Skill and the commodification of labour in New South Wales 1840-1915

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CHAPTER 8

THE INDUSTRIAL CONCEPT OF SKILL:

THE SAWMILLERS’ CASE

This subjective principle of the division of labour no longer exists in production by machinery. Here the total process is examined objectively...

(K. Marx, Capital)¹

I

For several reasons the Sawmillers’ Case of 1905 is a suitable focus and point of departure for examining the industrial concept of skill. It was one of the longest, most detailed and most important of cases in the early history of arbitration in New South Wales. In it we can observe how an industrial union - the Sawmill and Timber Yard Employees Association (STYEA) - sought to use the industrial understanding of skill as an index on which to calibrate its members’ labour power². We can also observe how intimately this project was tied up with the issue of classification. In this sense the Sawmillers’ case was the confluence of two currents - that of classification or “grading”, on one hand, and that of the industrial concept of skill on the other.

² An enterprise, we can note, which was greatly facilitated by the adoption of the industrial concept of skill in the censuses from 1891. Although the earliest recorded union in the sawmilling industry - the Sawyers and Sawmill Employees’ Union (established 1887; NSWSA, file 195, 10/42128) - displayed many of the hallmarks of early industrial unionism (see above, Chapter 5, p. 1647), the relationship to artisanal skill of the key occupation - sawyers - was exceedingly ambiguous. Although some commentators included sawyers as “skilled”, elsewhere this position was not nearly so secure. Notably, in the 1861 Census, sawyers were positioned in the category ‘Unskilled Workers’ (see above Chapter 3, p. 90). However, from 1891 onwards, it was impossible - on the basis of the Census - to conclude anything about the level of skill of sawyers. This was the classificatory context in which the arguments deployed by the union in the Sawmillers’ Case existed.
We can also observe the difficulties which this endeavour placed in the way of arguments presented by the employers' association, the Sydney and Suburban Timber Merchants' Association. Although drawn to the general idea of securing greater degrees of specialisation through occupational classification, and to some extent valuing the industrial understanding of skill, their use of skill reveals a strong affiliation to the artisanal paradigm and its logic.

From the beginning of the case the union's advocate (Beeby) sought to establish the "industrial" credentials of the union he represented. He referred during his opening address to the way that his argument was to develop within the boundaries which had '... become universally recognised by Industrial Unions ... ' as characterising the judgements of the Court in regard to industrial employment. In thus associating his argument with those which industrial unions had presented before the Court, Beeby was aligning the STYEA with the industrial mode of unionism, and at the same time drawing attention to the difference between it and craft unionism.

Nominally the central issue of the case was the same as it usually was in the cases heard in the preceding three and a half years: the wage rates which were to be paid for the various categories of labour in an industry, in this instance that of sawmills and timber-yards. But despite an initial similarity with preceding cases, it quickly became evident that the Sawmillers' was not going to be a straightforward matter of making a determination on wage rates. Previous cases had proceeded on the basis of an underlying agreement between the parties as to the classification of work and workers in the particular industry. However in the Sawmillers' Case a

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4 Ryan, op. cit., pp. 28-31 provides a brief overview of the early history of state arbitration in New South Wales.
departure was made from the underlying consensual basis of arbitration. As an exasperated Judge Heydon observed midway through the case, ‘... usually, ... hitherto ... [T]he parties agree as to the classification, leaving the Court free to consider the question of wages. Could that be done in this case?’\(^5\) He had already anticipated this difficulty in his opening remarks on the case: ‘There are a lot of issues here ... ’, he commented, ‘... in which certain wages are claimed for a certain kind of work. In the union’s claims, he continued:

A man doing one kind of work is to get one wage, and a man doing another kind of work is to get another wage, and a man doing another kind of work is to get another wage, and a first class man doing particular work is to get one wage, a second class man another wage, and a third class another wage. To all these classes, the respondents [i.e. the employers] join issue, and submit different amounts, and they [too] are all varying amounts.\(^6\)

This comment, with its added emphases, communicates something of Heydon’s incredulity at the task in front of the Court. And well might he have been incredulous, because the closer he approached the issues of classification which the union’s claims threw up for consideration, the more the gulf between the parties was revealed.

