

Recorder

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MAY DAY IN MELBOURNE - 3 May 2009

By Peter Love

As Recorder readers well know, Labour Day or Eight Hours Day has celebrated the achievements of the trade union movement in Melbourne since 21 April 1856. In 1892 Melbourne Anarchists commemorated the 1886 Haymarket Massacre in Chicago with a May Day march, following the Second Socialist International's 1889 declaration of 1 May as International Workers' Day. Intermittently since May 1892 there has been a procession with associated cultural activities in Melbourne. This year's events continued the customary focus on campaigns for workers' industrial, political and civil rights.



As the crowd gathered at the Lygon Street front of Trades Hall, children enjoyed the monster slide, merry-go-round and rides in the model train provided by the May Day Committee. Adults milled about exchanging greetings and the usual comradely banter about the one true path to peace and prosperity. Others simply lined up at the CFMEU BBQ for Albert Littler's sausages, hamburgers and his T Shirt's message about the perfidious ABCC. As 1.00 pm approached the numbers swelled and the street

was festooned with banners and placards proclaiming the justice of causes from such diverse parts of the world as the Middle East, Sri Lanka, Latin America, Asia and Australia. The issues were the perennial ones, oppression and liberation, democracy, social justice and self-determination. If there was a unifying theme, it was that by joining in common cause for a socialist future, workers of all countries might build a secure and civilised world for themselves and their children. Tables, on both sides of the street, attended by earnest and often jovial reformers, offered various road maps of how they might get there. With the May Day banner at its head, the procession set off on a route through the city that, despite the considerable contingent of young activists, had been foreshortened in deference to the codger comrades, with seats in the model train reserved for the few venerables.



After an hour's good-natured perambulation, the crowd returned to the temporary stage at the main entrance to Trades Hall where the Victorian Trades Union Choir and Danny Spooner led the singing of the usual musical suspects; the Internationale, Solidarity Forever, etc. These were interspersed with speeches from Len Cooper

on behalf of the May Day Committee, Brian Boyd for the VTHC and speakers on some of the causes represented at the event. Well satisfied at the declaration of the various causes, most of the comrades moved into the Trades Hall building for a very tasty afternoon tea, followed by a socialist sing-along, again led by Danny Spooner and the VTU Choir, all of which rounded off proceedings in a mood of congenial comradeship, made all the more pleasant by the day's balmy autumn sunshine.



In the early evening there was an associated gig at the Melbourne Unitarian Peace Memorial Church in East Melbourne to celebrate activist folk singer Pete Seeger's 90th birthday and support the campaign to nominate him for the Nobel Peace Prize. A standing-room-only audience heard tributes to Seeger's exemplary life of campaigning for peace and social justice through song. Choirs and noted folk singers presented sets of his songs, which the audience joined in joyous chorus. One of the most moving sets was sung, unaccompanied, by the Labour History Society's own Ken Mansell. He did us proud on a day that was a salutary reminder of the vitality of the movement that the ASSLH serves.



BIG RED BOOK FAIR

Trades Hall
11am to 5pm, Sat 20 and Sun 21 June

TRADES HALL'S 150th BIRTHDAY

By Peter Love

STREET PARTY & DINNER: Sunday 24 May 2009

Melbourne's Trades Hall is an imposing symbol of the labour movement's continuing campaign to civilise working life for ordinary people. Inspired by the 1856 campaign by Melbourne building workers for the Eight Hour Day, it was a tangible assertion of their determination to manage their own affairs as a movement, co-ordinate their campaigns and speak with a united voice on behalf of their members.



A Trades Hall Committee was established in the wake of the 1856 campaign. In 1858 they were given a Crown Land Grant of one acre (0.4 ha) on the corner of Victoria and Lygon Streets, Carlton South. A modest timber building titled the Trades Hall and Literary Institute was constructed on the site in 1859 to house the Trades Hall Council.

The original Hall was replaced, in stages, by the current assortment of buildings between 1875 and the mid-1960s. The older, more elegant facades face Victoria Street and Lygon Street, where tall columns frame the main entrance.

On the evening of Sunday 24 May 2009 the Trades Hall and Literary Institute Trustees, VTHC office-bearers and staff arranged a 150th birthday party for the Hall. The celebration took the form of a street party and dinner, conducted on the steps of the main entrance and in a marquee assembled on Lygon Street in front of the columned portico.

