Shadows of 1951

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Abstract
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The 1951 New Zealand waterfront dispute started in February of that year when a General Wage Order granted a 15 per cent increase on all Award rates except interim increases. The employers argued that waterside workers were only entitled to 9 per cent, since their last increase in late 1950 was an interim decision, but the wharfies were irate, since their understanding was that the 1950 decision was not an interim one. Further, the employers argued, wharfies had more than enough take-home pay via overtime. The workers countered that overtime involved the erosion of their own free time and should not be regarded as a reason to restrict general wage entitlements and destroy parities.

Since overtime appeared part of the problem the Watersiders’ Union (WWU) banned all overtime as from 14 February 1951. Employers immediately retaliated, locking out the entire New Zealand waterfront labour force.

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Talks followed, the Government and employers seeking to have the matter resolved by arbitration via one of two authorities. The union contested the impartiality of both authorities, preferring conciliation under the chairmanship of an industrial magistrate it believed to be fair and firm. The Government rejected this, delivering an ultimatum: resume normal work or face the consequences. The union ignored the ultimatum, so the Government suspended all waterfront agreements, declared a “state of emergency”, gazetted tough wide-ranging Emergency Regulations, which sanctioned unrestricted police entry to premises, and made it illegal to aid and abet a declared strike in any way – be it picketing, strike pay or family assistance. The union was deregistered and the armed forces were moved to the waterfront to load and unload ships.

It is difficult to encapsulate the chaos, confusion, bitterness, and violence that followed. Other workers instituted prolonged solidarity actions with or without official leadership sanction, including the New Zealand Seamen’s Union (NZSU); police savagely dispersed gatherings of strikers with batons, with many victims requiring hospital treatment. There was an unsuccessful attempt to dynamite a railway bridge used by scab miners; the Government issued a call to form a volunteer Civil Emergency Reserve; police raided the homes of hundreds of militants, and families were terrorised in the process. The pro-strike case was banned from general publication; the Leader of the Opposition was banned from speaking about the strike in public; illegal underground broadsheets and newsletters flourished; Government sponsored and shipowner bankrolled scab wharf unions formed in all ports.

The dispute went on for 149 days (151 by some calculations) until the defeated WWU resolved to return to work on 11 July, 1951. Seamen agreed to sign on that day; miners were already in the pits. The first watersiders actually resumed work on July 16. They did so with the necessity to rebuild, and without any gains except the experience of struggle.
A multiplicity of factors contributed to their defeat. The Government had sought the confrontation and was prepared for a showdown. The WWU was isolated from the national union movement before the dispute began. The length of the conflict exhausted human and material union resources; there were bitter splits and antagonisms within and between unions, and tactical misjudgments.

The Government relished the victory, called a snap election, romped in with the biggest conservative majority in New Zealand history, and subsequently wrote into permanent law the worst of the Emergency Regulations.

Australian militant unions became involved, in particular the Waterside Workers’ Federation (WWF) and the Seamen’s Union of Australia (SUA). In a sense it was a matter of course. There were longstanding trans-Tasman fraternal ties. And what else do militant unions do when confronted with black vessels and their black cargoes?

But the dispute was something the Australian unions’ communist leaders, Jim Healy (WWF) and E.V. Elliott (SUA) could have done without. Indeed Healy and Sydney wharfies’ leader Tom Nelson had variously cautioned their New Zealand counterparts during 1950 and 1951, while Elliott’s personal relationship with his New Zealand counterpart, Fintan Patrick Walsh, was one of longstanding animosity.

Both Australian unions were strenuously engaged in the pursuit of pent-up industrial claims shelved during the 1939-45 war effort; both unions were prime targets of hysterical anti-communism in the press and Federal parliament, and this tended to muddy industrial relations. Both unions were vigorously campaigning against the foreign and domestic policies of the Menzies government. Groupers were active in both unions, especially the WWF where the Grouper dominated Melbourne Branch threatened the Federation’s unity. Both unions were at loggerheads with the ACTU leadership over their affiliation with the World Federation of Trade Unions (WFTU), an alleged Soviet front. In March 1951 wharfies Assistant-Secretary Ted Roach was sentenced to 12 months’ jail for contempt of the Arbitration Court; the Crimes Act hung over both unions, and Healy and Elliott in particular, like the sword of Damocles.

The message from the anti-communist onslaught, launched by the Chifley Government in 1948 and enthusiastically extended by the Menzies’ Coalition, with its rash of police and security raids, prosecutions, imprisonments, and creative uses of the law, was that solidarity actions generally, and strike relief fund raising in particular, should be achieved without leaving trails – paper, telephonic, telegraphic or otherwise, and without recourse to union funds or, where possible, the banking system. This could be achieved in militant outfits where oppositional traditions and culture, and various communal and peer pressures, prevailed; and it was an easier task for Elliott, with 3500 members, than it was for Healy with 26,000 members.