Initially it appeared that there was to be consensus from both parties on the question of classification. Immediately after Heydon’s incredulous remarks about the fragmentation of the occupational classification presented by the union, Beeby outlined how the union envisaged that this fragmented picture could be made more manageable by adoption of a higher level of classification. With what turned out to be an unwarranted optimism, he claimed that the workers in the sawmill and timber-yard industry could be ‘... very clearly divided into three ranks. ... a certain section is very highly skilled; ... a large section ... is partly skilled; and another ... unskilled labour.’\(^7\) Encouragingly, the employers concurred with the tripartite scheme of classification. Shand, the employers’ advocate,

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\(^6\) Ibid., p. 5.
\(^7\) Ibid., p. 6.
noted that ‘... the divisions [proposed by the union] are exactly our divisions.’

On the face of it this seemed to be a promising basis for agreement. As Shand went on to explain, the consensus between the parties about the categories of work meant that ‘The only question [remaining] is whether the particular labour comes under one or the other.’ But despite the off-hand manner in which Shand stated it, this issue proved to be utterly intractable. At one stage Heydon was moved to intervene in an extended and inconclusive argument between the two advocates over the category in which a particular occupation should be placed, by asking generally, ‘Would it be possible for the parties to agree on this question of ... definition of the qualities to be included in each classification?’ (emphasis added).

However it was impossible for the two sides to agree on the “definition of the qualities” which went to make up the membership of each of the three categories. For whilst union and employers agreed on the skill-based tripartite taxonomy, they fundamentally disagreed on the distribution of occupations through it. Their disagreement was not principally about the content of the actual tasks involved in each occupation, but about the interpretation which should be placed on that content. As Shand put it, the employer’s case was ‘... to propose absolutely different definitions for the classes of work, and it will be for the Court to say whether they will adopt either of them, or a modification or what.’ In short, underlying the issue of classification was the more basic issue of which taxonomic principle would be used to classify the workforce - one based on the artisanal or on the industrial concept of skill. Moreover, the question of skill was not an unconscious or submerged theme in the case.

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8 Ibid., p. 219. He also agreed that the union’s tripartite classification of labour was ‘... really in accord with the way we [the employers] have divided them.’; loc. cit., p. 499.
9 Ibid.
10 Ibid., p. 213.
11 Ibid., p. 214.
At one point Shand objected to a line of questioning being pursued by Beeby, asking Heydon 'Have we anything to do with this, it is not on the question of skill at all ...?'. And Heydon's 'I do not see really it has a bearing on the Claims.', brought an end to Beeby's line of questioning, and served to return the case to its central issue, skill.\(^{12}\)

The different approaches of employers and union to the question of skill would have been apparent to an observer sensitised to the nuances of terminology used by both sides in their tripartite schemes. The union used the *leitmotif* taxonomy of the industrial paradigm - "skilled", "semi-skilled" and "unskilled" or "ordinary labour". Certainly it was a mark of the increasing ubiquity of the industrial concept of skill that the employers also adopted a tripartite scheme of classification. But theirs was merely a surface affiliation to the industrial concept of skill, and it was overlain by a far stronger tendency towards the artisanal paradigm. This was reflected in the terminology they used to describe the three categories of labour, in which they attempted to preserve the dichotomous categories of the artisanal concept of skill. They maintained the two skill-based artisanal polarities, "skilled" and "unskilled", and in typical artisanal style, showed a marked reluctance to name the category between these two in terms which reflected a skill-content. They preferred to denominate this intermediate category '... experienced labour ...', a term which appeared nowhere else in the case apart from in the evidence of the employers and their witnesses.\(^ {13}\)

Perhaps to Shand (the employer's advocate) this practice appeared an unwarranted putting-aside of that increasingly useful term "semi-skilled".

