Lay Teachers in their Community: The NSW Independent Teachers' Association, 1972–1980

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The NSW Independent Teachers' Association came into being in December 1972 as the consequence of a successful takeover of an existing 'union', the Assistant Masters' and Mistresses' Association, by an industrially minded group of lay teachers from Catholic systemic schools. In the first five years after the takeover, membership of the union increased from 1,000 to 1,800 people; from about ten to sixteen per cent of its potential membership. Then, in the subsequent five years, membership increased to 8,500, or 58 per cent of the potential membership. Why did the union grow relatively slowly before 1977; why so quickly after 1977? This paper suggests some answers to those questions which add to our knowledge of the complexity of the relationships between unions and the communities in which they work.

The Lay Teachers and the Deskilling of the Religious

The relative slowness of growth of the union before 1977 may be explained in a number of ways. There was the problem, common to white-collar workers generally, that unionism and 'professionalism' were not thought to be compatible. There was a more fundamental problem in the systemic schools: some parts of the Catholic community and the systemic schools did not have a high opinion of trade unionism; more importantly, some parts of the Catholic community did not have a high regard for schoolteachers other than the Religious. There is a sense in which attitudes to teachers were not altogether favourable in the non-government sector generally. McEnery reports the comment of Patrick Lee, the first Federal Secretary of the Independent Teachers' Federation, that 'Teachers in many elite private schools are considered something akin to learned Greek slaves - talented, useful but so lacking in status and power as to be beneath consideration.' In some elite schools, no doubt, teachers might have been thought, as a matter of social class, to be of a lower order than those who sought their services. In the Catholic systemic schools the problem was of a different kind. In the 1970s and early 1980s the lay teachers and the teachers' union still seemed to some people to be an alien presence in a community whose values were defined by religion and the Religious.

The Catholic lay teachers were a relatively new group of workers. In 1953, when W.C. Radford wrote, there were few lay teachers. Most teaching was done by twelve Orders of Brothers, twenty-six Orders of Sisters. The Sisters of St Patrick, the Sisters of Mercy, Sisters of the Good Samaritan and the Presentation Sisters accounted for most of the primary teaching and 'a good deal' of the secondary teaching of girls. The Christian Brothers and the Marist Brothers accounted for most of the secondary teaching of boys and 'a good deal' of the primary teaching of boys over the age of eight. The Orders had established colleges for the purpose of training the teaching Religious. As might be expected, the Religious supplied the Principals, who were appointed by the appropriate Regional or Provincial Superior of the Order. The Principal appointed whatever lay staff were needed.

This system changed over the course of the 1960s and 1970s as a direct result of the resolution of the debate about Commonwealth funding for schools generally and of the debate about state aid for non-government schools. The way in which the system changed resulted, in effect, in a deskilling of the teaching Religious. The idea that the teaching Religious were 'deskilled' over the 1960s and 1970s might seem controversial but, even if only as metaphor, the idea is useful. Here, at one point in time, was a group of people doing a job in a particular way. Teaching, considered as consecrated service in the teaching apostolate, had once belonged to the teaching Religious in the same way that any craft belonged to a craftsman. New times and new ideas changed the job and a new group of people took over the work. The way in which the new people fitted in, then, with the old, was influenced by the fact and process of change.

State aid had a number of immediate consequences. The first was the creation of a Catholic education industry and a Catholic educational bureaucracy. The bureaucracy had two parts: the Catholic Education Offices (CEOs) in the Archdioceses and Dioceses, responsible to the Bishops and administering the 'systemic schools'; and a set of representative State and national bodies designed to coordinate Catholic educational activity and to deal with State and Commonwealth Governments. This system, which grew up alongside those comprised of the schools run directly by the Orders, replaced the direct role of the parish priest as employer in the parochial schools.

The second consequence of state aid was the displacement of the Religious from the classrooms by lay teachers. By 1965, about a quarter of the total number of teachers in Catholic schools were lay teachers; in 1970 about half were lay teachers. By 1983 about ninety per cent of teachers in Catholic schools were lay teachers. Equally importantly, by the early 1970s, some schools were entirely lay staffed. Lay Principals and Deputy Principals had begun to be appointed to secondary and central high schools. By 1975 there were lay Principals at 31 schools in the Sydney Archdiocese: 29 Primary and 2 Secondary schools. Of the 29 Primary schools, 12 were staffed entirely by lay teachers.

There was more to this period of change than the replacement of the Religious by bureaucratic authority and lay teachers: the job of teaching was being changed by a new set of people who claimed 'education' and 'teaching' as their special professional territory. In the attempt to understand the effect on teachers of this difficult and confusing period in the development of the Church, it is important to understand that in the Catholic community the teaching of religion and the teaching of secular knowledge were not thought to be separate tasks. The objective of Catholic teaching was the formation of Christians and the formation and maintenance of a wider Christian community. The teaching of secular subjects had a subordinate place in that larger task: subordinate but not separate. Teaching of all kinds had been the province of the Religious, part of their apostolic mission.

