

## **Appendix 3C**

### **Unification Policies and Proposals of the Australian Labor Party and John Boyd Steel**

This Appendix presents a compilation of descriptions and quotes which document the evolution of the ALP's Unification objective, and details specific Unification proposals drafted by members of the Australian Labor Party, including a collaboration between Labor politician Frederick W. Bamford and staunch Unificationist John Boyd Steel.

#### **ALP Formation in 1891 and Limited Influence on Federation**

The Australian Labor Party website (as accessed on 9 April 2006) provides the following brief summary of Labor's formation:

The Australian Labor Party is Australia's oldest political party, formed in 1891 and thus more than a century old. It is approximately 30 years older than the Country Party and more than 50 years older than the Liberal Party. Labor became a federal party when the former colonies of Australia federated in 1901. Separate labour parties had been established in the colonies during the formative decade of the 1890s. ... During the early years of the ALP, the Party was referred to by various titles differing from colony to colony. It was at the 1908 Interstate (federal) Conference that the name 'Australian Labour Party' was adopted. In its shortened form the Party was frequently referred to as both 'Labor' and 'Labour', however the former spelling was adopted from 1912 onwards, due to the influence of the American labor movement.

Federation took place largely in the absence of Labor party influence, as Crisp (1978: 230-231) observes:

Labour had no representatives at the 1891 [Federation] Convention and only one at the Convention of 1897-8; Labor had no representative at any of the Premiers' Conferences of that period and in Colonial Legislatures Labour was at best a growing third party, something holding the balance of power. If Labour's influence on the making of the Commonwealth Constitution was any greater than these few facts would suggest, it was still marginal only. It is, then, not surprising that Labour was strongly critical of the Constitution which emerged in 1900 and thereafter consistently 'revisionist', seeking amendments which would permit a more direct and comprehensive national approach to Labour's objectives.

#### **Progress Towards Unification From 1900 to 1915**

The ALP's first national platform was established in 1900, the second in 1901 and the third in 1902 (Crisp 1978: 261-263), and from 1902 until 1930, ALP platforms contained two components: a 'Fighting Platform' for objectives seeking immediate fulfilment and use in

upcoming elections; and a 'General Platform' listing medium and longer term objectives (Crisp 1978: 262-263). By 1902, the objective of "compulsory arbitration" was one of several "planks" in the Fighting Platform, and the General Platform sought "uniform industrial legislation – amendment of Constitution to provide the same" (ALP 1902: 2; as quoted in Crisp 1978: 263; see also ALP 1902: 7; Crisp 1978: 231). Crisp (1978: 231) also observes that both houses of the Federal Parliament "had in June 1901 already unanimously endorsed the idea of complete Commonwealth power over hours, wages and conditions of labour". Crisp (1978: 231, citing ALP 1902: 7, 9) observes further that:

At the 1902 Federal Conference there was carried by a small majority a demand that the Constitution be amended to enable all industrial legislation to be taken over by the Federal Parliament – both Houses of the Parliament had in June 1901 already unanimously endorsed the idea of complete Commonwealth power over hours, wages and conditions of labour. Conference seems, however, to have been more unitedly behind Commonwealth control of all railways. For some reason, [however,] only the first of these two matters found a place in the 1902 platform.

Between 1908 and 1912, prominent Labor leaders, including Prime Minister Andrew Fisher, became strong advocates of complete Unification, and at the 1915 Federal Conference the Unification goal finally became part of the ALP's official platform (ALP 1912: 46; 1915: 38, 48; Healey 1955: 46-55, Crisp 1978: 232-237), where it was to remain until 1971 (Galligan 1995: 92-109). According to Crisp (1978: 232):

By 1908, however, the F.P.L.P. [Federal Parliamentary Labour Party] and the A.L.P. in the electorates had had repeated occasions for taking stock of the limitations of the Constitution in action. But the Party was still not ready for Unification (a term covering the transfer of complete legislative sovereignty to the Commonwealth Parliament, with or without abolition of State legislatures).

Further, according to Crisp (1978: 235; citing Fisher in ALP 1912: 10-11):

[At the Federal Conference of 1912] ... Speaking to a resolution in favour of 'Unification of the Australian States, with provision for local governing bodies' (subsequently defeated by nineteen votes to six) the Prime Minister, Fisher, said:

In my opinion the present Federal Constitution is not a workable one, not only from the Labour Party's point of view, but also from a national point of view. The present Constitution is altogether too restrictive in nature, and prevents the representatives of the people, elected on a broad franchise, from giving effect to the people's will ... If any Parliament can be trusted at all, it is surely that of which both Houses are elected by the people on adult suffrage. ... It may be necessary to redistribute the powers, and give the whole of the political power to the commonwealth in a larger and more general way.

### **Frederick Bamford, John Boyd Steel and Others from 1909**

Frederick William Bamford (1849-1934) was the MHR for the Queensland electorate of Herbert from 1901 until 1925, as a member of the Labor party until 1916, and of anti-Labor from 1916

until 1925, and was a Minister in the Government of Prime Minister William M. Hughes in 1916 and 1917 (Crisp 1978: 241). John Boyd Steel "was born and lived in Sydney, and died in 1950 at the age of 83", and "was a paper merchant by profession" (Winckel 2000: 26).

Bamford and Steel, often in collaboration, were involved in several early efforts to achieve Unification for Australia about a decade after Federation (Church 1913; Winckel 2000: 26-33). These efforts are now examined.

***Bamford's Petition of 1909 and Private Member's Bill of 1910 and the Formation of the Young Australia National Party***

Bamford was the parliamentary champion of two significant attempts to achieve Unification for Australia – a large petition in 1909 and a Private Member's Bill in 1910 – both of which involved cooperation with John B. Steel (Church 1913: 7-25; Winckel 2000: 27-30). Church (1913: 7) identifies the 1909 petition as the first major effort to achieve Unification in the years following Federation:

Amidst the enthusiasm and the jubilation that ushered in the inaugural Federal Parliament, not one citizen in ten comprehended the distinction between Federation and Unification. In fact, most people vaguely imagined that Australia was committed to some form of Unified Government whereby the newly formed Central Government would be enabled to govern the country in all affairs of national concerns. ... The more watchful and patriotic sections of the community, however, soon perceived the trend of events, and awoke to action. The first political action of note was the gathering of signatures for the Unification petition.