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12 Ibid., p. 123.
13 The employers case was heard last. Although occasionally the terms "experience" or "experienced labour" were used in the union's case, they never stood alone as the terms defining a category, as they did in the employers' case. Thus, to take an example provided by the union's main witness, Mr Johns described himself as an '... experienced or partially skilled labourer'; ibid., p. 32. In other instances within the union's case, the term "experience" was subordinated to categories of skill. See for example loc. cit. p. 10, pp. 87-8, p. 133. The real use of "experienced labour" as a category began with the evidence given by the employers' main witness, Mr Sexton. He commented that order men were '... experienced labour ...' (loc. cit., pp. 209-10), and in his classification of the range of occupations never used the term "partially skilled" or "semi-skilled", always describing the intermediate class as "experienced labour". See loc. cit., pp. 212-3.
In any case we can see him caught between the chosen terminology of his clients and his own habits of thought when he stumbles in his attempt to show that the employers agreed with the union’s tripartite taxonomy. Beeby, Shand commented, had outlined the divisions ‘... as skilled labour - I forget whether the term [hesitates], experienced labour - and ordinary labour.’. As his resort to the terms ‘... semi-skilled ...’ and ‘... partially skilled ...’ in his summing up suggests (significantly, they occurred after the case had all but closed), it is more likely that Shand had not “forgotten” the term used by Beeby, but that in mid-enunciation he had remembered the preferred terminology of his clients - and its implications.

The extent to which the union adopted the logic of the industrial concept of skill is a marked contrast to the faintness of the employers’ affiliation. Although the tripartite scheme of classification was significant, the real basis of the case presented by the union was a scheme of classification which extended far beyond the tripartite taxonomy. The union broke down its three categories into eleven subdivisions, which were themselves further subdivided into forty-eight separate occupational titles. The elongated continuum of labour which this scheme produced was a virtuoso use of the industrial understanding of skill, because, as Shand discerned, it involved dividing the labour of sawmilling ‘... into almost infinitesimal portions; ...’. He gave as an example the union’s claim to further sub-divide the “partially skilled” so that ‘... in the same partially skilled class of labour, there is one with a slightly higher degree of skill, and that has to be met with a minimum wage of another 1d or 2d a day.’.

14 Ibid., p. 219.
16 Ibid., pp. 6-12, pp. 499-500.
17 Ibid.
This incremental view of skill was the application of the principal feature of the industrial concept - skill as an index of the quality of labour power. At times the union’s usage of it came close to the ideal individuation of labour power which Garran had recommended decades beforehand.\textsuperscript{18} For as Shand went on to observe, the classification presented by the union meant that in some cases what purported to be “classes” of labour were only one or two individuals.\textsuperscript{19} But this was a side effect of the union’s main object, which was to populate the taxonomic space between “skilled” and “unskilled” which had been opened up by the industrial paradigm. Its claims at the “skilled” side of the artisanal dichotomy were characterised by abandonment of the homogeneity in “skill” of the artisanal categorisation, and putting in their place a categorisation based on a graded continuum of skill. The old category “sawyer”, for example, was broken down into three grades - First, Second and Third class.\textsuperscript{20} Similarly, the category “machinist” was broken down into two grades\textsuperscript{21}, and “saw doctor” was divided into “saw doctor” and “saw sharpener”.\textsuperscript{22}

The same logic was applied at the other end of the occupational spectrum. Here the union’s claims attempted to prise away from the “unskilled” category a number of occupations which were designated by employers as “labouring”, and to reposition them in between “skilled” and “unskilled”. Thus the union argued that sawyers’ assistants - the “pullers-out” - should be paid at 8s a day, a rate which recognised their intermediate position on the continuum of skill, being ‘... partially skilled’.\textsuperscript{23} Similarly the union’s claims included the category “timber-classer”, as Johns, the

