in across Darwin Harbour. At this time, Parap was considered the outer reaches of Darwin and such a trip was not taken lightly, indicating some level of commitment to the

¹⁰⁴ *NTT*, 14 December 1918.

¹⁰⁵ An account of the Darwin Rebellion appears in Dr H.I. Jensen, ‘The Darwin Rebellion’ in *Labour History*, vol. 11, November 1966, pp. 3-13; Lockwood, *The Front Door*, pp. 203-208; Powell, *Far Country*, pp. 138-139; Alcorta, *Darwin Rebellion*; P.F. Donovan, *At the Other End of Australia: The Commonwealth and the Northern Territory, 1911-1978*, University of Queensland Press, St Lucia, 1984, p. 38; John J. Mettam, *Central Administration and the Northern Territory 1911-1926*, PhD Thesis, University of Sydney, 1995, p. 205-211. More recently the events were described in W.R. (Bill) Wilson, *A Force Apart: A History of the Northern Territory Police Force 1870-1925*, PhD Thesis, Northern Territory University, 2000, pp. 260-265. The account that follows inevitably repeats much of what has been written before but for the benefit of the reader and because I feel much of what has been written exaggerates the events surrounding the Rebellion, I present this summary.

¹⁰⁶ NAA, NT: A3, NT1919/1031, letter, J.A. Gilruth to Minister for Home and Territories, 18 December 1918; *NTT*, 21 December 1918.

¹⁰⁷ NAA, NT: A3, NT1919/1031, letter, Colonel J. L. Johnston to District Commandant, 1st Military District, Brisbane, 4 January 1919; Justice Ewing, *Report into the Northern Territory Administration, Commonwealth Parliamentary Papers (CPP)*, No. 28, 1920-21, vol. 3, pp. 1661-62.

¹⁰⁸ *NTT*, 25 January, 22 February 1919.

¹⁰⁹ This account of the protest is taken from *NTT*, 21 December 1918 and Gilruth’s own report in NAA, NT: A3, NT1919/1031, letter, J.A. Gilruth, to Minister for Home and Territories, 18 December 1918. Additional information from *Minutes of Evidence, Royal Commission on the Northern Territory*.

¹¹⁰ *NTT*, 11 January 1919.

cause. As the march proceeded from the meatworks past the '2½ mile' railway workshops, more people joined the march. By the time the march reached its destination at the white picket fence surrounding Government House, the Administrator's residence, their number had increased to 700 (see photo, p. 78). The number of marchers may have also been swelled by the addition of some residents and children simply attracted to the spectacle, including Harold Nelson's son, Jock, who watched proceedings from a tree opposite Government House.¹¹¹ Government House, overlooking Darwin harbour, was (and is) one of Darwin's finest buildings. It was not overly large but still grand due to its stone construction, multiple gabled roof and bamboo shutters befitting a tropical residence. Leafy grounds, incorporating a private tennis court, also surrounded the residence.

Two days earlier, Gilruth had received intelligence reports about the march and he sought protection from the small police force and 27 'old and unfit' (according to Gilruth) specially deputised guards armed with batons. Once assembled, the marchers voted to call on Gilruth to address them and explain his actions over the last five years, or agree to leave the Territory until a public inquiry could be held into his administration. Gilruth rejected these demands, arguing that he was only answerable to the Federal Minister. After a number of deputations to the Administrator lasting several hours, Gilruth agreed to address the assembly, now numbering about 1,000. The *Times* reported that Gilruth did this 'reluctantly' but the Administrator told the Minister that it was his idea. Gilruth then went into the grounds of his residence, stood on a box and in the afternoon shadows bravely confronted the protesters.

The *Times* reported that the picket fence then collapsed under the weight of the assembly, who, at Nelson's command, showed their dissatisfaction with Gilruth's speech by invading the grounds. The police and special constables were disarmed, the Government Secretary, R.J. Evans, had his trousers torn, and some latticework on the residence and some netting on the tennis court was damaged. The police argued that the fence was pulled down deliberately and Gilruth claimed that a police bullet wrecked the latticework. Gilruth also claimed he was thrown to the ground and that the demonstrators invaded his house. All reports, however, have Nelson and the other union leaders regaining order and leading the assembly to an area outside the grounds of Government House, later renamed Liberty Square, where an effigy of the Administrator was burnt.¹¹² So ended the Darwin Rebellion. The combined cost of

¹¹¹ It was reported as 500 in the parliamentary debates later that week. See *CPD, H of R*, 19 December 1918, p. 9860. Also see transcript of interview with Jock Nelson, Northern Territory Archives Service.

¹¹² *NTT*, 21 June 1919.

damage? A picket fence, some netting, a pair of trousers, a police trackers' rifle, which was burnt with the effigy, and the egos and eventual careers of several government officials.

Nine days later, on the afternoon of Boxing Day, another 'monster procession' was held. According to both the press and a report from a military officer, this protest numbered about 1,000 people. During the hours leading up to the event, 70 military and naval personnel had been landed to protect the Administrator but most remained in camp for the duration.¹¹³ Later, it was reported to the Royal Commission by Government Secretary Evans that two machine guns were also placed on the verandah of Government House.¹¹⁴ The march assembled outside Robert Toupein's barber shop in the centre of town. With the Town Band in the lead, the march proceeded past Government House to a rally on the town oval. Speeches were made by Watts, Nelson and Toupein, as well as leaders of the meatworkers' union, on the whole range of complaints against the Administrator. Resolutions were passed calling on the removal of the Administrator and the establishment of an elected council to govern the Territory. Unlike the event the week before, this meeting, according to the officer in command of the military, was 'quiet and orderly and quickly dispersed'.¹¹⁵

According to the *Times*, there was some merriment in Federal Parliament when the Minister responsible for the Territory reported that the 'riot' was sparked by an increase in the price of beer.¹¹⁶ Southern newspapers shared the humour with one printing the following verse

Why do heathen rage against the law,
And rant and riot in discordant ways?...
Where Darwin's proletariats justly squeal?
The motive of the mutiny is beer.¹¹⁷

Although the price of beer was not the only cause, it should be remembered that the new price of bottled beer set by the Administration was 82 per cent of the basic hourly wage for a labourer at the time.¹¹⁸

Down south there were exaggerated reports of violence, anarchy, armed foreigners and 'bolsheviks' on the streets of Darwin.¹¹⁹ In contrast, the target of the protest, Gilruth, was

¹¹³ *NTT*, 4 January 1919; NAA, NT: A3, NT1919/1031, letter, Colonel J.L. Johnstone to District Commander, 1st Military District Brisbane, 4 January 1919.

¹¹⁴ *Minutes of Evidence, Royal Commission on the Northern Territory*, p. 382.

¹¹⁵ NAA, NT: A3, NT1919/1031, letter, Colonel J.L. Johnstone to District Commander, 1st Military District Brisbane, 4 January 1919.

¹¹⁶ *NTT*, 21 December 1918. There was no mention of the laughter in the *CPD, H of R*, 19 December 1918, p. 9857.

¹¹⁷ *NTT*, 25 January 1919.

¹¹⁸ The basic wage as amended by Judge Powers in August 1917 was 2s 1½d (*CAR*, vol. 11, 1917, p. 548).

¹¹⁹ *NTT*, 4 January, 8, 22 February 1919.

one of the few observers who tried to avoid such sensationalism. Gilruth argued that the cause of the disturbance was the ‘want of social intercourse with women’ who could be a ‘steadying conservative influence’.¹²⁰ Gilruth’s argument, however, does not explain the behaviour of men like Watts and Nelson who were married, the latter having five children. Gilruth’s lieutenant, Henry Carey, put it down to the lack of the ‘steadying element of middle-class people’ and too many unionists.¹²¹ One of the local policemen, Mounted Constable Robert Wood, blamed the events on ‘a moving population ... [and a] rough element’ that had come from Queensland and other parts of the country.¹²²

How did these events in Darwin compare with outbursts of civil unrest in other parts of Australia during the war years, a radical period in Australian politics? The so-called Darwin Rebellion seems a very subdued affair when compared to events in Queensland such as the ‘Red Flag Riots’ in March 1919 when shots were exchanged between returned soldiers and Russian emigres, or ‘Bloody Sunday’ in Townsville in June 1919, when troops opened fire on striking meatworkers.¹²³ These events were more violent and more akin to working class rebellion than the Darwin Rebellion. The events in Darwin in December 1918 were a popular multi-class defiance of an unpopular and unrepresentative state bureaucrat. Despite Nelson’s rhetoric about revolution, all Darwin citizens wanted was the right to elect their government, a right that every other Australian citizen enjoyed. In this sense conditions in the Territory were unique, but once again external factors, including Federal government policy, the economic and social effects of the war and the continuing reformist agenda of the Arbitration Court, continued to impact on developments in the region.

Eventually the Royal Commission into the administration of the Territory judged Gilruth ‘temperamentally unfitted to fill the office he occupied’ and found that there were no more ‘Bolsheviks’ in the Territory than anywhere else in Australia.¹²⁴ The objectivity of this Royal Commission has since been doubted. Nevertheless, Gilruth’s record in the Territory since his arrival in 1913 makes it hard to question this particular finding.¹²⁵ However, to be fair to the man, the real blame must lie with a Federal government that sent a conservative academic with little governmental experience to administer an economically fragile region, fraught with considerable class and ethnic tensions.

¹²⁰ *NTT*, 30 March 1920.

¹²¹ *Minutes of Evidence, Royal Commission on the Northern Territory*, p. 85.

¹²² *Minutes of Evidence, Royal Commission on the Northern Territory*, p. 338.

¹²³ See Evans, *Loyalty and Disloyalty*, p. 159, 171.

¹²⁴ *Report into the Northern Territory Administration*, pp. 1653-1669.

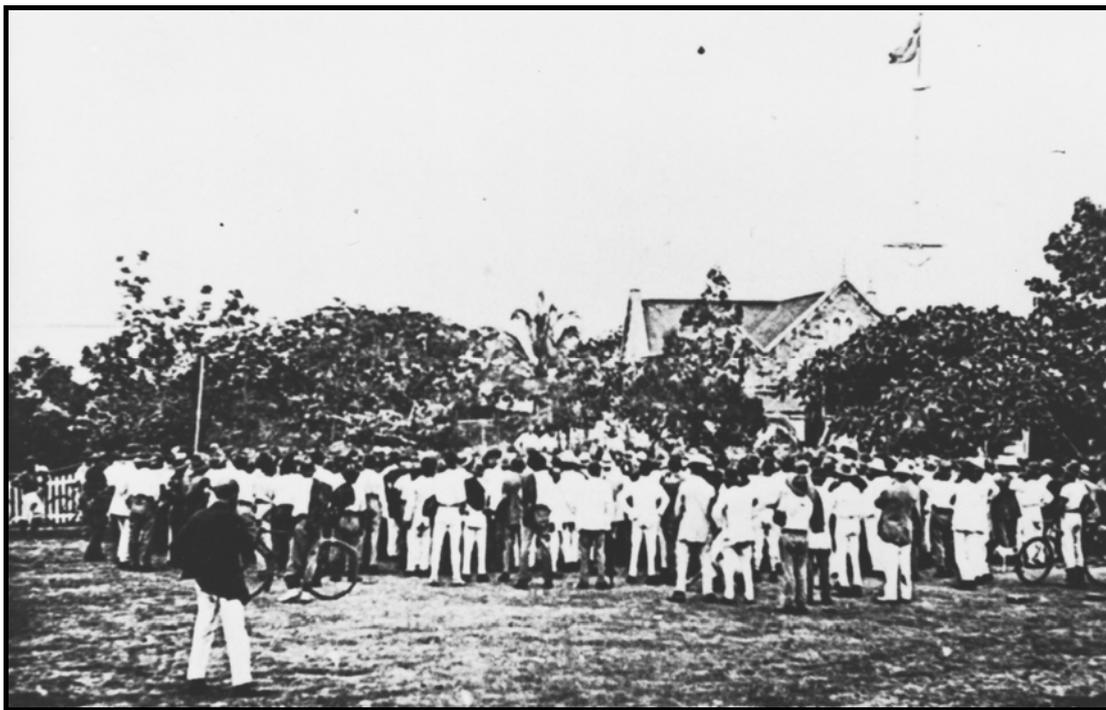
¹²⁵ Alan Powell, ‘Gilruth Vs Ewing: The Royal Commission on Northern Territory Administration, 1920’ in *Northern Perspective*, vol. 4, no. 2, no date, pp. 3-8.

Within two months of the events of December 1918, the citizens' movement was victorious and Gilruth returned to Melbourne. In these two months, Nelson and Munro Balding were both found guilty and fined for assaulting a police officer during the 'rebellion'. The prosecution case was led by none other than Donald Roberts.¹²⁶

Within 10 months, Gilruth's temporary replacement, Henry Carey, the Government Secretary, Evans, and Judge Bevan also left the Territory after public agitation by Nelson and the unions. In his usual colourful style, Nelson told the three men that if they did not leave they would 'precipitate one of the biggest revolutions Australia has seen'.¹²⁷ With these events and the election of Robert Toupein as Mayor it appeared the AWU was at the height of its power. But the AWU was about to face its biggest crisis with a disastrous split in its ranks, which set the movement back years. Eventually, out of this crisis, emerged the NAWU.

¹²⁶ *NTT*, 15, 22 February 1919.

¹²⁷ *NTT*, 18 October 1919.



The Darwin Rebellion, 17 December 1918. Note the distinctive gables of Government House in the background and part of the white picket fence on the left that was pushed down by the protesters. The speakers' platform is in the centre of the photo. *NTAS: F433, 24, R.G Rhodes Collection.*



The Woods Street offices of the NAWU and the *Northern Standard*. This 'wreck' of a building served the union from 1917 till 1958 when it was condemned by health officials. *NTAS: NTRS 1217, 20, J.P. McDonald Collection.*

Chapter Three

The One Big Union

1919-1927

'The extremists had closed the northern gateway. The prospects of Darwin were shattered. All was at peace – the peace of death.' – A. Grenfell Price, historian.¹

The working class radicalism evident in some Australian towns and cities in the years following the First World War sparked a strong conservative reaction. Most instances of social unrest were blamed on 'bolshevism'.² Business people, church leaders, politicians, the press and loyalist returned soldiers mobilised in large numbers to counter the perceived threat to the nation. Frank Farrell writes that 'Once alight, the flame of anti-Bolshevism was fanned eagerly by conservatives throughout the 1920s'.³ Both the William Morris Hughes (1917-23) and Stanley Melbourne Bruce (1923-29) Federal Governments successfully utilised the fear of subversion to keep the Labor Party in opposition for over a decade. The threat of subversion also justified legislation that criminalised the activities of trade unions and small left organisations like the Communist Party, formed in October 1920.⁴ The Northern Territory was not immune from this conservative backlash. In 1921, the new editor of the *Times*, John Albert Porter, a fanatical anti-unionist and anti-socialist, blamed the failure of the region's economic development on both past government policies and 'cut-throat foreign bolsheviks'.⁵ This chapter examines the impact of the conservative reaction on Territory unionism as well as the steps taken by the movement to guarantee its survival.

¹ A. Grenfell-Price, *The History and Problems of the Northern Territory, Australia*, The John Murtagh Macrossan Lectures, University of Queensland Press, St Lucia, 1930, p. 47.

² Douglas William Hunt, *A History of the Labour Movement in North Queensland: Trade Unionism, Politics and Industrial Conflict, 1900-1920*, PhD Thesis, James Cook University, 1979, p. 352.

³ Frank Farrell, *International Socialism and Australian Labour: The Left in Australia*, Hale & Iremonger, Sydney, 1981, p. 145, 147.

⁴ Manning Clark, *A Short History of Australia*, Tudor, Sydney, 1969, p. 218; R.W. Connell & T.H. Irving, *Class Structure in Australian History: Documents, Narrative and Argument*, Longman Cheshire, Melbourne, 1986, p. 216; Alistair Davidson, *The Communist Party of Australia: A Short History*, Hoover Institution Press, Stanford University, 1969, p. 3.

⁵ *Northern Standard (NS)*, 14 March 1922.

With the departure of J.A. Gilruth, the one thing that had united most citizens of Darwin was gone and it was not long before divisions emerged in the democracy movement. The immediate cause of the rift was the continuation of the hotel boycott. The boycott was escalated in mid-February 1919 when bar staff and cooks were withdrawn from the hotels to inject more 'ginger' into the campaign. The Boycott Committee also changed its name to the Reform Committee to reflect broader concerns such as the absence of representative government in the Territory. Several weeks earlier, members of the Boycott Committee voted to draw up a list of people willing to stop paying income tax until parliamentary representation was granted.⁶

The split in the movement was apparent in late March, when a 'meeting of citizens' in the Town Hall outvoted Harold Nelson and his supporters and called for the boycott to be lifted and a Progress Association established. The composition of Nelson's opponents is unclear, although some were local European businessmen. Five days later in the same venue, a meeting of the new Progress Association ended in uproar when Nelson moved a motion of no confidence against the 'slow going policy' of the 'anti-boycott section of the community'. Nelson's motion was only passed after his opponents walked out of the meeting. The *Times* reported that the meeting ended with 'a number of persons' singing the 'Red Flag' and 'something about "Solidarity"'.⁷

When both committees released their policies in late April, they shared many concerns such as the absence of parliamentary representation, limited industrial development, and the need for improvements to wharf, housing and medical facilities. The program of the Reform Committee, however, was much more comprehensive and included issues of concern to the labour movement at the time such as a 'white' Australia (the committee's 'first plank'), a minimum wage, opposition to contracting and for a reduction in the size of pastoral leases.⁸ Soon after the release of the Reform Committee's policies, the four-month long boycott of the state hotels was lifted. Supporters of the boycott claimed it had won concessions from the Federal government in the form of a seven person Advisory Committee with four elected community representatives.⁹

⁶ *Northern Territory Times and Gazette (NTT)*, 18 January, 14, 22 February 1919.

⁷ *NTT*, 22, 29 March 1919.

⁸ *NTT*, 29 March, 26 April 1919.

⁹ *NTT*, 3 May 1919. The Advisory Committee only met once during which Carey, Evans and Bevan were told to leave the Territory. Union representatives on the Committee were Nelson and William Ryan. Ryan was the anti-conscription campaigner fined in 1916 for throwing mud at a recruitment poster (see Chapter 2, p. 60). For more information on the Advisory Committee see John J. Mettam, *Central Administration and the Northern Territory 1911-1926*, PhD Thesis, University of Sydney, 1995, p. 229.

Nelson also had his critics inside the AWU, although the opposition's grievances are hard to ascertain because of the union's tendency to hide its internal affairs from public scrutiny. In January 1919, an AWU member wrote to the *Times* accusing the union of promoting 'Greek strikebreakers' at the expense of the 'militant' 'Australian unionist'.¹⁰ Apparently the union executive had dismissed a gang of waterside workers for participating in an unauthorised go-slow and had replaced them with a gang that included men of Greek nationality. Once again, the union executive showed that it was not averse to disciplining members who participated in unauthorised industrial action. The willingness of the union to do so caused Gilruth and his officials to tell the 1920 Royal Commission into the administration of the Territory, that Nelson often displayed 'great usefulness in avoiding industrial troubles'.¹¹ If the accusations of the *Times* letter writer are true, it also shows that despite the rhetoric of 'white' Australia, the union leadership willingly used Greek workers if it suited their purposes.

One of the more important developments of 1919 was the move to establish a One Big Union (OBU) 'embracing all other organisations' in the Territory.¹² The OBU had been adopted by the AWU at its national convention in 1915 but it should not be confused with the revolutionary syndicalist OBU espoused by the IWW. Instead, the AWU saw the OBU as an extension of itself.¹³ It is unclear why the Darwin branch initiated steps to form an OBU at this time. It is probable that it was related to the continuing dissatisfaction of local workers with the monopolisation of jobs at the meatworks by AMIEU members from Queensland.¹⁴ The Queensland AMIEU had supported the OBU until 1914 but withdrew its support because it feared being swamped by the conservative AWU.¹⁵ In July 1918, the Queensland AMIEU had also voted not to accept workers with AWU tickets into the meat industry, further escalating competition between the two unions.¹⁶

Tensions between the two unions increased when it was announced that the Darwin meatworks would not open for the 1920 season. The newly appointed Acting Administrator of the Territory, Miles Staniforth Smith, estimated that two thirds of Darwin's workers were left unemployed as a result of Vestey's decision.¹⁷ The *Times* reported in mid May that 600

¹⁰ *NTT*, 18 January 1918.

¹¹ Justice Ewing, *Report on the Northern Territory Administration, Commonwealth Parliamentary Papers (CPP)*, No. 28, Session 1920-21, vol. 3, pp. 1661-62.

¹² *NTT*, 17 May, 28 June 1919.

¹³ Mark Hearn & Harry Knowles, *One Big Union: A History of the Australian Workers Union 1886-1994*, Cambridge University Press, Cambridge, 1996, pp. 128-130.

¹⁴ *NTT*, 26 April, 7 June, 27 September, 29 November, 13 December 1919.

¹⁵ Hunt, *Labour Movement in North Queensland*, p. 160, 202.

¹⁶ Hunt, *Labour Movement in North Queensland*, p. 344. In areas where there was an itinerant or seasonal workforce, unions often agreed to recognise another union's membership ticket so workers did not have to join multiple unions.

¹⁷ *Annual Report of the Acting Administrator, 1920*.

workers had left the Territory as a result of the closure.¹⁸ According to the local manager, C.W.D. Conacher, the immediate reason for the failure of the meatworks to open was the shortage of ships bringing regular supplies such as coal to Darwin.¹⁹ Only later did Conacher apportion some blame on the unions, although he was restrained in his criticisms, arguing that in the post-war years there was 'labour trouble all over the world'.²⁰

The previous year, Nelson had made an agreement with Conacher giving the AWU coverage of some of the maintenance workers at the meatworks, but the AMIEU insisted that it had the legal right to cover all workers in the meat processing industry.²¹ The AMIEU had been established as an industrial union covering all workers in the meat industry and, as a result of strong job organisation, it had established good conditions for its members.²² It was Nelson and the AWU who were breaking established union practice. Yet it appears by this stage that the AWU was committed to the OBU in the Territory. An indication of this was the role the Darwin delegate played in the debate on the OBU at the 34th Annual Convention of the AWU in Sydney in January 1920. By 1920, the national body had distanced itself from the OBU project, seeing it as a threat to its own leading position in the labour movement and a cover for left wing unions to undermine the Labor Party.²³ Darwin delegate J.J. McDonald reported to the convention that his branch overwhelmingly endorsed the OBU scheme and he unsuccessfully moved a motion to delete all anti-OBU statements from the president's report.²⁴

By August 1920, the Darwin AWU was still insisting that it be given coverage of maintenance workers at the meatworks and it had placed bans on the shipment of supplies to and from the site.²⁵ Nelson was also angry with the local AMIEU because they were not supporting an AWU blackban on the *Times* and plans to establish a union newspaper.²⁶ But the AMIEU was not the only union Nelson was fighting. In September, he labelled the Industrial Council²⁷ a 'worthless body', because the council had insisted on all unions

¹⁸ *NTT*, 15 May 1920.

¹⁹ *NTT*, 17 February, 12 June 1920 (Reprint from *Argus*). For further discussion on the closure see Lyn Riddett, *Kine, Kin and Country: The Victoria River District of the Northern Territory 1911-1966*, NARU, Darwin, 1990, p. 25; Frank Alcorta, *Darwin Rebellion, 1911-1919*, History Unit, Northern Territory University Planning Authority, Darwin, 1984, pp. 69-70; P.F. Donovan, *At the Other End of Australia: The Commonwealth and the Northern Territory 1911-1978*, University of Queensland Press, St Lucia, 1984, p. 60.

²⁰ *NS*, 22 June 1928. In a letter to the *Standard* on 9 December 1932, Conacher described Nelson's leadership as 'damaging'.

²¹ *NTT*, 24 August 1920.

²² Vere Gordon Childe, *How Labor Governs*, Melbourne University Press, Parkville, 1964, p. 118, described the organisation of the meatworkers as 'the most efficient ... on the job' organisation of workers in Australia.

²³ Ian Turner, *In Union is Strength: A History of Trade unions in Australia 1788-1974*, Thomas Nelson, Melbourne, 1976, p. 70.

²⁴ *The Worker*, 4 March, 1 April 1920.

²⁵ *NTT*, 21, 24 August 1920. The blockade remained in force till December (*NTT*, 27 September 1921).

²⁶ *NTT*, 26 August 1920.

²⁷ See Chapter 2, p. 68.

having equal representation on the management board of the proposed union newspaper even though the project was being financed primarily by the AWU.²⁸ Soon after, the Industrial Council voted to disband, although at the time Nelson argued against it, claiming his criticisms were a ‘stunt’ to get his way.²⁹

The ban on the *Times* had been instituted following a strike of printing staff in June 1920 over pay and conditions. During this strike, the Chinese printer who had worked for the paper for 30 years wanted to stop work but was told by the union to go back to work because ‘of course he could not be accepted as a member’.³⁰ Nelson and the union leadership also revealed their vindictive side when they placed a ban on the local choral society’s production of *Mikado* because the tickets had been printed at the *Times*.³¹ The placement of the ban on the *Times* when the union was considering setting up its own newspaper suggests there is some basis to the *Times* proprietors’ accusation that it was an attempt to force them out of business.³² Whatever the truth of this accusation, relations between the AWU and the *Times* deteriorated markedly, particularly after John Porter became editor in mid-1921.³³ It is unclear when Porter arrived in the Territory but he was working for the *Times* in June 1920 and had not supported the AWU strike.³⁴ Under Porter’s editorship, the *Times* became a mouthpiece for all in the community opposed to the union, including Nelson’s long-time opponent Alf Pain, who became a regular contributor.

North Australian Industrial Union

In January 1921, Nelson secured the support of the Annual Convention of the national AWU for the formation of an OBU in the Territory. Nelson told delegates that ‘Darwin seemed to be a good place to give the O.B.U. principle a trial’ because if the local unions did not amalgamate it would be ‘impossible for the AWU or any other organisation to operate in the Territory’. The new union was called the North Australian Industrial Union (NAIU). There was strong support for the proposal from delegates, even though they were aware the AWU would lose its identity in the Territory. It appears that Darwin meant little in the wider national scheme of AWU affairs. Nevertheless, one delegate argued that he saw the scheme as a way of relieving the ‘industrial stagnation and deadlock’ in Darwin. Nelson replied that ‘The chief object of labour was to achieve the industrial solidarity of the workers, and this

²⁸ *NTT*, 18 September 1920.

²⁹ *NTT*, 2 October 1920.

³⁰ *NS*, 7 April 1921. This statement is curious because early in 1922, Nelson and Toupein stated that occasionally Chinese workers were issued union tickets if they proved to be ‘sound’ unionists (*NS*, 21 February 1922).

³¹ *NTT*, 27 July, 5, 7 August 1920.

³² *NTT*, 27 July 1920.

³³ *NTT*, 12 November 1921.

³⁴ *NTT*, 25 March 1922.

scheme was a step in the right direction'. He was also generally positive about the likelihood of AMIEU support for the proposal.³⁵ Perhaps Nelson was already aware of moves within the Darwin AMIEU to elect new leaders.

In April 1921, a motion of no confidence in the executive was passed at an AMIEU meeting, resulting in the election of Paddy Brennan, a Nelson supporter, as secretary. It is unclear what caused the divisions in the AMIEU, but an article in the *Standard* suggests that it was similar to 1918 when some of the meatworkers were holding out for higher wages for the new season. In the unlikely event of the meatworks starting a new season, the new pro-Nelson leadership was prepared to accept a lower wage.³⁶

The NAIU was launched in the second half of 1921. Nelson and Brennan were elected unopposed as the new union's first president and vice president respectively. Robert Toupein was challenged for the paid position of secretary by the defeated AMIEU secretary, Harold Wyatt.³⁷ When the ballot was held in late July, Toupein gained 80 per cent of the vote.³⁸ Toupein had just completed a term of 20 months as Mayor of Darwin. Former AWU president and railworker, Jack Burton, was the new Mayor.³⁹

It is difficult to determine the initial size of the NAIU, as there are few statistics available. One document records that in 1921 there were 700 members in the new union.⁴⁰ Given that in late 1920, the Minister for Home and Territories (formerly External Affairs) claimed in Parliament that there were only 500 employees in the Territory as a whole, there is some doubt over the accuracy of these membership figures.⁴¹ When the ballot for the NAIU executive was held in mid-1921, there were just under 300 votes cast. Whether 300 or 700, it is clear that union membership had fallen as a result of the meatworks closure and these figures give us a good indication of why Nelson was so keen to establish the NAIU. The AWU was in a poor state and by January 1921, it no longer had a paid secretary.⁴² Fifty years later a union veteran, Bob Antony, recalled that union organisation had 'practically disintegrated'.⁴³

³⁵ Noel Butlin Archives Centre, Australian National University (NBAC/ANU): Australian Workers Union (AWU), E154/17, Official Report of the 35th Annual Convention of the Australian Workers Union, Sydney, 27 January 1921.

³⁶ *NTT*, 30 April 1921, 11 February 1922; *NS*, 30 April 1921.

³⁷ *NS*, 7, 28 July, 2 August 1921.

³⁸ *NS*, 2 August 1921.

³⁹ *NTT*, 26 February 1921.

⁴⁰ NBAC/ANU: AWU, M44 Reel 7/Item 29, Rules of the NAIU.

⁴¹ *NTT*, 2 October 1920.

⁴² NBAC/ANU: AWU, E154/17, Official Report of the 35th Annual Convention of the Australian Workers Union, Sydney, 27 January 1921.

⁴³ NAWU Files, Trades and Labour Council, Darwin. Statutory Declaration from Robert Francis Antony, 25 March 1970, now deposited with Northern Territory Archives Service (NTAS).

The objects of the new union were to ‘amalgamate’ all existing unions, ‘prevent and settle strikes’ and to levy the membership for funds if needed. The union consisted of four sections: transport, meat, mechanical and miscellaneous, with each electing its own executive. Each section also elected delegates to a central executive and a governing council, which met annually.⁴⁴ To guard against wildcat strikes, a section had to get the approval of all other sections in the union before it could strike. The union also set up an unemployed register to ensure that union members were the first to get access to any new jobs.⁴⁵ A similar structure was adopted by the NAWU when it was formed in 1927.

When elections were held for section executives, the union boasted that a woman had been elected president of the Miscellaneous Section and suggested that this was a ‘new’ development for the Territory.⁴⁶ The early meetings of all the sections were hailed by the union’s new newspaper, *The Northern Standard (Standard)* as a success because the ‘warring elements were brought together’ and the ‘bitterness of the past was entirely obliterated’.⁴⁷

The release of the first issue of the *Standard* on 19 February 1921 was a remarkable achievement in the context of the declining number of workers in the Territory. Financed by a union levy and loans from local supporters, it was generally published three times a week and it gave the union an important tool to counteract the anti-unionism of the *Times*. It was an impressive publication, with a bold masthead in old English typeface, bookended by the words ‘Freedom’, ‘Fraternity’ and ‘Fairplay’ on the right of the masthead and ‘Peace’, ‘Progress’ and ‘Patriotism’ on the left. The paper contained union news, social commentary, xenophobic invective, sports results and even a column for the ‘Ladies’ by ‘Little Polly’. The ‘Ladies’ column urged women to shun the ‘breeches’ and stick to the ‘natural life’ as ‘faithful wife and dutiful daughter’ for the good of the nation.⁴⁸

Little Polly was probably written by the *Standard*’s 61-year-old male Irish Catholic editor, Michael Conlan O’Halloran. O’Halloran had arrived in Australia as a 20-year-old and worked first as a teacher and then as a journalist in rural New South Wales (NSW) where he also participated in the Farmers and Settlers Association and the movement to form the Labor Party. O’Halloran was a fervent Irish nationalist, becoming the first president of the

⁴⁴ NBAC/ANU: AWU, M44 Reel 7/Item 29, Rules of the NAIU.

⁴⁵ NBAC/ANU: AWU, M44 Reel 7/Item 29, Rules of the NAIU; *NS*, 11 August 1921.

⁴⁶ *NS*, 11 August 1921.

⁴⁷ *NS*, 18 August 1921.

⁴⁸ *NS*, 2, 7 April 1921.

United Irish League of Australia in 1900. His support for the Irish revolution in the 1920s was reflected in the pages of the *Standard*.⁴⁹

The *Standard* did not waste time attacking its rival when it accused the *Times* of promoting 'cheap, black labor'. Both papers then proceeded to try and outdo each other in racial invective. The *Times* claimed that the *Standard* had to rely on the advertising revenue of Chinese businesses to survive.⁵⁰ In reply, the *Standard* proudly declared that it was 'right up against the "Chow" and the sooner their stores are in the hands of Europeans the better'.⁵¹ The *Standard* also criticised the *Times* for spreading lies about the Territory and undermining its economic potential, calling it the 'dirty bird' that fouled its own nest.⁵² The *Times* labelled its rival the 'Nelson "Bugle"' or 'Woods Street "Screamer"', a reference to the street address of both the AWU and *Standard*.⁵³

The launch of the *Standard* and the formation of the NAIU were somewhat overshadowed, however, by the continuing campaign by Darwin's citizens for parliamentary representation. By May 1921, the Federal government was issuing summonses to prominent citizens for non-payment of income tax and by June some of these 'martyrs' were spending up to a month in jail, including Douglas Watts, Brennan, Nelson and the former *Times* editor, Fred Thompson.⁵⁴ The movement had broad community support, but as had occurred with the earlier Reform Committee, divisions soon developed over tactics.

The decision by Nelson's supporters in June 1921 to boycott a meeting with the visiting Minister for Home and Territories, Alexander Poynton, and then theatrically marking his departure by singing the 'Red Flag' from the town jetty enraged some in the community.⁵⁵ Lining up against Nelson and the union was the local solicitor Donald Roberts, members of the local clergy, Alf Pain and, in a serious embarrassment to Nelson, the editor of the *Standard*. O'Halloran broke with Nelson soon after the editor wrote an article in the *Standard* criticising the union's decision not to meet with the Minister.⁵⁶ O'Halloran also began writing a series of articles in the *Times*, attacking Nelson for, among other things, being autocratic and guided by 'personal ambitions'.⁵⁷

⁴⁹ *NS*, 24 February 1921, 26 June 1931; Patrick O'Farrell, *The Irish in Australia*, NSW University Press, Kensington, 1986.

⁵⁰ *NTT*, 8 January, 17 May 1921; *NS*, 19 February, 20 August 1921.

⁵¹ *NS*, 19 May 1922.

⁵² *NS*, 19 February, 26 March 1921.

⁵³ *NTT*, 22 February, 18 August 1921.

⁵⁴ *NTT*, 7 June, 3 September 1921; *NS*, 18, 30 June 1921.

⁵⁵ *NTT*, 7 June 1921; *NS*, 7 June 1921.

⁵⁶ *NS*, 21 May 1921; *NTT*, 28 July 1921.

⁵⁷ *NTT*, 28 July, 4, 11, 18, 23 August 1921.

The new editor of the *Standard* was Donald McKinnon.⁵⁸ The 30-year-old McKinnon was born near Nyngan in western NSW. He started in the printing trade as a 13-year-old working in many of the state's small rural newspapers and associating with key figures in the NSW Labor Party. He later recalled that 'All my boyhood I was mixed up with Politics'. On one occasion, on the eve of the First World War, he worked on the *Cobar Leader*, then owned and edited by O'Halloran. McKinnon, a self-confessed wanderer, tried his hand at many occupations, including mining and railway construction. In 1917, he was attracted to Darwin with the promise of a job droving for Vestey's, but soon found himself working for the *Times* as a compositor.⁵⁹

Nelson's opponents argued that the 'no taxation without representation' campaign should use 'constitutional' methods in pressuring for reforms rather than the methods of 'direct action' favoured by the union leader.⁶⁰ The main proposal of the constitutionalists was the drafting of a petition calling on the Federal government to stop all prosecutions, consider a 'reasonable measure of enfranchisement' and allow debtors six months to pay outstanding taxes. The *Standard* labelled this petition, the 'subservient petition'.⁶¹ As with the previous boycott campaign, the conflict was bitter. The *Times* and the local churches clearly supported the constitutionalists. The local Anglican Minister declared 'it is against the Law of God not to pay taxes' and the local Catholic Priest described Nelson and his supporters as a 'minority of the less intelligent section of the people'.⁶²

The most immediate outcome of the visit to Darwin by the Minister was the announcement in July of a package of reforms that included the re-privatisation of the state hotels and the election of the Darwin Town Council by property owners and not adult residents.⁶³ The reform of the council was an attempt to erode the influence of the unions on the town council (described by the *Times* as 'our local Soviet Council') by disenfranchising the majority of the town's transient working class. Porter, the *Times* editor, had been campaigning for this reform since early in the year when he helped form the Ratepayers Association.⁶⁴ The changes did not have an immediate effect, but 12 months later a non-Labor council was elected for the first time in five years.⁶⁵

⁵⁸ *NS*, 14 June 1921.

⁵⁹ Notes written by Don McKinnon and supplied by Barbara James, Darwin. Email correspondence with Allan O'Neill (McKinnon's son), 10 December 2000.

⁶⁰ *NTT*, 19 May, 30 June 1921; *NS*, 14 July 1921.

⁶¹ *NS*, 2, 14 July 1921.

⁶² *NTT*, 9, 30 June 1921.

⁶³ See Alistair Heatley, *The Government of the Northern Territory*, University of Queensland Press, St Lucia, 1979, p 116.

⁶⁴ *NS*, 5 March 1921.

⁶⁵ *NTT*, 5 July, 4 August 1921; *NS*, 18 July 1922.

The other outcome of the divisions within the community was the coalescence of the anti-Nelson forces into the Northern Territory Representation and Progress League with an executive consisting of Roberts, O'Halloran, Porter and the former meatworkers' union secretary, Harold Wyatt.⁶⁶ The presence of a former union representative among the anti-Nelson forces indicates that the opposition to Nelson was again being reflected within the labour movement.

The Administrator's Union

In February 1922, a petition began circulating in Darwin and along the railway for the 'restoration of the AWU'.⁶⁷ The organisers of the petition, some of whom had been constitutionalists in the reform movement, accused the NAIU leadership of being 'mob orators' who had led the Territory down the path of 'depopulation, misery and privation'.⁶⁸ By late February, the organisers were claiming solid support from local workers. This development clearly worried Nelson and Toupein, who immediately set out to travel nearly 300 kilometres to address a group of railway workers who had solidly supported the petition. According to the *Times*, the two union leaders received little support.⁶⁹ The problem for the petitioners was that the NAIU project had been endorsed by the AWU national conference and unless the national AWU leaders changed their minds, the petitioners did not have a union to join. When it became clear to the petitioners they did not have AWU support, they announced the formation of the Northern Territory Workers Union (NTWU).⁷⁰

The formation of the NTWU was welcomed by both the *Times* and the new Administrator, Frederick Urquhart. Urquhart had arrived in the Territory in late 1920 to replace the conciliatory Staniforth Smith.⁷¹ Urquhart had a reputation from his days as Queensland Police Commissioner for his zeal in battling what he perceived to be extremist elements in the community and had close connections with Melbourne businessman and self-proclaimed fighter against subversion, Herbert Brookes.⁷² In his first *Annual Report*, Urquhart described Darwin's union leaders as 'extremists of the extreme'.⁷³ Within six months of his arrival, Urquhart was found guilty and fined for assaulting Nelson outside Government House. To be

⁶⁶ *NTT*, 30 July 1921; *NS*, 30 April 1921. O'Halloran left Darwin in September to take up a journalist appointment in Melbourne. He died on 18 June 1931 (*NTT*, 6 September 1921; *NS*, 26 June 1931).

⁶⁷ *NTT*, 4 February 1922.

⁶⁸ *NTT*, 19 August 1920, 30 July 1921, 28 February, 25 March 1922, 2 October 1923; *NS*, 30 July 1921.

⁶⁹ *NTT*, 21, 28 February 1921.

⁷⁰ *NTT*, 25 March 1921.

⁷¹ *NTT*, 11 September 1920; Alan Powell, *Far Country: A Short History of the Northern Territory*, Melbourne University Press, Carlton, 1996, p. 145.

⁷² Raymond Evans, *Loyalty and Disloyalty: Social Conflict on the Queensland Homefront, 1914-18*, Allen & Unwin, Sydney, 1987, p. 151; Mettam, *Central Administration and the Northern Territory*, pp. 318-323.

⁷³ *Annual Report of Administrator for Year Ending 30 June 1921*.

fair to the Administrator, however, he had no witnesses to his claim that he had merely tapped Nelson on the arm and asked him to stop handing out leaflets to guests of the government. Perhaps it was a case of Nelson seeking more publicity and trying to undermine the new Administrator at the same time.⁷⁴ In his 1922 *Annual Report*, Urquhart wrote that

Beginning with a small nucleus of boycotted and persecuted men cast out and deprived of their livelihood by the tyrants of the North Australian Industrial Union, the Northern Territory Workers Union with an announced platform of moderation and common sense, is drawing to itself increasing numbers of the more reasonable and industrious workers of the Territory.⁷⁵

Such sentiments from Urquhart led to the new union being labelled by the *Standard*, the 'Administrator's Union'.⁷⁶ Urquhart's views were also shared by the management of the North Australian Railway, who later tried to block the registration of Nelson's NAIU in the Arbitration Court, arguing instead for the registration of the 'sensible and moderate' NTWU.⁷⁷ However, to suggest the NTWU was just an employers' union is too simplistic. It is possible that the NTWU won the support of some workers, especially the unemployed, because the early activities of the AWU petitioners were directed at seeking more work for the unemployed.⁷⁸ Because of preference for unionist's clauses in most government and municipal jobs, a union was partly a job agency and some workers who were not members of the NAIU for various reasons complained that they were being denied work. It may have also been the case that some of the outlying workers felt neglected by Darwin-based officials, especially during the period when the AWU lost its full time secretary. Those involved in the formation of the NTWU had made special appeals to the 'bushmen' for support. Perhaps these outlying workers felt the union leaders spent too much time dealing with political issues instead of 'bread and butter' issues.⁷⁹ Nevertheless, using the pages of the anti-union *Times* to spread their message did not help the NTWU shed its image as an employers' union.

The strong support shown by Alf Pain for the formation of the NTWU also revived memories of the 1915 dispute on the wharf allegedly involving the IWW, when Pain organised a group of 'coloured' workers to work the wharf.⁸⁰ Because of Pain's presence, supporters of the NAIU labelled the NTWU the 'wobblers' union even though the NTWU

⁷⁴ *NTT*, 5 July 1927.

⁷⁵ *Annual Report of Administrator for Year ending 30 June 1922*.

⁷⁶ *NS*, 6 June 1922.

⁷⁷ National Archives of Australia (NAA), ACT: A432/86, 1929/3424 Part 2, memorandum, Crown Solicitor to Secretary, Attorney General's Department, 24 October 1922.

⁷⁸ *NTT*, 21, 28 February 1922.

⁷⁹ *NTT*, 7 February, 11 April 1922.

⁸⁰ See Chapter 1, pp. 50-51.

had nothing at all in common with the ‘wobblies’ of the IWW.⁸¹ The only similarity was that the NTWU was supported by Pain and that in June 1922 members of the new union including some Greeks and ‘coloured’ workers took over the work on the wharf during an NAIU strike. The strike, known as the ‘twelve and six penny strike’, was hailed by the *Times* as a ‘death-blow to local union tyranny’.⁸²

The NAIU members on the wharf had gone on strike after refusing to work with a man named Odell, who owed 12s 6d to the NAIU as a result of his refusal to continue paying the 2s 6d per month union levy to support the *Standard*. The management of the railway, who had recently resumed control of the wharf from Vestey's, refused to dismiss Odell, arguing that they were simply abiding by the Federal government's policy of giving preference to returned soldiers.⁸³

On the evening of 7 August, the wharf supervisor dismissed the NAIU gang assigned to work the steamer *Marella* after they refused to work with Odell and they were replaced by 29 members of the NTWU. The strike soon spread to include the entire rail staff who refused to work with the NTWU ‘strikebreakers’ and ‘scabs’.⁸⁴ The *Times* could not restrain its enthusiasm. It published its 12 August edition early so as not to miss a chance at attacking the NAIU and hailing the heroic deeds of the local railway manager, ‘The man of the hour’.⁸⁵

It was true that the Federal government had a policy of giving preference to returned soldiers, but it was also the case that returned soldiers often played a leading role in the conservative reaction against labour radicalism. Returned soldiers had been used in southern ports to organise rival unions to the militant Waterside Workers Federation known as P & C's (Permanent and Casual Wharf Labourers Unions).⁸⁶ It is possible that the railway management were genuinely following government policy, but the fact that some of the NAIU strikers were also returned soldiers undermined management's position. In one incident 14 months later, returned soldiers who were members of the NAIU occupied rail trucks on the wharf in order to highlight the fact that ‘unnaturalised foreigners’ were being employed at their expense.⁸⁷ The railway management had supported the NTWU since its inception and saw it as a tool to counteract the influence of Nelson's NAIU. Because of this,

⁸¹ *NS*, 21 March, 30 May 1922.

⁸² *NTT*, 8 August 1922.

⁸³ *NTT*, 4 October 1921; *NS*, 1 November 1921, 8 August 1922.

⁸⁴ *NS*, 8, 11 August 1922.

⁸⁵ *NTT*, 12 August 1922.

⁸⁶ Margo Beasley, *Wharfies: A History of the Waterside Workers' Federation*, Halstead Press, Rushcutters Bay, 1996, pp. 52-53.

it is reasonable to assume that when the opportunity arose, the railway management used the NTWU to remove the influence of Nelson's NAIU from the wharf.⁸⁸

Despite the claim by the *Times* that the business community was 'jubilant' about the defeat of the NAIU, Vestey's local manager, Conacher, with recent experience of the damage an inter-union dispute can have on business operations, favoured amalgamation of the two bodies.⁸⁹ Even though Urquhart supported the NTWU, he too argued in his 1923 *Annual Report*, that 'From the employers' point of view, an amalgamation is very desirable'.⁹⁰ The most active supporter of the battle against the NAIU, apart from the *Times*, was the government sector, reflecting the aggressive anti-unionism of the Hughes and later Bruce Federal Governments. In 1920 Hughes amended the *Arbitration Act* to fine unions for striking and in 1925, Bruce was re-elected on a promise of taming the unions.⁹¹

The use of some Greek and 'coloured' workers as strikebreakers during the 'twelve and six penny' strike encouraged the NAIU leaders to bring race into the debate and describe the dispute as an attempt to undermine 'white' Australia. Harold Nelson 'discerned the hideous faces of the teeming hordes of the East' and the *Standard* declared

The latest move of the railway authorities is an attempt to organise all the half castes available and utilise them in an endeavour to break the N.A.I.U. We suppose the next step will be the mustering of all aboriginals in and around Darwin for the same object.⁹²

Racial intolerance was always lurking beneath the surface of Darwin society, but with the rise of unemployment in the Territory and the intense competition for the few remaining jobs, 'white Australia' was again the mantra of the union movement. Earlier in April, a meeting of unemployed drovers passed a resolution criticising Vestey's for 'keeping aliens on, while white men are tramping the country looking for work'.⁹³ In the case of the 'twelve and six penny strike', the union only had itself to blame. If the Territory union movement had been more inclusive, there may not have been such a ready supply of workers available to replace the NAIU on the wharf. Nevertheless, some workers were very forgiving. A

⁸⁷ *NS*, 18 September 1923.

⁸⁸ *NS*, 11 August 1922.

⁸⁹ See Mettam, *Central Administration and the Northern Territory*, p. 331; *NS*, 13 October 1922.

⁹⁰ *Annual Report of Administrator for Year Ending 30 June 1923*.

⁹¹ Brian Fitzpatrick, *Short History of the Australian Labor Movement*, Macmillan, Melbourne, 1968, p. 175; Jim Hagan, *The History of the A.C.T.U.*, Longman Cheshire, Melbourne, 1981, p. 41.

⁹² *NS*, 11 August 1922.

⁹³ *NS*, 28 April 1922.

Chinese worker wrote to the *Standard*, stating that it was a slander to suggest that any of his community would ‘scab’ on ‘white’ workers.⁹⁴

Meanwhile, the dispute on the railway and the wharf dragged on into late August 1922 with the NTWU continuing to operate the wharf. With 128 NAIU members unemployed (possibly half its membership) the union sanctioned the return to work of its railway section.⁹⁵ At one stage the NAIU tried, with the assistance of a visiting Sydney journalist, Aidan de Brune, as mediator, to suggest an amalgamation of the two unions, but the NTWU refused.⁹⁶ Nelson’s NAIU called for ‘solidarity’ and appealed to its ranks to treat NTWU members with ‘true union fellowship’ and not use the word ‘scab’.⁹⁷ Clearly, the NAIU had suffered a setback and its leaders were aware the loss of the strongest and most strategic workplace in Darwin had weakened the union. Publicly, however, the NAIU leaders expressed confidence especially when it became known that the NTWU was finding it difficult supplying a full compliment of wharf labourers.⁹⁸

One advantage Nelson’s NAIU had over its rival was that it had the support of southern unions such as the Seamen’s Union. In September the crew of the naval collier *Biloela* refused to supply steam to the ship’s winches while members of the NTWU were operating them. The seamen even defied an order from the Federal Cabinet to return to work and were discharged after two weeks.⁹⁹ A similar situation occurred with the arrival of the Western Australian steamer *Bambra* in late November 1922 and again in January 1923.¹⁰⁰

The *Times* may have been jubilant over the defeat of the NAIU but the same newspaper had to announce in late 1922 that Nelson had been elected as the first non-voting Territory representative in the Federal Parliament. After years of public agitation, the government had finally granted a limited form of representative government to the Territory. Nelson only narrowly defeated the Representative League’s candidate and former aspirant for union organiser, A.C. Love.¹⁰¹ Love, who stood for the ‘community, not the communist section’, lost the election, according to John Porter, because the existence of five candidates competing against Nelson had split the ‘anti-socialists’ vote.¹⁰²

⁹⁴ *NS*, 12 September 1922.

⁹⁵ *NS*, 22 August, 1 September 1922.

⁹⁶ *NTT*, 15 August 1922; *NS*, 15 August 1922.

⁹⁷ *NS*, 15, 18 August 1922.

⁹⁸ *NS*, 1, 22 September 1922.

⁹⁹ *NS*, 26 September, 6, 10 October 1922; NAA, ACT: A457/1, M303/3, Cabinet Document, 8 October 1923.

¹⁰⁰ *NTT*, 28 November 1922, 30 January 1923.

¹⁰¹ *NTT*, 24 March 1923. For Love’s history see Chapter 2, footnote 41, p. 61. At one stage Alf Pain’s name was put forward as a possible Representative League candidate (*NTT*, 29 August 1922).

Divided We Fall

Despite objections from the railway management, both the NAIU and the NTWU were registered with the Arbitration Court on 19 February 1923.¹⁰³ Throughout the dispute between the two unions, the *Standard* and NAIU leaders such as Toupein warned members of the NTWU that they were being ‘used to do the dirty work of bringing about reduced wages’ in the Territory.¹⁰⁴ The accuracy of this warning was proven when the railway announced that from July the base rate for its labourers would be cut from 2s 6d to 2s 4½d per hour, a cut of five per cent.¹⁰⁵ The *Standard* remarked that ‘if industrial unity existed at present, the employers would not be in a position to force a reduction of wages by playing one contending union against another’.¹⁰⁶ The only bright note for the unions at this time was the announcement of the extension of the North Australian Railway another 260 kilometres across the Katherine River to Daly Waters.¹⁰⁷ Even though the railway extension would provide much needed employment, the leaders of both unions were unhappy with the wages being offered.¹⁰⁸ As a result, the NAIU filed a claim with the Arbitration Court in December for increased wages for rail workers, the first such claim in six years.¹⁰⁹

Early in 1924, the NTWU also faced an attempt by railway management to significantly alter the wages and conditions on the wharf. The changes asked for by management included cutting the basic wage from 5s per hour to 3s 3d (a reduction of 35 per cent); reducing the number of daily ‘smoke-ohs’ from five to three; cutting the extra pay earned for handling special cargoes such as coal and cement and giving management the power to determine the number of men working the wharf.¹¹⁰ Even the *Times* was shocked by the audacity of railway management and argued that the claim entailed keeping workers ‘in a drenched or boiling condition on a shelterless wharf for hours on end without any remuneration’ and that the proposed wage rate was lower than the rate on most Queensland ports.¹¹¹ Management argued that wharf wages were exorbitant as a result of the high wages policy of the former

¹⁰² *NTT*, 16 December 1922, 24 March 1923.

¹⁰³ *Commonwealth Arbitration Reports (CAR)*, vol. 27, 1927, p. 262.

¹⁰⁴ *NS*, 3 February, 22 August 1922.

¹⁰⁵ *NS*, 27 August 1923; *NTT*, 19 June 1923; *CAR*, vol. 25, 1927, p. 898.

¹⁰⁶ *NS*, 21 August 1923.

¹⁰⁷ *Annual Report of Administrator for Year Ending June 1924*.

¹⁰⁸ *NTT*, 4 December 1923.

¹⁰⁹ *NTT*, 7 December 1923.

¹¹⁰ *NS*, 11 January 1924; *CAR*, vol. 19, 1924, pp. 475-476. ‘Smoke-ohs’ are regular short rest breaks on the job.

¹¹¹ *NTT*, 11 January 1924.

stevedore, Vestey's.¹¹² In June 1924, seven years after his last visit, Judge Powers, now the President of the Arbitration Court, came to Darwin to deliberate on these disputes.

In the wharf case, the railway management failed to convince Powers that a wage cut was justified. Powers argued that it was the long-standing practice of the Arbitration Court when determining the basic wage of casual workers that their hourly rate should be higher to offset any periods of unemployment. In undisputed evidence to the court, it was argued that because of the small number of ships visiting the port, most wharf labourers only worked once a month and as a result averaged £2-£3 per week over the whole year, well below the basic wage for a labourer at that time (£5 4s 6d). It was also not much more than the wage of 19s a day that unemployed workers were getting for government-funded relief work. Powers argued that the wharf workers were 'simply existing on present rates, living in the hope of Vestey's works re-opening, or the Government opening up lands or starting works in the Territory'. He could not see how he could 'justly reduce the rates of men doing the good work honestly and carefully'.¹¹³ The Judge also went on to say that 'Some credit must be given to the men for doing the unpleasant and heavy work, sometimes for 24 hours at a stretch, to let the steamers away'.¹¹⁴ For this reason, Powers refused to cut the number of 'smoke-ohs', arguing that in a climate like Darwin, workers needed 'reasonable rest periods'.¹¹⁵ So it must be said that in its first case before the Arbitration Court, the NTWU was successful. But it was a crucial test because if the NTWU members on the wharf had suffered the 30 per cent wage cut railway management was proposing, it would have given the NAIU strong leverage to win back any disgruntled members. As it turned out, the NAIU was less successful in the Arbitration Court because it was arguing for a wage increase at a time of economic depression.

Powers' judgement on the NAIU's railway claim, delivered in August 1924, incensed the union and was later described by Toupein as 'unjust'.¹¹⁶ Rail workers called it the 'Simms Award', named after the Secretary to the Commissioner for Commonwealth Railways, Edward Simms, who represented railway management in the Court.¹¹⁷ In dealing with the NAIU claim, Powers deliberated separately on a basic wage for rail employees on the existing line and for those employed on the construction of the new line. The union gained a small increase of 2½d for construction workers based on the greater cost of living at the

¹¹² During the Vestey's era on the wharf (June 1916-October 1921) wages ranged between £6 per week and 5s per hour (*CAR*, vol. 11, 1917, p. 519, vol. 19, 1924, p. 475, vol. 33, 1934, p. 949; *NS*, 6 October 1921, 12, 22 October, 12, 16 November 1926; *NTT*, 15 March 1919).

¹¹³ *CAR*, vol. 19, 1924, pp. 475-479.

¹¹⁴ *CAR*, vol. 19, 1924, p. 482.

¹¹⁵ *CAR*, vol. 19, 1924, p. 480.

¹¹⁶ *CAR*, vol. 19, 1924, p. 544; *NS*, 26 August 1927.

¹¹⁷ *NS*, 23 February 1926.

railhead, but failed to gain any increase for staff on the existing line.¹¹⁸ In essence the Judge argued that the wage of 2s 4½d per hour paid by the railway to its permanent staff who have access to fringe benefits was ‘a fair basic wage’.¹¹⁹ These fringe benefits included permanent work, cheap accommodation, public holidays, two weeks annual leave, free steamer passage every four years and access to rail stores. To compensate casual workers, who far outnumbered the permanent staff and who were denied many of the fringe benefits, an extra 2½d per hour was granted.¹²⁰

In a supplementary judgement delivered in November 1924, Powers gave further reasons why the basic wage should not be increased for railway workers. Gone were the interventionist judgements of previous years and in their place was a more conservative statement that put more weight on the poor economic situation in the Territory and the poor prospects for future development if the ‘old basic wage’ was maintained.¹²¹ Since becoming President of the Court in September 1921, Powers had shown that he was more prepared to consider economic conditions (the economy’s ability to pay) than his more liberal predecessor, Justice Higgins, the architect of the ‘living wage’.¹²²

Even though he recognised the cost of food and groceries in Darwin were still high, Powers argued that because rents were cheaper a wage rise was not justified.¹²³ The closest Powers came to the sentiments of his earlier judgements was when he suggested there should be a ‘special allowance’ to compensate for the difficulties of living in Darwin, arguing that ‘young men cannot be expected to go to the Territory as workers for a few shillings more than Melbourne rates’. But he left the decision on what this allowance should be to negotiations between the employer and the employee.¹²⁴ He did, however, suggest that the allowance should be at least £1 which, if granted, would bring the basic wage closer to 2s 6d per hour or £6 10s per week.¹²⁵

The transcripts of these court hearings are not available but it appears that, unlike previous hearings, the NAIU failed to convince the judge of its position. Perhaps the union, given the split in its ranks, did not have the resources to prepare a stronger case and suffered from not having its case presented by its most experienced leader, Harold Nelson. We may never

¹¹⁸ The *CAR* dealing with the judgement on the rail construction award was missing from the National Library collection but there is an explanation in *NS*, 16 September 1927.

¹¹⁹ *CAR*, vol. 19, 1924, p. 559.

¹²⁰ *CAR*, vol. 19, 1924, p. 567.

¹²¹ *CAR*, vol. 20, 1924, p. 728, 733, 735.

¹²² Tom Sheridan, *Mindful Militants: The Amalgamated Engineering Union in Australia, 1920-72*, Cambridge University Press, Cambridge, 1975, pp. 74-75.

¹²³ *CAR*, vol. 20, 1924, pp. 730-731.

¹²⁴ *CAR*, vol. 20, 1924, p. 731, 737.

know, but two years later, in another case, Robert Toupein was able to critique the judgement. At that hearing, Toupein devoted a significant part of his address to attacking the 1924 decision, especially the ‘misleading’ statements about cheap clothing and housing. In the case of clothing, Toupein argued that the ‘cheap’ Chinese-made suits only lasted two to three months owing to the intense perspiration and frequent washing. As for the ‘Decent comfortable houses’, Toupein suggests that most of them were ‘tumbled down ... humpies’.¹²⁶

While the union was battling in court, the economic outlook in the Territory was not improving. Each year there were tantalising stories in the press that Vestseys might reopen.¹²⁷ The *Times* in March 1924 stated that ‘There is little or no demand for labour outside of Darwin, and the outlook for the rank and file has never been worse. The comparatively few men required for the Katherine [rail] bridge will only ease the strain slightly’.¹²⁸

In 1924 there were an estimated 90 unemployed workers surviving on government rations or relief work in Darwin.¹²⁹ The unemployment situation was not eased by the arrival of unemployed workers from the west and east who had been attracted to the Territory after hearing news of the railway construction.¹³⁰ Single men, as a rule, were eligible for two days relief work per week and married men three days. The work generally involved road works in and around Darwin.¹³¹ The relief work was also made available to Asian and ‘part-Aboriginal’ workers who were also destitute as a result of the depression. There are some indications that this ‘coloured’ community, which mainly lived two kilometres from the town centre in an area called Police Paddock, was acquiring a political voice and making contact with the union.

In January 1924 a group of unemployed workers from the ‘coloured’ community refused to accept relief wages less than that paid to ‘white’ workers and made contact with Harold Nelson in an effort to gain equal wages.¹³² In December 1924, eight Malays were found guilty and fined for intimidating another member of their community into selling his charcoal for a higher price. These Malays had been in contact with one of the NAIU waterside workers, Ben Hurley, who sometimes lived in Police Paddock and had attended meetings organised by the men. In Court, one of the Malays stated that ‘Colored men want

¹²⁵ *CAR*, vol. 20, 1924, p. 738.

¹²⁶ *NS*, 29 October 1926; *CAR*, vol. 20, 1924, p. 729, 731.

¹²⁷ *Annual Report of Administrator for Year Ending 30 June 1924*.

¹²⁸ *NTT*, 11 March 1924.

¹²⁹ *CAR*, vol. 19, 1924, p. 477.

¹³⁰ *NTT*, 8 April 1924; *NS*, 1 May 1925.

¹³¹ *CAR*, vol. 20, 1924, p. 734.

¹³² *NS*, 15 January 1924.

white men's wages'.¹³³ Hurley had some months earlier told a large meeting of unemployed 'of all nations' at the Darwin Oval that 'around the Police Paddock the poverty was terrible and he remembered when some of them had come to him for a bit of rice. Some of the colored men had had their relief work and rations stopped because they would not accept low wages'.¹³⁴ Hurley appeared genuine in his concern for justice, but there was little consistency in the union's attitude to non-'white' workers. Within six months of Hurley's appeal for justice for the 'coloured' workers, the *Standard* was lamenting that these workers were taking jobs on the wharf, a situation the NAIU would not have tolerated if it had been on the wharf.¹³⁵ As for Aboriginal workers, both the NTWU and the NAIU were opposed to their employment while 'white' workers were unemployed.¹³⁶

Nelson's role in the incident with the Malay workers is interesting because it again reveals his chameleon-like character. Now that he was a politician, he was prepared to defend the 'Asiatic hordes', which led to remarks in the *Times* about his 'acrobatics' over 'white' Australia.¹³⁷ At the meetings of the unemployed, he even asked the audience to 'have a little patience' with his old enemy, Administrator Urquhart.¹³⁸ Despite his local critics, Nelson won the 1925 elections by an increased majority.¹³⁹ His only opponent was the NT Representative League's candidate, Colonel Story, a former government secretary, whose platform included the now familiar 'Government by Constitutional methods as against mob rule'.¹⁴⁰ Unlike in 1922, however, the anti-Nelson movement could not blame their loss this time on a split vote.

United We Win

In the meantime, efforts continued to try to sort out the differences between the NTWU and the NAIU. Both unions were struggling to maintain their organisations. The NTWU had a regular turnover of unpaid officials and at one stage the editor of the *Standard*, Don McKinnon, was also the unpaid NAIU Secretary.¹⁴¹ The first formal meeting between the two unions was held in early May 1924.¹⁴² A year later, letters were exchanged between the

¹³³ *NTT*, 19 December 1924; *NS*, 16 December 1924. Julia Martinez, 'The 'Malay' Community in Pre-war Darwin' in *Queensland Review*, vol. 6, no. 2, November 1999, p. 45 argues that 'Malay' was a broad term that encompassed many ethnic groups from Malaysia, Dutch East Indies, Singapore and the Philippines.

¹³⁴ *NS*, 7 October 1924.

¹³⁵ *NS*, 13 March 1925.

¹³⁶ *NS*, 29 January 1926; *NTT*, 25 March 1924, 2 February 1926.

¹³⁷ Nelson also defended indigent Chinese residents being deported back to China (*NTT*, 30 September 1924).

¹³⁸ *NS*, 7 October 1924.

¹³⁹ *NTT*, 18 December 1925.

¹⁴⁰ *NTT*, 20 October 1925.

¹⁴¹ *NS*, 9 May 1924, 21 April 1925, 19 March, 29 June 1926. Notes written by Don McKinnon and supplied by Barbara James, Darwin.

¹⁴² *NTT*, 9 May 1924.

two unions, with the NAIU arguing that they desired ‘amalgamation on the grounds that there is no room for two unions and trusting that a basis would result for the termination of existing strife’.¹⁴³ Both unions delegated a committee to discuss amalgamation but little headway was made.

The only positive news was the announcement that Vestey's was re-opening its meatworks for a short season in 1925. In June the *Times* wrote ‘The industrial situation has considerably improved since the reopening of the meatworks. Most of the unemployed of the town have been absorbed ... the long period of stagnation now seems to be behind us’. However, with the closure of the meatworks at the end of the 1925 season, unemployment returned to Darwin. The situation was relieved a little by the Federal government’s announcement that a series of fuel storage tanks would be constructed for the Navy near the Darwin wharf.¹⁴⁴

There was also an increasing likelihood of a merger between the rival unions. One report in the *Times* in July 1926 suggested that the NTWU was being pushed out of the wharf and that ‘for self preservation they had been compelled to amalgamate with the N.A.I.U.’.¹⁴⁵ Bob Antony, a long-time union member, later recalled that it was brought about by the NAIU accepting Nelson’s advice of ‘Join them, and beat them!’. According to Antony, ‘in spite of strenuous opposition from the most militant members’, enough NAIU members signed up to the rival union to win an amalgamation vote.¹⁴⁶ There is no evidence to corroborate Antony’s statement other than the odd appearance of Ben Hurley (a Nelson supporter) as the Returning Officer when the NTWU had a vote on amalgamation in August.¹⁴⁷

Whatever the actual course of events, it should have been clear to many workers that the unions were in a very weak state and were finding it difficult to advance their cause. Antony also recalled that the new construction projects were attracting interstate workers with trade union experience who were ‘astonished’ at the situation.¹⁴⁸

For the first time in the history of organised labour in the Territory, wage rises were impossible to get. In 1926, the labourers on the railway were still getting the 2s 4½d per hour that Judge Powers had granted them in July 1924. In May 1926, the NAIU tried to gain an increase for government labourers on the fuel tanks, arguing in the Arbitration Court that these workers should earn the 2s 7d per hour that government railway construction workers were earning. The union’s claim was rejected even though 2s 7d was very close to the basic

¹⁴³ *NTT*, 22 May 1925.

¹⁴⁴ *NS*, 14 August 1925; Powell, *Far Country*, p. 154.

¹⁴⁵ *NTT*, 16 July 1926.

¹⁴⁶ Statutory Declaration from Robert Francis Antony.

¹⁴⁷ *NS*, 31 August 1926.

¹⁴⁸ Statutory Declaration from Robert Francis Antony.

wage of 2s 6d that Powers had recommended in 1924.¹⁴⁹ Bob Antony recalls that it was defeats like this that made the NAIU leadership realise that they would not regain their industrial strength until they regained the wharf and this meant amalgamating with the NTWU.¹⁵⁰

The catalyst for the amalgamation was a dispute over the wages of sorting shed workers. When the railway resumed management of the wharf in 1921, workers in the sorting shed, who were previously paid the same as wharf labourers, had their wages cut by 50 per cent and paid the same as other railway workers.¹⁵¹ What is remarkable is that there was no strike action at the time, but Toupein explained that the wage cut was not resisted due to the depression and inter-union strife.¹⁵² However, on 16 July 1926, the *Times* reported that

Dissatisfaction among the men employed on the waterfront, which has been known to exist for some time past, took definite shape on Wednesday when the wharf labourers refused to unload the *Malabar* which arrived from the south with about 500 tons of goods for Darwin.

The present trouble is that a section of the men on the wharf are paid 5/- an hour, while in the railway yard another section of men, unloading and sorting the same goods, are only paid 2/5 per hour.

The strike is [a] direct result of an amalgamation between the two local unions (NTWU and NAIU).¹⁵³

The *Times* was premature in its announcement of an amalgamation but members of both unions for the first time jointly struck to press their claim. It was an opportune time for the unions to strike as, apart from the *Malabar*, there were two other ships in port, the *Mangola* with 500 tons of rails and sleepers for the rail extension, and the live cattle transport vessel, the *Antonio*. Management refused the unions' demands, accusing them of breaking the no-strike provisions of the railway award. The workers ignored management and the strike lasted for two and a half weeks, in which time the wharf remained idle, the Darwin cargo on the *Malabar* was unloaded in Java and the 100 workers employed on the rail construction were dismissed. Towards late July, supplies of essential foods in Darwin were running out and the Federal government suggested to the shipping company, Burns Philp, that volunteer labour could be used to unload the next ship. Burns Philp, who had been asked by the Federal government to assist 'in resisting the Unions' demands' declined the offer, fearing a ban on their ships at other ports.¹⁵⁴

¹⁴⁹ *CAR*, vol. 23, 1926, pp. 404-407. See above p. 95.

¹⁵⁰ Statutory Declaration from Robert Francis Antony.

¹⁵¹ *NTT*, 4, 8 October 1921.

¹⁵² *NS*, 8 October 1926.

¹⁵³ *NTT*, 16 July 1926.

¹⁵⁴ NAA, ACT: A659/1, 1939/1/4712, letter, Burns Philp to Department Home and Territories, 26 July 1926.

The strike lasted until 30 July when it was called off so the matter could be arbitrated.¹⁵⁵ Two weeks later the union was angered to discover that the Railways Commissioner was again applying for the same reduction in wharf wages that had been rejected by Judge Powers in 1924. The Commissioner argued that workers could now earn a living wage with a smaller hourly rate because more ships were visiting the port.¹⁵⁶ What followed was a very long drawn out process involving a local hearing to collect evidence with the union's old adversary Donald (now Supreme Court Judge) Roberts presiding, an arbitration hearing in Melbourne involving the delivery of an award and a further hearing to review this award.¹⁵⁷ The whole process took twelve months. In the local hearings, Toupein and Arthur Woolon (the respective secretaries of the NAIU and the NTWU) and their witnesses, made lengthy submissions describing the nature of the work in question, the history of the various awards and the cost of living in Darwin.¹⁵⁸ When the matter was finally arbitrated, Judge Dethbridge rejected the unions' claim that work in the sorting shed was the same as waterside work and accepted the rail management's view. Dethbridge did, however, grant a small increase to the sorting shed workers to compensate for the extra work involved in unloading railway construction material.¹⁵⁹ The wage rate for waterside work was reduced from 5s to 4s per hour. Dethbridge followed the same economically cautious path that Powers did in 1924 by arguing that an increase in waterside rates 'would tend to destroy business ... To lower it would savour of sweating'.¹⁶⁰ The 5s, however, was restored in a variation to this award made by Judge Beeby in July 1927 in return for a commitment from the waterside workers to maintain 'a fair rate of loading'. Beeby hoped this would usher in 'a new period of industrial peace'.¹⁶¹

For nearly two decades Darwin waterside workers had been ridiculed for their slow work rates. Despite the recognition by a number of arbitration judges that Darwin was a uniquely difficult working environment due to its climate and isolation, opponents of the unions continued to compare the output of Darwin workers with Sydney and Melbourne. One article in the *Times* quoted an anonymous ships officer saying 'You take too long to unload and the

¹⁵⁵ *Report of Acting Administrator of the Northern Territory for the Period 1st July 1926 to 28th February 1927*.