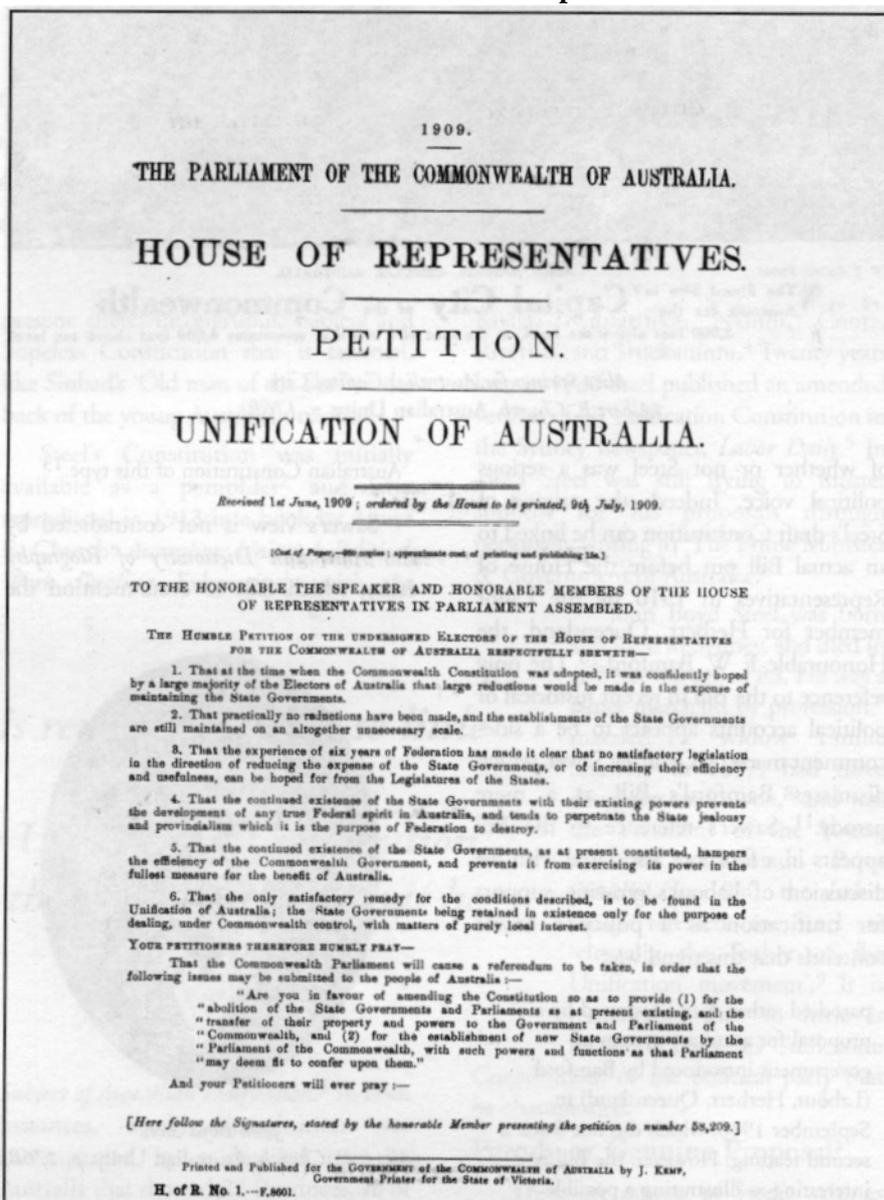
On 1 June 1909, Bamford presented to the House of Representatives a petition for the "Unification of Australia", as shown in Figure 3C-1 below, signed by 58,209 petitioners (Church 1913: 7-8; Winckel 2000: 28-29). The petitioners, according to Winckel (2000: 28):

were requesting a referendum to abolish State Governments and Parliaments and for the transference of all State property and powers to the Commonwealth. Furthermore, the Commonwealth was to be permitted to establish new States and allocate powers as it deemed fit to confer on them.

Winckel (2000: 29) observes further that:

The origins of the petition are uncertain, but in his letter to the Prime Minister in 1943, John Boyd Steel claims to have 'handed' the Petition to Bamford in the lobby of the State Parliament House. Apparently Bamford then submitted the Petition to the House of Representatives on the same day.

**Figure 3C-1: Petition for the Unification of Australia, Signed by 58,209 Petitioners and Presented to the House of Representatives on 1 June 1909**



Source: *House of Representatives Petition for the Unification of Australia, 1909* (Notes and Proceedings of the House of representatives during the Fourth Session of the Third Parliament, 1909, vol. 1, p. 299) as displayed by Winckel (2000: 28).

The petition "was quietly shelved by the anti-Unification (Fusion) Government then in power" (Church 1913: 8; see also Winckel 2000: 29), led by Alfred Deakin, but its "huge size" was "a good indication that the unification movement had not completely withered after the turn of the century and that both Bamford and Steel were serious advocates of unification" (Winckel 2000: 28). The government's dismissive response also inspired Steel and his unificationist supporters to form a new political party in mid-1909, the *Young Australia National Party* (YANP), whose central goal was Australian unification (Church 1913: 8; Winckel 2000: 29). As Church (1913: 8) observes, "the natural result of that suppression was seen in the sprouting into political

activity of the "Unification," or as it was called, "The Young Australia National Party." Church (1913: 8; see also Winckel 2000: 29) observes further that:

Though arousing considerable public interest, the party did not, at the time, achieve much in the domain of practical politics. Between the two great and well-organised industrial parties, Labour and Anti-Labour (Liberal) – the national fledgling was at the 1910 elections elbowed out of sight.