As invited guest assembled at about 6.00 pm there was talk of the Hall's colourful history as the home, at various times, of the Trades Hall Council, most Victorian unions, the Victorian Branch of the ALP and the original offices of the ACTU. It was remembered as the base for the anti-conscription campaigns during the First World War,

'J.P.M.' – John Peter Maynes (Part 1)

By Keith Harvey

unemployment agitation during the 1930s depression, the home of the radio broadcast in which Australians first heard that the Second World War had ended, the epicentre of the factional explosion that split the labour movement in the mid-1950s, the base for the fight against the Penal Powers in 1969, rallying point for Anti-Vietnam War demonstrations and many more recent campaigns. In keeping with its origins in a mobilisation of building workers in 1856, there were dark mutterings about the dastardly doings of the ABCC on the night.

The event began with a Welcome to Country and a fine and energetic performance by an indigenous dance troupe, which captured the attention of the audience who applauded enthusiastically.

The sit-down dinner was interspersed with brief speeches from union and Trades Hall officials. There were also speeches about the Hall by historians who focussed on the early history of the buildings. They reminded the guests of the deep historical resonances that were present in their surroundings.



The Victorian Trade Union Choir added their own contribution to the occasion with a set of stirring labour songs, including that enduring union anthem Solidarity Forever.

After the speeches and the Choir, guests settled into their dinner conversations and other comradely socialising with a lively and engaging performance by a string quintet of young musicians in the background.

Although the Trades Hall's 150th birthday party was not as exuberant as the grand celebrations at the Cremorne Gardens in April 1856 to mark the Eight Hour Day, there were some remarkable historical continuities; a sit-down dinner under a marquee, speeches and music. Perhaps it was fitting, however, that a 150th birthday party should be a little less boisterous as the labour movement faces some ominous challenges in the present global economic crisis.

On 15 April 2009, John P. Maynes died. As an ALP Industrial Grouper, Victorian branch president and Federal President of the Federated Clerks Union of Australia, he played a controversial role in the trade union movement in the postwar period. In the first of a two-part article for Recorder, Keith Harvey, a National Industrial Officer of the Australian Services Union, provides an overdue appraisal of this historically notable individual.

John Peter Maynes was a central figure in the anti-communist right of the labour movement for most of the second half of the twentieth century in Australia. Often referred to simply as "JPM", Maynes rose to prominence in the 1940s when a number of ALP State Branches established Industrial Groups to fight communist influence and control in the union movement and through that movement, the Australian Labor Party (ALP).

The formation of Industrial Groups within Victorian unions was authorised by the Victorian ALP at Easter 1946. An industrial group was established in the Victorian Branch of the Federated Clerks Union of Australia (FCU) in September the same year. John Maynes was the Group's first President^[1] and one of a number of prominent and successful anti-Communists who emerged at this time.^[2] When the Groups, having been established by a number of State Branches of the ALP (but not by all), formed an Interstate Group Liaison Committee, Maynes was its Secretary (the Ironworkers' Laurie Short, who also died in 2009, was Vice Chairman).^[3] Maynes remained a key organiser and 'numbers man' for the anti-communist right in the labour movement until 1992 when he retired.

In the late 1940s, Maynes was a member of the Commercial (or general) section of the Victorian Branch of the Clerks Union. He was working in an accounting position at a Melbourne radio station.^[4] At this time, the FCU was controlled by an alliance of branches, including the Victorian Branch, supporting Federal Secretary H.R. Thorne and J.R. (Jack) Hughes, Federal Vice-President and NSW Branch Secretary.^[5] Hughes was a left ALP member (but also a member of the Communist Party) in the troubled NSW ALP between the wars and later.^[6] Thorne was a member of the Communist Party.^[7]

Allegations of ballot rigging were rife (and often proven) in this period of intense competition between the Groupers and the pro-Communist forces for control of unions. The Industrial Groups concluded that unions could only be won away from Communist control by 'clean' ballots, conducted by non-partisan returning officers appointed by order of the industrial courts.^[8] The Industrial Groups successfully lobbied the post-war Chifley ALP Government

to legislate for court-controlled ballots where allegations of ballot rigging could be proved.[9]

An opportunity for such a court-ordered ballot came in the Victorian Branch of the FCU in 1950. The left-controlled Victorian Branch Executive had appointed Fred Farrell as returning officer to conduct and count the ballots in the Branch elections. The exact result of the first ballot was unknown, since Farrell had burnt the ballot papers rather than declare the result, which was presumably not in the incumbents' favour.[10]

The Nowra Conference

This provided the perfect opportunity for the Industrial Groups to seek – and ultimately obtain – the first ever court controlled ballot for office bearers in a union.[11] The fresh ballot subsequently held was for officers of the Victorian Branch and for crucial Victorian delegates to the FCU National Conference, due to be held in March 1950. Numbers were so tight on the National Conference that Hughes had taken the extraordinary steps of disenfranchising a number of branches, thus preventing them from voting.[12] The Victorian result was critical to the balance of power.