Pressure for change came from the 'New Education'. The New Education involved a series of changes in thought about how secular subjects should be taught and about the purposes of education. What the New Education meant might not have been very clear to people who were not teachers but some parts of it did seem clear: the teaching of the three Rs by rote learning was not thought to be desirable; corporal punishment was frowned upon and cadet corps were criticised as supporting rigid authoritarian approaches to education; 'facts' were not as important as concepts; new
subjects of a 'social sciences' sort were applauded. There was a suggestion that 'religion' at school was to mean 'comparative religion', in which Christianity was to be taught in a detached anthropological manner along with accounts of Hinduism and Buddhism.

The New Education seemed to be owned by a burgeoning new industry comprised of secular humanists who wrote reports for governments and populated Teachers' Colleges and the Education Departments of Universities. The New Education seemed to have captured the State school sector, its teaching staff and bureaucracies. What had happened over the sixties, perhaps, was the emergence of a teaching profession and a teaching industry — much larger than the non-government sector — in which the sources of ideas and authority were not religious and in which religion had little place. Bishop Clancy, opening a school at Winston Hills, attacked the 'self-styled educationalists' in this way:

"It would seem that they would assume unto themselves the responsibility of educating the children of this country."

"They speak rather glibly of exposing children to the widest range of possible experiences and freely abuse terms like experimentation, innovation, discovery and others," Bishop Clancy said.

"They do this to promote their own particular philosophies of education."

"They would deny the rights of parents whom they are often inclined to dismiss as being 'narrow, conservative, ignorant, unenlightened and so on'."12

The Bishop objected to a proposal to establish an Education Commission in NSW because "...it would be peculiarly vulnerable to the influence of the secularist innovators — the self-styled educators to whom I have already referred."

Barry Dwyer captured the sense of this period of difficulty about the New Education in an article he wrote in the Catholic Weekly in 1973, about the debate surrounding a new Social Science Syllabus and criticism that the syllabus was 'anti-Christian' and showed 'Marxist tendencies'. This was not, Dwyer thought, just a debate about a new syllabus but was, rather, 'a general tension, firmly rooted in deep philosophical and political differences, amongst educational observers'. The educational issues and the political issues were inseparable:

The political currents swirling around the perennial controversy are also significant. Many of the verbal barbs hurled against the real or imagined 'leftists' educationists who have so upset the status quo come, understandably, from the right of the political spectrum.

The National Civic Council has been quick off the mark denouncing any intrusions on traditional educational practices, lest insidious infiltration should sap the moral fibre of the nation's youth.

Mr B.A. Santamaria has called for a restoration of the formal structures of teaching and scholarship 'based on respect for facts, logic, the rational process, and the disciplinary tools, including grammar and spelling, which this process requires'. He demands, as well, a return to the system of examinations, a prohibition of 'uncontrolled and unsupervised experimentation with new and unproven methods on defenceless children', and a return to the enforcement of authority over teachers as well as pupils. All of this is accompanied by an expressed disappointment at the increasing numbers of young people remaining to complete secondary courses.13

There was a sense that the secular teaching profession of the lay teacher was less worthy than that of the Religious. James Bromley, a lay teacher and member of the Council of Macquarie University wrote an article, 'Surviving in a sea of "spiritual treacle"', in which he reported his experience of sitting in an evening mass at which the priest had regretted that there were no Catholic High Schools in the District. The problem was not just a lack of money but that there are simply not enough priests or Religious brothers or sisters to staff one...we must pray for vocations':

Thank you, Father, I know your job is to keep me humble, and you're doing a damned good job. By statements such as these you are helping to reinforce in your congregation's mind the idea that lay teachers are not worth mentioning — that we are a stop-gap, with no real right to exist — that we cannot lay claim to a vocation that is in any sense religious. As for a school staffed entirely by lay teachers? Oh horrors! After all, lay teachers don't really know what the Gospel is; they couldn't possibly know what Christian education is all about, could they?14

Thus Father Faherty of Nowra wrote:

...a "takeover at last" attitude is foreign to the apostolic spirit, which should grace Catholic school teaching.

I should think that a genuine Catholic community as a whole, very much regrets the great decline in Religious personnel in our schools today. This is by no means meant to be a claim on the part of Religious to superiority as academic educators.

While the Church is delighted to have so many exemplary Christian and Catholic lay teachers it attaches special importance to 'consecrated service' in the teaching apostolate. For too long perhaps, it has been looked on as 'cheap service'. The whole theology of 'the Religious State', sees in each Religious more than a teacher; the 'sign' or 'witness' character of the vocation is of great importance, emphasizing attitudes and values for time and eternity.

A decline in 'Religious personnel' of its nature weakens the Catholic fibre of parishes and the community. So while Catholic Schools, totally or predominantly lay staffed, may function most effectively and successfully academic-wise, I am not convinced that they would be adequately accomplishing their principal object. It is really a question today, of the most zealous and effective apostolic team of teachers, lay and religious. I believe that frequently in our Catholic schools today, we should check our priorities.15

Father Faherty had written in response to an article which had called for the Catholic community to 'hasten the recognition of the growing band of lay teachers, not as "assistants" to the Religious, but as qualified professional people in their own right'.