¹⁵⁶ *CAR*, vol. 25, 1927, p. 273.

¹⁵⁷ In 1928, Roberts resigned as Supreme Court Judge and moved to Mt Gambier in South Australia. In 1932, he gained preselection for the Liberal and Country League Party (*NTT*, 18 May 1928; *NS*, 7 February 1928, 22 July 1932).

¹⁵⁸ Transcripts of the Darwin hearings were printed in the *Standard* from 8 October-24 December 1926. Woolon sometimes spelt Woolen.

¹⁵⁹ Dethbridge granted 3s per hour to casual railway workers loading construction material. To the old casual rate of 2s 7d per hour (basic wage of 2s 4½d plus casual margin of 2½d), Dethbridge added a margin of 1½d for loading rail construction material and an allowance for being excluded from the fringe benefits available to permanent rail workers which he estimated to be 3½d and you get 3s.

¹⁶⁰ *NS*, 4 March 1927. Sweating means getting more hours for less pay out of one's workforce.

¹⁶¹ *CAR*, vol. 25, 1927, p. 271.

percentage of lost and damaged cargo is too great ... The Sydney wharfie gets less than half the wages and does four times the work'.¹⁶² In 1923, Alf Pain wrote to the *Times* arguing that the high cost of living in Darwin was mostly caused by the 'go slow' tactics and the pilfering of cargo by waterside workers.¹⁶³ In contrast, the NTWU was congratulated by these same people for stamping out poor work practices. 'There is no direct action about the men now ... only direct work' proclaimed the *Times*.¹⁶⁴ Judge Beeby, in his 1927 decision also remarked that 'the tactics of the Union in reducing output ... damaged the reputation of the port'. Nevertheless, Beeby added that

Much has been said and published, and many invidious comparisons have been made of the rate of discharging cargoes in Darwin. But those who control the work agree that the wharf and the facilities for handling cargoes seriously affect the rate of work. The wharf is badly constructed, and much time is lost in the shunting of trucks by hand. In order to prevent delay of mail steamers in port, the workmen are often called on to work right through long spells (sometimes for over thirty-six hours) without any rest breaks other than meal hours and smoke-ohs. Making allowances for these handicaps and for climatic conditions. I am satisfied that ... the average tonnages of discharge ... [10-15 tons per hour per gang] ... are reasonable.¹⁶⁵

The North Australian Workers' Union

Having worked side by side during the July strike, it was now only a matter of time before a formal amalgamation would take place. Some members in each union still opposed an amalgamation. In August, two NTWU members took action in the local Supreme Court to try and stop a vote being taken in their union on the question of amalgamating with the NAIU.¹⁶⁶ On the NAIU side, some members objected to amalgamating with the strikebreakers of the NTWU.¹⁶⁷ Nevertheless, a ballot took place in both unions and a majority of members endorsed the proposal. The result of the NAIU ballot was not published, but 38 NTWU members voted in favour of deregistering their union and forming one union and 21 voted against.¹⁶⁸ During the next few months, meetings were held and a constitution prepared which was accepted by both unions in late November 1926.¹⁶⁹

In the meantime both unions again cooperated during a three-month strike of government labourers and tradesmen at the oil tanks construction site. The job of the labourers, numbering about five, was to dig the trenches in readiness for the laying of the fuel pipes. Some trenches were over two metres deep and the workers had to manually shovel the waste

¹⁶² *NTT*, 8 February 1921.

¹⁶³ *NTT*, 30 June 1923. This was to be one of Pain's last barbs against his old enemies. He died of cancer on 13 January 1924.

¹⁶⁴ *NTT*, 21 July 1923.

¹⁶⁵ *CAR*, vol. 25, 1927, p. 271.

¹⁶⁶ *NTT*, 3 August 1926.

¹⁶⁷ *NS*, 8, 11 June 1926.

¹⁶⁸ *NS*, 31 August, 3 September 1926.

¹⁶⁹ *NS*, 3 December 1926.

onto the surface from the trench floor and for this they were paid the base rate of 2s 4½d per hour. The managers of the project also placed advertisements in southern newspapers seeking workers without mentioning that the site had been declared black by the local unions. With all unions cooperating, the tactic to bring in new labour did not work and the workers eventually accepted an offer from the Federal government's Department of Works for a minimum rate of 2s 7d for a general labourer, the very rate the Arbitration Court rejected for this work five months earlier.¹⁷⁰ At long last, after about three years of trying, the unions had achieved an increase in the wages of some general labourers, a direct result of the end of the inter-union war. In the meantime, without any fanfare, an unobtrusive paragraph in the *Standard* of 31 January 1927 announced that

At a mass meeting of the combined unions N.A.I.U. and N.T.W.U. held last evening, it was decided to make the new union operative from [that] date. Mr. R Toupein is the elected secretary and Mr. A Woolen assistant secretary.

The NAWU was registered with the Arbitration Court on 29 April 1927 and on 22 June 1927 the registrations for both the NAIU and the NTWU were cancelled, ending a bitter period for Territory unionists.¹⁷¹ The new union was organised in sections similar to the NAIU. The Territory's OBU had been reborn and like its predecessors it would become a significant force in Territory society.

So far, no evidence has appeared to suggest that forces outside of the Territory such as the Federal government engineered the disastrous split in the union movement. Nevertheless, government authorities (with the support of the *Times*) actively supported the moderate NTWU and were quick to take advantage of the weakened union movement to cut the wages and conditions of Territory workers. The events described in this chapter should also be viewed in the context of an Australian-wide conservative reaction against trade unions and the left. But more than anything else, the crisis in the Territory labour movement was created by the mass unemployment caused by the decision of Vestey's to close its Darwin meatworks. The unions were able to regroup, but the fragile Northern Territory economy did not improve and unemployment remained a fact of life for Territory workers for another decade.

¹⁷⁰ *NS*, 1, 8, 7, 15, 29 October, 17, 24, 31 December 1926, 9 September 1927; *CAR*, vol. 23, 1926 p. 405.

¹⁷¹ *CAR*, vol. 25, 1927, p. 262.

Chapter Four

***‘Be lawful, be orderly, but stick to the verandah’*¹**

1927-1931

‘If the city press was to be believed, red revolution was on the verge of outbreak in Darwin’
– Tom Ronan, novelist.²

After the closure of Vesteys meatworks in 1920, unemployment became a permanent feature of life for workers in the Territory. The only relief was the occasional Federal government construction project such as the naval fuel tanks in Darwin or the extension of the North Australian Railway past Katherine. Despite the mid-1920s economic boom in Australia, unemployment remained high across the nation so any new construction projects in the Territory attracted large numbers of southern workers seeking work.³ Among these workers were men like 21-year-old Charles Priest, who had migrated from Birmingham, England four years previously. The Tully sugar mill in North Queensland where Priest had been working was closing down, so in 1927 he travelled overland to Katherine, having heard there were jobs on the railway construction.⁴ As in the past, many of these new arrivals brought with them knowledge of unionism and union conditions from other parts of Australia. While some of these workers supported the NAWU leaders, others were a source of dissent, especially those influenced by the Communist Party. By June 1929, a small branch of the party had been formed in Darwin and its members, like the young Charles Priest, became the core of the political opposition inside the NAWU to the Labor Party aligned leaders.

¹ Message from J.B. Waldie to unemployed protesters on verandah of government administration offices, May 1930 (*Northern Standard (NS)*, 6 May 1930).

² Tom Ronan, *Once There Was A Bagman*, Cassell, Melbourne, 1966, pp. 146-7.

³ Fred Alexander, *Australia Since Federation*, Thomas Nelson, Melbourne, 1982, p. 89.

⁴ Charles Priest, *Earlier Northern Territory Recollections*, self published, Benalla, 1986, p. 1; Charles Priest, *Northern Territory Recollections*, self published, Benalla, 1986, p. 1.

The rift inside the union widened with the onset of the 1929-34 Great Depression and subsequent cuts to Federal government spending.⁵ The depression had a devastating impact on workers in a region dependent on government works for employment. Even the election of the Scullin Federal Government (1929-31), the first Labor government in 12 years, did not help the unemployed, as further cuts to government spending became the order of the day. With a Labor government unwilling to help and a union movement weakened by unemployment and restrained by its political allegiance to the Labor Party, some workers were attracted to the militant policies of the Communist Party.⁶ Increasing unemployment, a NAWU leadership urging caution and the existence of a branch of the Communist Party, led to a turbulent period in the history of the Territory labour movement. This period is examined in the next two chapters. Specifically this chapter investigates the interaction between the NAWU and the militant campaigns of the Territory's unemployed in the late 1920s and early 1930s.

In late February 1927, only a few weeks after becoming the first secretary of the NAWU, Robert Toupein was on a train travelling the 300 kilometre journey from Darwin to Katherine. It would have been an uncomfortable trip as the weather had been very hot and humid with little cooling rain. The clouds of coal dust and grass seeds circulating throughout the primitive wooden carriages would not have improved passenger comfort. Normally the train to Katherine took two days with an overnight stop at Pine Creek.⁷ Toupein was on his way to meet a group of railway construction workers who had set up a strike camp on the banks of the Katherine River. Four days before Toupein left Darwin, 31 platelayers laying rails 10 kilometres south of Katherine had stopped work over the sacking of a gang member for allegedly being 'on the booze'. The strikers claimed the sacked man had been victimised. Railway management retaliated by dismissing the whole gang.⁸

The township of Katherine in the late 1920s consisted of one unsealed street fronted by a ramshackle collection of corrugated iron shops and two hotels. A few years earlier the town had been on the northern side of the Katherine River but once the railway bridge had been completed, a new town grew up on the south side.⁹ The town was experiencing a boom as a result of the influx of approximately 350 railway construction workers. The *Standard* described conditions on the construction as 'very rough' with inadequate food and a shortage

⁵ Alexander, *Australia Since Federation*, pp. 88-89; Ian Turner, *In Union Is Strength: A History of Trade Unions in Australia 1788-1974*, Nelson, Melbourne, 1976, p. 86.

⁶ Turner, *In Union Is Strength*, p. 87.

⁷ *NS*, 25 February, 1 March, 23 August, 18 October 1927; Peter Read (ed), *A Social History of the Northern Territory, no. 3: Communications and Transport*, Curriculum and Research Branch, Department of Education, Northern Territory, Darwin, 1979, p. 33.

⁸ *NS*, 15, 25 February, 1 March 1927.

⁹ *NS*, 17 January 1928; *Northern Territory Times and Gazette (NTT)*, 22 October 1926.

of tents leading to overcrowding.¹⁰ J.Y. Harvey writes that ‘The railway builders laboured in a harsh environment. Their work was strenuous, and the heat and flies dispiriting. They were far from home and isolated from normal community life with only a rough element for company. Not all could cope’. Some workers went mad, others died from heat exhaustion, while others waited for the first pay and left the Territory behind them.¹¹

Even though the *Standard* favoured the use of ‘constitutional methods’ over ‘direct action’, it defended the platelayers’ actions by arguing that ‘the conditions on the job are as bad, if not worse, than those existing on any railway construction job in Australia’ and that

conditions the equivalent to Queensland, at least, are necessary to obtain industrial harmony, because it is highly improbable that Queenslanders (it is from Queensland the bulk of the workers is [sic] drawn) will be satisfied to labor in a more rigorous climate under conditions inferior to those which they previously enjoyed.¹²

The railway construction was a weak link for the new union. Most of the workers were new to the Territory, many of them were migrants and at least 50 per cent were working for piece rates.¹³ The use of piece rates, where work is paid for output not hours, had increased during the 1920s. Employers preferred piece rates because the workers had a stake in working harder. The unions opposed them because they encouraged speed-ups, undermined workplace safety, pitted workers against each other, increased the length of the working day and caused unemployment.¹⁴ In Toupein’s words, the employer can dictate

what he will pay for the work, and the conditions under which it shall be done. There is no fixation of hours – men work any hours, and any day, including Saturday afternoons, Sundays and holidays without extra pay; there are no conditions whatever ... piecework is a violation of the Award.¹⁵

Unions found it difficult to control the spread of piecework because there were always ‘get rich quick men’ who were attracted to the possibilities of working longer hours at high speed to earn more money.¹⁶

In addition to these problems, there were also renewed efforts by a former AMIEU official to revive the AWU among construction workers.¹⁷ For some time there had been signs of growing dissatisfaction among railway workers about their working conditions. In late 1926,

¹⁰ *NS*, 15 February 1927.

¹¹ *NTT*, 20 October 1925; *NS*, 11 February 1927; J.Y. Harvey, *The Never-Never Line: The Story of the North Australian Railway*, Hyland House, Melbourne, 1987, pp. 122-124.

¹² *NS*, 15 March 1927.

¹³ *NS*, 18 October 1927; Harvey, *The Never-Never Line*, p. 124.

¹⁴ Jim Hagan, *The History of the A.C.T.U.*, Longman Cheshire, Melbourne, 1981, pp. 30-33.

¹⁵ *NS*, 13 September 1927.

¹⁶ *NTT*, 11 September 1928.

¹⁷ *NS*, 27 July, 10 August 1926; *NTT*, 27 July 1927. Toupein later admitted that there were at least 200 AWU members on the rail construction (*NS*, 2 October 1928).

one construction worker had written to the *Standard* appealing to the NAIU to send an organiser otherwise 'there is a strong feeling to call a mass meeting to cut adrift from Darwin'.¹⁸ Apart from the poor conditions, those railway workers on an award were on the same rate that Judge Powers had granted three years earlier.

The NAWU leaders were not opposed in principle to becoming part of the AWU and had actually authorised Harold Nelson to propose as much at the 41st Annual Convention of the AWU. Nelson told the conference the NAWU had 500 members and there was a likelihood of more as development progressed.¹⁹ Nelson's proposal was greeted unenthusiastically and one delegate argued that 'it was absolutely impossible to control' the Territory unions.²⁰ Nevertheless, the convention decided to send an organiser to Darwin for three months to investigate the situation.²¹ When a local plebiscite on the issue of becoming a branch of the AWU was held in December 1927, a narrow majority of members voted in favour of amalgamation. However, the Annual Convention of the AWU was not interested, arguing that an AWU branch of fewer than one thousand members was not viable. There was also concern that if the NAWU amalgamated with the AWU, the Waterside Section would have to join the Waterside Workers Federation, reducing the size of the Territory union even further.²²

In the meantime, the strike of platelayers that occasioned Toupein's trip to Katherine continued for another five weeks during which time management tried to use strikebreakers. When this failed, management shut down the entire construction and demanded a written guarantee from the union to abide by the award and not hinder future work otherwise it would be closed permanently.

So far negotiations had proved fruitless and the platelayers had rejected Toupein's suggestion of independent arbitration. Toupein had to consider both the impact of the strike on the future of the project and the tenuous hold the NAWU had among the construction crews. Frustrated with his inability to get the platelayers back to work, Toupein called a mass meeting of all construction workers and succeeded in winning support for management's offer to relocate the sacked worker to another crew. The *Standard* reported that there was a 'good deal of ill-feeling' at the meeting. After it was clear the platelayers did not have the

¹⁸ *NS*, 9 November 1926.

¹⁹ NAIU balance sheets at time of amalgamation give a membership of 412 (*NS*, 2 September 1927).

²⁰ *The Worker*, 2 March 1927.

²¹ *NS*, 4 February 1927.

²² *NS*, 3 February 1928; *The Worker*, 14 March 1928; Northern Territory Archives Service (NTAS): Pac 34, Box 32, *Australian Workers Union Official Report of the 42nd Annual Convention*, Hobart, 23 January 1928. In the plebiscite, 179 voted for the proposal, 117 against.

support of the meeting they left in a group, accusing Toupein and the meeting's chairperson, *Standard* editor, Don McKinnon, of allowing non-unionists to vote. The so-called non-unionists included AWU members and a positive aspect of the agreement for Toupein was that management agreed to only recognise the NAWU. The next day the union signed the guarantee demanded of them by management and construction resumed. Toupein later defended his actions, arguing that it was the executive's responsibility to act for the whole membership not just one section. Toupein was clearly a centralist from the AWU mould and believed the union was not only there to police conditions but also to restrain its members.²³

Within a few weeks of the 'settlement' of the platelayers' strike, the union advertised for a temporary organiser for the railway construction.²⁴ The man who eventually got the job was a former union militant from Queensland and a former NAIU delegate on the railway construction, Owen 'Darkie' Rowe.²⁵ It is hard to imagine a more travelled and hard working union organiser in Australian history than Rowe. At least once a year for the next seven, he travelled the length and breadth of the Territory, from Darwin in the north to Alice Springs in the south; from Victoria River Downs in the west to Avon Downs in the east and up to Borroloola on the Gulf of Carpentaria. A rough estimate indicates Rowe travelled at least five and a half thousand kilometres a year. Even today, in an era of planes and sealed roads, it would be an effort, but in an era when the highways were little more than bush tracks, it was a remarkable achievement. Rowe is remembered by one of the *Standard's* employees as a 'big bloke ... he had a tin lizzy car, a Ford or something – and he used to load up with his swag and the dog'.²⁶

To maintain the support of railway workers, the NAWU filed a claim with the Arbitration Court for an increase in the basic wage in December 1926. In late July and August 1927, Judge Beeby visited Darwin and evidence was taken in support of the union's claim for a new basic wage of 3s per hour (£6 6s per week).²⁷ In what could only be described as a provocation, management had asked for the basic wage on the railway construction to be cut from the 1924 Powers rate of 2s 7d (2s 4½d basic wage plus 2½d cost of living allowance) to 2s 6d. They argued that a wage cut was in order because the establishment of a railway store had reduced the cost of living at the railhead.²⁸

²³ *NS*, 15, 25 February, 1, 15 March, 5 April 1927, 2 October 1928.

²⁴ *NS*, 25 March 1927.

²⁵ *NS*, 15 December 1926, 20 April 1928.

²⁶ NTAS: Draft transcript of interview with Don Bonson by Cliff Smythe, recorded in Darwin in 1988.

²⁷ *Commonwealth Arbitration Reports (CAR)*, vol. 25, 1927, p. 898.

²⁸ *NS*, 16 September 1927; see Chapter 3, pp. 94-95.

In his opening address to the Court, Toupein gave a thorough and sometimes moving account of the situation facing railway workers in the Territory. He considered the Powers judgement of 1924 ‘unjust’ and having caused ‘very bitter dissatisfaction’ among the workers. Toupein accused management of engaging in a ‘war of attrition’ against working conditions.²⁹ He also attacked the decision to discount the basic wage of staff on the existing portion of the line because some of them (only 50 per cent) paid cheap subsidised rent.³⁰

Toupein left his most moving contribution to a description of the life of the railway fettlers who lived in groups of six in isolated camps located approximately every 50 kilometres along the line.³¹ Describing the fettlers as ‘basic slaves’, Toupein told the Court

They are out in all kinds of weather no matter how it blows, or rains, the lengths are to be run and attended to; they are out in drenched clothes day after day and whole days, sitting on sopping wet seats, when running lengths or to and from work, clothes wet, food wet; they come home at night and have to set to work and cook, carry firewood and water and so on, which means another hour or so more work, there are no boarding house tables to put their feet under if single, there is no ready made bed to get into at night. His life is one of humdrum monotony, so monotonous that men develop what is termed “liver” purely the outcome of too much of one another’s company, monotony and isolation ... These men are worthy of special consideration ...³²

When Beeby delivered his judgement in September, he abolished the discounting of some railway workers’ wages, arguing that it was ‘a serious departure’ from the usual practice of the Court to set more than one basic wage for a district.³³ Beeby’s decision set the basic wage at 2s 6d per hour (£5 5s per week, incorporating a £1 per week ‘district allowance’ for isolation) plus an extra 2½d for construction workers to compensate for the extra cost of living at the railhead. The union did not achieve their claim of 3s but they did overturn the 1924 Powers rate. It is interesting to note that the Beeby rate was the same as that suggested by Powers in 1924 as a living wage but not acted upon.³⁴

Beeby responded to Toupein’s appeal on behalf of the fettlers and agreed that ‘more sympathetic consideration of their housing conditions is necessary’. The Judge stated that ‘It seems incredible that nothing better can be devised than small huts without any kitchen accommodation, unlined without ceilings, and constructed either of galvanised iron or of wooden frame covered with galvanised iron roofing’.³⁵

²⁹ NS, 26 August 1927.

³⁰ NS, 2 September 1927.

³¹ Harvey, *The Never-Never Line*, p. 110.

³² NS, 2 September 1927.

³³ CAR, vol. 25, 1927, p. 900.

³⁴ CAR, vol. 25, 1927, p. 900. See Chapter 3, p. 95.

³⁵ CAR, vol. 25, 1927, p. 901.

The NAWU was less successful in its attempt to outlaw piece rates, which is not surprising given that Beeby had also authorised the introduction of piece rates into the 1927 engineers' award.³⁶ Beeby stated in his judgement that piecework on the railway could continue provided pieceworkers earned 10 per cent above the minimum and worked the same hours as other railway workers.³⁷

Having had some success with the railway claim, the union then lodged a claim for a variation to the pastoral award. In its 1927 claim, the union asked for the minimum weekly wage of station hands to be increased substantially from just under £3 with 'keep' to £5 plus 'keep'. Evidence was taken in Darwin during November and December at special hearings before Supreme Court Judge Donald Roberts.³⁸ In his submission, Toupein raised the usual arguments about isolation but also stressed how stock work in the Territory was 'skilled, hard, fast and dangerous', involving very long hours of work, often from sun up to sun down with only 'the roughest and most meagre' food available.³⁹ The union asked for the award to stipulate a maximum 44-hour week, improved accommodation, the exclusion of all 'colored aliens' from station employment and the inclusion of Aboriginal station hands in the award.⁴⁰ According to Toupein, the purpose of this last claim was to see Aboriginal labour 'eliminated altogether ... otherwise in the not very distant future there will be bitter industrial strife'.⁴¹

In his judgement, delivered in February 1928, Judge Dethbridge refused to include Aboriginal workers in the award, recognising it as an attempt to exclude Aboriginals from station work. Dethbridge's defence of Aboriginal employment was not based on justice but on a fear that if not gainfully employed, the Aboriginal would become a nuisance to the pastoralists.⁴² Dethbridge also refused to set a limit on hours worked but did concede that the accommodation on some stations was poor. However, he argued that it was impossible to improve housing without government legislation enforcing minimum standards. Dethbridge also rejected the union's pay claim because the Territory cattle industry was 'a losing industry'. In a significant departure from previous Court decisions, Dethbridge considered the practice of granting a district allowance to compensate workers for climate and isolation as incorrect. He argued that

³⁶ Ian Turner, *In Union is Strength*, p. 77.

³⁷ *CAR*, vol. 25, 1927, p. 902.

³⁸ *CAR*, vol. 26, 1928, p. 607.

³⁹ *NS*, 19 June, 6 July 1928.

⁴⁰ *CAR*, vol. 26, 1928, pp. 607-636.

⁴¹ *NS*, 10 July 1928.

⁴² *CAR*, vol. 26, 1928, p. 623.

The Court has laid it down that a basic wage equivalent to the Harvester wage must be paid by employers in an industry whether the industry is making a profit or not, but it does not decree that such an unsuccessful industry should be burdened with an extra wage payment merely because the employees engaged in it suffer a lack of the amenities of life which many other workers enjoy.⁴³

As with the Powers judgement of 1924, the state of the economy and the capacity of an industry to pay were used to reject a wage increase. But more importantly, Dethbridge's judgement undermined the main premise of past union claims, namely, the specific difficulties faced by workers living in the Territory.

Excluding the Aboriginal Worker

The pastoral industry was not the only industry the NAWU was attempting to rid of Aboriginal workers. For some time, the union had been seeking an industrial agreement with the hoteliers. There are no indications in the *Standard* of the nature of the union's demands but there are numerous references to what was obviously the most important claim, the exclusion of Aboriginal workers.⁴⁴ In Katherine in December 1927, Owen Rowe organised a boycott of the two hotels and got an agreement with the hoteliers not to employ Aboriginal workers.⁴⁵ In mid-February 1928, the NAWU also declared Darwin's three hotels and the Pine Creek hotel black for the same reason.⁴⁶ Picket lines were placed outside the hotels and according to the *Standard* 'very little patronage has been accorded the bars'.⁴⁷ The *Times*, however, suggested that 'quite a large number of members of the union patronised the hotels as usual'.⁴⁸ That some members did break the boycott and 'scab' was confirmed by the regular fines and suspensions that the union imposed on its members at its regular monthly meetings during the course of the eight-week boycott.⁴⁹

The 1928 beer boycott was one of the more indefensible actions of the Territory labour movement, yet it gives us an interesting insight into the confusing world of working class racism. For seven weeks the *Standard* celebrated the heroic exploits of the union's membership in affirming 'union principles' and maintaining the boycott.⁵⁰ One NAWU member declared that 'An injury to one was an injury to all. By drinking, they were in reality breaking down the working man's movement'.⁵¹ The union's rhetoric contained the discourse of class conflict, intermingled with crude xenophobia. The *Standard* argued that

⁴³ *CAR*, vol. 26, 1928, p. 609.

⁴⁴ *NS*, 9 September, 16 December 1927.

⁴⁵ *NS*, 2, 9 December 1927.

⁴⁶ *NTT*, 14 February 1928.

⁴⁷ *NS*, 21 February 1928.

⁴⁸ *NTT*, 14 February 1928.

⁴⁹ *NS*, 21 February, 9 March 1928.

⁵⁰ *NS*, 28 February 1928.

⁵¹ *NS*, 9 March 1928.

'No man, whether he is a unionist or otherwise should ask a white man to lower himself to the level of a blackfellow in order to get the wherewithall (sic) to keep body and soul together'.⁵²

Was it a case of rhetorical confusion, or was it a reflection of how 'white' working class identity was inter-woven with 'white' ethnic identity? Given the enthusiasm Territory unionists had for the white Australia policy, the latter is a more likely explanation. It also challenges any suggestion that the Darwin working class were tolerant of other races. One long-term member of the local union movement even suggested that all Aborigines be expelled from Darwin.⁵³ Of course the union's racism was veiled with entreaties against the exploitation of the 'original owners of the soil' and a declaration that support for a 'white' Australia 'does not refer to color as to standard of living'.⁵⁴ Owen Rowe argued that 'So far the union had not made the fight a racial question. They were not objecting to the abo. (sic) on the ground of color, but on economic grounds, as the black slave was competing with the unskilled white worker'.⁵⁵ Indeed it had everything to do with colour and the protection of in-built privileges established for 'white' Australians in the nation.

In the case of the 1928 hotel boycott, 'white' workers were not even defending their jobs as the hotel industry employed so few workers anyway. In the course of the dispute, it also became obvious that unionists themselves employed some of the Aboriginal workers in Darwin. When a motion was moved to disallow this practice, it was opposed and lost for fear of splitting the union and denying domestic help to the wives of union members. 'The abo. (sic) was not displacing white labor but simply making the lot of the wife easier in the backyard' argued one unionist.⁵⁶

What is remarkable about the hotel boycott is that, as far as we can tell, there was little public debate about the justness or otherwise of the union's campaign. The *Times*, ever ready to attack the union, criticised the boycott from an equally xenophobic (verging on genocidal) perspective. It argued that 'Surely at some time the blacks must go, but it is not for the union to banish them from a means of earning their living. They will, when the increased population demands it, fade towards the outback by the inevitable natural course of events just as they did in many other parts of Australia'.⁵⁷

⁵² *NS*, 28 February 1928.

⁵³ *NS*, 21 February 1928. This was Fred Vaughan, former member of the Reform Committee and at one stage an AWU Acting Secretary (*NTT*, 26 April 1919, 31 January 1920).

⁵⁴ *NS*, 13 March 1928.

⁵⁵ *NS*, 13 April 1928.

⁵⁶ *NS*, 13, 20 April 1928.

⁵⁷ *NTT*, 20 March 1928.

Nor was there criticism from the men who became the nucleus of the left opposition in the NAWU, John Basil Waldie and Lawrence ‘Snowy’ Mahoney. Both men were recent arrivals in Darwin and had secured casual work on the wharf. Mahoney, a well built, fair headed, round faced, 35-year-old returned soldier from New South Wales was the ‘agitator’. The ginger headed, 29-year-old (probably Tasmanian born) Waldie, was the more cautious ‘organisation man’.⁵⁸ It appears Mahoney and Waldie were not members of the Communist Party at this stage, but they joined soon after.⁵⁹ During the boycott, Mahoney was on the union executive and actively involved in picketing the hotels.⁶⁰ The Communist Party, however, opposed the boycott, calling it ‘A Reactionary Policy’, dividing the workers.⁶¹ Mahoney and Waldie were also the instigators of the bizarre scheme by the union to get assistance from southern prohibitionists to close down the local hotel industry.⁶²

The boycott was called off when all hoteliers agreed to stop employing Aboriginal workers. It was a pyrrhic victory because the few extra jobs available for ‘white’ workers did nothing to absorb the unemployed.

Unemployment in the Territory had been increasing since late 1927 when the Federal government cancelled the 70 kilometre section of railway construction between Mataranka and Daly Waters, leaving about 300 workers out of a job. The scene along the suspended rail construction, according to one visitor was ‘one of utter desolation and the nearest thing he could liken it to was the hurried retreat of an army’.⁶³ While the hotel boycott was still progressing, the Acting Secretary of the NAWU, Owen Rowe (Toupein was in Hobart attending the AWU Convention), was lobbying the government for more relief work. In March 1928, a group of 60 unemployed, led by Waldie and Rowe, marched to the government administration offices, a single storey stone building near Government House, seeking relief work.⁶⁴ The union’s appeal was ignored, although the government did make some money available for rations for the most destitute.⁶⁵

⁵⁸ *Tribune*, 17 December 1949; Priest, *Northern Territory Recollections*, p. 2; *NTT*, 13 September 1929; *NS*, 13 September 1929, 22 January 1929, 8 April 1930, 14 January 1938; notes of interview with Arthur Wright provided to author by Barbara James.

⁵⁹ *Workers Weekly*, 30 May 1930. Waldie may have joined later that year as his security file records him travelling to Sydney sometime in 1928 to receive ‘instructions for further activities in demonstrations and direct action’ (National Archives of Australia (NAA), ACT: A6126/27, 1107, Waldie, J.B.).

⁶⁰ *NS*, 9, 13 March 1928.

⁶¹ *Workers Weekly*, 13 April 1928.

⁶² *NS*, 28 February, 13, 16 March 1928.

⁶³ *NS*, 23, 30 December 1927. Waldie’s security file states he was born in Townsville, Queensland not in Tasmania (NAA, ACT: A6126/27, 1107, Waldie, J.B.).

⁶⁴ *NS*, 16, 20 March 1928.

⁶⁵ *NS*, 31 August 1928.

At a time of increasing unemployment, anger was once again directed at the ‘foreigners’ arriving in the Territory. At a monthly meeting of the union in June 1928, a motion was moved (seconded by Waldie) calling for ‘100 per cent British membership on the construction’.⁶⁶ The mover of the motion, an unemployed construction worker and a leading figure in the union’s left-wing faction, James McCarthy, had that morning written a letter to the *Standard* attacking the employment of ‘Tsarist Russians and Mediterranean scum’.⁶⁷ Mahoney also supported the motion arguing that ‘The influx of immigration into Australia was for the purpose of breaking down conditions’. In reply, Toupein, who was aware that many of these ‘non-Britishers’ were union members, argued against it, saying that the rules of the union allowed foreigners and that the ‘chief causes for the breaking down of conditions were piecework and contract work’. He added that ‘The creation of racial prejudices was purely jingoism at the bottom. The only salvation was to organise every man who was looking for work’.⁶⁸

Another factor in Toupein’s reluctance to support the motion was that unemployment was again starting to impact on the union’s organisational abilities. In late July 1928, the union temporarily terminated Rowe’s organising activities.⁶⁹ Financial exigencies, however, were not enough to encourage the union to suspend its longstanding opposition to ‘coloured’ workers joining the union. At the NAWU Annual Meeting in August, a motion was carried to hold a plebiscite on the question of allowing ‘any coloured person born in Australia who has passed a 3rd class school examination’ to join the union.⁷⁰ Rowe and McKinnon moved the motion but the main person agitating for the change was Mahoney.⁷¹ When the result of this plebiscite, labelled the ‘Chinese ballot’, was announced in February 1929, 60 per cent voted against the proposal.⁷²

With unemployment rising, some members of the NAWU felt the union did not have the interests of the jobless ‘at heart’. In particular, there was concern over the continuation of piece rates on the railway with some members working excessive hours while others were unemployed. Mahoney successfully moved a motion at a meeting on 10 September 1928 to stop the delivery of all rail construction material to the railhead until management eliminated piecework contracts. Toupein supported the spirit of the motion but wanted to remove all reference in the motion to stopping the construction materials, arguing that there was an

⁶⁶ *NS*, 19 June 1928.

⁶⁷ *NS*, 15 June, 31 July 1928.

⁶⁸ *NS*, 19 June 1928.

⁶⁹ *NS*, 31 July 1928.

⁷⁰ *NS*, 28 August 1928.

⁷¹ *NS*, 9 July, 8 October 1929, 15 April 1930.

⁷² *NS*, 9 July, 30 August 1929. 109 voted for exclusion, 51 against and 19 informal.

election coming and he did not want to give the Federal government an excuse to close the line and make accusations of 'Bolshevik influence'. Harold Nelson was in Darwin electioneering and he told the meeting that 'He considered the strike method obsolete'. Despite Toupein's and Nelson's concerns, the motion was carried, causing considerable dissension among railway workers who were either pieceworkers themselves or would be expected to strike if Mahoney's strategy was pursued.⁷³

Eleven days later, a requisitioned Special General Meeting to discuss the unemployed question was held in the Soldiers Hall adjoining the Hotel Victoria.⁷⁴ Special general meetings could be called at any time by the executive or if petitioned (requisitioned) by at least 15 members.⁷⁵ During this period, the left opposition in the union frequently used this provision of the constitution to raise its concerns. At the start of the meeting, NAWU President, John 'Jock' McCorry, tried unsuccessfully to exclude some of the unemployed on the grounds that they were not financial members of the union.⁷⁶ McCorry was a former hotel industry union organiser from Perth and since arriving in Darwin had been a waterside worker, platelayer and oil tank worker.⁷⁷ He was also the provisional secretary of the recently revived Darwin branch of the Labor Party.⁷⁸ At the meeting, McCorry was accused of being against the unemployed and an attempt to move a motion of no confidence in the executive, excluding Toupein (who seemed to have the confidence of the unemployed) was ruled out of order.⁷⁹ A week later, at another union meeting in the same venue, admission was barred to anyone who could not produce a union ticket. In defiance, Mahoney and Waldie rushed the doors and forced their way into the meeting.⁸⁰

It is hard to gauge the level of support for the opposition but about 50 per cent of those attending the special meeting voted for an opposition motion.⁸¹ However, it appears most of the opposition's supporters were in Darwin where it was easy for them to attend meetings and influence union policy. Mid-term vacancies on the union executive were filled by a vote at general meetings and in this way Mahoney and Waldie were periodically elected to the

⁷³ *NS*, 11 September 1928.

⁷⁴ The Soldiers Hall was owned by the Returned Sailors and Soldiers Imperial League of Australia (RSSILA) and was opened in 1922 (*NTT*, 1 January 1921, 21, 24, October 1922). People sometimes complained that the room was so long that those sitting at the back could not hear what was said at the front (*NS*, 31 January 1941).

⁷⁵ *NS*, 2 October 1928; NTAS: NTRS 1853, North Australian Workers' Union Constitution and General Rules.

⁷⁶ *NS*, 25 September 1928.

⁷⁷ *NTT*, 18 October 1919; *NS*, 3 August 1928. McCorry had been an organiser for hotel workers in Perth (*NS*, 7 August 1928).

⁷⁸ *NS*, 23 March 1928.

⁷⁹ *NS*, 25 September 1928.

⁸⁰ Both men were later censured by the union for this action (*NS*, 9 October 1928).

⁸¹ *NS*, 2, 10 October 1928.

union executive.⁸² James McCarthy, another leading oppositionist, also narrowly lost to William 'Bob' Murray when he contested a vacancy for an executive position in October.⁸³ The 45-year-old Murray had arrived in Darwin from Adelaide 26 years previously and for the first 10 years worked as a driller on the goldfields until he began his long career as a train driver on the railway. Murray had a family of six children. He is particularly remembered for his involvement as an umpire for the local Australian Rules football competition. Legend has it that the Saturday train was never late because of his umpiring commitments.⁸⁴

The opposition's accusation that the union did not care for the unemployed was not entirely justified as both Rowe and Toupein were involved in many attempts to lobby the government for relief work. But unions historically have always found it difficult to reconcile the interests of the employed and unemployed. Apart from anything else, unions rely on membership dues to survive and financial members always get priority. There was also a political dimension to this dispute in that the core of the dissenters had links with the Communist Party whereas the leadership of the NAWU were members of the Labor Party.⁸⁵ At one stage, Bob Murray, a member of the Labor Party, accused the opposition of trying to smash the NAWU and 'replacing it with a Communistic Brigade'.⁸⁶

Despite these divisions in the union, all forces came together to protest the arrest and subsequent imprisonment for up to six weeks of 10 unemployed, including Waldie. Those arrested had occupied the verandah of the government offices on 17 December 1928 to protest the denial of rations to some of the unemployed and the absence of relief work.⁸⁷ At a public meeting in early January 1929, McCorry, Toupein, Mahoney and McCarthy shared a platform calling for the immediate release of the 'political prisoners' and for useful work rather than government rations.⁸⁸

The union continued to throw its official weight behind the campaign for relief work by holding public meetings and lobbying the Federal government for public works. The response from the government was generally the same each time: 'no funds' for works but

⁸² *NS*, 28 August 1928. The term of the executive lasted twelve months, from the Annual Meeting in September till the following Annual Meeting (NAWU Constitution).

⁸³ *NS*, 30 October 1928. McCarthy, like McCorry, had also been involved in the Western Australian labour movement and had stood for election in the Roebourne electorate (*NS*, 10 August 1928).

⁸⁴ *NS*, 28 August 1934, 9 January 1940.

⁸⁵ *NS*, 23 March 1928. The divisions at this stage were not always clear cut with Snowy Mahoney making himself available for Harold Nelson's Labor Party campaign committee in September 1929 (*NS*, 20 September 1929).

⁸⁶ *NS*, 1 October 1929.

⁸⁷ *NS*, 18 December 1928, 1 February 1929.

⁸⁸ *NS*, 4 January 1929.

free passage south for the destitute.⁸⁹ Impatient and destitute, 17 unemployed were again arrested in early August 1929 for occupying the same verandah.⁹⁰ One protester told the Court ‘we want work and not benevolent aid’. This time, however, the Court was more sympathetic and only one man, who had participated in the previous occupation, was jailed. All the other protesters were convicted without penalty.⁹¹ Three months later when the unemployed chose to sleep on the same verandah again, there was a party atmosphere. Instead of arresting the protesters, the police assisted them in obtaining drinking water and ‘the men who were notably not downhearted, were finding amusement by various means. Their orchestra consisted of a guitar, mouth organ, and tin whistle, and community singing was heartily and enthusiastically indulged in’.⁹²

Even with the defeat of the conservative Nationalist-Country Party Government of Stanley Bruce by the Labor Party in November 1929, the unemployed continued to get the same answer: ‘no funds’ for relief work.⁹³ In response, the NAWU passed a resolution that ‘strongly protests against the Federal Government continuing the rationing system adopted by the last Government and demand that full-time development work be put into immediate operation’.⁹⁴ Bob Murray questioned why workers were still being retrenched from the railways and the oil tank construction despite Prime Minister Scullin’s election promise to relieve unemployment.⁹⁵

There may have been widespread support in the union for more relief works but other differences remained. At a general meeting earlier in the year, on 12 May 1929, in the absence of Toupein, Rowe and McCorry, the opposition forces took the opportunity to declare the president’s position vacant because of McCorry’s frequent non-attendance at meetings. Toupein and Rowe were on an organising trip to Central Australia and McCorry was back working on the railway construction. The meeting then elected Waldie as president.⁹⁶ The action, while allowable under the rules of the union, was precipitous and left the opposition open to accusations that they were involved in a grab for power.

Toupein and Rowe were also criticised for their trip to Central Australia, which Mahoney called a ‘joy ride’. Given the difficulties of travelling anywhere in the Territory in those days, this was an unfair criticism and reveals the belligerent side of Mahoney’s character. It

⁸⁹ *NS*, 6, 9, 13 August 1929.

⁹⁰ *NS*, 2 August 1929.

⁹¹ *NS*, 2, 6 August 1929.

⁹² *NS*, 15 November 1929.

⁹³ *NS*, 13 December 1929.

⁹⁴ *NS*, 3 December 1929.

⁹⁵ *NS*, 10 December 1929.

⁹⁶ *NS*, 17 May 1929.

took the two men 10 days to travel to Alice Springs in the union's Ford utility truck, the roads being so rough that they had to replace the truck's springs on arrival.⁹⁷

The NAWU had received a request from workers on the Alice Springs to Oodnadatta railway construction to send an organiser to the area.⁹⁸ The union had previously left the southern railway construction to the AWU because the number of potential members would not sustain servicing an area so far from Darwin. The union was also concerned about a recent change in the rules of the national AWU that gave the South Australian branch the authority to extend its organising activities into Central Australia. In 1927, the Federal government had divided the Territory along Latitude 20° South into two administrative regions, North Australia and Central Australia. The NAWU, however, still claimed coverage of both regions except for the railway construction workers south of Alice Springs. But the action of the AWU in trying to expand its operations beyond the railway was seen by the NAWU as a 'grab at easy money'.⁹⁹ The NAWU challenged the AWU rule changes in the Arbitration Court but lost the case.¹⁰⁰

The NAWU had also received a request for assistance from mica miners working in a remote area, 200 kilometres northeast of Alice Springs (probably Arltunga). A letter to the union described conditions at the mine site as 'simply awful. No tents and no other accommodation are available and no sanitary arrangements and the water supply is not fit even for cattle'. The letter went on to describe a dangerous, unregulated mine site with few first-aid appliances and frequent food shortages. On arrival, Toupein described the conditions as 'intolerable' but was unable to meet any of the miners as the mine had been closed.¹⁰¹

It was a far from successful trip. Toupein and Rowe were only able to recruit 14 members but given the circumstances outlined above, it was justifiable. The real object of the opposition's criticism of Toupein and Rowe, however, became clear when the secretary informed the meeting that he had received a number of motions from outlying workers refusing to recognise Waldie as president and criticising Darwin members for 'dictating the policy of the Union'. The understandable reaction from the opposition was that Toupein had used the trip to organise forces against them. Toupein denied having done so but he made it

⁹⁷ *NS*, 16 September 1927, 21 May 1929.

⁹⁸ *NS*, 11, 19 September 1928. The Alice Springs to Oodnadatta railway opened on 5 August 1929 (see Alan Powell, *Far Country: A Short History of the Northern Territory*, Melbourne University Press, Carlton, 1996, p. 148). The construction workers were on a southern award and did not have access to such things as the 44-hour week enjoyed by Top End workers. No doubt this was one reason they wanted NAWU coverage (*CAR*, vol. 29, 1930, pp. 1-8).

⁹⁹ *NS*, 26 March 1929.

¹⁰⁰ *CAR*, vol. 29, 1930, pp. 1-8.

¹⁰¹ *NS*, 21 May 1929, 11 November 1932.

clear that he also objected to the policy of the union being directed by small meetings in Darwin.¹⁰²

The dispute came to a head at a tumultuous meeting on a Sunday morning nine days later in the Union Hall. At that meeting, the opposition still had the numbers to defeat a motion to refer the matter of who should be president back to the executive. Toupein responded that he did not 'want to be secretary of a chaotic organisation. I'm not married to the job' and tendered his resignation. Mahoney was all too happy to accept Toupein's resignation but Waldie, a more cautious character, began to waver and suggested 'the position wanted a little thinking about ... he would sooner pull out than cause a split'. Waldie's circumspection was infectious and motions were then carried refusing Toupein's resignation and referring the issue back to the executive.¹⁰³

When the executive met the next day, the opposition still had the numbers to pass a motion calling for McCorry's resignation.¹⁰⁴ Predictably, McCorry refused to resign and in early June, despite further attempts by Mahoney to remove the president, the executive voted to hold a plebiscite on whether the position of president should be declared vacant.¹⁰⁵ On 18 June 1929, the *Standard* devoted a whole page to the 'yes' and 'no' cases. The 'no' case argued that the action of the opposition was 'a most serious and regrettable error' and an 'injustice ... to country members by Darwin'. The 'yes' case blandly reiterated the constitutional duties of the president and argued that the business of the union can only be conducted in Darwin.¹⁰⁶ When the votes were counted the 'no' case was narrowly victorious and McCorry retained his position.¹⁰⁷ Another outcome of this dispute was that the union altered its constitution to clearly state that the executive was the highest authority in the union between each Annual Meeting, and to double the number of signatures required to call special meetings.¹⁰⁸

In Mahoney's opinion, the union leaders were 'pandering' to the small number of men still on the construction.¹⁰⁹ Such statements did not win Mahoney many supporters outside of Darwin and when he ran for union organiser in mid-1929, Rowe attracted 70 per cent of the

¹⁰² *NS*, 21 May 1929.

¹⁰³ *NS*, 28 May 1929.

¹⁰⁴ *NS*, 31 May 1929.

¹⁰⁵ *NS*, 4 June 1929.

¹⁰⁶ *NS*, 18 June 1929.

¹⁰⁷ *NS*, 30 August 1929.

¹⁰⁸ *NS*, 7 January 1930.

¹⁰⁹ *NS*, 12 July 1929.

vote.¹¹⁰ Mahoney and Waldie still had some supporters though and were re-elected to the executive at the Annual Meeting at the end of August.¹¹¹

Mahoney had no hope in a ballot against such a well-travelled organiser as Rowe. Toupein, in his secretary's report to the 1930 Annual Meeting, argued that

The result of this organising work is beneficial to the station workers, many matters regarding wages and conditions have been adjusted and it helps to police the award. It also enlarges the scope and influence of the Union, which is very desirable for such a small union. The attention paid to the station workers of the Northern Territory, I think compares more than favourably with the service given by any other union in Australia
...¹¹²

Of course, the union's concerns did not extend to Aboriginal workers, the bulk of the labour force on the cattle stations. In the mid-1920s, some nationalists, missionaries, anthropologists and feminists began to agitate for reforms to the way Aboriginal people were treated in Australia. However, according to Heather Goodall, the reforms generally 'amounted to segregation of Aborigines under benevolent white 'expert' control'.¹¹³ The missionaries were particularly concerned about the slave-like conditions Aboriginal workers experienced on the pastoral stations and they started to lobby the Federal government to introduce minimum wages for Aboriginal workers.¹¹⁴ 'White' unionists recognised that the concerns of the reformers dovetailed their own campaign to remove Aboriginal labour from the cattle stations altogether.

In 1929, Toupein wrote an article describing the Aboriginal workers who 'are paid no monetary wage' as 'the most oppressed and intensely exploited people on the face of the earth'.¹¹⁵ Yet rather than convert this concern into a campaign for justice for Aboriginal workers, the union focused on 'white' unemployment. In May 1930, the Minister responsible for the Territory called a conference involving the union, missionaries and pastoralists in an attempt to set minimum wages and conditions for Aboriginal workers. At this conference, Toupein and Rowe argued for the payment of award wages to Aboriginal workers and described the Aboriginal worker as 'an absolute menace' to the 'white' worker and 'a menace to our social system'. Toupein, sounding like a nineteenth century social reformer,

¹¹⁰ NS, 23 July 1929.

¹¹¹ NS, 30 August 1929.

¹¹² NS, 2 September 1930.

¹¹³ Heather Goodall, *Invasion to Embassy: Land in Aboriginal Politics in New South Wales, 1770-1972*, Allen & Unwin, St Leonards, 1996, p. 158.

¹¹⁴ Ann McGrath, 'Modern Stone Age Slavery': Images of Aboriginal Labour and Sexuality' in Ann McGrath, Kay Saunders, Jackie Huggins (eds), *Aboriginal Workers*, Special Issue of *Labour History*, no. 69, November 1995, pp. 41-42.

¹¹⁵ Robert Toupein, 'Exploitation of Aborigines in Northern Australia' in *Pan Pacific Worker*, 1 September 1929, pp. 12-13.

argued that the existence of unpaid Aboriginal domestic labour, gives no ‘encouragement for the white women to come here’ and the young ‘white’ men develop into a ‘shiftless degrading type without any ambitions’. Finally the union argued that the only way to protect both the ‘white’ worker and the Aboriginal was to segregate the Aboriginal into reserves or missions. Rowe and Toupein also spoke in favour of the Federal government’s policy of removing ‘part-Aboriginal’ children from their Aboriginal communities so that they can be ‘lifted out of their state of degradation’.¹¹⁶

‘This tool of the boss’¹¹⁷

Despite the defeat of the opposition over the issue of the union presidency, they were still enthusiastic for a fight. By 1930, the divisions were openly political. Sometime in the previous year, a small branch of the Communist Party (including Mahoney and Waldie) had been formed in Darwin. By 1930, the party was reflecting the hostility to the Labor Party and trade union officialdom associated with the doctrine of third periodism. Third periodism was an ultra-left and sectarian doctrine that labelled all social democrats as ‘social fascists’.¹¹⁸ To the local Communists, Toupein and the other leaders of the NAWU were tools of the bosses, ‘Labor Fakirs’, ‘Reactionary’ and ‘social fascists’.¹¹⁹ The problem with this doctrine was that every union leader outside of the Communist Party was perceived to be an obstacle to the emancipation of the working class.¹²⁰ If acted on fully, it would have been impossible for the Communists to build alliances with any other group in the trade union movement. In practice, however, cooperation did take place. For example, Waldie, as chairman of the local unemployed, sought support from Toupein in the campaign to gain relief work, which, incidentally, was still receiving the same answer of ‘no funds’ from the government.¹²¹

Toupein was a classic social democrat in that he felt the only way to change the system was by ‘evolution’ not revolution. To him, the role of the trade union movement was to improve working conditions through the award system of the Arbitration Court and to elect and defend Labor governments. In a speech at the first International Unemployment Day in Darwin on 4 May 1930, Toupein stated that even though the new Labor government had not

¹¹⁶ NAA, ACT: A1/15, 1938/329, Minutes of May 1930 Conference re. Aboriginal Wages. See also Julia Martinez, *Racism and the Northern Territory: The Attitudes of Administrators, Pastoralists and Unionists to Aborigines Employed in the Cattle Industry During the Depression, 1929-1934*, BA Hons Thesis, University of Wollongong, 1995, p. 28.

¹¹⁷ Description of Robert Toupein in *Workers Weekly*, 19 September 1930.

¹¹⁸ Stuart Macintyre, *The Reds: The Communist Party from Origins to Illegality*, Allen & Unwin, St Leonards, 1998, p. 177.

¹¹⁹ *Workers Weekly*, 30 May, 19 September 1930; *NS*, 27 May, 16 September, 9 December 1930.

¹²⁰ Alistair Davidson, *The Communist Party of Australia: A Short History*, Hoover Institute Press, Stanford University, 1969, p. 9.

¹²¹ *NS*, 29 April 1930.

done the ‘great things’ they had hoped for, ‘no doubt they were doing all they could’.¹²² Yet the fact that the Communist International in Moscow had initiated this day of protest and that Toupein shared a platform with Mahoney who was extolling the virtues of the Soviet Union, shows that he was not a fanatical anti-communist.¹²³ Toupein was also a member, along with Waldie and Mahoney, of the Anti-Imperial War Committee, formed in August 1929 to, among other things, protest military moves against the Soviet Union.¹²⁴ In March 1930, Toupein, against the wishes of a former AWU president Jack Burton, insisted that Waldie be included in a gang of unemployed workers being used to repair flood damage to the rail line.¹²⁵ From the reports of his speeches it appears that, unlike the union’s new president, Bob Murray, he never resorted to using crude anti-communism to attack his opponents. Toupein responded to his Communist Party critics by labelling them ‘sensation-seeking’ who ‘whenever these assailants get themselves and the unemployed into difficulties they always come along to the union to help them out’. Nevertheless, it is understandable that the destitute unemployed and underemployed were frustrated by the inaction of the Federal government and with Toupein’s calls for ‘caution and patience’.¹²⁶

Caution and patience were not on the minds of the unemployed when on Tuesday 29 April 1930, there was a fourth occupation of the verandah of the government offices by up to 70 people. This time, however, they went one step further and 12 men, including Waldie and two other NAWU executive members, occupied one of the offices, locked the doors, and for several minutes kept the Government Resident, Robert Weddell (who had replaced Urquhart in 1927) and four other government officers hostage.¹²⁷ Shortly afterwards, the police arrived and all the protesters left peacefully, except Waldie and NAWU executive member, Frank Broziet, who were arrested and charged for resisting arrest. Both men elected to go to gaol. Clearly they wanted the authorities to respond and not ignore them as they had during the previous verandah protest.¹²⁸ The occupation of the verandah lasted another four days. A large tent was set up in nearby ‘Liberty Square’ over which was hoisted a red flag and in the early evening of 1 May, the first recorded May Day march in Darwin took place.

Before the war, the unions had celebrated the Eight-Hour Day in October with either a march or a sports day. By 1922, the unions were celebrating Labour Day in late May by holding a sports day on a field beside the rail line at Knuckeyes Lagoon, 16 kilometres from Darwin. In

¹²² *NS*, 7 March 1930.

¹²³ Macintyre, *Reds*, p. 190; *NS*, 7 March 1930.

¹²⁴ *NS*, 27 August 1929.

¹²⁵ *NS*, 14 March 1930.

¹²⁶ *NS*, 2 September 1930.

¹²⁷ Between 1927 and 1931, the administrator of both North Australia and Central Australia was called the Government Resident.

¹²⁸ *NS*, 29 April, 23 May 1930.

1927, Labour Day was gazetted a public holiday.¹²⁹ Each year hundreds of workers crowded a special train, even sitting on the roof, and made their way to this popular event (see photo, p. 129). For many years, however, the left wing of the labour movement had wanted to move the celebrations to May Day, seeing Labour Day as old-fashioned and conservative.¹³⁰

The 1930 May Day march started at the NAWU office and was led by Snowy Mahoney carrying a red flag. Behind him an unknown number of marchers were singing rebel songs and shouting ‘ “Do we want work?” “Yes!” “Do we want rations?” “No!” ’. After hearing an address from Mahoney and Toupein, the marchers dispersed with some of them moving back to their temporary home on the government’s verandah. Temporary it was because on the Saturday police, allegedly with some force, removed the protesters and arrested 14 men. When these men fronted the Magistrate on the Monday, some of them faced extra charges such as ‘singing, shouting and beating tins on the concrete floor of the lockup’. Outside the Court a group of unemployed sang the ‘Red Flag’, while inside, only seven of the men were given prison sentences, but all elected to go to gaol anyway.¹³¹ Meanwhile, enraged ‘loyal’ citizens of the town met and passed resolutions expressing ‘disgust at the display of bolshevik emblems’ in Darwin.¹³² The events of April/May 1930 were later described by an anonymous national leader of the Communist Party as Darwin’s ‘first revolution’ and the local Communists were praised as ‘good fighters’ with ‘peculiar methods’.¹³³

By mid-June, most of the unemployed were still in Fannie Bay Gaol having not paid their fines. Waldie and Broziet, however, had been released on bail pending an appeal.¹³⁴ One of the imprisoned men, Charles Priest, remembers that ‘we sat under a large bough shed to protect us from the sun; the stones were not very hard and the hammers were light, so one could say that the hard labour was purely nominal’.¹³⁵ The NAWU collected money for those in prison and sent protest messages to the Prime Minister and interstate unions calling for their immediate release.¹³⁶ Motions also came from various sections of the union, including the workers at the railhead, but Mahoney was a ‘little disheartened’ at the lack of interest shown from working members.¹³⁷ The campaign on the gaoled men’s behalf was eventually successful and the Federal Cabinet pardoned the men on 27 June.¹³⁸

¹²⁹ *NTT*, 27 May 1927.

¹³⁰ *The Worker*, 25 April 1918.

¹³¹ *NS*, 6 May 1930.

¹³² *NTT*, 6 May 1930.

¹³³ State Library of NSW, Mitchell Library (ML): Communist Party Archives, ML MSS 5021 Add on 1936, 1(76). Minutes of the 10th Congress of the Communist Party of Australia, 4-8 April 1931.

¹³⁴ *NS*, 1 July 1930.

¹³⁵ Charles Priest, *Northern Territory Recollections*, p. 3.

¹³⁶ *NS*, 17 June 1930.

¹³⁷ *NS*, 27 May, 20 June 1930.

¹³⁸ *NS*, 1 July 1930.

The Labor Government may have disappointed many of the unemployed by its lack of action over unemployment, but the presence of Harold Nelson in the Federal Parliament gave the union a direct line to government ministers. Not only did this help gain the release of the imprisoned unemployed, it also helped the union get its members jobs.¹³⁹ Nelson also played a part in getting restrictions placed on the use of indentured labour in the pearling industry and obtaining farming and prospecting assistance to those unemployed who requested it.¹⁴⁰

The use of indentured (bonded) labourers in the Territory pearling industry who earned as little as £3 per month was described by the union as slavery.¹⁴¹ Pearling had been carried out in the seas surrounding Darwin since the late 1880s using skilled Japanese contract divers and indentured workers from places such as Timor, the Philippines and Thursday Island. The fortunes of the industry fluctuated depending on the availability of shell and prices on the market. Nevertheless, in any one year, scores of pearling luggers could be seen in Darwin harbour. When not fishing for shell, the indentured crews camped in large numbers on the shores of Frances Bay, a short walk from Darwin township.¹⁴² The NAWU was specifically concerned with the increasing use of indentured workers on jobs that could be performed by 'white' labour. Several times during 1930, the Minister for Home Affairs (formerly Home and Territories), Arthur Blakeley, wrote to the pearling masters giving them notice to restrict the onshore work of their indentured labourers to the cleaning and repair of boats.¹⁴³ The previous year, the union had expressed concern over the use of indentured labour on coastal cargo vessels and for loading pearl shell onto rail cars. In one incident, the union came to the defence of two indentured 'Koepangers', who had been gaoled and deported for refusing to work vessels other than pearling luggers.¹⁴⁴

In August 1930, the Federal government finally provided money for one day's relief work each week. However, the unemployed continued to push the militant policies of its Communist leaders and refused it, arguing that they would only accept three day's work.

¹³⁹ The government instructed the railway management to use a union supplied list to recruit labour to repair a section of the flood damaged rail line (*NS*, 25 July 1930).

¹⁴⁰ In 1930, Federal Cabinet agreed to a proposal put the previous year by the unemployed to provide those who requested it, a block of land near Katherine for growing peanuts as well as monetary assistance until the first crop was harvested. However, no money had been set aside for supplying tools. At the 1930 NAWU Annual Meeting, Toupein reported that 46 unemployed had taken up the offer but by October 1932, only five of these peanut farmers remained (*NS*, 9 August 1929, 2 May, 27 May, 17 June, 18 July, 2 September 1930, 28 October 1932). The government also offered £1 per week for three months for any unemployed who wanted to go prospecting (*NS*, 24 October 1930).

¹⁴¹ *NS*, 1 February 1929, 14 April 1931.

¹⁴² Powell, *Far Country*, p. 152; Julia Martinez, 'The 'Malay' Community in Pre-war Darwin' in *Queensland Review*, vol. 6, no. 2, November 1999, pp. 45-57; *NS*, 21 March 1930.

¹⁴³ *NS*, 13 May, 2 December 1930.

¹⁴⁴ *NS*, 25 January, 12 February, 12 March, 23 March, 26 March, 5 April 1929. Julia Martinez has researched the origins of the Koepangers and suggests they were from the islands of Sabu, Roti and Timor (see 'The 'Malay' Community', p. 50).

After 10 days of refusing to work and consequently being denied rations, they relented.¹⁴⁵ Before the year was over, the unemployed also refused to sweep the town's gutters, a job normally done by union labour at union rates. The unemployed argued that they would not be used to undermine union conditions and when they refused to do such work at less than union rates, they were dismissed.¹⁴⁶ The NAWU supported the unemployed in these instances but it was becoming clear that union members were tiring of the sectarian attitude of the Communist Party towards the union's leaders. For example, at the 1930 Annual Meeting, Mahoney and Waldie failed in their bid for re-election to the executive.¹⁴⁷ Nevertheless, in late 1930, Toupein and Rowe were still prepared to publicly associate with the campaigns of the unemployed by speaking at the weekly Sunday evening street protests outside the Don Stadium on the corner of Bennett and Cavenagh Streets, in Darwin. At one of these meetings, Rowe argued that 'he considered the Scullin Govt. had betrayed the worker'.¹⁴⁸ Toupein continued to lobby the Federal government via Nelson for more relief work and for its extension to areas outside of Darwin.¹⁴⁹ In December the unemployed were granted an extra day's relief work in the lead up to Christmas, although the union and the unemployed argued it should have been extended indefinitely.¹⁵⁰ The NAWU also successfully lobbied on behalf of 26 unemployed workers, including Mahoney and Waldie, who were arrested on 9 November 1930 for holding a street meeting outside the Don Stadium.¹⁵¹ Within days, Toupein received a message from Nelson stating that Blakeley had ordered the charges be withdrawn.¹⁵²

Despite the modest efforts of the Labor government, the situation for the unemployed in the Territory continued to deteriorate.¹⁵³ Many unemployed came from other parts of the country, especially from Western Australia and Queensland, in search of work.¹⁵⁴ The unemployed continued to highlight their distress but later recollections describe somewhat of an idyllic life in a tropical paradise.

The weather was warm, there was always sufficient to eat, there was no need to beg for food ... no living under filthy conditions ... The Botanical Gardens, a veritable tropical paradise was less than half a kilometre away, and in it were hundreds of coconut palms

¹⁴⁵ *NS*, 5, 8 August 1930.

¹⁴⁶ *NS*, 28 October, 4 November 1930.

¹⁴⁷ *NS*, 2 September, 4 November 1930.

¹⁴⁸ *NS*, 21 October 1930.

¹⁴⁹ *NS*, 24 October 1930.

¹⁵⁰ *NS*, 19, 23 December 1930.

¹⁵¹ *NS*, 11 November 1930.

¹⁵² *NS*, 14 November 1930; *Commonwealth Parliamentary Debates, House of Representatives*, vol. 127, 18 November 1930, p. 392.

¹⁵³ For a thorough insight into the experiences of the unemployed in Darwin in the 1930s see Eric W. Sager, *Discovering Darwin: The 1930s in Memory and History*, Historical Society of the Northern Territory, Darwin, 1993.

¹⁵⁴ *Annual Report of Administrator For Year 30 June 1930*; *NS*, 2 September 1930.

loaded with nuts for most of the year. There were scores of mango trees loaded with fruit in season. There were shady trees and beautiful lawns. Walk through the garden and you were right on beautiful Mindil Beach where you could sunbake all day if you liked, or if the sun was too warm, relax in the shade of the mango trees.¹⁵⁵

Charles Priest's description seems a little too idyllic, given the fervour displayed by the unemployed in their agitation for better conditions. His recollections are specific to the period after November 1930, when the unemployed occupied a large vacant set of buildings about three kilometres from Darwin called the Immigrants Home (present day Geranium Street). It was run on a communal basis with collective finances, cooking, cleaning and monthly dances.¹⁵⁶ Nevertheless, there were instances of unemployed people being admitted to hospital for undernourishment, whether as a direct result of unemployment or other causes is unknown.¹⁵⁷

The concentration of the unemployed in one place no doubt assisted the Communist Party in its organising activities. By March 1931, a branch of the party-aligned Unemployed Workers Movement had been formed in Darwin.¹⁵⁸ In the meantime, the government verandah was, for the fifth time in three years, the site of an unemployed protest for an extra day's relief work.¹⁵⁹ The occupation of 27-28 January 1931 was the culmination of a march by unemployed through the streets of Darwin demanding two day's relief work. A photo of this event reveals that there were a number of Asian and 'part-Aboriginal' workers in the protest.¹⁶⁰ Among the latter was Joe McGinness, a local football star, and a future national president of the Federal Council for Aboriginal and Torres Strait Islander Advancement.¹⁶¹ This event has been somewhat glorified on the left, as the day the red flag flew over the government offices in Darwin, at least until it was pulled down by the Chief Medical Officer, Cecil Cook.¹⁶² The next afternoon, after having consulted the Minister, the Deputy Government Resident informed the unemployed that their request for extra relief work was denied and that they had to vacate the verandah. At first those on the verandah agreed but after the intervention of Mahoney, they refused to move and 10 were arrested after a violent scuffle that left some of the police and protesters seriously injured. The occupation and

¹⁵⁵ Charles Priest, *Further Northern Territory Recollections: Improving My Education*, self published, Benalla, 1986, p. 27.

¹⁵⁶ *NS*, 4 November 1931; NTAS: NTRS 226, TS 261, transcript of interview with Henry Lee.

¹⁵⁷ *NS*, 27 February 1931.

¹⁵⁸ ML: MLMSS 5021, Add On 1936, 16 (76). Minutes of Unemployed Workers Movement State Executive, 15 March 1931.

¹⁵⁹ *NS*, 27 January 1927; NAA, NT: A1, 1931/4202, Department of Home Affairs Memorandum, 'Disturbance at Darwin', 29 January 1931.

¹⁶⁰ Helen J. Wilson & Elizabeth Estbergs, *The Northern Territory Chronicle*, 2nd Edition, Northern Territory University Planning Authority, Darwin, 1984, pp. 32-33. The authors incorrectly date the photo as 1930.

¹⁶¹ *NS*, 13 February 1931. See Joe McGinness, *Son of Alyandabu: My Fight For Aboriginal Rights*, University of Queensland Press, St Lucia, 1991, p. 24.

¹⁶² *NS*, 30 January 1931.

subsequent court cases dominated the local press for months and the Citizens League met to support 'lawfully constituted authority'.¹⁶³

The events of January 1931 have been widely documented in other historical works and in oral testimony but have not been discussed in the context of their impact on the NAWU.¹⁶⁴ At the next monthly meeting of the union, held in the Town Hall a few days after the arrests, a motion was moved protesting the 'brutal treatment' of the unemployed by the police and for the union to send a message to the Prime Minister calling for the immediate release of those arrested. An amendment was then moved blaming the protest on the decision of the Minister to deny the unemployed an extra day's relief work. On being accepted, this amendment became the motion and was subsequently carried, which, in effect, meant that the union stayed silent on the question of the arrested men.¹⁶⁵ The *Times*, in its report of the meeting, noted that Toupein 'made the speech of his life' when he allegedly argued that the communists had done 'more harm than good' by injuring the 'prestige' of a union that had always acted in a 'constitutional manner'.¹⁶⁶ Although the *Times* was not noted for its honest reportage of union events, it is interesting to note that Toupein did not contradict this report.

It appears that the majority of union members were tiring of the activities of the unemployed activists. At the next meeting in late February, an attempt was made to re-open the debate on the release of the unemployed but was rejected by 'a big majority' according to the *Standard*.¹⁶⁷ Political differences or not, it is extraordinary that the union did not defend its own members, some of whom had been beaten and hospitalised for their involvement in what started out as a peaceful occupation.¹⁶⁸ Nevertheless, the public attacks by the Communist Party on the NAWU had contributed to the divisions inside the union that now seemed irreparable. Mahoney was eventually sentenced to two months imprisonment for resisting arrest.¹⁶⁹

Even though relations with the unemployed leaders may have soured, the union repeated its call for an extra day's relief work at a monthly meeting in March 1931. The union also passed a resolution opposing any attempt to carry out public works with relief workers. Although these two motions appear contradictory, the union argued that if any works were

¹⁶³ *NTT*, 3 February 1931; *NS*, 21 April 1931.

¹⁶⁴ Douglas Lockwood, *The Front Door: Darwin, 1869-1969*, Rigby, Adelaide, 1977, pp. 247-249; Powell, *Far Country*, p. 149; NTAS: NTRS 226, TS 13, transcript of interview with Gordon Birt; TS 261, transcript of interview with Henry Lee.

¹⁶⁵ *NS*, 3 February 1931.

¹⁶⁶ *NTT*, 3 February 1931.

¹⁶⁷ *NS*, 3 March 1931.

¹⁶⁸ *NS*, 14 April 1931.

¹⁶⁹ *NS*, 13 March, 14 April 1931.

required, especially those associated with defence, then full wages should be paid.¹⁷⁰ It was also a position supported by the local unemployed.¹⁷¹ The unemployed, however, continued to attack the union for ignoring their plight.

