Arthur A. Calwell's clashes with the Australian Press, 1943-1945

Abstract
Arthur Calwell's antagonism to the press was shared by most Australian Labor Party politicians, who explained their setbacks, such as electoral defeats, in terms of opposition from the media, in particular, from the 'capitalist press'. While Arthur Calwell was more bitterly critical than were most others, this was due chiefly to his ability to express himself, which exceeded that of most of his colleagues. Besides, as Minister for Information, in charge of censorship, he was most likely to provide a target for the press. It would be wrong to explain the conflict, as Alan Reid did, as having been due to his failure to make J.J. Curtin's first Ministry: 'Whatever the newspapers and newspapermen did, they were not going to ignore him, Arthur Calwell, the man who had run the A.L.P. machine in Victoria and told successive State Administrations where they got off'. He added: 'What had started as a tactical ploy became an obsession ... a real hatred which lasted for years...Only in recent times has this abated'.

This journal article is available in University of Wollongong Historical Journal: http://ro.uow.edu.au/hj/vol2/iss1/4
Arthur Calwell's antagonism to the press was shared by most Australian Labor Party politicians, who explained their setbacks, such as electoral defeats, in terms of opposition from the media, in particular, from the 'capitalist press'. While Arthur Calwell was more bitterly critical than were most others, this was due chiefly to his ability to express himself, which exceeded that of most of his colleagues. Besides, as Minister for Information, in charge of censorship, he was most likely to provide a target for the press. It would be wrong to explain the conflict, as Alan Reid did, as having been due to his failure to make J.J. Curtin's first Ministry: "Whatever the newspapers and newspapermen did, they were not going to ignore him,"
Arthur Calwell, the man who had run the A.L.P. machine in Victoria and told successive State administrations where they got off1. He added: 'What had started as a tactical ploy became an obsession...a real hatred which lasted for years...Only in recent times has this abated' (1). Arthur Calwell's critical attitude was due to his belief that the press influenced public opinion and that, as it was controlled by moneyed interests, it worked against the Australian Labor Party. This was a conventional Party attitude, which differed with Arthur Calwell only in degree. He was ready, given the opportunity, to take action against the press. It was because of his belief in the influence of the media, which he believed could be used for bad or for good ends, depending on who controlled it, that Arthur Calwell took the portfolio of Information. He reserved for the Australian press his strongest invective: 'The allegedly so-called free and democratic press. What a press! It is owned for the most part by financial crooks and is edited for the most part by mental harlots' (2).

Arthur Calwell's criticism of the 'capitalist press' was more fundamental than is generally recognised. His career began and ended with a libel action against a newspaper. The first occurred when he was in the Victorian Treasury Department. It arose from an article by W. Kent Hughes in the Herald, proposing that Arthur Calwell must have experienced difficulties reconciling

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his duties as a public servant working for a non-Labor government with his loyalty to the Australian Labor Party. The case was settled out of court, when Arthur Calwell agreed to accept £150 damages against the paper and the same against Kent Hughes (3). The final libel action, against Sunday Review, was unresolved at the time of Arthur Calwell's death in 1973, though it later went against his estate.

In 1940, when Arthur Calwell entered the Commonwealth Parliament, he was a radical socialist, representing a poor electorate: 'I have the privilege and the honour to represent what is probably the poorest constituency in the Commonwealth' (4). He wanted a new order, to be built on the ruins of capitalism: 'The Labor Party does not exist to mend the capitalist system, but to end it' (5). He condemned capitalism on many different occasions (6). In particular, he held it responsible for the war: 'I have no doubt that if the capitalistic system of society remains we shall have recurring wars. They are inevitable. If we have an eye for markets and seek spheres of influence, and rival imperialisms take the stage, wars will be fought' (7). He believed that the press was the agency used by capitalism to mislead the people: 'I believe that the capitalist order will continue for a long time if the wealthy classes continue to control the press and the radio' (8). As Minister for Information, it was Arthur Calwell's intention to put an end to the alliance, to harness the media to what he believed to be a national
policy.

There were signs of what was to come before Arthur Calwell's appointment as Minister for Information, when he had launched into a fullscale attack on Sir Keith Murdoch, the first Director of Information and the owner of several newspapers, including the Herald: 'I make it clear that, in my opinion, Public Enemy No. 1 of the liberties of the Australian people is the Murdoch press' (9). How did Sir Keith Murdoch work his way? Arthur Calwell was in no doubt: 'The Department of Information appears to be one for the employment of journalists associated with the Murdoch press which...indulges in subversive propaganda at elections to secure the return of the United Australia Party' (10). More sinister still: 'The Murdoch press is more than a law unto itself; it is the dictator of the present Government's policy. The Government does what the Murdoch press directs' (11). He said of Sir Keith Murdoch: 'I have described him to-night as a fifth columnist. I consider that he is a megalomaniac, who cannot help himself' (12).

To make matters worse, before he was appointed Minister for Information, Arthur Calwell had come into conflict not only with Sir Keith Murdoch, but also with a man who proved to be a more troublesome foe, the Managing Editor of the Daily Telegraph, the outspoken journalist Brian Penton. In 1942, Arthur Calwell and Max. Falstein brought pressure to bear on Prime Minister J.J. Curtin to prevent Brian Penton from going on a lecture tour of America. They asked a series of
questions which suggested that Brian Penton was going to America to avoid military service (13). However:

'Curtin refuses demand to cancel U.S. lecture tour' (14). Brian Penton hit back through the Daily Telegraph, calling on Arthur Calwell to repeat outside Parliament what he had said inside, whereupon he would be issued with a writ by Brian Penton: 'Or perhaps he would prefer to issue a writ against me? He may do so on this article, because I make no bones about calling Mr. Calwell a coward - a blackguardly coward at that. And this statement is not made under cover of Parliamentary privilege' (15). Arthur Calwell and Max. Falstein responded by counter-charging that Brian Penton was himself a coward. Max. Falstein, who resigned from the Commonwealth Parliament to join the Air Force and Arthur Calwell challenged Brian Penton to do likewise: "Evading military responsibilities', says Calwell' (16).