Part of the response of the Church to the expansion of the schools, to a decline in the number of new vocations and to the aging of the Religious, had been to develop the religious role of the laity: the 'lay apostolate' came to have a new importance. Bishop Clancy said that the lay teachers 'are dedicated to the principles and ideals of Catholic education and are determined to carry on the fine tradition that has been established by Religious teachers — brothers, sisters and priests.' The lay apostolate could be seen to inherit the tradition established by the Religious: the religious as well as the secular academic dimension of teaching.

This strategy carried with it a general and diffuse set of problems and anxieties which might be referred to, in summary, as the problem of Catholicity. This was a problem which affected both the role of the Religious and the experience of the lay teachers. A new 'catechetics' developed in which lay people, and lay teachers in particular, were to take over much of the role of the Religious in religious education. This movement created intense debate about how religion should be taught and about what the content of that religious teaching would be: it is impossible to read the debate about catechetics in the pages of the Catholic Weekly...
of the 1970s and the 1980s without developing a sense of a deep conflict within the Church about what counted as ‘Catholic’ religious education, or, indeed, what counted as Catholic religious truth. The psychologising and sociologising of religious education seemed to some to challenge the very idea of revealed truth. All this is central to a broader history of the Church and its role in Australian society: what matters here, more narrowly, is that the coming of the lay teachers had consequences which went far beyond the business of how you would teach geography or history. In an important sense, the coming of the lay teachers was mixed in with a set of questions about teaching, religious truth and the role of the Religious in a way which, in the minds of some people, offered a fundamental challenge to the very idea of Catholicity.

The development of the idea of the lay apostolate founded on the lay teachers was bound to be a source of conflict. As McLachlan argued: ‘While the Church authorities insisted that working in a Catholic school was a mission of faith, the unions increasingly insisted on the right of teachers to lead independent lives outside school hours – that these teachers were employees not lay missionaries’.19 In 1984, where Sister Margaret Reardon argued for a Catholic education which offered ‘faith and morality which permeates the whole teaching environment’, Patrick Lee insisted that ‘it is crucial that teachers in Catholic schools demand the right to independent moral and political lives without having to pay lip service to ecclesiastical conservatives’.19 The lay teachers were not simply successors to the Religious. As R.W. Connolly put it in 1985: ‘Teachers are workers, teaching is work and the school is a workplace’.20 This was a view which could not, in an institution committed to the development of the lay apostolate, command automatic or general assent.

There was, to put the matter another way, something more at issue in the systemic schools than the old conflict between those who thought of teaching as a profession and those who wanted teachers to use collective and ‘industrial’ methods. Here, on one view, the lay teachers were the core of the lay apostolate, engaged in a form of service which carried on the task of forming Christians. Preservation of the Catholicity of the schools demanded some such approach. To say that teaching of any sort was a job like any other job, or a secular profession like any other, was to deny the role of the lay apostolate in preserving the Catholicity of the Church, as some people understood it.

The sense of a loss of Catholicity in the Church generally and in the Catholic schools in particular was the greater for the fact of involvement of non-Catholics in the new school system. In 1977 about one third of the lay staff in Catholic schools in NSW were non-Catholics. There was a report of one Catholic school in Sydney at which the non-Catholic staff outnumbered the Catholic staff.21 A large proportion of the new lay workforce, moreover, had taught in government schools and had been members of the NSW Teachers’ Federation: they were from ‘outside’. According to a survey of members of I ETA conducted in 1982, 46 per cent of I ETA members had taught in Government schools and 45 per cent had been members of the NSW Teachers’ Federation.22 Even a commentator as sympathetic to the lay teachers, and as appreciative of the contribution of the non-Catholic lay teachers, as Barry Dwyer, felt moved to write: ‘Nevertheless, the question has to be faced, “When does a school cease to be Catholic? Can you have a Catholic school in which only a minority of staff profess the Catholic faith?”’.23

What was more, there was evidence from time to time of a substantial presence of non-Catholics among students. A report on Catholic education in the Archdiocese of Canberra and Goulburn in 1980 found that non-Catholic enrolments had risen from 2.7 per cent in 1976 to 7.78 per cent in 1979: the figure was 14.48 per cent for enrolments in year 7. The report also noted that about 50 per cent of the teachers in the secondary schools were non-Catholics. An Appendix to the report, by Father James Littleton, the former principal of Daramalan College, said in part: ‘The percentage of other than Catholic enrolments varies considerably from school to school, but it has reached such a level in some schools that Catholic teachers are asking whether such an enrolment policy is changing the nature of the Catholic school’.24

Inevitably, there were problems about discrimination against non-Catholic staff. The issue of discrimination arose partly because of a wider problem: the power of the school Principal. Certainly, a new Catholic systemic schools bureaucracy had been created and certainly the experience of systemic school teachers came to be more like that of those employed in the State schools but the power left to the Principals continued to be of great importance, particularly the delegated – power to select and dismiss staff. Many industrial relations issues were not matters between lay teachers and a distant bureaucracy with standardised, formal rules and procedures. Some matters were very much dependent on the personality, beliefs, morality and standards of the Principal, Catholic ‘industrial relations’, in other words, took place at two distinct levels: that in which the union dealt with the employers collectively, or in collective sub-units, such as the Diocese; and that in which the union and individual staff dealt with the Principal as employer.