Whilst the YANP and YAP failed to achieve electoral success in 1910 or at any later stage, they and Steel individually maintained a serious country-wide presence, as Winckel (2000: 30) observes:

As President of the Young Australia National Party, John Boyd Steel coordinated an organisation with wide representation from every State. The YANP had a Secretary and Vice President, as well as contact addresses in each capital city. However, no member of the YANP was ever elected to the Federal Parliament, although Steel himself ran on three consecutive occasions for the New South Wales seat of Richmond – 1917, 1919 and 1922.

With Bamford remaining in the Commonwealth Parliament, the quest for Unification continued, and on 13 September 1910, Bamford "again supported the cause of unification" by introducing into the House of Representatives a Private Member's Bill, the *Constitution Alteration (Unification) Bill*, which "aimed to replace the six States with 16 Provinces, and create a more unified system of National Government with unlimited legislative power" (Winckel 2000: 29; see also Church 1913: 16-25; Crisp 1978: 241). The Bill began as follows (as reproduced by Church 1913: pages following p. 16):

**1910**

**THE PARLIAMENT OF THE COMMONWEALTH  
HOUSE OF REPRESENTATIVES**

Read 1<sup>o</sup> 13th September, 1910.

(Brought in by the Honourable F. W. Bamford)

**A BILL**

**FOR**

**AN ACT**

To alter the provisions of the Constitution so as to provide for the reconstruction of the States of the Commonwealth.

Whereas not less than sixty thousand residents of the Commonwealth have presented Petitions to Parliament praying that the question of the Reconstruction of the States of the commonwealth on a broader and more National basis be referred to the Electors ...

1. This Act may be cited as Constitution Alteration (Unification) 10, 1910.

**THE PARLIAMENT**

2. The Constitution is altered by repealing section seven and inserting the following section in lieu thereof:–

... The Parliament shall divide the Commonwealth into sixteen Provinces having an equality of population with community of interest so far as may be practicable ...

As Winckel (2000: 29) observes, "the second reading speech was scheduled for 20 October", but "was not brought on for debate", so "the Bill lapsed". Crisp (1978: 241) similarly notes that Bamford's Bill "was not proceeded with on account of Parliament's prorogation". Winckel (2000: 29; see also Church 1913: 19, 24-25) further explains the link between Bamford and the YANP as follows:

It seems that Bamford himself was responsible for penning the Unification Bill, but he very likely used the YANP unification proposal as a resource. Also, his draft Bill was said to resemble significantly the South African unification Constitution. Twelve months later he took his draft Bill to the YANP inaugural conference in Melbourne, and presented it for the Party's consideration. After much discussion the conference approved his proposals subject to certain recommended amendments. The YANP was determined that there should be more than Bamford's 16 Provinces (Steel had always suggested 22), and that the Provinces should have fixed, not fluctuating boundaries. Amongst other things, the Party also recommended that the Provinces each have less Members and Senators than Bamford had proposed.

Winckel (2000: 29-30; see also Crisp 1978: 241): also makes the significant observations that:

Bamford's Unification Bill appeared to be treated seriously by both the YANP conference and the newspapers of the day. Furthermore, according to L. F. Crisp, Bamford's 'elaborate Private Member's Bill' formed the basis of the broad unification platform adopted by the Australian Labor Party by 1919. This was despite the fact that Bamford exited the ALP in 1916 due to his vocal support for conscription and his close friendship with W. M. Hughes. Bamford continued to be returned to Parliament as a member of Hughes' new anti-labor Nationalist Party, but unlike many of Bamford's other Nationalist colleagues, he remained on friendly terms with the remaining members of the ALP.

W.M. Hughes was also an "ardent unificationist" (Healey 1955: 58), as described further below.

### ***Young Australia Party Platform in 1911***

After establishing an initial platform by 1910 (Winckel 2000: 31), the YANP's first Conference was held in Melbourne on 5-7 October 1911 (Church 1913: 12). At this Conference the party's name was reduced to the *Young Australia Party* (YAP) (Church 1913: 11; Winckel 2000: 31), and its policy platform was amended to begin as follows (Church 1913: 13; see also Winckel 2000: 31):

#### **AMENDED PLATFORM OF THE YONG AUSTRALIA PARTY**

ORGANISED TO UNIFY, PURIFY, AND SIMPLIFY THE GOVERNMENT OF AUSTRALIA

Adopted by Conference, Melbourne, October 7th, 1911.

#### FIGHTING PLANKS

1. Unification and Decentralisation.
2. White Australia.
3. Compulsory defence on land and sea.
4. Rapid construction of Transcontinental Railways.

The Conference in Melbourne on 7 October 1911 also confirmed the YAP's objective to "accomplish decentralisation" by providing "provincial governing bodies, locally elected, in small States called Provinces ... as provided in Bamford's Unification Bill" (Church 1913: 14), and to establish:

One Parliament, One Government, One National Sentiment, One Legal System, One Land Act, One Mining Act, One Fisheries System, One Railway System of one Gauge, One Financial System, One White-Immigration Policy, One Arbitration Policy, One Public Works Policy and system, and One Police system.

***Steel's 1912 Draft Constitution and Decentralised Unitary Model Comprising 22 Provinces and 7 Territories***

Steel (1912) published a comprehensive "draft of the proposed new Constitution for Australia" which, as Winckel (2000: 26) explains:

was initially available as a pamphlet and later reproduced in 1913 in a book by Albert E. Church: *Australian Unity: A Political Work Dealing Exhaustively with the Subject of Australian Unification* [see Steel 1913: 169-185]. In both instances, Steel's Constitution was accompanied by a detailed map of Australia that showed 22 Provinces, all of which were given particularly Australian names such as Capricornia, Kangaroo, Koala, Milparinka, Namoi, Coota, Riverina and Truckaninni. Twenty years later in 1930 Steel published an amended version of his Unification Constitution in the Sydney newspaper *Labor Daily*. In 1943 Steel was still trying to muster support for his proposals through personally writing to 'The Prime Minister & Government of Australia'.