\textsuperscript{18} See above, Chapter 2; Chapter 6, p. 184.
\textsuperscript{19} Sawmillers’ Case, op. cit., p. 500.
\textsuperscript{20} “Issues 3 to 5”, ibid., p. 6.
\textsuperscript{21} “Issues 18 and 19”. This was, as Beeby described it, ‘... an attempt to classify machinists.’; ibid., p. 7.
\textsuperscript{22} “Issues 16 and 17”; ibid.
\textsuperscript{23} Ibid., p. 61, pp. 165-6. A sawyer commented that ‘... the position of puller-out is a very important one to the sawyer. The sawyer’s life lies in his hands; neglect on the part of the puller-out means death to the sawyer.’ Loc. cit. One does not find such positive representations of the labour of “assistants” in the discourse generated by the artisanal paradigm, despite the fact that in many artisanally-skilled occupations the “assistant” performed a similarly important role.
union's Secretary, described it as an occupation which was not recognised in the employers' current classifications, in which 'They [were] only known as Labourers in a Yard ...'. The union hoped for '... the distinction [to be] made between him and the ordinary labourer ...', and for "timber classers" to be recognised as a distinct, semi-skilled, class. Similarly, the union asked that the Court recognise the category "timber-stack builder". They too were '... not classed now.', and Johns hoped that the Court would '... place them above the rank of the ordinary labourer ...'. In short, as Beeby described, the union had identified several classes of labour concerned with timber handling:

in which a certain knowledge of the trade is required, a certain capacity for measuring timber ... we submit it is a partially skilled trade; that is to say it is not work that an ordinary labourer can do.

The most powerful tool in the union's attempt to colonise the space between "skilled" and "unskilled" was a highly tuned sensitivity to the possibilities available in the industrial understanding of the noun and object "skill". This understanding provided the rationales and marker posts which allowed occupations to be arranged on a continuum in an order which reflected their relative degrees of skill. The calibrations of skill were to be marked out by assessing the proportion of physical and mental labour in the work of each occupation. "Saw doctoring", for example - considered the most highly skilled of all the sawmilling occupations - was not mysterious artisanal skill. Rather, according to W. Gray, himself a saw doctor, in strictly industrial style it was '... a trade you cannot pick-up, you have to be taught it ...'. Its most important aspects were technical ones - '... a thorough knowledge of the expansion and contraction of steel, and making saws, ...'. Similarly, the union attempted to have the gradation of sawyers into three classes made reliant on the recognition of different degrees of

24 Ibid., pp. 34-5.
25 Ibid., p. 10.
26 Ibid., p. 145.
technical ability in each grade. Although in higher skilled occupations this was measured by levels of technicality, this itself was only a subset of a broader vector of distinction - degrees of "knowledge" or "intelligence". Johns - who was himself an "order-man" in a timber yard - argued that order-men were '... partially skilled labour ...' because they required '... a knowledge of the different classes of timber; ... a knowledge of cutting the timber, ... a man with a fair education to make up his timber in superficial measurements ...'.\textsuperscript{27} Similarly, he argued that "timber-classers" should be recognised as '... partially-skilled ... through having knowledge of these different classes of timber.'\textsuperscript{28} This official union sensitivity to the importance of thinking in terms of degrees of skill was reflected in the evidence of their witnesses. A. Oliver, a '... puller-out on a First class saw ...', when pressed by Shand to '... admit it is only labouring work ...', described how it took him two years '... to become a properly skilled man.' at pulling out.\textsuperscript{29} In doing so, he attributed the term "skilled" with a radically different meaning to that of the artisanal paradigm.

In this way the industrial understanding of skill made it possible for the union to attempt the colonisation of the interstices between "skilled" and "unskilled". But that process was not without its own tensions and contradictions: the liberation from the artisanal taxonomy which the industrial understanding of skill made possible was accompanied by new sets of exclusions. The concepts through which the industrial understanding of skill was articulated - especially the stress on "knowledge" as a primary identifier of the presence of "skill" - presented the possibility for all labour to represent itself as "semi-" or "partially skilled". As Heydon

\textsuperscript{27} Ibid., p. 32.
\textsuperscript{28} Ibid., p. 34.
\textsuperscript{29} Ibid., p. 166.
recognised:

the humblest labourer ... is paid for his intelligence. If you were obliged to separate the amount paid to him into so much for muscle and so much for intelligence, ... you would find that you were paying him more for his intelligence than for his muscle. Even a horse, if he had no intelligence, ... would be useless.\textsuperscript{30}