The problem of dismissals generally, and of discrimination in particular, probably manifested itself in the late 1970s because of an over-supply of teachers. Where, in the early 1970s, Principals had difficulty attracting staff, there was now an opportunity for them to get better qualified or, in other words, ‘more suitable’ teachers. As early as June 1977, Barry Dwyer was writing in the Catholic Weekly that the ‘looming surplus of teachers will give us the long-awaited chance to do something about the quality of staff’.25 A Schools Commission Joint Study Group on Teacher Supply and Demand estimated that there would be 48,900 unemployed teachers by 1986.26 Early in 1978 Dwyer, discussing the ‘discrimination issue’ linked the ‘employers’ market in education’ to the question of the place of non-Catholic teachers in Catholic education.27

In 1977 the ITA made 144 applications to the NSW Industrial Commission. Of these 48 were reinstatement cases.28 Concern about ‘dismissals without reason’ and subsequent reinstatement cases led Mr Justice Dey to draw the attention of the employers to current practice in relation to unfair dismissal. He thought that a lack of knowledge of current practice might ‘lead some schools in some circumstances into a situation in which relationships are not helped, if I can put it no higher than that, by hesitation to be open and frank’.29 In 1978 the Secretary of the ITA wrote of a ‘discernible trend’ in the termination of a ‘considerable number’ of non-Catholic teachers from some Catholic schools. The BCEO denied the existence of a ‘trend’ and Bishop Francis Carroll, Chairman of the national Catholic Education Commission thought that ‘other substantial factors’, than religion, must have been involved.30 For some others the question was one of Catholicity and ‘trouble with the union’. Thus Mr Alan Drover of the Catholic Education Commission at the second National Catholic Education Conference in 1980:

“One can’t assume today that lay teachers will always be identifiable Catholic,” he said.

“Dealing with staff problems of this kind may bring trouble with the teachers’ union.”

“This might mean one day having to fight reinstatement cases over the question of the Catholic credentials of former staff members.”

“It is something, however, we cannot run away from.”
In 1984 the ITA attracted criticism for its support of anti-discrimination legislation and of the principle that anti-discrimination legislation should extend in its operation to non-government schools. Mr Gary Scarrabelotti, reporting the ITA Conference at which these policy decisions were made, wrote that ‘Catholic schools are supposed to be concerned with the formation of Catholic young people within a system of faith and culture. But ITA policy could put an end to what is left in this country of the integral Catholic education.’ 32 The problem of the dilution or transformation of Catholicity had, of course, to do with the whole Church community and its functioning but could seem to have a particular focus in the schools, the teachers and what the teachers and the union were doing.

**Entrenching the ITA**

There was, then, a range of reasons for potential hostility to the idea that lay teachers should think of themselves as workers, as secular professionals or as trades unionists. That hostility was not uniform nor could it be said to represent the ‘mind of the Church’. The ITA had not encountered employer hostility of the sort which had marked the history of, say, the coal miners or waterside workers. The Hierarchy were also, as McKeith has pointed out 33, willing to deal with a union and to work around an award, within carefully defined limits.

The Hierarchy, as employer, along with the other non-government employers, was responsible for the decision which changed the fortunes of the ITA: the decision of the NSW Industrial Commission in 1977 to put a new preference clause in the ITA’s award. The granting of a preference clause was not of itself remarkable. The first award won by the lay teachers during the course of their takeover of the old AMMA in 1970 had contained a preference clause. Preference clauses had become important in NSW after the Industrial Arbitration Amendment Act of 1959 and the subsequent Asbestos Sheet Makers Case 34 had led to the insertion into many awards of ‘absolute preference clauses’ in a standard form. The non-government teachers’ award of 1970 did not adopt the standard form nor did it include absolute preference for union members. Rather, there was a diluted clause which read: ‘Preference in employment shall be given to suitable applicants with equivalent qualifications who are members of The New South Wales Independent Teachers’ Association’. 35 This clause gave the Principal discretion to decide about ‘suitability’ and ‘equivalence’ in a way which made union membership irrelevant.

In 1977, however, Mr Justice Macken varied the award to include a new ‘preference clause’ to come into operation on the first day of first term 1977. Unlike the old preference clause of 1970 this was an ‘absolute preference clause’, in the standard form used in other industrial awards since 1961. 36 In December 1978 the Commission confirmed the absoluteness of absolute preference, specifically in reference to non-government teachers. Justice Dey ordered the reinstatement of an employee in Armidale because the preference clause had been breached. The union, and Justice Dey, understood the clause to give ‘absolute preference’ rather than a more limited preference ‘all other things being equal’. 37

This was a very important set of decisions for the ITA. The union member who was competent by objective criteria took precedence over the non-union member when it came to appointments or retrenchments and the judgement about competence could be taken to the industrial tribunals if necessary. These decisions limited the discretion of the Principal to employ or dismiss. They gave good reason to join the union.