In December 1931, one of the unemployed leaders wrote to the *Times* about a five-day strike of relief workers at the Darwin aerodrome, four kilometres from the town. The letter was sent to the *Times* because the unemployed claimed they were being inaccurately reported in the *Standard*.¹⁷² The writer suggested that

The NAWU was strangely silent during the dispute and when the Secretary was approached by a deputation he declared that he would not buy into the strike. This in spite of the fact that there were many ticket holders among the strikers.¹⁷³

After the defeat of Labor and the election of the conservative Federal Government of Joseph Lyons in December 1931, the situation worsened for the unemployed in the Territory. From early March 1932, the new government cut the wages of relief workers by 25 per cent and soon after passed new regulations denying relief work to any person who had been in the Territory for less than 12 months.¹⁷⁴ The new regulations had the desired effect and within weeks 105 men took up the government's offer of free passage out of the Territory. In the words of Alan Powell, 'Thus did governments help to depopulate the Territory they wished to develop'.¹⁷⁵ The *Times* expressed sympathy with those affected, arguing that they came 'not in search of the highly paid relief work, but under the impression that the Territory offered possibilities not available in the South'.¹⁷⁶ Given that there were approximately 200 unemployed in Darwin, the exodus of early 1932 substantially reduced their number.¹⁷⁷

The NAWU was not the only Australian union that found itself powerless to resist the impact of the Great Depression on Australian workers. Although the NAWU made some effort to fight for its unemployed members, it suffered from misplaced loyalty in a Federal Labor government committed to orthodox deflationary fiscal policies. Unfortunately for the unemployed, the sectarianism of the Communist Party eventually gave the union an excuse to distance itself from the fight for better conditions for the unemployed. If the unemployed leaders had been more willing to work with leaders like Toupein, possibly more could have

¹⁷⁰ *NS*, 31 March, 26 June 1931.

¹⁷¹ *NTT*, 5 January 1932.

¹⁷² *NS*, 17 February 1931.

¹⁷³ *NTT*, 18 December 1931. Unfortunately we do not know Toupein's response to this letter because 12 months of the *Standard* between July 1931 and June 1932 are missing from the microfilm collection.

¹⁷⁴ *NTT*, 26 February, 4 March 1932.

¹⁷⁵ Powell, *Far Country*, p. 149.

¹⁷⁶ *NTT*, 1 April 1932.

¹⁷⁷ *NS*, 22 May 1931; *Annual Report of Administrator for Year Ending 30 June 1932*.

been done. For one thing, it would have made it difficult for the government to dismiss the unemployed movement as simply a 'communist movement'.¹⁷⁸ However, rather than seek common ground with the NAWU leadership, the Communist Party intensified its fight inside the union. Eventually this led to the untimely resignation of the NAWU's first secretary and most experienced leader, Robert Toupein.

¹⁷⁸ NAA, NT: A1, 1932/183, Communist Meetings In Darwin Streets.



(L-R) Don McKinnon (Editor, *The Northern Standard*), Robert Toupein (Secretary, NAWU, 1927-1935), Owen Rowe (NAWU Organiser). The photo is taken outside the union building and is dated 1921. This is incorrect as Rowe did not become organiser till 1928. *NTAS: NTRS 1854, Image 1261, Historical Society Collection.*



Train arriving at the '10 Mile' (Knuckeys Lagoon) for the 1940 Labour Day Picnic. *NTAS: NTRS 1217, 19, J.P. McDonald Collection.*

Chapter Five

‘The “Red” element have hounded Secretary Toupein out of the movement’¹ ***1932-1935***

‘The North Australian Workers’ Union is set up somewhat on the line of the O.B.U. That idea is successful in Darwin because of its isolation. The workers are dominated by A.W.U. traditions and the influence of the A.L.P. except those workers who have militant traditions.’
– Darwin delegate to 11th National Congress of Communist Party of Australia, December 1935.²

The issue of unemployment so dominated the political life of Darwin in the late 1920s and early 1930s that it tends to obscure other issues occupying the leaders of the NAWU. In particular, there were the renewed attempts by the nation’s employers and governments to reduce costs by seeking changes to the various awards delivered by the Arbitration Court during better economic times. The Judges of the Arbitration Court were also convinced of the necessity for wage cuts, ordering a 10 per cent cut to the basic wage in January 1931.³ As a result, the basic wage in the Territory was reduced from 2s 6d to 2s 2¼d per hour.⁴ The only Darwin workers to escape this cut were the wharf and sorting shed workers whose wages, according to the Minister responsible for the Territory, were judged already too low.⁵ These wage reductions were added to unemployment as issues on which the Communist Party could agitate against the union’s leaders. The party’s activities eventually led to the resignation of Robert Toupein after eight years as NAWU Secretary. However, by then the union’s leadership had been able to take advantage of improving economic times, especially in the mining sector, to regain some of the lost wages and conditions. The opposition

¹ Manifesto to the Members of the North Australian Workers Union, *Northern Standard (NS)*, 16 July 1935.

² State Library of New South Wales (Mitchell Library) (ML): MLMSS 5021 Add On 1936, 1(76), Minutes, 11th Congress of CPA, December 1935.

³ Ian Turner, *In Union Is Strength: A History of Trade Unions in Australia 1788-1974*, Nelson, Melbourne, 1976, pp. 84-86.

⁴ *Commonwealth Arbitration Reports (CAR)*, vol. 33, 1934, p. 945.

⁵ *NS*, 11 October 1932.

campaign eventually lost momentum and collapsed. It would be a few more years before the Communist Party had the chance to lead the union. This chapter examines the events leading up to Toupein's resignation and the subsequent defeat of the left wing opposition inside the union.

Much has been made of the significance of the depression wage cut marking a shift from the Higgins 'living wage' to one based on the 'capacity of industry to pay'.⁶ However, Territory workers had already heard the same arguments used by Judge Powers in 1924 and Judge Dethbridge in 1928.⁷ Four months after the Arbitration Court ordered the 10 per cent wage cut, the NT Pastoral Lessees Association applied to cut the minimum wage on the cattle stations by 50 per cent. When a Full Court of three judges (Dethbridge, Beeby and Drake-Brockman) gave their decision in May 1932, they refused the employers' claim but passed on the 20 per cent wage cut granted the previous year in the federal pastoral award.⁸ The reason they gave was the 'precarious financial position' of the cattle industry.⁹ The only consolation for the union was that five months later, Judge Dethbridge extended the coverage of the award to all Territory pastoral companies, not just those mentioned in the original award. The Judge was able to do this by declaring the award 'common rule', a provision that had only been applied once before in the history of Commonwealth arbitration.¹⁰ Dethbridge justified his decision on the grounds that the NAWU had enough members in the industry to be considered the voice of the employees and that the Court should assist the union in such a 'sparsely populated and large district' to look after the interests of its members.¹¹ On the surface, common rule was an enormous benefit for the unions but many employers also supported the provision because it reduced unfair competition from those employers who were more exploitative of their workers.

As in the past, the government managers of the North Australian Railway were quick to take advantage of the prevailing industrial relations climate when they tried to cut costs by reducing the number of men working the wharf. The *Times* commented that 'General public opinion is siding strongly with the wharf labourers ... many folk think that the Manager was in the wrong springing the alteration so suddenly on the men'.¹² Was this the same *Times* that had waged such a spirited campaign against unionism for so long? Between 1931-32, the

⁶ Turner, *In Union is Strength*, pp. 85-86; Jim Hagan, *The History of the A.C.T.U.*, Longman Cheshire, Melbourne, 1981, p. 139; Stuart Macintyre, *The Oxford History of Australia, Volume 4, 1901-1942*, Oxford University Press, Oxford, 1986, pp. 261-262.

⁷ See Chapter 3, pp. 94-95 and Chapter 4, pp. 109-110.

⁸ Mark Hearn & Harry Knowles, *One Big Union: A History of the Australian Workers Union 1886-1994*, Cambridge University Press, Cambridge, 1996, p. 174-175.

⁹ *CAR*, vol. 31, 1932, p. 125.

¹⁰ *NS*, 7 March 1933.

¹¹ *CAR*, vol. 32, 1932, pp. 5-6.

¹² *Northern Territory Times and Gazette (NTT)*, 16 June 1932.

Times, under the editorship of Jessie Litchfield, had become less hostile to the labour movement. Litchfield, who had also written for the *Standard* in 1928, was no radical, but she was sensitive to the plight of Darwin's unemployed and casual workers.¹³ Unfortunately, the shift to a paper more like the one edited by Charles Kirkland several decades earlier was too late. On 28 June 1932, the paper announced to its readers that 'Today, the *Northern Territory Times* goes to press for the last time as a separate entity. After today it and the *Northern Standard* will be merged into one, and another chapter of Northern Territory history will be ended'.¹⁴ One can only wonder what John Porter would have thought of the *Times* merging with the 'Woods Street screamer'.¹⁵

In the meantime, the wharf labourers received legal advice that their award recognised management's right to alter the size of the workforce.¹⁶ In somewhat of a compromise, the workers decided to share the work among the current crew, further reducing their paltry incomes.¹⁷ In July 1932, the railway management (in conjunction with the private shipping company, Burns Philp), applied to the Arbitration Court to have the 10 per cent wage cut of 1931 passed on to the wharf and sorting shed workers. In a counter application, the union sought a 50 per cent increase in wages.¹⁸ Two months later, the Full Court rejected the employers' application, arguing that the workers already 'make much less than the basic wage' and 'the unfortunate position of many men who cling to the town in the hope of restored prosperity call for decisive action before wage rates are reduced'.¹⁹

One of the few positive signs for the Territory economy was the rise in gold prices in the early 1930s.²⁰ In 1932, at a time of otherwise gloomy prospects for Australian workers, prospectors rushed to two remote fields in the Territory, The Granites, over 600 kilometres north-west of Alice Springs in the Tanami Desert, and Tennant Creek, approximately 900 kilometres south of Darwin. Some of Darwin's former unemployed could now be found working in a myriad of deep shafts that had been dug into the dry, undulating, spinifex-covered terrain surrounding Tennant Creek.²¹

¹³ *NS*, 7 September 1928, 24 July 1934.

¹⁴ *NTT*, 28 June 1932.

¹⁵ John Porter left the *Times* in 1929 and involved himself in the mining industry. He died on 29 April 1936 (*NTT*, 4 October 1929; *NS*, 7 July 1933, 1 May 1936). See Chapter 3, p. 86.

¹⁶ For more on 'managerial right' see Robyn Alexander & John Lewer, *Understanding Australian Industrial Relations* (Third Edition), Harcourt Brace, Sydney, 1994, p. 161.

¹⁷ *NS*, 8 July 1932.

¹⁸ *NS*, 26 August 1932.

¹⁹ *CAR*, vol. 31, 1932, p. 571.

²⁰ See Alan Powell, *Far Country: A Short History of the Northern Territory*, Melbourne University Press, Carlton, 1996, p. 150; David Carment, *Australia's Depression Gold Rush Tennant Creek 1932-1936*, Northern Territory University Faculty of Arts Occasional Paper Series, Number Five, Darwin, April 1991, p. 10.

²¹ Powell, *Far Country*, p. 11; *NS*, 18 October, 22 December 1933.

The Tennant Creek goldfields proved to be more permanent but, as was the case with previous mineral rushes in the Territory, The Granites' rush was short lived.²² In November 1932, after hearing positive reports from Harold Nelson about The Granites field, the NAWU executive sent Owen Rowe to investigate. Rowe had been in Alice Springs organising a section of the union. Nelson estimated that there were 150 men at the field, 25 of whom were on wages.²³ Some of these waged men had already been involved in strike action.²⁴ By late November, the field had absorbed all the miners it could and the population had declined to fewer than 50. One report in the *Standard* described conditions as 'intolerable ... the heat is terrific and typhoid fever stares the miners in the face'.²⁵ Rowe wrote in the *Standard* that 'many men have come and gone on the field. None of them made a fortune from the gold they got and many of them could not pay their store accounts'.²⁶ As a result, many destitute unemployed found themselves stranded in Alice Springs and the Federal government was again paying for their passage out of the Territory.²⁷ Some workers were awarded settlements when Rowe pursued the employers in the Alice Springs Court for the payment of back wages for those workers who had their weekly wage cut when they refused to work a 48-hour week, instead of the Territory norm of 44-hours.²⁸ Rowe was also successful in similar claims for Tennant Creek miners who had been left unpaid after the collapse of various mining ventures.²⁹

With the exodus of unemployed from the Territory as a result of the stricter qualifications for relief work, the lure of gold mining and the revival of the naval fuel tank construction in Darwin, some of the urgency had been taken out of the unemployment issue.³⁰ In late 1932, the NAWU failed in its efforts to remove the restrictions on access to relief work, although it did gain some extra work just before Christmas for those eligible. At that time there were still 68 single men and 17 married men on relief in Darwin and 40 in Katherine.³¹ The next May, the union led a deputation to the Superintendent of Police who was the administrator of the relief work, to highlight the 'acute' situation among those unemployed denied relief work, but were informed that the Federal government would not lift the qualification restrictions.³²

²² Carment, *Depression Gold Rush*, p. 11.

²³ *NS*, 1 November 1932.

²⁴ *NS*, 14 October 1932.

²⁵ *NS*, 11, 22 November 1932.

²⁶ *NS*, 8 November 1932.

²⁷ *NS*, 2 December 1932.

²⁸ *NS*, 3 February 1933.

²⁹ *NS*, 20 March 1934.

³⁰ *NS*, 7 February 1933.

³¹ *NS*, 15 November, 9 December 1932.

³² *NS*, 26, 30 May 1933.

The Communist Party-aligned Unemployed Workers Movement (UWM) had by that stage produced its own news sheet, *The Northern Voice*, edited by Charles Priest.³³ Priest had taken on the leadership of the unemployed with the departure of Snowy Mahoney from the Territory in early 1933. Within a month of Mahoney's arrival in Sydney, he was back in gaol after breaking a window in protest at the 'rotten dole conditions'.³⁴ Mahoney maintained his membership of the Communist Party till his death at the age of 56 in December 1949. He was occasionally featured in the party's newspaper, *Tribune*, for his involvement in May Day, the unemployed movement, *Tribune* sales or supporting the party's youth group, the Eureka Youth League.³⁵ The *Standard* once described Mahoney as being an egotist with a penchant for 'self-imposed martyrdom' but he was not so different from the thousands of other unemployed activists across Australia who reacted with justifiable anger to the mass unemployment and poverty of the Great Depression.³⁶ Nevertheless, it must be stated that his efforts were marred by his adherence to the sectarian doctrine of the third period.

Mahoney may have left but third periodism was still alive inside the Darwin Communist Party, and the friction between the NAWU and the UWM continued. On one occasion, the *Standard* described the *Northern Voice* as 'this 100 percent Labor and Union disrupter'.³⁷ The UWM continued to accuse the union of turning its back on the unemployed, yet Robert Toupein could argue that he had fought hard on the issue. Toupein made this defence at the Annual Meeting of the union in August 1933, when a delegate from the UWM cynically moved to cut Toupein's wage to the minimum wage. The unfortunate aspect of this motion was that no matter how weak the union's response to unemployment may have been, the unemployed would have been worse off if the NAWU had been weakened organisationally. A representative of the unemployed also tried to move a motion supporting the periodical payments of union dues but this was ruled out of order as it required a change to the constitution.³⁸ The implementation of the periodical payment of membership dues or part-year tickets may have gone some way to mending relations between the unemployed and the union, but the union leadership was opposed to the proposal. Their opposition was probably based on a combination of the likelihood of lower revenues, the organisational difficulties of implementing such a system and fear that the number of Communist Party members in the union would increase.

³³ *NS*, 3 February 1933. In Beverley Symons, Andrew Wells & Stuart Macintyre, *Communism in Australia: A Resource Bibliography*, National Library of Australia, Canberra, 1994, p. 130, it is mentioned that there are copies of *Northern Voice* in the National Library but at the time of writing, I have been unable to locate them.

³⁴ *NS*, 13 January, 21 March 1933.

³⁵ *Tribune*, 10 May, 5 July 1945, 24 December 1947, 17, 21 December 1949.

³⁶ *NS*, 20 September 1932.

³⁷ *NS*, 1 September 1933.

³⁸ *NS*, 1, 8 September 1933.

The NAWU could certainly have done with some new members however. At the 1933 Annual Meeting it was announced there were 585 members, down 62 on the previous year and much the same as it had been when the union was formed six years earlier. A motion to introduce quarterly tickets was also proposed at the 1934 Annual Meeting but was again ruled out of order.³⁹ It appears that these motions were moved more for the purpose of grandstanding than anything else as supporters of quarterly tickets or periodical payments could have sought the desired changes through a plebiscite of members if they had wanted to.

With the departure of Mahoney, much of the union's fire was directed at Charles Priest. At the monthly meeting of the NAWU on 3 November 1933, Priest was refused membership of the union until he retracted statements he had made in the *Northern Voice* about Toupein.⁴⁰ According to the *Standard*, Priest had organised a group of piecework sand carters to approach the union for help in increasing the price they were obtaining per load. After a meeting of the NAWU in late October, the union decided to affirm its policy against piecework and called for the work to be performed by labour on award wages. Priest apparently wrote in the *Voice* that Toupein feared strike action as it may either see him in gaol or jeopardise union funds and his secretarial salary. The *Standard* responded arguing that the secretary had been 'vilely slandered', accusing the *Voice* of trying to 'disrupt and divide' the union as in 1921.⁴¹ It is difficult to judge Priest's actions without a copy of his article, but the union's actions were consistent with its policy against piece rates.

The UWM and its news sheet had ceased to exist by late 1933, but Priest continued to be a major source of dissent within the union for a number of years. On many occasions, Priest's supporters lobbied for a special union meeting to discuss removing the ban on his membership. It is hard to say how much support Priest had. He could regularly get the 30 signatures required to call a special meeting but he did not have the numbers to regain his membership.⁴² By May 1934, Priest was editing the local Communist Party news sheet, *The Proletarian*, from which he continued his barbs against the union.⁴³

Priest's supporters were certainly persistent, if not a little unprincipled. In February 1934, they even refused to support the introduction of a strike levy to support a group of striking

³⁹ *NS*, 4 September 1934.

⁴⁰ *NS*, 7 November 1933.

⁴¹ *NS*, 24, 27, 31 October 1933.

⁴² *NS*, 16, 26 January, 2, 9 February 1934; Northern Territory Archives Service (NTAS): NTRS 1853, North Australian Workers' Union Constitution and General Rules.

⁴³ *NS*, 22 December 1933, 30 January 1934; Charles Priest, *Still Further Northern Territory Recollections: "nothing extenuated, nor ought set down in malice"*, self published, Benalla, 1986, p. 4.

mica miners in Central Australia unless Priest was readmitted to the union.⁴⁴ How this was received by the striking miners is unknown, but it would not have helped the union's left opposition gain many supporters in the bush. The miners had been employed on the remote mica fields approximately 300 kilometres north-east of Alice Springs.⁴⁵ On 10 December 1933, 11 miners had been sacked for joining the NAWU and a strike camp was set up at Alice Springs. The men on strike were demanding Territory conditions such as the 44-hour week and the reinstatement of those sacked.⁴⁶ Rowe also took action and was ultimately successful in claiming for lost wages in the Alice Springs Court.⁴⁷ The eventual success of the strike was due to the national support the strikers received from the Australian Council of Trade Unions (ACTU) and the existence of an effective strike camp.⁴⁸ The strike camp was able to stop most of the new workers arriving in Alice Springs from making their way out to the mining field, either by way of moral persuasion or the removal of appropriate parts from the company's motor vehicles.⁴⁹ Two of the strikers were imprisoned for two months for being in possession of some dynamite which they allegedly planned to use on one of the company's vehicles.⁵⁰ By late January 1934, 30 workers were at the strike camp that was being financed by a voluntary levy on NAWU members.⁵¹ A large number of members supported the levy and all contributions were acknowledged in each issue of the *Standard*. Yet, as a result of some members abstaining on contributions, the executive eventually reintroduced a compulsory levy of 6d in the pound for all members. The union argued that the stakes were high and the outcome would impact on all Territory workers, a loss indicating 'weakness' and a 'win' 'considered strength'.⁵² Eventually, the workers were victorious and the *Standard* declared it 'a complete win for the Union'.⁵³ It was a confidence boosting victory for the union and one that was needed as they were about to face another assault on their wages and conditions from the Federal government.

A 'most extraordinary' judgement

Early in 1934, Toupein had received notice of a claim by the Commonwealth Railways Commissioner and the private shipping companies for a significant reduction in the wages and conditions of railway and waterside workers. In the case of the railway workers,

⁴⁴ *NS*, 9 February 1934.

⁴⁵ Given the distance reported in the *Standard*, I suspect these were not the same mines visited by Toupein and Rowe in 1927 but were possibly those situated in the Harts Range.

⁴⁶ *NS*, 26 January 1934.

⁴⁷ *NS*, 5 January 1934.

⁴⁸ The NAWU affiliated to the ACTU in May 1929 (*NS*, 17 May 1929).

⁴⁹ *NS*, 23 January 1934.

⁵⁰ *NS*, 23, 26 January 1934.

⁵¹ *NS*, 26 January, 6 March 1934.

⁵² *NS*, 16 February 1934.

⁵³ *NS*, 6 March 1934.

management were seeking an eight per cent reduction in the basic wage from 2s 2¼d to just over 1s 9d per hour. Management were also proposing a new minimum hourly rate of 1s 11d for casual sorting shed workers and 2s 9d per hour for waterside workers, a wage cut of 33 per cent and 45 per cent respectively.⁵⁴ If accepted by the Arbitration Court, the wages of Territory workers would have been reduced to roughly what they were in 1917. The employers were also trying to turn the clock back to 1914 by seeking permission to use ship's crews to carry out some tasks involved in loading and unloading cargo.⁵⁵ Given that the majority of steamers visiting Darwin used Asian crews, the union predictably called this an attack on 'white' Australia. In addition, management also tried what it had failed to do in 1924 and cut special rates for loading coal and cement, cut the number and duration of 'smoke-ohs' and abolished some of the penalty rates for overtime.⁵⁶ It was an aggressive move on the part of railway management but one that workers had come to expect. The *Standard* reported that the workers were 'disgusted at the audacity of the claim'.⁵⁷

In the meantime the NAWU had put in a claim to establish an award to cover labourers employed on government construction projects. The union also began preparations to establish the first award for the Territory mining industry. In response, a united front of all government departments was formed to resist the union's claims. Leadership of this united front fell to the union's old adversary, Edward Simms, Secretary to the Commissioner for Commonwealth Railways.⁵⁸ In a letter to the Department of Interior (formerly Home Affairs), Simms argued that it was necessary for all government departments to file a counter-claim less than the current basic wage so that the Court had an opportunity to consider a reduction in wages.⁵⁹

Once again, for only the fourth time in Territory history, an Arbitration Court Judge was sent from Melbourne to Darwin to deliberate on these claims. Letters appeared in the local paper wondering why every visit of a judge had been made at the coolest time of the year.⁶⁰ From late May through to early July 1934, Judge Drake-Brockman, a former non-Labor politician and employers advocate, visited the Territory and delivered interim awards for the rail workers, miners, waterside workers and government labourers.⁶¹ Drake-Brockman had been appointed to the Court in 1927 by the Bruce Government in an effort to conservatise the

⁵⁴ *NS*, 5 January 1934.

⁵⁵ See Chapter 1, pp. 44-45.

⁵⁶ See Chapter 3, pp. 93-94.

⁵⁷ *NS*, 9 January 1934.

⁵⁸ See Chapter 3, pp. 93-94.

⁵⁹ National Archives of Australia (NAA), ACT: A1/1, 1936/5300, letter, Edward Simms, Secretary, Commissioner for Commonwealth Railways to Secretary, Department of Interior, 12 April 1934.

⁶⁰ *NS*, 22 May 1934.

⁶¹ *CAR*, vol. 33, 1934, p. 617.

Bench.⁶² When Drake-Brockman delivered his interim awards, he left the decision on the basic wage to the Full Court but still managed to cause a storm with his decisions on workplace conditions, which the *Standard* described as ‘obnoxious’.⁶³ The Judge re-emphasised management’s right to set many conditions, such as the number of employees, methods of work and annual leave provisions. Any previous ‘local customs’ and union workplace rules now ceased to operate. In particular, the union objected to the Judge accepting the employers’ claim for removal of special rates for cargoes like cement and coal, a reduction in the number and duration of smoke-ohs and the removal of the sorting shed workers from the waterside workers award. Drake-Brockman also gave permission to the employers to use a ship’s crew when loading and unloading cargo.⁶⁴ In parliament, Harold Nelson declared the judgement as ‘one of the most extraordinary which has ever been issued [that] cuts directly across the White Australia policy’.⁶⁵

Unfortunately for Nelson, it was one of his last chances to speak on behalf of Territory workers because he was narrowly defeated in the elections later that year. The union blamed Charles Priest for the loss, labelling him a ‘vote splitter’ when he stood as a Communist Party candidate against Nelson. Running on a slogan of ‘Lighten the Worker’s Burden’, Priest did remarkably well, gaining 85 votes (4.6 per cent), mostly from the Darwin area. The victor was the Territory surveyor, Adair MacAlister Blain. Nelson, however, could not blame Priest for his loss as Blain gained a clear majority of the vote in Darwin and Alice Springs.⁶⁶

When the Full Court delivered its judgement on the basic wage in November, the Judges, while not going as far as the employers wished, cut the basic waterside rate from 5s to 4s per hour and the general basic wage from 2s 4½d to 2s 0¾d per hour (£4 10s 9d per week). Both decisions were based on the Judge’s estimation of the cost of living in the Territory at the time.⁶⁷ One consolation for the union was that the general basic wage would now be adjusted annually in line with movements in the Commonwealth Statisticians index of prices in Darwin. Quarterly adjustment of the basic wage in line with changes to the index of prices

⁶² Turner, *In Union is Strength*, p. 77.

⁶³ *NS*, 13 July 1934.

⁶⁴ *CAR*, vol. 34, 1935, pp. 22-29; *NS*, 10, 13 July 1934.

⁶⁵ *NS*, 27 July 1934.

⁶⁶ *NS*, 24 August, 9 October 1934, *The Proletarian*, 1 August, 26 September 1934 (On microfilm in Northern Territory Library).

⁶⁷ *CAR*, vol 33, 1934, pp. 944-952.

had been the rule in southern awards since 1921, but had never been applied to Territory awards due to the lack of reliable statistics.⁶⁸

Soon after the delivery of Drake-Brockman's interim awards, the possibility of strike action was openly discussed. Union sections and members of the unemployed began to pass resolutions declaring 'solidarity' with the NAWU 'in the event of' a strike.⁶⁹ Even with the demise of the UWM, the unemployed were still organised, but this time in the somewhat more respectfully named 'Citizens Unemployed Relief Committee' under the chair of the Labor Party Mayor, Jack Brogan. Brogan was a local businessman and a former NAWU member.⁷⁰ The committee also included the former editor of the *Times*, Jessie Litchfield, and James Waldie, whose presence indicated that third periodism was now dead.⁷¹ The main purpose of the committee was to win extra rations or relief work for all unemployed irrespective of how long they had lived in the Territory.⁷²

It was the sorting shed workers who finally lost patience after a series of niggling decisions by railway management. The first decision to anger the workers was when management decided not to pay penalty rates to sorting shed workers employed after 5pm on Saturday. With the shift of these workers from the waterside award to the railway award, they had lost entitlement to penalty rates for Saturday afternoon.⁷³ The *Standard* reported that 'Unless better conditions are granted sorting shed workers a hold up is sure to occur, it being certain that a body of unionists will not calmly tolerate the filching of long established and well recognised conditions'.⁷⁴ The issue of Saturday overtime rates on the wharf was one of the issues that had sparked the formation of the first union in the Territory back in 1911.⁷⁵

The second issue angering the sorting shed workers, which culminated in strike action, was the decision by management to pay permanent rates to two gangs of sorting shed workers (a gang consisted of six workers). According to the award, a casual worker is defined as anyone who works less than 12 consecutive days. The spark that led to the 30 October 1934 walkout

⁶⁸ *CAR*, vol. 20, 1924, p. 727; *CAR*, vol. 33, 1934, p. 917; *NS*, 5 February 1935; Tom Sheridan, *Mindful Militants: The Amalgamated Engineering Union in Australia, 1920-72*, Cambridge University Press, Cambridge, 1975, p. 72. Despite the introduction of wage indexation, the basic wage in the Territory was not adjusted in this way until 1941 (See Chapter 7, p. 188-189).

⁶⁹ *NS*, 17 August 1934.

⁷⁰ *NS*, 18 October 1927.

⁷¹ Stuart Macintyre, *The Reds: The Communist Party of Australia from Origins to Illegality*, Allen & Unwin, St Leonards, 1998, p. 238, 261 states that once the Communist Party began to shift away from the doctrine of the third period towards the mid-1930s, it also rejected the 'confrontational style of unemployed agitation' and urged its unemployed members to become more respectable and fight for more immediate demands such as relief.

⁷² *NS*, 17, 24, 27, 31 July 1934.

⁷³ The railways only paid overtime after a set number of hours were worked, for example 88 hours for cleaners, 10 hours for traffic workers, 8 hours for sorting shed workers (*NS*, 5, 12 March, 30 August 1935).

⁷⁴ *NS*, 21 August 1934.

⁷⁵ See Chapter 1, pp. 33.

was the rare occurrence of two ships arriving in Darwin simultaneously, giving waterside and sorting shed workers 21 days work rather than the usual five or six. Because of this, the rail management chose to pay the sorting shed workers the lower permanent rate for the whole 21 days. Normally they would have been paid the casual rate for the first 12 days and the permanent rate for the remaining nine. The workers were organised and within days a strike committee had been formed and pickets established outside the sorting shed.⁷⁶ Rumours circulated around town that the strike had been engineered by Waldie, who was now working in the sorting shed, but this was denied by the strike committee. Nevertheless, Waldie was a key member of the union in the sorting shed and 10 months later he was reported in the *Standard* as the shed delegate.⁷⁷

A week into the strike, management offered to have the issue arbitrated at a Board of Reference but the workers argued, quite understandably given recent events, that the arbitration system was biased. The union executive, however, accepted the offer and nominated NAWU President, Bob Murray, as its nominee on the Board, arguing that there was no dispute between them and the railways. This statement is very curious. Had the sorting shed workers taken unauthorised action or was it a case of the union protecting itself from Court sanctions for violating the award's no-strike provisions? At a mass meeting of all NAWU members on 11 November at the Town Hall, criticisms were levelled at the union executive for not declaring all goods black. An unnamed official responded by arguing that such action could result in the cancellation of all awards leaving the bush workers particularly in a state of 'chaos'.⁷⁸ It may appear that the union was withholding support from the strike, but the active involvement of officials such as the acting secretary Don McKinnon (Toupein was in Melbourne at the basic wage hearing) in negotiations to resolve the dispute suggests that the union's response was purely tactical. Perhaps the union leaders suspected that the recent actions of the railway management were aimed at provoking the union into a wider confrontation so that the union could then be subject to Court penalties and taught a lesson. Whatever the executive's motivations, the mass meeting pledged solidarity with the strike. Nevertheless, one member of the strike committee was quoted in the *Standard* saying 'they did not want the union involved. They were winning and were sure of victory if the men stuck together'.⁷⁹

⁷⁶ All the details of the November 1934 sorting shed dispute unless otherwise stated were obtained from *NS*, 2, 6, 9, 13, 16 November 1934; *CAR*, vol. 33, 1934, pp. 995-997.

⁷⁷ *NS*, 30 August 1935.

⁷⁸ *NS*, 13 November 1934.

⁷⁹ *NS*, 13 November 1934.

The workers' spirits were boosted when the Reference Board rejected the rail management's interpretation of the award. But because a Reference Board decision is not binding, management refused to accept it and submitted the dispute to the Arbitration Court. Management also tried to get the union to order the men back to work but the union could not, or would not do so. Eventually, after 20 days, the workers were victorious and management agreed to pay them casual rates. It seems that one reason for the back down was the pressure being applied by local business people on the local railway manager to reach a settlement. Some of these business people had offered to pay the striking workers the casual rate if the union released their goods from the sorting shed. The workers accepted this proposal but the plan was stopped by railway management. These same business people were then angered to discover that a particular contractor working for the government had been given police protection and allowed to remove his material from the sorting shed while other businesses were not. The contractor later complained to the union that someone had fired three gunshots into his house. The workers were elated at their victory and saw it as the start of a campaign to win back award conditions lost in recent cases.

During the course of the sorting shed dispute, the debate over the inclusion of Asian workers into the union resumed. Even though union members had consistently rejected relaxing the clause banning any worker who 'belongs to any coloured race' from membership, the rules allowed non-members who were 'fit and proper' to purchase 'permits' from the union to work on a job.⁸⁰ In a letter to the *Standard* in October 1934, the NAWU delegate for the workers upgrading the Darwin aerodrome complained that the union was making no attempt to get some Chinese workers to purchase permits, arguing that it was no way to 'uphold the White Australian Policy'.⁸¹ When the Chinese workers were approached by the delegate to purchase permits, they refused, arguing that they were only prepared to purchase full membership. In a reply to the letter, a member of the union's left opposition, John McCormack, criticised the delegate for not reflecting the wishes of the aerodrome workers.

McCormack was a well known militant, having been arrested on the government verandah in January 1931 and a year later was a leader of a strike of rail and mining workers near Cloncurry.⁸² According to McCormack, the aerodrome workers supported the stance of the Chinese workers and had recently put a motion on notice for the union's Annual Meeting to grant them full membership rights. McCormack argued that 'if every worker and potential worker is not organised there is a grave danger of the living and working conditions

⁸⁰ The permits cost the same as membership, namely 25s (NTAS: NTRS 1853, North Australian Workers' Union Constitution and General Rules).

⁸¹ *NS*, 16 October 1934.

⁸² *NS*, 26 October 1937.

(practically non-existent (sic) in N.A. at present) and wages suffering'.⁸³ A similar motion was also moved at the Golden Dyke mine at Grove Hill near Pine Creek, stating that 'North Australian Chinese workers are being unjustly treated' by being denied membership of the union.⁸⁴ There are some indications that the Communist Party had links with the workers at this mine due to the coverage it gained in *The Proletarian*.⁸⁵ McCormack denied being a member of the party but there is no doubt that members of the Darwin Communist Party were in the forefront of the campaign against the 'chauvinistic' white Australia policy, including the 'exclusion of those of Asiatic origin from the NAWU'.⁸⁶

Despite the renewed agitation against the exclusion clauses, they were once again upheld by a union plebiscite in 1935. Eighty-five per cent of the approximately 200 members who cast a vote opposed the 'communistic amendments' to delete all racial-based exclusions from the union's rules.⁸⁷ Such a strong vote for racial exclusion clearly shows that Territory workers were less accommodating of 'aliens' than is sometimes suggested.⁸⁸

Determining who in the union was in the Communist Party and who was not is rather difficult. Firstly, the party's membership did not appear to be much larger than a dozen members, yet there could be four times this number in fraternal organisations like the UWM, Friends of the Soviet Union, International Class War Prisoners Action or Workers International Relief.⁸⁹ For example, while John McCormack denied membership of the party, he was certainly a fellow traveller. He often contributed to the *Proletarian* and had nominated Charles Priest as an election candidate the previous August.⁹⁰ McCormack fell out with the party when he opposed a call for a general strike to restore the 1928 basic wage.⁹¹ In a similar way, long-term union member, Bob Antony, who also contributed to the *Proletarian*, was not a party member, yet his home, according to Priest, was the 'social centre for communist sympathisers'.⁹² Antony was sometimes with and at other times against the party. He supported the NAWU officials in the dispute over the union presidency in 1929 but was included on a communist-aligned ticket for the 1936 executive elections.⁹³ Antony remained a central figure in union activities for much of the period covered by this narrative. He came to the Territory as a 27-year-old from Western Australia in 1919 to work

⁸³ *NS*, 6 November 1934; *The Proletarian*, 26 September 1934.

⁸⁴ *NS*, 20 November 1934.

⁸⁵ *The Proletarian*, 19 September 1934.

⁸⁶ *The Proletarian*, 1 August 1934; *NS*, 13 November 1934.

⁸⁷ *NS*, 15 October 1935.

⁸⁸ See Introduction, pp. 7-8.

⁸⁹ This analysis based on 1932 membership figures reported by Darwin branch to the Central Committee of the Party and obtained by security agents. See NAA, ACT: A8911/1, 49, No. 7 District Organisation Report.

⁹⁰ *NS*, 24 August 1924, 30 January 1931.

⁹¹ *NS*, 4 January 1935.

⁹² Priest, *Still Further Northern Territory Recollections*, p. 23.

⁹³ *NS*, 4 June 1929, 19 May 1936.

at the Vestey's meatworks.⁹⁴ Despite being regarded by the Australian Security Intelligence Organisation (ASIO) as a 'suspected communist', Antony denied ever being a member of the Party.⁹⁵

The other difficulty that arises when trying to determine party affiliations is that the Darwin party, according to its national leadership, was prone to 'mechanical expulsions'.⁹⁶ Priest, by mutual agreement, was expelled in 1935, claiming the Darwin branch 'too conservative'.⁹⁷ It is probable that it was men like Priest who were described by a Darwin delegate to the 11th Congress of the Communist Party, as 'leftists' who contributed to the disorganisation of the local branch by not following party tactics in union meetings.⁹⁸

The climate for Communist Party agitation in the union in the mid-1930s was favourable. There was considerable discontent about the recent decisions of the Arbitration Court to cut long established conditions and work practices, providing an opening for the party to get a hearing in the workplace. The doctrine of the third period had been jettisoned and the party admitted that it had made 'sectarian mistakes in attacking the officials at the wrong time and from the wrong angle'. The Communist Party now had a policy of working 'from below', 'to win all union reps, both within Darwin and outside of Darwin', although it admitted that it had 'little contact outside of Darwin and this weakens our position in the unions'.⁹⁹ The activities of the party must have worried someone because in January 1935, its office above a small shop in Cavenagh Street, where the present Don Hotel is situated, was raided by the police and printing equipment seized. James Waldie was eventually charged and fined for having an unregistered printing press on the premises.¹⁰⁰ It seems too much of a coincidence that this raid occurred at the same time as workers were planning to call a general strike over the recent decisions of the Arbitration Court.

The Fightback

Late in 1934, a large public notice appeared in the *Standard*, authorised by the All Workers Council of Action declaring 'The fight of all workers is for the restoration of the 1928 wages and conditions'. The All Workers Council of Action had emerged from a large mass meeting

⁹⁴ Antony's brother Ernest, who also spent time in the NT is author of the famous waterside poem, *The Hungry Mile*. See Margo Beasley, *Wharfies: A History of the Waterside Workers' Federation*, Halstead Press, Rushcutters Bay, 1996, p. 78; NAWU Files, Trades and Labour Council, Darwin. Statutory Declaration from Robert Francis Antony, 25 March 1970; *Northern Territory News (NTN)*, 22 December 1970.

⁹⁵ NAA, ACT: A6119/90, 2479, Robert Francis Anthony (sic); *NS*, 3 February 1939.

⁹⁶ NAA, ACT: A8911/1, 53, Political Bureau Reports and Minutes 1930-1933.

⁹⁷ Priest, *Still Further Northern Territory Recollections*, p. 22.

⁹⁸ ML: MLMSS 5021, Add On 1936, 1(76), 11th Congress of CPA, December 1935.

⁹⁹ ML: MLMSS 5021, Add On 1936, 1(76), 11th Congress of CPA, December 1935.

¹⁰⁰ NTAS: NTRS 226 TS 142, transcript of interview with Arthur Wright; *NS* 18 January 1935.

of 250 unionists in the Town Hall on Sunday evening, 23 December 1934. At that meeting reports were presented from all sections of the union and all bar the fettlers were in favour of calling a general strike to protest the recent decisions of the Arbitration Court. The Communist Party-influenced miners at the Golden Dyke gold mine at Grove Hill near Pine Creek went a step further and argued that the union should withdraw from the arbitration system altogether. Finally a motion was moved and adopted calling for a general strike on the day the new awards became operative.¹⁰¹

That the Communist Party had some influence or at least respect among the delegates that made up the All Workers Council of Action was indicated by the motion protesting the police raid on the party's office. While the *Proletarian* was on the streets again within one week, the Council of Action's plans for a general strike were soon dead.¹⁰² At a meeting of the union on 27 January 1935, requested by the Council of Action to gain NAWU approval for a general strike, a motion opposing such a strike was carried by a large majority. It was now left to each section to decide on its own actions to restore award conditions.¹⁰³

A possible reason for the suspension of the general strike was that four days earlier, Judge Drake-Brockman had declared the interim awards he delivered the previous July, final awards. In the final awards there were some changes favourable to the union, including the restoration of smoke-ohs and the restoration of overtime on a Saturday afternoon for sorting shed workers. The clause allowing ships' crews to load and unload ships was qualified with the addition of the words 'in the absence of sufficient available shore labour'.¹⁰⁴ The other positive outcome for the union was that the new awards were made common rule in early 1935. Judge Drake-Brockman used the same arguments that Dethbridge had used in the pastoral award, arguing that the size of the Territory made it difficult for the union to 'effectively organize' its members and to 'police' an award. In the case of the *Works and Services Award* covering labourers on government construction projects, the Judge argued that without common rule, there would be no award covering the myriad of contractors working for the government.¹⁰⁵

Clearly, the various submissions made to the Court by the union before the Judge issued his final award were effective in getting some of the more unacceptable clauses of the interim awards removed or watered down. Unfortunately, at the time of writing this thesis, the

¹⁰¹ *NS*, 28 December 1934.

¹⁰² *NS*, 25 January 1935.

¹⁰³ *NS*, 29 January 1935.

¹⁰⁴ *NS*, 5 February 1935.

¹⁰⁵ *CAR*, vol. 34, 1935, pp. 403-404, 417-418, 424-425.

transcripts of these hearings were unavailable so we do not know the nature of these submissions. Nevertheless, something happened between the time when the managers of the railway had first made their audacious claim in January 1934 and the release of the final award. The militant response of the sorting shed workers to the provocative tactics of the railway management, the creation of the All Workers Council of Action and even the strong support given to the mica miners, would certainly have made management more cautious. The decline in unemployment as a result of the steady improvement of the economy since 1933 also gave the trade unions greater bargaining power, helping them make up for some of the losses suffered during the Great Depression. For example, in 1934 the Arbitration Court agreed to restore the 10 per cent Depression wage cut.¹⁰⁶

It was now up to the union to use its greater bargaining power to negotiate with the employers for the return of other conditions removed from the final awards such as special rates for some cargoes on the waterfront and annual leave provisions on the railways. In the case of special rates, these were restored to the waterside award by a Board of Reference in early 1935 and the Railway Commissioner informed the union in February that he would maintain annual leave at two weeks with a steamer passage every four years.¹⁰⁷

The miners and the council workers also had considerable success in negotiating with their employers for improved conditions. In the case of the miners, an agreement was reached at a conference between employers and the union in January 1935 to maintain the basic wage in the mining industry at the level it was prior to Drake-Brockman's award. One of the men involved in negotiating this agreement was John (Jack) Andrew McDonald, the 52-year-old Scottish-born NAWU Mining Section Secretary from the Spring Hill gold mine, near Pine Creek.¹⁰⁸

In an obvious attack against the left wing of the union, McDonald praised the agreement as an achievement for 'conciliatory' unionism. According to McDonald, the Spring Hill workers 'held hard and fast to the Union policy of Arbitration' when calls were made for a general strike. Within six months McDonald was acting secretary of the union.¹⁰⁹

The non-elected Darwin Town Council, despite the presence of former NAIU vice president, Paddy Brennan and former NAWU member, Jack Brogan, was less responsive to the

¹⁰⁶ Turner, *In Union is Strength*, pp. 87-88; Fred Alexander, *Australia Since Federation*, Thomas Nelson, Melbourne, 1982, p. 102.

¹⁰⁷ *NS*, 8, 22 February 1935.

¹⁰⁸ *NS*, 15 January 1935; *NTN*, 15 May 1958; NTAS: NTRS 226, TS 655, transcript of interview with Patrick McDonald; TS 623, transcript of interview with Rose Jenkins.

¹⁰⁹ *NS*, 29 January, 5 July 1935.

union.¹¹⁰ Ever since the days when Toupein and Nelson were members of the council, its small workforce was paid at or above the highest wage rates prevailing in Darwin for labourers. In late February, the *Standard* announced that ‘The Darwin Town Council now seek to emulate and even surpass Judge Drake-Brockman in adopting idiotically unjust and cruel wage rates’. Even though the rate proposed for a labourer of 2s 4d per hour was still above the new basic wage, it was 15 per cent lower than that previously paid by the council and included no margins for skill or difficulty. On 1 March 1935, when the new rates were due to come into effect, the council’s workforce of four men went on strike. While on strike, the workers were given assistance from the union’s Fighting Fund which was being sustained by a one-off membership levy of 2s 6d. The strike ended after five weeks when the council accepted the union’s compromise offer of 2s 6d per hour and the restoration of margins.¹¹¹

During the council workers’ dispute, the sorting shed workers also tried to test their strength by refusing to work after 5pm each day unless they were paid overtime. As stated above, sorting shed workers had lost such overtime provisions when they were transferred to the railway award. It took five months, but eventually in August, the Commissioner of Commonwealth Railways, showing a rare conciliatory side, agreed to the claim and it was accordingly altered by the Arbitration Court in October 1935.¹¹²

In theory, ‘common rule’ should have assisted the union in policing an award, but it did not stop some employers from trying to undermine conditions. The most common way an employer avoided award regulations was the use of contract labour. Like the dispute that led to the first award in the Territory, an employer would sign contracts with southern workers who were ignorant of Territory conditions.¹¹³ One case that came to Owen Rowe’s attention in early 1935 were the contracts signed by 50 young men at The Granites goldfield battery construction. Rowe discovered that these workers were earning less than half the basic wage. Toupein telegraphed the ACTU and the Labor Party leader, James Scullin, describing The Granites contractor as ‘a notorious exploiter of inexperienced workers’ who took advantage of workers ‘ignorant of the wages and conditions in that remote part of the Territory’. Fortunately for the union, the contractor was receiving a subsidy from the Federal government that was conditional upon him paying award rates.¹¹⁴ Another case came to the

¹¹⁰ In 1929, members of the Town Council resigned in protest over the Labor government’s reintroduction of adult suffrage. The Council then became an appointed one, which continued until 1937 (see Alistair Heatley, *The Government of the Northern Territory*, University of Queensland Press, St Lucia, 1979, p. 116).

¹¹¹ *NS*, 22 February, 10 March, 9 April 1935.

¹¹² *NS*, 5, 12, 19 March, 30 August 1935; *CAR*, vol. 35, 1935, p. 287.

¹¹³ See Chapter 1, p. 46.

¹¹⁴ *NS*, 15, 19, 29 March 1935.

union's notice in August when a team of six migrant workers signed contracts to build a tunnel at the Spring Hill mine. On arriving at the mine, the workers found that the machinery available was not adequate for the job and the workers were left idle with little pay after the company had deducted instalments to recoup the cost of their fares from Sydney. The *Standard* reported that 'The contract price was an absurd one, and the men were not able to make enough money to even pay their food bill'. Unfortunately for these workers, they were sacked by their employer for contacting the union.¹¹⁵ Other problems with contract work included workers discovering when they went to cash their cheques that there was no money in the employers' accounts, employers not insuring their workers for injury and excessively long working hours.¹¹⁶ The union was also concerned about the growth of pyramid contracting where a contractor agreed to do work for a set price and then employed others on much lower wages to do the job.¹¹⁷ For these reasons the union maintained its formal opposition to contract work, yet argued it was powerless to do anything while the Arbitration Court continued to authorise its use.

Mining was, and still is, a very insecure industry for Territory workers. In late 1935, the *Standard* reported that the 'The gold mining industry in the Territory seems to be in the doldrums just at present, and many mining men are inclined to think that the boom is over'.¹¹⁸ At the same time, Jack McDonald was telling the NT Administration that there were many men unemployed in Pine Creek owing to mine closures and that 'owing to the intermittent nature of the work [they] did not have even the price of their fare to go elsewhere'.¹¹⁹ Even Tennant Creek, which by 1935 was booming with a population of between 600 and 1,000, suffered from intermittent unemployment. In November 1935, McDonald reported to the *Standard* that 'there is no great industrial activity at Tennants (sic) Creek at present, there being many men on the field without employment'.¹²⁰ But with a change of fortune such as new owners, the injection of new capital or a rise in metal prices, a mine could be revived, again attracting workers to the Territory.

The conditions experienced by miners were often very primitive and dangerous, with little regulation from the government. A correspondent for the *Proletarian* described the scene at the Golden Dyke mine as one where 'dirty, muddy, odorous mine water – trickles and stagnates everywhere'. The floor of the bathhouse 'was of plain unadulterated mud and its condition after having forty men per day using it may be better imagined than described'. As

¹¹⁵ *CAR*, vol. 34, 1934, p. 36; *NS*, 6, 13, 16 August 1935.

¹¹⁶ *NS*, 22 October 1935, 21 January, 4 February 1936.

¹¹⁷ *NS*, 21 January 1936.

¹¹⁸ *NS*, 13 September 1935.

¹¹⁹ *NS*, 20 September 1935.

¹²⁰ *NS*, 7 May, 22 October, 15 November 1935.

for the primitive lavatories, the correspondent wrote that they would fill up in the wet season 'and the accumulated filth spread itself in a trail down the hillside to the creek'.¹²¹ Sometimes there were conflicting reports such as those relating to the Fletchers Gully goldmine, approximately 200 kilometres from Darwin, in an inaccessible area south east of Adelaide River, near the Daly River. One report to the union referred to 'shocking bad conditions' but the manager of the mine denied this and blamed the report on 'The obstructionist tactics of some Communists, who left stacks of their literature behind them'.¹²² The manager was backed up by the union when it inspected the mine in early 1936 and reported that it had some of the best amenities of any mine in the Territory with good accommodation, bathhouses and kitchen.¹²³

With the revival of mining in the Territory, mining workers were again becoming a significant force in the NAWU, particularly after their success at resisting Drake-Brockman's wage cuts. By all appearances the union was in a healthy state with a local committee about to be formed at Tennant Creek, making the NAWU a Territory union in reality not just in name. But this recent geographic expansion came at a time when the union was going through its biggest internal struggle since the split of 1921, resulting in the resignation of Robert Toupein and the ascension of Jack McDonald to the leadership of the union.

Toupein resigns

Because of Toupein's attendance at the Melbourne Arbitration Court hearings into the basic wage in August 1934, the Annual Meeting of that year was adjourned till 31 May 1935 for the presentation of the secretarial report and financial statements for the union and the *Standard*. During the meeting at the Town Hall, a delegate from the aerodrome workers, Paddy Carolin, successfully moved a motion not endorsing the financial statements. It is unclear whether or not this was a premeditated move from the union's left-wing opposition. Apart from the fact that the *Standard's* financial statement had not been tabled because it had been mislaid, most of the other items questioned by the opposition were minor. When the financial statements were eventually audited, there were few adjustments required.¹²⁴ Apparently an organiser, who had been elected to temporarily replace Owen Rowe after the mica miners dispute, had been overpaid and the union had been unable to recoup the

¹²¹ *The Proletarian*, 27 June 1934.

¹²² *NS*, 19, 26 November 1935.

¹²³ *NS*, 7 February 1936.

¹²⁴ *NS*, 16 July 1935.

amount.¹²⁵ The rejection of the financial statements appears to have been more of a symbolic action against the perception that there was a lack of rank and file control of the union. It was also a gesture against the editor of the *Standard*, Don McKinnon, who had on a number of occasions publicly attacked the Communist Party.¹²⁶

In response to the rejection of the financial statements, Toupein refused to submit his report and the meeting was closed. The next day Toupein tendered his resignation as secretary after holding the position for over eight years. The union's president, Bob Murray, accused the 'so called Communists [of] leading an attack to disrupt not only the Union but the *Northern Standard* as well'. That the Communist Party was out to wrest control of the union from its Labor Party-aligned leadership is clear but whether it engineered the events of 31 May is not. The South African-born Carolin replied that he was not a communist and resented Murray's attempt to brand all those members who had differences with the union executive of being so.¹²⁷

Communist inspired or not, it did not stop the executive from spreading the idea to the rest of the union's membership that the Darwin Communists were out to take over the union. Such a perception was also strengthened by the amendments party members were trying to make to the union's constitution. These amendments included the removal of the racial exclusion clause, the introduction of quarterly tickets, and the relaxation of the clause that barred members of less than 12 months from running for executive positions. Opponents of these amendments dubbed them the 'communist amendments'.¹²⁸ Supporters of the amendments had sought their adoption at a special meeting but the executive intervened and decided that there should be a plebiscite of all members on the proposals. The executive added a further question requiring all future constitutional amendments to be decided by plebiscite. As it had during the debate over the union presidency in 1928-29, the executive accused its opponents in Darwin of ignoring the wishes of country members.¹²⁹

On 1 July 1935, the union appointed Jack McDonald as Toupein's replacement until fresh elections could be called. McDonald was not the first choice because technically he could not stand for office as he had been a member for less than 12 months. Yet the man initially chosen was suspended after less than two weeks for failing to attend executive meetings and

¹²⁵ *NS*, 1 May 1934, 31 July 1936.

¹²⁶ *ML*: MLMSS 5021, Add On 1936, 1(76), Minutes of 11th Congress of CPA, December 1935. The Darwin delegate stated that the union paper had been used to 'slander us'.

¹²⁷ *NS*, 4, 7, 11, June 1935. Information on Carolin supplied by Brian Manning in email correspondence, 23, 26 February 2000.

¹²⁸ *NS*, 16 July 1935.

¹²⁹ *NS*, 11 June 1935. See Chapter 4, pp. 117-118.

McDonald was appointed.¹³⁰ McDonald was a good choice for the executive to make as he was popular among miners because of his recent role in protecting their wages from the Arbitration Court. He was also a seasoned campaigner against Communist influence in the labour movement. Before coming to the Territory, McDonald had been a coal miner at Kurri Kurri in the NSW Hunter Valley coalfields, an area of strong support for the Communist Party. In October 1930, over 1,000 Kurri residents voted for the Communist Party and it was McDonald's job as campaign director for the local Labor Party to try to counter this support.¹³¹ Unlike Toupein and more like Bob Murray, McDonald, a devout Catholic, was prepared to declare an open struggle against Communist influence in the union.

The events of May 1935 were a rather inglorious end for Toupein, a man who, along with Nelson, had dominated the Territory union movement since 1914. He didn't have Nelson's flair for oratory or theatre, but the eight years he was secretary were probably the most difficult the union had ever faced. Despite the internal divisions, Toupein was instrumental in holding the union together due to the respect he had in the movement. Even his opponents found it difficult to attack him and a little over a year after his resignation, when the dust of the fight had settled, James Waldie moved a motion at a union meeting expressing appreciation for Toupein's 23 years of service to the local union movement.¹³² Very rarely do union leaders get such generous treatment from their opponents.

Toupein was leaving the union in relatively good shape. It may have lost some long-standing working conditions as a result of the employers' offensive but the losses were not as significant as they could have been. It had survived the biggest social crisis to hit Australian workers since the 1890s and was taking advantage of better economic times to win back some of the losses and extract new concessions. The future for the union and the Territory looked much brighter, particularly as a result of the strategic role the region was about to play as Australia drifted towards participating in a new world war.

¹³⁰ *NS*, 25, 28, June 1935.

¹³¹ Macintyre, *The Reds*, p. 201; interview with Patrick McDonald; interview with Rose Jenkins; *NTN*, 15 May 1958.

¹³² *NS*, 2 October 1936.



NAWU Secretary, Jack McDonald (1935-1940) addressing a union meeting. NTAS: NTRS 1217, 21, J.P. McDonald Collection.

Chapter Six

‘the decided policy of the union is arbitration and conciliation’¹

1935-1940

‘One would imagine that the workers of Darwin downed tools on the slightest provocation, whereas they have submitted to wage cuts with scarcely any resistance and for years have pursued a policy of non aggression.’ – Bob Antony, NAWU Executive Councillor, Northern Standard, 17 November 1939.

In the *Standard* of 16 July 1935, NAWU Acting Secretary, Jack McDonald, published a ‘Manifesto’ to members outlining events surrounding the resignation of Robert Toupein. McDonald wrote that ‘No longer can a section in Darwin led by avowed Communists be allowed to determine the policy of the Union’ and he called on all members to fight the ‘disruptionists’.² Following its publication, messages were published in the *Standard* from outlying mines, pastoral stations and fettlers’ camps declaring support for Toupein, the executive and against the ‘Communist amendments’ to the Constitution.³ Owen Rowe also submitted his resignation in response to the ‘treatment given Toupein’, but withdrew it after the executive requested him to do so.⁴ The left wing opposition, now calling itself the Membership Rights Committee, was having difficulty getting its views printed in the *Standard*. It soon collapsed due to the disorganisation of its Communist Party leaders.⁵

This chapter examines McDonald’s leadership of the union from 1935 until 1940. During this time left wing opponents of the leadership continued to agitate but McDonald, an experienced factional fighter, kept a tight rein on the union. It was not the left that posed the most serious challenge to McDonald’s leadership but his right wing colleagues who criticised the secretary’s dogged commitment to arbitration at a time when improving

¹ J.A. McDonald, Secretary of NAWU in *Northern Standard (NS)*, 22 December 1939.

² *NS*, 16 July 1935.

³ *NS*, 16, 23 July 1935.

⁴ *NS*, 16, 26 July 1935.

economic conditions gave workers greater bargaining power to improve wages and conditions. McDonald had his fair share of victories but the turning point in his leadership came in the late 1930s when hundreds of new union conscious workers were attracted to the Territory as a result of a war-related construction boom. Shocked by the poor conditions they found on arrival in the Territory, these workers directed their anger at McDonald. With the right wing leaders divided, McDonald was defeated and a new left wing leadership closely aligned with the Communist Party took control of the union on the eve of the Second World War.

The 1935 Annual Meeting, held on 30 August in the Town Hall, again ended in uproar after the opposition continued to question the union's financial statements. According to the *Standard*, 'Interruption followed interruption, one member was on his feet using bad language, the women members were rushing out of the hall, a challenge to fight was heard and pandemonium generally ruled'. The opposition, however, was divided. When Bob Antony indicated he wanted to pass the 1933-34 statements, if only to clear Toupein's reputation, Charles Priest opposed him.⁶ Priest had been readmitted to the union the previous June.⁷ It also became clear, when the results of the constitutional plebiscite were announced in October, that the opposition remained a minority. The only rule change carried was the executive's recommendation to decide all future constitutional changes by plebiscite. All other proposals were defeated by a large margin.⁸

Despite the fight within the union, McDonald applied himself energetically to the immediate tasks of his office. For an historian, he was a welcome addition to the NAWU because the coverage of union activities in the *Standard* was more frequent and detailed. No doubt part of this was due to the exigencies of a faction fight and the need to gain rank and file support. In his first months of office McDonald dealt with some old issues, such as lobbying the government for an end to the residential qualifications for relief work and some new issues, such as the need for greater state regulation of the developing mining industry.⁹

Towards the end of 1935, McDonald went to Tennant Creek to oversee the formation of a union section. The union in Tennant Creek was attracting the support of both independent and waged miners. As a result, the union campaigned on traditional industrial questions like the basic wage and on other issues such as the price of lease fees, prospecting licences and

⁵ *NS*, 16 July 1935; State Library NSW (Mitchell Library) (ML): MLMSS 5021, Add On 1936, 1(76), Minutes of 11th Congress of CPA, December 1935.

⁶ *NS*, 3 September 1935.

⁷ *NS*, 18 June 1935.

⁸ *NS*, 15 October 1935.

⁹ *NS*, 20 September, 18 October, 29 November, 13 December 1935, 18, 21, 25, 28 February, 3, 6 March 1936.

battery charges. The section had emerged from the Tennant Creek Gold Mining Association, formed a year earlier to campaign for more government assistance for the community. The Secretary of the Gold Mining Association, Robert Ardill, also became secretary of the local NAWU when it was formed on 25 January 1936. Harold Nelson, who had purchased a property north of Tennant Creek, became the chairman and Owen Rowe was on the committee. Ardill had been imprisoned during the 1921 tax boycott and had also been an NAIU section secretary.¹⁰

When McDonald returned to Darwin, he reported that the main concerns of the miners were low wages and the high cost of battery charges, which were squeezing the 'small battler' from the field. For this reason, the union always supported the establishment of state run batteries as opposed to profit-driven private batteries.¹¹ The years had certainly not dimmed Nelson's penchant for theatrical protests. At one meeting called to protest the absence of a public battery, Nelson suggested a deputation of miners travel to Canberra on camels.¹² The idea did not eventuate because the miners were successful in their campaign.¹³

Contract work in the mining industry continued to be a major concern for the union. Given that contracting was allowable under the award, the union fought to remove the more exploitative arrangements such as pyramid contracting. The union argued that all workers should equally share the income and not be exploited by the principal contractor.¹⁴ In late 1935 and early 1936, work at the Spring Hill mine was disrupted when the principal contractor could not get enough labour due to a union boycott of the mine.¹⁵ One of the first successes of the Tennant Creek committee was an agreement to stamp the practice out.¹⁶

McDonald also followed in the footsteps of Nelson and Toupein and took a leadership role on municipal issues. In December 1935, McDonald and the NAWU executive were involved in renewed agitation for an elected council.¹⁷ The campaign was notable in the way it brought together many old adversaries including James Waldie, who publicly congratulated the NAWU executive for its efforts.¹⁸

¹⁰ NS, 30 June, 11 August 1921, 7 May, 4, 11 February 1936; David Carment, *Australia's Depression Gold Rush Tennant Creek 1932-1936*, Northern Territory University Faculty of Arts Occasional Paper Series, Number Five, Darwin, April 1991, pp. 30-38; Northern Territory Archives Service (NTAS): NTRS 226, TS 13, transcript of interview with Gordon Birt.

¹¹ NS, 26 November 1935.

¹² NS, 12 May 1936.

¹³ NS, 22 May 1936.

¹⁴ NS, 26 November 1935.

¹⁵ NS, 31 December 1935, 4 February, 7 April 1936.

¹⁶ NS, 11 February 1936.

¹⁷ NS, 10 December 1935.

¹⁸ NS, 20 December 1935.

Relations between the factions within the union were at this time more civil and in early May 1936 the union was able to complete its first general meeting in 11 months.¹⁹ Nevertheless, the local Communist Party, which had been bruised but not defeated, was enlisting candidates to challenge the officials in the 1936 elections. The opposition slate included Waldie for president, Antony for vice president and John White, the current chairman of the local unemployed committee, for secretary.²⁰ The Darwin delegate to the 11th National Congress of the Communist Party revealed that his fellow members were 'afraid of the ballot ... because we are not so well up on the ways and means of working the ballot as they are'.²¹

It is interesting to note that Owen Rowe was also running for secretary against McDonald. Rowe had fallen out with the Secretary after the executive had refused to reimburse him for some organising expenses.²² In April 1936, the union appointed W.J. Dillon, a former union delegate at the Darwin aerodrome, to carry out the annual organising trip.²³ Dillon was an interesting choice because, although not being a member of the Communist Party, he had campaigned strongly against the amendments the Joseph Lyons Federal Government (1934-39) had made to the *Crimes Act* aimed at making the party illegal.²⁴ Dillon had argued that the amendments would eventually be used against all working class organisations. In contrast, McDonald, who could not hide his hatred of communism, described the party as an enemy of the working class.²⁵ As organiser, Dillon followed in the footsteps of Rowe, traversing the region in search of scattered members. According to McDonald, on more than one occasion, Dillon had to resort to 'fisticuffs' to convince a worker to part with the 25s membership fee.²⁶

Dillon's appointment, along with some proposed constitutional amendments, were the main issues raised during the 1936 executive elections. The opposition still had enough influence in Darwin to get a motion passed at a Special General Meeting in early May objecting to Dillon's appointment and calling for his recall. At the same meeting, Waldie, Antony, White and another oppositionist were also elected to fill four vacancies on the union's executive.²⁷ Despite the presence of these opposition members, the executive resisted the push for

¹⁹ *NS*, 5 May 1936.

²⁰ *NS*, 25 February, 19 May 1936. According to the *Standard*, White had been blacklisted on many jobs in Western Australia as a result of his union activities (*NS*, 5 March 1940). Charles Priest writes that White was a Communist Party member and later discovered the Rum Jungle uranium deposits (Charles Priest, *Further Northern Territory Recollections*, self published, Benalla, 1986, p. 28).

²¹ *ML*: MLMSS 5021, Add On 1936, 1(76), Minutes of 11th Congress of CPA, December 1935.

²² *NS*, 17 March 1936.

²³ *NS*, 5 November 1935, 21 April 1936.

²⁴ Stuart Macintyre, *The Oxford History of Australia, Volume 4, 1901-1942: The Succeeding Age*, Oxford University Press, Melbourne, 1986, p. 307; *NS*, 17 September 1935.

²⁵ *NS*, 27 September, 1 October 1935.

²⁶ *NS*, 8 September 1936.

²⁷ *NS*, 5 May 1936.

Dillon's recall by again seeking public support from bush workers and printing messages in the *Standard* endorsing its actions.²⁸ McDonald went on the offensive against the opposition with the publication of a two-page article in the *Standard* on the union's achievements over the previous year. McDonald wrote that

While much has been done by the Union for its members during the year, there was much work left undone, because of disunity in the ranks. A certain section that does not believe in sane unionism, have done everything possible to prevent progress being made, and have made strenuous efforts to discredit the executive Council.²⁹

The opposition justifiably considered the proposed rule changes a move by the executive to monopolise power. The proposals removed any reference to the Annual Meeting being the highest decision making body and made the executive the governing body of the union. The proposals also empowered the executive to fine any member 'acting against the principles of unionism', giving the executive wide powers to penalise and even expel its critics.

Charles Priest, now very much an independent operator, published a six page leaflet on the rule changes and argued the changes would leave the union in the

hands of a bunch of crooks who ... have created so much chaos in the Union that it is on the verge of collapse (sic) and is so weak that Arbitration Court was able to reduce the wages of workers to an incredibly low standard without there being so much as a kick from the workers.³⁰

Priest's attack was crude and without foundation. There was no evidence of corruption, and as for being unable to resist wage cuts, the same could be said of every union in the country. Far from being on the verge of collapse, union membership had increased substantially in recent years due to increased mining. By May 1936, the union's membership was 850, an increase of 265 members in three years.³¹ In the tradition of the AWU, the NAWU officials were conservative, anti-communist and centralist, but probably not corrupt.³² When the results of the plebiscite on the rule changes were announced in June, 204 voted for the executive's amendments and 69 against.³³ When the results of the executive elections were announced in August, the official ticket won with a similar margin.³⁴

²⁸ *NS*, 12, 15, 29 May 1936.

²⁹ *NS*, 22 May 1936.

³⁰ National Library of Australia (NLA): MHE 2:39, Charles A.V. Priest, *The ballot to amend the constitution of the N.A.W.U. and its significance for members of the union*, Darwin, 8 June 1936.

³¹ *NS*, 26 May 1936.

³² McDonald unsuccessfully charged Priest with criminal libel over this pamphlet but Judge Wells considered the libel 'very ordinary' and dismissed the charges (*NS*, 31 July 1936).

³³ *NS*, 23 June 1936.

³⁴ *NS*, 25 August 1936.

Compared to previous years, the 1936 Annual Meeting, held in late September, was a sedate affair and the infamous financial statements for 1933-34 and 1934-35 were unanimously passed.³⁵

Possibly one reason for the genial atmosphere of the 1936 Annual Meeting was that the McDonald leadership had just passed its first test in an industrial dispute. On the night of Saturday 22 August, the patrons of the open-air picture theatre in Darwin, The Star, began cheering loudly when a slide appeared on the screen announcing the end of a six week strike of aerodrome and road workers.³⁶ The strike had started on 13 July, when Public Works Department (PWD) workers at the aerodrome and those building a sealed road from Darwin to the aerodrome, went on strike over the presence of non-union workers. The strike was called by the executive who saw the issue as a 'direct challenge to Unionism in the North'.³⁷ In an attempt to maintain unity and to assist workers in resisting efforts by government officials to cajole them back to work, meetings were held every day near the Daly Street Bridge over the railway line at the Darwin end of the aerodrome road. NAWU members were also levied 1s in the pound to support the strike. The strike had support in the town with assistance coming from business people and other sections of the community. Special mention was made of the support given by the Japanese community.

After three weeks, tactical differences emerged over whether the strike should be extended. The union executive called a mass meeting of all Darwin unionists on 6 August at the Town Hall, which the *Standard* described as 'one of the biggest Union meetings held in Darwin for years ... an outstanding feature was the number of female members in attendance' and a large crowd of on-lookers outside. Key figures in the opposition such as White argued that the strike would not be won unless it was extended. Other members of the opposition said the strike should be taken out of the hands of the executive and placed into the hands of a strike committee. McDonald argued that a general strike would cause 'chaos and industrial disaster'. Finally the meeting resolved by a large margin to form a deputation to interview the non-unionists and try to reach a settlement.³⁸

By the fifth week of the strike, emotions were running high as the four non-unionists were seen drinking at the local hotels. On 12 August, a group of strikers took it upon themselves to visit the non-unionists at work and a fight broke out in which there were a number of

³⁵ *NS*, 2 October 1936.

³⁶ All the details for the 1936 aerodrome strike unless otherwise stated are from *NS*, 14, 17, 21, 24 July, 4, 7, 11, 14, 18, 21, 25 August 1936.

³⁷ *NS*, 14 July 1936.

³⁸ *NS*, 7 August 1936.

injuries and four of the strikers were arrested on assault charges. Those arrested included White, Jack McCormack, the veteran oppositionist, and James Russell, another veteran of the unemployed agitation and a former Communist Party member. McCormack was sentenced to six months gaol but released a few days after the strike was called off. The charges against the other men were not pursued in the interests of resolving the dispute.

The fight at the aerodrome and the intervention of a sizeable part of the local business community calling for a settlement of the dispute put pressure on the PWD to negotiate. The union was eventually victorious, the non-unionists agreed to join the union and all the strikers were re-employed. Understandably the union was elated in its victory. McDonald had passed his first test in the Territory as leader of an industrial dispute and he confidently declared that ‘Our slogan should now be “100 per cent. Unionism on all jobs in the Territory”’.³⁹

The Campaign for Local Arbitration

McDonald was a fervent supporter of arbitration yet the dispute discussed above shows that he was also capable of leading a strike. However, if one issue dominated his time as secretary, it was his campaign to gain local arbitration. McDonald was convinced that it was a wasted exercise to spend £200 of union money applying to the Arbitration Court for an increase in the basic wage while the Court was composed of men like Drake-Brockman who, it was perceived, knew nothing about conditions in the Territory.⁴⁰ His position was also supported by the men appointed by the Federal government to inquire into the Territory’s land industries. In their final report, W.L. Payne and W.R. Fletcher wrote that

It is somewhat unreasonable to expect the men to refer their disputes to the Commonwealth Arbitration Court in Melbourne and patiently wait for many months for a decision to be given. Melbourne is a different world to theirs, and they cannot afford the expense involved in presenting their cases there. In any event, they claim the right of prompt decisions, and such decisions are not possible without a system of local conciliation and arbitration.⁴¹

The Minister responsible for the Territory did not agree, arguing that a local arbitrator would more likely give in to the demands of the community in which they lived.⁴²

³⁹ *NS*, 25 August 1936.