The substantial similarity of Steel's 1912 draft constitution and Bamford's 1910 Unification bill, and the government structures and systems they define, reflects the ongoing collaboration between Bamford and Steel (Church 1913; Winckel 2000: 27-29).

Steel's 1912 Draft Constitution called for numerous changes, including (Winckel 2000: 26; see also Steel 1913: 169-185):

- The Capital City in Alice Springs
- The abolition of all State Parliaments, State Governors and State Boundaries
- The creation of 22 Provinces and 7 Territories
- Proportional representation
- The unification of all legislative power in the National Parliament
- The slashing of power of the high Court and the governor General
- Decentralisation of Government
- Citizen initiated Referenda

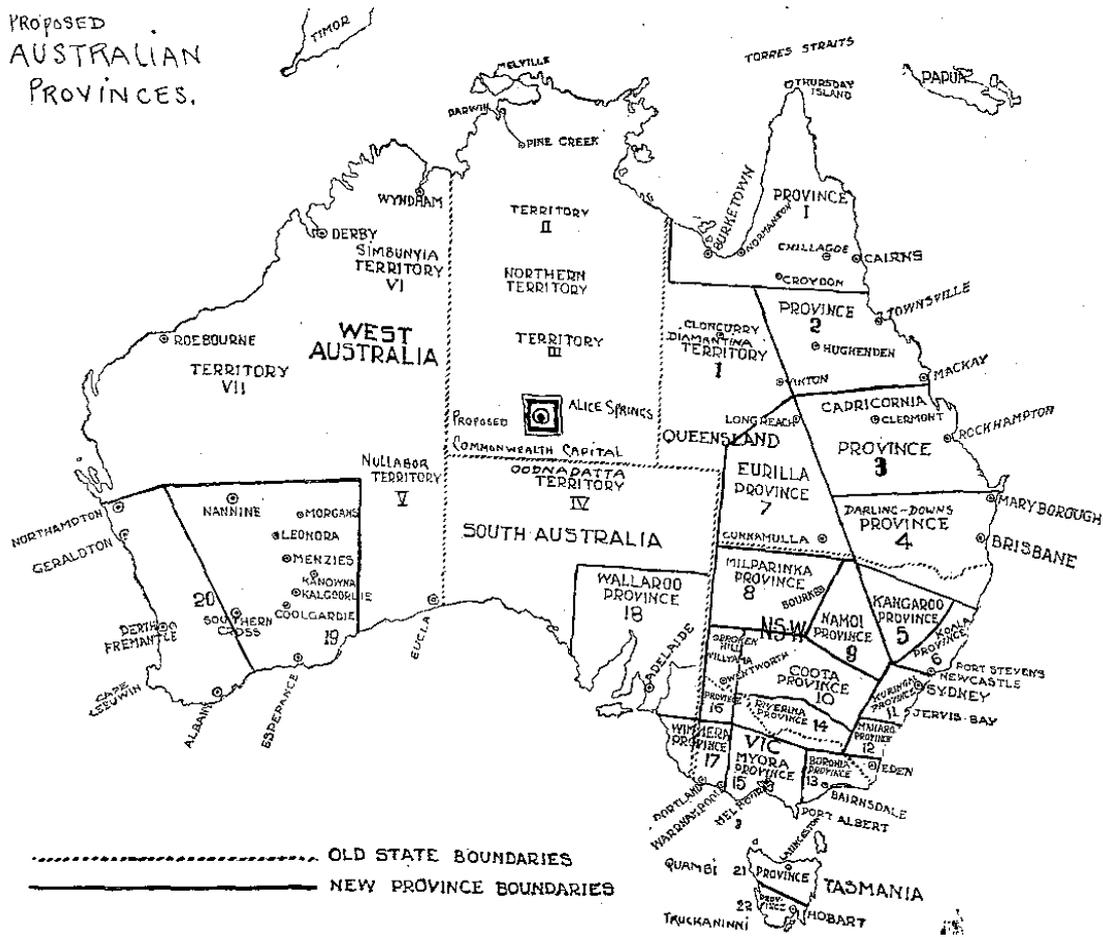
Figure 3C-2 below is a copy of the map that accompanied Steel's 1912 Constitution, as it appears in the book by Church (1913). This map "shows the provincial divisions considered

most suitable" by the "Young Australia Conference, Melbourne, Oct. 1911" (Church 1913: 7, 25; see also Winckel 2000: 31). Church (1913: 19; see also Winckel 2000: 29) also notes that:

On the eve of the [1910] Federal elections, a scheme of unification and decentralisation was outlined by the Young Australia National Party. This scheme proposed to divide Australia into 22 provinces, each to be governed by a one-house parliament subordinate to the Commonwealth Government. As the party had no members in that parliament it came to nothing.

Winckel (2000: 31) similarly notes that "it seems likely that Steel had constructed the map in 1910 when debating at the time of the April elections".

**Figure 3C-2: Australian Provinces and Territories as Proposed by Steel in 1912**



Source: Steel (1912) as reproduced in Church (1913) following page 191; also shown in Winckel 2000: 30 and Brown 2005: 9.

***Steel's Emphasis on Decentralisation***

Steel and the Young Australia Party sought substantive decentralisation as well as Unification, as Church (1913: 15; see also 17-19; Winckel 2000: 32-33; Brown 2005: 11) explains:

So much for Unification, which has been made the most prominent of the leading principles, but much more than that is necessary. A carefully planned, scientific scheme of decentralisation must accompany the establishment of a strong central power. Ample decentralisation is equally

valuable as is effective unification. As a matter of fact, none other than a strong central government, backed by the whole nation, can wield sufficient power to break down the monopolies and vested interests which at present prevent decentralisation; which also strangle many seaport towns, and afflict important outside districts with commercial and industrial paralysis. To these suppressed seaports and strangled country districts further expansion is impossible, unless a far stronger power than our present sham of a Central Government comes forward to relieve them.