The votes in the Victorian ballot were being counted as the National Conference assembled at Nowra in NSW. The Conference seated the previously-elected Thorne/Hughes supporters from the Victorian Branch, but the Maynes-led Industrial Group ticket won the ballot. John Maynes was elected Vice President of the Branch and as one of three Victorian delegates to National Conference. In anticipation of the result, Maynes (and two of his Victorian colleagues) had travelled by train to Nowra and were notified by telegram by supporters of their success.

However, the Hughes controlled Conference refused to accept the credentials of the newly-elected Victorian conference delegates and to permit Maynes to vote at the Conference on behalf of the new Victorian Executive, or even to sit in as observers. Maynes was allowed to address the Conference to argue in support of his group's right to take its place as the newly elected delegates from the Victorian Branch. He warned the Conference that their failure to seat the new Victorian delegates could threaten the legality of the meeting.[13]

Defeat of the left would have to wait until 1952 following court action by the Maynes-led Industrial Group and lengthy negotiations between the two groups. Eventually all the decisions of the Nowra Conference were set aside by the court and the newly elected Victorians recognised as delegates. The control of the Industrial Groups was further consolidated in July 1952 when the NSW FCU Industrial Group also won control of the NSW Branch of the FCU – Hughes and Thorne eventually lost both their NSW and Federal positions.[14] Industrial Groupers eventually won control of all geographic Branches of the Union, except the SA Branch where left-winger Harry

Krantz held sway. The Taxation Officers Branch had supported Hughes industrially, but not politically, due to his work in establishing wages and conditions for Commonwealth temporary clerks.[15]

The ALP split

Despite their success, or perhaps because of the success of the Industrial Groups in building their power in the union movement and the ALP, trouble soon loomed. The ALP subsequently dis-banded the Groups, precipitating the 1955 split in the ALP and the formation of the political party which ultimately became known as the Democratic Labor Party (DLP).[16]

Maynes and key supporters in Victoria found themselves outside the ALP, many of them joining the DLP, but still held key elected positions in the Victorian FCU and at the Federal level. The split in the party did not occur in all States and a number of former Industrial Groupers remained in the ALP, notably in NSW.[17]

FCU Federal Secretary, Joe Riordan, rose to power in the FCU through the NSW Branch Industrial Group (directly opposing Hughes) but remained in the ALP, later becoming a Federal parliamentarian and a Minister in the Whitlam Government (and later still a Senior Deputy President of the Australian Industrial Relations Commission).[18]

At this time, Maynes held only honorary positions in the FCU at both Victorian Branch and Federal level. By the time of the ALP split and the disbanding of the ALP Industrial Groups, he had emerged as a key figure in B.A. Santamaria's National Civic Council, also known as "The Movement", where he became responsible for the NCC's industrial work, that is, its work in the trade union movement.[19] As part of this work, Maynes documented the rise in Communist influence in the trade union movement in his best-known short book, *Conquest by Stealth*. [20]

Maynes worked full-time for the Movement but this meant that he also had the ability to pay particular attention to his roles as an office bearer in the FCU. As a result of the ALP split there were understandably some tensions between the NCC supporters in the FCU – centered around Maynes – and those former Groupers who had not left the ALP (such as Riordan) but they were nevertheless united on the anti-Communist right of the labour movement.

Building the Union

With the broad anti-communist right firmly in control of the FCU, efforts went towards building the membership base amongst largely conservative clerical employees. Prior to the war, the strongholds of the FCU tended to be found in industrially militant industries such as stevedoring. The FCU's challenge was to broaden the base of the union and recruit widely in other sectors.

Private sector employers have frequently been particularly hostile to the unionisation of clerical and other office employees and resisted strongly the efforts of the FCU to recruit such workers. The Maynes-Riordan strategy to build white collar unionism was two-fold.