⁴⁰ A local contractor in 1939 estimated the cost of an arbitration claim to be £200, which was probably close to half the annual wage of the union secretary (*NS*, 30 May 1939).

⁴¹ *Report of the Board of Inquiry Appointed to inquire into the Land and Land Industries of the Northern Territory*, 10 October 1937, Commonwealth Government Printer, Canberra, p. 81.

⁴² National Archives of Australia (NAA), ACT: A659/1, 1939/1/4727, letter, T. Patterson, Minister for the Interior to R.G. Menzies, Attorney General, 9 August 1937.

McDonald was not deterred, persisting with his calls for local arbitration at every opportunity. His conviction that it was a waste of union resources to apply to the Melbourne Court was so strong that it caused considerable discontent among those workers, especially the railway and pastoral workers, who had not had a wage rise in some time. The pastoral workers had been on the same wage since 1932.

One of McDonald's earliest calls for local arbitration occurred during a strike of sorting shed workers in February 1937. The workers were responding to attempts by the railway management to cut costs by displacing casual staff with lower paid permanent railway staff.⁴³ Understandably these casuals, who were generally only employed once a month, were possessive of their work and resented being displaced by permanent workers. The railway management used casuals every time a ship was in port but their employment was terminated once the work neared completion. The previous December, a tentative agreement had been made with the local manager that permanent staff would not be employed in the sorting shed until the amount of cargo had been reduced to 50 tons.⁴⁴ The situation did not improve, however, and by February the workers were complaining that they were getting so little work that they were only earning about 20 per cent of the basic wage. The matter came to a head on 17 February when the sorting shed workers refused to work until their complaints were addressed. Waldie, the sorting shed delegate, told a public meeting called to discuss the strike, that even though the workers were against arbitration they were prepared to negotiate their grievances.⁴⁵ Work resumed a week later when the Commonwealth Railways Commissioner agreed to abide by the 50-ton agreement pending an Arbitration Court hearing. To McDonald, this was a perfect case of why a local tribunal was needed to rapidly deal with local disputes.⁴⁶ The strike only involved 18 workers but Darwin was so dependent on the wharf for transport that by the end of the strike the town's supplies of bread and butter and 'other necessities' such as beer were in short supply.⁴⁷ The Federal government did not accede to the union's request for local arbitration but in early March, eight days of evidence was taken in Darwin relating to the union's claim to restrict the number of permanent employees in the sorting shed.⁴⁸

When Judge Drake-Brockman delivered his judgement on 21 May 1937, he dismissed the union's application on the grounds of management's right to organise the workplace. Drake-Brockman also relieved the Commissioner of his commitment to the 50-ton agreement.

⁴³ This was one of the issues that sparked the formation of the AWA in 1911. See Chapter 1, pp. 33.

⁴⁴ *NS*, 22 December 1936.

⁴⁵ *NS*, 23 February 1937.

⁴⁶ *NS*, 19 February 1937.

⁴⁷ *NS*, 26 February 1937.

⁴⁸ *NS*, 25 March 1937.

Nevertheless, the Judge could not ignore the figures presented that showed sorting shed workers earning wages far below the basic wage. In response, he increased the casual hourly rate from 2s 10½d per hour to 3s 8d.⁴⁹ The sorting shed workers were happy but discontent continued to grow among the other 100 or so permanent railway staff who were still earning just above the basic wage of 2s per hour.⁵⁰

A month before Drake-Brockman's judgement, Tennant Creek miners had gone on strike over payment for the Anzac Day holiday. The 30 April edition of the *Standard* reported that 'Practically all mines are on strike'.⁵¹ The strike lasted one week and involved 150 miners who established picket lines on those mines refusing to pay for the holiday. The strike ended when the employers received advice that the award entitled workers to a paid holiday. McDonald, who was visiting the area at the time, boasted about the significance of the strike for the union, describing it as the 'first general industrial hold-up on the field' and that 'it was very encouraging to see the enthusiasm which existed among the men ... nearly all young men, very keen in the industrial fight, and ... should become one of the strongest sections of the N.A.W.U.'⁵²

Much was made in the reports on the dispute of Nelson's involvement in leading the strike. McDonald claimed that the former leader 'though he may not be so virile as formerly, has still got a lot of fight left in him'.⁵³ Within six months, however, the *Standard* was describing Nelson as a Labor 'rat'.⁵⁴

The circumstances leading to Nelson's fall from grace started in August 1937 when he failed to win a preselection ballot to be the Labor Party's candidate at the next general election. Nelson ran in the elections anyway and as a result he was automatically expelled from the party.⁵⁵ All Nelson's rivals in the preselection ballot were current or former activists in the local union movement. They included Toupein, McDonald, Bob Murray and Pine Creek resident and former anti-Gilruth crusader, Robert Munro Balding.⁵⁶ There is no indication that the NAWU had any real objection to Nelson's candidacy and it may just have been a case of the others wanting to have a go at the job. The only obvious criticism that had been levelled at Nelson in the past was that he rarely visited the Territory between elections.⁵⁷

⁴⁹ *CAR*, vol. 37, 1937, p. 486.

⁵⁰ *NS*, 5 March 1937.

⁵¹ *NS*, 30 April 1937.

⁵² *NS*, 14 May 1937.

⁵³ *NS*, 4 May 1937.

⁵⁴ *NS*, 29 October 1937.

⁵⁵ *NS*, 29 October 1937.

⁵⁶ *NS*, 4 June, 27 August 1937.

⁵⁷ *NS*, 15 November 1927.

Toupein was the most advantaged candidate because in June he was appointed temporary union organiser to carry out the annual bush organising trip.⁵⁸ Since resigning as secretary, Toupein had been doing various labouring jobs around the Territory including work at the '2½ mile' (Parap) railway workshops, Fletchers Gully gold mine and the Newcastle Waters aerodrome construction.⁵⁹

With so many current and former NAWU officials competing for preselection, the atmosphere in the union was tense, especially between Murray, Toupein and McDonald. During July and August, the *Standard* printed a series of reports from Toupein on his organising trip. In a number of these reports, Toupein mentioned concerns raised by some members that the union had not filed any applications with the Arbitration Court for higher wages. According to Toupein, 'Many members are absolutely fed up with the union for its backwardness in this regard' and some workers were refusing to take tickets as a result.⁶⁰ In response, McDonald first tried to censor Toupein's reports and then he published a defence of the union's policy of local arbitration, writing that the arbitration system as it stood was 'of no use' to Territory workers.⁶¹

McDonald's efforts to censor the *Standard* by asking the editor, Don McKinnon, to show him all industrial coverage before publication caused more dissension. A hostile Murray called the secretary 'Mussolini' and questioned whether he was a 'crook' after all. Murray added that he felt McDonald was 'dragging the movement down'.⁶² It was an amazing outburst and indicated serious divisions within the union executive. Yet, unlike previous divisions, they were between the right wing of the union as the various strong individuals jostled for the parliamentary prize.

When the results of the preselection ballot were announced in August, Toupein and Murray shared the lead on primary votes, but the former eventually won the contest after the distribution of preferences. Nelson came fourth, just behind McDonald.⁶³ To McDonald's credit he put the ballot behind him and became Toupein's campaign director, arguing that the winning of the election was of 'paramount importance' to the union movement.⁶⁴

⁵⁸ *NS*, 18 June 1937. Toupein was accompanied by his wife, Ethel, who he had recently married in Brisbane (*NS*, 29 June 1937; Notes taken of discussion between author and Jeanette Toupein [Robert's niece] of Port Macquarie, 13 April 1999).

⁵⁹ *NS*, 10 September 1935, 21 April, 13 October 1936.

⁶⁰ *NS*, 3 August 1937. Also see 6, 23 July, 6, 10, 24 August 1937.

⁶¹ *NS*, 13 August 1937.

⁶² *NS*, 20 August 1937.

⁶³ *NS*, 27 August 1937.

⁶⁴ *NS*, 24 September 1937.

Unfortunately for the Labor cause, it was all to no avail. MacAlister Blain was re-elected, benefiting from both the split in Labor ranks and a significant vote in Alice Springs.⁶⁵

Bob Murray's criticisms of McDonald were not entirely due to the enmity generated by the preselection battle. Being a railway worker, Murray was directly affected by the inability of the union to gain an increase in the basic wage. In July, Murray had presented a petition to McDonald 'signed by practically every railway employee' stating that Territory workers 'have stood the Brockman Award long enough and are now determined to make a move for better rates and conditions'.⁶⁶ McDonald again replied with the familiar statement that local arbitration was needed.⁶⁷

Increasing the discontent among railway workers was the decision by the Arbitration Court not to extend a 6s 'prosperity loading' to Territory workers. The Court had granted the loading to most Australian workers in 1937. The Court justified its decision to withhold the loading from Territory workers on the grounds that the region had 'not shared the prosperity of the South'.⁶⁸ On top of this, the railway management, now relieved of its commitment to the 50-ton agreement, continued to displace casual workers from the sorting shed. This was viewed by the union as a provocative attempt to counteract the recent wage rise.⁶⁹ In response, the union tried to get management to re-commit itself to the 50-ton agreement. For a time, the workers had the support of the new Administrator, C.L.A. Abbott, a former pastoralist and conservative parliamentarian with a 'long standing antipathy towards unionists'.⁷⁰ Abbott described the workers' grievances as 'justifiable' but changed his opinion when he read Drake-Brockman's judgement giving the Railways Commissioner power to deploy whatever labour he wanted in the sorting sheds.⁷¹

On Sunday 18 July 1937, at 'one of the best attended [union meetings] that has been held in some time' and addressed by McDonald and Waldie, it was decided to empower the executive to take appropriate action if a satisfactory reply to their grievances was not forthcoming from the Federal government. Suspecting that the union would refuse to unload the Burns Philp steamer *Marella*, due in port the next day, Abbott sought and received

⁶⁵ *NS*, 23 November 1937.

⁶⁶ *NS*, 9 July 1937.

⁶⁷ *NS*, 16 July 1937.

⁶⁸ *NS*, 9 July 1937; Tom Sheridan, *Mindful Militants: The Amalgamated Engineering Union in Australia, 1920-72*, Cambridge University Press, Cambridge, 1975, p. 122; Macintyre, *The Oxford History of Australia*, p. 293; *CAR*, vol. 39, 1938, p. 502.

⁶⁹ *NS*, 9 July 1937.

⁷⁰ Peter John Elder, Charles Lydiard Aubrey Abbott, Countryman or Colonial Governor?, PhD Thesis, Northern Territory University, 1998, p. 225.

⁷¹ NAA, ACT: A659/1, 1939/1/4727, letter, C.L.A. Abbott to Secretary, Department of Interior, 23 July 1937.

permission from the government to use military and administrative officers to unload the boat.⁷²

The next afternoon, Abbott called McDonald into his office to report to him that the government was standing by the Railways Commissioner and to ask the union what its plans were. McDonald replied that the union would tie up the *Marella*, remove all mail and medical supplies and then cease work. Abbott replied that he had received his instructions from the government and would take action.

On the following morning, 45 members of the Darwin Garrison went down to the wharf and began unloading their own stores and a little later the crew of the naval survey ship *Moresby* did the same. Later that afternoon, approximately 50 volunteer strikebreakers began to unload the rest of the cargo under police protection. These volunteers were mainly local civil servants and pearling masters who Abbott later described as ‘the better section of the townspeople’. On hearing that her son was one of the volunteers, Sarah Feeney, a bar attendant at the Victoria Hotel, went down to the wharf and pulled him out.⁷³

The use of strikebreakers caused a general strike. On the day after the *Marella* was unloaded a ‘monster meeting of the townspeople’ was held and according to the *Standard*, most businesses shut their doors. It is understandable that the union had the support of some of Darwin’s small business community because they relied on the smooth functioning of the wharf for delivery of their stock. Some of these small business people, like Jack Brogan, were also ex-unionists. The meeting elected a delegation to meet Abbott to try to impress upon him the need to get the Federal government to revert to the original 50-ton agreement. Abbott agreed to do this and received a reply three hours later from the Minister stating that the Commissioner will temporarily restore the agreement. On hearing this, the union agreed to resume work and so ended what the *Standard* described as ‘one of the sharpest and shortest industrial struggles in the history of Australia’ and a ‘slashing win for the workers of the Territory’. Within a week, however, the local railway manager cancelled the agreement and permanent rail staff were again used on the August boat. When the railway manager refused to relocate the permanent staff, work ceased except for the loading of some perishables and the workers remained in the sorting shed until ‘tactfully’ asked by the police

⁷² Details of the *Marella* dispute in *NS*, 20, 23, 27 July 1937; NAA, ACT: A659/1, 1939/1/4727, letter, C.L.A. Abbott to Department of Interior, 23 July 1937; C.L.A. Abbott, *Australia’s Frontier Province*, Angus & Robertson, London, 1950, p. 57.

⁷³ NTAS: NTRS 226, TS 202/2, transcript of interview with Sarah Feeney. See Elder, Abbott, pp. 225-227.

in the early evening to go home. Further strike action was deferred pending further negotiations by McDonald and the newly formed Chamber of Commerce.⁷⁴

Towards the end of 1937, opposition was growing in the ranks of the union against the refusal of the executive to apply to the Arbitration Court for an increase in the basic wage. In response, McDonald, having finished his election duties, sought a conference with the managers of the railway and PWD to discuss revising Territory awards. Most of these awards were due to expire in early 1938. Both the railway and Public Works departments considered that the existing awards were 'favourable' and that there should be no changes, yet they also argued that it 'would not be good policy' to refuse negotiations. Abbott disagreed, describing McDonald as 'unscrupulous' and he could see 'no good purpose' in meeting the union which in his experience 'wishes to take all and give nothing'. A conference eventually took place on 19 November with rail management but the union gained little as the former had decided not to make any commitments.⁷⁵

Toupein and Waldie Leave the Territory

At the above conference, the union delegation, including McDonald, Murray, Waldie and the former AWU president, Jack Burton, were frustrated by the tactics of management. The union argued that because there had been a basic wage increase in every other state, the Territory basic wage should be increased to £6 with a shorter working week of 40 hours.⁷⁶ When the railway workers were informed in early January that management had refused any changes to wages and conditions, the workers decided to give management 14 days to grant their claim or they would stop work.⁷⁷ The November conference was Waldie's last official involvement in the Territory union movement as he left the Territory in January 1938. Waldie later fought in the Middle East during the Second World War. He eventually moved to Hobart, Tasmania, where he raised two sons and worked as a gardener.⁷⁸ Also leaving Darwin and on the same steamer as Waldie, was Toupein. Sadly, Toupein was severely gassed in a Brisbane sewerage works several years later and never recovered his health. He died in 1949, aged 62.⁷⁹

⁷⁴ *NS*, 30 July, 3, 17 August 1937.

⁷⁵ NAA, ACT: A659/1, 1939/1/4727, memorandum, Director-General of Works to Secretary, Department of Interior, 5 November 1937, letter, C.L.A. Abbott to Secretary, Department of Interior, 10 November 1937, memorandum, Secretary, Department of Interior to Minister for Interior, 19 November 1937.

⁷⁶ *NS*, 26 November 1937. The Australian Council of Trade Unions had been calling for a 40-hour week since 1930 (Sheridan, *Mindful Militants*, p. 11).

⁷⁷ *NS*, 17 December 1937.

⁷⁸ Notes of interview with Arthur Wright supplied to author by Barbara James.

⁷⁹ *NS*, 11 January 1938, 15 July 1949.

One indication of the growing dissension in the ranks of the railway workers was a report in January 1938 stating that Jack Burton was encouraging fellow workers to leave the NAWU and join the Australian Railways Union. Pressure on the executive was relieved somewhat when the new Minister for Interior, John McEwen, agreed to expedite a hearing into the basic wage involving the collection of evidence in Darwin. Even though McEwen's proposal did not include local arbitration, the union accepted and withdrew its threat to strike.⁸⁰ However, differences remained on the executive, with the former anti-arbitrationist, Bob Antony, calling the above decision a 'step forward'. Murray, in contrast, stated he was 'in favour of local arbitration, lock, stock and barrel' involving both locally heard evidence and a local judgement. Murray proposed that government workers break ranks and seek a determination from the Public Service Arbitrator, who had recently increased margins for railway workers in South Australia by 10 per cent. McDonald was angered by Murray's 'savage attack', arguing that it will hurt the union's case and that the union fights for all workers, not just public servants.⁸¹

The hearing of evidence into the basic wage case was held in Darwin in late May and early April 1938 before the local Supreme Court Judge, T.A. Wells. The evidence presented by the union was predictable, all witnesses attested to the fact that they could not live on the basic wage of 2s per hour. Witnesses came from all over the Territory, including a representative from the Alice Springs section of the union which now numbered some 100 members.⁸² One of the more colourful witnesses was the novelist, Xavier Herbert. Herbert had been working on the Darwin wharf awaiting the publication of his novel, *Capricornia*. In 1937, he had been elected as the union's Returning Officer and for a period in 1938 acted as the organiser.⁸³ In Herbert's evidence to the hearing, he referred to the 'courage' of the outdoor worker facing the difficulties of working in the Territory such as an inadequate wage, poor diet and enervating climate. Herbert told the hearing that 'He believed it practically impossible for a man to live here and remain sane, or at least develop some sort of rebellious complex if he did not have something ahead of him such as annual holidays'.⁸⁴ The former editor of the *Times*, Jessie Litchfield, also gave evidence suggesting that workers could not live in decent houses because rents were so high and that she would not have been able to rear her large family on the current basic wage.⁸⁵

⁸⁰ *NS*, 11, 25 January 1938.

⁸¹ *NS*, 4, 8, 11 March 1938.

⁸² *NS*, 15 March 1938.

⁸³ *NS*, 21 December 1937.

⁸⁴ *NS*, 29 March 1938.

⁸⁵ *NS*, 5 April 1938.

After the completion of the hearings in Darwin, the union had to wait four months before the Full Court in Melbourne announced its decision. During this time, McDonald was put under more pressure from the railway workers to bypass the Arbitration Court and seek a determination from the Public Service Arbitrator. Nevertheless, at a general meeting of the union in mid May, the executive's strategy was endorsed.⁸⁶

McDonald had problems in Tennant Creek as well where his old nemesis Charles Priest, now a miner, was trying to lead a breakaway from the NAWU. The move failed but it must have worried McDonald enough for him to travel to Tennant Creek with Xavier Herbert and hold meetings at every mine.⁸⁷

When the long awaited Full Court decision was delivered on 1 August 1938, the news was not good. The Court only granted the small increase that the government had granted its salaried officers the previous year. As a result, the basic wage was increased to just over 2s 1½d per hour (£4 13s 9d per week) and the waterside rate was increased by 3d per hour to 4s 3d.⁸⁸

On the first Sunday evening following the decision, 300 workers gathered in Darwin and expressed disgust at the decision. Bob Murray, obviously feeling vindicated, declared the arbitration system 'rotten to the core'. Nevertheless, McDonald was able to defer stronger action with his proposal to organise a large demonstration during the forthcoming visit to Darwin by the Minister for the Interior.⁸⁹ Nine days later, 500 workers met outside the union office and proceeded to march through Darwin. At the conclusion of the march, a delegation including McDonald, Murray and Antony, as well as a representative of the carpenters, engineers and unemployed were elected to meet the Minister.⁹⁰ When they met the Minister, he listened attentively but made no promises in response to the 32 requests made of him. Apart from local arbitration, the requests included increased medical benefits for injured workers⁹¹; restoration of an elected town council; protection of contract workers; abolition of the use of Aboriginal and indentured labour; award rates for all 'coloured' labour; preference

⁸⁶ *NS*, 17 May 1938.

⁸⁷ *NS*, 27, 31 May 1938.

⁸⁸ *CAR*, vol. 39, 1938, p. 502; *NS*, 25 March 1938.

⁸⁹ *NS*, 9 August 1938.

⁹⁰ *NS*, 16, 19 August 1938.

⁹¹ At this time, injured workers in the Territory had to pay for all medical and hospital costs out of their weekly workers compensation benefit. Sometimes these costs were in excess of the weekly benefit. Some contractors also cut costs by not insuring their workers. As a result of the August 1938 meeting, the Minister agreed to look at amending the *Workers Compensation Ordinance* to restore benefits for medical and hospital charges. For more on workers compensation see *Northern Territory Times (NTT)*, 29 August 1924; *NS*, 9 September 1927, 23 March 1928, 12 June 1931, 1 September 1933, 5 March 1935, 10, 13, 17 September 1935, 26 February 1937, 21 September 1937, 12, 23 August 1938.

for local workers in government contracts; improved conditions for 'half-caste' girls and the extension of education scholarships for Territory students.⁹²

It is clear from the above demands that the union under McDonald's leadership had not changed its opposition to the use of Aboriginal labour. In his first year as secretary, McDonald had written to the Minister calling for an inquiry into the 'exploitation' of Aboriginal workers on pastoral stations.⁹³ However, at a conference in June 1937 to review government policies on Aboriginal employment, the union continued to argue that the interests of 'white' unemployed were paramount.⁹⁴

McDonald was more outspoken than any of his predecessors in his support for greater citizenship rights for 'half-caste' workers, especially women. Under the *Aboriginals Ordinance*, male 'half-castes' over 21, if deemed to be eligible by the Protector, could be granted some citizenship rights but women had to be legally married to a substantially European male to enjoy these rights.⁹⁵ In March 1937, McDonald wrote a number of strong letters to the *Standard* complaining about how the authorities had publicly and indiscreetly rounded up and quarantined 15 'half-caste' women in an effort to control a venereal disease epidemic in Darwin. McDonald wondered why the same policy was not being enacted against 'some whites who are not above suspicion'.⁹⁶ In November 1937, McDonald reported to the union executive on the exploitation of 'half-caste' girls working as domestics in Darwin. McDonald told the executive that government regulations fixed the wage for a 'half-caste' girl at 6s per week, most of which is kept by the Protector and there are no restrictions on working hours. The article in the *Standard* of McDonald's report concluded that

Arrangements are now being made to absorb these workers into the Union and to demand that they should be paid in accordance with the industrial laws of the land. The half-caste workers have been quietly organising for some time and are determined that they will no longer be exploited by being paid low wages and working long hours. At a meeting which was attended by the Union Secretary yesterday, not only did the workers pledge themselves to take out Union tickets, but they also resolved not to work below Union rates and conditions.⁹⁷

There is no report in the *Standard* about the outcome of this campaign but there was an article 12 months later indicating that the 'half-caste' girls had continued organising. The

⁹² *NS*, 23 August 1938.

⁹³ NAA, ACT: A1/15, 1938/329, letter, J.A. McDonald to T. Paterson, Minister for Interior, 17 June 1936.

⁹⁴ *NS*, 18 June 1937.

⁹⁵ NAA, ACT: A1/1, 1936/5300, memorandum from Department of Interior, 'Exemption of Aboriginals from Arbitration Awards', 24 May 1934.

⁹⁶ *NS*, 2, 5 March 1937.

⁹⁷ *NS*, 26 November 1937.

article mentioned a strike of 'half-caste' girls working as domestics at the hospital objecting to the curfew imposed on them by the Ordinance.⁹⁸

McDonald's policy of supporting the incorporation of 'half-castes' into the union was consistent with the policy the union had always held. The concern shown by the union during the McDonald era for the rights of 'half-caste' workers had more to do with the growing political voice of these workers in the 1930s than any shift in union policy. By the mid-1930s, the 'half-caste' population in the Territory was much larger and men, such as the Katherine-based leading-hand fettler Jack McGuinness, were second generation unionists. In 1934, McGuinness helped form the Half-caste Association to fight for the repeal of the *Aboriginals Ordinance*.⁹⁹ The Honorary Secretary of the Association, William Ah Mat, was an NAWU member on the wharf. Under the Ordinance, some restrictions remained for men over 21 such as the right to buy and consume alcohol.¹⁰⁰ The Half-caste Association's campaign was partially successful and in March 1936, the Ordinance was amended to exempt 'half-caste' men from the regulations if they made an application to the government.¹⁰¹ The NAWU supported the fight for 'half-caste' citizenship rights especially for young men like Don Bonson who worked as a printer for the *Standard* and who, according to McDonald, 'has the colour and characteristics of a white man [but] driven to associate with the men who are herded together in the compound'.¹⁰²

Throughout August 1938, the union continued to push for local arbitration and wage justice. Four days after the demonstration against the Minister for the Interior, the union held an open-air meeting in a vacant allotment near the Town Hall to hear a report from the delegation to the Minister. The meeting was half the size of the previous meeting, the highlight being a verbal joust between MacAlister Blain and McDonald.¹⁰³ In the meantime, however, the union and the management of the railway and PWD agreed to hold a conference on wages to be held over two weeks starting 20 October in Port Augusta, South Australia. That management were keen to see a resolution to the problems besetting industrial relations in the Territory was made clear when they agreed to pay the fares of the NAWU delegation of McDonald, Murray and former oppositionist and railway worker

⁹⁸ *NS*, 18 November 1938.

⁹⁹ *NS*, 7 September 1934, 13 August 1935; Sue Stanton, 'The Australian Half-Caste Progressive Association: The Fight For Freedom and Rights in the Northern Territory' in *Journal of Northern Territory History*, no. 4, 1993, p. 39.

¹⁰⁰ Tony Austin, *Never Trust a Government Man: Northern Territory Aboriginal Policy 1911-1939*, Northern Territory University Press, Darwin 1997, pp. 75, 208-209 (Austin incorrectly states 18 years of age instead of 21); C.D. Rowley, *The Destruction of Aboriginal Society*, Penguin, Harmondsworth, 1974, p. 241.

¹⁰¹ *NS*, 31 March 1936.

¹⁰² NAA, NT: F1, 1936/112, letter, J.A. McDonald to T. Paterson, Minister for Interior, 6 January 1936.

¹⁰³ *NS*, 23 August 1938.

Geoffrey Dangerfield.¹⁰⁴ At the same time the union was also successful in getting most of the contractors now working in Darwin to agree to pay a minimum wage of £6 per week.¹⁰⁵

The outcome of the Port Augusta conference was good news for the executive. Although the conference did not have the legal power to determine the basic wage, it could set margins for skill and difficulty and other working conditions. In late November, the executive adopted the Port Augusta Agreement not because it was a 'good one' but because it was an 'improvement' on existing awards. The agreement slightly increased wages; granted 18 days annual leave or 1½ days per month for those employed less than a year; a free steamer passage every three years (previously every four years); sick pay for the first time in the Territory; and a district allowance for workers south of Pine Creek. Importantly for the union, the agreement also (in theory) covered contractors working on government projects. If a contractor refused to abide by the agreement, the union could then put pressure on the government to withhold monies from the defiant contractor.¹⁰⁶

It was a timely win for the union because within the first six months of 1939, 600 workers made their way to the Territory as a result of the start of several defence-related construction projects.¹⁰⁷ To the Administrator, many of these new arrivals were 'excellent' workers exposed to 'trying conditions' but others were 'undesirable flotsam'.¹⁰⁸ Abbott's views departed little from the bias of previous administrators against itinerant workers and, to the Administrator's distress, some of this flotsam were about to take control of the NAWU.

In the long term, the defence works removed the curse of unemployment from the Territory for the first time in almost two decades, but in February 1939 there were still 100 unemployed in Darwin. As was usually the case in the Territory, talk of jobs preceded their materialisation and workers would make their way to the Territory, exhaust all their money in the process and find themselves unemployed and destitute on arrival. In February 1939, the Administrator warned southern workers not to come to Darwin as the local unemployed had preference for any new defence jobs. One 'new arrival' wrote to the *Standard* complaining that

Because of newspaper reports down South, I came here to search for a billet [job], and like many others have spent all my money in coming here only to find no work and an

¹⁰⁴ *NS*, 4 October 1938.

¹⁰⁵ *NS*, 30 August, 23 September 1938.

¹⁰⁶ *NS*, 20 November 1938, 27 January, 3, 17 February 1939.

¹⁰⁷ *NS*, 7 July 1939.

¹⁰⁸ *Annual Report of the Administrator of the Northern Territory for 1938-39*.

army of 150 to 200 men unemployed in Darwin. In fact it is impossible to get a place to sleep ...¹⁰⁹

The problem existed through much of the period that McDonald was secretary and the unemployed continued to agitate from their base at the Immigrants Home for more relief work and an end to the residential qualifications. In 1937, the NAWU convinced the government to reduce the residential qualification from three years to 12 months but this still excluded the vast majority of the unemployed who had only recently arrived.¹¹⁰ The union continued to demand that permanent work should be given to the local unemployed before any new arrivals.¹¹¹

The new defence jobs included the construction of an Air Force base seven kilometres from town, the Larrakeyah Army base overlooking Darwin Harbour and a dam to supply water to the township. With so many new workers and new contractors, many of whom were refusing to recognise the Port Augusta agreement, the NAWU was finding it difficult to establish standard conditions. Apart from wages, the union was also concerned about the conditions many of these workers found when they arrived in the Territory. One group of workers found that the only accommodation available was the bush surrounding the town and when they reached their work camp, they found that their shelter was an overcrowded, earthen-floored wooden shed with no bedding.¹¹²

With the likelihood of war increasing, the Administrator and the southern press regularly commented on the number of strikes and the slowness of the Darwin waterside workers. It needs to be remembered, however, that the wharf was the same 'L' shaped structure that had failed the meat industry two decades earlier.¹¹³ In a letter to the *Standard* on one incident, McDonald wrote that

One of the chief reasons for the delay with the Montoro was that she was not suited for carrying long pipes, as they had to be dragged from under the decks before they could be lifted by the ship's gear. The shortcomings of the vessel itself cannot be attributed to the waterside workers, but ... to attack the workers was the easiest way.¹¹⁴

Tensions between McDonald and Murray continued to disrupt the functioning of the union and was probably the main cause of the postponement for eight months of the 1938 Annual

¹⁰⁹ *NS*, 22 July 1938.

¹¹⁰ *NS*, 1 June, 3, 6, 20 August 1937.

¹¹¹ *NS*, 23 August 1938.

¹¹² *NS*, 28 April, 7, 25 July 1939, 2 July 1940. See also Alan Powell, *The Shadow's Edge: Australia's Northern War*, Melbourne University Press, Carlton, 1988, p. 46.

¹¹³ *Annual Report of the Administrator of the Northern Territory for 1937-38*; *NS*, 10, 14 March, 24 October 1939.

¹¹⁴ *NS*, 10 March 1939.

Meeting. In January 1939, Murray was one of 50 signatories to a petition calling on the executive to hold the Annual Meeting in 14 days. The petition also included many other long-time members of the union including Jack McCormack (who was back in town after a stint at Tennant Creek), Jack McGuinness and William Ah Mat.¹¹⁵ When the Annual Meeting was finally held in April 1939, one delegate argued that nobody wanted to join the executive because of the divisions between McDonald and Murray. McDonald also reported that he had not been able to hold a number of executive meetings due to a failure to reach quorum. According to Murray the union was at a 'low ebb', 'disunited' and going nowhere.¹¹⁶

At the Annual Meeting, the consensus seemed to be that despite the growing population of Darwin, it was difficult to inspire new arrivals to get active in the union and the meeting decided to take steps such as the revival of monthly meetings to try to achieve this end.¹¹⁷ But above all, for a union to grow, it needed to prove itself industrially and the meeting voted to meet with local contractors who were defying the Port Augusta agreement.¹¹⁸

'A Famous Victory'

There may have been those in the union who did not like McDonald but he could not be accused of laziness. In late January in a letter to the *Standard*, McDonald stated that 'I have been kept going every day in seeing that contractors observe the new condition'. In particular, he referred to many contractors not paying for public holidays, annual leave and return fares.¹¹⁹ On 27 April 1939, the situation came to a head when work stopped at the Manton Gap Dam project, 60 kilometres south of Darwin. The strike was the result of poor working conditions and the refusal of the contractor to pay any extras such as margins for skill and difficulty, annual leave, public holidays and sick pay to his 24 employees. The contractor considered that the flat rate of £1 per day he was paying was already above the basic wage and was equivalent to paying the extras.¹²⁰ When the contractor refused to grant the workers' demands, they raised their claim to 25s plus the extras, in accordance with a motion passed at the union's Annual Meeting, held four days earlier. It appears, however, that the strike had been called without the knowledge of the secretary because at the Annual

¹¹⁵ *NS*, 31 January 1939.

¹¹⁶ *NS*, 31 January, 3 February, 18, 28 April 1939.

¹¹⁷ *NS*, 28 April 1939.

¹¹⁸ *NS*, 25 April 1939.

¹¹⁹ *NS*, 27 January, 3, 17, 28 February, 14 April 1939.

¹²⁰ Information on the 1939 contractors strike, unless otherwise stated from *NS*, 28 April, 2, 5, 9, 12, 16, 23, 26, 30 May, 2, 9, 13, 20 June 1939. See also Powell, *Shadow's Edge*, p. 48.

Meeting, a motion had also been passed to meet with the contractors before any strike action took place.

On the fourth day of the strike, the adjourned Annual Meeting resumed in the Soldiers Hall and voted to levy members 1s in the pound to support the strike. At the meeting, James Russell, now working on the waterfront, argued that a general strike should be called. However this call was opposed by the meeting. McDonald argued that the union should 'win the fight with the minimum of loss to its members'.¹²¹

Despite the union's cautious approach they did not foresee the united response of the contractors. A week later, the contractors posted notices on all defence jobs stating that they would only pay the basic wage (16s 3d per week less than the standard rate for contractors) plus margins, public holidays and annual leave provisions. As a result, the strike spread to all those contractors cutting wages, involving close to 100 workers. From the published reports, it appears that the strike had near unanimous support except for chronic oppositionists like Jack McCormack, who questioned the union's ability to win a protracted strike. One of the more comic incidents in the strike was McCormack wrestling and tearing the shirt off the back of the chairman during a union meeting. Another man who would play a dominant role in union affairs in the future, Thomas 'Yorky' Peel, responded to McCormack's protests saying that although McCormack had a record as a strong unionist, he was letting his personal feelings about the secretary get in the way. Peel continued by saying 'There were a lot of young men in the organisation and they didn't care what the Secretary had done in the past. It was his actions in the future that counted, and that he was in the fight with the rest of the workers'.¹²²

As the dispute developed, it became apparent that there were divisions among the employers when some of them indicated they were prepared to accept the union's demands. The attempt by some of the contractors to penalise the strikers was also inept. When legal action was taken against the Manton Dam workers, the charges were withdrawn because the specific law they had been charged under had been repealed.

An attempt was also made to break the strike by bringing in new workers from the south but the union, with the assistance of southern unions, was able to convince most new arrivals to support the strike. On one occasion Bob Antony, who had been holidaying in Perth, went down to the Fremantle docks and was invited onto the *Koolama* by the ship's crew to give a

¹²¹ *NS*, 2 May 1939.

¹²² *NS*, 12 May 1939.

report on the strike to a group of Darwin-bound workers. The ship's crew refused to sail until Antony had given his report and as a result most of the workers agreed to leave the ship. When the *Koolama* arrived in Darwin, a large body of workers gathered on the jetty and gave 'three resounding cheers' to the crew.¹²³ Because of the levy, the union also had the resources to support any new arrivals, many of them being incorporated into the various strike camps, including one at the Immigrants Home. The Deputy Administrator suggested to the Department of Interior that the strike may 'break down by weight of numbers' of unemployed being maintained by the union but this did not eventuate.¹²⁴ By the end of May 1939, 500 workers were on strike.

Two and a half weeks into the strike, support remained strong with a large meeting of 300 workers voting 'almost unanimously' to reject a proposal from the contractors to return to work on pre-strike conditions and negotiate.¹²⁵ At face value it was a generous proposal, but by now the strikers had set their sights on gaining 25s and McDonald wanted to use the dispute to gain local arbitration.

On this issue, McDonald gained support from the President of the Master Builders and Contractors Association, H.A. Wilmot, who argued that it was the absence of local arbitration that created an 'uneasy spirit' among workers not usually inclined towards direct action.¹²⁶ Some in the union did not share McDonald's faith in arbitration. A former unemployed leader and Communist Party member, John 'Snowy' Dodson questioned why the issue of local arbitration had been added to the dispute and Yorkey Peel wondered if the strike was being 'sacrificed' to the issue.¹²⁷

The Administrator's role in the dispute was less inflammatory than in the previous year when he used volunteers on the wharf. Three weeks into the strike, he sent a letter to the Department of Interior suggesting that it was a 'very great pity' that the government had not moved on the question of local arbitration.¹²⁸ Abbott also felt that 'there is something to be said' in support of the union's position.¹²⁹ As a result, Abbott worked very hard to arrange a number of conferences between the adversaries and the union expressed appreciation for his efforts. Abbott became frustrated with the union after it rejected an offer from the contractors

¹²³ *NS*, 13 June 1939.

¹²⁴ NAA, ACT: A432/85, 1939/481, letter, Deputy Administrator, L.H.A. Giles to Secretary, Department of Interior, 20 May 1939.

¹²⁵ *NS*, 16 May 1939.

¹²⁶ *NS*, 6 June 1939.

¹²⁷ Dodson was the father of Patrick and Michael Dodson, well known leaders of the modern Aboriginal rights movement.

¹²⁸ NAA, ACT: A432/85, 1939/481, letter, C.L.A. Abbott to Secretary, Department of Interior, 22 May 1939.

¹²⁹ NAA, ACT: A659/1, 1939/1/6716, letter, C.L.A. Abbott to Secretary, Department of Interior, 28 May 1939.

to pay a higher flat rate that would incorporate an approximation of the monetary value of annual leave and steamer fares, and an offer from the Federal Cabinet for a local Board of Reference. Abbott wrote to the Department of Interior suggesting that 'it seemed to me, that the whole point of the dispute had shifted from a wages dispute to a demand for local arbitration'.¹³⁰ And indeed it had in McDonald's opinion. Nevertheless, McDonald was justified in his cynicism about the Board of Reference because such a body could only interpret an award not determine one.

That the issue was discussed in Cabinet suggests that the cessation of defence projects was beginning to worry the government. Six weeks into the strike, the Attorney General, William Hughes, dispatched Judge Drake-Brockman by flying boat to Darwin to seek a resolution of the dispute. Within seven days, the Judge was in Darwin presiding over a series of meetings between the parties and on 20 June 1939, the strike was called off. How times had changed from when the first Arbitration Court Judge arrived in Darwin in 1916 after a 12-day journey on a steamer.

The workers achieved a complete victory with the contractors agreeing to pay £1 per day (basic wage plus 16s 3d cost of living allowance) plus all the conditions of the Port Augusta Agreement. Bob Murray declared it 'one of the best victories we have had in the Northern Territory for many years'. When Drake-Brockman declared the agreement an Award, he attacked the managers of the railway and PWD for being 'meddling amateurs' by departing from previous awards and establishing their own agreements (Port Augusta Agreement) with the union. The new *General Contracting Award* also incorporated a new form of Reference Board with greater power to settle future disputes under the chairmanship of a local Stipendiary Magistrate, C.K. Ward. According to McDonald, the formation of the Reference Board was a step towards local arbitration as it would be incorporated into all Territory awards.¹³¹

McDonald's difficulties, however, were not over and within six months he would lose his job as secretary. The problem for McDonald was that other Territory workers, especially his critics on the railway, wanted the same increase that the contract workers had been granted. The first sign of this renewed tension occurred at a union meeting in early July 1939, when it was decided, against the wishes of the secretary, to make an immediate claim to the new Reference Board for a flow-on of the recent increase. McDonald had wanted the railway and PWD workers to wait until the Port Augusta Agreement had terminated and for the first

¹³⁰ NAA, ACT: A659/1, 1939/1/6716, letter, C.L.A. Abbott to Secretary, Department of Interior, 8 June 1939.

¹³¹ CAR, vol. 40, 1939, pp. 321-2, 335.

claim to be for the miners and pastoral workers.¹³² As it turned out the first award examined by the Reference Board was the mining award but the hearings were suspended in late August until a full inquiry could be held into the cost of living at Tennant Creek.¹³³ It then took the Chair of the Reference Board another two months to present his report on the railway and public works awards, the contents of which precipitated the first general strike of railway workers since the 'twelve and six penny strike' of August 1922.¹³⁴

The rail workers were angered that the Chairman granted the Public Works employees the whole of the 16s 3d recently granted to the contract workers (increasing the basic wage to £5 10s or 2s 6d per hour) while the rail workers were only granted 10s (£5 3s 9d or 2s 4d per hour). In his report, Magistrate Ward argued that a wage increase for Public Works employees was justifiable due to the increased cost of living and 'abnormally high' rents. Echoing previous arbitration judgements, however, he argued that rail workers should get less because of the availability of cheap rail accommodation.¹³⁵

The strike was declared at a mass outdoor meeting of 500 NAWU members on the morning of Saturday 4 November 1939. Initially involving only 60 men of the railway running staff such as the drivers, shunters, guards and porters, it soon spread to the waterside workers when the Army moved its own supplies off the wharf.¹³⁶ It was also the intention of Abbott to get the Army to remove all civilian supplies from the ships but the Army commander wanted to avoid causing a general strike.¹³⁷ One of the local shipping companies also tried to curtail the strike by offering to pay railway workers the extra until their claim could be put before the Arbitration Court, but this was rejected by the railway management as 'a dangerous precedent'.¹³⁸

A week later work resumed after the railway workers accepted a recommendation from McDonald to return to work pending a hearing of the Full Bench of the Arbitration Court. Early in the strike, McDonald had flown to Melbourne to get the support of southern unions and to negotiate with railway management.¹³⁹ Up to that time McDonald had been refusing to go to the interstate Court and it is unclear why he changed his mind, although the assurance of a prompt hearing may have swayed his thinking. The hearing was prompt but

¹³² *NS*, 4 July 1939.

¹³³ *NS*, 20 August 1939.

¹³⁴ See Chapter 3, pp. 90-92.

¹³⁵ *NS*, 3 November 1939.

¹³⁶ *NS*, 7, 10 November 1939.

¹³⁷ NAA, ACT: A1196/6, 58/501/13, letters, Colonel H.C.H. Robertson, Commandant, 7th Military District to Secretary, Military Board, 4, 14 November 1939.

¹³⁸ NAA, ACT: A659/1, 1939/1/16118, letter, Manager, North Australian Railway, K. McDonald to Secretary, Commonwealth Railways, 6 November 1939.

¹³⁹ *NS*, 17 November 1939.

the outcome was not what McDonald had hoped for. The Full Bench endorsed the decision of the Reference Board pending a further inquiry into the basic wage in the Territory.¹⁴⁰

On 3 December 1939, 300 workers met to hear a report from McDonald on the Court's decision. From the report of this meeting in the *Standard*, it can be gleaned that there were some in attendance who wanted to launch an immediate strike and others who argued that the union should leave the arbitration system. After some discussion it was eventually decided to wait upon a recommendation from the union executive. Two days later, a stop work meeting of railway and PWD employees was held and an executive recommendation to accept the Court's decision and impose an overtime ban was rejected. An alternative resolution was then moved to accept the decision 'under protest' and that further efforts be made to gain the wage increase for the railway workers. During the course of the meeting, a number of speakers attacked McDonald and his executive.¹⁴¹ There is no mention of the specifics of the criticism, but a letter in the *Standard* from one of the critics, L.T. Craig, described the executive as 'industrially inept and puerile'.¹⁴² Lindsay Craig, according to the Commonwealth Investigation Branch, had been a journalist for the *Sydney Daily Telegraph* and was a 'self-confessed communist'. Craig came to the Territory in March, but his plans to make a living from boat tours of Darwin harbour collapsed when his boat caught fire and sank. He had also offered his services to Naval Intelligence to use his contacts with the Japanese to glean information. In late September he took out a ticket in the NAWU and was employed by the PWD.¹⁴³ Abbott later described Craig as a 'spellbinder' of an orator.¹⁴⁴

At a further meeting of the union on Sunday 10 December, a motion of no confidence in the union leaders and a call for a special general meeting to elect new officers was carried. Craig led the charge against the union leaders, accusing them of a lack of leadership in their recommendation to accept the Full Bench judgement. He also attacked the overly centralised structure of the union and the lack of conditions for workers in the Territory such as poor housing and inadequate workers compensation. According to the report of the meeting in the *Standard*, Craig's comments were 'loudly applauded'. McDonald was ill and had to leave the meeting so, rather ironically, the responsibility to defend the union's record fell to the railway workers, Murray and Antony. Craig may have been attacking McDonald but his criticisms sounded too much like communist rhetoric to get Murray's support.¹⁴⁵

¹⁴⁰ CAR, vol. 44, 1939, pp. 268-275.

¹⁴¹ NS, 5, 12 December 1939.

¹⁴² NS, 12 December 1939.

¹⁴³ NAA, ACT: A367/1, 169680, Craig, Lindsay.

¹⁴⁴ Abbott, *Australia's Frontier Province*, p. 57.

¹⁴⁵ NS, 12 December 1939.

True to his form in the past, McDonald went on the offensive, cancelling the special general meeting on the grounds that it had been unconstitutionally called and publishing a full page defence of the 'N.A.W.U.'s Activities and Achievements' in the *Standard*. McDonald wrote that

The members know that wages have improved in the Territory during the last two years, and also know that the Executive has given fighting leads on every occasion, when conditions were favourable for making successful attacks on the employers. But the decided policy of the union is arbitration and conciliation, and only when facilities were not readily available for our grievances to go in front of a tribunal have we resorted to direct action.¹⁴⁶

McDonald accused Craig of seeking to 'smash' the union with his policy of rejecting arbitration, stating it could only lead to a general strike and 'practically a rebellion against the Government' and 'industrial oblivion'.¹⁴⁷

The dispute dragged on into the new year with McDonald insinuating that Craig had burgled the union office to obtain the union's membership books.¹⁴⁸ A petition signed by over 300 members was also published in the *Standard* expressing support for the executive and against the 'disgruntled minority'.¹⁴⁹

It is difficult to ascertain the activities of the opposition as they were not reported in the *Standard*, but it is known that Craig was visiting work sites to promote the opposition's cause.¹⁵⁰ It can also safely be assumed that the hundreds of new workers arriving in Darwin would have been attracted to his agitation around the lack of adequate housing and poor working conditions. The union executive was also weakened by the resignation of Antony, Murray and the new temporary organiser Ernest Williams. Williams had been appointed in October 1939 to assist McDonald in the task of bringing 100 per cent unionism to the new building sites in Darwin.¹⁵¹ All three executive members had resigned soon after the vote of no confidence in the officials was passed.¹⁵² Murray, who had left Darwin on a holiday, wrote to McDonald stating, 'You, Mr. Secretary, are responsible for the whole trouble ... I acknowledge many good things you did for the industrialists, but the bad ones outweighed the good'. Specifically, Murray accused McDonald of running the union dictatorially by excluding him from leadership discussions, ignoring his complaints about the delays in

¹⁴⁶ *NS*, 22 December 1939.

¹⁴⁷ *NS*, 22 December 1939.

¹⁴⁸ *NS*, 9 January 1940.

¹⁴⁹ *NS*, 12 January 1940.

¹⁵⁰ *NS*, 12 January 1940.

¹⁵¹ *NS*, 6 October 1939.

¹⁵² *NS*, 12 December 1939.

holding the union's Annual Meeting and unauthorised expenditure of union funds.¹⁵³ Corruption was not suggested but unconstitutional practices were. Why McDonald failed to hold an Annual Meeting on time for many years is curious, given the fact that he was so conscientious with other matters such as his reports on union business to the press. It may simply have been the case that he wanted to deny any avenue for his critics in Darwin to use the Annual Meeting to promote their cause.

It was the delayed Annual Meeting of 1939, held six months late on 25 February 1940 in the Soldiers Hall, that became McDonald's last meeting as secretary.¹⁵⁴ Unfortunately the *Standard* did not print minutes of this meeting but McDonald tendered his resignation and Lindsay Craig was appointed the new secretary pending new elections.

The new leadership declared that it stood for an improvement in the wages and conditions of Territory workers; construction of workers' homes; improved workers compensation and a reorganisation of the union into an 'instrument to protect the rights of the working class'.¹⁵⁵

With the resignation of McDonald came the resignation of the *Standard's* editor of 19 years, Don McKinnon, who told his readership that incessant factional wars in the union and his efforts to be even-handed had 'drained the energy and ambition' that he once had for the paper.¹⁵⁶ McKinnon recalled some years later that 'I did not receive a vote of thanks after my effort in taking a leading part in industrial affairs for a quarter of a century'. He later established a retail business in partnership with Jack Brogan in the Victoria Hotel. He died in Brisbane on 6 March 1975 after being evacuated from Darwin after Cyclone Tracy.¹⁵⁷

McDonald, however, was not finished. Within days of the Annual Meeting, the former secretary had filed an injunction stopping the new union executive from operating as they had come to office unconstitutionally.¹⁵⁸ McDonald still had the union books and had denied the new executive the use of the union's truck, although 60 workers seized the truck from a local garage a few days after the Annual Meeting.¹⁵⁹ When the hearing into McDonald's injunction was held, Supreme Court Judge Wells decided that McDonald's resignation was valid but that the election of the new executive was unconstitutional and ordered fresh elections. McDonald, however, had become so isolated by this stage that when the old

¹⁵³ *NS*, 15 March 1940.

¹⁵⁴ Notes written by Don McKinnon and supplied by Barbara James, Darwin.

¹⁵⁵ *NS*, 27 February 1940.

¹⁵⁶ *NS*, 1 March 1940.

¹⁵⁷ Notes written by Don McKinnon, email correspondence with Allan O'Neill (McKinnon's son), 10 December 2000. Cyclone Tracy devastated Darwin on Christmas Day, 1974, forcing a mass evacuation.

¹⁵⁸ *NS*, 8 March 1940.

¹⁵⁹ *NS*, 1 March 1940.

executive met they re-appointed Craig as acting secretary till elections could be held.¹⁶⁰ According to McDonald's son, Patrick, the battle between his father and the new executive continued for some time. Patrick McDonald claimed shots were later fired at the family home and that his father was brutally assaulted by six unidentified assailants. Whether these incidents actually happened or not is difficult to ascertain but Jack McDonald continued to hold onto the union books.¹⁶¹

Some years later McDonald became chief stevedore on the Darwin wharf. In the early 1950s, he returned to union activity as full time secretary of the Darwin branch of the Storemen and Packers' Union. He died in Darwin on 13 May 1958.¹⁶²

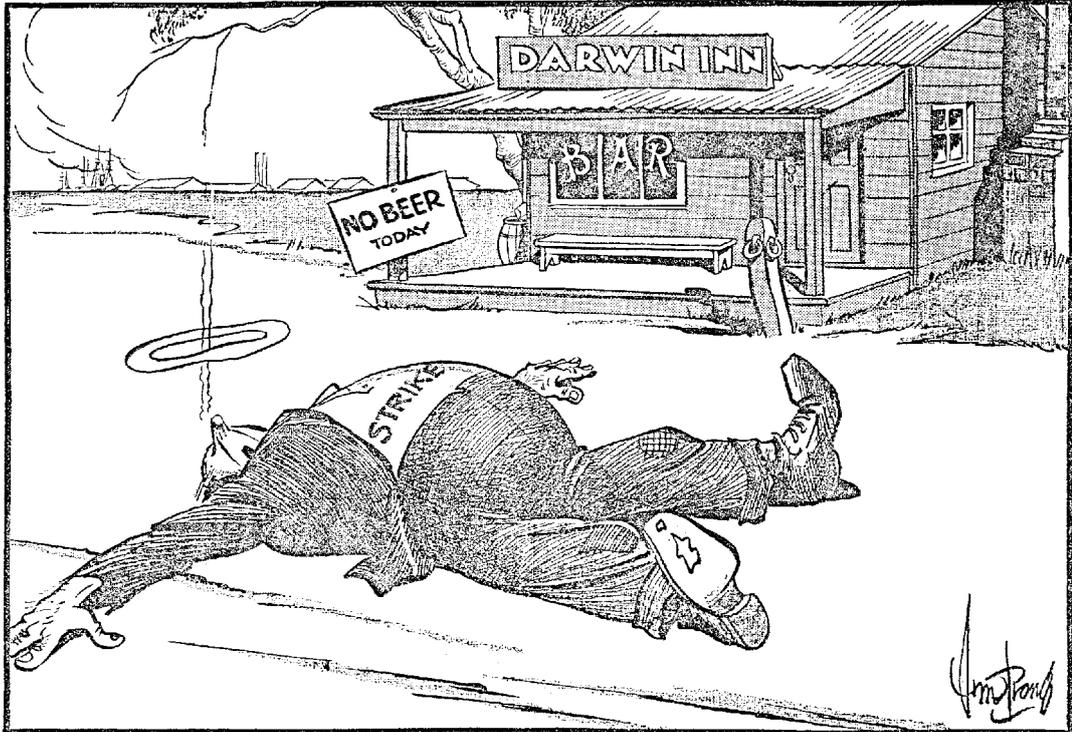
Keeping a union afloat in the Territory would not have been an easy job and for that reason alone McDonald, and Toupein before him, have to be given some credit for the union's survival. It is ironic that for a man so ideologically committed to arbitration and constitutional unionism, he should have been so let down by the system he supported. By the time McDonald had become secretary, the Arbitration Court was so wedded to the principle of 'ability to pay' that it failed the workers of the Territory and McDonald became the sacrificial lamb. The hundreds of new workers attracted to the Territory as a result of the defence-related construction boom were not prepared to be as patient as McDonald. His early successes in improving the conditions of miners meant nothing to these new workers who wanted greater compensation for the rigours of working in the Territory. For some of them, the decision to go to the Territory cost them their lives when they became casualties of the coming war.

¹⁶⁰ *NS*, 19 March 1940.

¹⁶¹ NTAS: NTRS 226, TS 655, transcript of interview with Patrick McDonald; *NS*, 15 March 1940.

¹⁶² *Northern Territory News*, 15 May 1958.

DIED OF THIRST



A recurrence of the unionists' strike at Darwin will probably be averted because of the shortage of beer such action would entail.

A representation of Darwin workers in a southern newspaper. This cartoon was in the Argus, 13 August 1937.
NAA, ACT: A659/1, 1939/1/4712

Chapter Seven

‘a potentially grave danger to internal security’¹

1940-1945

‘I have been making some investigations with a view of getting out into the back country, to organise the Pastoral workers, and the Miners. My enquiries, so far, have had the effect of making me rather depressed with the magnitude of this task. The office is ill-equipped, always full of wrangling casual wharfies, all cutting one another’s throats to get a shift on the Wharf, only myself to do the organising and policing of the Awards and insufficient money to employ anybody else. However I guess we’ll get by.’ – L.J. McPhillips, Secretary of NAWU, July 1940-November 1941.

On 8 September 1939, Australia again followed Britain into war. Missing this time were the gatherings of unionists singing patriotic songs as they farewelled their comrades off to war.² Stuart Macintyre notes a lack of interest in the war was a national trend as workers took advantage of the improved labour market to regain wages and conditions lost during the depression years.³ In addition to the economic factors undermining support for the war, the influence of the Communist Party in the unions was growing. From the Stalin-Hitler Pact of August 1939 until the German invasion of the Soviet Union in June 1941, the party opposed the war effort.⁴

This chapter examines the fortunes of the NAWU during the Second World War. Unlike the First World War, the new war was close to home and the Territory was part of Australia’s front line defence. As a result of the strategic importance of the Territory to the war effort, the new left wing NAWU leaders were put under intense surveillance from security forces. Informers were sent to meetings, the movements of union leaders were monitored, their mail intercepted and union activities photographed. After the bombing of Darwin by Japanese

¹ National Archives of Australia (NAA), ACT: A6119/84, 1906, military intelligence report, ‘Communism in Darwin’.

² See Chapter 1, p. 49.

³ Stuart Macintyre, *The Oxford History of Australia, Volume 4, 1901-1942: The Succeeding Age*, Oxford University Press, Melbourne, 1986, p. 329.

⁴ Stuart Macintyre, *The Reds: The Communist Party of Australia from Origins to Illegality*, Allen & Unwin, St Leonards, 1998, p. 355.

forces in February 1942 civilians were evacuated and the Territory was placed under military administration making it virtually impossible for the union to function. The union may never have revived except for the energetic work of a few local unionists and their southern-based supporters. The seeds of revival lay in the large numbers of union conscious civilian workers brought to the Territory to continue the construction projects essential for Australia's defence.

Although military intelligence officers described the NAWU as 'communistically inclined' and 'subversive', there is little evidence to suggest that the new leaders were members of the Communist Party.⁵ The new Acting Secretary of the union and editor of the *Standard*, Lindsay Craig, told his readership that 'The *Standard* is not a communist paper. There is not one communist party member in any way remotely connected with it'.⁶ The union under Craig was also not following Communist Party policy when it participated in the short-lived Industrial Advisory Panel set up by C.L.A. Abbott to coordinate the war effort.⁷ The panel collapsed after a number of contract employers withdrew when they were criticised in the *Standard*.⁸ Nevertheless, the new leadership espoused a militant anti-arbitration line similar to that of the Communist Party. One *Standard* editorial declared that 'The Arbitration Court merely has given legal validity to any concession forced from the employing class'.⁹

Apart from Craig, the new leadership included Bob Antony as acting president. Abbott inaccurately described Antony as 'an ardent communist of the destructive type'. The new organiser was John White, a former Communist Party member, unemployed activist and leader of the 1936 strike against non-unionists at the Darwin aerodrome.¹⁰ James Russell, another former Communist Party member and unemployed agitator, was a member of the Executive Council.¹¹ Joining Russell on the council was the 30-year-old Yorkshire born militant, Joe 'Yorky' Walker, a future secretary of the union.¹²

⁵ NAA, Vic: MP729/6, 29/401/233, Military Report on Darwin District.

⁶ *Northern Standard (NS)*, 5 April 1940. In a phone conversation with the author (28 January 2001), Jack McPhillips, NAWU Secretary (1940-1941), indicated that Lindsay Craig was a member of the Communist Party, so it is possible that Craig's statement was motivated by the increasing likelihood that the Menzies Federal Government (April 1939-August 1941) would ban the party.

⁷ *NS*, 31 May, 4, 18, 25 June 1940.

⁸ *NS*, 2 July 1940.

⁹ *NS*, 2 April 1940.

¹⁰ See Chapter 6, p. 155, 157, 158.

¹¹ See Chapter 6, p. 158, 172.

¹² NAA, ACT: A659/1, 1939/1/16118, letter, C.L.A. Abbott to Secretary, Department of Interior, 7 April 1940; *NS*, 5, 29 March, 5 April 1940; NAA, ACT: A6119/83, 1599, security report, 23 January 1954.

According to naval Intelligence, Craig was ‘extremely militant’, even more so than the local Communists.¹³ Jack McDonald’s son, who was as anti-communist as his father, described Craig and his supporters as ‘anti-everything ... real radicals’ but according to Antony, Craig was a ‘pseudo’ leftist with ‘political aspirations’.¹⁴ Other people in the NAWU also considered Craig a troublemaker and a stirrer.¹⁵ Craig revealed his ‘political aspirations’ when he resigned as acting secretary in July to contest Labor Party preselection for the forthcoming federal elections.¹⁶

Despite Abbott’s claim that industrial unrest was on the rise following Craig’s appointment, the first six months of 1940 was not a period of heightened industrial disputation. Most union activity involved policing the award entitlements of contract workers and most disputes were settled by the new Reference Board.¹⁷

An incident in early April when Federal Cabinet authorised the Navy to unload coal during a strike by sorting shed workers could have easily sparked a general strike.¹⁸ The sorting shed workers were trying to regain the ‘dirt money’ on obnoxious cargoes they had lost in 1934.¹⁹ Unfortunately for the workers, the Chair of the Reference Board rejected their claim on the basis of the higher wages being earned as a result of the larger number of ships using the port.²⁰ One waterside worker at the time recalled the strike and particularly the large sign in white paint on the side of a row of rail trucks – ‘Join the Navy and Shovel Coal’.²¹ In September the claim for dirt money while handling coal was resubmitted to the Reference Board and granted.²²

A more curious dispute involved the café proprietor Mick Paspali,²³ a former NAWU executive member elected on McDonald’s anti-communist ticket in 1936.²⁴ Paspali owned

¹³ NAA, ACT: A367/1, 169680, secret memorandum, Director of Naval Intelligence to Director General of Security, 28 October 1943.

¹⁴ Northern Territory Archives Service (NTAS): NTRS 226, TS 655, transcript of interview with Patrick McDonald; *NS*, 12 December 1939; NTAS: Pac 34, Box 32, NAWU Collection, Bob Antony, unpublished notes on history of NAWU.

¹⁵ NAA, ACT: A6119/21, 301, intercepted letter, Marion Lovelady (NAWU administrative officer) to Jack McPhillips, 2 November 1940, and Jack Coleman (Manager, *Northern Standard*) to Jack McPhillips, 30 October 1940.

¹⁶ *NS*, 12 July 1940.

¹⁷ NAA, ACT: A659/1, 1939/1/16118, letter, C.L.A. Abbott to Secretary, Department of Interior, 7 April 1940; *NS*, 6 February, 21, 29 March, 12, 16 April 1940.

¹⁸ NAA, ACT: A659/1, 1940/1/7417, Department of Interior memorandum, 4 April 1940.

¹⁹ See Chapter 5, p. 138.

²⁰ NAA, ACT: A659/1, 1939/1/16118, letter, C.L.A. Abbott to Secretary, Department of Interior, 7 April 1940; *NS*, 5 April 1940.

²¹ NTAS: NTRS 226, TS 499, transcript of interview with Tom O’Grady.

²² *NS*, 10 September 1940.

²³ I am using the spelling as it appeared in the press of the day. Since that time it has been spelt Paspalis and Paspaley. Nick Paspaley, Mick’s brother, became a wealthy pearler.

²⁴ *NS*, 19 May 1936.

the Rendezvous Café next to the Hotel Victoria and two of his waitresses believed they were owed overtime wages, fares and travel allowances from Sydney. The union placed a blackban on both the café and Paspali's brother's taxi service. Picket lines were set up outside the café and in one incident Craig was assaulted by some of Paspali's supporters. One explanation for the passion generated by the dispute is that it was entangled with the factional battles with the former secretary Jack McDonald, who publicly supported Paspali and defied the picket lines by eating at the café.²⁵

McDonald had clearly not given up the fight and still had supporters among the waterside workers. At the same time as the Rendezvous Café dispute, McDonald was supporting the NAWU Waterside Section's resistance to the executive's efforts to increase the number of workers on the wharf. The executive argued that waterside workers were working excessive hours and fighting amongst themselves for extra work.²⁶

Craig may have claimed there were no Communists in the union, but he did turn to the party for help when he needed a new secretary. The man eventually chosen was a leading member of the party's trade union work in Sydney, Jack McPhillips.²⁷ Described by the military as a 'dangerous Communist', McPhillips was a smallish man in his early 30s, married with two children. He had first come to the attention of the Commonwealth Investigation Branch (CIB) as an unemployed activist in Sydney's southern suburbs in 1934. Apparently this is where Craig first met McPhillips. In the late 1930s, McPhillips also came to the attention of the same authorities for his militant activity among AWU factory workers in the inner suburbs of Sydney.²⁸ In the month prior to McPhillips arriving in Darwin, the Menzies Federal Government banned the Communist Party and increased surveillance of suspected members.²⁹ Shortly after McPhillips arrived in Darwin, military intelligence began compiling a dossier of his activities and started intercepting his mail, monitoring 'private conversations' and on one occasion his house was searched for subversive literature.³⁰

When McPhillips arrived on the Qantas flying boat in July 1940, he found the union in a poor state. He was shocked when he first saw the run down office in Woods Street with its

²⁵ NS, 2, 16, 19, 23, 26, 30 April, 3, 7, 14 May 1940.

²⁶ NS, 30 April 1940.

²⁷ Notes taken during interview with Jack McPhillips by author, 9 October 1996; draft chapter of Jack McPhillips' memoirs in author's possession.

²⁸ NAA, ACT: A6119/21, 301, CIB report on McPhillips, 21 May 1941, intelligence report on McPhillips, 22 July 1940, secret memo titled 'Darwin Agitator', Commandant 7th Military District, 30 November 1940.

²⁹ Alistair Davidson, *The Communist Party of Australia: A Short History*, Hoover Institute Press, Stanford University, 1969, p. 80.

³⁰ NS, 15 October 1940; NAA, ACT: A6119/21, 301, CIB report on L.J. McPhillips, 21 May 1941.

furnishings of ‘a table with three legs and a supporting piece of timber, a wooden filing cabinet and three wooden chairs’.³¹ McPhillips wrote to his brother and described

Years of accumulated work undone in the office, unstable financial conditions, years of neglect of members requirements and strong factional feelings amongst members. ... The majority of the workers here are either nomads who have and are still living a most unstable disorganised life, or are city workers who have come here to knock out a cheque and get out. ... and are very discontented after they have been here for a while.³²

According to Craig, the union was ‘practically dead’ in Tennant Creek and at the union’s Annual Meeting in late September, McPhillips told delegates that they ‘had little or no contact’ with pastoral workers.³³

In Darwin, McPhillips found ‘considerable discontent’ but little organisation on the job. The new Secretary’s solution was to direct this discontent into a campaign for a ‘tropical allowance’ of 30s a week. McPhillips argued that civil servants already received such an allowance and that it would bring Territory unions in line with the campaign by the rest of Australia’s trade unions for an increase in the basic wage.³⁴ By doing so, the Australian trade unions were directly challenging the regulations passed by the Federal government in June 1940 freezing wages. As in the First World War, the cost of living was rising and the trade unions believed some employers were profiting from the situation.³⁵ The tropical allowance campaign was a smart move by McPhillips and so was the decision to debate the issue in the *Standard*. It is probable that the first letter to the *Standard* on the campaign was a ‘straw man’ but it provided an issue around which the union could rebuild itself.³⁶

Through the *Standard*, the union also raised the issue of pay and conditions for the large number of soldiers arriving in the Territory. Some of these soldiers had been members of the NAWU and apparently complaints had been made about the living conditions at the Army camp at the old Vesteys meatworks.³⁷ Alan Powell describes how some in the army did not trust the union but given that military intelligence had branded the union a subversive organisation, this is hardly surprising.³⁸ One incident that Powell does not mention is the attempt by someone, allegedly in the army, to burn down the *Standard* office in retaliation

³¹ Draft chapter of Jack McPhillips’ memoirs in author’s possession.

³² NAA, ACT: A6119/21, 301, intercepted letter, Jack McPhillips to Harry McPhillips, 31 August 1940.

³³ *NS*, 4 June, 1 October 1940.

³⁴ NAA, ACT: A6119/21, 301, intercepted letter, Jack McPhillips to Harry McPhillips, 31 August 1940; *NS*, 16 August 1940.

³⁵ Ian Turner, *In Union Is Strength: A History of Trade Unions in Australia 1788-1974*, Nelson, Melbourne, 1976, p. 92-93.

³⁶ *NS*, 10 September 1940.

³⁷ *NS*, 6, 9, 13 August 1940.

³⁸ Alan Powell, *The Shadow’s Edge: Australia’s Northern War*, Melbourne University Press, Carlton, 1988, pp. 48-51.

for articles printed in the paper on camp conditions. Interestingly, the *Standard* did not cover the issue as the union saw it as a ‘clumsy’ attempt to drive a wedge between the army and the workers.³⁹

With the likelihood of a federal election in 1940, the local Labor Party, which had ceased to function since the last election, was revived and Craig, McPhillips and Bob Murray all contested the preselection. Even though McPhillips was a member of the Communist Party, albeit a secret one due to the party’s illegality, he recalls that he was not stopped by anyone from joining the Labor Party.⁴⁰ When the results were announced, Craig was the victor and McPhillips became his campaign director.⁴¹ Yet once again the Labor vote was split with the nomination of Jack McDonald as an independent candidate and MacAlister Blain retained the seat.

During the election campaign of September-October 1940, the union, for the first time in many years, held its Annual Meeting when it was due. Some new additions to the executive were the former temporary organiser, Ernest Williams and Yorky Peel, a leader of the 1939 contractors dispute.⁴² No mention was made of the number of members but McPhillips warned delegates that funds were so low that the union would not be able to pay its wages bill let alone maintain a fighting fund. As a result, delegates voted to levy all members 5s until membership dues could be raised to 30s.⁴³

Another interesting aspect of the meeting was McPhillips’ reference to foreign workers being persecuted by union members. McPhillips argued that ‘The greatest weapon of the boss is to divide the workers on racial issues or religious issues’.⁴⁴ Since the start of the defence works, more southern Europeans had arrived in Darwin and many of them worked on the RAAF base construction.⁴⁵ According to a letter in the *Standard*, some of the new ‘comrades’ were as racist as the earlier generation. In particular the writer was referring to a motion passed by the sorting shed section to ban foreign workers.⁴⁶ McPhillips recalls in his memoirs how he successfully defended a Cypriot worker who was being forced out of the sorting shed because he could not speak English. McPhillips writes that he convinced the

³⁹ NAA, ACT: A6119/21, 301, intercepted letter, Jack McPhillips to Harry McPhillips, 31 August 1940; informants report on NAWU meeting, 1 September 1940.

⁴⁰ Phone conversation between author and Jack McPhillips, 28 January 2001.

⁴¹ *NS*, 23 April, 30 August 1940. McPhillips wrote to his brother and stated that ‘it is probably just as well I did not win. It would have split the A.L.P. and with assistance from below this would have extended to the Union.’ (NAA, ACT: A6119/21, 301, intercepted letter, Jack McPhillips to Harry McPhillips, 31 August 1940).

⁴² See Chapter 6, pp. 172-173.

⁴³ *NS*, 1 October 1940.

⁴⁴ *NS*, 1 October 1940.

⁴⁵ NAA, Vic: MP729/6, 29/401/233, Military Report on Darwin District.