This "commitment to decentralisation", according to Winckel (2000: 32-33), "differentiated Steel's unification policies from those of the ALP" and "nineteenth century advocates" such as Sir George Dibbs. Winckel (2000: 28; see also 33; quoting Church 1913: 14) notes further that:

Steel did not promote the 'east coast' style of Union proposed by Dibbs. Rather, Steel's proposal was one of decentralisation, specifically aimed at curbing the power of the two more populous States, and 'break[ing] the monopolies of the old capital cities'.

This emphasis on decentralisation was also "reflected in Steel's commitment to numerous Provinces, and a Capital City in Central Australia", with Alice Springs Steel's preferred choice for the national capital city (Winckel 2000: 33). Winckel (2000: 33) believes that if "the Capital City been in Alice Springs, the policy of unification might have had more universal appeal to the small States, both historically and in current times."

### **The Unification Objective Formalised on the ALP Federal Platform in 1915 and 1918**

Crisp (1978: 238) noted that "at the end of October [1915], Fisher gave way to Hughes as Prime Minister and Leader of the F.P.L.P". W.M. (William Morris) Hughes, according to Healey (1955: 48, 58), "was a confirmed unificationist" and an "ardent unificationist". But Hughes and other Labor Unificationists were unsuccessful in their attempts to have the Unification objective elevated on to the Federal Platform, largely because several prominent ALP leaders – especially NSW Labor leader William Holman – actively opposed the extension of Commonwealth powers, let alone complete Unification (Healey 1955: 47-55). In 1918, however, the Unification objective was added to the ALP Federal Platform. Healey (1955: 71) observes that "the seventh interstate conference of the ALP was held in Perth in June, 1918" and that:

It was at this conference that the party first publicly declared itself in favour of unification, although at the insistence of Hughes, Labor had for years been pressing for greater powers for the Commonwealth. An addition was made to the Constitution platform which specifically read: "The Commonwealth Constitution to be amended to provide full Sovereign powers for the good government of the people." Two of the subclauses of this plank read: (a) The Senate to be abolished and the house of Representatives to consist of one hundred members – each electorate to have, as near as possible, an equal number of electors; (b) The Commonwealth Parliament to be vested with authority to create any number of provinces as may be necessary for the good local government of the people.

The ALP's 1915 Federal Conference (Crisp 1978: 237):

carried, despite Holman's opposition, a Queensland motion 'that Conference affirm the desirability of the division of Australia into a larger number of States with constitutions such as the Federal government may in its wisdom grant'. Giblin, seconding this motion, said that 'to create new States I think it will be necessary for the Commonwealth to resume all State powers, and then reapportion States and powers as is considered advisable. The direct Unification motion was discharged from the Agenda.

The 1918 Federal Conference "had before it some fourteen motions dealing with Federation" (Crisp 1978: 239):

The proposal debated by Conference [1918 Fed Conf pp16-21] was one from Victoria which sought full legislative powers for the Commonwealth Parliament, abolition of the States and their replacement by twenty Provinces (five in the then New South Wales, four in Victoria, three in Queensland, three in South Australia – including Northern Territory, three in Western Australia and two in Tasmania) drawn without precise regard to existing State boundaries. Each Province was to be governed by a unicameral Council of between fifteen and twenty-five members elected every three years by adult suffrage. The Commonwealth Parliament would determine the Provincial boundaries, the powers of the Councils, and would arrange for them to draw their revenue from rates and public utility proceeds, together with Commonwealth grants and development loans from the Commonwealth Bank. The Commonwealth was to take over existing State debts. Provincial Councils were to decide the future basis for municipalities. In explaining and advocating this plan, Blackburn made it clear that the Victorian Labour Party had the general outlines of the South African Constitution in mind.

Further, according to Crisp (1978: 240):

Scullin and others presented a more temperate and reassured advocacy of Unification and finally Conference agreed to adopt as its policy plank: 'Unlimited legislative power in Australian affairs to be vested in the Commonwealth Parliament; devolution of adequate local powers upon subordinate legislatures and municipalities elected by adult suffrage'. [1918 Fed Conf p21]

### ***D. L. McNamara's Speech in the Victorian Parliament on 21 March 1918***

McNamara (21 March 1918: 1-3) spoke in the Victorian Parliament as follows:

SPEECH

BY

THE HON. D. L. McNAMARA, M.L.C.,

ON THE

ABOLITION OF STATE PARLIAMENTS

[From the "Parliamentary Debates," 21 March 1918], Government Printer, Melbourne.

The Hon. D. L. McNAMARA moved-

That this House urge the Federal Government to take a referendum of the Commonwealth electors on the following questions:-

(a) That all State Parliaments be abolished.

(b) In the event of the proposal being approved by the electors, the Commonwealth Parliament be empowered to establish provincial councils, conferring on such councils such powers and duties necessary for the good local government of the people.

...

The people should be given an opportunity of saying yes or no to the question whether State Parliaments, as at present constituted, should be abolished, with a view to the creation of provincial councils.

...

When the time comes to place this matter before the people by way of referendum, then, I think, some definite scheme should be laid down by the Commonwealth Parliament. I will read the proposal-

That, in order to provide for the good local government of the people, the Commonwealth Parliament shall divide the Commonwealth into twenty (20) provinces.

For the purpose of this clause, the following division of provinces is suggested:- New South Wales, 5; Victoria, 4; Queensland, 3; South Australia, 3 (northern Territory to be one); Western Australia, 3; Tasmania, 2. In the subdivision into provinces, present State boundaries shall not be observed, as it may be found necessary to place portion of Southern Queensland and Northern New South Wales in one province; likewise Northern Victoria and Riverina, of New South Wales.

The southern portion of New South Wales might well be connected with the northern portion of Victoria, because of the community of interest-

The Commonwealth may define or alter the boundaries of each province as may from time to time seem necessary, provided the cities of Melbourne, Sydney, Adelaide, Brisbane, Hobart, and Perth shall be constituted separate provinces.

...