As things had stood in June 1942, the only sensible way of dealing with the excessive influence of the press had seemed to be by closing down the Department of Information which, in Arthur Calwell's eyes, was being used by the Murdoch press to spread alarmist stories about the war, itself nothing more than a device to buttress capitalism: 'We are asked to approve of the appropriation of £50,000 for the Department of Information. If ever there was a Department that ought to be abolished, it is that department' (17). As Minister for Information, he had
not only to change his attitude to the Department, but also to try to develop a sound relationship with the press. While he succeeded in the first, as Minister for Information he was unable then and for many years after that to come to terms with the press. His best efforts were offset by a series of happenings which poisoned the relationship between the Minister and the press to such a degree as to render reconciliation unlikely. The loser was Arthur Calwell who, like all politicians, depended on the press to explain his policies to the public. Once alienated, the press represented Arthur Calwell in ways that did not flatter him, that damaged his image both in the Australian Labor Party and outside it.

While it was against a background of conflict that Arthur Calwell was appointed Minister for Information, it is not enough to think that he was the cause of his own troubles, that his clashes with the press brought on him the serious reprisals that were to occur. The truth is that he took on a portfolio full of inherited tensions. These came chiefly from the Press Censorship Advisory Committee, of which J.H. Scullin had been Chairman, until ill health brought about his retirement. The 'permanent head' of censorship, E.G. Bonney, wrote to J.H. Scullin expressing his regret that opposition from the press had been able to bring about his resignation (18). A long, seventeen-page letter from Sir Warwick Fairfax, proprietor of the Sydney Morning Herald, complaining
about censorship rules, doubtless precipitated the resignation (19). Publicity censor E.G. Bonney strongly disagreed with the criticisms it contained (20). Briefly, the issue was whether or not there was to be censorship. J.H. Scullin referred the correspondence to Prime Minister J.J. Curtin, who answered Sir Warwick Fairfax's criticisms (21). Nonetheless, the problem remained, that the Government wanted censorship in wartime, which the press did not accept, believing that their own discretion was enough.

While recriminations against Sir Keith Murdoch and Brian Penton set the stage for discord, a series of incidents falling close on each other brought to the surface Arthur Calwell's contempt for the Australian press. This was a reflection of his dislike of capitalism, which in turn grew out of his experience of the depression. The first Director-General of Information, appointed by R.G. Menzies, had been the redoutable Sir Keith Murdoch (22). Although he had resigned from the position, due in part to criticism from other newspapers that his position was incompatible with owning and operating the Melbourne Herald, the experience he gained from the position was to prove valuable when he found himself on the other side, opposing censorship.

It could only have been a matter of time before further difficulties developed between the Government and the press. It was clear from the first move he made in his new portfolio, to promote E.G. Bonney from
being Chief Publicity Censor to become Director-General of Information, that Arthur Calwell did not intend to be put down by the press. On their side, the newspapers continued to insist that there was little or no need for censorship. Prime Minister J.J. Curtin arbitrated and ruled: 'Newspapers should be free to treat war news according to their judgment, so long as information useful to the enemy is not thereby conveyed' (23). Arthur Calwell supported the censors as being public spirited in what they did and condemned: 'constant harping by city newspaper proprietors' (24). When, on behalf of the newspapers, E. Kennedy proposed censorship by the Department of Information as being unnecessary, because the newspapers were sufficiently patriotic to practice self censorship, Arthur Calwell dismissed his idea as 'impudent' (25). When Arthur Calwell proposed that the opposite was true, Brian Penton replied: 'We challenge Mr. Calwell to take the Editor of this paper into court and prosecute him for any breach of the censorship he thinks we have committed' (26). This triggered Arthur Calwell to take time on Australian Broadcasting Corporation radio to condemn newspaper criticism of censorship as: 'Insincere and unpatriotic' (27).

At the same time that there was conflict between the Government and the press, there was tension also within the Government. Early in 1942, issue was joined between E.G. Bonney, who was then Chief Publicity Censor and Brigadier Rasmussen, who was Director-General
of Public Relations, Department of the Army, over whether or not statements by the army, from Brigadier Rasmussen's section, had to be cleared by the Department of Information. Arthur Calwell wrote asking Prime Minister J.J. Curtin to resolve what was in effect a demarcation dispute between the two departments (28).

While the issue was being advanced in this way, Brigadier Rasmussen resolved it by informing E.G. Bonney that he had prohibited a reporter employed by the Department of Information from returning to New Guinea, because he had criticised the army there.

This was the beginning of the tension that developed between the Department of Information and the Department of the Army, which henceforth released little information about its doings. This situation led to an attempt to dismiss Arthur Calwell from the Ministry, when he was called on by Prime Minister J.J. Curtin to explain why: 'I had blamed the Army Department for not releasing information, for which the newspapers and Opposition were blaming me' (29). The position was that: 'In other words, he was going to sack me because he said I was interfering with the work of other Ministers'. However, Arthur Calwell was able to persuade the Prime Minister of the justice of his complaint, so that no action was taken.