⁴⁶ *NS*, 17 December 1940.

sorting shed section to treat the man as ‘a fellow worker and as a good unionist’.⁴⁷ Nevertheless, the Waterside Section of the union maintained its rule fining any worker for not speaking the ‘King’s English’ on the job.⁴⁸

‘stay-in strike’

Two days after the Annual Meeting, McPhillips was involved in his first major strike since arriving in Darwin. On Tuesday 1 October 1940, waterside workers went on strike over the use of mechanical grabs to unload the collier *Arkaba*. It was the first time such machinery had been used on the wharf and it displaced 12 waterside workers from the usual compliment of 30. The workers refused to return until the usual numbers were employed.⁴⁹ The next day the issue came to the attention of the War Cabinet, who decided to unload the coal with naval labour.⁵⁰ On the following Thursday, in what could be described as a severe case of overkill, armed guards were placed on a number of other job sites in the town while the Navy unloaded the coal.⁵¹

In response, McPhillips proposed a ‘stay-in strike’, which, according to his memoirs ‘stunned’ the workers who were more used to spending strike days ‘on the booze’. McPhillips also recalls that the ‘cook on the *Arkaba* was a very good unionist and quickly rustled us food’.⁵² Much to the annoyance of one visiting government adviser, the workers fished off the wharf while the troops worked.⁵³

After meeting into the night and early morning, the strike committee reached a compromise with the local stevedore on gang sizes and preparations were being made to return to work on the Friday only to find that the collier’s owners had rejected the compromise. The next day troops were back on the wharf unloading naval supplies and running the trains as well. Despite the provocative use of non-union labour, the union did not call an immediate general strike but restricted the strike to the wharf. At a large meeting on Sunday 6 October, the union gave the government until Monday to remove the troops otherwise a one-day stoppage would take place the next day.

⁴⁷ Draft chapter of Jack McPhillips’ memoirs in author’s possession.

⁴⁸ NTAS: NTRS 827, NAWU Waterside Section Rules.

⁴⁹ *NS*, 4 October 1940.

⁵⁰ NAA, ACT: A5954/67, 455/3, War Cabinet Minute, 2 October 1940.

⁵¹ *NS*, 4 October 1940.

⁵² Draft chapter of Jack McPhillips’ memoirs in author’s possession.

⁵³ NAA, ACT: A1196/6, 3/501/10, extract of report from Mr M.D. Davies, Chairman, Queensland Business Administration Committee, upon his visit to Darwin.

When Tuesday came around and the troops continued to work the wharf, a large stop-work meeting was held. Telegrams of support from the Australian Council of Trade Unions (ACTU), Waterside Workers Federation and Labor parliamentarians were read to the assembly. The meeting voted to remain on strike for the rest of the day but accepted an offer from the Minister for Interior for a prompt Reference Board hearing if they returned to work the next day. Following the meeting and under the watchful eyes of military intelligence officers (see photos, p. 208), the workers marched through the town to the Contractors Association rooms to protest the sacking of a number of contract workers for attending the stop work meeting.⁵⁴

The return to work and the decision of the Reference Board to allow the use of mechanical grabs was described by military intelligence as a 'defeat' for the union. Yet there was some consolation for the workers when the size of the workforce was maintained at a level more acceptable to the union.⁵⁵ What was more important to McPhillips was the size of the demonstration and its effect on union revival. He was particularly impressed by the self-discipline of the waterside workers who voted not only to fine any worker not attending a stop work meeting, but also voted to fine anyone who attended drunk.⁵⁶ McPhillips recalled that 'For the first time in my life, I saw fellows pelt their best friends out of a meeting, calling them drunken bums and pitching their hats out after them – after they'd fined them'.⁵⁷

Secret intelligence reports at the time of the strike state that it was 'directly brought about by the Darwin branch of the Communist Party'.⁵⁸ Another intelligence report described the party as a 'grave danger to internal security'.⁵⁹ Apart from the presence of McPhillips, the report also mentions the new editor of the *Standard*, Gordon Burgoyne. Burgoyne had arrived in Darwin in September 1940 to replace Craig after being recommended to the union by party leader, Edgar Ross. The 29-year-old Burgoyne had been a member of the Communist Party in Western Australia and had been dismissed from the *Westralian* for his left wing sympathies. Apart from McPhillips and Burgoyne, the report refers to a number of other Darwin residents, including Bob Antony, who was not a member of the party. Nevertheless, McPhillips recalls the few members of the party in Darwin at the time giving him tactical advice, friendship and even financial assistance to support his union work.⁶⁰

⁵⁴ NS, 8, 11 October 1940.

⁵⁵ NAA, ACT: A6119/87, 2054, extract from intelligence report, 7th Military District; NS, 8, 11 October 1940.

⁵⁶ NS, 15 October 1940; draft chapter of Jack McPhillips' memoirs in authors possession.

⁵⁷ Draft chapter of Jack McPhillips' memoirs in author's possession.

⁵⁸ NAA, ACT: A6119/87, 2054, extract from intelligence report 7th Military District.

⁵⁹ NAA, ACT: A6119/84, 1906, military intelligence report, 'Communism in Darwin'.

⁶⁰ Draft chapter of Jack McPhillips' memoirs in author's possession.

The numerous intelligence reports on Communist Party activity in Darwin were not simply an academic exercise. There was a strong sentiment among military authorities that men like McPhillips should face 'rigid suppression' and that the 'disruptive' *Standard* should be banned.⁶¹ Neither eventuated, although a leading member of the party working for the Territory Medical Service was transferred from Darwin in the 'national interest' and there was some discussion among military authorities about setting up a rival newspaper.⁶²

Shortly after the wharf dispute, McPhillips flew south on union business.⁶³ During his absence, military intelligence continued to intercept his mail and the transcribed copies of these letters provide an insight into the work of the union's office worker, Marion Lovelady. Very rarely in union histories are the activities of the office staff revealed, but Lovelady was a one-person union secretary, receptionist and organiser. In the course of her day she was required to visit job sites to sell union tickets, deal with complaints from both members and employers, as well as placate recalcitrant executive officers like Craig. In one letter, she recounts a heated argument with Craig about his plan to call the sanitary workers out on strike.

Believe me it was a heated argument and he finished up informing me that he would call a Rank and File meeting of his own accord ... and Craig said "... I got McDonald out (he did, mind you) and I will do the same again". I lost my temper and told him that ever since you [McPhillips] had left he had been trying to make trouble, which, of course he denied. Position now is Mr. Secretary, that he will try and stir up trouble in all directions so I advise you not to delay returning, I can hold the Fort until you come, and it will be over my dead body that he gets in here.⁶⁴

On McPhillips' return to Darwin, he proceeded to expedite the union's claim for a tropical allowance. A committee comprising the executives of the three main unions in Darwin, the NAWU, the carpenters and the engineers, coordinated the campaign. What is interesting about the campaign is that for all the intelligence reports that highlight the danger of having a communist at the head of the NAWU, the union primarily resorted to conventional methods of arbitration.⁶⁵ In fact, even though the Communist Party criticised the arbitration system, the union continued calling for a local arbitration tribunal.⁶⁶ When the Full Bench of

⁶¹ NAA, ACT: A6119/84, 1906, military intelligence report, 'Communism in Darwin'; NAA, ACT: SP 112/1, 428/7/3, letter, Secretary Department of Army to Secretary Department of Information, no date but received 11 February 1941.

⁶² NAA, ACT: A5954/69, 431/12, Internal Security – Communist Activities in Darwin; SP 112/1, 428/7/3, letter, Alan Steele, Commander of 7th Military District to Secretary Military Board, 20 January 1941; NS, 1 April 1941.

⁶³ NS, 18 October 1940.

⁶⁴ NAA, ACT: A6119/21, 301, intercepted letter, Marion Lovelady to Jack McPhillips, 2 November 1940.

⁶⁵ NAA, ACT: A659/1, 1940/1/7417, Department of Army memorandum: Possibility of Strike on Darwin Wharf, 17 December 1940.

⁶⁶ NS, 29 January, 11 February 1941.

the Arbitration Court considered the claim for a tropical allowance in April 1941, the Judges granted an 'arbitrary' allowance of 10s to compensate for the 'isolation and disadvantages of living in the Territory'. With the addition of 4s to compensate for rises in the index of prices since 1934 and 5s to compensate for increased rents, the new basic wage was £5 12s 9d or 2s 6¾d per hour. The Judges also removed the controversial discounted basic wage for rail workers, admitting that not all rail workers have access to cheap rental accommodation. The Judges rejected the union's claim for a 30s tropical allowance by arguing that 'Darwin is no longer an isolated outpost but an important provincial town' with improving amenities and transport. The workers living in bag huts in the Frog Hollow swamp on the outskirts of the town may have disagreed. Nevertheless, the union congratulated itself, claiming that without the tropical allowance campaign, the basic wage would have been lowered.⁶⁷

As well as the October 1940 wharf strike, there were other strikes under McPhillips' leadership, but they were generally short-lived symbolic protests rather than the industrial anarchy predicted by military intelligence. Some of these strikes, rather than being engineered by McPhillips, occurred without his knowledge. In January 1941, there was both a one-day stoppage and an 18-day 'beer strike' over the Menzies Government's new taxes on low-income earners and beer.

The beer strike, which followed similar protests in New South Wales (NSW), was declared at a large meeting of all unions on 13 January 1941 after the local hotels raised the price of beer by 2d following an increase in excise duties. For the fourth time in history, Darwin unionists forsook their beloved beer to make a political protest. Picket lines were placed outside all hotels and any unionist caught breaking the boycott was threatened with disciplinary action. A committee led by NAWU executive member Yorky Peel was set up to coordinate the strike. The *Standard* reported that the majority of soldiers were abiding by the boycott and the milk bars were doing a roaring trade. The strike had the support of interstate temperance associations who suggested the boycott be made permanent as 'booze is workers worst enemy'. Twelve days into the strike, the hoteliers offered to revoke the price increase but the strike committee was pushing for even cheaper beer. Eventually the boycott was declared off and the hoteliers' offer was accepted due to the impending dismissal of bar staff. Nevertheless, a 'considerable minority' wanted to continue the strike, including Yorky Walker. Five days before the boycott was declared off, a big majority voted to continue the protest against the advice of NAWU leaders like Antony and McPhillips who argued that the workers should know when to stop and that there were bigger issues to fight.⁶⁸ The boycott

⁶⁷ CAR, vol. 44, 1941, pp. 253-263; NS, 17, 24 January, 25 March, 8, 16, 22 April 1941.

⁶⁸ NS, 14, 17, 21, 24, 29, 31 January 1941.

was lifted at an evening meeting shortly before 10pm closing time and McPhillips recalls that ‘In two seconds flat there wasn’t a man left including me’.⁶⁹

According to McPhillips, the Darwin workers were the only workers in Australia to organise a one-day strike against the Menzies budget.⁷⁰ Despite calls from some workers for a general strike, it was restricted to a one-day stoppage on 20 January 1940. The activities of the day included a meeting of all unions and a march of 1,500 workers on Government House. The union’s activities may have been conventional, but the demands were not. Indicating the growing influence of the Communist Party on union policy, the demands included a call for a 100 per cent tax on the rich, nationalisation of war industries, a moratorium on rural debts and the less ambitious call for a tropical allowance.⁷¹

With the failure of the Arbitration Court to deliver the tropical allowance, the combined unions submitted a claim for the extension to the Territory of the 6s ‘war bonus’ recently granted to defence workers. However, because the Arbitration Court had just dealt with the Territory basic wage, the claim was rejected.⁷² But before its rejection, the claim for a war bonus did feature prominently in union activities such as the 1941 May Day march. Although the attendance was ‘disappointing’, the event marks the first time Darwin unions officially celebrated May Day instead of Labour Day, a practice that continues to the present day. May Days had been held in Darwin before but had been organised by the Communist Party not the NAWU. The 1941 march included some elaborate floats from union sections, the Labor Party and the *Standard*. The *Standard* was awarded the prize for best float for its mock printing press producing a miniature commemorative newspaper.⁷³

Another indication of the growing influence of the Communist Party in the NAWU was the 25 July one-day stoppage and 400-strong march calling for the release from a NSW prison of Max Thomas and Horace Ratliff. Both men were on hunger strike after being gaoled under wartime security regulations for distributing an illegal communist newspaper.⁷⁴

Even with the restrained activities of the NAWU under McPhillips’ leadership, relations with the local military commanders were still tense. In February 1941, McPhillips was banned

⁶⁹ Draft chapter of Jack McPhillips’ memoirs in author’s possession.

⁷⁰ Draft chapter of Jack McPhillips’ memoirs in author’s possession.

⁷¹ *NS*, 21 January 1941.

⁷² *CAR*, vol. 44, 1941, pp. 831-833.

⁷³ *NS*, 2 May 1941.

⁷⁴ *NS*, 25 July 1941; NAA, ACT: A6119/21, 301, intercepted letter, Jack McPhillips to General Secretary, FIA, Ernie Thornton, 29 July 1941; Turner, *In Union Is Strength*, p. 94.

from visiting the construction site of the anti-submarine boom net across the harbour.⁷⁵ In May, the *Standard* was banned from a number of military camps in Darwin and Katherine.⁷⁶

Darwin's population had increased since the start of the defence build-up, but military authorities still complained of a labour shortage. In July, the union was given notice that it may be necessary to use naval labour if the union could not supply enough workers for the wharf. Predictably the wharf and sorting shed workers rejected the proposal and threatened strike action if it was implemented.⁷⁷ Privately, however, McPhillips saw the proposal as 'inevitable' and 'legitimate' and argued that 'our members are stupidly refusing to see the need for regularly attending work and thus provide the labour they need'. Rather than oppose it outright, McPhillips reached an agreement with the military that such labour would only be used in emergencies and would be expected to join the union.

McPhillips' opinion of the wharf labourers is interesting because for once it is a view not distorted by managerial bias. The waterside workers historically had been a staunchly independent section of the union and many secretaries had battled with them. McPhillips wrote that 'For years they have been coming to work and staying away just when they like ... and still maintain the preference which gives to some of them £10 or £12 per week, and to others less than half that amount'. McPhillips argued that he had tried to convince the waterside workers of the 'urgent' need to accept changes to the operation of the wharf but his efforts had aroused 'resentment amongst the irresponsible nomads and the Leftists'.⁷⁸

In late July, McPhillips left Darwin on an organising trip to Tennant Creek and Alice Springs. In his memoirs, McPhillips recalls that because of the neglect of the bush regions, the 'Union's name was "mud" '.⁷⁹ Lindsay Craig, who was now mining at Tennant Creek, was also creating trouble. McPhillips described Craig's plan to establish a full-time union official in Central Australia 'absurd' given that the union had neither the members nor the finances to sustain such a proposal.⁸⁰ Nevertheless, despite calls from some miners for the formation of a breakaway union, McPhillips was welcomed and a union committee was revived.⁸¹

⁷⁵ NAA, ACT: A4721/1, W2680, letter, NAWU to Acting Prime Minister, A.W. Fadden, 12 February 1941; *NS*, 11 February 1941.

⁷⁶ *NS*, 13, 20 May 1941.

⁷⁷ *NS*, 11, 22 July 1941.

⁷⁸ NAA, ACT: 6119/21, 301, intercepted letters, Jack McPhillips to General Secretary, FIA, Ernie Thornton, 17, 29 July 1941.

⁷⁹ Draft chapter of Jack McPhillips' memoirs in author's possession.

⁸⁰ NAA, ACT: 6119/21, 301, intercepted letters, Jack McPhillips to General Secretary, FIA, Ernie Thornton, 29 July 1941.

⁸¹ *NS*, 15 August, 5, 9 September 1941.

By mid-1941, the union had just over 1,500 members. With this added membership the union's finances were the healthiest they had been for some time, allowing the union to re-appoint Ernest Williams as organiser. The improved situation even won praise from the staunchly anti-communist Bob Murray, who told members that the union had more money in the bank than it ever had.⁸²

By late September, McPhillips was anxious to return to Sydney, where he had left his wife and children, and to a location where he could be more centrally involved in the national trade union movement. McPhillips wrote a letter to the General Secretary of the Federated Ironworkers Association (FIA) and leading Communist Party member Ernie Thornton, stating that 'Darwin is not getting any bigger ... I want to grow bigger'.⁸³ But before he left, the sorting shed and railway loading yard workers went on strike briefly in early October over plans by the military to use its own labour to unload rail trucks at the old meatworks. The workers claimed that civilian labour would be displaced by the decision to by-pass the sorting shed and railway yard and ship goods direct to the barracks. Privately, McPhillips felt the issue was not a 'good one' and that the direct shipment of goods to their point of use was 'more efficient' but 'these fellows were out on strike before I could stop them'. Nevertheless, McPhillips criticised the local military commander for issuing ultimatums that only inflamed the situation. After a brief stoppage, McPhillips was able to convince the workers to confine the issue to the specific cargo in dispute and return to work pending further negotiations. These are hardly the actions of an industrial saboteur.⁸⁴ The dispute was resolved when the Minister for Labour in the new Curtin Labor Government,⁸⁵ Eddie Ward, ordered that the goods in dispute be unloaded by civilian labour. Ward also dispatched Conciliation Commissioner Arthur Blakeley, a former Labor Minister, to Darwin to investigate the problems with the wharf.⁸⁶

Blakeley called a conference in Darwin to discuss the issue but the military did not attend. At the conference, McPhillips argued that 'Despite, what may be regarded as an evil reputation ... my union is not attempting to delay the settlement of this matter which we hope will result in the expeditious handling of cargoes and furthering the war effort'.⁸⁷ McPhillips' new found enthusiasm for the war effort was brought about by Hitler's invasion of the Soviet

⁸² *NS*, 20 May, 30 September, 3 October 1941.

⁸³ NAA, ACT: A6119/21, 301, intercepted letter, Jack McPhillips to General Secretary, FIA, Ernie Thornton, 20 September 1941.

⁸⁴ NAA, ACT: A6119/21, 301, intercepted letter, Jack McPhillips to General Secretary, FIA, Ernie Thornton, 8 October 1941; *NS*, 7 October 1941.

⁸⁵ In October 1941, the Curtin Labor Government took office after the previous conservative government lost a vote of confidence in Parliament.

⁸⁶ *NS*, 17 October 1941.

⁸⁷ *NS*, 31 October 1941.

Union in June 1941 and the elevation of Labor leader, John Curtin, to Prime Minister in October 1941. From the second half of 1941, unions led by the Communist Party were enthusiastic supporters of the 'People's War'.⁸⁸ At a meeting on 2 November, the NAWU executive pledged itself to support the war effort in full. This support did not mean giving up the right to strike, but the union again called for the establishment of local arbitration to resolve disputes before they escalated.⁸⁹ A week later, the NAWU invited the renowned Communist Party barrister, Fred Patterson, to Darwin to mobilise support for the war.⁹⁰ At a public meeting called to hear Patterson, money was raised for the Soviet Union and a Citizens Committee was formed to 'investigate all instances of delay and interference with war work in Darwin, by maladministration, inefficiency, graft or industrial disturbance'.⁹¹ Two days later the NAWU cabled the leader of the Soviet Union, Joseph Stalin, congratulating his country on the 24th anniversary of the Russian Revolution and for its resistance to Hitler.⁹²

Blakeley's report contained little that was not known about the inefficiencies of Darwin's wharf. Blakeley found that because of a shortage of labour, most wharfies worked on average a 15-hour day. He maintained that civilian labour should continue to be used but that the government needed to import up to 150 extra waterside workers to allow the wharf to operate around the clock.⁹³ Both the government and the NAWU accepted these recommendations.⁹⁴

McPhillips resigned his position in late November but not before he successfully won a preselection contest for the Labor Party against former NAWU organiser and Tennant Creek miner Owen Rowe. The irony was that McPhillips, despite his Communist Party membership, was also President of the Labor Party, while the membership of long term Labor man, Bob Murray had lapsed.⁹⁵ Very soon after, McPhillips moved to Sydney and took up the position as Industrial Officer and eventually Assistant National Secretary of the FIA alongside Ernie Thornton. He maintained his interest in the NAWU and provided much support, encouragement and advice during the difficult times of the war. In 1949, he served time in gaol for refusing to hand over Miners' Federation money to the Arbitration Court during the miners' strike. In the early 1950s, he was a principal figure in the battles within

⁸⁸ Turner, *In Union Is Strength*, p. 95.

⁸⁹ *NS*, 4 November 1941.

⁹⁰ *NS*, 22 May 1936, NTAS: NTRS 226, TS 655, transcript of interview with Patrick McDonald.

⁹¹ *NS*, 11 November 1941.

⁹² *NS*, 11 November 1941.

⁹³ NAA, ACT: A431/1, 1946/184, letter Arthur Blakeley to J.S. Collings, Minister for Interior, 19 October 1941.

⁹⁴ See also Alan Powell, *Far Country: A Short History of the Northern Territory*, Melbourne University Press, Carlton, 1996, p. 170; Powell, *Shadow's Edge*, pp. 50-51; P.F. Donovan, *At The Other End of Australia: The Commonwealth and the Northern Territory, 1911-1978*, University of Queensland Press, St Lucia, 1984, p. 143.

⁹⁵ *NS*, 28 October, 25 November 1941.

the FIA between the Communist Party and the anti-communist Industrial Groups. He did, in his own words, become 'bigger'. At the time of writing he remains a committed communist, but he left the Communist Party in 1971 to form the pro-Soviet Socialist Party of Australia.

A 'dangerous' communist

McPhillips' replacement as secretary was another leading member of the Communist Party, Michael Patrick Ryan. Ryan was a 46-year-old, 'tall, handsome', bespectacled man with greying, brown wavy hair. Like McPhillips, he was described by intelligence officers as a 'dangerous' communist. With over two decades experience in the trade union movement, he was one of the most experienced secretaries the NAWU ever had. According to his security file, he joined the Communist Party in 1928 and held many leading positions in the party. He was arrested and charged with conspiracy while a member of the disputes committee during the 1929 timber workers' strike. Ryan was in charge of the 'flying squad', a mobile team of workers whose job was to stop strikebreakers entering the timber yards. During the depression, he was on the executive of the NSW Unemployed Workers Movement and in charge of the Workers Defence Corps, a body formed to protect labour movement activities from the police or right-wing vigilantes. In 1933, Ryan moved to Brisbane where he maintained his activity in the Communist Party and on the Queensland Trades and Labour Council, running as a party candidate in various state and municipal elections.⁹⁶

It was a difficult situation Ryan found himself in when he arrived in Darwin. Five days earlier, air raid sirens had sounded for the first time over Darwin and on the day of his arrival, the Japanese bombed Pearl Harbour.⁹⁷ The union executive appointed Ryan as secretary on 14 December, two days after the Federal Cabinet decided to evacuate women, children, the aged and infirm from Darwin.⁹⁸

Alan Powell's *The Shadow's Edge* has already recounted the story of Darwin's war and there is no need to repeat it here in detail other than to say that the NAWU played a leading role in citizen defence and criticised the government for inadequate air raid defences. Ryan worked very hard despite contracting dengue fever soon after his arrival.⁹⁹

⁹⁶ NAA, ACT: A6119/79, 722, Michael Patrick Ryan, Volume 1; Audrey Johnson, *Bread and Roses: A Personal History of Three Militant Women and Their Friends, 1902-1988*, Left Book Club, Sutherland, 1990, p. 23, 40.

⁹⁷ *NS*, 16 December 1941; Timothy Hall, *Darwin 1942: Australia's Darkest Hour*, Methuen, Sydney, 1981, p. 13.

⁹⁸ *NS*, 16 December 1941.

⁹⁹ *NS*, 16 December 1941; Powell, *Shadow's Edge*, pp. 52-54.

Powell's work is also useful because it responds to allegations made by Abbott and P.F. Donovan that Darwin's waterside workers compromised the war effort and that the union leaders were some of the first to flee the town after the bombing of Darwin on 19 February 1942.¹⁰⁰ Powell argues that the accusation the NAWU leaders 'ran like hares' is 'not strictly true'.¹⁰¹ It is most likely that Abbott's criticisms were in retaliation for the call in early 1942 by the union-led Citizens War Effort Committee for the Administrator's removal from office.¹⁰² Peter Elder's study of Abbott suggests that the large number of casualties caused by the bombing justifies the concerns raised by Ryan and the union about the town's poor defences.¹⁰³

Even the union leaders occasionally criticised some of their own members for not doing enough for the war effort. On one occasion the NAWU executive took over the allocation of labour in the sorting shed because a few workers were monopolising all the work and earning large wages as a result. The sorting shed section tried to defy the union's leaders but a large majority at a general meeting endorsed the executive's actions.¹⁰⁴ The freelance journalist, Timothy Hall, quotes Ryan describing the Darwin waterside workers as 'inferior' to their southern counterparts because the town 'offers no attractions to any reasonably competent man to stay'. Hall further cites Ryan describing the Darwin wharfie as 'querulous and cranky and very hard to handle ... They are the flotsam who keep coming and going all the time'.¹⁰⁵ Ryan was not the first secretary to criticise the Darwin wharfies but these comments are certainly some of the harshest and could easily have come from Abbott. Nevertheless, the union saw its main role in the wartime emergency as an instrument for labour discipline and Ryan's comments need to be seen in this context.

Sometimes the lengths the NAWU went to in promoting the war effort seem remarkable given its militant reputation. On one occasion in early 1942, the union executive told Eddie Ward that the union was prepared to 'make sacrifices, including if necessary, a reduction of earnings' if employers 'play their part by eliminating bungling, inefficiency and profiteering, which were causing serious bottlenecks'. The NAWU was also prepared to allocate lucrative wharf work to southern imports at the expense of local workers, provided the new arrivals

¹⁰⁰ C.L.A. Abbott, *Australia's Frontier Province*, Angus & Robertson, London, 1950, p. 77; Donovan, *At The Other End of Australia*, p. 147.

¹⁰¹ Powell, *Shadow's Edge*, p. 51, 90.

¹⁰² *NS*, 9 January 1942.

¹⁰³ Peter Elder, *Charles Lydiard Aubrey Abbott: Countryman or Colonial Governor?* PhD Thesis, Northern Territory University, 1998, p. 255.

¹⁰⁴ *NS*, 10 February 1942.

¹⁰⁵ Hall, *Darwin 1942*, p. 174; Unfortunately, Hall does not provide a source for this quote but it may have come from government files he read dealing with the Royal Commission into the bombing of Darwin.

were experienced waterside workers.¹⁰⁶ Even more surprising was the union's decision to allow the military to unload ships in an emergency.¹⁰⁷

Much has been written about the bombing of Darwin in February 1942. There was massive destruction and a large number of casualties, including 22 waterside workers killed when a bomb hit the wharf. Even more has been written about the stampede of civilians, government officials and soldiers out of Darwin following the raid.¹⁰⁸ Making the ultimate sacrifice did not help the reputation of the waterside workers as it is still claimed by some that the wharfies were among the first to flee the town.¹⁰⁹ Given the level of destruction and the fact that the authorities were telling civilians to leave, the exodus from Darwin is understandable. Yet not all civilians left. Yorkey Walker, in a letter to McPhillips soon after the bombing, wrote that 'the wharfies offered to work the jetty three days after the raid when the heads were still carving out fancy mileages'.¹¹⁰ Walker was one of many unionists who stayed in town and did not join the exodus. Walker just missed being rostered on the wharf that fateful day and after the raid he assisted in the provision of free meals for the town's civilians in an old café.¹¹¹

Unfortunately for Ryan's reputation, he, and a number of other union leaders, were among the stampede. Walker considered Ryan's leaving an abrogation of leadership, and Bob Antony, who also remained on his job as a train driver, called the secretary a 'spent force'.¹¹² However, the Lowe Royal Commission into the raid argued that Ryan had acted no differently to anyone else in town and had returned a week later to close down the union and *Standard* offices.¹¹³ For this author, who has never lived through the horrors of war, it is hard to be critical of those who ran from an expected military invasion. In the words of the manager of the *Standard*, Jack Coleman, who accompanied Ryan, 'The feeling of helplessness that I had almost overpowered me'. Coleman and another executive member who accompanied Ryan on the night of the raid soon overcame their fear and enlisted.¹¹⁴

Ryan and the other union leaders who joined him argued that they had rescued all the union books and records and were planning to re-establish the union and the *Standard* at a new

¹⁰⁶ NS, 3 January 1942.

¹⁰⁷ NS, 23 January 1942.

¹⁰⁸ Hall, *Darwin 1942*, pp. 131-143; Powell, *Shadow's Edge*, pp. 76-91; Douglas Lockwood, *The Front Door: Darwin 1869-1969*, Rigby, Adelaide, 1969, pp. 253-260.

¹⁰⁹ See Hall, *Darwin 1942*, p. 133.

¹¹⁰ Noel Butlin Archives Centre, Australian National University (NBAC/ANU): North Australian Workers' Union (NAWU), NAWU, E170A, 1/1, letter, Yorkey Walker to Jack McPhillips, 14 June 1942.

¹¹¹ NTAS: NTRS 226, TS142, transcript of interview with Arthur Wright.

¹¹² NBAC/ANU: NAWU, E170A, 1/1, letter, Yorkey Walker to Jack McPhillips, 14 June 1942; letter, Robert Antony to Jack McPhillips, 18 March 1942.

¹¹³ Hall, *Darwin 1942*, p. 122.

¹¹⁴ NBAC/ANU: NAWU, E170A, 1/1, letter, Jack Coleman to Jack McPhillips, 25 February 1942.

location.¹¹⁵ Antony, however, argued that it was impossible for the union to continue because most members were being evacuated.¹¹⁶ The situation was made even more difficult in early March when most of the Territory was placed under military control and freedom of movement was restricted. Ryan's movements had already been restricted when the union's utility was commandeered by the military in Katherine a week after the first raid.¹¹⁷ By early April, Ryan was stationed at Tennant Creek unable to move without a military permit. The only executive members left were Walker, Antony and the treasurer and they were still in Darwin. On 9 April, the remaining three executive members met and voted to suspend the organisation and the services of both Ryan and Coleman.¹¹⁸ Antony later told McPhillips that it was no use Ryan 'pretending' that the union still had a role to play at that time.¹¹⁹

When Ryan heard of this meeting some weeks later, he described Walker as a 'tropical anarchist' and argued that the Darwin executive members were assisting those trying to destroy the union. Ryan wrote to the Labor Government demanding freedom of movement for the union but the various Ministers deferred to the local military authorities. Ryan was subsequently informed that the 'rights and privileges of the N.A.W.U. in the military controlled areas ... have ceased'.¹²⁰

Ryan continued to push for the removal of restrictions on the union. Despite the difficulties he was able to gain some support for his activities from other members in the Territory, especially among the hundreds of road workers sealing the main roads south and east.¹²¹ According to Ryan some of the conditions the road crews worked under were 'frightful' and this view was endorsed later in a government report which stated that the workers lived in 'humpies and rough shacks ... built from boughs and hessian ... they made their own sanitary, washing and messing arrangements'. The report further stated that the workers slept on 'improvised' beds on earthen floors often in 'mosquito-infested areas without nets'.¹²² The remaining executive members were also receiving numerous messages from members wanting the union to settle various wages and compensation claims.¹²³ Ryan also held at

¹¹⁵ NBAC/ANU: NAWU, E170A, 1/1, letter, Jack Coleman to Jack McPhillips, 25 February 1942.

¹¹⁶ NBAC/ANU: NAWU, E170A, 1/1, letter, Bob Antony to Jack McPhillips, 18 March 1942.

¹¹⁷ Powell, *Shadow's Edge*, p. 101; NAA, Vic: MP742/1, 244/1/213, Statutory Declaration by M.P. Ryan, 20 August 1942.

¹¹⁸ NBAC/ANU: NAWU, E170A, 1/1, letter, Mick Ryan to Jack McPhillips, 21 April 1942.

¹¹⁹ NBAC/ANU: NAWU, E170A, 1/1, letter, Bob Antony to Jack McPhillips, 20 April 1942.

¹²⁰ NBAC/ANU: NAWU, E170A, 1/1, letter, Mick Ryan to Jack McPhillips, 21 April 1942; NAA, Vic: MP742/1, 244/1/213, Statutory Declaration by M.P. Ryan, 20 August 1942.

¹²¹ NBAC/ANU: NAWU, E170A, 1/1, series of letters from road workers to Jack McPhillips, May 1942.

¹²² NBAC/ANU: NAWU, E170A, 1/1, letter, Mick Ryan to Jack McPhillips, 26 April 1942; NAA, ACT: A5954/69, 1979/149, [Publication] *Report on the Activities of the Allied Works Council for the period Feb 26, 1942 to June 30, 1943*.

¹²³ NBAC/ANU: NAWU, E170A, 1/1, letter, Yorkey Walker to Jack McPhillips, 21 March 1942; letter, Jack McPhillips to E.J. Ward, Minister for Labour and National Service, 10 April 1942; letter, Mick Ryan to Minister for Army, F.M. Forde, 13 April 1942.

least one general meeting of the remnants of the union in Tennant Creek. According to Ryan, 30 people attended including the veteran Owen Rowe.¹²⁴

One of Ryan's main motivations for maintaining the union was his fear, which was later vindicated, that once the NAWU ceased to function, the AWU would move into the Territory. For the same reason he felt it was imperative the *Standard* was relaunched.¹²⁵ But the revival of the *Standard* became impossible when the Army confiscated some of the paper's printing equipment.¹²⁶

McPhillips urged his Darwin colleagues not to be too hasty in judging Ryan and urged unity.¹²⁷ Walker responded by arguing that there will be no unity while Ryan continues to be secretary and, along with Antony, he (temporarily) resigned from the executive.¹²⁸ McPhillips replied that it worried him that such 'capable' unionists were resigning when they were most needed.¹²⁹

In late June, Ryan shifted operations to Alice Springs where he found life even more difficult in a town dominated by ex-Darwin civil servants and military intelligence officers.¹³⁰ In the late evening of 2 August 1942, Ryan was arrested at gunpoint by a military policeman for refusing an order to leave the Territory. The order made no specific charges, but the commander of the military forces later blamed Ryan for a number of industrial disputes in the area. In particular he referred to a 'sit down' strike of road workers north of Alice Springs and a demonstration and threatened strike by soldiers on 26 July demanding recreational leave. The commander admitted that he could not prove Ryan's involvement but it was enough that Ryan was an active communist to prove his undesirable status. The day after his arrest, Ryan, accompanied by two local policemen, was placed on a train and expelled from the Territory.¹³¹

¹²⁴ NAA, Vic: MP742/1, 244/1/213, letter, M.P. Ryan to E.J. Ward, Minister for Labour and National Service, 19 April 1942; NBAC/ANU: NAWU, E170A, 1/1, letter, Mick Ryan to Jack McPhillips, 18 May 1942.

¹²⁵ NBAC/ANU: NAWU, E170A, 1/1, letter, Mick Ryan to Jack McPhillips, no date; letter, Mick Ryan to Jack Davis and Yorky Peel, 23 April 1942.

¹²⁶ NAA, Vic: MP742/1, 244/1/213, letter, M.P. Ryan to E.J. Ward, Minister for Labour and National Service, 12 May 1942.

¹²⁷ NBAC/ANU: NAWU, E170A, 1/1, letters, Jack McPhillips to Yorky Walker, 7 March 1942 and Bob Antony, 7 May 1942.

¹²⁸ NBAC/ANU: NAWU, E170A, 1/1, letter, Mick Ryan to Jack McPhillips, 11 May 1942; letter, Yorky Walker to Jack McPhillips, 14 June 1942.

¹²⁹ NBAC/ANU: NAWU, E170A, 1/1, letter, Jack McPhillips to Yorky Walker, 25 June 1942.

¹³⁰ NBAC/ANU: NAWU, E170A, 1/1, letter, Mick Ryan to Jack McPhillips, 19 July 1942.

¹³¹ NAA, Vic: MP742/1, 244/1/213, Statutory Declaration by M.P. Ryan, 20 August 1942; memorandum, HQ, NT Force 'Evaluation of M.P. Ryan' 16 August 1942.

Ryan proceeded to Melbourne and then Sydney to mobilise support from southern unions to force the government to reverse his expulsion order. The unions that supported Ryan considered the military's actions a 'serious interference' in the rights of unions to operate.¹³² In response to the pressure from southern unions, the Minister for the Army, F.M. Forde, refused to overturn Ryan's expulsion, but gave permission for the NAWU to send a new representative to the Territory.¹³³ Ryan remained nominal secretary till he resigned in the second half of 1943. He returned to NSW and remained active in the Communist Party. He eventually moved to the Newcastle area in NSW and obtained employment as a tally-clerk on the wharf.¹³⁴

The man chosen as Ryan's replacement was the former organiser Ernest Williams. Soon after his appointment in the early months of 1943, Williams, who had been working on the railway, made his way to Alice Springs to begin his assignment.¹³⁵

Unlike Ryan, Williams was relatively free to move around the Territory, much to the annoyance of Abbott, who considered the new secretary a 'trouble maker' and directed police officers to monitor his activities.¹³⁶ Contrary to Abbott's view, Williams was never comfortable in his new job and lacked the enthusiasm required to inspire the revival of the NAWU. It was not a case of not trying as he visited many work camps from Alice Springs to Darwin where he addressed the workers on plans for the union, encouraged the election of delegates and left books of membership tickets. However, it appears that Williams did not do any follow-up work and by late July he was not able to tell McPhillips how many workers had joined the union.¹³⁷ Some time later a delegate from a Darwin job site told Yorky Walker that he had sold some of the tickets but with no union activity evident, he returned the money to the workers.¹³⁸ In September, McPhillips, who had been appointed acting treasurer, stated that very little income had been raised by the union since the first raid.¹³⁹ To be fair to Williams, he was in a very difficult situation as the Territory was still under military control, the war was still on and the Japanese were still occasionally bombing Darwin. Most of the new workers in the Territory were from the south and were only planning to stay in the region for a short time. Those with union consciousness tended to

¹³² NAA, Vic: MP742/1, 244/1/213, notes of deputation that waited on the Minister for the Army in Sydney on 7 September 1942.

¹³³ *Tribune*, 2 December 1942.

¹³⁴ NAA, ACT: A6119/79, 723, Michael Patrick Ryan, Volume 2.

¹³⁵ NAA, Vic: MP742/1, 244/1/213, telegram, Crofts, ACTU Secretary to Minister For Army, Forde, 3 February 1943; NBAC/ANU: NAWU, E170A, 1/2, letter, E. Williams to Jack McPhillips, 13 April 1943.

¹³⁶ NAA, NT: F1, 1943/81, letter, C.L.A. Abbott to Secretary, Department of Interior, 16 May 1943.

¹³⁷ NBAC/ANU: NAWU, E170A, 1/2, letter, E. Williams to Jack McPhillips, 26 July 1943.

¹³⁸ NBAC/ANU: NAWU, E170A, 1/2, letter, Yorky Walker to Jack McPhillips, 25 November 1943.

¹³⁹ NBAC/ANU: NAWU, E170A, 1/2, letter, Jack McPhillips to Bob Antony, 15 September 1943.

maintain their allegiance to southern unions and it was difficult to convince them to join a virtually non-existent NAWU.¹⁴⁰

By the time Williams had arrived in the Territory, the civilian workforce had increased markedly from the period after the blitz. From April 1942, thousands of workers from southern states were enrolled in the Civil Constructional Corps (CCC) to overcome labour shortages in the Territory. Under semi-military conditions, these workers repaired and sealed roads, built aerodromes, repaired the wharf and built other defence projects such as Darwin's underground oil storage tunnels.¹⁴¹ The man in charge of the CCC was the former AWA leader, Ted Theodore. From 5 March 1943, a specific award covered CCC workers and union membership was tolerated, although Theodore argued that the workers were more like soldiers than civilians and could only serve one master. For Territory workers, the CCC award only affected conditions and did not alter their wages.¹⁴² On average, a CCC worker stayed in the Territory for nine months before they received any leave and as a result they often showed little interest in the NAWU and its future.¹⁴³ The conditions in the CCC camps were a substantial improvement on what road workers had experienced in the past, with proper beds, mosquito proof tents and large fly-proof mess huts with adequate tables and seating.¹⁴⁴ The camps also had entertainment in the form of picture shows and on weekends, groups of men could lease a 'Liberty Truck' and get away for the day.¹⁴⁵

During Williams' time, there was a dispute involving CCC road workers at Katherine in July 1943 over the suspension of a medical orderly. Williams reported to McPhillips that hundreds of workers had signed a petition seeking the man's reinstatement but eventually they accepted his transfer to another section.¹⁴⁶

Williams also had to contend with former NAWU president, Bob Murray, who had set up a branch of the Australian Federal Union of Locomotive Enginemen to cover the train drivers

¹⁴⁰ NBAC/ANU: NAWU, E170A, 1/2, letter, E. Williams to Jack McPhillips, 21 June 1943.

¹⁴¹ For a sympathetic account of life for these civilian workers during the war, see Powell, *Shadow's Edge*, pp. 231-238.

¹⁴² NBAC/ANU: NAWU, E170A, 1/2, letter, Jack McPhillips to Yorkey Walker, 1 November 1943; NAA, ACT: A5954/69, 158/3, Allied Works Council – Arrests of Union Officials – April/May 1943; A5954/69, 742/8, *Report on the Activities of the Allied Works Council, 1943-1946*.

¹⁴³ NAA, ACT: A5954/69, 1979/149, [Publication] *Report on the Activities of the Allied Works Council for the period Feb 26, 1942 to June 30, 1943*; NAA, Darwin: F1, 1943/81, letter, Constable G. Murray to Superintendent of Police Alice Springs, 26 July 1943; NBAC/ANU: NAWU, E170A, 1/2, letter, Yorkey Walker to Jack McPhillips, 15 October 1943.

¹⁴⁴ NAA, ACT: A5954/69, 1979/149, [Publication] *Report on the Activities of the Allied Works Council for the period Feb 26, 1942 to June 30, 1943*.

¹⁴⁵ See Roland Robinson, *The Drift of Things: An Autobiography 1914-1952*, Macmillan, South Melbourne, 1973, pp. 268-269. Robinson was a writer who spent time in the Territory during the war and worked for the CCC. Also see letter, H.F. Butler to Jack McPhillips and Ernie Williams, 20 September 1943.

¹⁴⁶ NBAC/ANU: NAWU, E170A, 1/2, letter, E. Williams to Jack McPhillips, 26 July 1943.

on the railway.¹⁴⁷ The CCC did not control the railway, but the workforce had substantially increased as southern railway workers and members of the army were transferred to its staff.¹⁴⁸

In the end it all got too much for Williams and in August 1943 he wired his resignation to McPhillips. McPhillips castigated Williams for his 'cowardice' and 'irresponsible' behaviour.¹⁴⁹ The former secretary's reaction was harsh but it must be remembered that he was also a senior official in one of Australia's largest unions and must have occasionally become a little tired and frustrated at having the added burden of the NAWU to deal with.

Bob Antony still showed little enthusiasm for reviving the union until after the war. Like most rail workers, it was hard enough keeping up with the demands of working long hours running trains mostly at night, as well as take on the job of rebuilding a union. Nevertheless, there were some signs of revival with the formation, after a visit from Williams, of an enthusiastic union committee at Katherine led by Bert Butler.¹⁵⁰ Butler, a fettle, had been in the Territory since 1938 and was incorrectly listed in military intelligence reports as a Communist Party member, although he did occasionally correspond with the party newspaper, *Tribune*.¹⁵¹ It was Butler who first approached Yorcky Walker, a man with 'the union at heart', to take on the job of secretary but before this could eventuate, Walker had to be released from the CCC and his job at the Darwin powerhouse.¹⁵²

Yorcky Walker

In October, McPhillips, after discussions with the Communist Party leadership and southern building unions with members in the Territory, made a number of proposals to revive the NAWU. In short, he called for those members of the pre-bombing executive still available to appoint Walker as secretary and for Walker to act as an agent for the southern building unions. A percentage of all non-NAWU dues collected would then be used to fund two full-time positions – a secretary and an organiser. McPhillips also proposed the introduction of

¹⁴⁷ NBAC/ANU: NAWU, E170A, 1/2, letter, E. Williams to Jack McPhillips, 21 June 1943.

¹⁴⁸ See Powell, *Shadow's Edge*, p. 234.

¹⁴⁹ NBAC/ANU: NAWU, E170A, 1/2, telegrams between E. Williams and Jack McPhillips, 12 August 1943.

¹⁵⁰ NBAC/ANU: NAWU, E170A, 1/2, letter, Bob Antony to Jack McPhillips, 22 September 1943.

¹⁵¹ *NS*, 17 September 1940; NAA, ACT: A6122/39, 1401, military intelligence report, 15 January 1944.

¹⁵² NBAC/ANU: NAWU, E170A, 1/2, letter, Bert Butler to Jack McPhillips, 20 September 1943; letter, Yorcky Walker to Jack McPhillips, 1 October 1943.

quarterly membership tickets to overcome the problem of workers not wanting to join the NAWU because they were only in the Territory for a short time.¹⁵³

As noted in the introduction, McPhillips considered Walker ‘a good type of person ... has quite good politics ... he is very close to the party and would have been admitted as a member ... except for his very heavy drinking’.¹⁵⁴ In a series of letters to McPhillips, Walker, while somewhat dismissive of his own abilities, stated his willingness to take on the job. Walker was also keen to impress upon McPhillips that his reputation as a heavy drinker was a ‘fable fostered by myself’.¹⁵⁵

In the meantime, Walker proceeded to make his way around the 11 CCC camps in the Darwin area, which provided accommodation for thousands of workers. By the time Walker arrived, the unionists at these camps had already started to coordinate their activities through a cross-camp delegates committee, called the Central Committee. Walker described the leaders of the Central Committee as ‘well meaning’ but inexperienced. The most common complaint among CCC workers at the time were the delays in gaining recreation leave. In October there were a series of strikes among the CCC workers in Darwin over the difficulty of getting leave for medical reasons.¹⁵⁶ Murray Norris, a future NAWU secretary, recalls that these strikes ‘made a good impression on the workers, men who had came (sic) from every state in Australia and had not known much about the N.A.W.U. now started to become members’.¹⁵⁷

Despite his enthusiasm for the job, Walker was restricted by his inability to move from Darwin and the future of the union depended on his release from the CCC. The situation became even more urgent when McPhillips and Walker discovered that the AWU had sent an organiser to the Territory.¹⁵⁸ According to McPhillips, the AWU organiser, F.C. Scholl, had been sent by the powerful and vehemently anti-communist Secretary of the Queensland Branch of the AWU, Clarrie Fallon. Scholl had cut his teeth battling the influence of the Communist Party when he was an AWU organiser on the North Queensland sugar fields in

¹⁵³ NBAC/ANU: NAWU, E170A, 1/2, Statement of North Australian Workers Union, authored by Jack McPhillips, with no date attached but written October 1943; letter, Jack McPhillips to Yorkey Walker, 1 November 1943.

¹⁵⁴ NTAS: NAWU Deposit, PAC 34, Box 32, Jack McPhillips, ‘Union Organisation in Northern Territory’.

¹⁵⁵ NBAC/ANU: NAWU, E170A, 1/2, letters, Yorkey Walker to Jack McPhillips, 1, 15 October, 3, 24 December 1943.

¹⁵⁶ NBAC/ANU: NAWU, E170A, 1/2, letter, Yorkey Walker to Jack McPhillips, 23 October 1943.

¹⁵⁷ NTAS: Pac 34, Box 32, Murray Norris, ‘Some of the History of the Rebuilding of the N.A.W.U. 1942-1951’, unpublished manuscript.

¹⁵⁸ NBAC/ANU: NAWU, E170A, 1/2, letter, Jack McPhillips to Yorkey Walker, 9 November 1943.

the mid-1930s.¹⁵⁹ It is curious that at the same time that Walker's application for release from the CCC was rejected, Scholl was allowed into the Territory with unrestricted access to CCC camps.¹⁶⁰ Walker felt Scholl and the AWU had the backing of the Minister for Interior, Senator Joseph Collings. According to Walker, Collings argued that he was capable of looking after Territory awards without any assistance from the NAWU.¹⁶¹ Nevertheless, Walker was able to report to McPhillips that the Central Committee of delegates had met in December, had accepted the NAWU as the union for CCC workers and had called for Walker's release.¹⁶²

Even though the Minister for the Army granted Walker the same freedom of movement as Williams, the managers of the CCC continually put obstacles in the way of the union's revival. Not only was Walker's release refused but also various 'undesirables' (usually the most active unionists) were often transferred out of the Territory or to remote areas such as Alice Springs.¹⁶³ Management's tactics were weakened when in early 1944 a strong branch of the NAWU with 100 members was formed at Alice Springs.¹⁶⁴

Walker's activities were limited to Darwin and the settlements on the rail line south to Katherine. Walker's plan was not to set up local NAWU committees but to incorporate all unions into job committees to encourage coordination and, more importantly, to try and stop the formation of other unions.¹⁶⁵ He had the use of the union's Dodge truck, which Williams had been able to get back off the army, but he could only get away on days off work. Car transport was much easier now that the main road south had been sealed but the state of the union truck left a little to be desired. It was missing a roof, windscreen, headlamp and door as a result of a rollover.¹⁶⁶ Walker also had access to a typewriter and duplicator, which he used to print a small newsletter for the camps written in the sarcastic and irreverent style he

¹⁵⁹ Mark Hearn & Harry Knowles, *One Big Union: A History of the Australian Workers Union, 1886-1994*, Cambridge University Press, Cambridge, 1996, p. 186; Kay Saunders, 'Red Baiting is an AWU Habit': Surveillance and Prosecution of Communists in Queensland during World War II' in *Journal of the Royal Australian Historical Society*, vol. 74, no. 3, December 1988, pp. 213-231; NBAC/ANU: NAWU, E170A, 1/2, letter, Jack McPhillips to Yorkey Walker, 9 November 1943; *NS*, 6 September 1935.

¹⁶⁰ NBAC/ANU: NAWU, E170A, 1/2, letter, G. De Lisle, Deputy Director of Personnel, Allied Works Council, NT to Yorkey Walker, 17 November 1943; letter, Jack McPhillips to Albert Monk, ACTU, 31 December 1943.

¹⁶¹ NBAC/ANU: NAWU, E170A, 1/2, letter, Yorkey Walker to Jack McPhillips, 24 December 1943; *NS*, 6 December 1946.

¹⁶² NBAC/ANU: NAWU, E170A, 1/2, letter, Jack McPhillips to Yorkey Walker, 16 December 1943.

¹⁶³ NBAC/ANU: NAWU, E170A, 1/3, letter, Bob Antony to Jack McPhillips, 5 January 1944; letters, Yorkey Walker to Jack McPhillips, 3 April, 2 July 1944; 'The Voice Of The Exiles', undated union newsletter by Yorkey Walker; NTAS: Pac 34, Box 32, Murray Norris, 'Some of the History of the Rebuilding of the N.A.W.U. 1942-1951', unpublished manuscript.

¹⁶⁴ NBAC/ANU: NAWU, E170A, 1/3, letter, J.C. Arrowsmith, Secretary, Alice Springs Workers Area Committee to Mr Justice O'Mara, 26 February 1944; Circular, Albert Monk, ACTU Secretary, 23 May 1944.

¹⁶⁵ NBAC/ANU: NAWU, E170A, 1/3, letters, Yorkey Walker to Jack McPhillips, 20 February, 3 April 1944.

¹⁶⁶ NBAC/ANU: NAWU, E170A, 1/3, letters, Yorkey Walker to Jack McPhillips, 8 March, 3 May 1944.

had developed while writing for the *Standard* before the war.¹⁶⁷ In one of his newsletters he referred to an event 25 years earlier when he wrote ‘I remember hearing about the Darwin residents once taking an Administrator down to the wharf and putting him on a boat, what puzzles me, is why do it when there is a boat at the wharf?’¹⁶⁸ It was a style McPhillips did not approve of now that Walker had to act with the ‘dignity and authority’ of a union secretary. But Walker defended his style, arguing that it seemed to get the message across.¹⁶⁹

Walker received one week’s leave in April 1944. The Secretary of the ACTU, Albert Monk, asked Walker to join him on an inspection of CCC camps with Judge O’Mara from the Arbitration Court. By then, Monk was convinced that the NAWU, an ACTU affiliate, was more representative of the CCC workers than Scholl’s AWU.¹⁷⁰ The purpose of the Judge’s visit was to examine a claim by CCC administrators to pay Territory workers the same as their southern counterparts. As stated above, the CCC award only applied to working conditions in the Territory, not wages. When O’Mara delivered his judgement in March 1945, he refused the application.¹⁷¹

Walker found O’Mara and Monk’s visit useful, describing the Judge as ‘a bit our way’ and the ACTU leader as cooperative.¹⁷² Monk also met with Scholl and ascertained that the AWU only had standing at the Nightcliff CCC camp. The Nightcliff camp, located 10 kilometres north of Darwin town, accommodated approximately 300 Western Australian hard rock miners building the underground oil storage tanks in the cliffs overlooking Darwin harbour.¹⁷³

By mid-1944, Walker and his fellow union representatives could claim some success in rebuilding the NAWU when the membership reached 699, although this was still too small for the energetic secretary.¹⁷⁴ The biggest obstacle remained Walker’s inability to devote himself full time to the task. Meanwhile, the CCC administrators were no longer prepared to turn a blind eye to his unexplained absences from work and were preparing to prosecute him and shift him to a remote location.¹⁷⁵ Walker had different plans and in early September he issued a circular announcing his resignation from the CCC and stating that ‘if I can’t work

¹⁶⁷ NBAC/ANU: NAWU, E170A, 1/3, letter, Yorkey Walker to Jack McPhillips, 11 June 1944.

¹⁶⁸ NBAC/ANU: NAWU, E170A, 1/3, ‘Territory Topics’, undated union newsletter by Yorkey Walker.

¹⁶⁹ NBAC/ANU: NAWU, E170A, 1/3, letters, Yorkey Walker and Jack McPhillips, 22 June, 2 July 1944.

¹⁷⁰ NBAC/ANU: NAWU, E170A, 1/3, letter, Yorkey Walker to Jack McPhillips, 28 April 1944.

¹⁷¹ ‘Territory Topics’, undated and 10 August 1945, provided to author by Alan Walker (Yorkey Walker’s son).

¹⁷² NBAC/ANU: NAWU, E170A, 1/3, letters, Yorkey Walker to Jack McPhillips, 28 April, 11 May 1944.

¹⁷³ NBAC/ANU: NAWU, E170A, 1/3, Circular, Albert Monk, ACTU Secretary, 23 May 1944; letters, Yorkey Walker to Jack McPhillips, 24 February 1944.

¹⁷⁴ NBAC/ANU: NAWU, E170A, 1/3, letter, Yorkey Walker to Jack McPhillips, 3 August 1944; ‘The Voice Of The Exiles’, undated union newsletter by Yorkey Walker.

¹⁷⁵ NBAC/ANU: NAWU, E170A, 1/3, letter, Yorkey Walker to Jack McPhillips, 26 August 1944.

for the workers I refuse to work for Senator Collings'.¹⁷⁶ McPhillips thought Walker's action precipitous and 'ill-advised' as it gave the CCC administrators the excuse to expel him from the Territory altogether.¹⁷⁷

On 18 September 1944, all work on the railway and in the CCC camps stopped over the issue of the 'right to organize' and for Walker's release from the CCC. In a letter to McPhillips, Walker wrote that 'I shudder to think how close our stoppage on Monday was a disaster ... at least the event has stirred up a bit of interest, and improved the outlook of those men who can be interested in something besides overtime'.¹⁷⁸

Walker's resignation from the CCC proved to be timely and combined with the efforts of McPhillips and Monk lobbying the Federal Cabinet, Collings relented and agreed to release Walker and recognise the NAWU.¹⁷⁹ It was a major victory for Walker and more importantly an important step in the recovery of the NAWU. But many obstacles still remained in the union's path including obstinate bureaucrats and military officials who did not welcome unionists questioning their decisions.

Within days of Walker's release, the railway workers were out on strike after the NAWU Section Secretary was dismissed for allegedly making disrespectful comments about the local manager. For a relatively minor issue, the situation was inflamed by the Army's decision to cut off supplies of fresh food to the workers and to allow trains to be driven by management. Work resumed after seven days on the advice of Walker, pending an arbitration hearing into the dismissal. According to Walker, the strike was 'deliberately engineered as a trial of the strength of the N.A.W.U'. When the case came before Commissioner Middlemiss in late November, he decided the dismissal notice should be withdrawn. For Walker and every other secretary that had preceded him, such disputes were a perfect example of why local arbitration was needed. Walker regarded local arbitration as the 'burning question' as 'It would mean that a lot of petty differences which arise from time to time could be settled promptly, instead of as at present forming bones of contention until they tend to lead to major disputes'.¹⁸⁰

¹⁷⁶ NBAC/ANU: NAWU, E170A, 1/3, 'To Whom It May Concern', undated union newsletter by Yorkey Walker.

¹⁷⁷ NBAC/ANU: NAWU, E170A, 1/3, letter, Jack McPhillips to Yorkey Walker, 6 September 1944.

¹⁷⁸ NBAC/ANU: NAWU, E170A, 1/3, letter, Yorkey Walker to A.E. Monk, Secretary of ACTU, 18 September 1944; letter, Yorkey Walker to Jack McPhillips, 20 September 1944.

¹⁷⁹ NBAC/ANU: NAWU, E170A, 1/3, letter, Jack McPhillips to Yorkey Walker, 23 September 1944.

¹⁸⁰ NAA, ACT: A659/1, 1944/1/3299, Threatened Stoppages of Work. 2. Legal Representations in Prosecutions of Railway Employees; NBAC/ANU: NAWU, E170A, 1/3, letter, Yorkey Walker to Jack McPhillips, 13 December 1944; 'Territory Topics', undated newsletter by Yorkey Walker provided to author by Alan Walker.

Evidence of union activity from late 1944 till the end of the war in August 1945 is scant and consists mainly of a few surviving copies of Walker's newsletter. It appears a considerable amount of Walker's time was spent resisting the 'war of attrition' from the CCC administrators trying to vary the award. There were also a number of disputes involving members of the Civil Alien Corps (CAC) which were supported financially by members of the NAWU.¹⁸¹

The CAC had been formed in May 1943 and consisted mostly of Italian labour gangs working for less than award wages. In May 1944, the Alice Springs section of the NAWU wrote to McPhillips, the government and the ACTU, complaining of the discriminatory practices of denying CAC workers leave to visit their families.¹⁸² The next month the Central Committee of CCC delegates passed a resolution banning any work alongside CAC workers until such workers were paid award wages.¹⁸³ McPhillips did not agree with this course, arguing that it was important to avoid looking as though the trade union movement was attacking the CAC workers, many of whom were former trade unionists.¹⁸⁴

On a Sunday evening, 23 September 1945, the union held its first meeting in its own building since the air raid of February 1942. The building had survived the raid and Army looting,¹⁸⁵ but had not been reconnected to power or cleared by the authorities for civilian use. Walker considered the presence of an enthusiastic group of unionists sitting on the floor, with the only illumination coming from a truck's headlights parked outside, 'symbolic of our Union's determination to get down to business' and restore democracy to the Territory.

The Territory's One Big Union had survived its biggest test thanks to the efforts of Walker and the other union delegates. But it is also important to remember the support the union received from McPhillips and other southern supporters in the labour movement. It may appear that the union was starting out again with nothing but it still had legal standing with the Arbitration Court. The NAWU was still the main party to nearly every award in the Territory and if any other union wanted to move into the region, it first had to deal with that fact. Whereas in the past most southern unions had shown little interest in the Territory, this was about to change with the post-war increase in population. The NAWU was about to find itself under siege. There was also a political element to this challenge as the Cold War against Communist influence in the union movement was already underway and the NAWU leaders were high on the list of targets.

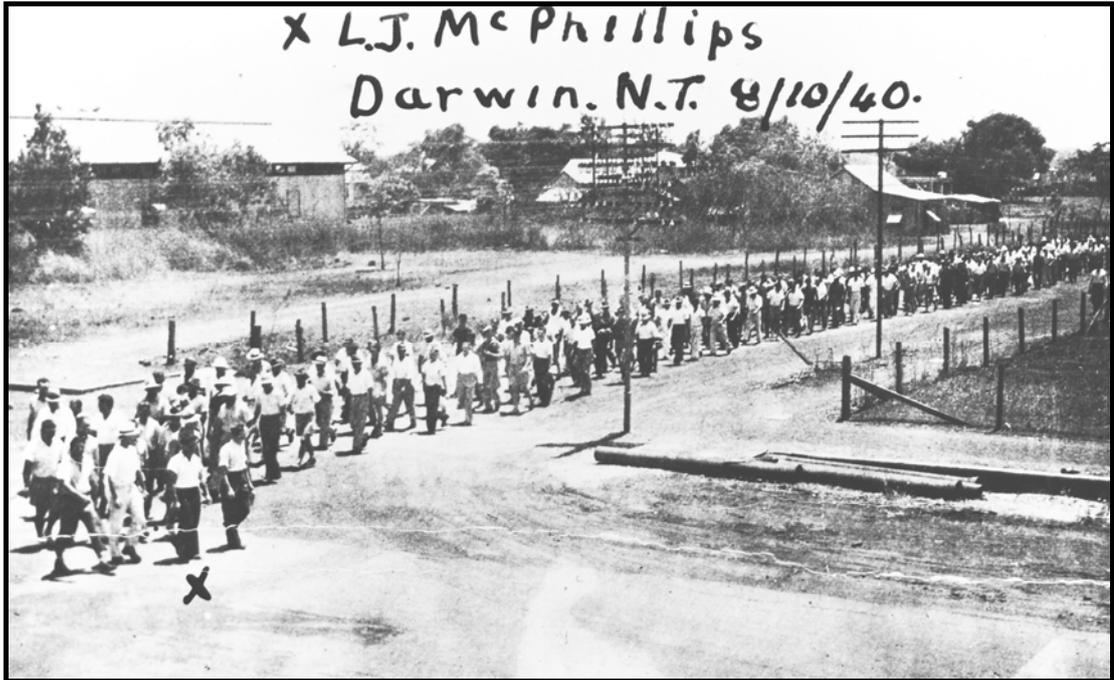
¹⁸¹ 'Territory Topics', 10 August 1945.

¹⁸² NBAC/ANU: NAWU, E170A, 1/3, letter, A.J. McCabe, Secretary NAWU, Alice Springs to Jack McPhillips, 29 May 1944.

¹⁸³ NBAC/ANU: NAWU, E170A, 1/3, letter, Yorkey Walker to Jack McPhillips, 14 June 1944.

¹⁸⁴ NBAC/ANU: NAWU, E170A, 1/3, letter, Jack McPhillips to Yorkey Walker, 22 June 1944.

¹⁸⁵ See Powell, *Shadow's Edge*, p. 88, 239 for details of Army looting.



An intelligence officer took these photos as Darwin unionists marched towards the offices of the Contractors Association after a number of workers were sacked for attending a strike meeting during the *Arkaba* dispute. NAA, ACT: A467/1, Bun 89, SF 42/115.



Yorky Walker (front, smoking, Secretary, NAWU (1944-1947) and others outside the Workers' Club, which was established in 1946. NTAS, Pac 34, Box 32, Records of the North Australian Workers' Union.

Chapter Eight

*'Is there any solution to control of the Union ... ?'*¹

1945-1952

'There is plenty of evidence that Darwin today is Russia's only Australian colony. The N.A.W.U. runs almost everything, including the local paper, and the Communist Party runs the N.A.W.U. A nice front-door setup for Australia.' – 'The Union That Rules Darwin For Uncle Joe' in *News Weekly*, Newspaper of the Catholic Social Studies Movement, 12 May 1948.

Soon after Yorcky Walker was released from the CCC, he issued an edition of *Territory Topics* in which he posed the question 'Where do we go from here?'. Apart from strengthening the NAWU and relaunching the *Standard* as a 'voice of progress', he spoke of the coming 'New Order' of democracy and economic development for the Territory.² Walker reflected the opinion of many of his trade union contemporaries that the sacrifices of the war should lead to an improvement in the standard of living for Australian workers. This view was also reflected in the new program of the Communist Party, encapsulated in the slogan 'Jobs, Freedom, Progress'.³ The influence of the Communist Party in Australian unions in the immediate post-war years was considerable and the Territory was no exception. Yorcky Walker was described by the security forces as the 'leader of the communists in Darwin', even though it is unclear whether he ever joined the party.⁴ It is, nevertheless, the case that all secretaries of the NAWU from the end of 1947 until late 1951 were members of the party and the union accordingly followed similar policies to other Communist-led unions. The party grew in size and influence in Australia because of its wartime moderation, restrained sectarianism and the renewed prestige of the Soviet Union after its victory over

¹ National Archives of Australia (NAA), NT: F520, NN(2), typed comments headed 'Industrial Troubles' in Administrator's Correspondence file re: February 1947 decision of Darwin waterside workers to work 40-hour week.

² 'Territory Topics', undated newsletter by Yorcky Walker. Provided to author by Alan Walker.

³ Ian Turner, *In Union Is Strength: A History of Trade Unions in Australia, 1788-1974*, Thomas Nelson, Melbourne, 1946, p. 98.

⁴ NAA, ACT: A6119/83, 1599, security report on Yorcky Walker, 17 October 1946.

fascism.⁵ During the war and immediately after, leading activists in the party, such as Frank Hardy and Paul Mortier found themselves in the Territory, often as a result of time spent in the army.⁶ In the post-war years, the knowledge of the Territory gained by these members was often reflected in the pages of the party's press.⁷ In many ways, the Territory's dormant possibilities, its vast tracts of land and underdeveloped resources, provided a metaphor for the potentialities of the New Order.

The fruits of the New Order were slow coming to Australian workers. The continuation of wartime wage pegging and an inability (or unwillingness) of the Commonwealth Arbitration Court to deal swiftly with union claims, led to a period of considerable industrial unrest from 1945-50. Although the unrest was blamed on the Communist Party, such a conclusion ignores the popularity among rank and file unionists for the principal demands of increased wages and shorter hours. The Communist Party's influence grew because it was prepared to lead these popular campaigns.⁸ Many of these strikes were long and bitter and involved violent repression from the state.⁹ In contrast, union claims in the Territory were primarily fought through the channels of the Arbitration Court. Much of the union's post-war activity involved updating Territory awards in time for the transfer of workers from the CCC award to existing awards, some of which, like the pastoral award, had not been adjusted since 1928.¹⁰ The NAWU also supported national union campaigns for increased wages and shorter hours and continued to assert its long running demand for local arbitration. There were a number of strikes, but none with the intensity and bitterness of those in the south. This chapter examines some of these local disputes and the events leading up to the defeat the left wing leadership in 1952. With a leadership so closely identified with the Communist Party, the NAWU could not escape the post-war conservative backlash against party influence in the Australian union movement.

⁵ Alistair Davidson, *The Communist Party of Australia: A Short History*, Hoover Institute Press, Stanford University, 1969, pp. 92-98.

⁶ Frank Hardy, the author of *Power Without Glory*, and Paul Mortier, a *Tribune* journalist, were both stationed in the NT during the war. Mortier was the Darwin Communist Party Secretary in the immediate post-war years and was the man on whom Hardy based his character Paul Morel in his 1970s novel *But The Dead Are Many*.

⁷ See *Tribune*, 27 June, 2 October 1945, 28 January 1946.

⁸ Turner, *In Union is Strength*, p. 101; Douglas Blackmur, 'The Meat Industry Strike of 1946' in D.J. Murphy (ed), *The Big Strikes: Queensland 1889-1965*, University of Queensland Press, St Lucia, 1983, pp. 230-231; Tom Sheridan, *Mindful Militants: The Amalgamated Engineering Union in Australia, 1920-72*, Cambridge University Press, Cambridge, 1975, p. 167.

⁹ During the Queensland railway strike (February-April 1948), Fred Patterson, the first and only open Communist Party candidate ever elected to a State or Federal Parliament, was hit over the head by a police baton during a protest march and hospitalised (Douglas Blackmur, 'The Railway Strike, 1948' in Murphy (ed) *The Big Strikes*, pp. 235-252). On hearing the news of the attack Darwin and Alice Springs workers stopped work for 24 hours (*Northern Standard (NS)*, 19 March 1948).

¹⁰ *NS*, 21 June 1946.

Despite the end of the war, military control of Darwin continued until the end of 1946 during which time the government discussed plans for the reconstruction of Darwin.¹¹ The harbour was littered with the burnt-out remains of ships, the old wharf still had a gaping hole in its centre and most of the town's buildings had either been destroyed by bombs or looting. Returning civilians often found that if their former homes were still habitable, they were often occupied by the military. So apart from demands for wage restitution and shorter hours, Darwin workers were often battling for more basic issues like housing. The only difference from pre-war years was that instead of tents and humpies, workers and their families were now living in old army and CCC camps.¹² In the first four years following the end of the war, only 38 new homes were built in the Territory.¹³

Darwin remained a place for transients. One veteran unionist, Arthur Wright, recalled 'It was a floating population' that made it difficult to 'organise big union membership'.¹⁴ Most of the civilian workforce was still controlled by the CCC and civilian waterside workers were only allowed back onto the wharf in February 1946.¹⁵

Walker argued that the main priority of the union in the immediate post-war period was 'organization and consolidation' and the removal of wartime regulations. He felt a campaign for better conditions should wait until the start of reconstruction work. One major step taken was the appointment, for the first time in the union's history, of two organisers. Murray Norris, former CCC grader driver on the Mount Isa-Tennant Creek road and an occasional drover, was appointed organiser for Central Australia. Jimmy Williams (no relation to Ernie), a waterside worker who had also worked in the CCC, was appointed Top End organiser.¹⁶ Williams lasted for about eight months until replaced by Waterside Section Secretary, Frank Whiteoak. Whiteoak is remembered by veteran unionists riding from job to job on his pushbike.¹⁷

¹¹ Alan Powell, *The Shadow's Edge: Australia's Northern War*, Melbourne University Press, Carlton, 1988, p. 239.

¹² *NS*, 18 October, 13 December 1946.

¹³ *Report on the Administration of the Northern Territory, 1948-49*.

¹⁴ Northern Territory Archives Service (NTAS): NTRS 226. TS 142, transcript of interview with Arthur Wright.

¹⁵ During the war a new temporary timber wharf had been built opposite the old wharf at Fort Hill on the southwest tip of the Darwin peninsula.

¹⁶ NAWU circulars, 3 November, 28 December 1945. Supplied to author by Alan Walker. Williams had been on NAWU executive in 1933 (*NS*, 1 September 1933).

¹⁷ *NS*, 12 July 1946, 16 May 1952; notes from author's discussion with Bill Donnelly, 13 June 1997. A photo of Whiteoak and his pushbike is displayed in the meeting room at the Northern Territory Trades and Labor Council in Darwin.