The absolute preference clause came, as the Secretary of the ITA was anxious to point out, with the support of the employers:

Anyone who gives any serious thought to the addition of the preference clause will appreciate that the full effect of such a clause can only be obtained with a degree of co-operation from the employers. We are pleased to record that this is in fact happening. The ITA is aware that the major group employers in the independent system are, in fact, insisting on ITA membership when employing teachers, and we look forward to gaining similar recognition from all employers. 38

The employers voluntarily gave up a diluted and ineffective form of preference for one which gave the union institutional security.

The employers, moreover, went on providing the ITA with support. The Secretary happily told the AGM for 1978 that an ‘interesting and gratifying recent development had been the support given to membership of the ITA by employer bodies. Some employer bodies have indicated a willingness to enter into a contractual agreement in 1979 to deduct union subscriptions from members salaries, if members so wish.’ 39 William McKeith, Professional Officer of the ITA from 1980 to 1984, wrote in 1985 that relationships ‘between the employers and the union have been vital to its growth. Employers’ attitudes and actions, especially through the widespread provision of check-off facilities, have positively contributed to membership growth.’ 40 On a number of occasions the Hierarchy gave explicit, public support to the ITA. The Newsletter for December 1978, for example, included an article on the opening of the Riverina Branch entitled ‘Bishop Supports ITA’. The Episcopal Vicar for education in the Diocese of Wagga, Father McGrath, speaking as the representative of Bishop Francis Carroll, said that ‘both he and the Bishop were of one mind in giving unequivocal support for ITA membership in the Diocese’. 41

In 1983 Monsignor Frank Coolahan, Director of the Maitland Diocese Education Office and Vice Chairman of the Industrial Affairs Commission of the Bishops of NSW, thought it necessary to address the attitude of some Catholics to lay teachers and their union, at a two day Catholic Education Seminar for primary and secondary principals in Canberra. He said that the seeds of conflict were to be found in the question of trade unions. Some people thought the unions representing the Church’s employees, did not ‘...pay special and chief attention to the duties of religion and morality’, but, rather, espoused policies counter to the Church’s role in promoting the religious and moral values of Christ’s Gospel. Monsignor Coolahan introduced his talk with quotes from Pope Pius XI’s Encyclical Quadragesimo Anno, issued to commemorate the 40th anniversary of Pope Leo XIII’s Encyclical Rerum Novarum. Pope Pius’ Encyclical had aimed to clarify misinterpretations of passages from Pope Leo’s, especially in relation to suspicious attitudes to trade unions. Monsignor Coolahan said that despite the two encyclicals, there remained in the Australian Church a reservoir of suspicion towards the unions with which it was most closely associated. This suspicion was founded in the belief that those unions, by their very existence, were prejudicial to the best interests of the Church and its mission in education. 42

Monsignor Coolahan suggested three principles of action which he thought should guide Church employers in their relations with employees and fellow workers. First, they should be good employers, exercising justice, fair dealing and compassion. Second, they should have a positive attitude to unionism, in accordance with the Papal encyclicals. This involved promoting union membership among employees, which in time ‘could bring its own rewards’. Principals were not to be negative, indifferent, timid or uncertain in their approach to unions but to encourage the ‘best’ teachers to join the union and take an ‘active and enlightened’ part in its affairs. Monsignor Coolahan set out a number of factors which were important in being a ‘good employer’. He then pointed out...
that the ACT had a union, the Independent Schools Staff Association, which as yet had no award. This was an opportunity, he thought, to construct an award better than the NSW non-government award and one ‘which adequately reflects the common aspirations of the Church and its employees’. The employer’s support for the union – grounded explicitly in Papal authority – could not have been plainer.

Why was it that the employers supported the new preference clause and continued to provide such strong support to the ITA? What could have been a more important consideration than all the other circumstances which made for ‘suspicion’ of unions? The answer had most probably to do with the activities of the NSW Teachers’ Federation. Unlike the lay teachers in the Catholic schools, the teachers in the State schools, with their secular and humanist approach to their profession, could not be seen as part of the lay apostolate. Rather, the Federation were the leftist enemy without the gate, against whom the ITA and the non-government school system had to be defended.

Concern about the intentions of the Federation emerged in early 1977 when it began to recruit among pre-school teachers. The Federation’s rules allowed it to recruit not only among government teaching employees but also among employees of institutions funded by government: in this case a pre-school. The ITA took the opportunity to raise the Federation bogey: ‘If teachers support the Federation’s more militant approach to industrial issues, or continue to sit on the fence rather than become involved, the NSW Teachers’ Federation may well become the industrial voice of pre-school teachers.’ The Secretary was concerned that the Federation could also begin to recruit among independent school teachers, on the grounds that they were government-subsidised. The matter subsequently went to Mr Justice Dey at the Industrial Commission, where the employers indicated that they intended to make application for the exclusion of private school teachers and pre-school teachers from the Federation’s coverage.