For two months after the Rasmussen affair, an uneasy peace lasted between Arthur Calwell and the press. It was during this time that the Prime Minister departed for overseas. That was fortunate for Arthur Calwell,
because worse was to follow; and Acting Prime Minister F.M. Forde was more tolerant than was J.J. Curtin of Arthur Calwell's fiery behaviour. Both sides were on edge. The press was suspicious of the new Labor Government and of its Minister for Information. On his side, Arthur Calwell distrusted as anti-Labor the motives of the proprietors of the press. However, he felt constrained to convene the Press Censorship Advisory Committee, on which leading newspaper proprietors were represented, of which he was the Chairman.

While arrangements were being made to find a time for the meeting, three leading newspaper proprietors, Sir Keith Murdoch, Sir Warwick Fairfax and Eric Kennedy jointly signed a letter to Arthur Calwell, asking him to say what use the Committee could be, in view of the wide gap that existed between the Government's determination to censor, compared with the newspapers' antipathy to censorship: 'Without going into details it is clear to us that you take the strongest exception to newspapers or newspaper executives criticising censorship' (30). Addressing his letter to Sir Warwick Fairfax, but intending it as an answer to them all, Arthur Calwell replied that, if further meetings of the Press Censorship Advisory Committee were not supported by the press: 'Then it is obvious that any form of censorship, no matter how important to the safety of the nation, is to be regarded by them as galling and oppressive and an unwarranted interference
in their money-making activities - their main, in fact their only, consideration' (31).

The newspaper proprietors reacted angrily to these comments by Arthur Calwell. However, they persisted in asking how the Committee could work, when there was so little common ground between the parties to the controversy. Arthur Calwell referred the letter to E.G. Bonney, Director-General of the Department of Information, who advised: 'I think you will agree that no good purpose could be served now by having any further correspondence with these people' (32). In reply to the proprietors, Arthur Calwell merely acknowledged receipt of their letter. Clearly, the Press Censorship Advisory Committee had ceased to exist. The reason for both E.G. Bonney's comment and for Arthur Calwell's final letter was an extraordinary set of events that had occurred between the time when the three newspaper proprietors wrote their final letter and when Arthur Calwell replied to it.

The strained relationship that existed between the press and Arthur Calwell became clear for all to see on Sunday 16 April 1944, when Arthur Calwell authorised the suspension of the Daily Telegraph. When the Sydney Morning Herald published the material for which the Daily Telegraph had been suspended, it too was suppressed: 'The Daily Telegraph did not appear on Sunday and both papers failed to appear to-day' (33). The issue arose when a blank space was left in a column in the first page and the first three columns of the
third page of the *Daily Telegraph* of 16 April 1944, to denote censorship. Above the blank space on the first page was a photograph of Arthur Calwell, alongside one of R.A. Henderson, who was Chairman of the Australian Newspaper Proprietors Association, whose speech criticising censorship had itself been censored. Within the otherwise-blank space on the front page of the *Daily Telegraph* appeared a short entry, surrounded by a black line: "A free press? The great American democrat Thomas Jefferson said: 'Where the press is free and every man able to read it, all is safe'. On 17 April 1944, a facsimile of the front page of the *Daily Telegraph* was published in the *Sydney Morning Herald*, when it too was suspended. Arthur Calwell regarded the blank space as an affront to the Chief Censor, E.G. Bonney who, he believed, was acting for the common good.

Reporting the matter to the Solicitor General, E.G. Bonney wrote: 'The trouble had its genesis in a false accusation by Mr. Henderson who in a statement issued to the Press on April 13 said: 'Because of censorship most correspondents of American papers have been withdrawn from Australia and for the same reason Australian correspondents have not been able to inform their papers truly of Australia's great effort'" (34). E.G. Bonney added that, when the truth of this claim was denied, R.A. Henderson had attacked censorship. Under an agreement reached through the Press Censorship Advisory Committee, that references to censorship would be deleted, as they would convey an impression that the
press was only a device used by the Government for propaganda, this speech was itself censored. It was this incident of censorship that had resulted in blank spaces in the *Daily Telegraph*, which were taken by the censor as an indication that censorship had occurred and, therefore, as a breach of the agreement. The question to be tested was whether or not the agreement was binding at law.

On its side, the *Sydney Morning Herald* admitted that some of the material in R.A. Henderson's censored speech had rightly been censored: 'Certain items cited by Mr. Henderson were admittedly of a character which might possibly be argued as coming within the legitimate sphere of censorship' (35). The most contentious issue in R.A. Henderson's speech had been his reference to an article, 'Misunderstandings Abroad', which referred to a debate in the Congress of the United States of America on a report that in 1944 Australia had cut 90,000 men from its armed forces: 'The opposition disappeared when it was explained the cut was necessary because of a huge food program involving the feeding of allied forces' (36). Arthur Calwell believed that, regardless of the reasons, publicity of the fact that Australia had reduced its military strength ought not have appeared in an Australian newspaper, so that he agreed with censorship of further reference to that article.

In R.A. Henderson's criticism of censorship, he had referred to the article 'Misunderstandings Abroad', which was the reason why his speech was censored. Full
details of this could not be given at the time, because reduction of the armed forces by 90,000 was too important a matter to be bandied about. However, in explanation of censorship, Arthur Calwell gave the fact that America was being misled as justification for censoring R.A. Henderson's speech (37). While criticising Arthur Calwell for censoring newspapers, the press censored Arthur Calwell's reply to them, in particular, his reference to misleading America. The full text of the speech, showing the parts censored by the press, is in the Australian Archives (38). By the same token, some instances of censorship were not so obviously justified as was the censorship of 'Misunderstandings Abroad':

'The Sydney morning newspapers to-day publish material which they have been ordered by the Commonwealth censorship not to publish' (39), which they did to test the laws involved.