Murray Norris came with good references. When Walker first met him in 1944, he felt Norris had the potential to be the ‘best organizer this Territory ever had’.¹⁸ He was a tall 35-year-old South Australian, with a thin face, medium build and a tendency to ‘Always have a cigarette holder in [his] mouth’. Like Walker, he had been a central figure in the Central Committee of CCC camp delegates during 1944 and according to his security file he was also the Secretary of the Darwin Communist Party.¹⁹

In his recollections, Norris noted there were a number of ‘settling down strikes’ which he considered important in the process of union re-building, including the ‘great beer strike’, which more correctly should be titled the ‘fifth great beer strike’. As in 1941, workers organised a six-week boycott of local liquor merchants until the price of a bottle of beer was reduced by 6d to the pre-war price of 2s. Picket lines were placed around the main suppliers and according to both Norris and the *Standard*, workers showed considerable ‘self denial’ by abstaining from the popular beverage.²⁰ Stories of workers smashing beer bottles that had been placed in long grass near the union office in an effort to tempt wavering boycotters, and of waterside workers refusing to take the odd ‘loose’ bottle away from damaged cargo, cannot be confirmed. Unlike the 1927 boycott, the treatment of those who broke the boycott was not reported in the *Standard*, but Bill Ivinson, a teenager at the time, remembers workers going down to Adelaide River to sustain their habit.²¹ Nevertheless, the boycott must have remained mostly intact because the bans were eventually lifted after some reduction was obtained in the price of beer and spirits.

While the beer strike was in full swing, the first issue of the *Standard* in four years was published. It proudly declared that its policy was to ‘present news favourable to the workers and “small men” in the strongest possible light, and to play down any news (if there is any) favourable to the “big men”’.²² The revival of the *Standard* was made possible when the union purchased its old printing plant back from the Army.²³

Apart from the revival of the *Standard*, two new institutions also appeared in Darwin in the first year after the war – the Workers’ Club and the Stadium. The idea of a Workers’ Club had been first proposed by Ernie Williams after the 1941 beer boycott. Williams felt such a

¹⁸ Noel Butlin Archives Centre, Australian National University (NBAC/ANU): North Australian Workers’ Union (NAWU), NAWU, E170A, 1/3, letter, Yorky Walker to Jack McPhillips, 3 April 1944.

¹⁹ NAA, ACT: A6119/84, 1831, undated ‘Basic Report’ and security report on Murray Norris, 30 April 1951. Much of what is known about the NAWU from the end of the war until the relaunch of the *Standard* in late May 1946, is contained in an unpublished paper Norris wrote in 1982 for a Sydney academic (NTAS: Pac 34, Box 32, Murray Norris, Some of the History of the N.A.W.U. 1942-1951, unpublished manuscript).

²⁰ *NS*, 14, 16 June 1946.

²¹ NTAS: interview with Bill Ivinson by Cliff Smythe, Darwin 1988.

²² *NS*, 31 May 1946.

²³ *Territory Topics*, 22 April 1946.

club could be a recreation centre as well as an educational and organising centre. Sounding like a morals crusader, Williams argued that a club was needed

Because of the lack of social recreation workers after their laborious toil in the heat take to “the grog” in an effort to overcome the monotony. The purpose of the club would be to divert their energy into other channels, to make the workers of Darwin more healthy in body, keener in mind, and comparatively sober in habit.²⁴

The Club was set up in a large building in Cavenagh Street procured by Yorky Walker from the Navy. A public appeal was made for funds, workers volunteered their labour, and scrap building material was obtained to turn the building into a workers’ mess and licensed club. For many years the Workers’ Club was the centre of Darwin’s working class social life and a second home to some.²⁵ It also attracted the attention of the security forces, becoming known as the ‘organising centre’ for the Communist Party. One of its early managers was Paul Mortier.²⁶

One of the first activities of the Social Committee of the new Workers’ Club was the erection of an open air stadium on a vacant block near the club to be used for boxing and concerts as well as union meetings.²⁷ The union leaders realised that to remain strong they needed to foster strong links with the community.

As before the war, the focus of the NAWU went beyond industrial concerns. In March 1946, the union revived the Labor Party and established a Darwin branch of the Northern Territory Development League (NTDL).²⁸ The NTDL had been formed by a number of people in Alice Springs, including Harold Nelson’s son Jock, the left wing solicitor Dick Ward and local business people. The principal aim of the NTDL was self-government for the Territory. Walker was the president of the Darwin branch. In a little over a year, the Territory was granted a modicum of representative government with the formation of a semi-elected Legislative Council.²⁹

The revived Labor Party, however, was denied official recognition by the party’s Federal Executive, no doubt because of the presence of alleged Communists in its ranks. As a result two Labor candidates ran in the 1946 federal elections, one backed by the local branch and

²⁴ *NS*, 4 February 1941.

²⁵ *Territory Topics*, 8 April 1946; NTAS: Pac 34, Box 32, Norris, History of the NAWU, p.7; NTRS 266, TS 171, transcript of interview with Nell Carroll; TS 654, transcript of interview with Curly Nixon; interview with Bill Ivinson by Cliff Smythe, Darwin 1988.

²⁶ *NS*, 9 August 1946; NAA, ACT: A6119/84, 1831, letter, E.T.W. to Attorney General, 1 February 1950.

²⁷ *NS*, 21 June 1946.

²⁸ *Territory Topics*, 14 March 1946.

²⁹ *NS*, 6 July 1946; P.F. Donovan, *At the Other End of Australia: The Commonwealth and the Northern Territory, 1911-1978*, University of Queensland Press, St Lucia, 1984, p. 164.

another nominated by the South Australian branch. Once again, there was a split Labor vote and MacAlister Blain was re-elected. The South Australian-backed candidate was the former NAWU leader Bob Murray, while the NAWU supported Doctor Leigh Wallman from Katherine. The extent of the disaster for Labor supporters was clear when final votes were tallied, revealing that the combined votes of both candidates exceeded Blain's vote.³⁰

The union may have had differences with the federal Labor Party but at no other time in its history was it closer to some of the powerful southern-based unions. These unions were taking advantage of a booming post-war economy to press their claim for a share in the prosperity.³¹ In June 1946, the NAWU voted to levy all members 2s per week to support the 14-week strike of Queensland meatworkers for shorter hours, increased annual leave and sick pay.³² In December, waterside and sorting shed workers supported the Waterside Workers Federation's (WWF) 24-hour strike for paid annual leave.³³ In the same month, the NAWU called on all Territory unions to step up activity in support of the ACTU's demand for a 40-hour week and £1 increase in the basic wage.³⁴

Australian unionists were frustrated by the slowness of the Arbitration Court's handling of their claims, especially the claim for shorter hours, which had been before the Court since October 1945. Responding to increased strike activity and pressure from both the ACTU and the Labor government, the Court granted an interim 7s increase to the basic wage in late 1946. Territory unions, however, were required to make a separate application to the Court before gaining the increase.³⁵ Angered by the delays, the NAWU leadership and delegates proposed a 24-hour stoppage for late December 1946 but when put to the membership, it was voted down in favour of a suggestion to wait for the ACTU to initiate action. It is hard to say, so long after the event, which tactic was more appropriate, but the rejection of the strike option angered the leadership, who declared in the *Standard* that 'those who say they will wait for the A.C.T.U.' were 'saboteurs of progress'.³⁶ Clearly, even at this early stage, there was opposition within the union to the left wing leaders. The decision not to strike was later overturned at a Special General Meeting and on 30 January 1947, a Territory-wide general strike was held to protest Arbitration Court delays. On the same day, the *Standard* reported that 500 workers marched through the streets of Darwin.³⁷

³⁰ *NS*, 31 May, 28 June, 4 October, 8 November 1946. Murray had not directed preferences to Wallman.

³¹ Turner, *In Union is Strength*, p. 98.

³² *NS*, 21 June 1946; Blackman, 'The Meat Industry Strike', p. 219.

³³ *NS*, 6, 13 December 1946.

³⁴ *NS*, 6 December 1946. The £1 and 40-hour demands were adopted at the 1945 Congress of the ACTU (see Jim Hagan, *The History of the A.C.T.U.*, Longman Cheshire, Melbourne, 1981, p. 147).

³⁵ Turner, *In Union is Strength*, p. 100; Hagan, *The History of the A.C.T.U.*, p. 149; *NS*, 20 December 1946.

³⁶ *NS*, 20 December 1946.

³⁷ *NS*, 3, 10, 24 January 1947.

The NAWU campaign to update all local awards was also being frustrated by the delays of the Arbitration Court. By January 1947, the union had filed twelve claims for award variations.³⁸ Compounding the issue was the decision of the Court in March to deny the 7s basic wage increase to Territory workers until a separate investigation into the local cost of living had been held.³⁹ As a result of the delays and a number of unfavourable decisions, the union began to press its claims independently of the Court.

In February 1947, the union organised a conference with Tennant Creek mine owners to try and reach an agreement on wages and conditions. Mining had virtually ceased during the war and there had been few variations made to the award since 1937. The outcome was favourable to the union. Although the employers did not agree to a 40-hour week, they agreed to increase the basic wage to £7 10s per week; increase margins for skill; allow three weeks annual leave; provide mess facilities and pay for safety inspections.⁴⁰ The only downside to the union's success was the refusal of the government-owned battery to accept the agreement. In April, the battery workers went on strike for six weeks. With the support of most of the 600-strong community and a voluntary levy on working NAWU members, the union forced the government to accept the February agreement.⁴¹

The union was less successful at a similar conference with pastoralists in late April. Nevertheless, it did gain an increase in wages, a fortnight's annual leave for its members and promises of improved accommodation.⁴² When Murray Norris visited some of the cattle stations the previous year, he found that the workers still laboured and lived under primitive conditions. Norris reported in the *Standard* that 'Old tin huts with dirt floors and unhygienic kitchens are the rule'.⁴³ Bush organisers had always worked under trying circumstances, but Norris was one of the few who recorded some of the obstacles he faced. It was lucky that Norris was a plant operator by trade because he needed all his skills and knowledge just to keep the union car functioning. In one trip to the Victoria River Downs district he wrote that he should have had a 'bulldozer instead of a car' as he drove through 'grass 6 feet high', cut roads into creek banks, used 'a couple of green sticks and some wire' to replace the suspension and drove many miles without brakes after rocks had smashed the master cylinder.⁴⁴

³⁸ *NS*, 3 January 1947.

³⁹ *NS*, 14 March 1947.

⁴⁰ *NS*, 14, 21, 28 February 1947.

⁴¹ *NS*, 3, 18, 25 April, 2, 9, 16, 30 May 1947.

⁴² *NS*, 25 April, 9 May, 6 June 1947.

⁴³ *NS*, 30 August 1946.

⁴⁴ *NS*, 23 August 1946.

In April-May 1947, the union suffered its first defeat since it was re-formed.⁴⁵ One hundred NAWU members struck for five weeks over the decision of the Qantas airline company to offer individual contracts to its employees at its Berrimah depot, 10 kilometres outside of Darwin. Qantas was using individual contracts so it could by-pass the award system and the union. According to the *Standard*, Qantas had tried to influence its workers not to join the NAWU and had proposed the formation of a company union instead. Qantas was able to defeat the strike by scaling down its operations, dismissing 80 per cent of the strikers and replacing them with staff labour.⁴⁶ Norris suggested in his reminiscences that the strike was called by a 'loud mouth' against the advice of the NAWU executive but the union had to go along with it and 'the Union never really got back the coverage it once had'.⁴⁷

During the Tennant Creek and Qantas strikes, May Day was officially celebrated in Darwin for the first time since 1941. The *Standard* did not record the size of the march but it was led by a contingent of Qantas strikers with a banner declaring 'Quite A Number Think Arbitration Stinks'. There were red flags and a Communist Party float warning against war and red baiting. The prize for best contingent went to a group of Aboriginal marchers.⁴⁸

Aboriginal Workers Strike

The Second World War had a considerable impact on the Territory's Aboriginal population.⁴⁹ The experience of working for the military (the largest employer of Aboriginal labour during the war) in a comparatively more egalitarian environment meant that Aborigines were less likely to accept the slave-like conditions of the past. Recognising this trend, the 1946 Carrington Report recommended new regulations governing the employment of Aborigines, including minimum cash wages.⁵⁰ In response, the Minister for Interior, H.V. Johnson, called a conference with the pastoral industry in early January 1947 in Alice Springs. The NAWU was not invited, yet given the connections the union leadership had to the Communist Party, it was unlikely it would accept the exclusion lightly.

⁴⁵ *NS*, 31 October 1947.

⁴⁶ *NS*, 10, 31 January, 25 April, 2, 9, 16, 23 May, 6 June 1947.

⁴⁷ NTAS: Pac 34, Box 32, Norris, History of the NAWU, p. 5.

⁴⁸ *NS*, 2 May 1947.

⁴⁹ Ronald M. Berndt & Catherine H. Berndt, *End of an Era: Aboriginal Labour in the Northern Territory*, Australian Institute of Aboriginal Studies, Canberra, 1987, p. 141, 175; Powell, *The Shadow's Edge*, pp. 249-266; J.T. Wells, *The Long March: Assimilation Policy and Practice in Darwin, The Northern Territory, 1939-1967*, PhD Thesis, University of Queensland, 1995, pp. 55-59; Robert Castle, Craig Clothier, Jim Hagan, 'Wage Fixing for Aborigines in the Northern Territory Cattle Industry, 1911-1965' in Patrick Bertola & Janis Bailey (eds), *Frontiers of Labour: Proceedings of the Fifth National Conference of the Australian Society for the Study of Labour History, Perth, Western Australia, 2-4 October 1997*, ASSLH, Perth, 1997, p. 48-50.

⁵⁰ C.D. Rowley, *The Destruction of Aboriginal Society*, Penguin, Harmondsworth, 1974, p. 337.

Since 1931, the Communist Party had a policy calling for equal rights for Aboriginal people that included among other things ‘the cancellation of all licences to employ aborigines without pay’.⁵¹ During the 1930s and 1940s, the party fostered relations with emerging Aboriginal political organisations and was instrumental in encouraging sections of the Australian trade union movement to support Aboriginal rights.⁵² However, the plight of Aboriginal workers was not prominent in NAWU propaganda during 1945-46. The union had successfully applied to have Aboriginal workers incorporated into the *Works and Services Award* in January 1946, only to be told that according to the government, the *Aboriginals Ordinance* took precedence over the award.⁵³ When the union was excluded from the January 1947 conference, Yorky Walker circulated to the ACTU and southern press representatives an open letter to Johnson expressing astonishment at the union’s exclusion from the conference and protesting

The way in which natives have been employed on stations up to the present, with no recompense other than the bare means of subsistence, constitutes a menace to the standards of living of white workers and a betrayal of faith by the Government in its duty to the natives of Australia.⁵⁴

Reports of the letter featured on the front page of several southern newspapers under headings such as ‘Shocking Cruelty to Abos Alleged by Union Officer’. The reports also mentioned incidents that had been told to Walker by Norris and NAWU executive member Jack Meaney, of various acts of brutality and murder committed on Aboriginal workers.⁵⁵ If the Minister was embarrassed by these revelations he did not show it and he maintained his ban on the union’s attendance at the conference. It is also interesting to note from Walker’s letter that the Communist-influenced NAWU leadership still characterised Aboriginal workers as a ‘menace’ to ‘white’ workers.

Following the conference, its chairman Arthur Blakeley told the Minister that all participants accepted the Carrington Report’s proposals, which would ‘ultimately raise our aboriginals

⁵¹ NAA, ACT: A6122/39, 1416, Communist Party of Australia Policy and Penetration in Australian Aboriginal Activities and Organisations. This document was prepared by the Australian Security Intelligence Organisation (ASIO) in 1962. I want to thank Bob Boughton for drawing my attention to it.

⁵² For a detailed account of Communist Party activity in the 1930s and 1940s see Bob Boughton, ‘The Communist Party of Australia’s Involvement in the Struggle for Aboriginal and Torres Strait Islander Peoples’ Rights 1920-1970’ in Robert Hood & Ray Markey (eds), *Labour & Community: Proceedings of the Sixth National Conference of the Australian Society for the Study of Labour History, Wollongong, NSW, 2-4 October 1999*, ASSLH, Wollongong, 1999, pp. 37-46. Also see Andrew Markus, ‘Talka Longa Mouth’ in Ann Curthoys & Andrew Markus (eds), *Who are our Enemies? Racism and the Australian Working Class*, Hale & Iremonger, Neutral Bay, 1978, pp. 138-157.

⁵³ *NS*, 11 October 1946.

⁵⁴ *NS*, 6 December 1946.

⁵⁵ NAA, ACT: A6122/39, 1402, newspaper clippings, *Melbourne Herald*, 3, 4 December 1946; A431/1, 1946/2952, letter, A.R. Driver, Administrator of NT, to Secretary, Department of Interior, 13 February 1947. Meaney had been a drover in the Territory in the late 1920s (NTAS: NTRS 226, TS 558, transcript of interview with Jack Meaney).

from the level of virtual slavery to a happy, healthy and contented race'.⁵⁶ The union disagreed, arguing that nothing had changed because the agreement was not binding on the employers who will continue to 'get as much labour as cheaply as possible, and in doing so they will not hesitate to take advantage of every proviso and escape gap in the agreement'.⁵⁷ A reading of the agreement published in the *Standard* indicates the union had a strong case. Even though wages had more than doubled from 5s to 12½s per week for the lowest paid male worker (plus 'keep' and maintenance of dependents) and £1 for the highest paid male worker, wages could still be credited to a store account. As well, the employers could classify some of their workers as incompetent and avoid the wage scale altogether. The clauses requiring the construction of shelters and ablution facilities only specified the use of materials 'readily' or 'conveniently' available.⁵⁸ Frank Stephens, who researched the Territory pastoral industry in the 1960s, argued that this agreement had 'ensured the continuation of the Territory form of peonage for another 20 years'.⁵⁹ In the end it took two and a half years for the regulations to be made law and when they were, the union still argued that they were rarely policed and Aboriginal workers continued to be paid 'slave rates'.⁶⁰

On 3 February 1947, over 100 Aboriginal men, mostly manual labourers working for the NT Administration, armed services or Qantas, held a stop-work meeting. The workers lived in a compound at Berrimah and each day were transported in open trucks to their various jobs. This particular morning, the workers alighted from the trucks just opposite the Parap police station, four kilometres from Darwin and proceeded to hold a meeting. Almost immediately an officer of the Native Affairs Branch arrived and persuaded the workers to move their meeting to the nearby Bagot Aboriginal Compound.

According to the *Standard*, the union had no knowledge of this meeting, but Norris wrote in his reminiscences that on the previous night, a group of Aboriginal workers had waylaid him and Frank Whiteoak in the 'long grass' behind the union office and had formed a strike committee. It is possible that Norris was confusing the 1947 strike with later events, or that the editor of the *Standard* was simply uninformed. Alternatively, it may have been a case of the union and the strike committee protecting each other from prosecution under the *Aboriginals Ordinance*. In any case, after the strike, Whiteoak had discussions with some of the Aboriginal workers at the union office and a list of demands was prepared. The demands

⁵⁶ NAA, NT: F1413, NN, letter, Arthur Blakely to H.V. Johnson, 15 January 1947.

⁵⁷ *NS*, 24 January 1947.

⁵⁸ *NS*, 17 January 1947.

⁵⁹ Frank Stephens, 'Aborigines and the Labour Movement', in *Origin*, 30 October 1970.

⁶⁰ *NS*, 22 July, 4 November 1949.

included payment of award wages direct to the workers rather than being held in trust by Native Affairs; establishment of a government store and a school; trade training and provision of mosquito nets, blankets and clothing.⁶¹

The action of the Aboriginal workers clearly worried the government although Native Affairs bureaucrats were loath to call it a strike, calling it a 'holiday' instead. Nevertheless, the action had some impact and the Director of Native Affairs recognised that the time had come for improving the wages and conditions of Aboriginal workers in Darwin. A school was promised, some small adjustments were made to the wages and clothing allowance and the system of withholding wages in trust was stopped.⁶² Norris recalls the workers were 'very happy' with the outcome but, more importantly, they got a feel for their economic strength and within three years further strikes took place to win the rest of their demands.⁶³ Their demands demonstrated that Aboriginal workers were not only concerned about wages but also with the education of their children. As Deborah Rose has shown, the issue of wages was linked to broader issues of justice and was also a language that 'white' unionists could understand and empathise with.⁶⁴

The 1947 strike marked the first time Aboriginal workers in the Territory had worked in consort with the union to improve their conditions and the presence of a contingent of Aboriginal workers at the 1947 May Day march was symbolic of this new alliance. It was not the first time the NAWU had expressed concern about the exploitation of Aboriginal workers.⁶⁵ However, in the post-war years the Aboriginal workers themselves were taking action and reaching out for union support and the Communist Party leaders of the NAWU were quick to respond. In 1948, the union applied to remove the clause excluding Aboriginal workers from the cattle station award. In his judgement, Commissioner John Portus felt he did not have the authority to interfere in the government's administration of Aboriginal workers.⁶⁶ At the union's 1949 Annual Conference,⁶⁷ Norris told delegates that the government did not class the Aboriginal as a 'worker' and 'What we have to fight today, even before we can get a thing for the aborigines, is to get the aboriginal ordinance thrown out and let the aborigine take his place as a citizen and worker of this country'.⁶⁸

⁶¹ NS, 7 February 1947; NTAS: Pac 34, Box 32, Norris, History of the NAWU, p. 6.

⁶² NS, 14 February 1947; NAA, NT: F1, 1958/1710, letters, Native Affairs Branch Director, F.H. Moy to Government Secretary, 11, 13 February 1947.

⁶³ NTAS: Pac 34, Box 32, Norris, History of the NAWU, p. 6.

⁶⁴ Deborah Bird Rose, *Hidden Histories: Black Stories From Victoria River Downs, Humbert River and Wave Hill Stations*, Aboriginal Studies Press, Canberra, 1991, p. 142, 227.

⁶⁵ See Chapter 4, p. 119, Chapter 6, p. 167.

⁶⁶ NS, 30 July 1948; Rowley, *The Destruction of Aboriginal Society*, p. 338; Wells, *The Long March*, p. 80.

⁶⁷ Following the Second World War, the title 'Annual Meeting' was changed to 'Annual Conference'.

⁶⁸ NTAS: Pac 34, Box 32, Minutes of Annual Conference of NAWU, 16 October 1949.

The anti-racist credentials of the NAWU leaders in this period are also shown by the decision of the union's members in 1947 to remove the racial exclusion clause barring workers of a 'coloured race' from membership. It is surprising how little debate there was on the issue given the battles that had raged in the past over attempts to remove the clause. When the rule changes were discussed in the *Standard*, the clause was not even mentioned and the plebiscite of members was promoted simply as an updating of the rules. The *Standard* did not report the voting results other than to say that less than 20 per cent of ballots were returned. So the defeat of the controversial racial exclusion clause can be attributed to a combination of membership apathy, diminishing racism and the fact that the change was advocated by the leadership rather than a minority opposition as it had been in the past.⁶⁹

What had not changed in post-war Darwin was the enmity between the Administrator and the waterside workers. In March 1947, A.R. Driver, who had replaced Abbott as Administrator the year before, made a public attack on waterside workers over the frequency of industrial disputes on the wharf. There had been a number of small stoppages since civilian labour returned to the wharf the previous year over such issues as demilitarisation of the wharf, margins for handling fuels and lack of sanitation facilities.⁷⁰ Yorkey Walker responded that it was the custom in Darwin to blame wharfies for everything and many of these disputes could have been resolved with local arbitration.⁷¹ Behind the scenes, however, Driver was attempting to organise a challenge to NAWU influence.

In his reminiscences, Norris mentions various attempts to bring conservative workers up to the Territory in an attempt to wrest control of the NAWU from its militant leadership. Although there is little direct evidence of government and employer involvement in such a project, there is correspondence pertaining to an attempt by Driver and the Minister for the Interior, Johnson, to coax a Western Australian miner, Ray Tchan (sometimes spelt Tchan) to the Territory. Tchan was offered a job in the Department of Works and Housing with the proviso that he involve himself in a move to set up a branch of the AWU. Jack McDonald's son Patrick had also been in contact with the Minister and Driver about the possibility of re-forming the AWU. The AWU was not revived but Tchan arrived in the Territory and later turned up as Patrick McDonald's campaign manager when he ran in the first Legislative

⁶⁹ *NS*, 11 April, 20 August, 19 September, 7 November 1947, 19 November 1948; *Tribune*, 11 February 1947; Markus, 'Talka Longa Mouth', p. 152; NAA, ACT: A431/1, 1948/1220, memorandum, Department of Interior – North Australian Workers' Union: Conditions of Membership, 18 May 1948.

⁷⁰ *NS*, 31 May, 7 June, 25 October 1946, 10, 17 January 1947.

⁷¹ *NS*, 21 March 1947.

Council elections in 1947.⁷² It appears Tchan played no role in future attempts to undermine the NAWU, but it can be safely assumed that if the government was involved in this instance it was involved in other attempts.

In September 1947, nearly two years after the original ACTU application, the Arbitration Court granted workers a 40-hour week, which had by December been incorporated into every Territory award.⁷³ For Yorky Walker it had been a frenetic three years since his release from the CCC. He had travelled to Sydney on at least five occasions to attend arbitration hearings and an ACTU conference. He assisted in de-militarising the workplace and up-dating local awards. Walker also re-established the *Standard* and the Labor Party (at least one faction of it), as well as establishing new institutions such as the Workers' Club and the Stadium. By the time he decided to resign in November 1947, the union had 1,400 members, which was still small but at least it was intact.⁷⁴ During this time Walker had married the union's 35-year-old administrative officer, Bertha Laidler, the daughter of Percy and Chris Laidler, central figures in Melbourne's early socialist movement. On top of Bertha's administrative activities, she was in charge of the Union Social Committee, which, among other things, managed the Stadium, raised funds to improve the poor conditions at the local leprosarium on an island in Darwin harbour and organised the union picnic. The 1947 picnic was held at the picturesque Berry Springs, 50 kilometres south of Darwin. According to the local policeman, it was the best in his 19 years of patrol duty.⁷⁵

After leaving the Territory, Yorky occasionally represented the NAWU in arbitration hearings. Eventually Yorky and Bertha moved to Melbourne and according to their only son, 'adopted a much less "activist" life'. In 1951, Yorky was a speaker at a public meeting at the Melbourne Town Hall on the plight of Aboriginal workers in the Territory and in 1960 published a novel, *No Sunlight Singing*,⁷⁶ dealing with Aboriginal pastoral workers. At the time of his death in 1971 he was working in a telephone exchange in suburban Melbourne. Bertha became involved in the Victorian Society for the Study of Labour History, publishing a book on her father, *Solidarity Forever*⁷⁷ and at the time of her death in 1975 was working on her own memoirs. Unfortunately all that she wrote of her time in Darwin is a small unpublished article on the plight of Darwin housewives, 'Darwin is Different', in which she

⁷² NAA, NT: F520, NN, letters between Minister of Interior, Johnson & A.R. Driver, 24 September 1946, 5 March 1947; NTAS: NTRS 226, TS 655, transcript of interview with Patrick McDonald.

⁷³ Turner, *In Union is Strength*, p. 98, 102; Hagan, *The History of the A.C.T.U.*, p. 150; *NS*, 12 December 1947.

⁷⁴ *NS*, 7 November 1947.

⁷⁵ *NS*, 8 August, 17 October 1947.

⁷⁶ Joe Walker, *No Sunlight Singing*, Hutchinson, London, 1960. Professor David Carment at the Northern Territory University told me that Harry Giese, a former Director of Welfare in the NT Administration, described it as the best novel ever written about the Territory.

⁷⁷ Bertha Laidler, *Solidarity Forever: A Part Story of the Life and Times of Percy Laidler – the First Quarter Century*, National Press, Melbourne, 1972.

depicts a bizarre society where women wear the latest elegant fashions, while half the population still live in army huts. She made no reference to her union activity.⁷⁸

Murray Norris was appointed Walker's replacement and he in turn was replaced in Central Australia by Frank Whiteoak. 'Clicker' White, a civil aviation worker and Secretary of the Communist Party was appointed Top End organiser. White had also been in the CCC and had participated in the campaign to revive the union during the war.⁷⁹ Shortly after his appointment, Norris began organising the union's campaign in support of six candidates to the first Legislative Council, a semi-representative body dominated by government appointees. The Labor Party had still not resolved its differences so a number of candidates competed to represent the Labor cause. The union-backed candidates, called 'Progressive Labour', included the Manager of the *Standard*, Jack Coleman; union executive member and Communist Party member, Jack Meaney; union veteran Owen Rowe; Newcastle Waters hotelier William Fulton; Dick Ward and Jock Nelson.⁸⁰ Despite the analysis in many security reports suggesting union domination of the Territory, only three of the above candidates were successful. Darwin businessman Frank Hopkins and Department of Works and Housing foreman, Mat Luke, defeated both NAWU-backed candidates in Darwin – Coleman and Meaney. The election of Luke was at least some consolation for the union as he had briefly been an organiser for the union during Jack McDonald's time.⁸¹

The NAWU continued to be frustrated by the slowness of the Arbitration Court in dealing with union claims. By the time Norris became secretary, the waterside workers had been waiting nearly two years for an award hearing. As discussed above, the NAWU had decided to link up with the claim by the WWF for annual leave and attendance money.⁸² As Tom Sheridan has shown, the Communist leadership of the WWF supported the payment of attendance money as one step towards the decasualisation of the industry and the establishment of a guaranteed wage for wharfies.⁸³

By 1948 the lack of ships using the Darwin port had again reached crisis point. Wharfies' incomes were affected and there were shortages of food and essential supplies in the town.⁸⁴

⁷⁸ NAA, ACT: A6119/83, Walker, Joseph aka Yorky; A6119/64, 425, Bertha Walker; email correspondence between author and Alan Walker, 10 January 1999; State Library of Victoria, MS 10772, Box 1 & 2, Bertha Walker Papers.

⁷⁹ *NS*, 31 October 1947, 23 January, 6 February, 23 April, 14 May 1948.

⁸⁰ *NS*, 21 November 1947.

⁸¹ *NS*, 19 December 1947; Polling Results of 1947 Legislative Council Elections provided to author by the late Dr Alistair Heatley, Northern Territory University.

⁸² *NS*, 2 April 1948.

⁸³ Tom Sheridan, 'Australian Wharfies 1943-1967: Casual Attitudes, Militant Leadership and Workplace Change' in *The Journal of Industrial Relations*, vol. 36, no. 2, June 1994, p. 278.

⁸⁴ *NS*, 28 May 1948.

The previous August, the Waterside Section of the union had decided to reduce the number of gangs on the wharf so that at least some workers could earn a reasonable wage.⁸⁵ Eventually, the Federal government decided to place the management of Darwin wharf in the hands of the Stevedoring Industry Commission (SIC), a regulatory body set up by the Curtin Government during the war to facilitate efficient operation of Australian wharves.⁸⁶ The importance of this decision for Darwin wharfies was that wages and conditions would be regulated by an authority that included WWF representatives and they were no longer subject to the delays of the Arbitration Court. It also meant that for the first time, Darwin workers were more likely to gain from any advances in wages and conditions achieved by the powerful WWF.⁸⁷

When the new award was delivered in July, Darwin wharfies were granted a 50 per cent increase in their hourly rate and up to 15 days annual leave.⁸⁸ In December, in an historic decision, the SIC agreed to pay attendance money of 12s per day during periods when there were no ships in port. For the workers, it meant a guaranteed minimum income. For the government and shipowners it was hoped the union's agreement to provide more labour would increase the turn-around of ships. With a guaranteed minimum income, it was also hoped that workers would be less likely to unnecessarily delay a ship's departure as a way of increasing their wages.⁸⁹ Federal regulation of the Darwin port also eventually meant the introduction of modern equipment on the wharf to overcome the antiquated equipment that Darwin waterside workers had coped with for many decades. In one case in January 1950, the discharge rate of a ship increased by 50 per cent, simply because the government had supplied a new goods shed close to the wharf, modern forklifts, cranes and pallets to do the job.⁹⁰ Gone were the days of dilapidated ship's winches, old rail trucks being pushed by hand and goods being stacked to the rafters in an overcrowded goods shed far from the wharf. The port had a long way to go before it could be considered modern, but the first steps had been taken.

The union had less success when it came to establishing a new basic wage for the rest of the Territory's workforce. In May 1948, the Arbitration Court finally announced its decision on the basic wage. It granted the 7s interim rise denied Territory workers in May 1947 plus an extra 2s quarterly cost of living adjustment, making the Territory basic wage north of

⁸⁵ *NS*, 22 August 1947.

⁸⁶ *NS*, 31 October 1947, 9 April 1948.

⁸⁷ *NS*, 4 June 1948.

⁸⁸ *NS*, 9 July 1948.

⁸⁹ *NS*, 10 December 1948.

⁹⁰ *NS*, 23 September 1949, 6 January 1950; NAA, ACT: A6122/39, 1401, security report, '*M.V. Culcairn*', 3 January 1950.

Latitude 20° South £7 0s 9d or 3s 6d per hour.⁹¹ This decision was the last time the Territory basic wage was determined separately from the rest of the country. In the future, any review of the basic wage was dependent on the initiative of the ACTU. Given that the May 1948 increase was less than half the NAWU's claim of £1, the decision to call a 24-hour strike was a restrained response.⁹² Following this action, the NAWU, along with other unions in the Territory, decided to begin a campaign for a £9 basic wage. They were determined to do so even if it required by-passing the Arbitration Court and approaching the employers directly as the union had done with the mining and cattle station awards.⁹³ It is interesting to note that the newly formed NT Employers' Federation supported the union's campaign for higher wages.⁹⁴ Considering that some of Darwin's business people were ex-union members and all of them were dependent on the purchasing power of Darwin's workers to survive, such support is not surprising.

The Union Splitters

In late 1948, a representative of the conservative Transport Workers Union (TWU) came to the Territory to investigate the possibility of recruiting workers. Understandably, the NAWU was angered by this attempt to recruit from an area it had traditionally covered.⁹⁵ Murray Norris recalls that the visitor was not well received when he spoke to a large union meeting at Katherine. He describes 'the Chairman accepting a motion that the TWU representative be chucked to the Crocodiles in the river, [and] he left in a hurry and went south that night'.⁹⁶ The TWU was not deterred and within the first few weeks of the new year, work ceased on the Shell oil company's tanker *Christa*, because some former NAWU members decided to join either the TWU or another conservative union, the Storemen and Packers Union (SPU).⁹⁷ These unions were later described in the *Standard* as the 'vulture unions'.⁹⁸ The NAWU believed this incident indicated that a group of conservative southern union leaders, together with Shell and the Federal government, were trying to undermine the local militant leadership. In a leaflet issued by the union and reprinted in the *Standard*, the union's executive called on all members to close ranks and fight against 'The Union Splitters' because

⁹¹ Although the Territory had been one administrative region since 1931, the division into North and Central Australia was still reflected in wage rates. See Chapter 4, p. 117.

⁹² *NS*, 21, 28, May, 11 June 1948. The difference between the 1941 basic wage of £5 12s 9d and the 1948 rate can be accounted by automatic adjustments made during the war due to rises in the index of prices (*NS*, 14 March 1947).

⁹³ *NS*, 18, 25 June 1948.

⁹⁴ *NS*, 25 June, 23 July, 1 October 1948.

⁹⁵ *NS*, 17 December 1948.

⁹⁶ NTAS: Pac 34, Box 32, Norris, History of the NAWU, p. 12.

⁹⁷ *NS*, 7 January 1949.

⁹⁸ *NS*, 19 March 1953.

To split the workers of the Territory into small isolated groups, under the direction of unions thousands of miles away with no knowledge of local conditions or traditions, is to betray unionism in the Territory; and to destroy the only basis upon which strong organisation can be built.⁹⁹

The TWU and the SPU were not deterred and made an application to the Arbitration Court to restrain the NAWU from joining any members covered by their respective constitutions. The NAWU in return declared all Shell cargo ‘black’ until the company’s workers rejoined the union and it asked the Court to restrain the TWU and the SPU from recruiting in the Territory. When Commissioner Portus gave his decision in late March 1949, he rejected the claims of all three unions and argued that he would not interfere with the right of any union to recruit in the Territory.¹⁰⁰

The NAWU leaders felt they had proof of a plot by Shell and the southern unions to undermine its influence when the company sacked the NAWU delegate. In response the union reimposed its ban on the company’s ships.¹⁰¹ Unfortunately for the NAWU, a Board of Reference hearing found in favour of the company dismissing the delegate on the grounds of unsatisfactory service.¹⁰² Bans continued on Shell cargo for some months and in April 1949, waterside workers were told they would not be allowed to continue working until they agreed to unload Shell cargo as well. According to the *Standard*, these orders came from the Administrator, again confirming in the minds of unionists that the government was actively supporting Shell’s campaign against the NAWU.¹⁰³ Given Driver’s previous activities in trying to undermine the NAWU, the union’s suspicions may have been justified.

The NAWU had shown that it was not opposed to collaborating with southern unions, especially those with left wing leaders, but it strongly opposed any union moving into the Territory and fragmenting union coverage. On several occasions, the WWF had considered absorbing the NAWU Waterside Section but had decided against it because of Darwin’s geographic isolation and the fact that the NAWU was doing a reasonable job of organising all workers in the Territory.¹⁰⁴

The big threat was that these attempts to set up rival unions were not only coming from outside the union but were being encouraged from within as well. At the union’s Annual Conference in October 1949, an executive member was expelled for joining NAWU

⁹⁹ NBAC/ANU: Waterside Workers Federation – Federal Council, E211/8, union leaflet – ‘Defeat The Union Splitters’. Also in *NS*, 14 January 1949.

¹⁰⁰ *Commonwealth Arbitration Reports (CAR)*, vol. 63, 1949, pp. 225-228; *NS*, 28 January 1949.

¹⁰¹ *NS*, 25 February, 4 March 1949.

¹⁰² *NS*, 1 April 1949.

¹⁰³ *NS*, 14, 22 April 1949.

¹⁰⁴ *NS*, 11 February 1949.

members to the TWU. Veteran union member Bob Antony, with clear memories of attempts to split the union in the 1920s, told delegates that ‘serious harm’ had been done to the union and ‘I know from bitter experience what it means when there is a break in the organisation’.¹⁰⁵

In the face of the threat from southern-based unions, the NAWU set out to strengthen the links between the leadership and the ranks. In January 1949, two new organisers were appointed. The Secretary of the Waterside Section, George Gibbs, was appointed to Central Australia and Arthur ‘Nuggett’ Olive to the Top End. Both men were active in the local Communist Party. Gibbs, for the first time in the union’s history, established branch offices at Alice Springs and Tennant Creek and Olive organised all the works camps around Darwin into a Works and Housing Section.¹⁰⁶

The ‘big and burly’, Queensland-born Gibbs was 43-years-old and had been working in the Territory since 1936.¹⁰⁷ Just prior to his appointment, Gibbs had toured some of the cattle stations with Frank Whiteoak and reported on the ‘Deplorable living conditions, hurricane lights, mediaeval sanitary arrangements, dilapidated living quarters, and the exploitation of aborigines’.¹⁰⁸ It was a telling beginning for the new organiser because Gibbs maintained his interest in the welfare of Aboriginal station workers for the rest of his life.¹⁰⁹ By the end of his first year as organiser, Gibbs had clocked up over 70,000 kilometres travelling to outlying centres in the Territory.¹¹⁰

Arthur Olive, like Ryan and McPhillips before the war, was an experienced Communist Party leader, having spent time as an organiser for the party in the New South Wales coal mining district of Lithgow and as an organiser for the Federated Ironworkers Association (FIA) in the turbulent Balmain docklands. As an FIA organiser, it was Olive’s task to deal with the Trotskyist opposition that controlled the Balmain branch of the union. On one occasion, Olive spent 20 days in Long Bay gaol after trading punches with the secretary of the dissident branch.¹¹¹ The 52-year-old Olive was a thickset Gallipoli veteran and former cane-cutter who had arrived in the Territory in 1948 (although he spent some time in the Territory in 1946) and had been employed by the Department of Works and Housing as a cook’s offsider. His job, however, was cut short by the Commonwealth Investigation

¹⁰⁵ NTAS: Pac 34, Box 32, Minutes of Annual Conference of NAWU, 1949.

¹⁰⁶ *NS*, 7, 14, 21 January, 4, 25 February, 1 April 1949.

¹⁰⁷ NAA, ACT: A6119/90, 2494, M. Gibbs, nee Olive; *Northern Territory News*, 6 September 1969.

¹⁰⁸ *NS*, 22 October 1948.

¹⁰⁹ When Frank Stephens archived his research material at the NSW State Library, the collection was titled the George Gibbs Memorial Collection.

¹¹⁰ *NS*, 2 December 1949.

¹¹¹ Susanna Short, *Laurie Short: A Political Life*, Allen & Unwin, St Leonards, 1992, p. 81.

Branch's 'secret' recommendation to the Department that they should not employ Olive.¹¹² Olive is remembered by one veteran unionist as having 'great charisma'.¹¹³

The works camps that constituted the Works and Housing Section of the union could accommodate hundreds of workers living in rows of small huts made of wood, fibro-cement or corrugated iron with concrete floors. A section of the wall of each hut was louvred at the top and could be pushed out to provide ventilation. There were at least five large camps at different locations across Darwin, often having simple names like K9, K40, 88, but sometimes having more colourful names like 'Belsen'. At first, the camps mostly housed single men, but there were some family huts. Each camp had a communal kitchen, laundry, bathroom and toilet.¹¹⁴ The close proximity of the workers to each other facilitated union organisation and each camp had its own union committee, which in turn elected delegates to the Works and Housing Section.¹¹⁵ Regular union ticket show days were held to make sure that all the workers were members.¹¹⁶ One of the most consistent grievances was the state of the food and amenities at these camps. They became dust bowls in the 'dry' and quagmires in the 'wet'. Food was often in poor condition and in short supply and you need little imagination to think of the state of the toilets in tropical Darwin which, as a rule, were 44-gallon drums sunk into the ground. These structures were called 'flaming furies' because of the method of periodically using kerosene and other flammable material to burn off the contents.¹¹⁷

Irrespective of the union's attempts to foster cohesion in its ranks, international and domestic politics was beginning to catch up with the union. The Cold War had started and there was considerable focus in the media and in parliament on the so-called communist threat to Australia. In July 1949, the *Sydney Morning Herald* ran a front-page article compiled from information supplied by Patrick McDonald about the Communist Party's control of the NAWU. McDonald was a union member and was subsequently fined by the executive for misconduct.¹¹⁸ In an angry reply published in the *Standard*, the executive described the *Herald* article as 'lies' and noted that of the thirteen people on the executive, only three were

¹¹² NAA, ACT: A6119/90, 2501, security file on Arthur Horace Olive; *Tribune*, 7 December 1950; *NS*, 8 December 1950.

¹¹³ Terry Robinson, interviewed by author, Darwin, 7 December 1999.

¹¹⁴ Roland Robinson, *The Drift of Things: An Autobiography 1914-1952*, MacMillan, South Melbourne, 1973, p. 403; Maisie Austin, *The Quality of Life: A reflection of life in Darwin during the post-war years*, self published, 1992, pp. 9-15; Baylon Ryan, interviewed by author, Melbourne, 8 October 1999.

¹¹⁵ *NS*, 4 March 1949.

¹¹⁶ *NS*, 19 November 1948.

¹¹⁷ Austin, *Quality of Life*, p. 14. For reports on camp conditions see *NS*, 10, 17 January, 7 February, 12 December 1947, 9 January, 3, 10 September, 8 October, 26 November 1948.

¹¹⁸ *NS*, 29 July 1949.

in the Communist Party.¹¹⁹ In a similar vein to the *Herald* article, MacAlister Blain gave a speech in Federal Parliament in October 1949, warning of the existence of a ‘Communist cell’ in the ‘gateway to Australia’. Blain stated he had a list of 83 known communists and that the NAWU and the *Standard* were ‘definitely communistic’, ‘treason merchants who are definitely trying to get the multitudes of Indonesia into the Communist camp’.¹²⁰ The security forces, which in 1949 were reorganised into the Australian Security Intelligence Organisation (ASIO), continued to monitor the activities of suspected communists in the Territory, compiling secret monthly reports on events in Darwin.¹²¹ At the same time, the Federal government and the Administrator began discussions with a Canberra-based publisher about the possibility, ‘in the best interests of Australia’, of setting up a rival newspaper to the *Standard*.¹²²

Growing concern about communism in the North must also be seen in the context of a shift to the left of the Communist Party after its 15th Congress in 1948. In conformity with the new doctrine emanating from the Soviet Union, the party predicted an imminent economic crisis and renewed imperialist war and it began to aggressively challenge the influence of the ‘imperialist’ Labor Party in the Australian labour movement.¹²³ In Darwin, these policies were reflected in speeches on May Day and motions at union meetings warning of world war three. But in practice the union continued to collaborate with non-communists, including supporting Jock Nelson’s preselection and subsequent election as Member for the Northern Territory.¹²⁴ The union had learnt from experience that Blain could only be defeated if the labour movement was united.

The NAWU identified with the ‘gallant’ decision of the Communist Party leaders of the Miners’ Federation when they embarked on the disastrous seven-week-long nation-wide coal strike in June 1949.¹²⁵ The strike led to a showdown between the Chifley Labor Government, which the mining leaders lost, and the Communist Party never recovered from.¹²⁶ Similar confrontations did not occur in the Territory. Instead, the union continued to push, with mixed success, for improvements through the arbitration system. The number of awards and agreements administered by the union had almost doubled to 14 since the period before the war.

¹¹⁹ *NS*, 22 July 1949; NTAS: NTRS 226, TS 655, transcript of interview with Patrick McDonald.

¹²⁰ *Commonwealth Parliamentary Debates, House of Representatives (CPD, H of R)*, 6 October 1949.

¹²¹ NAA, ACT: A367/1, C94123, Communism in Darwin.

¹²² NAA, NT: F520, NN, letters between Eric White Associates Pty Ltd and A.R. Driver, 25 October, 8 November 1949; F425/0, C49, letter, Department of External Affairs to Director of N.T. Affairs, Department of Interior, 23 February 1950.

¹²³ Davidson, *The Communist Party of Australia*, pp. 102-103, 134.

¹²⁴ *NS*, 29 April, 29 July 1949; NTAS: Pac 34, Box 32, Minutes of Annual Conference of NAWU, 1949.

¹²⁵ *NS*, 12 August 1949; NTAS: Pac 34, Box 32, Minutes of Annual Conference of NAWU, 1949.

¹²⁶ Turner, *In Union is Strength*, pp. 103-108.

At the union's Annual Conference in October 1949, Murray Norris resigned as secretary to take up the less onerous position of president and was replaced by Arthur Olive. Norris recalls that 'I had been working non-stop since 1942 and was becoming exhausted'.¹²⁷ After Olive's promotion, Bob Antony was appointed temporary organiser. Despite the threats to the union's coverage from the SPU and TWU, the union was claiming a membership of 2,400 by the end of 1949.¹²⁸ While some workers had made gains from union activity over the preceding 12 months, Bob Antony pointed out that the organisation among railway workers had collapsed due to 'apathy' and union neglect. Antony referred to the poor working conditions of fitters on the railway, cooking over open fires and living in huts with missing windows and doors, floors eaten away by white ants and walls lashed together by wire to stop them falling down.¹²⁹

With improvements in transport and the likelihood of increased employment from reconstruction projects, the Territory was beginning to attract larger numbers of southern workers. Southern unions continued to show an interest in the Territory as a source of potential members. In April 1949, the NAWU sought to remove a clause from its constitution, which (if applied) could have excluded all government workers from the union.¹³⁰ The union had become aware of the problem during a strike of government workers at the flying boat base on Darwin harbour in late 1948. The strike, which lasted several weeks, started when one of the workers refused to join the NAWU.¹³¹ The clause in the constitution had not been a problem before the war when private contractors performed most of the construction work. However, with the expansion of government departments after the war and the absorption of the CCC into the Department of Works and Housing, the restrictive membership clause could potentially cut the union's membership in half.¹³² When the NAWU applied to the Industrial Registrar to have the clause removed, a group of southern-based unions, including the TWU, SPU and AWU objected. The objecting unions argued that removal of the clause would allow the NAWU to expand its operations at the expense of other unions. According to the NAWU's legal counsel, the potential reduction in the union's membership was the 'real basis in effect of the application' to oppose the rule

¹²⁷ NTAS: Pac 34, Box 32, Norris, History of the NAWU, p. 15.

¹²⁸ NBAC/ANU: Administrative and Clerical Officers' Association – Federal Executive (ACOA), A12/2/250, Transcript of Proceedings of Hearings into Application by NAWU for Change of Rules Before J.E. Taylor, Industrial Registrar, 1 December 1949. I suspect this figure is inflated given that for the year 1951-1952, the union only sold 1,157 tickets (See NTAS: Pac 34, Box 3, membership figures 1951-52).

¹²⁹ NTAS: Pac 34, Box 32, Minutes of Annual Conference of NAWU, 1949.

¹³⁰ The relevant clause was in Section 6: Membership – 'Provided that no person employed under the provisions of the Commonwealth Public Service Act ...' (NTAS: NTRS 1853, North Australian Workers' Union: Constitution and General Rules).

¹³¹ *NS*, 22, 29 October 1948; NBAC/ANU: ACOA, A12/2/250, Transcript of Proceedings of Hearings into Application by NAWU for Change of Rules Before J.E. Taylor, Industrial Registrar, 1 December 1949.

¹³² NBAC/ANU: ACOA, A12/2/250, Application to the Court for Leave to Appeal From Act or Decision of Registrar, 4 October 1950.

changes. Unfortunately for the union, it failed to convince the Registrar of its case and also failed in its subsequent appeal to the Full Court. The NAWU had argued that it was the only union with full-time staff, offices and resources in the Territory and was the only union that understood the ‘peculiar’ problems of the region.¹³³ When the application was rejected by the Registrar in June 1950, a large meeting at the Stadium, ‘the biggest and most enthusiastic in three years’, heard Arthur Olive describe the decision as an attempt to ‘destroy’ the union.¹³⁴

The other perceived threat to union coverage was the arrival in 1949 of Eastern European refugees known as Displaced Persons (DPs) or more commonly described as ‘Balts’. These workers were fulfilling their compulsory two-year contract before becoming eligible for permanent settlement. The attitude of the Communist Party to these refugees was that some may have been former Nazis and that the government was planning to use them as strikebreakers.¹³⁵ In contrast, while the *Standard* published some reports of Nazi/DP connections, the NAWU welcomed the refugees and hoped they would become ‘good unionists’.¹³⁶ The only trouble the union had with the use of DP labour was when Tennant Creek miners voted to oppose their employment on the grounds they were displacing ‘free workers’. At the time, Arthur Olive stressed that opposition to DP labour was not based on racial grounds but on there already being enough workers in the town to meet the needs of the industry and not enough houses for those currently employed.¹³⁷ An officer from the Commonwealth Employment Service tried to reassure the union that it was not the intention to displace NAWU members, but the Administrator saw an opportunity of weakening the power of the NAWU in the district. The government officer responsible for placing the refugees in Tennant Creek praised the manager of the Nobles Nob mine for having the ‘courage to fight the Communist minority’.¹³⁸ At the union’s Annual Conference in September 1950, there was also some concern expressed about the politics of a number of Displaced Persons working in Darwin who had refused to join ‘a communist union’.¹³⁹

¹³³ CAR, vol. 67, 1950, pp. 1001-1007; NAA, ACT: A432/82, 1950/1871, *Transcript of Proceedings In the Commonwealth Court of Conciliation and Arbitration In the Matter of the North Australian Workers Union Vs Australian Workers Union and others*.

¹³⁴ NS, 23 June 1950. Over time the NAWU was able to deal with the issue by incorporating clauses into its membership rules stating that it would not recruit workers who were eligible to join the southern unions (NTAS: Pac 34, Box 31, 1958 NAWU Constitution). In March 1953, the Industrial Registrar granted the union the right to cover general labourers working for government departments (NS, 28 March, 4, 18 April 1952, 19 March, 8 October 1953).

¹³⁵ *Tribune*, 11 June 1949.

¹³⁶ NS, 29 April, 14 October 1949.

¹³⁷ NS, 25 November 1949.

¹³⁸ NAA, Vic: MP1722/1, 1949/23/4719, letters, Marsh, Commonwealth Employment Service, Sydney to Arthur Olive, no date (December 1949), A.R. Driver to Director of NT Affairs, Department of Interior, 1 December 1949, Regional Director of Employment (South Australia), 1 June 1950.

¹³⁹ NTAS: Pac 34, Box 32, Minutes of the 1950 Annual Conference of the NAWU, 24-25 September 1950.

In the federal elections of December 1949, Robert Menzies was returned as Prime Minister promising to take action against communism.¹⁴⁰ During his first year in office, Menzies introduced the Communist Party Dissolution Bill which, as well as banning the party, would stop certain 'declared persons' from holding union office.¹⁴¹ The Bill was described by the *Standard* as Menzies' 'Fascist Bill' and was seen, understandably, as an attempt to 'smash' unions like the NAWU. The Bill was later declared unconstitutional, but the debate surrounding it did enough to create a climate of fear in the community about communism which was used to justify mounting attacks on the civil liberties of left wing Australians and their organisations. In particular, Darwin's proximity to Southeast Asia, a site of considerable communist activity, attracted a fair share of interest from the security forces.¹⁴²

Discussion was also continuing between the Federal government, the Administrator and a Canberra publishing company, Eric White Associates, about a plan to set up a rival newspaper to the *Standard*.¹⁴³ The public must have been aware of some of these discussions because a motion was moved at the 1950 Annual Conference to resist plans to establish a 'Liberal Party paper' in the Territory.¹⁴⁴ There was also some consideration by the government of banning the *Standard* for 'treasonable' and 'subversive statements'.¹⁴⁵ The *Standard* was not banned but within two years, Eric White Associates, with full government support, launched *The Northern Territory News*.

The 'Groupers'

Parallel with growing state activity against the Communist Party and the unions under its influence, were the activities of the anti-communist Industrial Groups, commonly called 'Groupers'. The Industrial Groups had been set up inside the Labor Party in 1945 to counteract the influence of the Communist Party in the union movement. They had close connections with the Catholic Social Studies Movement (also known as the Movement, or Catholic Action), which had been formed in 1942 to encourage Catholics to fight communism in their unions.¹⁴⁶ A glance at the Movement's newspaper, *Freedom* (1943-46), reveals that the organisation espoused an eclectic range of policies including minimum wages; opposition to speed-ups on the job; 100 per cent union membership; equal pay for

¹⁴⁰ Hagan, *The History of the A.C.T.U.*, p. 213.

¹⁴¹ Turner, *In Union is Strength*, p. 111.

¹⁴² NAA, NT: F525/0, C49, letter, Department of External Affairs to Director of N.T. Affairs, Department of Interior, 23 February 1950.

¹⁴³ NAA, NT: F425/0, C49, letter, Department of External Affairs to Director of N.T. Affairs, Department of Interior, 23 February 1950.

¹⁴⁴ NTAS: Pac 34, Box 32, Minutes of the 1950 Annual Conference of the NAWU, 24-25 September 1950.

¹⁴⁵ NAA, NT: F425, C53, letter, Reg Leydin, Government Secretary to A.R. Driver, 25 September 1950.

¹⁴⁶ Robert Murray, *The Split: Australian Labor in the Fifties*, Hale & Iremonger, Sydney, 1984, pp. 14-15.

women (so women would not displace men in the workplace); opposition to monopolies; part-ownership by workers of industry; Christian Democracy and a return to small scale rural settlements. The Movement's main motivation was its opposition to communism but it was able to mobilise working class support by highlighting how the Communist Party trade union leaders had 'betrayed' workers by failing to protect wages and conditions during the war. The Groupers were certainly anti-communist but not necessarily opposed to militant industrial action.¹⁴⁷

It is unclear how strong the Movement and the Industrial Groups were in the Territory as former members are very guarded about their activities. Murray Norris recalls that by 1949 'we noticed that [a] number of organised groupers were being sent into the N.T. and were starting to cause disruption, they were being assisted by some members of the Union for different reasons, religious, selfish, political, etc'.¹⁴⁸ Bill Ivinson, a 21-year-old Catholic waterside worker at the time, recalls that he was involved in the Darwin section of the Movement for 21 years. He remembers the local group was 'very active' and had contacts with the Movement in the south.¹⁴⁹ In 1952, Ivinson was elected NAWU treasurer on an anti-communist ticket. However, Baylon Ryan, a member of the Industrial Groups and a future secretary of the NAWU, suggests the Groupers had little structure in Darwin.¹⁵⁰ There was also a tendency for the left to accuse all its opponents of being Groupers and as a result its influence could be exaggerated. Even ASIO had trouble determining the motivations of some of the right wing opposition within the NAWU. For example, one agent was 'mystified' by the role of Alan Randall, a 34-year-old NAWU Executive Councillor and leader of the right wing opposition in the union. Apparently, Randall, because of his leadership of the militant Hospital Section, had been considered a 'communist sympathiser'.¹⁵¹ In September 1948, Randall, a boiler attendant at the hospital, was a leader of a successful four-week strike of domestic staff for improved wages and conditions.¹⁵² Randall later denied that he or any of the other anti-communists that eventually won control of the union were members of the Industrial Groups.¹⁵³

¹⁴⁷ *Freedom*, 13, 25 March 1944 (State Library of Victoria); Sheridan, *Mindful Militants*, p. 208.

¹⁴⁸ NTAS: Pac 34, Box 32, Norris, History of the NAWU, p. 15.

¹⁴⁹ NTAS: NTRS 226, TS 455, transcript of interview with William and Lorna Ivinson; interview with Bill Ivinson by Cliff Smythe, Darwin, 1988.

¹⁵⁰ Baylon Ryan, phone conversation with author, 29 April 2000.

¹⁵¹ NAA, ACT: A6122/39, 1401, security report: 'NAWU Hospital Section', July 1950.

¹⁵² See NAA, ACT: A1658/1, 1131/1/7 Part 1, Staff Northern Territory Strike of Employees, Darwin 1948; NTAS: Pac 34, Box 32, Norris, History of the NAWU, p. 13; *NS*, 29 November, 13 December 1946, 3 January, 7 February, 31 October 1947, 2 April, 14, 21 May, 20, 27 August, 3, 10, 17, 24 September, 1, 15, 18 October, 19 November 1948.

¹⁵³ NAA, ACT: A6122/39, 1402, memorandum, Regional Director, ASIO, Darwin, 8 January 1952.

The emergence of a right wing opposition inside the union was not obvious in the pages of the *Standard* until early 1950. In May, Arthur Olive and George Gibbs attended a Special ACTU Congress to discuss Menzies' anti-Communist Bill and the basic wage. At a subsequent executive meeting, Olive and Gibbs were criticised by one councillor (probably Randall) for voting with the left trade unions who had called for outright rejection of the Bill.¹⁵⁴

On 6 July 1950, Randall called a meeting of the Hospital Section and in the presence of Olive, a motion was unanimously passed criticising the *Standard* for publishing articles 'favourable towards the expansion of the communistic ideology, to the detriment of the Australian Labor Party, and the Australian way of life'. The context of this motion was an article in the *Standard* opposing United Nations intervention in Korea. One Saturday morning two weeks later, a leaflet was distributed on the streets of Darwin outlining the results of the hospital meeting and adding that 'It is our firmest opinion that the sooner the communists are ousted from the N.A.W.U., and other Trade Unions, the better ...'.¹⁵⁵

Three days later the issue came up for discussion at a monthly general meeting of the union and the opposition attempted to move a motion of no confidence in the executive but was ruled out of order. In response, Arthur Olive moved for 'utmost unity' to defeat all those organisations seeking to 'destroy the NAWU'.¹⁵⁶ In a letter to the *Standard*, Randall defended the Hospital Section from accusations that it was out to split the union and link up with the AWU, arguing that the section would resist any union encroaching on the NAWU.¹⁵⁷

Randall's argument was repeated by the delegates from the Hospital Section at the Annual Conference of the union in late September 1950. Out of the approximately 40 delegates at that conference, the opposition had from three to four supporters, including Randall (who had been elected vice president), Con Dolan (a future secretary) and B. Ryan (not to be confused with future secretary Baylon Ryan). B. Ryan was described by an anonymous person as 'one of the clever groupers'. Dolan had been an NAWU delegate for the contract workers during the 1939 strike and had fought in the Middle East during the war.¹⁵⁸ Opposition delegates, however, were not operating as a caucus. Dolan, for example, voted in favour of a motion opposing the anti-Communist Bill on the grounds of the right to free

¹⁵⁴ Hagan, *History of the A.C.T.U.*, p. 236-237; *NS*, 23 June 1950.

¹⁵⁵ NAA, ACT: A6122/39, 1401, security report: 'NAWU Hospital Section', July 1950.

¹⁵⁶ *NS*, 28 July 1950.

¹⁵⁷ *NS*, 4 August 1950.

¹⁵⁸ *NS*, 14 April 1939; Bill Ivinson, interviewed by author, 18 November 1999. See Chapter 6, pp. 171-174.

speech, while Randall and Ryan voted against. Randall argued the Bill had not led to police intimidation but a few weeks after the conference, the union's offices were raided. Other motions moved at the conference included reaffirmation of the union's support for award wages and citizenship for Aboriginal workers; opposition to United Nations intervention in Korea; support for building a new school in Darwin; construction of more houses; control of prices; confiscation of land from absentee land holders and for all Displaced Persons to become trade union members.¹⁵⁹

The conference also discussed the delay of the Arbitration Court in finalising the basic wage. It had been just short of two and a half years since Territory workers had received an interim increase in the basic wage. Finally in October 1950, the Full Bench of the Arbitration Court granted a £1 increase in the basic wage of Australian workers. The majority of judges felt it was the only response they could make to the large number of industrial disputes that had occurred since the end of the war.¹⁶⁰

A month after the union's Annual Conference, on 23 October 1950, police raided the offices of the NAWU and *Standard* and the home of temporary organiser and Communist Party member, Maurice 'Scotty' Carne.¹⁶¹ Before the war, Carne had been a member of the union committee at Tennant Creek and more recently had worked on the waterfront.¹⁶² The only documents seized in the raid were minutes of union meetings, agenda items for the 1950 Annual Conference and a child endowment card.¹⁶³

While in Sydney on basic wage business in December, Arthur Olive, who had been ill for some time, collapsed and died. Yorky Peel, who had been acting secretary in Olive's absence continued in the job. Peel had been active in the union since before the war, having played leadership roles in the 1939 contractors dispute, the 1941 beer boycott and more recently on the wharf until he replaced Bob Antony as organiser in mid-1950.¹⁶⁴

During Peel's time as acting secretary, Aboriginal workers at Darwin's Berrimah compound were again involved in a series of strikes similar to those of 1947.¹⁶⁵ According to Peel, the union had no prior knowledge of the 1950-51 strikes, but very quickly mobilised its

¹⁵⁹ NTAS: Pac 34, Box 32, Minutes of the 1950 Annual Conference of the NAWU, 24-25 September 1950.

Written in hand writing across the minutes – 'one of the clever groupers'.

¹⁶⁰ Turner, *In Union is Strength*, pp. 108-109; Hagan, *The History of the A.C.T.U.*, pp. 154-156.

¹⁶¹ *NS*, 27 October 1950.

¹⁶² *NS*, 5 September 1941.

¹⁶³ *NS*, 27 October 1950.

¹⁶⁴ *NS*, 14 July 1950.

¹⁶⁵ Apart from the *Standard's* coverage of these strikes see also Wells, Long March, pp. 83-84; anonymous article (probably NAWU), 'History of Darwin Aborigines Struggle' in State Library, NSW (Mitchell Library) (ML): MLMSS 1662, 1(1).

resources and its contacts with southern unions and the Communist Party to support the strikers. Peel argued that the union supported the strikes on the grounds of 'humanity' and the need to protect members from the unfair competition of cheap labour.¹⁶⁶ The *Standard* editorialised about the history of Australia being 'stained with the blood of hundreds of thousands of aborigines who have died at the hands of an invader'.¹⁶⁷ The *Melbourne Herald* declared that 'there is little doubt that Communists are inciting the present strike wave'.¹⁶⁸

The first strike was a two-day 'sit-down' on 29-30 November 1950 by 300 Aboriginal workers demanding a wage of £7.¹⁶⁹ A reading of government correspondence during this period indicates that local administrators had been telling Canberra for some time that they were finding it difficult to recruit Aboriginal workers and that it was only a matter of time before there would be a demand for higher wages.¹⁷⁰ Yet rather than increase wages as they had done in 1947, the Federal government resorted to repression. After the first strike in November, the Minister for Interior, Mr Anthony, allegedly told the NT Administration that the workers could starve.¹⁷¹

In mid-January 1951, a further strike took place, this time with the added demands of improvement in living conditions, citizenship and freedom of movement. For two days, government officials and police were kept busy monitoring unsupervised Aboriginal workers walking the 10 kilometres from Berrimah into Darwin. On one occasion, Lawrence, a member of the strike committee, was arrested under the *Aboriginals Ordinance* for encouraging others to stop work. The NAWU stepped in and paid for the legal defence of Lawrence. His sentence of four months gaol was subsequently overturned on appeal. Another Aboriginal police tracker, who had gone to assist Lawrence when he was arrested, was charged with obstructing police and given a one month sentence that was also overturned on appeal. Throughout this period, messages of support from southern organisations were printed in the *Standard* and the paper's editor Ron Brown, who was visiting southern cities on business, spoke to meetings on the issue.¹⁷²

The issue came to a head after a third strike on 12 February 1951, when police detained 48-year-old Fred Nadpur Waters. Without informing any of his family, Waters was exiled the next day to a government Aboriginal settlement at Haast's Bluff, in a remote region west of

¹⁶⁶ *NS*, 26 January 1951.

¹⁶⁷ *NS*, 19 January 1951.

¹⁶⁸ *Melbourne Herald*, 24 January 1951.

¹⁶⁹ *NS*, 1 December 1950.

¹⁷⁰ NAA, NT: F1, 1949/572 Part 1, letter, A.R. Driver to Secretary, Department of Interior, 19 July 1949; letter, F.H. Moy, Director of Native Affairs to A.R. Driver, 16 March 1950.

¹⁷¹ *NS*, 8 December 1950.

¹⁷² *NS*, 19, 26, January, 2, 9, February, 16 March 1951.

Alice Springs.¹⁷³ Norris considered Waters the ‘hidden leader’ of the dispute and to protect him from prosecution, the union had employed him as a carpenter at the Stadium.¹⁷⁴

On hearing of Waters’ exile, other Aboriginal workers in Darwin went on strike and refused to perform a corroboree for visiting tourists. The union sent letters of protest to its contacts in the south as well as to the Soviet-backed World Federation of Trade Unions. Within a few weeks over 30 southern trade unions had sent protest messages. The union also sent Murray Norris south to apply to the High Court for a series of injunctions to force the Director of Native Affairs to return Waters to Darwin. While these applications failed due to legal technicalities, Norris was not short of assistance, having legal luminaries like the former Commonwealth Attorney General, Dr H.V. Evatt, and former Territory Supreme Court Judge Wells, as advisers. Norris, with the assistance of unions like the Miners’ Federation, also went on a speaking tour of the eastern States to promote the campaign, speaking at workplaces, meetings of the ACTU, to parliamentarians and political organisations. Yorky Walker also spoke to a large meeting in the Melbourne Town Hall at which was formed the Victorian Council for Aboriginal Rights (VCAR), whose program the NAWU later adopted. The VCAR featured in the campaign in the 1960s to gain award wages for Aboriginal pastoral workers. As a result of the public outcry against the treatment of Waters, he was finally returned to Darwin nearly five weeks after his expulsion.¹⁷⁵

Recalling these events 30 years later, Norris felt that of all the disputes he had been involved in, ‘this case and the first strike in 46 were the ones to be proud of’. He also recalls that Waters thanked the union for getting him released. Norris wrote that ‘the leadership that he [Waters] showed and the sacrifice that he made may have helped set in motion the struggle of the Aborigines that have taken place in the N.T. to this day’. Sadly, Norris was informed years later that Waters had died in a fight.¹⁷⁶

At the same time as the campaign in support of Aboriginal workers, and no doubt inspired by it, Darwin’s ‘part-Aboriginal’ population revived the campaign for citizenship rights they had started in 1934.¹⁷⁷ In 1936, variations to the *Aboriginals Ordinance* had allowed some ‘half-castes’ to apply for exemptions from the regulations. Now they wanted full citizenship without having to apply for what they called a ‘dog license’ to get it. Non-‘half-caste’ supporters of the campaign, like NAWU member, Joe Ruddick, resented having to apply to a

¹⁷³ NS, 16 February 1951.

¹⁷⁴ NTAS: Pac 34, Box 32, Norris, History of the NAWU, p. 18.

¹⁷⁵ NS, 16, 23, February, 2, 9, 23, 30 March 1951; *Tribune*, 18 January, 8, 15 February, 15, 21 March 1951.

¹⁷⁶ NTAS: Pac 34, Box 32, Norris, History of the NAWU, p. 19.

¹⁷⁷ See Chapter 6, pp. 168.

court for a permit to marry a 'part-Aboriginal' woman. Even though many non-Aboriginal men who lived in the Territory exploited Aboriginal and 'part-Aboriginal' women, some, like Yorky Peel, developed genuine long-term relationships with Aboriginal women and their children.¹⁷⁸ The history of the revival of the Australian Half-caste Progressive Association (AHPA) and the support it received from the NAWU has already been written by Sue Stanton. She points out that the AHPA's leaders, its chairman Jack McGuinness and its secretary, Babe Damaso, were also leading members of the NAWU.¹⁷⁹ McGuinness, a fettler on the railway, had been a member of the union since 1923 and for much of that time had been a delegate. Damaso had been the secretary of the Municipal Section of the union.¹⁸⁰ The involvement of the union clearly worried the Director of Native Affairs, who complained of 'extraneous influences' and felt Peel and the editor of the *Standard*, Ron Brown, were just using the 'coloured people as a means for further proselytizing their doctrine' and without them 'there would be no discontent amongst the coloured people'.¹⁸¹ For the record, however, while Brown was a member of the Communist Party and Peel (according to ASIO) had been a member in 1950, Joe Ruddick was an anti-communist and an opponent of the union's leadership.¹⁸²

The events surrounding the Aboriginal strikes of 1950-51 and the revival of the AHPA marked the high point of NAWU support for these issues. The NAWU had supported the rights of 'part-Aboriginals' in the past, but it had rarely shown the same enthusiasm or leadership on the issue. Unfortunately the union was about to experience a bitter faction fight which would result in the defeat of the left wing leadership and the election of moderates who did not show the same interest in the issue till the Aboriginal strikes of 1965-66.