The universality of the claims to “intelligence” or “knowledge” meant that the classificatory scheme opened up by the industrial concept of skill remained unstable and open to challenge.\textsuperscript{31} Union Secretary Johns found himself caught in this situation in regard to the occupation termed “logman”. The logman’s job was to organise the transportation of the logs by barge from Sydney Harbour - where they floated after being unloaded from the ships - to the timber-mill. Aspects of this work involved simply keeping a tally of the logs, and sometimes lifting them - aspects which Johns chose to emphasise in his description of the logman’s work; and which allowed him to confidently state that ‘Of course, it is labouring work ...’.\textsuperscript{32}

However, this confident picture was modified by the description presented by J. Chowne, who described himself as a ‘... labourer ...’. For him - in contrast to the union’s official portrayal - the “ordinary unskilled labour” in timber yards was ‘... a special class of labour ...’, and required ‘... a special experience.’.\textsuperscript{33} Specifically, when one was a logman, Chowne said, ‘You must trim your lighter up, if you don’t she may sink ... You have to know how to stack a lighter.’.\textsuperscript{34} Shand, seeking to contain this

\textsuperscript{30} Ibid., p. 507.
\textsuperscript{31} We might instance here an incident in the case which demonstrates the instability generated by the mobilisation of such universal categories as “intelligence”. The employers’ argument was that just because an occupation required the exercise of “intelligence”, that in itself did not constitute grounds for describing it as semi-skilled. Thus in describing sawyer’s work, Shand argued that it was essentially the work of an ‘... intelligent labourer ...’, contending that ‘... it is the intelligence that makes the difference between the sawyer and the labouring man; the manual act of sawing is simply labouring work’. In response to this argument, the judge’s assistant on the union’s side, Samuel Smith, commented that on the basis of that logic ‘You might say that our work [referring to the legal and para-legal Court members] was labouring work, plus the knowledge we have for the position.’ Shand commented ‘I really trust I would not have to class you in that way.’. Despite the ironic humour within this exchange, it was rooted in the use of the category “intelligence”. Ibid., pp. 505-6.
\textsuperscript{32} Ibid., p. 35.
\textsuperscript{33} Ibid., p. 184-5.
\textsuperscript{34} Ibid., p. 185.
representation, asked Chowne, 'About the skill required in trimming a lighter - you don't say it is much?'. Chowne's reply that 'Yes, it is ...', confidently asserted that "skill" and "labouring" were no longer mutually-exclusive terms - an assertion and confidence which was simultaneously made possible by, and a reflection of, the increasingly dominant position of the industrial concept of skill.\textsuperscript{35}

This association of "skill" with "labouring" was not simply conceptual, but was also reflected in the development of new terms. Smith, the Judge's assistant on the union's side, and who had himself been a labourer, explained to Shand the union's argument, by commenting that '... when any man shows the possession of ... extra knowledge, and intelligence and skill, he should be recompensed ...' because 'Any ordinary labourer cannot do it; it is an intelligent skilled labourer who can do it.' (emphasis added).\textsuperscript{36} Similarly, the "puller-out" - "unskilled" under the artisanal regime, "partially skilled" under the industrial regime, referred to himself as becoming '... properly skilled ...' - and thereby identified himself as a "skilled labourer". Thus by 1905 the figure of "the skilled labourer" had come into being, not as a synonym for "artisan", but as a linguistic symptom of the latter's profound degree of demise.

III

Although the union and its members such as J. Chowne operated through the industrial concept of skill, from time to time they also fell back on the artisanal paradigm. For example, Beeby commented at the start of the case that the union's claims asked that:

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in the skilled trades ... regulation of the number of boys in order that there might be a proper system of indenturing, and a proper system of training so as to turn out skilled artisans. \textsuperscript{37}
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\begin{itemize}
\item \textsuperscript{35} Ibid.
\item \textsuperscript{36} Ibid., p. 505.
\item \textsuperscript{37} Ibid., p. 14.
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Later on Beeby revealed that his main interest was in machinists, whom he described as ‘Specialists at one particular machine’. The union’s claims were aimed, he said, ‘... to lift the trade up ... by bringing about an apprenticeship system which turns out competent journeymen.’. This was mixed artisanal and industrial discourse indeed, with its drawing away from positively valuing the work of an intermediate group of non-craft specialists - denominated by Heydon as ‘Improvers ...’.\(^{39}\) And it retained an affiliation to industrial discourse in the juxtaposition of “skilled artisans” and “journeymen” with “training”; a juxtaposition, however, on which the union’s case for the institution of an apprenticeship system was eventually to founder.\(^{40}\) Similarly, the occupation “joiners machinist” was described in what appeared to be artisanal terms: it was, according to Beeby, ‘... an entirely separate trade, ... a distinct and recognised class of labour ...’\(^{41}\) But underneath this artisanal discourse, the mode of distinction between joiners’ machinists and the occupation adjacent to them - simple “machinists” - was grounded entirely in the technical reference points of the industrial paradigm. Johns described the difference between the two as one of a gradation of skill: ‘Both are skilled trades ...’, he commented, ‘... but we consider the joiners machinist is more skilled than the other, because his work is finer.’\(^{42}\) The construction of the skill of the joiner’s machinist from within the industrial paradigm also led to a positive valuing of that work when compared to that of the joiner, traditionally considered the home of woodworking skill in the artisanal model. William White, a joiner’s machinist in the union described his work as the nodal point of the joinery labour process: ‘You have to prepare the work for the joiner to put together.’ he commented, agreeing with the suggestion that in the work of

\(^{38}\) Ibid., p. 47.
\(^{39}\) Ibid.
\(^{40}\) See below pp. 238-9.
\(^{41}\) Ibid., p. 8.
\(^{42}\) Ibid., p. 45.
the joiner's machinist 'Everything has to be perfectly adjusted and made so that the joiner simply puts it together ...'.\textsuperscript{43} In this comment we can identify the characteristically industrial valorisation of machine over hand work. So enmeshed within the industrial paradigm was the union's case that its imprint can be discerned even where the artisanal paradigm occasionally intruded.

Conversely, although the employers' case at times bore the marks of the industrial paradigm, so thoroughly enmeshed was it within the artisanal paradigm that the impact of the former was only of marginal importance to the employer's argument. Although the employers were not entirely opposed to populating the space between "skilled" and "unskilled", agreeing with the tripartite scheme of classification, they were opposed to the attempt by the union to scatter "skill" throughout this new intermediate zone. In order to combat the latter, rooted as it was in the industrial usages and meanings of skill, the employers were forced back upon the arguments and motifs within the artisanal concept of skill. In this their principal resource was an understanding of skill as that indefinable quality which accompanied the skilled artisan, himself seen as someone who had a degree of "all-round" ability in the trade, and who had served a period of apprenticeship. For example, they argued that 'You cannot get away from the fact that a First Class Sawyer must be a mechanic, and a man who can file his saw, and set it and work it also.' Similarly, employers defined the First class machinist as someone who '... should be able to make his own cutters and set them working and keep the machine in order.'\textsuperscript{44} It was not just that the employers' and the union's definitions differed on the point of "all-roundness", or the amount of abilities which went to define the skilled sections of the workforce.

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\item \textsuperscript{43} Ibid., p. 197.
\item \textsuperscript{44} Ibid., p. 216.
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These arguments served to some extent to undermine the union's claims. But more persuasive were the arguments which tackled head on the union's attempt to define as "skilled" those occupations elevated to the intermediate position. The position they adopted was hinted at in the terminological differences between the employer's and the union's categories in the tripartite taxonomy. The employers' argument hinged around the salience of the distinction they made between "partial" or "semi-skilled" workers, and those who were merely "experienced". In essence, the employers argued that, whatever the term "skill" meant, it was not a term applicable to any of the intermediate categories. They argued that because the abilities of those workers had been gained as a result of "experience", they were not to any degree "skilled" (not "semi-"; not "partially"), but were simply '... experienced workers ...'.