While the censors were probably over-zealous, which usually happens in wartime, it was not fair to charge them with political bias. Arthur Calwell strongly defended his censors: 'Those who say there has been political censorship are liars - unmitigated liars - and they know they are' (40). In the outcome, the suspension of four other newspapers, the Melbourne Herald, the Adelaide News, the Sydney Sun and Daily Mirror, was unprecedented in Australian history and has not been repeated since then. It was not sustained,
because on 18 April 1944, an interim injunction was granted by the Commonwealth High Court, restraining censorship authorities from interfering with their publication (41). On the same day, the Sydney Morning Herald included as a supplement the suspended paper from the previous day.

R.A. Henderson's speech was being used as a test case. That was why on 16 April 1944: 'The Daily Telegraph, on advice of counsel, left blank spaces to denote censorship eliminations' (42), which resulted in its suspension. The next day, on 17 April 1944: 'The Daily Telegraph attempted to publish a second statement by Mr. Henderson and an editorial, again with blanks to indicate censored portions. Thereupon Commonwealth police officers confiscated all editions of the paper' (43).

The suspension of six newspapers, four of them in Sydney, caused a furore. University of Sydney students headed a procession of about 2,000 marchers singing: 'We want a free press, democracy must prevail'. In the University of Sydney Union Hall, the students chanted: 'Freedom of the press lies a-mouldering in the grave' (44). Many clashes with police occurred: three young men were arrested, but were released after questioning. F.M. Forde, Acting Prime Minister since April 1944, when J.J. Curtin had sailed for America, found himself in a quandary: 'People are telling me', he plaintively told Calwell, 'to dismiss you from the Cabinet'. But Forde had no power to dismiss. Curtin
In truth, Acting Prime Minister F.M. Forde had the power to dismiss Arthur Calwell. In terms of Australian Labor Party politics, he could only be halted if Caucus disapproved. However, F.M. Forde did not use his undoubted authority against Arthur Calwell. Although the legality of Arthur Calwell’s suspension of the newspapers was not upheld, the matters involved were sufficiently important in the public interest in time of war to make it unlikely that any action would be taken against Arthur Calwell. Furthermore, with the Australian Labor Party in power, taking account of its powerful hostility to the press, Arthur Calwell was not subjected to as much pressure as might otherwise have been the case. The damage done was that in the press he had an implacable foe, which would distort his public image. While by his criticism of the press Arthur Calwell lost more than he gained, he could not help himself. His prejudice against the press was never shaken. He believed that it was the 'capitalist press' that kept the Australian Labor Party out of power; and from 1916 onwards the Australian Labor Party meant everything to him.

In the court case that followed the suspension of the six newspapers, Justice Sir Hayden Starke, for the newspapers, frequently asked counsel for the Commonwealth to indicate: 'Anything in the article complained against which was prejudicial to the defence of the Commonwealth' (46). Justice Dudley Williams,
who heard the case, commented on the articles: 'I read them and I cannot find any information in them which would be useful to the enemy' (47).

While the Commonwealth was using the case to establish the legality of the authority of the censor, the case for the press was not the power of the censor, but the misuse of power. Counsel for the Commonwealth was unwilling to justify particular items of censorship, while the press was unready to accept censorship unless it was so justified. Asked for an explanation of a particular item of censorship: 'When counsel declined to do so, Mr. Justice Starke said it was clear that he, counsel, could not do so' (48). Counsel for the press did not raise the issue of 'Misunderstandings Abroad', but concentrated on other censored items, where the need for censorship was less obvious. For example, the question of why reference to Arthur Calwell as the 'Nazi Minister of Misinformation' had been deleted was answered by E.G. Bonney because it was: 'Bad for morale' (49). E.G. Bonney dismissed the charge of political censorship, taking full responsibility on himself. He told the Court: 'On the morning when I decided to put an order to submit on the Sydney Telegraph, I asked an officer to tell Mr. Calwell what I proposed to do. Mr. Calwell's reply was that whatever I did he would support me' (50).

While R.A. Henderson's article alluded to censored material, it did not divulge the contents of the articles to which reference was made, so that it was not itself
divulging secrets, but yet indicating material that did. The newspapers won their case. An appeal to the High Court of Australia was also lost, with costs against the appellant: 'The full Bench of the High Court today adjourned sine die an application on behalf of the Commonwealth and the censors for discharge of the order made by the Court on April 17 which restrained the censor until April 21 from preventing publication by the Daily Telegraph of certain articles' (51). The issues involved in the suspension of the Daily Telegraph continued to rankle with Arthur Calwell. He later referred to R.A. Henderson as a 'Quilp-like creature', adding that, if Japan had conquered in World War II, the Sydney Morning Herald would have continued to appear, simply by changing its name to the Sydney Morning Shimbun (52). This drew from the editors a reply in kind: 'He is deliberately and maliciously lying' (53).

On 7 April 1949, Arthur Calwell wrote to Abraham Landa, who was then Minister for Labour and Industry and Minister for Local Government in the New South Wales Legislative Assembly: 'You will remember that in my fight against the press in 1944 I telegraphed to McKell from Adelaide and he replied. He was miserable enough to publish his reply but did not give mine to the press' (54). W. McKell, who was then Premier of New South Wales, had refused to allow the New South Wales police force to suspend the offending newspapers, necessitating Arthur Calwell's use of Commonwealth
police, or 'peace officers', an unusual manoeuvre, which had backfired. When the newspapers showed signs of resisting, the Commonwealth police, who were unused to common police work, were nonplussed. One was photographed with a revolver aimed at a truck driver (55), with resulting adverse publicity.