The scheme provides for twenty provinces, but the number might be twenty-five or thirty, according to what the Commonwealth Parliament might from time to time decide. What I would desire to see brought about is something like community of interests. I know of know scheme which would give greater facilities for decentralization, because each provincial council should have sufficient power to develop the resources within its own territory. Instead of everything being centred in the capital city there would probably be four or five provinces in Victoria each with its own centre. Ballarat or Bendigo would probably be a provincial centre. In regard to the finances, I think that a great saving would be effected if the power to borrow were solely in the hands of the Commonwealth, especially with regard to loans on other than the Australian market. Another important consideration is taxation. As far as possible, there should be only one taxing power in Australia.

...

Apart from the saving that would be effected by having one taxing body, the people would be spared the annoyance of continually having to pay taxes of different kinds at different times. Under the present arrangement the Commonwealth returns certain sums of money to the various States. If the State Parliaments were abolished and provincial councils were substituted the Commonwealth should return given sums to the councils, but the amounts should not be on the *per capita* basis, but according to the needs of the provinces.

...

If provinces were established as I have suggested, each should have a council constituted of not less than twelve nor more than twenty-five members. Melbourne and the surrounding country within a radius of 30 or 40 miles, or whatever area was necessary for the water catchment, could be constituted a single province. At no future time should the city be divided into two or three provinces. The same would apply to Sydney or Adelaide. In cutting up the provinces due regard should be given to community of interest.

## **The ALP's Detailed Unification Scheme of 1919 and 1920**

According to Crisp (1978: 240):

[At the 1919 Federal Conference] ... Theodore and McNamara (later the federal Secretary of the A.L.P.) were in the van of the unificationists. From the debate it is clear that the continued existence of the undemocratically constituted State Legislative councils, steadily thwarting Labour aspirations even when State Labour governments had secure majorities in the lower Houses, remained the most potent argument in the armoury of the unificationists.

Further, according to Crisp (1978: 241-242, quoting McNamara in ALP 1919: 83-84):

After a committee had gone into the details, the 1919 Conference finally adopted an extensive outline on Constitutional and electoral policy, some items of which remained in the Platform in 1951. In general, the scheme follows that set out in an elaborate Private Member's Bill – the Constitution Alteration (Unification) Bill, 1910 – introduced into the House of Representatives by a Labour Private Member, F. W. Bamford [33: Frederick William Bamford, 1849-1934: M.H.R. Herbert Qld. 1901-25 (Lab. To 1916, Anti-Lab. 1916-25), Minister 1916-7] of Queensland, on 13 September 1910, but was not proceeded with on account of Parliament's prorogation. [The text of this Bill is to be found in Sir George Knowles' edition of *The Commonwealth of Australia Constitution Act*, 1936, pp. 219-28]. The plank as adopted by the 1919 Conference read: ...

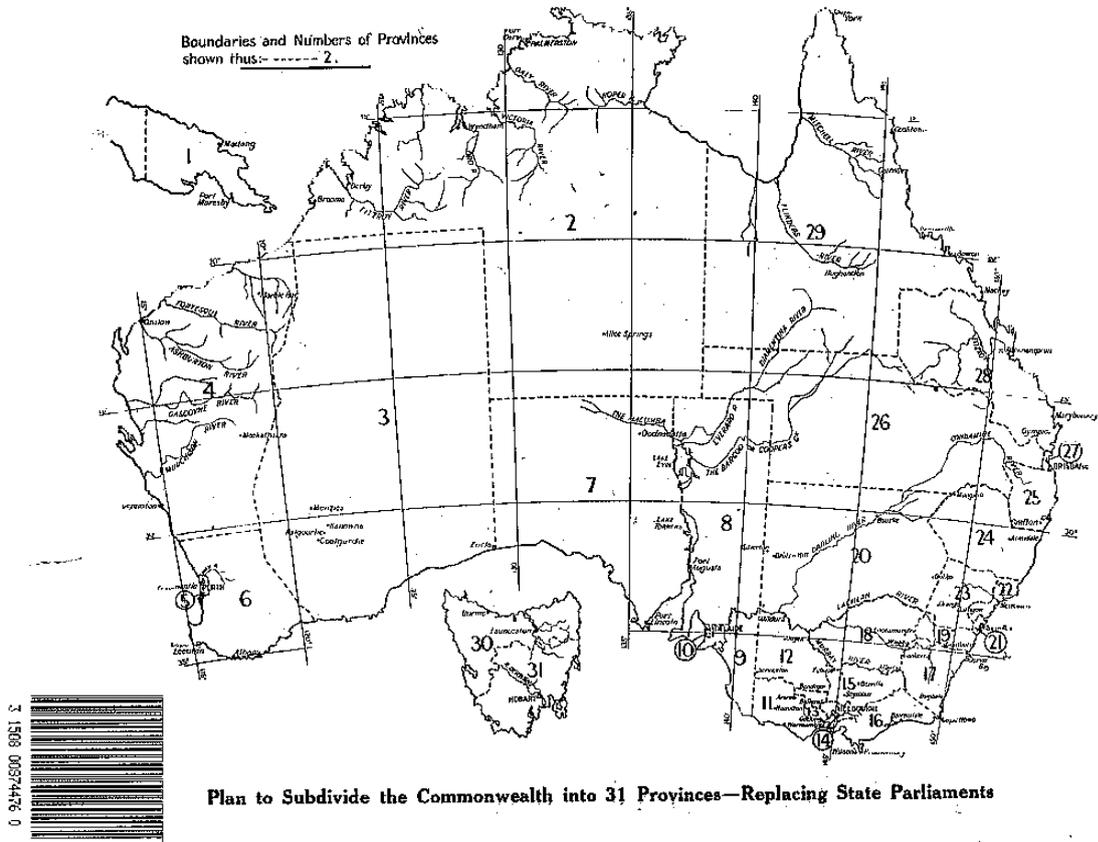
The Commonwealth Constitution to be amended to provide full sovereign powers for the good government of the people of the Commonwealth. The amended Constitution to also include: ... Commonwealth Parliament to be vested with authority to create any number of provinces as may be necessary for the good local government of the people.