A seminar run by the NSW Parents’ Council for Educational Freedom at St Aloysius’ College, Milson’s Point, gave further reason for concern about what the Federation was up to. Mr A.J. Rae the Headmaster of Newington College, Stanmore, reported that the success of the Federation in the pre-school matter had led the Federation’s Executive to seek amalgamation with the ITA, an event which Mr Rae thought would lead to the withering away of the independent schools. There had been a change in the way the Federation was governed, Mr Rae reported. Once upon a time, there had been a governing Council on which you could find representatives of the Primary teachers, the Physical Education teachers, the Domestic Science teachers, the Deputies and the Principals. These people, he thought, had brought maturity and a developed sense of responsibility to the deliberations of the Federation.

All this had changed. Now Council was made up of area delegates, with a preponderance of young people. This change ‘seems to many people to be obviously aimed at worker control and the virtual doing away with executives on school staffs’. The young radical voice was being heard as never before. If the amalgamation proposal were to succeed, the young radical voice would come to dominate the non-government sector. Whatever guarantees were given about the place of the independent teachers in a new union, he thought, sooner or later the policy of the Federation’s Executive would prevail and ITA influence would disappear.

Once the ITA’s influence had been submerged, then the extravagant demands of the Federation would gradually cause the independent schools to wither away, one by one. Mr Rae had no solution to the problem, except ‘that principals should alert staff to potential dangers and encourage them to join the ITA so that the union is more representative of independent teachers’ views and the resistance to amalgamation may be strengthened’. There does not seem to have been much substance to the amalgamation proposals, if indeed there ever was any such proposal, but the possibility of a leftist takeover of the independent school teachers had been raised publicly; the alarm had been sounded.

Why was it that the Federation provoked such concern and hostility in the non-government sector? The answer had partly to do with the fact that the Federation was militant. The answer had also to do with the Federation as symbol of the New Education and as symbol of the rise of teaching as a secular profession. The answer had more immediately to do with what that militancy was about and what the consequences of the Federation’s sense of professionalism in teaching might be for the ownership and control of schools: non-government as well as government. In order to understand this it is important to look briefly at the government of pay and conditions for the State school teachers.

The State school teachers were public servants, whose employer was the Public Service Board and whose conditions were governed by legislation: the Public Service Act 1902 and other legislation on specific conditions such as annual leave and long service leave. The detail of the teachers’ conditions was contained in a ‘Teaching Services’ section of the general public service regulations. From 1970 there was a Teaching Service Act and from 1980 an Education Commission Act, each of them preserving the position of the Public Service Board as employer and setting out in detail, in the regulations consequent upon them, such matters as the structure of teaching classifications, the sizes and categories of schools and their staffing levels. The teaching day, class sizes and work loads were a matter for whatever governing entity for education operated under the control of the Public Service Board from time to time. Over time, ‘conditions’ had become a matter of agreement between the governing authority and the union or of settled custom and practice. Salaries – but not conditions – were covered by award made by the Industrial Commission or by agreement between the union and the governing authority.

The militancy of the Teacher’s Federation in the 1970s had much to do with ‘conditions’: with such matters as ‘extras’ and class sizes. These were matters which were not thought to fall within the jurisdiction of the Industrial Commission. It was not until 1989 that the Commission indicated that it was prepared to consider a dispute about class sizes to be an industrial matter. In other words, ‘conditions’ were a matter of managerial prerogative, beyond the jurisdiction of the Commission and notionally beyond the discretion of the union. Industrial action about conditions was believed in the 1970s and most of the 1980s to be plainly illegal under the Industrial Arbitration Act 1940.

The Federation, over the 1970’s, had engaged in a protracted confrontation with the Public Service Board, about conditions, of a kind which challenged managerial authority and which was intended to erode managerial prerogative. Moreover, the Federation was prepared to use ‘direct action’ to prosecute its case, regardless of technical illegality. In 1973 the Federation pushed direct action to the point at which it faced deregistration as an industrial union. The right of teaching professionals to take part in the control of their profession and its practice was at issue.

These campaigns by the Federation seemed to culminate in the establishment of a Working Party chaired by Professor J.S. Hagan, which heard and received submissions about the setting up of an Education Commission for NSW. The Reports of the Working Party directly reflected other reports, in Australia and the United Kingdom, which argued for an increase in the amount of participation by teachers in the running of their schools and
which took a positive view of the development of the teaching profession. The fundamental thrust of the Reports was that the 'employer' of teachers in the government schools should no longer be the Public Service Board but an industry- and profession-based body. In the Reports of the Working Party there was an assumption that challenged established notions of authority in education: '... people's needs and attitudes have changed with economic growth and affluence and new styles of education. There is a decreasing acceptance of traditional forms of authority. Hierarchical organisation and traditional methods of administration are less appropriate.' The Working Party recommended, among other things, that the Government establish an Education Commission of eleven members who were to include one representative each of the primary, secondary and technical college teachers as well as a representative of the administrative and clerical officers. The NSW Teachers' Federation produced preparatory material about the Commission which welcomed a new age of professional control.