In replying to Arthur Calwell's protesting cable, W. McKell condemned Arthur Calwell's 'rash and ill-considered approach' and published his criticism (56). This was most damaging, as it seemed to show that tension between the Commonwealth and New South Wales Labor Parties, which had developed during the Premiership of J.T. Lang, had not diminished. This bad publicity prompted Acting Prime Minister F.M. Forde to write to Arthur Calwell: 'The episode with Mr. McKell, Premier of N.S.W., was bad publicity at such a time as this. I strongly advise you to refrain from sending any further such telegrams, and pipe down on the whole question' (57). Otherwise, was the implication, Arthur Calwell would be considered unsuited for high office.

The whole issue imposed great strain on Arthur Calwell. It received adverse publicity not only in Australia, but overseas too, where it was anticipated that Arthur Calwell would have to resign. The Daily Mail commented: 'If next Friday's judgment supports the newspapers, Calwell is expected to resign' (58). The Daily Express reported: 'Concerted efforts are being made to force the resignation of Mr. A.A. Calwell' (59). Arthur Calwell responded angrily and
negatively to all such criticism. The Glasgow Herald reported him from Adelaide: 'There is no real patriotism in the Australian press. There are more fifth columnists in newspaper offices than in any other part of Australia' (60). His fundamental antipathy to the press was such that: 'In the last federal elections, Calwell, then not a Minister, declared himself in favour of abolishing private newspapers and establishing one Government organ' (61).

Arthur Calwell never forgot the issue. For example, when the question of appointing W. McKell Governor-General of Australia was put to Caucus, Arthur Calwell recalled: 'I voted against him' (62). He said he had let the matter pass at the time, as Prime Minister J.J. Curtin was overseas; and to have done anything else would have caused a furore. He had misplaced his cable to W. McKell and asked Abraham Landa for a copy of it because: 'Some day I will write something about the whole matter' (63).

The feud with Sir Keith Murdoch continued, with both sides adding fuel to the fire. In 1949, in an article written while in Indonesia, Sir Keith Murdoch wrote: 'If Mr. Calwell likes to make a goat of himself' (64), which he refused to retract when the matter in question was explained to him. In October 1952, in King's Hall, Parliament House, Canberra: 'Murdoch smiled at me in a way that was significantly patronising. It was more a smirk than a smile' (65). As they passed, at a distance of twenty years, Arthur
Calwell called out: 'You bloody old scoundrel'. He added: 'The next day, Murdoch died of a heart attack... I have the impression that I had pointed the bone at him' (66). Clearly, the issues involved had penetrated deeply; the iron had entered their souls.

The impact of the conflict with the press was such that Arthur Calwell would find it difficult to avoid adverse publicity. For example, when in the Commonwealth Parliament he proposed that the depression had lasted until World War II, so that men who volunteered for the armed forces did so to obtain employment, G.W. Holland, President of the Returned Soldiers' League, was given plenty of space to complain that this was: 'A slur on the motives of men who enlisted voluntarily and they will resent it' (67). G.W. Holland claimed that, for patriotic reasons, many had left highly-paid positions to join the armed forces. He added: 'If this is the kind of information the Minister puts out it is a pity he cannot be censored himself' (68). Arthur Calwell reacted angrily to G.W. Holland's comment: 'Before he again tries to assist his United Australia Party friends by misusing his presidential office', he should be aware that Arthur Calwell was condemning the capitalist system that generated unemployment, not the men who were unemployed (69). Arising from this exchange, many people wrote to Arthur Calwell, most of them savagely unfair to him. However, they were writing in time of war, which may go some way to explaining their bitterness. In the outcome, this and what had gone before were
incidents which set the stage for what was yet to come.

Within three months of suppressing the *Daily Telegraph*, Arthur Calwell was again involved in another confrontation with the press. While campaigning on the 1944 referendum, Arthur Calwell became involved in a most sensational affair which turned the press strongly against him, which in consequence did him damage in Parliament. It concerned the unsuccessful attempted escape of Japanese prisoners of war from their detention centre at Cowra, New South Wales. This was: 'The greatest mass escape of prisoners-of-war in British military history' (70). Arthur Calwell happened to be in Cowra on the night of the breakout, electioneering on a referendum to increase the powers of the Commonwealth Parliament. He took the referendum very much to heart, for he was always a supporter of greater powers for the Commonwealth Parliament. On 13 April 1944, it was reported of the Australian Labor Party Conference that Arthur Calwell: 'Gave a factual account of the negotiations between the Commonwealth and the States, and concluded with a forceful appeal to delegates to exert their utmost efforts to the carrying of the referendum' (71).

At the Cowra detention centre, there were too many prisoners for a camp of its size. The camp was shaped like a circle, with a perimeter of 800 yards. It was divided into four segments which, by 1944, were all cramped for space (72). Consequently, it was decided to move D Camp, consisting of 1,100 Japanese
prisoners, to a camp in Hay, New South Wales and to another camp in Victoria. Under the Geneva Convention, the prisoners were given 24 hours' notice that they were to be moved. Their request to be kept together was refused (73). The Australian troops guarding the prisoners were from the 22nd Australian Garrison Battalion, most of whom had been involved in active service overseas, but who were too old or for other reasons unsuited for further service overseas. There was bound to be trouble when the Japanese in D Camp decided on an ill-conceived and foolish bid to escape before they were moved. The attempt was made on 5 August 1944.