The key witness for the employers was A.C. Saxton, a managing director of Saxton and Binns, sawmillers. It was no accident that it was he who came to occupy the crucial position in the argument, because his biography was a testament to the connection between "experience" and work in the industry. 'I have been engaged in the actual work of the business.', he told the court, describing his ability to '... work with sawbenches or moulding machines - almost any machine in the mill.'. This claim was to give great credibility to his evidence about the nature of sawmilling work. But of even greater importance was his statement that 'I did not serve an apprenticeship; ... I was in the mill and got used to the machinery ...'. Through his testimony the character of sawmill machining labour was identified as "experienced" rather than "skilled". Further on in the case this description and its underlying association of "skilled" work with apprenticed trades, was to have powerful effect, when Saxton was asked to classify the occupation "log band sawyer". Initially he equivocated -

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'I do not know whether to call it skilled labour or experienced labour.' His resolution that 'You might term it as experienced labour, because our log sawyer at the present time was a labourer in our mill. Say an experienced labourer ...', reveals the operation of the distinctions between "skill" and "experience" which were mobilised by the employers.46 Similarly, Shand used those distinctions to good effect when he argued that although the First Class sawyer was classed by the employers as "skilled labour", this classification was by default of any other grade. The nature of the work - its heaviness, its expensive consequences for the employer if not done properly - meant that the First Class sawyer had '... much harder work than any which comes within experienced labour, ...'. For these reasons, the employers had '... classed him as one of the skilled men, although perhaps the skill required ... would not justify it.' This equivocation did not emerge in the case of the classification of the Second Class sawyer for '... on their definition ... or on our own evidence ... a second class sawyer may be a labourer who has been in the mill some little time watching operations ...'. Shand went on to describe, in an echo of the biography presented by Saxton, how one of the witnesses began work as a labourer - a '... setter watching the operations ...' - and then went onto the log -band saw. In essence, Shand summed up, in the latter instance '... that man, who is an intelligent man, but is really a labourer, went straight onto that saw.'47 It was not even a matter of education, he thought, as 'The only education which is really applicable to this [intermediate] class of labour is experience.'48

Underlying these interchanges and subtleties was a critical deep-seated difference between two conceptions of skill - a difference expressed in the different terms each side used to describe the same reality of work: "experience" or "skill". It was left to Heydon to fully articulate the nature of

46 Ibid., p. 213.
47 Ibid., p. 504.
48 Ibid., p. 512.
the employers' argument about artisanal skill versus the "not-skill" of experience. Heydon noted a weakness in the opinion '... that experience renders a man's services more valuable ...' which was offered by a First Class sawyer in support of the union's argument. The sawyer was complaining that experience was not rewarded by employers - '... experience should render a man's services more valuable, but it does not do.', he commented. The flaw in this theorem was the implied and in-theory elevation of a highly "experienced" worker to a parity with a "skilled" worker. For those such as Heydon - who had at least one foot in the camp of artisanal skill - such a proposition was untenable. As he commented, 'I do not know that it all follows that experience would improve a man beyond a certain point; as soon as he had certain knowledge his further experience is only going over the same ground again.'.

Herein lay the basis for a full elaboration of the difference between the artisanal and the industrial concepts of skill. Towards the end of the case, when Heydon began to sketch out the basis on which his determination was going to be made, he precisely differentiated the difference between the understanding of skill deployed by the employers and that deployed by the union. In response to the union's attempt to have the Court introduce an apprenticeship system in the machining branches of the sawmilling industry, Heydon outlined his thinking on the matter. 'It seems to me ...', he said:

that this machining is hardly as appropriate a subject for apprenticing as many other trades, because what the apprentice would have to do would be to learn things; whereas the real thing that a boy is apprenticed for, as I understand, is to acquire skill in some handicraft, not to learn certain facts. Setting the machines and understanding the machines and so on, seems to me rather a set of facts which an observant person can learn than a skilled handicraft which he acquires.

In making the distinction between '... certain facts ...' (or '... the knowledge ...' of '... things ...') on one hand, and '... skill ...' on the other,

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49 Ibid., p. 33.
50 Ibid., p. 441.
Heydon provided an acute summary of the essence of the artisanal concept of skill. In this instance he agreed with the employers' understanding of skill as something which remained undefined, but which was more than the "knowledge" and "facts" of the industrial paradigm. The understanding of "facts" and "things" was knowledge reducible to the certainties of a learning process. Skill was something less tangible - capacity '... acquired ...' in a process much less determinate than that implied in the teaching and learning of "facts".