The Defeat of the Left

One of the accusations levelled at Communist Party union officials by the Groupers was that they held onto power by rigging union ballots.¹⁸³ In 1949 the Labor Government, after pressure from the Grouper-influenced ACTU Executive, amended the *Arbitration Act* to allow the Court to intervene in union elections if irregularities could be proven. The

¹⁷⁸ NAA, ACT: A6122/XR1, 244, memorandum (5 March 1951), Patrol Officer E.S. Evans to the Director of Native Affairs on 'Meeting of Part-Aboriginals At Parap Parish Hall – Sunday Night 4 March 1951'.

¹⁷⁹ Sue Stanton, 'The Australian Half-caste Progressive Association: The Fight For Freedom And Rights in The Northern Territory' in *Journal of Northern Territory History*, no. 4, 1993, pp. 37-46; also Wells, *The Long March*, pp. 74-76.

¹⁸⁰ Stanton, 'Half-caste Progressive Association', p. 43. Stanton is Jack McGuinness' granddaughter; *NS*, 3 September 1948.

¹⁸¹ NAA, ACT: A6122/XR1, 244, memorandum, Director of Native Affairs, F.H. Moy to NT Administrator – 'Meeting of Part-Aboriginals in Darwin', 8 March 1951.

¹⁸² NAA, ACT: A6119/90, 2507, list of suspected communists in Darwin.

¹⁸³ Susanna Short quotes a former worker in the FIA Office who admits that some "adjustment" of ballots did take place (see Short, *Laurie Short*, p. 145).

legislation was used extensively by the Groupers to oust Communist Party officials from various unions. The powers of the Court to intervene in union elections were further extended by the Menzies government in mid-1951.¹⁸⁴ At a Special General Meeting of the NAWU on 17 April 1951, the new acting secretary, Con Dolan, moved a motion for a Court controlled ballot. The motion was carried by 200 votes to 100.¹⁸⁵ The issue arose because at an executive meeting nine days earlier, the anti-communist group successfully moved a motion rejecting the nomination of Ron Brown as a candidate for vice president on the grounds that Brown was editor of the *Standard*. The only other nomination was Alan Randall. At the same meeting, Yorky Peel resigned as acting secretary and the anti-communists were successful in electing Con Dolan to the position ahead of George Gibbs. Several days later, Dolan accused his left wing opponents on the executive of obstructing him in his duties. In response to Dolan's charges, the Hospital Section petitioned for the 17 April meeting to discuss the issue. In the meantime, Murray Norris and the returning officer received legal advice that Brown's nomination was constitutional and proceeded to organise a ballot including Brown's name. It was this act which led to the motion for the Court controlled ballot. Norris and the left claimed that Brown was willing to withdraw and have the vote take place at the meeting. Their right wing opponents argued that Norris and the returning officer had defied the previous decision to reject Brown's nomination and could not be trusted to run a fair ballot.

Debate over the question of Court intervention continued at the next meeting when the left faction sought unsuccessfully to reject Dolan's report on his attempts to contact the Court. Accusations were also made about union funds being used to send Arthur Olive's 27-year-old daughter Moira, the union's administrative secretary, to the Australian Peace Congress. Moira Olive was described by ASIO as the 'No. 1 Communist' in the NT and had been a leading member of the party's youth work.¹⁸⁶ The accusation about the mis-use of union funds was denied but such was the isolation of the left at this stage that Olive failed in her bid to get the accuser censured. Olive was later sacked from her union office job by Dolan because she took two days off work (without permission) in order to marry George Gibbs.

The right wing saw their opponents as 'disloyal' to the country and working for 'Joe Stalin', while the left wing depicted their opponents as 'agents of Menzies'.¹⁸⁷ Although the decision of the left to include Brown's name on the ballot was tactically unwise and rash, the right

¹⁸⁴ See Hagan, *The History of the A.C.T.U.*, pp. 125, 194-195, 205, 234, 244.

¹⁸⁵ For references on the inter-union dispute see NAA, ACT: A6122/39, 1401 and A6122/XR1, 244, ASIO's 1951 'Basic Report' on NAWU; NS, 27 April, 4, 11, May 1951.

¹⁸⁶ NAA, ACT: A6119/90, 2507, list of names of Communists in Darwin; A6119/90, 2494, M.Gibbs, nee Olive.

¹⁸⁷ NS, 18 May 1951; NAA, ACT: A6122/39, 1401, ASIO's 1951 'Basic Report' on NAWU.

wing's decision to ask the Arbitration Court to intervene in internal union affairs was an anathema to the left. One possible explanation for the left's tactics could be that with the resignation of Peel and the impending departure of Norris, it was short of experienced activists who could take on the responsibilities of union office. Norris had decided to leave the Territory on the grounds of ill health. It must have been a bitter moment for a man who had spent eight years rebuilding the union from virtually nothing, only to see it undergo such an upheaval. After leaving Darwin, Norris first worked as a miner in Queensland but eventually ended up working as a waterside worker in many Australian ports until he retired to Cairns in North Queensland.¹⁸⁸

Divisions in the union were also evident during the 1951 May Day celebrations, described by veteran member Bob Antony, as the 'most spineless' in Territory history because of the decision of the organisers not to carry any red flags.¹⁸⁹ Even Con Dolan, showing he was not a Grouper, criticised this decision by arguing that the red flag was the workers' flag not a party flag.¹⁹⁰ The AHPA were awarded the prize for best float in the march.¹⁹¹

In the end, because the Court failed to respond to Dolan's letters, the union agreed to hold its own ballot with a new returning officer. When the results were announced in July, neither faction could claim an outright victory. The local Secretary of the Communist Party, Scotty Carne, was elected unopposed as president and Randall was elected vice president, but the right wing candidate, Paddy Carroll defeated George Gibbs for secretary.¹⁹² Carroll, a 48-year-old Northern Irishman, had been prospecting in the Territory before the war. On one occasion he helped set up an unemployed camp on the outskirts of Darwin. After the war he got a job as a labourer on the waterfront and for a time was the manager of the Workers' Club.¹⁹³ Carroll was also Secretary of the Northern Territory Trades and Labor Council, which had been formed in 1948 to coordinate the activities of all unions.¹⁹⁴ Once known as a 'red ragger', Carroll confused ASIO agents when he appeared on their files as both pro and anti-communist.¹⁹⁵

¹⁸⁸ NAA, ACT: A6119/84, 1831, Byrne, J.G., AKA Norris, M.

¹⁸⁹ Bob Antony had been granted Life Membership of the union. Owen Rowe was also a Life Member (*NS*, 11 May 1951).

¹⁹⁰ *NS*, 4, 11 May 1951.

¹⁹¹ *NS*, 11 May 1951.

¹⁹² *NS*, 6 July 1951.

¹⁹³ NAA, ACT: A6119/90, 2499, ASIO report, 'Summary of Patrick Carroll', 30 December 1953; NTAS: NTRS 226, TS 171, transcript of interview with Nell Carroll.

¹⁹⁴ *NS*, 5 November 1948; 9 March 1951. The NTTLC was formed in March 1947 and emerged from an advisory panel of three unions – NAWU, AEU and Clerks Union (*NS*, 28 March 1947).

¹⁹⁵ NAA, ACT: A6119/90, 2499, ASIO report, 'Summary of Patrick Carroll', 30 December 1953; NTAS: NTRS 226, TS 655, transcript of interview with Patrick McDonald.

In the ballot for the Executive Council positions, Gibbs, Peel and Meaney were defeated, but others on the left such as former organiser Frank Whiteoak were elected. In July, the ASIO informer, who attended every meeting taking copious notes, continued to report that the executive was 'red controlled'.¹⁹⁶ The anti-communists, however, succeeded in gaining control of the Editorial Board of the *Standard*, now consisting of Randall, Dolan, Carroll and a besieged Ron Brown. The policy of the new Editorial Board included statements in support of the United Nations and the Labor Party, described as the party of the majority of workers. The new Editorial Board also decided that all news from behind the 'iron curtain [was] to be treated with scepticism'.¹⁹⁷

In late August a new dispute broke out over the decision of a left-dominated executive meeting to send Scotty Carne to the ACTU Congress, along with AHPA President, Jack McGuinness. Dolan unjustifiably argued that the Communists were trying to gain 'publicity' from the issue of 'half-caste' rights and that the presence of a Communist with McGuinness at the ACTU Congress would hurt the 'half-caste' cause. Dolan's arguments were accepted and McGuinness was sent as the sole NAWU representative. The bitter fight proceeding in Darwin did not undermine the success of McGuinness' historic trip to Melbourne where he was able to tell the peak body of Australia's trade unions that Territory 'half-castes' were 'foreigners in our own land' and that Aboriginal people were 'outcasts and slaves'.¹⁹⁸ Straight after the speech, the congress endorsed a motion calling for the abolition of the *Aboriginals Ordinance*.¹⁹⁹

Back in Darwin the fight continued, with Dolan making a public attack on the industrial record of Communist Party union officials. In particular, Dolan attacked the 'misleaders' for making repeated unsuccessful attempts to change union rules rather than trying to reach an accord with southern unions like the SPU and the TWU. In the same report, however, Dolan admitted that the general secretary of the TWU had told him that it was the policy of the TWU to 'oppose and smash' the communist NAWU.²⁰⁰

By late October, the divisions on the executive were so wide that all members agreed to resign and hold fresh elections.²⁰¹ When nominations were closed, two clear opposing tickets emerged for the first time since the Communist Party challenged Jack McDonald's

¹⁹⁶ NAA, ACT: A6122/39, 1401, ASIO's 1951 'Basic Report' on NAWU.

¹⁹⁷ *NS*, 11 May 1951. Brown was sacked as editor in January 1952 (*NS*, 11 January 1952).

¹⁹⁸ Speech by Jack McGuinness to ACTU Congress in September 1951, reprinted in *Maritime Worker*, 29 September 1951.

¹⁹⁹ *NS*, 21 September 1951.

²⁰⁰ *NS*, 24 August 1951.

²⁰¹ *NS*, 2 November 1951.

leadership in 1936.²⁰² Both sides stressed the importance of the election. The left wing warned that the NAWU would become a ‘tame cat’ union, while the right wing stressed the need for a united executive and a ‘virile’ union.

There were many new names on both tickets but the left wing ticket included Carne for president and Gibbs for the executive. The right wing ticket, or ‘Democratic Team’ as they were called, included Randall for vice president, Carroll for secretary and Con Dolan for treasurer. One interesting fact is that half the ‘Democratic Team’ was from the waterfront, which goes some way to undermining the idea that waterside workers were inherently radical.²⁰³ What is even more interesting is that Jack McGuinness, who was later described by *People Magazine* as the man who ‘keeps the reds down – and out’ and a ‘fighter of extremists’, was on both tickets.²⁰⁴ It is clear that McGuinness, who received the most votes, did not want to reject those people in the union who had assisted him in his fight for ‘half-caste’ rights but at the same time he was a Catholic and, according to his daughter, anti-communist.²⁰⁵ Both sides had committed themselves to pursuing ‘half-caste’ rights and for McGuinness, it was a question of building alliances. It was more useful for McGuinness to have a union position rather than to face isolation as a defeated candidate.

When the results of the ballot were announced in January 1952, the right wing had won every position although ASIO was still uncertain about the anti-communist credentials of Randall and Carroll. The left, however, still attracted approximately 40 per cent of the vote.²⁰⁶ One indication of the paranoia of ASIO at the time is that one agent felt the whole faction fight was a ‘strategic move’ to conceal communist involvement in the union just in case the referendum on Menzies’ plan to ban the Communist Party was carried.²⁰⁷

So ended a 12-year period of strong Communist Party influence over the NAWU. Despite the achievements of the left in reviving the union after the war, they could not escape the eventual backlash against Communist influence in the unions after the onset of the Cold War. Although various security reports had predicted industrial anarchy, this clearly had not occurred. Life for an NAWU official remained dominated by the rather mundane tasks of preparing claims and presenting evidence for a long series of award hearings. In fact in 1952, the new anti-communist leadership of the NAWU noted that

²⁰² *NS*, 7 December 1951.

²⁰³ NAA, ACT: A6122/39, 1402, ASIO field officer’s report, ‘Darwin Waterfront’, 2 November 1953.

²⁰⁴ ‘Half-Caste Union Boss’ in *People*, 4 September 1957, pp. 33-34; NAA, ACT: A6122/39, 1402, memorandum, Regional Director, ASIO, Darwin, 8 January 1952.

²⁰⁵ Conversation between author and Kath Mills (McGuinness’ daughter), Darwin, no date.

²⁰⁶ *NS*, 4 January 1952.

²⁰⁷ NAA, ACT: A6122/39, 1402, memorandum, Regional Director, ASIO, Darwin, 8 January 1952.

It is surprising but true that if we assume those who believe in and use arbitration are Rightwing and those who don't are Leftwing, a check on Arbitration lists would show that the Communists spend just as much time in the Arbitration Court as most other supposed Rightwing leaders.²⁰⁸

The situation in the following decades did not really change except that the number of awards the union covered increased significantly. What did change, however, was that the union experienced the most stable period in its history which, except for a brief period, was dominated by one man, Paddy Carroll.



Paddy Carroll, NAWU Secretary (1952-1954, 1958-1972). This photo was taken when he was elected to the NT Legislative Assembly in 1957. *Photo courtesy of Legislative Assembly.*

²⁰⁸ NS, 18 January 1952.

Chapter Nine

'I am not satisfied that Darwin merits different treatment from other remote and tropical parts of Australia'¹

1952-1972

*'This Executive has been labelled 'Menzies supporters', 'Catholic Actionists', 'Communist', 'tame cat', and any other term that has suited an antagonist. Obviously they cannot all be right. In actual fact, none is right. The policy of the present executive of the NAWU is designed to assist with the development of the Territory'. – Baylon Ryan, NAWU Secretary, 1954-1956.*²

The 1950s and 1960s in Australia has been described as an era of 'growth, certainty and optimism'. A boom in manufacturing and mining sparked strong economic growth and the country had the same Prime Minister, R.G. Menzies, for 16 years (1949-66). Unemployment was low, wages were rising and consumer spending was high.³ Periodically, the Arbitration Court reviewed the basic wage, but it remained so committed to the 'capacity to pay' principle that wage increases did not keep pace with rising prices. In addition, the Court bowed to the pressure of the Federal government and employers and suspended quarterly cost of living adjustments in 1953.⁴ These developments directly affected the incomes of Territory workers because changes in the region's basic wage had been tied to movements in the national basic wage since 1948.

The spirit of optimism in Australia was also evident in the Territory. Alan Powell titled his chapter on this period in *Far Country*, 'Moving' to suggest that the region was finally delivering what it had always promised.⁵ The Territory missed out on the manufacturing

¹ Commissioner John Portus, *Commonwealth Arbitration Reports (CAR)*, vol. 91, 1959.

² *Northern Territory News (NTN)*, 26 May 1955.

³ Jim Hagan, *The History of the A.C.T.U.*, Longman Cheshire, Melbourne, 1981, p. 209-213.

⁴ Hagan, *History of the A.C.T.U.*, p. 286-294; Ian Turner, *In Union Is Strength: A History of Trade Unions in Australia, 1788-1974*, Thomas Nelson, Melbourne, 1976, p. 123.

⁵ Alan Powell, *Far Country: A Short History of the Northern Territory*, Melbourne University Press, Carlton, 1996, Chapter 10, pp. 189-213.

boom but it gained from a revival in mining and pastoralism. As a result of the better economic conditions, the Territory's population increased, more houses were built and amenities were improved. From 1950 to 1966, the population of the Northern Territory (excluding 'full-blood' Aboriginals) increased by 150 per cent to almost 37,500. From 1947 to 1966 the number of workers in the mining industry increased by over 200 per cent and the numbers in building and construction increased by 170 per cent. In the same period, however, the membership of the NAWU only increased by 30 per cent, although it did reach an all-time high of 3,500 members in 1971 as a result of the late 1960s mining boom.⁶

It is clear that NAWU membership was not keeping pace with an increasing population and there were a number of reasons for this. Firstly, as population increased so did the interest of southern unions in recruiting in the Territory. Secondly, the Territory workforce by the mid-1960s was much more diversified. By then, 40 per cent of the workforce (compared to 30 per cent in 1947) were working in areas less likely to have NAWU members such as finance, property, commerce, public administration and professional services. In 1947, 20 per cent of the workforce were members of the NAWU, but by 1966 only 10 per cent of the workforce were members.⁷

Darwin was changing rapidly. No longer was it an isolated town reliant on the monthly visits of small steamers for news and mail, it was now a stopover for international flights. Darwin residents also received their news at the same time as any other Australian via ABC radio, which began broadcasting in 1947.⁸ With the first issue of *The Northern Territory News (NT News)* appearing on 8 February 1952, Darwin again had two newspapers.⁹ More importantly for the Territory economy, it was announced in early 1953 that a new wharf would be built to replace the bombed L-shaped wharf that had plagued shipowners and waterside workers for half a century.¹⁰

The problem for the NAWU was that with all these changes, it started to have difficulty convincing the Arbitration Court that Territory workers deserved compensation for isolation and primitive conditions. Nevertheless, for most of the 1950s, many Darwin workers still lived in the large camps vacated by the military and the CCC after the Second World War.

⁶ *Annual Report of the Administrator, 1953-1955; Northern Territory Annual Report, 1967-1968*. The Australian census did not include 'full-blood Aboriginals' till after 1967. Union membership figures from Northern Territory Archives Service (NTAS): Pac 34, Box 32, membership report to 1971 Central Council.

⁷ *Annual Report of the Administrator, 1953-1955; Northern Territory Annual Report, 1967-1968*. These are broad indicators only because it is difficult to determine exactly what occupations were incorporated in each workforce category.

⁸ *Northern Standard (NS)*, 14 February 1947, Editorial 9 January 1953; *NTN*, 12 July 1956.

⁹ The *NT News* went daily in 1964.

¹⁰ *NS*, 12 March 1953.

Some of the workers who came north after hearing reports of jobs and ‘big money’, camped on beaches and ovals or in the rotting remains of the Vestey’s meatworks and other derelict buildings that littered the town.¹¹ The ‘hut and hovel era’ did not disappear from Darwin until the housing boom of the late 1950s and early 1960s.¹² Other changes were also slow coming. Television may have arrived in Australia in the late 1950s but it did not arrive in Darwin until the 1970s.

By 1953, the anti-communist faction in the NAWU had strengthened its hold on the leadership. In the union elections of June 1952, the Communist Party candidates Terry Robinson, Moira and George Gibbs, Scotty Carne and Jack Meaney, were defeated.¹³ The 37-year-old Robinson, who ran for secretary against Con Dolan, had come to the Territory during the war to work as a welder at the Katherine railway workshops. He had also stood on the previous unsuccessful left wing ticket.¹⁴ Ten years later he was a principal figure in the revival of the campaign for Aboriginal civil rights in the Territory. Like the previous ballot, only about a quarter of the union’s 1,600 members voted and the left still gained over a third of the vote. Carroll had not re-nominated as secretary but was back in the job by September.¹⁵ Carroll’s return was endorsed by a membership ballot in November when he was opposed by Meaney.¹⁶ In the 1953 elections, Carroll was unopposed as secretary but the left still ran Carne for president and Bob Antony for treasurer. Both were defeated.¹⁷ In 1954, there was no ballot due to the absence of an opposition ticket.¹⁸

Although the divisions in the union were based on the same ideological battles occurring in the trade union movement elsewhere in Australia, there was also a local and somewhat less ideological flavour to the fight in the Territory. Bill Ivinson, the union’s treasurer from 1952 to 1958, recalls that a large part of the reason for his electoral success was that he was related to most of his fellow waterside workers.¹⁹ With the defeat of the left wing in the NAWU, other Darwin traditions such as May Day and the annual picnic also disappeared. The NT Trades and Labor Council (NTTLC) organised May Day marches in 1952 and 1953, yet they were markedly less political than previous years. Australian flags replaced red flags and instead of floats calling for equal wages and citizenship for Aborigines, the prize-winning

¹¹ *NS*, 26 September, 3 October, 28 November 1952; *NTN*, 25 September, 18 December 1952, 28 August 1953, 30 October 1959; Ted Egan, *Sit Down Up North: An Autobiography*, Kerr, Marrickville, 1997, p. 7.

¹² *NTN*, 14 February 1961.

¹³ *NS*, 4 July 1952.

¹⁴ Terry Robinson, interview with author, Darwin, 7 December 1999.

¹⁵ National Archives of Australia (NAA), ACT: A6122/39, 1402, ASIO memorandum, 5 December 1952; *NS*, 19 September 1952.

¹⁶ *NS*, 5 December 1952.

¹⁷ *NS*, 2 April 1953.

¹⁸ *NS*, 29 April 1954.

¹⁹ NTAS: NTRS 226, TS 455, transcript of interview with Bill Ivinson; transcript of interview with Bill Ivinson by Cliff Smythe.

float in 1952 was entered by the Federal government's Native Affairs Branch (NAB). The NAB float promoted the government's new policies of assimilation and depicted the 'progress of the aborigine from the primitive' to the industrial worker. In 1953, an appeal was even made to local businesses to enter floats because 'Darwin is too small a town for them not to get together with the workers on a more reasonable basis'. Finally in 1954, the NTTLC announced there would be no procession due to 'apathy'.²⁰

What had not changed with the election of the anti-communist leadership was the tendency of the NAWU to closely follow the policies of southern-based unions. The new leaders, however, took their lead from the pragmatic and conservative ACTU rather than the large southern-based left wing unions. The only left wing union with influence on events in the Territory was the Waterside Workers Federation (WWF), which had close links with the NAWU Waterside Section.

The first major industrial dispute faced by the new leadership was the three week 'lock-out' of 57 miners at the Nobles Nob gold mine near Tennant Creek in August-September 1953. The workers had been dismissed after demanding that their employer sack the contract caterer at the mine's mess because of the poor state of the food. In response, the NAWU sent down its new 42-year-old organiser Kevin Tulk to take charge of the strike. Little is known of Tulk, but ASIO recorded that he had just arrived in the Territory from New South Wales (NSW) where he had been active in the Trades and Labour Council, a stronghold of the Industrial Groups.²¹ One of the first actions of the strike committee, which included Owen Rowe, now in his late 70s, was to turn the union's local hall into a kitchen to feed the locked-out workers. Refrigerators, cooking equipment and eating utensils were donated by the local community. After the intervention of the Arbitration Court, the company agreed to reinstate all dismissed workers and subsidise the workers to run their own mess. The victory was promoted by the union officials in Darwin as a victory of the 'Democratic Union Leadership'.²²

The new leadership also maintained the union's involvement in the broader political arena either through the Labor Party or in its own name. In May 1954, Paddy Carroll was nominated as an NAWU candidate for the Legislative Council alongside trucking contractor, Fred Drysdale. Drysdale's father had been a trustee for the union in the 1930s. Jack Burton, the 80-year-old veteran of the Territory union movement, was campaign manager. Carroll

²⁰ NS, 9 May 1952, 7 May 1953; NTN, 9 May 1952, 7 May 1953.

²¹ NAA, ACT: A6122/39, 1402, ASIO memorandum, 2 January 1954; Hagan, *History of the A.C.T.U.*, p. 235.

²² NS, 13, 20, 27 August, 3, 10, 17 September 1953; NTN, 23 July, 13, 20 August, 23 September 1953.

had again resigned as secretary due to ill health and was replaced by Kevin Tulk. One of the leaders of the Noble's Nob lock-out, the 34-year-old Curley Harpley, became the new organiser.²³

Carroll and Drysdale's policies included a call for a fully elected Legislative Council and improved housing. When the election results were announced, they contained a mixed message for the NAWU. Carroll only secured 17 per cent of the primary vote and ran third behind the Labor Party candidate, but Drysdale was elected with the aid of Carroll's preferences and a strong personal following. Charles Priest, the ex-Communist Party member and depression era unemployed activist, was the unsuccessful Labor Party candidate for Tennant Creek.²⁴

Despite its mixed success in the political sphere, 1954 was a difficult year for the union organisationally with three different secretaries holding office. There were also appeals in the *Standard* for members to take a greater interest in their union, which may explain why there was no ballot for executive positions that year. Tulk resigned as acting secretary in May stating reasons of ill health and was replaced by Brian Terrence Langan, the 24-year-old editor of the *Standard*. Langan, a journalist from Lismore, NSW, had arrived in Darwin in March 1954. He was able to fill both positions partly due to the suspension of the *Standard* for three months from June because of a breakdown in the printing plant. After advertising down south for a new secretary, Baylon Ryan was employed and he began his duties in September 1954.²⁵

At 26, Ryan was already a veteran of the ideological battles that had gripped the Australian labour movement in the post-war years. A strong anti-communist Catholic, Ryan had been active in the Industrial Groups in Victoria both as branch official for the Labor Party and as a member of the Grouper-led Federated Clerks Union (FCU).²⁶ Some years later, Ryan was described in the *Melbourne Herald* as 'The man most hated by Communists'.²⁷

Like other imported secretaries before him, Ryan was shocked by the conditions he found on arrival in Darwin. He immediately moved into a 'dilapidated' house owned by the union and

²³ *NS*, 24 December 1953.

²⁴ *NS*, 8, 15 April, 20, 27 May 1954; *NTN*, 11 February, 6, 8 April, 17, 22 June 1954. The Labor candidate, Aub Callinan, was a member of the Amalgamated Engineering Union (AEU) and President of the NTTLC. It is unclear why the NAWU ran against the Labor Party.

²⁵ *NS*, 25 February, 21 October, 16 September 1954; NAA, ACT:A6122/39, 1402, ASIO field officer's report on various individuals in NAWU, compiled 30 December 1953.

²⁶ *NS*, 16 September 1954; Baylon Ryan, interview with author, Melbourne, 8 October 1999 and further phone discussion, 29 April 2000.

²⁷ Description of Baylon Ryan in *Melbourne Herald*, 28 April 1955.

he particularly recalls the iron beds and straw mattresses. The union office was the same ‘wreck’ that existed before the war and he was provided with a ‘decrepit’ Morris Minor which Ryan recalls driving on one occasion and ‘the spark plug flew completely out of the head’.²⁸

Apart from the ongoing tasks of policing and updating local awards, Ryan recalls three issues dominating his two years in Darwin – working conditions at the Rum Jungle uranium mine, the future of the *Standard* and the introduction of the first award for the pearling industry.

In 1949, uranium ore was discovered at Rum Jungle by Jack White, a former NAWU organiser. When mining started, White became the NAWU representative at the site.²⁹ Rum Jungle was the largest mining project in the Territory since the 1930s mining boom at Tennant Creek. Within a few short years of the discovery of ore, the town of Batchelor was gazetted and by mid-1954, it had a population of 700.³⁰ During these early years, there were complaints from workers, many of them new migrants, about accommodation and eating facilities. Baylon Ryan recalls that ‘They were people who understood what their working conditions should be and they were demanding what they needed’. As a rule the employers responded positively to the workers’ demands but it often took the threat of strike action to get a response.

In late 1952, the union began negotiations with the Federal government to establish an award for the project. In mid-1953, Kevin Tulk commended the main company, Territory Enterprises Proprietary (TEP), for the facilities it had built for its workers. However, the rapid rise of the project and the need for a large number of temporary construction workers still meant many workers were living in tents. Even though the *NT News* described a five-day strike in February 1955 by 200 TEP workers as ‘illogical’, the paper agreed the workers had a justifiable complaint about poor shower and toilet facilities and having to walk through ‘mud up to their ankles to reach their tents after heavy rains’. When the matter was arbitrated, the Court agreed that tents were not satisfactory, but recognised that the company was in the process of providing permanent accommodation and adequate facilities for its workers.³¹

²⁸ Interview with Baylon Ryan.

²⁹ See Chapter 7, p. 182; Charles Priest, *Further Northern Territory Recollections: Improving my Education*, self published, Benalla, 1986, p. 28; Helen J. Wilson & Elizabeth Estbergs, *The Northern Territory Chronicle*, Northern Territory University Planning Authority, Darwin, 1984, p. 41; *NS*, 22 August 1952.

³⁰ *NTN*, 16 July 1953, 11 May 1954.

³¹ *NS*, 8, 15 February, 14 March, 20 August, 26 December 1952, 18 June, 22, 29 October 1953, 9, 16 December 1954; *NTN*, 22, 24 February, 1, 10 March, 7, 14 April 1955.

The End of the *Standard*

There had not been a left wing challenge to the officials since the 1953 elections, but the executive's decision to lease the plant and machinery of the *Standard* to the *NT News* in April 1955 revived the factional struggle within the union. Ryan recalls the union did not have the funds to employ an editor so he did both jobs, but it 'reached a stage where we were finding it difficult. The more I got involved in the preparation of awards, the harder [it] became for me to do the two jobs'.³²

When the executive voted to accept the proposal, the Municipal Section, led by Bob Antony, demanded Ryan's resignation. In response, the Hospital Section came out in support of the Secretary and accused his opponents of trying to 'smash the NAWU'.³³ The dispute had shades of 1936 as the executive's left wing opponents nominated for every position for the 1955 elections. Scotty Carne nominated for the position of president against the popular Jack McGuinness and Jack Burton was the right wing candidate for vice president. Other candidates for the left included Antony, George Gibbs and a relative new comer to Darwin, 'Wild' Bill Donnelly.³⁴ Donnelly came to Australia from his native Ireland as an 11-year-old orphan in 1928 and was attracted to the Communist Party while a timber worker in the Gippsland forests of eastern Victoria. Fleeing a failed marriage, Donnelly came to the Territory in 1948 and secured a job as an engineer at the Katherine powerhouse. He quickly attracted the attention of the security forces as a 'most dangerous' communist. Donnelly was a striking figure with dark complexion, long black hair and thick glasses. He was an avid reader of political literature. Terry Robinson recalls his first sight of Donnelly when visiting his hut near the powerhouse – 'You couldn't get in the bloody thing. The place was piled up with *Tribunes*'. When he moved to Darwin in 1953, Donnelly secured a job on the waterfront where he helped revive the influence of the left in the Waterside Section.³⁵

On 20 April 1955, 300 members of the union gathered in the Belsen Recreation Hall on Smith Street, Darwin (the site of the present Catholic Cathedral) to discuss the future of the *Standard* and plans to establish a pearling industry award. The meeting was chaired by Jack McGuinness, who Ryan recalls was a 'very intelligent feller, very capable speaker and understood the fundamentals of running a meeting'. McGuinness soon lost control of the

³² Interview with Baylon Ryan.

³³ *NTN*, 14 April 1955.

³⁴ *NTN*, 14 April 1955.

³⁵ Notes taken by author during discussions with Bill Donnelly, Darwin, 1997-1999; NAA, ACT: A6119/90, 2509 (vol. 1 & 2), Donnelly, William; A6122/R1, 356, Communist Activity Mataranka-Pine Creek Area; interview with Terry Robinson. According to the daughter of Jack McGuinness, Donnelly was nicknamed 'Tarzan' by some of the young women around Darwin (Notes taken by author during discussions with Kath Mills, Darwin, 1999).

meeting when some members began interjecting during Ryan's report. Ryan recalls that the left, led by Carne and Donnelly, stacked the meeting with some visiting seamen as a form of 'intimidation'. In actual fact the seamen, who had no speaking rights, were there to discuss the pearling issue. On one occasion McGuinness ordered Antony from the meeting. Ryan explained that the *Standard* had been losing money for five of the last six years and that the *NT News* had agreed to publish all stories supplied by the union and print a weekly union paper. For Ryan, 'it was a logical way of still having a propaganda medium ... at the same time as getting a few quid out of it instead of losing money'. Ryan recalls that a motion was carried in favour of the proposal, which led to uproar and some members storming the front of the hall. At that point the 'big [and] strong' treasurer, Bill Ivinson stepped in front of Ryan to protect him from any physical assault. Ryan was not assaulted, nor was he ever the target of physical assault from the left, but McGuinness was forced to close the meeting. When Donnelly tried to continue discussing the issue, Ryan had the lights of the hall turned out.³⁶ When the results of the 1955 elections were announced in July, Ryan's team was victorious, although the left still attracted a quarter of the vote.³⁷

Very shortly afterwards the *Standard* ceased production and so ended one of the longest running examples in Australian history of a union-run local newspaper. Although the strong emotional attachment to the *Standard* from veterans like Antony is understandable, Ryan had little alternative but to suspend the publication given that the paper owed the union £9,000. Twelve months later, the *NT News* signed a lease agreement with the NAWU for its printing plant with an annual rental of £1,400 plus the free printing of a monthly newsletter, *Union News*.³⁸ Unlike the old *Times*, however, the *NT News*, under the editorship of the left-leaning Jim Bowditch, described by Frank Hardy as 'the last of the radical writers', generally gave the union sympathetic coverage.³⁹

In the post-war years, pearling began to show signs of a recovery but it was still dependent on the use of indentured labour. In early 1952, the Menzies Government, as part of the process of normalising relations with Japan, agreed to allow Japanese divers back into the industry. With memories of the war still fresh, the proposal generated understandable anger from many northern residents and again focused the attention of the NAWU on working

³⁶ *NTN*, 21 April 1955; interview with Baylon Ryan; NAA, ACT: A6122/39, 1402, ASIO memorandum, 26 April 1955. Neither the *NT News* report, nor the ASIO report record that a vote was taken on the issue.

³⁷ *NTN*, 5 July 1955.

³⁸ NTAS: NTRS 827, *Union News*, May 1956.

³⁹ Frank Hardy, *The Unlucky Australians*, Gold Star, Hawthorn, 1972, p. 20. See Letters to the Editor, *NTN*, 9 December 1956 in which G.F. Willick writes 'Good upon the News for being the only paper which has tried to present the views of the waterside workers without bias'.

conditions in the industry.⁴⁰ Four years earlier, with the racial exclusion clauses finally removed from the union's constitution, some of the pearlers had formed a section of the union. Apart from the low wages of £16 to £20 per month plus food and production bonuses, pearling was also a dangerous occupation with no insurance cover for injury or death. Indentured pearlers also faced the constant threat of deportation if they questioned their conditions.⁴¹

The issue became a source of tension between the left and right of the union when in April 1955, the executive criticised the Waterside Section and a group of visiting seamen for placing a black ban on all pearl shell collected by indentured labour. The executive had decided to accept the use of indentured labour but wanted an award to govern the industry. They had already received an assurance from the Federal government that the Japanese divers would receive the basic wage.⁴² Critics of the executive were concerned that the balance of the workforce, who were mostly Malays and a few Aborigines, would still earn less than the basic wage. In late April, the Waterside Section held a joint meeting with a group of concerned seamen and some pearling workers to draw up a log of claims. The claims included among other things, a basic wage for *all* pearling workers; restrictions on hours; penalty rates for overtime; improved food and accommodation; insurance cover (including repatriation of the body and personal belongings of any deceased pearling worker to their home country); holidays; union rights and citizenship for all pearling workers.⁴³

Parallel with these events, some Malay pearlers were involved in a dispute with their employer over the repatriation to Singapore of the body of a deceased co-worker. The employer, Nick Paspaley, was prepared to pay the cost of a local burial but refused to pay for repatriation. Paspaley told an ASIO agent that he believed Bill Donnelly and another waterside worker, Colin Friel, were advising the Malays.⁴⁴ The 27-year-old Friel had been working at an abattoir in NSW and decided to move to Darwin 'where it never gets cold'. He arrived in mid-1950 and soon after joined the Communist Party.⁴⁵ Rather than accede to the demands of the Malays, Paspaley terminated their contracts and had them deported to Singapore. One of the Malays, Yap Ah Chee, contacted the union and his deportation was delayed while he attempted to find other work in the pearling industry. Aub Callinan, the local Labor Party Legislative Councillor, and Jim Bowditch, the *NT News* editor, also took

⁴⁰ *NTN*, 4 April 1952; *NS*, 18 January, 15 February, 7 March 1952.

⁴¹ *NS*, 13 August, 17 December 1948. In 1953, the basic wage north of Latitude 20° South was £13 5s per week (*NTN*, 23 July 1953).

⁴² *NTN*, 1, 3 March, 5, 7 April 1955; *NS*, 27 January 1955.

⁴³ *NTN*, 19 April 1955; NAA, ACT: A6122/39, 1402, copy of log of claims for pearling industry.

⁴⁴ NAA, ACT: A6122/39, 1402, ASIO memorandum, 10 April 1955.

⁴⁵ Colin Friel, interview with author, Darwin, 10 September 1999.

up his case. After failing to find work, Ah Chee was due to be deported on 3 May 1955 but failed to appear at the airport. The next day Ah Chee tried to take Paspaley to Court for wrongful dismissal but found that he had a weak case in law. Ah Chee's supporters were determined to stop his deportation and hid him from the police for a number of weeks at a remote timber camp near Arnhem Land, 300 kilometres east of Darwin, but he was eventually caught and deported.⁴⁶

In the meantime, the NAWU was having difficulty getting the pearling companies to agree to an award and in June the executive voted to black ban the shipment of Darwin pearl shell. Pickets were also placed outside Nick Paspaley's brother's betting shop in Smith Street, Darwin, to put pressure on the wealthy family. The bans and pickets lasted four weeks.⁴⁷

The case finally came before Commissioner John Portus in Adelaide on 18 August 1955 during which the pearling companies attempted to block the progress of the hearing by arguing that the dispute was not 'real and genuine'. The companies argued that the NAWU had no connections with the industry, the industry was not suitable for regulation and the Court had no power over contracts signed overseas. When Portus released his judgement in October, he rejected many of the employers' submissions, arguing that all workers in Australia, indentured or not, should receive a basic wage. Nevertheless, the Commissioner accepted the employers' argument that the industry could not be regulated because it was dependent on weather conditions and tides. As a result, Portus refused to include set hours, overtime and holiday clauses in the award. The Commissioner also refused the union's application to compel the employer to repatriate the bodies of deceased workers to their home countries.⁴⁸

The Arbitration Court was continuing its strict adherence to the 'capacity to pay' principle. Because of this and the suspension of quarterly cost of living adjustments, wage rises were difficult to achieve. In an attempt to by-pass the restrictions of the Court, trade unions argued that margins for skill should be increased to counteract increases in the cost of living and to maintain the gap between the more skilled and the less skilled workers.⁴⁹ The margins issue was the cause of a three-week partial national strike by waterside workers in January-

⁴⁶ NAA, ACT: A6122/39, 1402, various ASIO memorandums titled Yap Ah Chee; *NTN*, 12 May 1955, 23 June 1955. Six years later the Darwin community again provided sanctuary for two Malayan indentured pearlsharers facing deportation. Both were members of the NAWU. For an account of the 1961 anti-deportation campaign see Lyn Riddett, 'The Gateway and the Gatekeepers: An Examination of Darwin's Relationship with Asia and Asians, 1942-1993' in *Journal of Australian Studies*, no. 46, September 1995, pp. 56-70.

⁴⁷ *NTN*, 16, 28, 30 June, 5, 26 July 1955.

⁴⁸ *CAR*, vol. 83, 1955, pp. 266-271. I also thank Baylon Ryan for lending me copies of the Court transcript; *NTN*, 18, 23 August 1955.

⁴⁹ Tom Sheridan, *Mindful Militants: The Amalgamated Engineering Union in Australia, 1920-72*, Cambridge University Press, Cambridge, 1975, pp. 188-190; Turner, *In Union is Strength*, pp. 100-101.

February 1956, which held up the loading and unloading of all cargoes at Darwin, except food and essentials. The WWF had asked for a margin increase of 1s per hour as there had not been an increase in eight years. The shipping companies had offered half this in return for the removal of certain 'restrictive practices' that reduced the turn-around of ships such as load limits on slings and nets, rest periods and union restrictions on the size of the workforce. Because the dispute had been authorised by the ACTU, it had Ryan's support.⁵⁰ When the case came before Judge Ashburner, he slightly increased margins but also empowered the employers to reduce gang sizes and increase load limits.⁵¹

For the remainder of Ryan's time in the Territory, the waterfront remained a source of industrial conflict. Although the left was regaining strength in the Waterside Section through the influence of men like Donnelly, it was not a left stronghold. Paddy Carroll, after resigning as union secretary, had returned to the wharf and was section president. Out of the 12 people on the 1955-56 executive, all Ryan supporters, seven were waterside workers.⁵² In spite of this, the fear of communism still gripped the Administration and on one occasion the new Administrator, J. Archer, reported to the Federal government that the 'real cause' of industrial strife on the wharf was the result of Communist Party efforts to disrupt scrap iron shipments to Japan.⁵³

In reality, however, according to a 1956 report from the Australian Stevedoring Industry Authority (ASIA) and subsequent annual reports, the number of work days lost to industrial conflict on the Darwin wharf was often less than at other Australian ports.⁵⁴ Nevertheless due to Darwin's reliance on sea cargo, any dispute could lead to severe shortages of essential items in the town. The main cause of many of the disputes was a struggle for power between the local ASIA representative, R. O'Toole, and the union. While the former exercised his legal right to allocate and discipline labour, the latter insisted on the maintenance of union control of the workplace and a continuation of local customs. In many cases, the union was supported by the *NT News*, which often criticised the uncompromising wharf management.

⁵⁰ *NTN*, 24 May 1955, 24, 26, 31 January, 2, 7, 9, 14 February 1956. See Tom Sheridan, 'Regulating the Waterfront Industry, 1950-1968' in *Journal of Industrial Relations*, vol. 40, no. 3, September 1998, p. 454.

⁵¹ Sheridan, 'Regulating the Waterfront Industry', p. 455.

⁵² NAA, ACT: A6122/39, 1403, ASIO report on NAWU annual elections, 24 August 1955.

⁵³ NAA, ACT: A6122/39, 1403, transcript of secret telephone communication between, J. Archer, NT Administrator to C.R. Lambert, Secretary to Department of Territories, 22 November 1956. In October 1956, a Japanese company purchased the rights to salvage the hulks of bombed ships still lying in Darwin harbour (*NTN* 11 October 1956).

⁵⁴ *NTN*, 1 May 1956, 14 October 1960, 29 October 1963, 16 October 1964. The ASIA had replaced the Australian Stevedoring Industry Board (ASIB) in 1956 as the regulating authority of the waterfront. The ASIB had replaced the Stevedoring Industry Commission in 1949 (see Sheridan, 'Regulating the Waterfront', p. 445).

Even an ASIO agent described waterside workers during a November 1956 dispute as 'reasonable' and the ASIA representative as 'overbearing'.⁵⁵

In another dispute over the rotation of workers assigned to obnoxious cargoes such as cement, the NAWU argued that it was the custom of the port for the union to allocate labour. In the particular case of obnoxious cargoes, the union insisted a worker should not be given the same work two days in a row. The ASIA maintained that it had the legal authority to allocate labour wherever it liked. The *NT News* castigated management for opposing job rotation simply on the grounds of managerial rights and called for a 'new attitude on both sides'. When the matter was placed before Judge Ashburner, he recognised the managerial rights of ASIA and stated that 'Customs and practices are not sacrosanct', but added that the rotation of crews should continue because it was not undermining port efficiency.⁵⁶

In early December 1956, Ryan tendered his resignation to the union executive so he could return to his wife and child. Ryan recalls that at the time of his departure he was even praised by his old adversary, Scotty Carne, for his professional approach to the job. After leaving Darwin, Ryan continued his political involvement for a number of years as South Australian State Secretary of the Democratic Labor Party, formed after supporters of the Industrial Groups were expelled from the Labor Party in the mid-1950s. After three years he moved back to Melbourne where he lives to this day.⁵⁷

Ryan was replaced by the union's organiser, Bill Steele. Steele, a 45-year-old returned serviceman, had been appointed organiser in early March 1956. Before coming to Darwin, he had been active in the Industrial Groups in Victoria and had been an organiser for the FCU for five years.⁵⁸ It was a difficult time to take over the running of the union as unemployment was again on the rise due to the 1955-56 Australian recession and associated cuts to Federal government expenditure in the Territory. As in the past, local unemployment was boosted by southern workers who had come to Darwin after hearing exaggerated reports of the opportunities available in the Territory.⁵⁹ Union membership also took a corresponding drop to just over 1,300 members in 1957.⁶⁰ One positive note for the union

⁵⁵ NAA, ACT: A6122/39,1403, ASIO file note, 'North Australian Workers Union', 5 December 1956.

⁵⁶ *CAR*, vol. 87, 1957, pp. 689-692; *NTN*, 11, 28 December 1956.

⁵⁷ Interview with Baylon Ryan; *NTN*, 6 December 1956; Hagan, *History of the A.C.T.U.*, p. 250.

⁵⁸ NTAS: NTRS 827, *Union News*, May 1956.

⁵⁹ Fred Alexander, *Australia Since Federation*, Thomas Nelson, Melbourne, 1982, p. 210; *NTN*, 5 February, 30 April, 1, 6, 8, 13, 22 August, 10 September 1957.

⁶⁰ 100 of these members were women (NTAS: Pac 34, Box 32, minutes of NAWU Annual Council Meeting, 28 September 1958).

was the election of Paddy Carroll to the Legislative Council on a Labor Party ticket in February 1957.⁶¹

The Resurgence of the Left

During Steele's term as secretary he faced a resurgent left on the wharf, symbolised by the election of Bill Donnelly in June 1957 as Vigilance Officer, a full-time union position funded by a levy on all waterside workers.⁶² On a number of occasions the Waterside Section was censured by the executive for unauthorised stoppages. In their defence, waterside workers argued that they were simply reacting to the continuing attempts by management to alter long established work practices. In March 1957, pickets were placed outside the sorting shed on the new wharf to stop non-union labour loading goods onto waiting trucks. In response, the local Chamber of Commerce, now led by former NAWU executive member and *NT News* printer, Jack Coleman, gave the union a deadline to remove the 'illegal pickets' or else they would remove their goods themselves. After negotiations, it was agreed to refer the matter to the Arbitration Court (after 1956, the Arbitration Commission).⁶³ In his decision, Judge Ashburner, sympathised with the workers trying to protect their jobs, but supported the right of businesses to employ whoever they liked to collect their goods.⁶⁴

Shortly afterwards, the waterside workers were again criticised for taking industrial action over a management order to increase the number of cement bags on a pallet beyond what the wharfies believed to be a safe load. This time the most vocal criticism came from Bill Steele, who accused the waterside workers of endangering the registration of the union by contravening an order from the Board of Reference prohibiting a stop work meeting. However, in the eyes of the wharfies, the impartiality of the Reference Board had been compromised by the presence of O'Toole as its chairman.⁶⁵ It is probable that waterside workers were also trying to slow down the loading of cargo to counteract a slump in the number of ships visiting the port.⁶⁶

The following August, the NAWU executive again tried to order the Waterside Section back to work during an eight-day strike over the method of paying wages. In an advertisement in

⁶¹ *NTN*, 26 February 1957. Carroll held the position for three years.

⁶² NAA, ACT: A6119/90, 2509 (vol. 1), ASIO report on Bill Donnelly, 8 July 1957.

⁶³ From 1956 the Commonwealth Court of Conciliation and Arbitration was split into two sections, the Commonwealth Industrial Court with the power to enforce awards and the Commonwealth Conciliation and Arbitration Commission to arbitrate disputes.

⁶⁴ *NTN*, 5, 19, 26 March, 20 June 1957.

⁶⁵ *NTN*, 2 April 1957.

⁶⁶ *NTN*, 5 March, 21 May 1957.

the *NT News*, the Waterside Section argued that management was trying to remove the long-term practice of paying workers on the job. In the press statement, the section argued that 'The efficient running of the Darwin waterfront will not be achieved by continual attempts on the part of the employers to filch established conditions from the workers'. Section president, Paddy Carroll, stated that industrial peace would only come to the waterfront if an independent arbitrator was appointed to settle disputes quickly, an argument the union had been using for two decades. When the dispute came before Judge Ashburner, he criticised both the wharfies for defying the NAWU executive and management for attempting to change working conditions without adequate consultation.⁶⁷

The union also raised the issue of adequate housing during Steele's time as secretary. Housing construction had increased in recent years but most of the new houses had been set aside for public servants. In early July 1957, the union organised a mass stop work meeting of all members to draw attention to its demands for more housing, price controls and taxation concessions.⁶⁸ A secret ASIO report described the campaign as 'sane' but warned that 'poor housing conditions has created such discontent that an explosive situation exists' and 'could easily get out of hand' if the communists gained influence.⁶⁹

In a briefing paper dealing with the union's demands, a senior public servant wrote that

Since World War II the Northern Territory has suffered from a chronic state of inadequate housing of a suitable standard for workers. There has been too much dependence on hostels and sub-standard accommodation. This is reflected in the employment situation by chronic shortages of efficient labour and instability through rapid turnover of labour. It is considered that an improvement in the housing situation is an essential prerequisite to any improvement in labour conditions.⁷⁰

Wharfies were not the only workers facing cuts to their established conditions. In October 1957 the Department of Works and Housing withdrew its transport service for workers to and from the Arafura works camp, near the old town aerodrome. After the workers threatened to go on strike, the service was reintroduced pending arbitration. ASIO decided there were 'no known' communists involved in the dispute, but its agents still followed Bill Donnelly around town monitoring his contact with Works' employees.⁷¹

⁶⁷ *NTN*, 22, 27, 29, August, 19 September 1957.

⁶⁸ *NTN*, 27 June, 2, 4, July 1957.

⁶⁹ NAA, ACT: A6122/39, 1403, secret ASIO file note, 15 July 1957.

⁷⁰ NAA, ACT: A452/2, 1957/1991, Ministerial briefing paper from Department of Territories – 'Representations of the North Australian Workers' Union', 16 August 1957.

⁷¹ NAA, ACT: A6122/39, 1403, field officer's report, 'Industrial Stoppages, Northern Territory, Day Labour, Department of Works', no date.

Tensions between the Waterside Section and the union executive did not improve the next year when in late February, the section refused to unload cargo from a small cargo vessel, the *Melva*, unless a full gang was employed. In response, the boat's owner, R. Aitken-Quack, used his non-union crew to discharge the cargo of empty oil drums.⁷² Pickets were then placed on the Fort Hill timber wharf to prevent Aitken-Quack's trucks from leaving. Soon after police arrived and when the picketers refused to move, names were taken and over several days 47 charges were laid. The workers, including Carroll and Donnelly, were charged under the 1921 *Observance of Law Ordinance*, which had been passed to deal with civil disturbances in Darwin after the First World War. Aitken-Quack also sought an injunction from the Supreme Court to restrain the union from further pickets, but Judge Kriewaldt argued that it was an industrial dispute and as such should be dealt with in an industrial court.

At first the union was united behind the Waterside Section. Bill Steele suggested the dispute highlighted the need for a local independent arbitrator and a public inquiry into the management of the wharf. Carroll declared that his section was acting on a 'matter of principle' by trying to protect workers' jobs.⁷³ But according to an ASIO report, Carroll opposed the ban on the *Melva* and the whole dispute was 'a trial of strength between Carroll and Donnelly'. A week later, Steele publicly called the actions of 'both sides ... ill advised' and the executive moved to ban the Waterside Section from taking further unauthorised industrial action. Shortly afterwards the black ban on the *Melva* was lifted and the NAWU allowed Aitken-Quack to use his crew to unload the ship as long as he dropped legal action against the union for damages.

The dispute made front-page headlines for a number of days and the usually sympathetic *NT News* ran uncorroborated stories of shots being fired at Aitken-Quack's drivers and suggested that the union should be deregistered. When the workers who had been charged for picketing appeared in Court, they did not get a sympathetic hearing from the Magistrate. He lectured them on the need to 'protect the freedoms of democracy' and attacked the credibility of their testimony and fined Carroll, Donnelly and three other waterside workers £10 plus costs.⁷⁴ However, on appeal to the NT Supreme Court, the convictions were

⁷² All information on this dispute in *NTN*, 27 February, 4, 6, 11, 18 March, 19 June, 5, 8 August 1958; NAA, ACT: A6119/90, 2509 (vol. 1), various ASIO field officer's reports, 'Industrial Stoppages – Northern Territory – Waterside Workers', 12 February, 3 March, 1 April 1958. See also NTAS: NTRS 226, TS 646, transcript of interview with Ron Withnall. Withnall was the Crown Law Officer involved in the Supreme Court appeal.

⁷³ *NTN*, 27 February 1958.

⁷⁴ *NTN*, 4 March 1958.

quashed and the charges on the other workers dropped. The appeal was also upheld in the High Court.⁷⁵

Shortly after the *Melva* dispute, Steele took extended stress leave and informed the executive that he would not be recontesting the position. Once again, Carroll took the helm and remained secretary for the next 14 years.⁷⁶ Other changes that took place at this time were the re-election of the left's Jack Meaney to the executive. Nevertheless, with Colin Friel and Bill Donnelly failing to win a position, the right was still firmly in control. The union's new president, Bert Graham, was a hospital worker whose family had been in the Territory since 1913. Only 232 of the union's 1,300 members voted.⁷⁷ For the first time in many years, the union also elected two organisers. One of the leaders of the Arafura works camp transport dispute, Ray Bradshaw, was elected northern organiser and John 'Curly' Nixon was elected southern organiser. The 29-year-old Nixon first came to Darwin in 1949 from Western Australia, having worked as a hard rock miner and as a wharfie at Derby. After his return from active service in Korea, Nixon moved to Alice Springs and was elected the NAWU representative for the town. Nixon was a supporter of the Labor Party but this did not stop ASIO describing him as 'pro-communist' and an 'industrial trouble-maker'.⁷⁸

The departure of Steele coincided with the reappearance of the May Day march and picnic in Darwin for the first time in five years. Led by Carroll and outgoing NAWU President, Jack McGuinness, the march included union banners, floats, pipe bands and 'hula girls'.⁷⁹

When Carroll gave his report to the September 1958 Central Council⁸⁰, it became clear that the union was not in a healthy state and membership was falling. The union had collapsed in Katherine with the death of its local representative, Nick Forscutt, and although it was still strong in Tennant Creek, the previous delegate had absconded with the ticket sales money. Carroll also reported that the union was finding it difficult to attract young members and was experiencing language problems with the large number of new migrants in the Territory. In

⁷⁵ See *Ryall v. Carroll (1959) 102 Commonwealth Law Reports 162* at <http://www.auslii.edu.au>.

⁷⁶ NTAS: NTRS, 226, TS 171, transcript of interview with Nell Carroll; *NTN*, 10 April 1958.

⁷⁷ *NTN*, 1 July 1958, 23, 25 November 1961; NAA, ACT: A6122/39, 1403, ASIO field officer's report, 14 July 1958; NTAS: Pac 34, Box 32, minutes of NAWU Annual Council, 28 September 1958.

⁷⁸ Curly Nixon, interviewed by author, Darwin, 13 September 1999; NTAS: NTRS, 226, TS 654, transcript of interview with Curly Nixon; NTAS: transcript of interview with Curly Nixon by Cliff Smythe, Darwin 1988; NAA, ACT: A6122/48, 1972, ASIO field officer's report, 'Communist Activity in Trade Unions and Industry (Northern Territory)', 7 July 1966.

⁷⁹ *NTN*, 17 April, 6 May 1958.

⁸⁰ The titles Annual Council, Central Council and Annual Conference are interchangeable. A copy of the NAWU Constitution dated 1 April 1958 states in Section 20(f) that 'The Central Council shall meet annually in the month of September, which meeting will become the Annual Conference of the union ...' (NTAS: Pac 34, Box 31). Sometime between 1936 and 1958, 'Central Council' replaced 'Annual Meeting' (NTAS: NTRS 1853, NAWU Constitution and General Rules). For the sake of simplicity the title Central Council will be used hereafter.

an ASIO report on the union the following year it was suggested that as much as 40 per cent of the union's membership were non-Anglo-Irish migrants. Adding to the union's problems was the threat from the Department of Health to declare the union's 41-year-old Woods Street property a health hazard, hence a decision was made to build a new office.⁸¹ A two-storey building was eventually built on the same site, which lasted until it was destroyed by Cyclone Tracy in 1974.⁸²

Despite Carroll's negative report, events just prior to the Central Council proved that the union could still lead a successful industrial dispute. The dispute in question was the three-week strike of 80 (mostly 'New Australians') municipal workers over the decision by Darwin Council to stop paying an accommodation subsidy for 20 employees living at Frances Camp, Parap.⁸³ Local government had returned to Darwin the previous year after a 10-year absence. The first council had signed an agreement to employ its workers under the same conditions they had when working for the government, including the subsidisation of camp accommodation.⁸⁴ In August 1958, a newly elected council voted to stop the subsidy within a month. Understandably, the union reacted angrily and accused the council of breaking the 1957 agreement. The NAWU felt that if the council was successful it would be a sign to other employers that they too could dishonour agreements with the union. Union veteran Bob Antony, who had been elected to the council for the Parap Ward the previous year, resigned from the council over the issue.

Negotiations failed to shift either side and on 1 September 1958, the day the subsidy was due to stop, all municipal workers went on strike. During the strike, the Mayor, J.W. Lyons and all councillors bar one, donned the work shorts and began collecting the rubbish that had started to pile up and rot on Darwin's streets. The strikers and their families were maintained by levies and voluntary subscriptions from NAWU members in Darwin, Rum Jungle and Tennant Creek, as well as meat obtained from the odd hunting and fishing party. The strikers also had the support of the *NT News* editor, who criticised the council for breaking the 1957 agreement. Nine days into the strike, the workers living at Frances Camp were evicted by the camp's management, the Department of Works. Those evicted were either taken into other workers' homes or were housed in the union building. The strike was only called off after an

⁸¹ NTAS: Pac 34, Box 32, minutes of NAWU Annual Council, 28 September 1958; NAA, ACT: A6122/39, 1403, ASIO field officer's report, 'Employees Organisations Operating in the Northern Territory', 10 October 1959.

⁸² *NTN*, 24 February 1959.

⁸³ Information on the 1959 municipal strike in *NTN*, 7, 19, 29 August, 2, 5, 9, 12, 16, September 1958; NAA, ACT: A6122/39, 1403, ASIO field officer's report, 'Industrial Stoppages – Northern Territory – Day Labour – Municipal Council', no date. Comment on 'New Australians' made by Bill Donnelly to 1958 Central Council (NTAS: Pac 34, Box 32, minutes of NAWU Annual Council, 28 September 1958).

arbitration commissioner arrived in Darwin and ordered the council to continue the subsidy pending a hearing into the matter.

When hearings were held six months later before Commissioner Portus, the council took the opportunity to question other aspects of the 1957 agreement including the 46-year-old practice of employers paying a return fare south for a worker and his/her family after an agreed period of service. The union responded with statements from medical professionals suggesting that workers deteriorate, 'physically, mentally and morally' due to the climate, lack of amenities and monotony of life if not granted regular trips away from the Territory.⁸⁵ Portus was not convinced. When he released his judgement in May, he not only abolished the payment of fares for new employees, he also cut wages and rejected the union's claim for the maintenance of the accommodation subsidy. In a significant departure from pre-war judgements, Portus argued that 'I am not satisfied that Darwin merits different treatment from other remote and tropical parts of Australia'.⁸⁶

When council workers received news of the judgement, they threatened a mass resignation and the *NT News* described the 'drastic' cuts in wages and conditions as 'remarkable'. What was even more remarkable is that within days of the judgement and despite a three-week strike and the expenses of making representations to the Arbitration Commission, the council had an about-face and agreed to maintain many of the pre-award conditions except for the accommodation subsidy.⁸⁷

At the 1959 Central Council, despite the success of the council strike, there were worrying signs for the union's leaders. Although membership had increased to 1,658, Carroll and the organisers reported that the union, apart from at its stronghold of Tennant Creek, was not entirely welcome at places like Alice Springs, Rum Jungle and the North Australian Railway. Carroll told delegates that the union was having trouble recruiting from the large numbers of people in the Territory on short term working holidays. He estimated that the union only had a stable membership of 500 workers and they needed to recruit 1,000 new members each year to continue operations.⁸⁸

⁸⁴ See Alistair Heatley, *The Government of the Northern Territory*, University of Queensland Press, St Lucia, 1979, p. 121.

⁸⁵ *NTN*, 3, 6, March 1959.

⁸⁶ *CAR*, vol. 91, 1959, pp. 848-852. Portus put forward the same argument the following year when he rejected a claim for airfares for private industry clerks but was over-ruled by the Full Court who argued that climate and isolation had to be taken into account when determining wages and conditions in the Territory (*NTN*, 14, 16 September 1961, 8 May 1962).

⁸⁷ *NTN*, 26, 29 May, 2 June 1959.

⁸⁸ NTAS: Pac 34, Box 32, minutes of NAWU Annual Council, 27 September 1959.

Nineteen fifty nine was also marked by the resurrection of the union's left wing on the executive by virtue of the lack of candidates vying for positions. Jack Meaney was elected vice president and Bill Donnelly was elected to the executive. According to an ASIO report, the Secretary of the local branch of the Communist Party, Dorothy Aston, was also elected to the executive. The 67-year-old union veteran Bob Antony was again in an official position as a temporary organiser.⁸⁹ Except for Antony, who was now a member of the Labor Party, the gains of the left were reversed the following year. Both Donnelly and Aston were unsuccessful in their attempts to win a second term and George Gibbs was unsuccessful in his bid for treasurer. Nevertheless, the left could still attract over one third of the vote.⁹⁰

Equal Wages for Aboriginal Workers

Since the defeat of the left wing leadership in 1952, little interest had been shown in the situation facing Aboriginal workers in the Territory. The NAWU justified its inactivity on the grounds of a lack of union resources and because Aborigines were excluded from the jurisdiction of the Arbitration Commission. Carroll's argument that it took two years to visit all of the 200 cattle stations in the Territory appears weak when you consider that pre-war organisers like Owen Rowe and George Gibbs had done so in an era when Territory roads were mere bush tracks.⁹¹

By the late 1950s, however, national concern over the plight of Aboriginal people led to the formation of the Federal Council for Aboriginal Advancement (FCAA), which was renamed the Federal Council for the Advancement of Aboriginal and Torres Strait Islanders (FCAATSI) in 1964. The President of FCAA was Joe McGuinness, a Cairns resident and the brother of Jack McGuinness.⁹² As well as campaigning for citizenship for Aboriginal people, FCAATSI also began to put pressure on Australian unions to do something about the substandard wages and working conditions experienced by Aboriginal workers. A number of southern-based left wing unions including the WWF were affiliates of FCAA.⁹³ As a result

⁸⁹ *NTN*, 30 June 1959; NAA, ACT: A6122/39, 1403, ASIO field officer's report, 'Employees Organisations Operating in the Northern Territory', 10 October 1959. Bob Antony died 11 years later on 21 December 1970 in Adelaide. The *NT News* described him as the 'best-known and staunchest battlers in the NT industrial affairs' (*NTN*, 22 December 1970).

⁹⁰ *NTN*, 16 February, 5 July 1960; NAA, ACT: A6122/39, 1403, ASIO field officer's report, 'North Australian Workers' Union', 3 August 1960.

⁹¹ NTAS: Pac 34, Box 32, minutes of NAWU Central Council, 24 September 1967.

⁹² *NTN*, 8 July 1961, 12 April 1962; Joe McGuinness, *Son of Alyandabu: My Fight For Aboriginal Rights*, University of Queensland Press, St Lucia, 1991. McGuinness/McGuinness has been used interchangeably by various sections of the family.

⁹³ Heather Goodall, *Invasion to Embassy: Land in Aboriginal Politics in New South Wales, 1770-1972*, Allen & Unwin, St Leonards, 1996, p. 277.

of FCAA lobbying, the ACTU, at its 1963 Congress, called for an end to wage discrimination against Aboriginal workers.⁹⁴

In response to pressure from groups like FCAA, the NAWU wrote to 30 local organisations in June 1960 inviting them to form an Aboriginal welfare and employment committee but received few replies and did not pursue the issue.⁹⁵ In September 1961, at its Central Council, resolutions were carried calling for amendments to the *Wards Employment Ordinance*, to allow Aboriginal 'wards' working in industries covered by an award to be paid an award wage.⁹⁶ The *Wards Employment Ordinance* along with the *Welfare Ordinance* had been passed by the Federal government in 1953 to replace the *Aboriginals Ordinance*. For 'part-Aboriginal' workers, this new legislation was a step forward because it finally excluded them from the restrictions of the old Ordinance. For Aboriginal workers, there was little change except for the fact that a new minimum wage of £2 plus 'keep' (as opposed to £1 under the old Ordinance) was set.⁹⁷ According to the report from the Federal government's Welfare Branch for the years 1959-60, Aboriginal pastoral workers in the Territory were leaving the industry because of the poor living conditions on stations.⁹⁸

The 1961 NAWU resolution calling for reform of the *Wards Employment Ordinance* was a conservative departure from the call by Murray Norris in 1949 for abolition of the special regulations governing Aboriginal workers.⁹⁹ The union's policy created problems several years later when the government legislated to grant Aboriginal people citizenship but maintained the regulations exempting Aboriginal workers from award wages.

Greater pressure was exerted on the NAWU with the formation of the Northern Territory Council for Aboriginal Rights (NTCAR) in January 1962. One of the main demands of the NTCAR was equal pay for Aboriginal workers. The strength of the organisation was that its membership was largely Aboriginal. At one of its first meetings, this new generation of Aboriginal leaders was informed of earlier struggles for justice by Lawrence, one of the leaders of the January 1951 Aboriginal workers' strike.¹⁰⁰ The only non-Aboriginal office

⁹⁴ Andrew Markus, 'Talka Longa Mouth' in Ann Curthoys & Andrew Markus (eds), *Who are our Enemies? Racism and the Australian Working Class*, Hale & Iremonger, Neutral Bay, 1978, pp. 154-155.

⁹⁵ *NTN*, 7 June 1960.

⁹⁶ NTAS: Pac 34, Box 32, minutes of the NAWU Central Council, 24 September 1961 plus copy of Organiser's Report by Bob Antony.

⁹⁷ C.D. Rowley, *The Remote Aborigines: Aboriginal Policy and Practice, Volume 3*, Australian National University Press, Canberra, 1971, pp. 287-300; Robert Castle, Craig Clothier, Jim Hagan, 'Wage Fixing for Aborigines in the Northern Territory Cattle Industry, 1911-1965' in Patrick Bertola & Janis Bailey (eds), *Frontiers of Labour: Proceedings of the Fifth National Conference of the Australian Society for the Study of Labour History, Perth, Western Australia, 2-4 October 1997*, ASSLH, Perth, 1997, p. 50-51.

⁹⁸ *NTN*, 14 March, 10 June 1961.

⁹⁹ See Chapter 8, p. 220.

¹⁰⁰ See Chapter 8, p. 236.

holders in the NTCAR were Brian Manning and Terry Robinson. Both were members of the Communist Party but not members of the NAWU. The 30-year-old Queensland-born Manning had arrived in Darwin five years earlier and was working at the Darwin airport as a fireman. Within two years of his arrival, Manning had joined the Communist Party and by 1962 was the local branch secretary.¹⁰¹

The history of the NTCAR has already been outlined by Julie Wells and need not be repeated here other than to say that the NAWU was not supportive of its formation.¹⁰² Soon after its formation, the NTCAR sent a letter to the NAWU requesting affiliation. The union declined, arguing paternalistically, that 'We believe in assimilation but not isolation' and that Aboriginal people would be best served by joining the NAWU and the Labor Party. Carroll claimed there were 50 Aboriginal workers who were members of the NAWU. In reply, the NTCAR Secretary, Davis Daniels, a hospital orderly, argued that the £5 cost of membership prohibited most Aboriginals from joining the NAWU, but suggested the union consider introducing a concession rate for Aboriginal workers.¹⁰³ The NAWU also faced criticism from the FCAA for not doing enough to win award wages for Aboriginal workers, particularly given Carroll's membership of the Wards Employment Advisory Board.¹⁰⁴

The NAWU's main concern was the presence of Communists in the NTCAR and it warned the new organisation to 'be careful of do-gooders' with ulterior motives.¹⁰⁵ The executive may not have been supportive of the NTCAR, but the same cannot be said of the Waterside Section. In February 1962, the Waterside Section supported the campaign of the NTCAR to protest the 12-month gaoling of an Aboriginal citizen and one time waterside worker, Peter Australia. Australia had been gaoled for supplying a fellow Aboriginal with a glass of wine. Under the *Welfare Ordinance* all Aborigines were declared wards and subject to governmental control, but some Aboriginals who were able to convince the government that they could live independently were exempted from the legislation and granted citizenship. Having become a citizen, however, the former ward was banned from freely associating with other Aboriginal wards.¹⁰⁶

¹⁰¹ Brian Manning, interviewed by author, Darwin, 16, 21 September 1999; *NTN*, 6 January 1962; State Library of New South Wales (Mitchell Library): MLMSS 2662, 1(1), minutes of NTCAR meeting, 21 January 1962.

¹⁰² J.T. Wells, *The Long March: Assimilation Policy and Practice in Darwin, The Northern Territory, 1939-1967*, PhD Thesis, University of Queensland, 1995, pp. 179-201.

¹⁰³ NAA, ACT: A6122/48, 1974, correspondence between NAWU and NTCAR re: affiliation, 18, 20 January 1962.

¹⁰⁴ *NTN*, 24 May 1962.

¹⁰⁵ *NTN*, 12 May 1962.

¹⁰⁶ Peter Australia was charged under the same law that resulted in the gaoling and premature death of the famous Aboriginal artist Albert Namatijura. See Julie T. Wells & Michael F. Christie, 'Namatijira and the Burden of Citizenship' in *Australian Historical Studies*, no. 114, April 2000, pp. 119-120, 129.

The Waterside Section funded Peter Australia's appeal, sent letters of protest to southern unions and politicians, and sent Bill Donnelly to Sydney to raise the issue at the WWF national conference. Australia was eventually gaoled but only served four months before Federal Cabinet granted him early release.¹⁰⁷ National exposure to injustices such as the Peter Australia case eventually led to the government repealing the *Welfare Ordinance* and replacing it with a *Social Welfare Ordinance*. The new Ordinance abolished the category of 'ward' and removed Aboriginal people from most of the restrictive laws, in effect making them citizens.