The Catholic community did not welcome the Working Party's proposals. At one point or another the Sydney Federation of Catholic Parents and Friends Associations, the NSW Parents Council for Educational Freedom, the NSW Catholic Education Commission and the Association of Independent Schools attacked the Working Party's reports. The general burden of their song was that the Working Party's proposals constituted a threat to the existence or functioning of non-government schooling in NSW. All of them objected to the extent to which the reports of the Working Party were 'teacher centred', somehow tending to 'worker participation' and 'worker control'. The NSW Parents Council for Educational Freedom, demanded that legislation be introduced to protect the autonomy and independence of the non-government schools. The President of the Council, Mrs J. Lonergan was reported to have made submissions to the Working Party along these lines:

"This council considers that a teacher-centred commission and an employing authority as proposed in the interim report of the working party are in imminent danger of being foisted upon our community," said Mrs Lonergan.

"The dangers of an education commission, representing the vast majority, teaching interests, cannot be too strongly stressed".

"The proposition that teachers and Teachers' Federation personnel should represent on the commission all sectors of education is highly dangerous to a pluralistic society, and mind-stopping in its implications." Mrs Lonergan thought that the 'interests' which should be represented in Ministerial appointments were parents and taxpayers: presumably to be appointed from among the executive officers of groups such as her own.

The character and extent of the fears which the non-government employers held of the establishment of a 'teacher centred' Commission are well indicated by the exclusions contained in the Act which eventually established an Education Commission. A separate section on 'Non-government education' provided that in the exercise of its functions, the Commission:

(a) shall have due regard for the independence, freedom and development of the non-government sector of the education system;
(b) shall not purport to exercise any function conferred or imposed on the Minister relating to the registration or certification of non-government schools;
(c) shall not seek to impede the access of non-government educational authorities to the Minister or the Government;
(d) shall not intervene in discussions relating to governmental assistance to non-government education; and
(e) shall not purport to control or regulate the education, appointment or promotion of teachers or other staff in non-government schools or the conditions of employment of those teachers or that other staff.

In the environment of deep concern among the non-government employers about the intentions of the Federation and about the purposes of the Education Commission, the ITA played the Federation card willingly. Thus, the Secretary in 1977:

This Association has a mandate to represent the interests of teachers in independent schools. If it does not exercise that mandate judiciously and honestly when the circumstances of a case demand it, the mandate would be revoked by the Industrial Commission and given to a body that can protect the industrial interest of independent teachers. If this were to ever happen the true independence of our schools could be seriously threatened.

In the debate about the proposal for an Education Commission the ITA supported the position of the employers and distinguished its policies from those of the Federation. The union wrote to the Premier in October 1978, attacking the interim report of the Working Party and demanding representation on any proposed Education Commission for the non-government sector. The Catholic Weekly printed this letter, an action to which the ITA's Secretary attributed the increase in the union's membership. The ITA generally presented itself as a responsible and non-militant champion of that sense of Christian justice on which the very existence of the non-government sector was predicated. More importantly, the ITA could stand forth as defenders of the non-government sector, a bulwark against the Federation:

The employers must realise that the ITA is motivated by goodwill and a desire to protect both the teachers and the independent school system.

If they do not do this, they are soon going to find themselves confronted by bodies which are destructively aggressive and motivated by few altruistic principles.

It is a fair comment and a fair warning to extend to parents and to all authorities in the independent school system in New South Wales that unless they encourage their teachers to belong to this association which strives for social justice and the welfare of its members by due process of law and by proper negotiation within the spirit of the Industrial Arbitration Act, they are going to be confronted by another and most unpleasant alternative.

There are elements within our community which have as their known objectives the elimination of the independent school system. All those connected with the independent system are deluding themselves if they think that they would continue to have an autonomous, independent school system in which the teachers belonged to a body which would most likely be consistently engaged in industrial action of a not always responsible nature.

It is also fair comment to say that such industrial bodies would be pretty 'leftish' in their approach to social problems and politics.

When all was said and done, or so it seemed, the problem of 1977 was how to save the non-government sector from the Teachers' Federation. The solution was to entrench the ITA in the formal industrial system, to the extent necessary to hold the Federation out. The support of the employers, an absolute preference clause in the award and the automatic deductions of union subs: these were the conditions which allowed the surge in the ITA's
membership numbers after 1978. The union enjoyed a new institutional security and a new legitimacy, conferred upon it by the NSW Teachers' Federation and the Hagan Working Party.

None of this is to say that the ITA was merely a dependent or subordinate union. The ITA took its chances as they came but the role it sought was one which demanded for its members the full franchises and privileges of participation in the formal industrial relations arrangements of the State of New South Wales. From time to time roles forced the union into opposition to the employers. In 1980, in particular, the union showed a disposition to demand wage increases and to offer the threat of militancy. The employers seem to have been offered the prospect of the development of militancy from within the ITA, as well as that of a takeover by the Federation. Increased activity on wages and the like, the ITA argued, was not the same thing as increased militancy but was certainly evidence of potential for the development of militancy. The outcome would depend on 'partnership between the ITA members and non-government school employers'.