Firstly, the Union sought to exploit changes to industrial legislation in 1947 which allowed the Arbitration Commission to insert into industrial awards so-called 'preference clauses', which provided that, under certain conditions, preference in employment would be given to union members over non unionists in hiring, layoffs and even in promotions and the taking of leave.[21] Since employers did not want to be inhibited in actual practice as to who they could hire and fire, the net result of such clauses was that the employer either became neutral as to whether their employees could join the union or actively encouraged union membership, to the point of making union membership a condition of employment. [22] Preference clauses could not be obtained automatically and normally only on application and where a union could prove employer hostility to unionism such that the employer was unreasonably frustrating the Union's efforts to recruit. The FCU took on employers in the oil industry, winning preference in a major case argued by Federal Secretary, Joe Riordan, which was to have far reaching implications.[23]

Secondly, the Clerks Union exploited its position of strength on the waterfront and its militant membership among tally clerks to put pressure on employers, such as retailers, but also major manufacturers like Ford,[24] who needed their goods processed across the wharves in a timely fashion. Faced with preference on the one hand and 'lost' containers on the other, employers often relinquished their opposition to unionisation and agreed to sign membership agreements with unions which provided that new employees would be given a membership card at the commencement of their employment and that payroll deduction of union dues would be made available. Under such conditions, white collar union membership blossomed. In 1974, the FCU's membership had peaked at nearly 110,000[25] having grown by 65% between 1970 and 1974 and becoming the largest white collar union in Australia.[26]

Other white collar and related unions also benefited.[27] The Retail Membership Agreement signed by the key retail industry unions including the FCU (and the ACTU) with six major retailers in 1971[28] benefited the Shop Assistants Union even more, eventually resulting in it being the largest union in Australia, a position maintained today – long after preference and union membership agreements have been abolished.

The Shop, Distributive and Allied Employees Union (SDA) was, in many ways, a sister union to the FCU for many years, sharing buildings and even jointly purchasing a building together in Melbourne in 1976.[29] Long serving

SDA National and Victorian State President Jim Maher was a friend and political ally of John Maynes. Together, with the FIA and the Carpenters and Joiners Union, the FCU and the SDA formed the core of the anti-communist right outside of the ALP (in Victoria at least) but were active and influential within the ACTU and other union forums.

Part 2 will appear in the next issue of Recorder.

1. G. F. Walsh, *The Federated Clerks Union of Australia: A Study of Government and Unionism in the 20th Century*, Unpublished PhD thesis, Monash University, 1984, p. 172. Murray, however, says Maynes was Secretary of the Clerks Industrial Group. R. Murray, *The Split, Australian labor in the fifties*, Cheshire, 1950, p 19.
2. R. Fitzgerald, *The Pope's Battalions: Santamaria, Catholicism and the Labor Split*, University of Queensland Press, 2003, pp. 79.
3. Murray, p 23.
4. Eulogy delivered by Kevin Maynes, 21April 2009. Copy in possession of the author.
5. D. Kenyon, 'A Constitutional Coup, The case of the Federated Clerks Union', *Politics*, Vol 1, No. 2 Nov. 1966, p. 97.
6. See D. McKnight, *Espionage and the Roots of the Cold War*, Frank Cass, 2002 and L. Milne, *The Clerks: Life and Work of the Federated Clerks Union in NSW, 1907-2003*, pp. 61-2 and Fitzgerald, pp. 50-51.
7. Kenyon, p. 97.
8. Murray, p. 25
9. Walsh, p. 178 and Murray, *ibid*.
10. Kenyon, p. 99.
11. Walsh, p.183 and Kenyon, pp. 99-100.
12. This account of the Nowra Conference is drawn from Walsh, pp. 185-190 and Kenyon, p. 101 and ff.
13. Kenyon, pp 103-04.
14. See Milne, ch. 8.
15. Walsh, 153.
16. See Murray, and B. Costar, P. Love and P. Strangio (eds.), *The Great labor schism: a retrospective*, Scribe Publications, Melbourne, 2005.
17. See also B. Ellem, 'Ideology and union purpose : the Federated Clerks Union in New South Wales, 1946-58', *Australian Journal of Politics and History*, Vol 43, No. 3, 1997.
18. Milne, p. 148.
19. P. Morgan (ed), *B. A. Santamaria. Running the Show, Selected documents, 1939-1996*, Miegunyah Press, 2008, p. 311.
20. J. P. Maynes, *Conquest by Stealth : Communist plan in the unions exposed*, Renown Press, 1960? See also A Davidson, *The Communist party of Australia- A Short History*, Hoover Institution Press, 1969, p. 157, n. 59.
21. Walsh, pp 238 and ff.
22. R. Cooper and G. Patmore, 'Trade union Organising and labour history', *Labour History*, No. 83, November 2002, p. 11; G. Zappala, 'A New Framework for the Closed Shop' in *Australian Industrial Relations, Working Paper 13*, ACIRRT, University of Sydney, July 1991.
23. Milne, pp. 213-4; R. Mitchell, 'The Rise and Fall of the Preference Power: The Practice of the Federal Commission, 1970-1987', *Australian Journal of Labour Law*, pp. 225 and ff.
24. See Walsh for an account of the 1962 Ford dispute re FCUA membership, pp. 220 ff including Maynes's visit to the Detroit HO of Ford.
25. Walsh, p. 254.
26. R. Lansbury, 'Growth and Unionisation of White Collar Workers in Australia: Some Recent Trends', *Journal of Industrial Relations*, March 1977, p 45.
27. Walsh, p 248.
28. G. Zappala, 'Mapping the extent of compulsory unionism in Australia', *Workplace Industrial Relations Project, ACIRRT Working Paper No 18*, September 1991.
29. 53 Queen Street was jointly owned by the SDA and the FCU and known for many years as 'FEDSDA House' until the FCU's share of the building was sold to the SDA after the FCU had merged to become the ASU.