...

McNamara, putting forward the report [in support of the above policy], said that, apart from control of municipal administration, the powers and duties of the Provinces should be – 'public works, health, education, agriculture, irrigation and water conservation (except control of rivers where more than one Province is affected) liquor trade, sport and amusement, mining, forestry, harbours, public utilities (other than railways), such as water supply, gas, electric supply, housing, tramways and foodstuffs'.

Figure 3C-3 below shows a copy of the map of 31 provinces which accompanied the proposal in the ALP's 1920 pamphlet titled *Commonwealth Constitution: Proposal to Seek Complete Sovereign Power; Abolition of State Parliaments-State Governors; Provincial Legislatures to be Substituted; The Gateway to Decentralisation*. This pamphlet reproduces a speech made in the Commonwealth Parliament by Labor's W. G. Mahony (MP for the electorate of Dalley) on 22 April 1920. Figure 3C-4 then shows the list of regions as shown in this same 1920 pamphlet.

Figure 3C-3: The ALP's 1920 Proposal for 31 Provinces



Source: ALP (1920: 6); see also Mahony (22 April 1920: 8).

Figure 3C-4: List of 31 Provinces and Provincial Boundaries in ALP 1920 Plan

THE SUGGESTED PROVINCIAL BOUNDARIES ARE:—

- No. 1.—PAPUA. Estimated number of electors, 1,000.
- No. 2.—NORTHERN TERRITORY, including the Kimberley district of West Australia. Estimated number of electors, 3,000.
- No. 3.—GOLDFIELDS DISTRICT, W.A., extending from South Australian border to No. 1 rabbit proof fence (including Kalgoorlie Federal Electorate, and portion of Dampier Electorate east of No. 1 rabbit proof fence). Estimated number of electors, 28,000.
- No. 4.—PORTION OF DAMPIER Federal Electorate, West of No. 1 rabbit proof fence, and south to the 129th parallel of latitude. Estimated number of electors, 12,500.
- No. 5.—GREATER PERTH, including the Perth and Fremantle Federal Electorates; and portion of Swan Electorate, within 25 miles of Perth. Estimated number of electors, 77,000.
- No. 6.—SOUTH-WESTERN PORTION OF W.A., including electorate of Swan and portion of Dampier electorate south from the 129th parallel of latitude. Estimated number of electors, 17,043.
- No. 7.—The portion of South Australia west from a line from Port Augusta to Oodnadatta. Estimated number of electors, 7,300.
- No. 8.—NORTH-EASTERN PORTION OF SOUTH AUSTRALIA, including the Federal Electorates of Wakefield, Northern portion of Angus, and Eastern portion of Grey, from Port Augusta to Oodnadatta, to N.S.W. border. Estimated number of electors, 86,000.
- No. 9.—SOUTH-EASTERN PORTION OF SOUTH AUSTRALIA, including Federal Electorates of Barker and Southern portion of Angus, excepting such portions as may be within 25 miles of Adelaide. Estimated number of electors, 41,000.
- No. 10.—GREATER ADELAIDE, including the Federal electorate of Adelaide, and such portions of the electorates of Hindmarsh, Boothby, Angus, and Barker as may be within 25 miles of the city of Adelaide. Estimated number of electors, 128,000.
- No. 11.—WESTERN DISTRICT OF VICTORIA, including Federal Electorates of Corangamite, Wannon (except sub-divisions of Dimboola, Kaniva, Jeparit, and Nhill), and the Stawell and Glenorchy sub-divisions of Gramplains. Estimated number of electors, 70,000.
- No. 12.—NORTH-WESTERN DISTRICT OF VICTORIA, including the Federal electorates of Wimmera, Bendigo, (except Elmore, Goornong, Castlemaine, Maldon, and Taradale sub-divisions); Dunolly; Inglewood, St. Arnaud, and Wedderburn sub-divisions of Gramplains, and Dimboola, Kaniva, Jeparit, and Nhill sub-divisions of Wannon. Estimated number of electors, 75,000.
- No. 13.—Includes Federal Electorate of Ballarat, Corio (except sub-divisions of Diamond Creek, Melton, Sunbury, Wallan, Werribee, and Whittlesea), Gramplains (except sub-divisions of Dunolly, Inglewood, St. Arnaud, and Wedderburn), and the Castlemaine, Maldon, and Taradale sub-divisions of Bendigo. Estimated number of electors, 88,000.
- No. 14.—GREATER MELBOURNE, including the Federal Electorates of Balclutha, Batman, Bourke, Fawkner, Henty, Kooyong, Maribyrnong, Melbourne, Melbourne Ports, Yarra, Corio (part), Flinders (part). Estimated number of electors, 450,000.
- No. 15.—NORTH-EASTERN, including the Federal Electorates of Echuca, Indi, and the Elmore and Goornong sub-divisions of Bendigo. Estimated number of electors, 70,000.
- No. 16.—GIPPSLAND, including the Federal Electorates of Gippsland, and the Berwick, Bunyip, Cowes, Dromana, Drouin, Frankston, Korumburra, Lang Lang, Loch, Pakenham, and Wonthaggi sub-divisions of Flinders. Estimated number of electors, 56,000.
- No. 17.—EDEN-MONARO, including the Federal Electorates of Eden-Monaro and Eastern portion of Hume. Estimated number of electors, 44,000.
- No. 18.—Includes Federal Electorates of Riverina (except portion north of Lachlan River), Hume (Western portion), and small portion of Barrier east of Lachlan River. Estimated number of electors, 63,000.