The growth and development of the union, moreover, was evidently the result of its own energy and activity. From about 1977, increases in membership produced an increasing subscription income, which the union used to increase its organising capacity. The union began to acquire a full-time staff, in addition to the Secretary, with the appointment of Michael Raper as organiser in 1977. (Raper became Secretary in 1980) In 1978 the union elected its first woman President, Patricia Calabro. By 1980 there were in the office: a Secretary, an Assistant Secretary, two organisers, an administration officer and an industrial officer. To house them, the union had acquired new offices at 32 York St, in the City. That staff serviced twelve branches, most of them formed since 1977, which, together, covered the State. The union had begun discussions about affiliation to the NSW Trades and Labor Council. In 1980, as well, the union established its first women's committee. Perhaps one of the most important signs of a developing self confidence and independence of mind in the union was the fact that it began to hold its own education conferences: taking to itself a concern with the 'professional' aspects of teaching.

Some Conclusions

The experience of the ITA between 1972 and 1980 suggests something of the complexity of the relationship between unions and the communities in which they subsist. These 'communities' in the first instance comprise the people who are or might be members of the union. However tenuous it may seem, the point must be made: 'the union' and 'the community' might well be separate entities but often are not. People may hold in their minds, and have as part of the ordinary experience of their life and work, a sense of community, or of a variety of communities, at the same time that they hold notions of unionism. Those people might have a range of allegiances and connections — social, political and religious — which from time to time might or might not offer support to the union, which might be understood in relation to one another, or be kept in separate boxes in the mind, connected or not connected by a variety of combinations of logic, principle, faith or belief.

The case of the ITA was the more interesting and difficult because the primary allegiance of a large proportion of the lay teachers in the systemic schools was to a religious community led by that group of Religious who had been displaced and deskilled by the very process which brought into being the lay workforce. The Religious continued to own the buildings and the land and to administer and control the school system. The Religious were the 'employer'. The Religious, moreover, were sustained by a concept of vocation and of consecrated service which overshadowed and subordinated the secular concept of a teaching profession. The idea that the lay teachers might form a lay apostolate, acting as successors to the Religious in a mission of faith, stood in contrast to the necessary assumption of trade unionism, that the lay teachers were workers doing a job.

Evidently, this was not a set of circumstances which propelled lay teachers en masse into the arms of the union. There does not seem to be much reason to believe that, left to their own devices, the lay teachers would have given the kind of support to the union which developed after 1978. The 'employer' and a large proportion of the lay workers were, in some sense, bound together as part of the same 'community': it was likely to be the union which was thought to be alien, just as the secular, humanist teaching professional — to the minds of some Catholic teachers — was alien.

The union probably succeeded because it had the opportunity to define itself as part of, and a defender of, that 'community' which bound the employer and the lay teachers together as part of the 'non-government sector'. The ITA grew as it did because of the formal institutional rules of the NSW Industrial Commission and, in particular, because of the rule made in 1978 giving absolute preference of employment to union members. That rule was made with the support of the employer and given effect by the continuing support of the employer for the union. The union achieved that support by its support for the mission of the employer, by distinguishing itself from the policies and practices of the Teachers' Federation.

Notes

1. On the Assistant Masters' Association and the Assistant Masters' and Mistresses' Association, and the takeover of the union by the lay teachers, see R. Mentzies, "Business Arising..." The Council Minutes of the NSW AMA, AMMA and ITA, Sydney, 1984. Although it also covered pre-school teachers and special education teachers, the ITA in 1972 seems predominantly to have become a union of Catholic lay teachers.


6. ibid., p. 17.


8. W. McKeith, op.cit., p. 16.


10. ibid., 2 October 1975.


12. ibid., 22 October 1978.


15. ibid., 12 June 1975.

16. ibid., 22 May 1975.

17. ibid., 22 October 1978.


19. ibid.


22. W. McKeith, op.cit., p. 17.
24 ibid., 5 October 1980.
26 ibid., 27 October 1977.
27 ibid., 19 February 1978.
29 ibid., vol. 6, no. 5, 1978.
32 ibid., 5 December 1984.
33 W. McKeith, op. cit., p. 17.
34 1961 AR 479.
35 Teachers (Non-Government Schools and Pre-Schools (State)) Award, New South Wales, Industrial Gazette, vol. 178, 30 September 1970, Clause 8.
38 ibid., vol. 6, no. 6, 1977.
39 ibid., vol. 6, no. 8, 1978.
40 W. McKeith, op. cit., p. 39.
41 ITA Newsletter, vol. 6, no. 12, 1978.
42 Catholic Weekly, 1 June 1983.
45 ibid.
48 See, for example, [1972] AR 127 and [1972] AR 144.
49 In re New South Wales Teachers’ Federation (No. 2), [1973] AR 206.
54 ibid., 16 June 1977.
55 New South Wales, Education Commission Act 1980, s.35.
57 Catholic Weekly, 1 October 1978.
58 ibid., 2 April 1978.
59 See, for example, the ITA Newsletter, vol. 8, no. 4, 10 June 1980.
60 ibid., vol. 8, no. 8, 24 October 1980.
61 ibid., vol. 5, no. 8, 1977.
62 ibid., vol. 6, no. 8, 1978.
63 ibid., vol. 8, no. 8, 24 October 1980.
64 ibid., vol. 7, no. 4, 1979; vol. 7, no. 7, 14 September 1979.
65 ibid., vol. 8, no. 8, 24 October 1980.
66 ibid., vol. 7, no. 7, 14 September 1979; vol. 8, no. 5, 6 July 1980.