Roger Coates Labour History Research Grant

Applications are invited from people currently engaged in (or about to commence) a research project dealing with Australian labour history (up to \$10,000).

The Roger Coates Labour History Research Grant will assist with the cost of such projects, with priority to projects with good prospects of publication or other public use, but without access to other funding. The SEARCH Foundation is auspicing the Roger Coates Labour History Research Grant. It is an independent, non-profit foundation established to promote social justice, environmental sustainability and the development of a more democratic and egalitarian society. Details of its aims and objectives are available on request.

Suitably qualified applicants should contact the SEARCH Foundation for detailed application guidelines. Applications must be received by 31 July 2009. Social Education and Research Concerning Humanity (SEARCH) Foundation. Level 3, 110 Kippax St, SURRY HILLS NSW 2010. Ph: (02) 9211 4164; Fax: (02) 9211 1407

www.search.org.au; admin@search.org.au

Congratulations to Val Noone



Congratulations to Val Noone who was named in the Queen's Birthday 2009 Honours List. Val was recognised for his service to education as an academic and historical researcher, and to the community.

11th NATIONAL LABOUR HISTORY CONFERENCE

Labour History in the New Century: the 11th National Labour History Conference, 8–10 July 2009, Perth.

Don't forget to register!

Convenor: **Bobbie Oliver**

Email: bobbie.oliver@curtin.edu.au

Website: <http://www.asslh.org.au/perth>



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FRANK COSTIGAN QC (14 Jan 1931 - 13 April 2009)

By Brian Smiddy

Frank Costigan came to be well known after his appointment, by the then Prime Minister, Malcolm Fraser as a Royal Commissioner into the Federated Ship Painters and Dockers Union. The Commission's inquiries continued for about four years and morphed into a wide ranging inquiry into organised crime.

Frank played an important part into helping to reform the Victorian ALP in the 1960s and 1970s. He joined with such people as John Cain and the late John Button in helping to make the ALP more democratic. Frank's membership of the ALP was at the time of the 1950s split. In spite of being a Catholic he refused to join the Democratic Labor Party and stayed true to his beliefs in social justice. Frank held several high offices in the ALP and he demonstrated against the hanging of Ronald Ryan, the Vietnam War and Apartheid. Later on, he let his ALP membership lapse because he believed the party had lost its way.

Former Victorian Premier John Cain said that as important as the Royal Commission was, Frank's other legacy was as a legal tactician who had the moral courage to stand up to the Catholic Church during the Labor Split and wade through sectarianism. To his family we extend our deepest sympathy.

Laurie Short (15 Dec 1915 - 24 March 2009)

By Brian Smiddy

With the death of Laurie Short on 24th March 2009, comes the closure of a significant chapter in the history of Australian Trade Unionism. Short was Federal Secretary of the Federated Ironworkers Union (FIA) for over thirty years, retiring in 1982. Before his election to this office, for some time he was a follower of Communism and later on he rejected the ideology. He became a forceful opponent to the then leadership of the FIA and following a number of battles at the factory level and in the courts, he became Federal Secretary. He held this office for over thirty years. Whatever is one's viewpoint, we must give credit where it is due, Short displayed great leadership qualities, both as an administrator and a public speaker.

Short was born in Rockhampton and with his family moved to Sydney in the 1920s. During the depression his family moved to the country where his father worked in the shearing industry, acting as a delegate for the Australian Workers' Union (AWU). Short credited his father with exposing him to union values. In 1993 the FIA amalgamated with the AWU.

In 1982, when Short retired the then NSW Premier, Neville Wran, said the union leader was responsible, probably more than anyone else, for the fact the Labor Party of NSW did not split in 1955. To his family we extend our deepest sympathy.