The guard was not caught unprepared by the attempted escape of Japanese prisoners of war from Cowra. S.H. Jackson, Deputy Director of Security for New South Wales, who was quickly on the scene, reported that: 'The Commanding Officer of the Camp said that they had been anticipating a suicide attempt for some time and that a special arrangement had been made to meet it' (74). Nor was the Government caught unprepared because, through being on the spot, Arthur Calwell was able to inform Prime Minister J.J. Curtin, who ruled: 'I approve that censorship prohibit any references to this matter other than the official statements' (75).

At 9 a.m. on 8 September 1944, Prime Minister J.J. Curtin released a press statement which began: 'In the darkness at about 2 o'clock on the morning of
August 5 1944, over 900 Japanese prisoners of war in a camp in Australia made an unprovoked mass attack upon their guard (76). In more terse terms, he added of the Japanese prisoners who attempted to escape: 'One officer killed, 230 other ranks killed or died by suicide'. Of Australian losses: 'One officer wounded, 107 other ranks wounded' (77). In fact, four Australians died (78). Of the 231 Japanese dead, he added: '20 died by hanging and strangulation inflicted by the Japanese on themselves, or on one another. Nine by suicide from stabbing, two by suicide under a train, five from a combination of self-inflicted wounds and gun shot wounds and twelve from causes unknown' (79). The balance of 183 prisoners was shot while escaping.

In Cowra, Arthur Calwell's chief concern was that information about the breakout should not be published in the press, lest it result in reprisals against Australian prisoners in Japan. His Press Relations Officer at the time, Norman Macauley, who was with him at Cowra, reported: 'The Minister was immediately very concerned about the national security aspects of the situation' (80). In particular: 'He mentioned the great danger of reprisals on 25,000 Australians held prisoner by the Japanese if unauthorised reports were published'. Norman Macauley added: 'I think his words were: 'I will not allow any newspaper to gamble with the lives of Australians'' (81). In a letter to the Managing Editor of the Sunday Telegraph, J.J. Curtin put it: 'If any hint of the incident reached the enemy
prior to the official investigation and report by the
protecting power, the interests of a large number of
Australians held prisoner of war by the Japanese might
be seriously prejudiced" (82).

When the matter was raised in the Commonwealth
Parliament, Arthur Calwell told the House: 'Some few
months ago I was in Cowra talking on the referendum when
some Japanese prisoners of war broke out of camp. I
actually met a military convoy searching for the
Japanese when I was on my way from Orange on the
Saturday night' (83). Through being on the spot,
Arthur Calwell knew of the bloodshed that had taken
place. The Japanese prisoners had decided to escape or
to die rather than to suffer the greater dishonour of
being held prisoners. Rather than be recaptured, many
of them committed suicide. Their procedure was reckless
in the extreme.

In the Commonwealth Parliament, reference was made
both to the Cowra breakout and to the suppression of the
Daily Telegraph. On 24 November 1944, Archie Cameron,
for the Opposition, said: 'We had just finished
debating a bill for submission to the people of
Australia, dealing with the freedom of the press, when
the Minister for Information went to Sydney and promptly
suspended the publication of four newspapers. In
addition, he was guilty of suspending publication of a
few more' (84). Arthur Calwell was unrepentant. He
interjected: 'I was never prouder of anything in my
life' (86).
Archie Cameron based his criticism on a challenge: 'I want to know whether the Minister secured legal advice from the Attorney-General, the Solicitor-General, or some other properly accredited legal authority, before he did this'. That was a leading question; and Arthur Calwell answered it: 'The answer is 'Yes'...I acted on the advice of the Solicitor-General' (86). This was a most important point, as the Attorney-General was Dr. H.V. Evatt, generally recognised as the foremost lawyer amongst the Chief Justices of Australia, before, in 1940, he entered the Commonwealth Parliament. In 1946, he was still recognised as an expert in law. The Solicitor-General had acted with Dr. H.V. Evatt's approval; and to have his support at the time was as much as anyone could want. However, even here the matter was not as simple as it seemed: 'Evatt said to me: 'Why didn't you ring me earlier?' I replied: 'Because you would have tried to prevent me seizing the newspapers!' (87). As Attorney-General, Dr. H.V. Evatt was supporting the Minister, although it appears that he may not have been consulted beforehand.

The High Court had rejected the advice of the Solicitor-General and of the Attorney-General. Arthur Calwell resolved this problem by proposing that the Solicitor-General was correct and that the High Court was mistaken: 'I still prefer to believe that the Solicitor-General is a better lawyer than some members of the High Court bench' (88). He charged the judges with animus against the Australian Labor Party.
Government: 'I believe that the law was undeniably on the side of the Government in the action taken and that, if it had been taken by another Government, the High Court's judgment would have been considerably different' (89). Arthur Calwell named the offending judges: 'Mr. Justice Starke and Mr. Justice Rich threw away their wigs when they took their seats on the High Court bench and openly barracked for the press' (90). Later on, he admitted that he had confused Justice Rich, though not Justice Starke, with some other judge: 'I made a mistake. It was not Rich, it was another shell back ingrate' (91). The other judge involved was Justice Dudley Williams.

The Opposition and the press worked hard to capitalise on the case. For example, on 29 November 1944, A. Fadden commented: 'The item was featured in the Sydney Daily Telegraph and carried the heading in bold black type: "Calwell attacks High Court Judges" (92). This line of criticism was continued by P. Spender:

The High Court is the custodian of the democratic liberties that some honourable members of this House would like to destroy.