IV

The Sawmillers' Case is probably the clearest example of the application of the industrial concept of skill in the Arbitration Court between 1902 and 1908. The case has been seen as an important moment in the history of state regulation of relations between employers and employees in New South Wales. The main historian of the early years of arbitration in New South Wales, P.G. Macarthy, argues that the importance of the Sawmillers' Case lies in its anticipation of that central feature of the history of state regulation of industrial affairs in the national arena, the Harvester Judgement.51 It is important to note, as Macarthy has, that Heydon attempted in the case to establish a non-market basis for the fixing of wages, and that he found it in the principle of '... a fair living wage.' for "unskilled workers".52 But Macarthy also argues that a similar aim informed the arguments of the Sawmillers' Union, which he sees as trying to '... break through supply and demand determinants of wages and to substitute the social-welfare criterion of a living wage.'53 Although during the case the union did occasionally attempt to argue in this way, a much more central element of its case was the argument made possible by the industrial understanding of skill. The analysis presented in this Chapter

51 Macarthy, op. cit., p. 193; Napper, op. cit., p. 105 also notes the significance of the Sawmillers Case.
52 Ibid., p. 194.
53 Ibid.
contradicts Macarthy's interpretation: the union's case was precisely the attempt to amplify, not attenuate, the commodity character of its members' labour power. The main direction of the union's argument was to break down the conventions which divided occupations into "skilled" and "unskilled" groups, and to attempt to disperse "skill" throughout the labour process of the timber industry. The historical importance of the Sawmillers' Case thus lies as much in the use to which the union put the industrial concept of skill, as in Heydon's judgement.

PART IV: CONCLUSION

By 1901 when the New South Wales Arbitration Court was established, the artisanal concept of skill had been subjected to three decades of challenge and disruption, both from within and without the labour movement. This history needs reiterating to guard against overemphasising the impact of the Arbitration process. The evidence of the Arbitration court shows an artisanal concept of skill radically undermined in many of its essential aspects. Considered without reference to the antecedents, this could easily be construed as a result of the Arbitration process itself. However, what is observed in the Court's proceedings is the continuation - albeit in an intensified, crystallised and more finely focused form - of the dialogue which was already underway in the latter decades of the nineteenth century, between the artisanal and industrial concepts of skill. By the early twentieth century the terms of this dialogue were shifting against the artisanal concept of skill, and towards the industrial, and the former was being displaced by the latter.

This process of displacement was manifest in the disruption to the logic of the artisanal paradigm, and in the tendency for issues which arose out of that disruption to be resolved in terms which were congruent with
the industrial paradigm. Many of the central players who were operating in the world of skill, by and large accepted by the early twentieth century the industrial conceptualisation of “skill” as an entity having an existence outside the person of “skilled” workers and their artisanal community, the “trade”. As such, it followed that “skill” could be found everywhere - admittedly in varying degrees - but nonetheless scattered throughout the spectrum of labour. From this perspective, by the early twentieth century the terms “skilled” and “unskilled” had become an implausible framework with which to classify work and workers, as were those arguments which sought to buttress it.

As the Carpenters’ Case illustrates, the process of displacement was intimately connected to the trajectory of capitalist development. For employers as a group, the industrial concept of skill provided a basis on which to expose as fiction the homogeneity in skill claimed by craft unions, and to pursue the “grading” of craft occupations. In doing so, occupational classification held a central role as a mechanism for securing an increasingly efficient purchase of labour power by employers. But while this process of displacement can thus be seen as one of the conditions facilitating the intensification of capitalist production relations, at the same time it also hedged that development around with new contradictions. As the Sawmillers’ Case demonstrates, workers also adopted the industrial understanding of skill, and used it in the attempt re-position themselves within the flux of capitalist development. In short, the industrial concept of skill provided a mechanism with which to tap into the possibilities opened up by the commodification of labour. Thus in mobilising the industrial concept of skill both employers and unions were trying to use the commodification process for their own purposes. It was, in fact, a central arena within which the struggle between the working class and the bourgeoisie in New South Wales was played out.