The NAWU felt that with the abolition of the *Welfare Ordinance* and (they assumed) the *Wards Employment Ordinance*, there would be no legal obstacles to paying award wages to Aboriginal workers because they would now come under the jurisdiction of the Arbitration Commission. The government had different ideas.

At first cattle producers opposed the new legislation but their opposition was withdrawn when the government informed them that special regulations excluding some Aboriginal workers from the award system (in effect the *Wards Employment Ordinance*) would be maintained. Carroll was angered, arguing that 'A wage level is set for an industry ... not a race of people' and in this he had the support of the ACTU and the *NT News*.¹⁰⁸

The *Social Welfare Ordinance* came into operation on 15 September 1964 and within three weeks nine Aboriginal fishermen working for the NT Administration, with the support of the NTCAR, NAWU and the Seamen's Union, were demanding award wages.¹⁰⁹

Despite the justified criticisms of the NAWU's record on fighting for improved conditions for Aboriginal workers, the union made an historic decision at its October 1964 Central Council to appoint an Aboriginal organiser. The union, however, still characterised the Aboriginal worker as a potential threat to its members. In its resolution on the 'Aboriginal Question', the union argued that

the existence of a large non union force lends itself to a general depression of living standards for all and in the event of industrial conflict could conceivably place non union aborigines in the position of becoming potential scabs.¹¹⁰

¹⁰⁷ *NTN*, 24, 27 February, 27, 29 March, 5 April, 24 May 1962.

¹⁰⁸ *NTN*, 20 April, 9, 13 October 1964.

¹⁰⁹ *NTN*, 2, 5 October 1964.

¹¹⁰ NTAS: Pac 34, Box 32, minutes of NAWU Central Council, 25 October 1964.

The union's statement ignored the fact that in the past it was the Aboriginal workers who had sought assistance from the union and it was the NAWU who had snubbed organisations like the NTCAR. On several occasions various union organisers had reported that the Aboriginal workers were more interested in the union than 'white' workers but few joined because of the high cost of dues.¹¹¹ A contingent from the NTCAR also became regular participants in the annual May Day parade. In some years Aboriginal people made up the bulk of the march.¹¹²

The decision by the union to appoint an Aboriginal organiser directly led to the famous 'walk-offs' of 1965. The first Aboriginal organiser appointed was the 27-year-old Vice President of FCAATSI and Welfare Branch patrol officer, Sydney James Cook.¹¹³ Yet when Cook faced elections in June, he was defeated by Dexter Daniels, the 27-year-old brother of the NTCAR Secretary.¹¹⁴ Dexter Daniels (see photo, p. 280) had been recommended to Carroll by the NTCAR and was described by the novelist Frank Hardy as 'Slim and small, but graceful, with the long artistic fingers of the Aborigine, deep thoughtful eyes, and fine features of the Roper River people'.¹¹⁵

In the meantime, negotiations over the issue of equal wages were unsuccessful. The Federal government and pastoralists had proposed a graduated wage scale based on experience and efficiency. In response, the union gave an ultimatum that award wages be introduced by 1 July 1965.¹¹⁶ The union also lodged a claim with the Arbitration Commission seeking the removal of the clause in the pastoral award that excluded Aboriginal workers.¹¹⁷ At a general meeting of the union in May, a motion was passed calling for a 24-hour Territory-wide strike for 1 July but this was called off when the Arbitration Commission fixed an early date for a hearing.¹¹⁸ The story of the 1965-66 equal wage case has been described elsewhere but in short the Commission accepted the government's proposal for the phased introduction of award wages over a three-year period.¹¹⁹

¹¹¹ NTAS: Pac 34, Box 32, minutes of NAWU Central Council, 10 October 1965; 21 September 1969; 27 September 1970.

¹¹² NAA, ACT: A6122/48, 1974, minutes of the NTCAR meeting 18 February 1962; *NTN*, 5 May 1964, 3 May 1965, 1 May 1967, 6 May 1969. There was no May Day March in 1963.

¹¹³ *NTN*, 11 January 1965.

¹¹⁴ *NTN*, 6 July 1965, 5 December 1967.

¹¹⁵ Interview with Brian Manning; Hardy, *The Unlucky Australians*, p. 24.

¹¹⁶ *NTN*, 20 January 1965.

¹¹⁷ *NTN*, 22 January 1965.

¹¹⁸ NTAS: Pac 34, Box 32, 'North Australian Workers Union, General Meeting Held 4th May, 1965 At Chung Wah Hall'; *NTN*, 5 May, 30 June 1965.

¹¹⁹ W. Stanner, 'Industrial Justice in the Never-Never' in *The Australian Quarterly*, vol. 39, no. 1, March 1967, pp. 38-55; Rowley, *The Remote Aborigines*, pp. 219-224, 309-356; P.F. Donovan, *At the Other End of Australia: The Commonwealth and the Northern Territory, 1911-1978*, University of Queensland Press, St Lucia, 1984, pp. 201-209; Markus, 'Talka Longa Mouth', pp. 155-157; *NTN*, 7 March 1966.

The NAWU's case has been justifiably criticised from many quarters for not calling any Aboriginal workers as witnesses. Brian Manning believes the union's decision not to call any witnesses was 'disgraceful' given that the pastoralists had called 'witness after witness'.¹²⁰ It is a view shared by one of the Arbitration Commission Judges, Sir Richard Kirby, who told his biographer

The NAWU wanted a quick, cheap case ... And the union did this in the face of a magnificently well presented case from the opposing side. The NAWU's sporadic, hit-run presentation meant that we on the bench had to do a lot of thinking for the union.¹²¹

When the decision was announced, Carroll told the press he was 'horrified'. To Carroll's credit, he spoke out strongly against the Commission's decision, arguing 'that it is just not feasible for a country to state to the world that its Aboriginal people have full rights in law but denies them equal wage and job opportunities'.¹²²

The strikes or 'walk-offs' of Aboriginal station workers following the Commission's decision have been well documented and will not be described in detail here.¹²³ One need go no further than Frank Hardy's, *Unlucky Australians*, to get an accurate description of the walk-offs of 1966, although some would disagree. Paddy Carroll's wife, Nell called it 'lies from start to finish' and Hardy's fellow Communist Party members in Darwin at the time complained of its inaccuracies.¹²⁴ More recently, Brian Manning has described Hardy's account as 'spot on' although a little hard on George Gibbs, whom Hardy described as 'domineering'.¹²⁵ However, in the foreword to the 1972 edition of *Unlucky Australians*, Hardy, probably feeling a little guilty following Gibbs' untimely death in 1969, describes the Waterside Section Secretary as 'the Gurindji's most persistent friend'.¹²⁶

The first strike of 80 workers at Newcastle Waters, 400 kilometres south of Katherine, in April 1966, had been encouraged by Dexter Daniels with union authorisation. The groundwork had been laid during an organising trip by Daniels and the union's other

¹²⁰ Interview with Brian Manning.

¹²¹ Blanche d'Alpuget, *Mediator: A Biography of Sir Richard Kirby*, Melbourne University Press, Carlton, 1977, p. 180. It had cost \$11,000 to press its claim, most of which was paid by southern unions and the ACTU (NTAS: Pac 34, Box 32, minutes of NAWU Central Council, 24 September 1967). Australia changed to decimal currency in February 1966.

¹²² *NTN*, 18 March 1966.

¹²³ Hardy, *Unlucky Australians*.

¹²⁴ NTAS: NTRS 226, TS 171, transcript of interview with Nell Carroll; Paul Adams, *The Stranger From Melbourne: Frank Hardy – A Literary Biography, 1944-1975*, University of Western Australia Press, Nedlands, 1999, pp. 98-99.

¹²⁵ Interview with Brian Manning; Hardy, *Unlucky Australians*, p. 92.

¹²⁶ Hardy, *Unlucky Australians*, p. xiv. The Gurindji are the traditional owners of the land on which the Wave Hill station was built. See below p. 267.

organiser Curly Nixon some weeks earlier.¹²⁷ According to Brian Manning, Carroll wanted a 'token' strike on a small station so as not to exhaust union funds. In contrast, Daniels wanted to extend the strike to many stations and he became frustrated with Carroll's caution. As a result, Daniels took leave from the union while he grappled with the decision of whether to work for the union or the NTCAR.¹²⁸ Following the Newcastle Waters strike, relations between the NTCAR and the NAWU improved temporarily with the formation of a Joint Disputes Committee to coordinate support for the strike. For Carroll, the issue was an industrial one involving wage rates that would eventually be solved through ACTU-sponsored negotiations with the employers. For the Aboriginal workers it was a fight for dignity and self-determination.¹²⁹ Carroll was also paranoid about the influence of the Communist Party on Aboriginal workers, a potential opposition voting bloc within the union. Carroll still faced periodical challenges to his leadership and as recently as 1964, George Gibbs had run for secretary.¹³⁰

In spite of Carroll's objections to extending the strike, Daniels went ahead and encouraged a further walk-off in August of 200 station workers and their dependents from Vestey's Wave Hill station, 450 kilometres south west of Katherine.¹³¹ To Carroll's credit, he told the press that while the strike had been called against the union's wishes, it would be supported, although the Joint Disputes Committee was abandoned apparently on ACTU advice.¹³² Also to Carroll's credit, he rejected an ACTU negotiated package that delivered award wages to less than 10 per cent of Aboriginal workers, the rest having to wait until 1968. Hardy suggests that Carroll recommended acceptance of the ACTU agreement to the NAWU executive and was voted down but Carroll had already made public statements criticising the agreement before his report to the executive.¹³³

Nevertheless, Carroll wanted to stop other strikes. When he heard there had been a further walk-off at another Vestey's property, Helen Springs, 130 kilometres south of Newcastle Waters, he was authorised by the 1966 Central Council to issue a statement to the press disassociating the union from the activities of Gibbs, Daniels and Hardy. Some delegates were clearly hostile to the activities of these three men, who were considered troublemakers and interfering communists. There was also some discussion about the value of employing

¹²⁷ Hardy, *Unlucky Australians*, p. 30; NAA, ACT: A6119/90, 2500, ASIO field officer's report, 'C.P. of A. Interest in Aboriginals', undated.

¹²⁸ *NTN*, 27 April 1966; interview with Brian Manning; Hardy, *Unlucky Australians*, p. 26.

¹²⁹ Hardy, *Unlucky Australians*, pp. 47-48.

¹³⁰ Hardy, *Unlucky Australians*, p. 76; *NTN*, 2 July 1964; interview with Brian Manning.

¹³¹ *NTN*, 26 August 1966.

¹³² *NTN*, 31 August, 5 September 1966; NTAS: Pac 34, Box 32, minutes of the NAWU Central Council, 25 September 1966.

¹³³ *NTN*, 13, 19 September 1966; Hardy, *Unlucky Australians*, p. 130.

an Aboriginal organiser.¹³⁴ In Carroll's opinion, it had not been worth having an Aboriginal organiser 'from a monetary point of view' because very few Aboriginal workers had joined the union. The NAWU had clearly failed to enthusiastically grasp the historical moment as it had during the strikes of 1951.¹³⁵ The union's approach was unduly administrative. By counting the number of new members and the dues received, it concluded that the campaign had been a failure. Little attention was paid to the historical significance of the strike for Aboriginal people.

However, Frank Stephens' accusation in 1970 that the NAWU had 'done little to recruit Aborigines into its ranks' and that relations between the union and Aboriginal workers had become 'strained' is not strictly accurate.¹³⁶ In 1967, an ASIO field officer was able to report that, 'The NAWU is held in high regard by Aboriginal stockmen throughout the area'.¹³⁷ NAWU Organiser, John Quinn, made two organising trips to inspect pastoral stations in 1969 and reported to the press that living conditions for most Aboriginal workers were still 'absolutely shocking'. Nevertheless, the union maintained that it did not have the resources to police the award on pastoral stations.¹³⁸ According to Carroll, the ACTU had offered to provide a number of organisers to assist the NAWU in this task but they were never forthcoming.¹³⁹ In 1970 Dexter Daniels tried to regain his position as an organiser for the union but failed to win the election.¹⁴⁰ By this stage, Daniels had become a leader in the campaign of the Roper River people to reclaim their traditional lands.¹⁴¹

Brian Manning did not share the same poor opinion of Carroll that some of his fellow Communist Party members did, but he does think that he went 'sour' and the 'job was too much for him'. Manning recalls that Carroll

used to complain he had 60 awards and agreements to police ... he felt that he was flat out just making applications to update them from time to time. In other words, a full time job. There was no time breaking new ground.¹⁴²

To be fair to Carroll, while the Aboriginal strikes were progressing there was no relaxation of other industrial disputes, especially on the waterfront where the Waterside Section was renewing its hostilities with R. O'Toole. The former ASIA representative was now employed

¹³⁴ *NTN*, 27 September 1966; *NTAS*: Pac 34, Box 32, minutes of NAWU Central Council, 25 September 1966.

¹³⁵ *NTAS*: Pac 34, Box 32, minutes of NAWU Central Council, 24 September 1967.

¹³⁶ Frank Stephens, 'Aborigines and the Labour Movement' in *Origin*, 30 October 1970, pp. 10-11.

¹³⁷ NAA, ACT: A6126/27, 1106, ASIO field officer's report, 8 June 1967.

¹³⁸ *NTN*, 22 July 1969, 15 July 1971, 21 April 1972.

¹³⁹ *NTN*, 21 April 1972.

¹⁴⁰ *NTN*, 23 April, 2 July 1970.

¹⁴¹ *NTN*, 23 February, 16 April 1970.

¹⁴² Interview with Brian Manning.

as the local manager of Burns Philp.¹⁴³ Yet despite the Waterside Section's reputation for militancy, these disputes were not always the workers' fault. In 1963, a report of an inquiry by ASIA into the causes of poor industrial relations on the Darwin wharf criticised O'Toole for his tendency to 'disregard all elementary rules of safety in an endeavour to speed up the job'.¹⁴⁴ Burns Philp later dismissed O'Toole when waterside workers issued an ultimatum threatening to strike unless the manager was replaced.¹⁴⁵ During the inquiry, O'Toole, who prided himself on his campaign to discipline Darwin wharfies, described the Darwin waterside as 'one of the hardest to control that it has been my experience to encounter', and blaming a 'militant minority' led by Donnelly, Gibbs and NAWU Organiser Nixon for all the trouble.¹⁴⁶ By the late 1960s, the time lost in industrial disputes on the Darwin wharf for the first time in many years exceeded the national average.¹⁴⁷

Tropical Leave

If there was an issue that dominated union activity in the late 1960s, it was the claim for extended annual leave in the Territory. By 1968, most Australian workers including those in the Territory, enjoyed three weeks annual leave.¹⁴⁸ The issue of increasing annual leave in the Territory symbolised the long-held union view that workers should be compensated for the difficulties of working in the region. But Darwin was no longer the frontier town of the past and the union had difficulty convincing the Arbitration Commission that such principles were still relevant. Strengthening the NAWU's case, however, was the fact that Commonwealth public servants and municipal workers enjoyed five weeks annual leave and return airfares to Darwin every two years.¹⁴⁹ Most blue collar workers only received three weeks holiday and fares every three years. The inequity of this situation led the *NT News* to suggest the union had a 'justifiable grievance'.¹⁵⁰

The union's first attempts to win extra leave and travel entitlements came in early November 1967, when 500 government 'day workers'¹⁵¹ (tradesmen and labourers) at Darwin and 300

¹⁴³ NAA, ACT: A6119/90, 2509 (vol. 2), report on delegation from the Waterside Section, NAWU by C.A. Beaton, ASIA Representative, 23 April 1963.

¹⁴⁴ *NTN*, 25 July 1963.

¹⁴⁵ *NTN*, 12 October, 22 November 1963.

¹⁴⁶ NAA, ACT:A6122/48, 1972, submissions to ASIA inquiry, 1963.

¹⁴⁷ *NTN*, 9 March 1970.

¹⁴⁸ *Commonwealth Parliamentary Debates, House of Representatives*, 13 August 1968, p. 123. Three weeks annual leave was granted to Australian workers by the Arbitration Commission in 1963 (Turner, *In Union is Strength*, p. 125).

¹⁴⁹ Municipal workers had gained public service conditions when Baylon Ryan was secretary (*NTN*, 12 July 1956).

¹⁵⁰ *NTN*, 8 September 1967; interview with Brian Manning.

¹⁵¹ 'Day workers' were not permanent employees but were employed on a weekly basis. They made up the majority of the Territory's industrial workforce.

at Katherine went on strike for a week and a half over the issue. Later in the month there was a further 24-hour strike over the same issue and in support of Katherine day workers who had been on strike for two weeks over the continued employment of a strike-breaker by the Department of Works.¹⁵² When the Arbitration Commission in December rejected a similar claim by the waterside workers on the basis that conditions in Darwin were no different to those down south, it was the signal for the Public Service Board to also reject the demands of the day workers.¹⁵³

During April 1968, there was a further 24-hour strike of all Works Department day workers and a public committee chaired by Waterside Section President, Bill Donnelly, was formed to put pressure on local businesses to grant the union's claims. However, following these events, most action shifted to the waterfront.¹⁵⁴ If the strategically placed Waterside Section could not win extra leave and other conditions to compensate for working in the tropics, there was little hope for any other section of the union doing so.

Central to the Waterside Section's campaign, recalls Brian Manning, the new Vigilance Officer on the wharf, was a 'devastating' work to regulations campaign, especially around the question of excessive heat in the holds of ships.¹⁵⁵ 'Work to regulations' or 'work to rule' campaigns were more common in the 1960s as a result of the increased likelihood of the Arbitration Commission fining a union for striking. Although the Arbitration Commission had been given the power to penalise unions for striking in 1947, it was not until the 1960s that employers really began to take advantage of these laws which stipulated fines of £500/\$1,000 a day for striking.¹⁵⁶ In the case of waterside workers, the ASIA could also penalise workers by suspension or loss of attendance money.¹⁵⁷ In a work to regulations campaign, workers strictly abide by every conceivable safety and award requirement to slow up production rather than strike.

For eight months in 1968, there were numerous stoppages over heat, the state of a ship's cranes, the holes in the loading nets and the state of pallets. As a result, there was a constant

¹⁵² *NTN*, 3 January 1967, 1 August, 8, 11 September, 6, 8, 9, 10, 13, 20, 22, 23 November 1967.

¹⁵³ *NTN*, 22 December 1967, 11 March 1968.

¹⁵⁴ *NTN*, 5 April 1968.

¹⁵⁵ *NTN*, 25 January, 13 March 1968.

¹⁵⁶ Hagan, *History of the A.C.T.U.*, p. 219, 265; Turner, *In Union is Strength*, p. 122. In 1969, Territory unionists participated in the national campaign against the penal clauses which was sparked by the gaoling of Victorian tramway union leader, Clarrie O'Shea. Over six days in May, nearly all sections of the Territory's industrial workers were involved in a series of rolling strikes to protest O'Shea's imprisonment. The campaign was a success, leaving the penal provisions ineffective for many decades (*NTN*, 17, 19, 20, 21, 22 May 1969; Turner, *In Union is Strength*, p. 122). Penal sanctions were not used again until 1985 during a dispute at the Mudginberri meatworks, 300 kilometres east of Darwin (see Bernie Brian, 'The Mudginberri Dispute of 1985' in *Labour History*, no. 76, May 1999, pp. 107-124).

¹⁵⁷ Sheridan, 'Regulating the Waterfront', p. 456.

procession of waterside workers appearing before the ASIA disciplinary panel.¹⁵⁸ The work to regulations campaign was called off after several shipping companies sought to include a penal or 'bans' clause into the waterside award prohibiting further strikes and bans. Rather than grant the employers' request, the Arbitration Commission ordered more talks between the parties.¹⁵⁹ By the time the case came up for a further hearing, most employers accepted the union's claim for more leave and in March 1969, the Arbitration Commission increased the annual leave for waterside workers by one week to four.¹⁶⁰ Unfortunately for the government day workers, their claim for increased leave was not resolved for many years.¹⁶¹

The issue of excessive heat in the ships' holds, especially in the exceedingly humid months of October to April continued to cause disruption on the wharves. In most cases the workers were supported by officers from the Department of Health, who argued that the heat was 'above tolerable limits'.¹⁶² The heat issue was only resolved in late 1969, when workers were granted extra 'smoke-ohs' and their mess room was air-conditioned.¹⁶³

The other issue affecting the waterfront was the threat to existing jobs from new technologies such as bulk loading and containerisation. Between 1955 and 1962, the average number of waterside workers employed daily on Australian wharves dropped by 5,000.¹⁶⁴ In Darwin, bulk loading of cement and a growing preference for overlanding cargo, meant a reduced demand for waterside labour.¹⁶⁵ One report in 1969 estimated that the equivalent of two shiploads of cargo was arriving by road each month.¹⁶⁶ The solution adopted by both the employers, unions and government was to introduce permanency onto the waterfront. For the union it provided security of employment and a guaranteed wage. For the employers, it removed those aspects of a casual industry that undermined productivity such as the 'go-slow' and absenteeism.¹⁶⁷ Darwin waterside workers began campaigning for permanency in 1968 but local shipping companies feared the number of ships arriving in Darwin did not justify permanency. The issue was the cause of further strikes and work to regulations

¹⁵⁸ Interview with Brian Manning; *NTN*, 16, 25 January, 4, 27 April, 2, 4 May, 5, 12, 15, 20, 21, 25, 27 June, 4, 8, 10, 11, 18, 19, 23 July, 3, 7, 8, 9 August 1968.

¹⁵⁹ *NTN*, 23 August 1968.

¹⁶⁰ *NTN*, 21 March 1969.

¹⁶¹ The issue of extended annual leave had not been resolved by the end of 1972, the time limit of this research. In 1969, the NAWU increased its claim to 6 weeks but failed to win support from other Territory unions (*NTN*, 24 September 1969, 22 January, 18 May, 13 June 1970). It is probable the issue was only resolved when all Australian workers were granted 4 weeks annual leave. At the time of writing this thesis some sections of the Territory workforce enjoy 5-6 weeks annual leave.

¹⁶² *NTN*, 12 January, 26 March, 5 November 1968; 29 November 1969.

¹⁶³ *NTN*, 5, 29 November 1969.

¹⁶⁴ Hagan, *History of the A.C.T.U.*, p. 265.

¹⁶⁵ *NTN*, 12 March, 10, 22 April, 14 May 1969.

¹⁶⁶ *NTN*, 11 July 1969.

¹⁶⁷ Sheridan, 'Australian Wharfies', pp. 278-281; Hagan, *History of the A.C.T.U.*, pp. 264-267.

campaigns over the next four years. Permanency was finally introduced by the Whitlam Labor Government (1972-75).¹⁶⁸

By the late 1960s, the membership of the NAWU had risen to an historic high of over 3,000 as a consequence of two new mining ventures at Gove Peninsula and Groote Eylandt. Gove Peninsula, 640 kilometres east of Darwin in eastern Arnhem Land on the shores of the Gulf of Carpentaria, was a Bauxite mine owned by a Swiss-Australian consortium, Nabalco. By late 1969 there were over 1,200 mostly migrant workers involved in the construction of the mine, an Aluminium processing plant and the new town of Nhulunbuy. Most of these workers were in the NAWU but the area attracted the interest of southern-based unions such as the AWU, TWU and FIA.¹⁶⁹ Two hundred kilometres further south was Groote Eylandt, an island in the Gulf of Carpentaria, where in 1965, the Groote Eylandt Mining Company (GEMCO), a subsidiary of Australia's largest company, Broken Hill Proprietary Ltd, had started mining Manganese.¹⁷⁰ Like many new ventures in Territory history, these projects had their fair share of industrial disputes caused by workers' dissatisfaction that wages and conditions did not compensate for the isolation, difficult climate and lack of amenities. One of the long running concerns of the workers at Gove was the absence of a resident doctor in case of serious accident or illness.¹⁷¹ In 1966, half the workforce at Groote Eylandt was living in tents, which resulted in a five-day strike for better accommodation.¹⁷² Because of the size of the companies involved in these new ventures, award negotiations were handled by the ACTU but even then it took two years for an award to be arbitrated at Gove, and a further 20 months for Groote Eylandt.¹⁷³ During this period there were many strikes, including 17 in one year at Groote Eylandt.¹⁷⁴

For the NAWU, the successful outcome of these award negotiations was a matter of survival because the initiative was clearly coming from the rank and file. If the NAWU did not deliver, another southern-based union with their eye on establishing a presence in the Territory would step in.¹⁷⁵ At the 1966 and 1968 Central Councils, Carroll warned that such an eventuality was possible, especially given that AWU dues were half the cost of NAWU dues.¹⁷⁶ To counteract these threats, the union appointed John Quinn, a former GEMCO

¹⁶⁸ *NTN*, 2 September, 2 October 1968, 22 April, 11 July, 20 August 1969, 8, 28 January, 26, 27 August, 10 September, 16, 17 October 1970, 6, 13, 16, 24 February, 19 March 1971.

¹⁶⁹ *The Bowyang*, vol. 2, no. 20, February 1970.

¹⁷⁰ Powell, *Far Country*, p. 196; *NTN*, 1 March 1966, 1 October 1969.

¹⁷¹ *NTN*, 14 July, 5 August 1965, 8 April 1970.

¹⁷² *NTN*, 17 November 1966.

¹⁷³ *NTN*, 12 April, 16 July 1969, 23 March 1971.

¹⁷⁴ *NTN*, 9 November 1970.

¹⁷⁵ *NTN*, 8 July 1969, 12 September 1970.

¹⁷⁶ NTAS: Pac 34, Box 32, minutes of the NAWU Central Council, 25 September 1966, 29 September 1968; *NTN*, 9 July 1969.

employee and the NAWU's northern organiser, as full time organiser at Gove. Quinn's duties extended to Groote Eylandt. The union also began negotiations with a larger southern-based union over the question of a possible amalgamation.¹⁷⁷

The Fall of the NAWU

Describing the eventual amalgamation of the NAWU with the Federated Miscellaneous Workers Union (FMWU) in 1972 as 'the fall' is not meant to suggest that such an amalgamation was a negative step. The NAWU's only opposition to amalgamation in the past was that Territory workers should not be fragmented into several small and weak unions. It was becoming clear that as the Territory expanded and the number of awards and workplaces increased, a union of one paid secretary, four organisers and one administrative officer could not adequately service its membership. Southern-based officials in the ACTU and the WWF were handling more and more of the union's negotiations anyway, so it was not that big a step to consider amalgamation. But because for over half a century an independently-run Territory union had survived depression, wars, faction fights and civil unrest, the amalgamation can symbolically be described as a 'fall'. Also before the process was complete, an acrimonious split developed among the leadership leading to the 'fall' of Paddy Carroll after 14 continuous years as secretary.

The idea of the NAWU amalgamating with a southern union was first raised in a resolution from the Waterside Section at the 1966 Central Council meeting which stated that if the union did not have the resources to strengthen its presence at Tennant Creek, then an amalgamation should be considered.¹⁷⁸ Brian Manning argues that the real motivation behind this resolution was the desire of some members of the Waterside Section, such as Bill Donnelly, to be part of the WWF. The idea of the Waterside Section joining the WWF had been raised before but it was the opinion of the WWF leaders that the NAWU would be weakened if its most militant section disaffiliated.¹⁷⁹ According to Margo Beasley, the FMWU in 1966 did not want to set up a branch in the Territory due to the enormous organisational and financial difficulties of such a venture. By 1968, however, the idea was gaining support.¹⁸⁰

¹⁷⁷ *NTN*, 20, 28 October 1969.

¹⁷⁸ NTAS: Pac 34, Box 32, minutes of the NAWU Central Council, 25 September 1966.

¹⁷⁹ Interview with Brian Manning; *NTN*, 17 December 1968; NTAS: transcript of interview with Curly Nixon by Cliff Smythe.

¹⁸⁰ Margo Beasley, *The Missos: A History of the Federated Miscellaneous Workers Union*, Allen & Unwin, St Leonards, 1996, p. 85.

The first step in the amalgamation process was a referendum of NAWU members in December 1968 to gauge support for the idea. The affiliation was sold to the membership on the basis that the union would retain its autonomy, gain protection from southern unions encroaching on the Territory and gain access to the legal and research services of a larger southern union.¹⁸¹ Out of the 14 per cent of union members who voted, 310 voted for the proposal and 30 against.¹⁸²

The process was delayed two and a half years after objections were lodged with the Industrial Registry from 17 southern-based unions (described by the NAWU leaders as ‘foreign unions’), including the AWU, FIA, FCU, TWU and Shop Assistants Union. These unions feared the proposal would restrict their ability to recruit in the Territory.¹⁸³ In 1971, Carroll reported to the Central Council that the TWU was making inroads into the union’s traditional base.¹⁸⁴ The previous year, the *NT News* had commented that amalgamation was the only alternative to ‘slow extinction’.¹⁸⁵

Luckily for the union, the Industrial Registrar dismissed all objections to the amalgamation, but ordered the NAWU to deregister first before the new union could legally operate in the Territory.¹⁸⁶ Understandably the NAWU feared that the southern ‘snipers’ would take advantage of any vacuum created by its deregistration, so it was first necessary to include the FMWU in all awards before the NAWU was deregistered. It was also necessary to take the question of deregistration to the union members and again there was strong support for the proposal.¹⁸⁷ With all legal obstacles out of the way, the union announced that from 1 July 1971, it would become the NAWU branch of the FMWU and the Waterside Section would become the Darwin branch of the WWF.¹⁸⁸ Given the long history of the union, it is surprising how little fanfare greeted the event.

In early 1972, it was announced that the NAWU would have to hold new elections in March to correspond with the practice of the FMWU. Unlike the NAWU, the FMWU officials were elected for a three-year term and organisers were appointed. The fact that the organisers would now be subject to appointment (and dismissal) caused some dissension among the

¹⁸¹ *NTN*, 27 November 1968, 4 February 1969.

¹⁸² NTAS: Pac 34, Box 32, minutes of the NAWU Central Council, 21 September 1969.

¹⁸³ *NTN*, 7 March, 3 November 1969, 2 February, 20 March 1970; *The Bowyang*, vol. 2, no. 20, February 1970.

¹⁸⁴ NTAS: Pac 34, Box 32, minutes of the NAWU Central Council, 26 September 1971.

¹⁸⁵ *NTN*, 28 April 1970.

¹⁸⁶ *NTN*, 2, 3 June, 14 September 1970.

¹⁸⁷ *NTN*, 14 October 1970, 2, 23 December 1970; NTAS: Pac 34, Box 32, minutes of the NAWU Central Council, 27 September 1970.

¹⁸⁸ *NTN*, 23 June 1971.

previously elected NAWU organisers. The first casualty was the former organiser and now Darwin WWF President, Curly Nixon, who nominated to run against Carroll for secretary but was ruled ineligible because he was no longer an NAWU member. Nixon had fallen out with Carroll in 1968 when he made the first of four unsuccessful attempts to unseat the long-standing secretary. According to Nixon (and verified by Brian Manning), 'I got sick and tired of going out bush on a job, getting agreement off the employer, coming back here [Darwin] and then the employer ringing up Carroll and getting the agreement cancelled, and a weaker agreement' put in its place.¹⁸⁹

With Nixon's nomination rejected, Carroll was unopposed and declared secretary for the next three years.¹⁹⁰ Within weeks, however, it became clear that there were serious divisions between Carroll and his organisers who believed the secretary had too much power. John Quinn threatened to resign unless unstated changes were made to the structure of the union and soon after, the union's youngest organiser, Peter Crafter resigned.¹⁹¹ The 24-year-old Crafter had been elected as an organiser in 1970. A former member of the Electrical Trades Union and the Labor Party in South Australia, he moved to Alice Springs in 1969 to work on the American spy base, Pine Gap.¹⁹²

Soon after Crafter's resignation, Quinn and the union's administrative officer Veronica Andersen also resigned.¹⁹³ Quinn moved to Tennant Creek, where he had previously spent some time organising and was elected president of the local committee. He then began to accuse the Darwin-based leadership of neglecting the local workers and threatened to lead a break-away from the union. In reply, Carroll questioned Quinn's authority to speak on behalf of Tennant Creek members. Quinn, however, had gained the support of the union's Tennant Creek organiser, Nyle 'Knocker' Renfrey. The Tennant Creek born and bred Renfrey had been the delegate at the Nobles Nob mine, a union stronghold.¹⁹⁴

In July, Carroll answered Quinn's charges before a large meeting of miners and admitted that there was a need to improve the union's service to Tennant Creek.¹⁹⁵ Carroll's comments did not placate Quinn and his supporters who demanded that the union hold a special Central Council to discuss the issue. For a time, Carroll continued to reject Quinn's credentials, but eventually the executive agreed to hold a Central Council on 1 October 1972.¹⁹⁶

¹⁸⁹ Curly Nixon, interviewed by author, 13 September 1999; interview with Brian Manning.

¹⁹⁰ *NTN*, 6 March 1972.

¹⁹¹ *NTN*, 28, 30 March, 4, 5, 8 May 1972.

¹⁹² *NTN*, 23 April, 16 June, 2, 22 July 1970.

¹⁹³ *NTN*, 15 May 1972.

¹⁹⁴ *NTN*, 1 July 1971, 24, 26, 27 July, 3, 10 August 1972.

¹⁹⁵ *NTN*, 28 July 1972.

¹⁹⁶ *NTN*, 2, 5, 7, 9, 13, 14 September 1972.

When the October meeting was convened, it lasted four days and details are sketchy since no minutes were preserved. On 5 October, the front page of the *NT News* declared ‘Carroll Resigns in NAWU upheaval’. In his place, the veteran member Jack Meaney was made caretaker president/secretary and John Quinn was appointed a temporary organiser for Tennant Creek, suggesting that the majority of delegates accepted Quinn’s arguments. In something of a consolation prize, Carroll was made a life member of the union.¹⁹⁷

Within a week both the President and Secretary of the FMWU, Roy Cameron and Ray Gietzelt, were in Darwin to investigate the recent dramatic events. The outcome had already led to the resignation of two more organisers and a move by some union sections to call a special general meeting. After about a week of discussions, the two FMWU officials moved to take over management of the local union and appointed 23-year-old Jon Isaacs as an administrator until fresh elections could be held. Gietzelt was reported in the press as hoping that the new arrangements would bring more modern methods of administration to the union so it could adequately service its membership.¹⁹⁸

Although Isaacs stressed the new arrangements were not a ‘take-over’, in effect they were, as more and more federal appointments were made to administer and organise the union.¹⁹⁹ For many years the union remained the NAWU branch of the FMWU but over time the old name was lost and today it is relegated to a listing in the phone book. Today the union is known locally as the FMWU or more popularly, the ‘Missos’. What has not changed, however, is that the Missos, like the NAWU before it, remains one of the Territory’s largest unions and a power-broker in the local Labor Council and Labor Party. In fact, Beasley suggests that one reason why the FMWU was prepared to take over the NAWU was the extra leverage it gave the union in the Federal Executive of the Labor Party.²⁰⁰ The new leadership also joined the revived NT Trades and Labor Council (NTTLC), which gave the union a greater say in the internal politics of the ACTU.²⁰¹ Carroll had opposed joining the NTTLC fearing that the

¹⁹⁷ *NTN*, 5 October 1972.

¹⁹⁸ *NTN*, 7, 9, 10, 13, 14, 16, 18 October 1972. In 1985, Martin Ferguson, the General Secretary of the FMWU who had spent some time working for the union in Darwin and who went on to become a Cabinet Minister in the Hawke and Keating Labor Governments (1983-1996), reported to the FMWU that the NAWU ‘had serious problems ... with respect to administration, servicing of awards, membership and finances’ (Beasley, *The Missos*, p. 86).

¹⁹⁹ *NTN*, 19 October 1972.

²⁰⁰ Beasley, *The Missos*, p. 87. The NT Labor Party was granted a delegate to the Federal ALP Executive and Federal ALP Conference in 1967 (*NTN*, 6 November 1967).

²⁰¹ NTAS: Pac 34, Box 32, minutes of the NAWU Central Council, 22 July 1973; *NTN*, 27 August 1970, 5 January 1972.

smaller unions on the council would outvote the NAWU. The NAWU was also suspicious of the NTTLC because it was being promoted by southern-based unions.²⁰²

Jon Isaacs, who was eventually elected secretary before embarking on a political career as Labor leader in the Territory's Legislative Assembly, responded in the same way to his new posting as many other secretaries in the past. He told Beasley that 'It was hot and isolated, the telephone system was crook, fleabitten offices, and the only air conditioning was natural air belting through slatted windows, and it would turf your papers upside down'.²⁰³

What of Paddy Carroll's contribution to the NAWU? Frank Hardy saw the flicker of rebellion in him on at least one occasion when he confronted the manager of Wave Hill station on behalf of striking Aboriginal stockmen.²⁰⁴ Brian Manning argues that despite Carroll's anti-communism, the left could work with him on certain issues and that some members of the Communist Party were too hard on the long-term secretary.²⁰⁵ An ASIO field officer once described Carroll as 'A very skilled and good negotiator, who always represents a good case and does a lot of research. A man who always threatens to pull the whole of the N.T. workforce out on strike but never would'.²⁰⁶ Probably to the detriment of Carroll's reputation in the union movement he was made an Officer of the Order Of The British Empire (OBE) in 1972 and a year later was praised in the Legislative Assembly by Joe Fisher, a man with close links to the mining industry. Fisher said that

I have a great respect for Mr Carroll who is a fair man, a straight man and a competent man. He overcame many difficulties, particularly in the mining industry, by working hard, negotiating and avoiding strikes and this is not always done today ... I have a great admiration for Mr Carroll and the union work he has done in the past.²⁰⁷

Carroll died on 27 November 1974.²⁰⁸

For the NAWU, the 1950s and 1960s were a period of considerable stability with Paddy Carroll at the helm for close on two decades, except from 1954-58. The region was changing rapidly, especially in the areas of transport, housing and communication. The changes were so marked that the union found it difficult convincing the Arbitration Court/Commission that Territory workers deserved higher wages and better conditions as compensation for the

²⁰² NTN, 27 September, 23 December 1971, 6 January, 9 March 1972. *The Bowyang*, vol. 3, no. 1, September 1970.

²⁰³ Beasley, *The Missos*, pp. 86-87.

²⁰⁴ Hardy, *Unlucky Australians*, p. 98.

²⁰⁵ Interview with Brian Manning.

²⁰⁶ NAA, ACT: A6119/90, 2500, ASIO field officer's report, 20 October 1967.

²⁰⁷ *Northern Territory Legislative Council Debates*, 22 February 1973.

²⁰⁸ NTN, 28 November 1974.

difficulties of living and working in the region. This, after all, had been the argument used by the Territory union movement with mixed success since the first award hearings in 1914-15. Union membership was also not keeping pace with the increase in the Territory's population. Part of this was due to a more diversified workforce but it was also due to the arrival of new unions recruiting in areas traditionally covered by the NAWU. To avoid possible extinction, the NAWU amalgamated with a larger, more resourced southern union. By doing so, the NAWU leadership avoided their biggest fear, namely the fragmentation of Territory workers into a large number of under-resourced, ineffectual unions. Nevertheless, it also meant that after six decades of rebellion, depression, war and bitter ideological struggle, the curtains had finally closed on the era of the One Big Union in the Territory.



Union meetings inside the 40-year-old offices of the NAWU and Northern Standard. Sitting at the head of the table are Bill Steele (NAWU Secretary, 1956-1958) and Jack McGuinness (NAWU President, 1955-1958, 1962-1963). The union veteran, Jack Burton is seated on their left. On the right of the picture, partly obscured is Bill Ivinson (NAWU Treasurer, 1952-1958). Northern Territory Library, Territory Images, Ph01410201, Loman Collection.



Dexter Daniels, NAWU Organiser, 1965. Northern Territory Library Images, Ph00950012.

Conclusion

Darwin today is very different from the town encountered by those itinerant prospectors and labourers who formed the first union in the Northern Territory 90 years ago. It is a modern city with bland steel and glass multi-storey buildings, numerous car yards and a suburban sprawl. Much of old Darwin has gone, partly due to natural disasters like Cyclone Tracy, but also the result of rampant development encouraged by governments with little interest in preserving the past. In 1999, one of Darwin's grandest buildings, the Hotel Darwin, was demolished. Bombs and cyclones could not destroy it, but commercial expediency did. The Hotel Darwin was symbolic of a time when the pubs, along with the cinema and football, were some of the few entertainments available to Darwin's workers. At least the Hotel Darwin out-lived Yorky Walker's prediction that it would only survive 20 years due to the management practices of the contractors who built it.¹

You can still go down to the old Darwin wharf and imagine what it was like to work in the enervating heat and humidity in the era before air conditioning. Or you can drive down the Stuart Highway and stop at the Ferguson River railway bridge, about 50 kilometres north of Katherine, and picture the harsh conditions experienced by isolated fettling gangs working on the now disused North Australian Railway.

The ruins of the old Town Hall, where the first meeting of the AWA was held in 1911, can still be seen close to Darwin's modern shopping mall. Parts of the old Vestey's meatworks were incorporated into a modern high school in 1963 and you can still stand opposite Government House in Liberty Square and think back to the days when the Administrator was told to pack his bags. Names like Frog Hollow, the swampy home of many unemployed during Darwin's long depression of the 1920s and 1930s, are still in use but little remains of the camps that were home to thousands of workers for many years after the Second World War. One of the few reminders of these camps is the Arafura Bowling Club, on the Stuart Highway, four kilometres from the town centre, which was built by the workers of the Arafura Works camp.

¹ See *Northern Standard*, 16 February, 12 July 1940.

The modern two-storey offices of the Northern Territory Trades and Labor Council now stand on the site of the old Woods Street NAWU building. In 1999, Curly Nixon recalled, while being interviewed in the new building, that ‘No-one will believe this but it’s true. Just here with the dirt floor and one light, used to be the Labor Party office’.²

The purpose of this study was to assess the contribution of the labour movement to Northern Territory history by investigating the origins and evolution of the largest and longest surviving trade union, the NAWU. To do so also meant studying those unions that preceded the NAWU because they developed the structures, practices and leaders incorporated into the NAWU when it was formed in 1927. The motivation behind the study was to uncover Darwin’s working class past and to shift the preoccupation of Northern Territory historiography away from stories of pioneers and settlers.

Two themes have emerged from the few existing historical works on the Northern Territory labour movement – union militancy and race relations. The Territory union movement developed a reputation for militancy through its involvement in the civil disturbances following the First World War and because, from 1940 until 1952, the NAWU was led by members of the Communist Party. Because of this reputation for militancy, some commentators have blamed trade unions for any economic shortcomings in the region. However, this study has illustrated how the militancy of the Territory union movement has been exaggerated. Much of this reputation came from the alarmist reports of southern journalists, politicians and security agents.

At times, Territory unions resorted to militant action but when they did so it was often indicative of rising militancy in the Australian working class as a whole rather than an indication of any distinctive northern radicalism. The majority of strikes discussed in this study were defensive strikes resulting from management attempts to erode established wages and conditions. More often than not, these disputes were resolved through the channels of the arbitration system. At various times during the period covered by this narrative, employers and unions argued that there would have been fewer strikes if the distant southern-based Arbitration Court/Commission had been able to intervene at the commencement of hostilities rather than after a dispute had escalated. For this reason, the NAWU and some employers consistently called for the establishment of a local arbitration tribunal capable of intervening quickly in any dispute.

² Curly Nixon, interviewed by author, 13 September 1999.

The evidence presented in this thesis contradicts the idea promoted by some commentators of a union movement and a society tolerant of other cultures. This thesis concurs with Frank Alcorta's conclusion that the union movement was as much an expression of 'white' racial identity as one of class identity. There were times when the union and its members fought for the rights of non-Anglo-Irish workers, especially during the period when the Communists were in the leadership of the union. However, for nearly 40 years the union barred members of the so-called 'coloured' races from membership. For the most part, the NAWU and its predecessors were not interested in the plight of Aboriginal workers except when they competed with union members for jobs. As a rule, the union reflected the dominant racist ideas of its time, be it racial exclusion or assimilation. Even when the union was involved in the 1965-68 campaign for equal wages for Aboriginal pastoral workers, it was responding to national pressures and showed little enthusiasm for the fight.

This thesis also set out to determine whether local or national factors had more influence on the evolution of the NAWU and its predecessors. The preliminary answer to this question suggested in the Introduction was that outside influences were paramount for three main reasons. Firstly, from 1911-1978, the Federal government administered the Territory and for most of this period the government was the main employer. Secondly, by virtue of the *Northern Territory Administration Act*, the Commonwealth Arbitration Court/Commission was responsible for regulating wages and conditions and settling industrial disputes in the Territory. Thirdly, the majority of workers in the Territory were itinerants, bringing with them the ideas and practices of the union movement elsewhere in Australia and from other parts of the globe. The narrative I have presented confirms those preliminary judgements. The first two reasons were self-evident, the third required deeper study.

The early pattern of unionism was imported from North Queensland with the formation of a branch of the AWA in Darwin. The AWA was an early form of the 'one big union'. It was an industrial or general union that united labourers from a range of occupations and was an organisational type suited to the small and geographically dispersed Northern Territory workforce. For the next 60 years, the 'one big union' remained the preferred model of organisation.

The workers who formed the AWA had experienced working conditions in many parts of Australia and the world and were knowledgeable about the price their labour was worth. They were also aware that in an area where labour was in short supply, they could demand compensation for the difficulties of working in an isolated and climatically harsh region such as the Territory. In this claim they were backed by the nation-building agenda of the

Arbitration Court which saw the need to improve the conditions of life in the Territory to encourage 'white' settlement. Unionists and labour historians have often been critical of the role of the arbitration system in taming the trade union movement. However, in the Northern Territory the existence of legally enforceable minimum wages and conditions helped protect isolated non-Aboriginal workers from exploitation by unscrupulous employers. Nevertheless, the protection of the arbitration system did not extend to Aboriginal workers.

The itinerant workers were not isolated solitary figures roving the countryside. Many of them knew each other from previous jobs and those who did not were drawn together by the shared experiences of transient life. On arrival in towns like Darwin, the small size of the population and the close proximity of their living quarters, made it easier for a union to recruit and organise. The lack of entertainment facilities also regularly brought workers together at the town's popular pubs.

Unlike the North Queensland union movement, localism and parochialism were not strong motivating factors behind union activity. The reference points for this highly mobile work force were the wages and conditions established in other parts of the country. Having established equal conditions with southern workers, it was only then that they sought fringe benefits for working in the tropics such as higher wages, extra annual leave and paid holiday fares. The NAWU was not fiercely independent and did not eschew collaboration or even affiliation with larger southern-based unions. Yet the Territory was more often than not ignored by southern unions because of the high cost of maintaining a branch in such a sparsely populated and isolated region. Only when the population boomed after the Second World War did southern unions try to establish a foothold in the Territory. At the time, the NAWU justifiably saw these southern unionists' belated interest in the Territory as an attempt to break up the NAWU and they were resisted. The NAWU survived so long partly because of its isolation, the determination of its leaders to keep the union's organisational structure intact and the legal protection it received from the arbitration system.

Of course local factors did play a part and there was much in Darwin and the Territory that was different – a harsh environment, geographic isolation, a weak and distant state authority, limited amenities and an undisciplined, male-dominated, itinerant working class. On many occasions the union found it hard enough to control its own membership let alone influence management. It was the interaction of these local and national factors that created the history of the NAWU and its predecessors. It is a history that can be divided into eight broad periods.

The initial period, 1911-1915, started with the formation of the first union by mostly itinerant Queensland workers. It ended with the creation of the first Territory award in 1915 when Northern Territory workers were able to take advantage of the Commonwealth Arbitration Court's 'living wage' concept to win substantial wage increases. Two principles were established in this period that remained influential for the next 60 years, namely the adoption of the 'one big union' form of organisation and reliance on the arbitration system to improve wages and conditions. A long-standing practice of the Territory union movement also began in this period, namely its involvement in electoral politics.

The second period, 1915-1918, was dominated by the First World War and the post-war rise in working class militancy across Australia as workers attempted to gain some compensation for the sacrifices made during the war. In the Territory, workers had the added grievance of being denied representative government. During this period, the Territory union movement established its reputation for militancy because of its involvement in the Darwin Rebellion. However, union militancy in this period, compared to the rest of Australia was not exceptional and it is important to remember that the campaign for basic democratic rights in the Territory involved a broad cross-section of the community, not just the unions.

The post-war militancy of the Australian working class sparked a strong conservative reaction from the Federal government and employers. In the Territory, the broad multi-class democracy movement started to fracture as conservative elements in the community started to fear the growing local union movement. The union movement was also seriously weakened when the main employer in Darwin, Vestey's meatworks, ceased operations leaving most workers unemployed. These issues dominated the third period of this history, 1919-1927.

The unemployment crisis that followed the closure of Vestey's led to a serious split in the movement in 1922. For the next four years, the Federal government took advantage of a weakened and divided labour movement to cut the wages and conditions of Territory workers. Nevertheless, in an impressive show of leadership, the Territory union movement survived, culminating in the formation of the NAWU in 1927. Once united, Territory workers were able to regain some of the conditions lost over the preceding years.

The fourth period, 1927-1934, was dominated by economic depression and the leadership of Robert Toupein. The NAWU leaders lobbied hard on behalf of the unemployed, but not hard enough for the new force in the Australian labour movement, the Communist Party. Spurred on by anger at the misery caused by the Depression and inspired by fanatical sectarianism

against the Labor Party, the Darwin Communists were a consistent source of rebellion inside the NAWU. Eventually the ideological struggle within the NAWU led to the resignation of Robert Toupein after 20 years of service to the Territory labour movement.

It was only by the fifth period, 1935-1940, when Jack McDonald was secretary, that unemployment began to decline as a result of the defence-related construction boom. Nevertheless, the ideological battles continued and were fuelled by a flood of new workers moving to the Territory in search of work. If one feature marked the McDonald era, it was the union's campaign for a local arbitration tribunal. McDonald's commitment to this campaign and his unwillingness to deal with a southern-based Arbitration Court unlikely to grant any wage increases, brought about his defeat. Members of the union, even former McDonald supporters, started to blame the Secretary for the slow progress in achieving improvements in wages and conditions. As a result, McDonald was eventually forced from office and a new Communist Party-influenced leadership assumed office in 1939.

The sixth period of this history, from 1940-1945, was dominated by the impact of the Second World War. In 1942, Japanese bombs destroyed Darwin and martial law nearly destroyed the union. However, with the influx of semi-militarised work gangs into the Territory during the war, there were enough workers to keep the idea of unionism and the memory of the NAWU alive. Left wing supporters of the NAWU in the south were also keen to block the anti-communist AWU from re-establishing in the Territory.

Post-war union revival and the continuation of Communist Party leadership were the main features of the seventh period of this history, from 1945-1952. During this time, the NAWU supported the militant campaigns of other Australian unions for shorter hours and higher wages. As was the case after the First World War, there was popular support for the idea that workers should be compensated for the sacrifices made during the war.

During the post-war years, the influence of the Communist Party in the Australian trade union movement reached its highest point. By the early 1950s, however, much of this influence had been eroded by a concerted anti-communist campaign within the unions by a range of forces including the Catholic Church and the Labor Party. The Northern Territory was not quarantined from this nation-wide campaign against Communist influence and in 1952, an anti-communist group took over the leadership of the NAWU.

The two decades, 1952-1972, constitute the eighth and final period in the history of the NAWU. Except for a brief period, the leadership of Paddy Carroll dominated this period.

The NAWU was now more tied to the activities of the southern union movement than ever before. The Northern Territory's population was increasing and amenities were improving. As a result, the union was having trouble convincing the Arbitration Court/Commission that workers still needed to be compensated for isolation and a difficult climate. The union's leadership was stable but its membership did not rise with the increase in population because it was now profitable for southern unions to recruit and service Northern Territory workers. The NAWU faced the choice of attaching itself to a larger union with more resources or being pushed aside, so in 1972 it amalgamated with one of Australia's largest unions, the Federated Miscellaneous Workers Union. A purely local union was never a principle for the NAWU leaders and it did not shun amalgamation with larger southern-based unions as long as unionism in the Territory was not weakened and fragmented in the process.

How do we judge the NAWU's contribution to the Northern Territory labour movement? As noted in the Introduction, Sweeney and Voorendt suggest there are five main criteria for judging a union – organisational strength, responsiveness to the rank and file, the success of its campaigns, industrial and political influence (authority) and its role in social change.³ Firstly, it is remarkable given the rapid turnover of members and the distance over which the union was required to organise that the NAWU survived at all. No doubt it was helped by the patronage of the arbitration system but it is also important not to discount the personal sacrifices made by officials, organisers and union activists trying to keep the union functioning in difficult circumstances.

Secondly, the union had its fair share of successful campaigns and it can be safely stated that non-Aboriginal workers in the Territory were better off with the NAWU than without. All workers need protection with legally enforceable minimum conditions, especially those in isolated places such as the Territory.

Thirdly, there were times when various NAWU leaders tried to silence their critics within the union. However, as a small union, it was possible for the rank and file to influence leadership decisions and if need be change the leadership. Even though at times the gap between the leadership and sections of the rank and file was wide, many of the union's successes were dependent on the leadership's ability to mobilise its members.

³ Stewart Sweeney & Ingrid Voorendt, 'Union Effectiveness: Still Hidden From History?' in Robert Hood & Ray Markey (eds), *Labour & Community: Proceedings of the Sixth National Conference of the Australian Society for the Study of Labour History, Wollongong, NSW, 2-4 October 1999*, ASSLH, Wollongong, 1999, pp. 261-266.

Fourthly, the union's authority was not limited to the workplace. Its influence throughout the community often led to Darwin being described as a 'union town'. For 30 years it ran the only local newspaper in the town and was the major force behind the Labor Party. But to describe Darwin as a 'union town' underestimates the influence of other classes and groups. The NAWU and its predecessors certainly played a significant part in civil society but there was always a section of the community, including administrators, merchants and church leaders who were prepared to challenge the union's leaders. Union influence was clearly not all encompassing, as Darwin did not consistently elect labour/union leaders to political office. From 1934 to 1949 the Member for the Northern Territory was a non-Labor conservative. Despite this, we cannot ignore the electoral successes of Territory unions, including their early successes in local government (1917-1921); the election of Harold Nelson as the first Member for the Territory in the House of Representatives (1922-1934); and the election of Paddy Carroll to the Legislative Council for one term in 1957.

Finally, for the most part, the union did not claim to be interested in changing the world, except for periods when socialist ideas had more weight in the working class such as during and after the First World War. The other period of exception from this was when members of the Communist Party led the union. Nevertheless, the union did take a leading role, alongside others, in the movement for more democratic rights for Territorians. Its support for Aboriginal rights was strongest during the Communist era.

This thesis has essentially been an organisational history of a union and in this sense it is an example of 'old' labour history. Within the narrative there is considerable detail about various strikes, arbitration hearings, internal union faction fights – the stuff of 'old' labour history. What I have also tried to do, and I hope I have succeeded, is give the reader a sense of the lives of those who came to the Territory and created and sustained organisations like the NAWU. In this sense, the thesis is an example of 'new' labour history.

In a project such as this there is a danger of repeating the mistakes of earlier labour historians and privileging the activities of the 'white' male worker. Basing one's study on the activities of a trade union also poses problems because working class experience is not solely articulated through unions. Nevertheless, because the NAWU was one of the longest surviving civil organisations in Territory history, it deserved to be studied. By contextualising the union within the broader communities of the Territory, I hope I have been able to reveal something of the cultures of the working class beyond the walls of the union office and the Arbitration Court.

I have also tried to highlight within the narrative the role of various individuals who made their mark on the union movement. Because of the male domination of Territory society and the historical fact of male domination of the labour movement, women rarely feature in this narrative. It is an absence I am aware of but one that is difficult to artificially correct. However, where possible I have tried to highlight that women were involved to some extent in the Territory labour movement – women like Marion Lovelady, Bertha Walker (nee Laidler) and Moira Gibbs (nee Olive).

Sometimes I have passed judgement on the activities of the various individuals appearing in this history, but in the main I have tried to develop a sympathetic understanding of the difficulties all workers faced in the Territory. It may be the case that I will be accused of avoiding historical judgements over some of these figures. For example, who was right (not that there necessarily has to be a right and wrong) in the ideological battles between the left and right in the NAWU? After reflecting on this question for some time, I can only say that I admire the courage and commitment shown by the Communist Party activists during the Great Depression. I also admire the role they played in reviving the union at the end of the Second World War and their enthusiastic support for Aboriginal rights. Yet in the course of this project I also developed an admiration for men like Robert Toupein, who spent 20 years in the leadership of the Territory union movement during its most difficult period and I am critical of the Communists for their blind sectarianism against him. In short, there are very few unsullied heroes in this narrative, just ordinary workers facing difficult conditions. That is, after all, why labour history exists – to tell their story.

It is inevitable with a study spanning so many years that many questions will go unanswered. But given that this is the first attempt to write a comprehensive history of the Territory union movement, other researchers can make up any shortcomings. Some future lines of inquiry could include a more thorough examination of the records of government and private employers to ascertain the evolution of management attitudes to the Territory's working class. I am also aware that the voice of the Aboriginal worker does not feature to any great extent in this study. However, there have already been a number of studies to determine the attitude of Aboriginal workers to the experiences they faced and these studies are continuing. There is also a need for further study of political organisations such as the Labor Party and the Communist Party⁴ that are only touched on briefly in this history. Further studies may also choose to compare and contrast the ideas and practices of the post 1970s labour movement with that of the NAWU. What are the similarities and what are the differences? As stated in the opening paragraphs of this thesis, the modern movement is certainly less

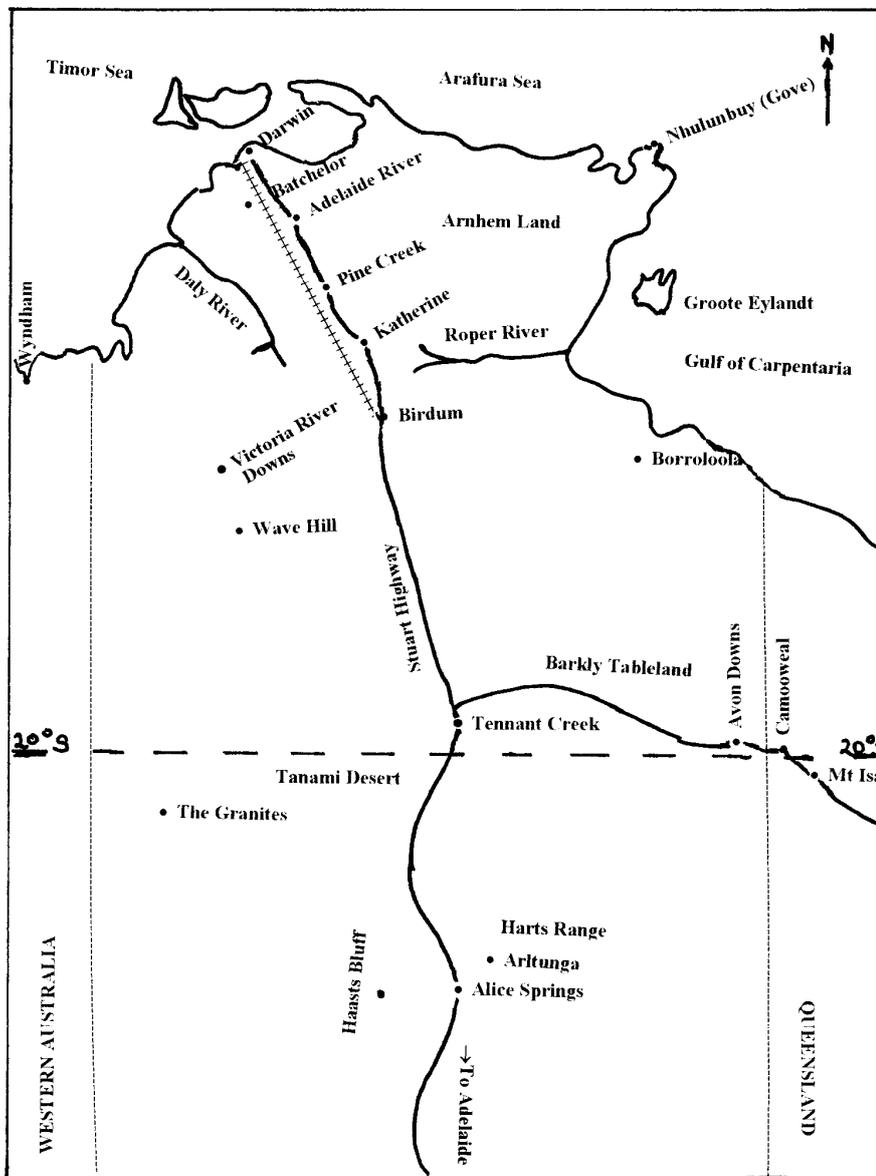
⁴ My next project is to write a history of the Communist Party in the Territory.

influential and powerful. Since the granting of self-government for the Territory in 1978, the electoral record of the Labor Party in the local legislature has been poor. Yet there are also continuities with the past such as the community flavour of Darwin's May Day celebrations.

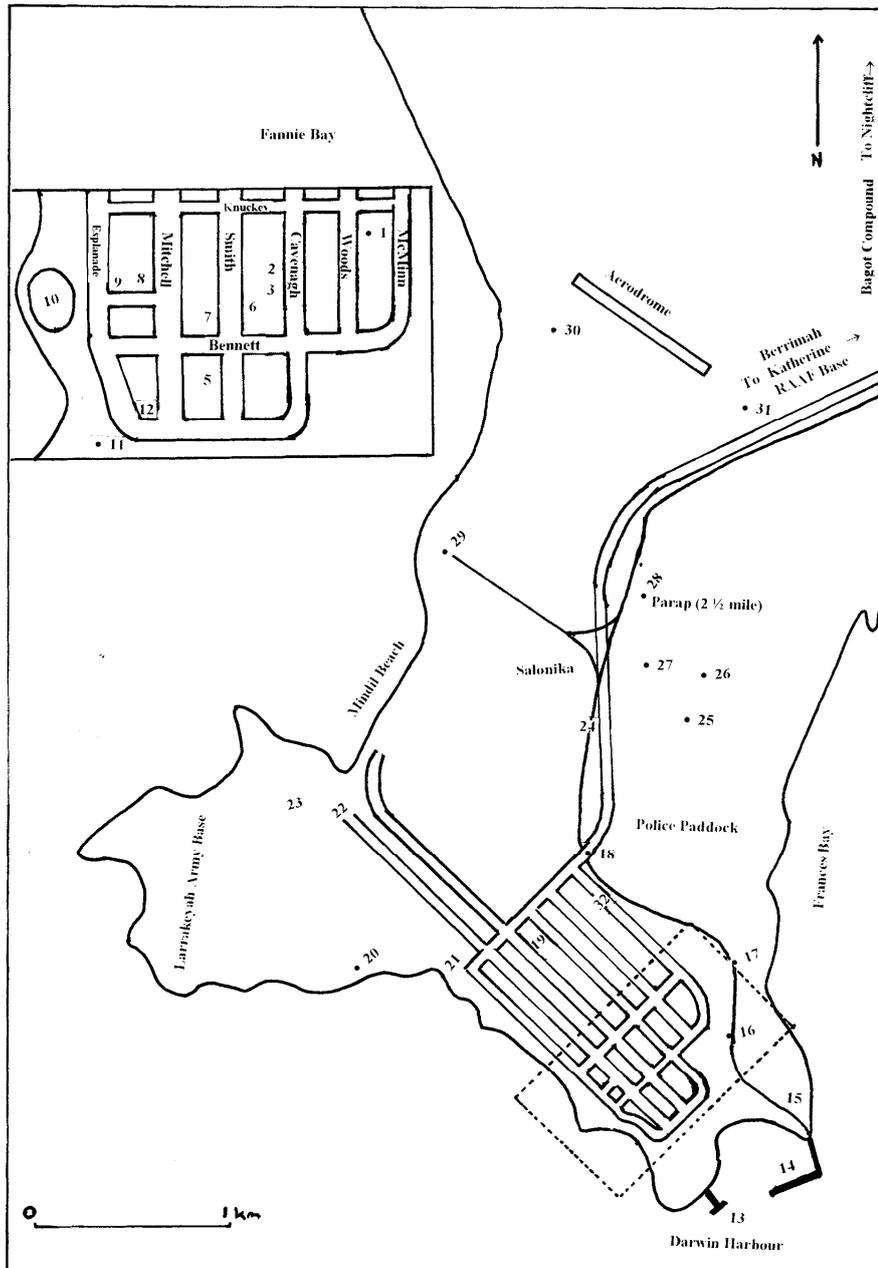
The Territory today is clearly a very different society to that during the time of the NAWU. It is hoped, however, that this history helps, in some way, to give modern day trade unionists some understanding of the difficulties faced by earlier generations. There are many aspects of the NAWU that we would not want to see repeated, such as the racist bigotry that was so often a feature of union discourse. For students of Northern Territory history, I hope I have also illustrated that the history of their region is more than a succession of self-made heroic pioneers. It also consists of the life stories of the thousands of workers who made the Territory home, even if only for a short time, before they moved on to the next El Dorado.

Appendix One

Maps



Map 1: Northern Territory



Map 2: Darwin Township: Sites Mentioned in Text

- | | | |
|------------------------------------|--------------------------------|--------------------------------|
| 1 NAWU Office | 12 Government Offices | 24 Immigrants Home |
| 2 NAWU Stadium | 13 Fort Hill Timber Wharf | 25 Parap (118) Camp |
| 3 Workers' Club | 14 Stokes Hill Wharf | 26 Frances Camp |
| 4 Don Stadium | 15 Oil Tanks | 27 K9 Camp |
| 5 Town Hall | 16 Sorting Shed | 28 '2½ Mile' Railway Workshops |
| 6 Star Theatre | 17 Railway Station | 29 Vestey's Meatworks |
| 7 Hotel Victoria | 18 Daly St Bridge | 30 Fannie Bay Gaol |
| 8 Club Hotel | 19 Belsen Camp | 31 Arafura Camp |
| 9 Hotel Darwin | 20 Old Darwin Hospital | 32 Frog Hollow |
| 10 Darwin Oval | 21 Greek Town | |
| 11 Government House/Liberty Square | 22 Darwin Hospital (post 1940) | |
| | 23 Kahlin Compound | |

Appendix Two

NAWU Secretaries and Presidents, 1927-1972

Year	President	Secretary
1927-28	William 'Bob' Murray ¹	Robert Toupein
1928-29	John McCorry	Robert Toupein
1929-30	Bob Murray	Robert Toupein
1930-31	Bob Murray	Robert Toupein
1931-32	Bob Murray	Robert Toupein
1932-33	Bob Murray	Robert Toupein
1933-34	Bob Murray	Robert Toupein
1934-35	Bob Murray	Robert Toupein ²
1935-36	Bob Murray	J.A. McDonald
1936-37	Don McKinnon	J.A. McDonald
1937-38	E.J. McKay	J.A. McDonald
1938-39	Bob Murray	J.A. McDonald
1939-40	Bob Murray	J.A. McDonald
From 25/2/40	Bob Markham	L.T. Craig
1940-41	Bob Antony	L.J. McPhillips
1941-42	Bob Antony	L.J. McPhillips M.P. Ryan ³
1942-45	After the bombing of Darwin, the NT was under military rule and the activities of the union were severely disrupted. Legally, Bob Antony remained president.	For a brief period in 1943, E.C. Williams was acting secretary. In November 1943, Joe 'Yorky' Walker was appointed secretary.
1945-46	Bob Antony	Yorky Walker
1946-47	Bob Antony	Yorky Walker ⁴ Murray Norris
1947-48	Unknown	Murray Norris
1948-49	Jack McKeown	Murray Norris
1949-50	Murray Norris	Arthur Olive
1950-51	Murray Norris	Arthur Olive ⁵ T. 'Yorky' Peel ⁶ Con Dolan

¹ On one occasion Jack Brogan was referred to as president (*Northern Standard (NS)*, 18 October 1927). Yet in *NS*, 27 July 1927, Bob Murray is recorded as president.

² Resigned 8 June 1935. Replaced by Acting Secretary, J.A. McDonald.

³ Expelled by military authorities from Alice Springs, 3 August 1942.

⁴ Resigned October 1947.

⁵ Deceased, 3 December 1950.

⁶ Resigned 14 May 1951.

Year	President	Secretary
1951-52 New Ballot ⁷	Maurice 'Scotty' Carne R. Habergham	Paddy Carroll Paddy Carroll
1952-53	R. Habergham	Con Dolan ⁸ Paddy Carroll
1953-54	K. Knights	Paddy Carroll ⁹ Oswald Kevin Tulk (Acting)
1954-55	A. Byrne	Brian Terrence Langan (Acting) Baylon Ryan
1955-56	Jack McGuinness	Baylon Ryan
1956-57	Jack McGuinness	Baylon Ryan ¹⁰ Bill Steele
1957-58	Jack McGuinness	Bill Steele
1958-59	Bert Graham	Paddy Carroll
1959-60	Bert Graham	Paddy Carroll
1960-61	Bert Graham	Paddy Carroll
1961-62	Bert Graham	Paddy Carroll
1962-63	Jack McGuinness	Paddy Carroll
1963-64	Ron Wilkshire	Paddy Carroll
1964-65	Ron Wilkshire	Paddy Carroll
1965-66	Ron Wilkshire	Paddy Carroll
1966-67	Ron Wilkshire	Paddy Carroll
1967-68	Ron Wilkshire	Paddy Carroll
1968-69	Ron Wilkshire	Paddy Carroll
1969-70	Ron Wilkshire	Paddy Carroll
1970-71	Ron Wilkshire	Paddy Carroll
1971-72	Eric Cox	Paddy Carroll
1972 ¹¹	Charlie Payne ¹² Jack Meaney (acting)	Paddy Carroll ¹³ Jon Isaacs ¹⁴

⁷ New ballot called after all officers resigned due to divisions on executive.

⁸ Resigned September 1952.

⁹ Resigned 22 November 1953.

¹⁰ Resigned 4 December 1956.

¹¹ First election under Miscellaneous Workers Union rule for three-year term.

¹² Resigned 4 October 1972.

¹³ Resigned 4 October 1972.

¹⁴ Appointed administrator.

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1906 – Gordon Geoffrey Burgoyne.

Series A6119/87

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2502 – John Henry Meaney.
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