Mr. Calwell: Rubbish (93).

Arthur Calwell's attack on the two judges was used by the newspapers to raise a storm against him. The case against Arthur Calwell depended on the ruling that his action in suspending the newspapers was illegal. His claim, that he had done it to protect the interests
of Australian soldiers, had to be balanced against his interference with the freedom of the press: 'Still we find that some Sydney newspaper proprietors are prepared...to jeopardize the fate...of Australian prisoners of war in the hands of Japanese, in order to get what they call 'a good story'" (94). On their side the newspapers suffered from a sense of grievance, for which Arthur Calwell was to pay a high price.

The press and the Opposition concentrated their criticism on the apparent illegality of what Arthur Calwell had done, preferring to ignore the reasons why he had done it. This put Arthur Calwell at a disadvantage, because the High Court had judged in their favour. He concentrated his attention on the unseemly behaviour of Frank Packer, the owner of the Daily Telegraph: 'I discovered, after consultation with officers of my Department, that Mr. Packer, of the Daily Telegraph had, in defiance of an instruction, published stories of that escape' (95). When warned against proceeding further in the same direction, F. Packer had published another story in the second edition of the Sunday Telegraph. According to Arthur Calwell, F. Packer had refused to desist: 'He said that he was just as good a judge of these matters as any censor'. The reason why F. Packer had not gone further than he had, was because the other newspapers would not support him: 'The Sydney Morning Herald, to its credit, faithfully observed the instruction which was issued'.
Newspaper reporting of the Cowra breakout was cautious. Following their earlier suspension, the newspapers were aware of the danger of further action being taken against them. Even so, Arthur Calwell referred the *Daily Telegraph* report to Sir George S. Knowles, the Solicitor-General, who agreed that there was a case of breach of the censorship law because: 'The reference in the matter to some of the prisoners being in foxholes would, in the light of reports of the New Guinea campaign, be likely to convey to some readers the impression that the prisoners were Japanese' (96). However, he advised against prosecuting the *Daily Telegraph*, because to do so would be to raise again the whole question of the freedom of the press. He concluded: 'It might therefore be desirable to postpone the proceedings for the time being' (97). However, the matter rankled with Arthur Calwell, so that when he spoke on the Cowra breakout in the Commonwealth Parliament, he referred to a breach of censorship by the *Daily Telegraph*. This triggered off further action against him by Brian Penton, who had several scores he wanted to settle.

The debate in the Commonwealth Parliament resulted in no censure of Arthur Calwell, whose actions had been unexceptional. However, the *Daily Telegraph* felt threatened and took the opportunity provided to bring matters to a head. On 25 November 1944, its Managing Editor, Brian Penton, apparently libelled Arthur Calwell when, under the heading: 'Calwell can sue on
"...Smarting under a reminder of the humiliating defeat he suffered last April when he tried to suppress the newspapers, Mr. Calwell again lashed out at the press yesterday... Some time ago we libelled Mr. Calwell deliberately. We do so again, by saying that he is maliciously and corruptly untruthful. In other words, a dishonest, calculating liar. And we invite him to take action against us. The statement should be worth £10,000 at least - if the court will give him a verdict" (98).

Arthur Calwell had little choice but to take action. A writ dated 29 November 19..., for £25,000 damages, was served by him against Brian Penton. The issue involved, from Arthur Calwell's point of view, was a personal slander or, from Brian Penton's point of view, the freedom of the press. The hearing of the case was costly and protracted, as the *Daily Telegraph* raised complex legal issues. When it first came to court, Brian Penton pleaded privilege: 'We pleaded justification as well as qualified privilege' (99). The claim for privilege would oblige Arthur Calwell to prove that his statements were true, in particular, that breach of censorship had occurred in reporting the Cowra breakout (100). Brian Penton added: 'Our object in publishing the editorial challenging Mr. Calwell to sue was to demonstrate to the public that Mr. Calwell, under parliamentary privilege, was on this, as on other occasions, making statements he could not prove if he were called on to do so in a court of law' (101).
On April 17 1945, Mr. Justice Dixon dismissed the defence on privilege (102). However: 'Penton appealed to the Full Bench of the High Court of Australia and on August 3 the High Court by two to one majority upheld Mr. Shand's submissions, granting the defence qualified privilege' (103). Brian Penton was next required to submit statements which he considered were untrue. He submitted a list of 87 such statements, which opened the way to a long litigation process:

'This document was served on Mr. Calwell last Monday. Yesterday Mr. Calwell withdrew his claim for damages' (104). Arthur Calwell could have appealed to the Privy Council against the award of qualified privilege to Brian Penton, or else he could have disputed the 87 statements, either of which would have been an expensive course of action. He commented: 'I have not the means to appeal to the Privy Council against a decision which my lawyers advise me is wrong' (105). Privately, he noted: 'I cannot afford to fight this rich press combine. The obvious intention of this newspaper is to destroy me financially' (106).

Eventually, on 28 August 1945, Arthur Calwell discontinued the case. He commented: 'Because the defendant has taken shelter behind privilege to escape from the consequences of a challenge the Daily Telegraph threw out, but is afraid to stand by, the only course open to me is to discontinue the case' (107).

In the long run, adverse press publicity was to play a role in ensuring that Arthur Calwell would be
denied the prize he most wanted, to be Prime Minister of Australia. When the time came to find a leader to replace J.B. Chifley, Dr. H.V. Evatt's stocks within the Commonwealth Parliamentary Labor Party were higher than were those of Arthur Calwell, who had gained a reputation from the press for the dramatic and the bizarre, which hindered him. That he got this reputation was due largely to his conflict with the press, which he lost, which he could not win.