Unofficial bans were instituted, strike relief funds were raised and variously transferred to New Zealand. The SUA, for example, repaid a substantial loan from the NZSU lent in 1922. Money was paid to Australian based firms with New Zealand outlets, or vice versa, establishing lines of credit for the strikers; money was clandestinely conveyed to New Zealand by SUA members on board the trans-Tasman passenger and mail vessel Wanganella, exempted from bans for communications and strike relief purposes, until its crew took industrial action as events hotted up.

The whole business came unstuck in May when the Grouper-dominated Melbourne branch of the WWF refused to act upon unofficial bans and demanded an official bans order from Healy. ‘Big Jim’ fell into the trap, and obliged by telegram. The unofficial WWF ban became official, the telegram later the basis of a successful Crimes Act prosecution of Healy (resulting in a jail sentence which, on appeal, was reduced to a fine). Under police protection, troops and airforce personnel handled cargoes.
Against a background of hysterical and inflammatory press stories and Government statements, Commonwealth officers using Crimes Act warrants raided the Sydney and Melbourne offices of both maritime unions, and carried off records. The wwr was threatened with deregistration and the formation of rival scab unions. The wharfies lifted their bans in early June.

The unofficial SUA bans remained intact, and vessels on the New Zealand run experienced difficulties raising crews, while SUA controlled Melbourne tugs refused to aid New Zealand scab-loaded vessels. Individual SUA members who turned down work on New Zealand run vessels, as was their legal right, were quizzed by Commonwealth officers. Elliott was subjected to a second Crimes Act grilling by investigators in mid June.

Along with rising anger over the earlier jailing of Ted Roach, the prosecution of Healy, and prosecutions of former Brisbane wharfie secretary, E.C. Englart, and G.A. Doyle and Mol. Donegan of the Painters and Dockers, this move threatened to escalate the solidarity actions into a much wider industrial dispute. This was something Elliott, the last free player, was keen to avoid. He was of the opinion that there was much in events to date that reeked of a set-up. Seamen lifted their bans on July 5, by which time the 20,000 New Zealand strikers were variously deciding to, or were, returning to work.

In hindsight, Elliott was right. In 1950 the Menzies government created a top-secret project code named “Operation Alien” to mobilise the armed forces for use in industrial disputes. This operation was under the direct control of Menzies, and a special staff of military personnel and the Assistant General Manager of Shell. The Operation went hand in hand with other public and secret schemes: the 1950 Communist Party Dissolution Bill; the anti-communist Referendum of 1951; detailed planning during the 1950s to intern communists and suspected communists; and subsequent draft legislation that linked being a communist with the death penalty. As ASIO even regarded the likes of boxing champ Jimmy Carruthers, church leader Reverend Alan Walker historian Manning Clark as security threats, the mind boggles where this all could have led.

A Machiavellian Department of Labour and National Service report to Cabinet, dated 1 March 1951, in relation to Operation Alien and the WWF Award campaign earlier that year, reveals a premeditated strategy. The plan was to force the WWF to extend the area of dispute and offer targets for prosecution which, in turn, would inflame matters, creating an emergency situation requiring the use of the armed forces. Presumably other parts of the conservative agenda could then be implemented. The strategy failed in early 1951 but the New Zealand dispute offered Menzies a second chance.

The ideological and economic mind set of the Menzies regime in Cold War Australia needs to be understood for any of this to make sense. The Government was fixated on the significance of the waterfront and maritime labour. In its view, all industrial action was communist inspired; communist unions were responsible for Australia’s economic problems generally and inflation specifically; and according to ASIO, the New Zealand strike and subsequent solidarity actions were part of a Moscow orchestrated attempt to disrupt the Pacific zone.

Why bother about 1951 today? Well we have an ideologically driven conservative Government that still worships at the Menzies’ mausoleum. In Opposition this Government was quick to blame maritime labour for Australia’s economic woes. We have a union-busting Government legislatively intent on sabotaging the Australian shipping industry, repealing cabotage provisions, and increasing Australia’s reliance on ‘Flag of Convenience’ shipping. This is a disastrous agenda in regard to Australia’s economy and environment, and one that aims at weakening the industrial power of organised maritime labour. Seems to me little has changed since 1951!

As I see it, now is a time for building bridges in the union movement, a time to strengthen our forts and imaginatively reach out to the young to bring them into the union movement; a time to fight certainly, but also a time for cool heads and responsibility.
Let us understand that the Australian union movement is a heritage derived from well over a century of struggle; it is a heritage to be nurtured and nourished, and not squandered or betrayed. It is as relevant today and tomorrow as it was in a century of yesterdays. But for this great heritage to reach into and help shape the 21st century, we may first have to rally in the cause of our maritime comrades.

Sources