Although Arthur Calwell's press coverage up to 1961 was unflattering, so that many instances could be quoted of unsympathetic reports, the cartoonists were the most damaging of all. The cartoon portraying Arthur Calwell as a parrot, repeating: 'Curse the press, curse the press!', which first appeared after the suppression of the Sydney newspapers (108), persisted in many different forms throughout Arthur Calwell's political career, to undermine his standing, to diminish his achievement.

Persistent criticism from the press ensured that even Arthur Calwell's finest achievements did not get the credit that was their due. He was to pay a high price for putting what he saw as the national interest ahead of what he believed to be a sectional interest. His view of the press was not that held in law, which stands for the idea of a free press as a safeguard of a democratic society. It was a special plea for a limited press in wartime. However, in addition it was a view of the 'capitalist press' shared by most
socialists, but which they rarely and perhaps wisely do not put into practice. Unlike most people, once he held a belief, Arthur Calwell acted on it. He had no choice but to pay the high price that is the consequence of such idealism, whether it is mistaken or not.

Arthur Calwell saw it as his duty to press his view because he believed that, in wartime, the national interest demanded it. His interpretation was not upheld by the Courts, where legal precedents have mostly been determined in times of peace. It will always be a matter of opinion on which side the national interest lay. A non-Labor Minister of the Commonwealth Parliament, the historian and, later still, Governor-General of Australia, Sir Paul Hasluck, commented: 'At a distance of some years the files of newspapers during 1943 provide much evidence of a low level of editorial responsibility and scant regard for national interests in time of war' (109). The same could be said with even more justification of 1944, when the war over censorship was at its height. While, by ensuring him adverse press publicity, the conflict damaged Arthur Calwell, it drew attention to censorship. Henceforth, the newspapers took steps to ensure that the Minister had no reason for successful intervention. The nation benefitted from this new vigilance.
REFERENCES

1. The Bulletin, 19 November 1940.
10. Ibid., p. 128.
11. Ibid.
22. The Sun, 8 June 1940.
26. Ibid.
27. Herald, 20 December 1943.
29. Be Just and Fear Not, p. 57.
32. E.G. Bonney to Arthur A. Calwell, 10 May 1944, Calwell papers.
33. The Tribune, 18 April 1944.
34. E.G. Bonney to Sir George Knowles, 17 April 1944, SP 195 Sl, B1, Australian Archives.
35. Sydney Morning Herald, 17 April 1944.
37. Sydney Morning Herald, 17 April 1944.
38. SP 195, S10, B35, Australian Archives.
39. Sydney Morning Herald, 17 April 1944.
40. Ibid., 22 April 1944.
41. Ibid., 18 April 1944.
42. The Times, 18 April 1944.
43. Ibid.
44. Sydney Morning Herald, 18 April 1944.
46. Ibid.
47. The Tribune, 18 April 1944.
49. The Scotsman, 29 April 1944.
50. Ibid.
51. Argus, 5 May 1944.
52. Sydney Morning Herald, 14 March 1946.
53. Ibid.
54. Arthur A. Calwell to A. Landa, 7 April 1944, Calwell papers.
55. The Sun, 19 April 1944.
56. Sydney Morning Herald, 20 April 1944; Adelaidian Advertiser, 20 April 1944.
57. F.M. Forde To Arthur A. Calwell, 21 April 1944, Calwell papers.
58. Daily Mail, 18 April 1944.
59. Daily Express, 20 April 1944.
60. Glasgow Herald, 21 April 1944.
61. Daily Mail, 18 April 1944.
62. Interview with Mel. Pratt, p. 16, 20 May 1944, Calwell papers.
63. Arthur A. Calwell to A. Landa, 7 April 1944, Calwell papers.
64. Be Just and Fear Not, p. 92.
65. Ibid.
66. Ibid., p. 93.
67. Argus, 5 May 1944.
68. Ibid.
69. Ibid.
71. The Labor Call, 13 April 1944.
73. The Age, 21 August 1961.
74. S.H. Jackson to Director-General of Security, Canberra, 9 August 1944, CRS A989, item 44/925/140, Australian Archives.
75. J.J. Curtin, Statement on censorship, 5 August 1944, CRS A 989, item 44/925/1/140, Australian Archives.
76. Press release, 8 September 1944, Calwell papers.
77. Ibid.
79. Press release, 8 September 1944, Calwell papers.
80. Ibid.
81. Ibid.
82. J.J. Curtin to Brian Penton, 19 August 1944, Calwell papers.
84. Ibid., p. 2139.
85. Ibid., p. 2140.
86. Ibid., p. 2141.
87. *Be Just and Fear Not*, p. 91.
89. Ibid., p. 2146.
90. Ibid.
91. *Be Just and Fear Not*, p. 91.
93. Ibid., p. 2336.
94. Ibid., p. 2146.
95. Ibid.
96. Sir George Knowles to Arthur A. Calwell, 9 August 1944, Calwell papers.
97. Ibid. The same letter was sent to Prime Minister J.J. Curtin, SP 195, S1, B, Australian Archives.
99. The Sun (Sydney), 28 August 1945.
100. Daily Telegraph, 29 August 1945.
101. The Sun (Sydney), 28 August 1945.
103. Ibid.
104. Ibid.
106. Note, 1945, Calwell papers.
108. e.g. Sydney Morning Herald, 6 June 1945. This is the earliest example found and is most likely the first of them.