- No. 19.—Includes Federal Electorates of Werriwa, Illawarra (except sub-divisions adjacent to Sydney, and the Cowra sub-division of Calare. Estimated number of electors, 63,000.
- No. 20.—Includes the Federal Electorates of Darling, Barrier (except small portion East of Lachlan River), Calare (Western portion), and small portion of Riverina north of Lachlan River. Estimated number of electors, 65,000.
- No. 21.—GREATER SYDNEY, including the Federal electorates of Cook, Dalley, East Sydney, Lang, North Sydney, Parkes, Parramatta, South Sydney, Wentworth, West Sydney, Northern portion of Illawarra and Nepean (except four northern sub-divisions). Estimated number of electors, 540,000.
- No. 22.—Includes Newcastle and Hunter Federal Electorates. Estimated number of electors, 81,000.
- No. 23.—Includes the Federal Electorates of Robertson, Macquarie, Eastern portion of Calare, and small portion of Nepean. Estimated number of electors, 90,000.
- No. 24.—Includes the Federal Electorates of Gwydir, New England (except small Northern portion), and Cowerp (except small Northern portion). Estimated number of electors, 88,000.
- No. 25.—Includes the Federal Electorates of Richmond, New England (small part), Cowerp (small part) and Southern half of the Darling Downs and Moreton Electorates of Queensland. Estimated number of electors, 75,000.
- No. 26.—Includes the Federal Electorates of Maranoa, Darling Downs (Northern portion, including Toowoomba), and the Northern portion of Moreton Electorate. Estimated number of electors, 64,000.
- No. 27.—GREATER BRISBANE, includes the Federal Electorates of Brisbane, Oxley, Moreton (part, including Logan and Ipswich districts) and Southern portion of Lilley. Estimated number of electors, 135,000.
- No. 28.—Includes the Federal Electorates of Capricornia, Wide Bay, and the Northern portion of Lilloe. Estimated number of electors, 83,000.
- No. 29.—Includes the Federal Electorates of Herbert and Kennedy. Estimated number of electors, 72,500.
- No. 30.—Includes the Federal Electorates of Bass, Darwin, and Wilmot. Estimated number of electors, 60,000.
- No. 31.—Includes the Federal Electorates of Denison and Franklin. Estimated number of electors, 48,000.

PRESENT FORM OF GOVERNMENT STANDS CONDEMNED.

Australia is at present governed by seven separate Parliaments (fourteen Houses of Parliament), the number of members being 686. There is one Governor-General and six State Governors.

Under the Labor proposal, the members of the Commonwealth Parliament would be reduced from 111 for both Houses to 100 members of the House of Representatives.

Under the proposed scheme, it is suggested that each Provincial Legislature would be governed by from 10 to 15 members, in provinces of less than 100,000 electors; 15 to 20 members from 100,000 to 200,000 electors; and probably 25 members for the Greater Melbourne Province, and 30 for Greater Sydney Province, with its 540,000 electors.

The total number of provincial legislators would not exceed 400, as against 575 members of the present State Parliaments.

POWERS AND DUTIES OF PROVINCIAL LEGISLATURES.

The powers and duties of provincial legislatures will be fully defined when the referendum asking the electors to agree to the Constitution alteration is being put to the people.

Source: ALP (1920: 2); see also Mahony (22 April 1920: 4-5).

According to Mahony (1920: 3):

If that section of the House which chooses to call itself the Country party would study the Labour proposals, its adherents in this chamber would find that we stand for the very thing they themselves advocate; that is, decentralization of administration. While Australia is suffering from the pernicious system of centralization to-day, against which country members are crying out, these latter gentlemen have not yet, apparently, studied our proposals.

...

The Labour party propose, when returned to power in the Federal Parliament, to submit to the electors, at the earliest possible opportunity, a referendum to alter the Commonwealth Constitution, to provide full sovereign powers under its Constitution, and to empower the Commonwealth Parliament to create any number of Provincial Legislatures as may be necessary for the good local government of the people.

Further, according to Mahony (1920: 4):

#### FINANCE

The Commonwealth shall take over all present State debts. The Commonwealth Government to, as far as possible, collect all revenue, thus obviating the expense of duplication in collecting taxes, &c.

#### MUNICIPALITIES

The Commonwealth Parliament shall grant a uniform Constitution to provide for municipal government, the supervision of administration to be the duty of the provinces.

In order that the electors of Australia may know what form of local government it is intended to substitute for State Parliaments, it is suggested that the Commonwealth should be divided into thirty-one provinces, the boundaries of which are shown on the attached plan [Figure 3C-3 above].

The boundaries of the proposed divisions are shown on a map [Figure 3C-3 again] which I should like to have reproduced in *Hansard* were that possible. It is to be remembered that the Labour movement does not bind itself hard and fast to its proposals regarding the number of provinces and their boundaries. Those proposals are put forward merely as a basis for discussion. To each of the large capital cities is allotted a province, and, so far as possible, the other provinces have been arranged to give community of interests.

## **ALP Unification Objective Largely Unchanged Between 1918 and 1971**

Sawer (1977: 3, citing Crisp 1978 and ALP 1971; 1975) observes that:

From 1918 until 1971, the platforms of the Australian Labor Party explicitly required the abolition of a federal constitution in Australia and the vesting of sovereign power, in the strict sense of sovereignty, in the Australian Commonwealth Parliament.

At the ALP's 1921 Federal Conference (Crisp 1978: 245; quoting Theodore et al. in ALP 1921: 41-42):

Theodore and Blackburn took advantage of the discussion on a motion urging propaganda for the Unification policy adopted by the 1919 Conference to move for a modification in the wording of the Constitutional planks. In this they were successful. The main effects on the General Platform was to leave the terminology of 'States' or 'Provinces' wide open: 'The Commonwealth Constitution to be amended to provide (a) unlimited powers for the Commonwealth Parliament

and such delegated powers to the States and Provinces as the Commonwealth Parliament may determine from time to time; (b) the commonwealth Parliament to be vested with authority to create new States or Provinces; (c) the Senate to be abolished.' A motion by Theodore and Scullin brought the corresponding planks of the Fighting Platform precisely into line as follows: 'Unlimited legislative powers for the Commonwealth Parliament, and such delegated powers to the States or Provinces as the commonwealth Parliament may determine from time to time. ... Abolition of the Senate.'

In 1927, Crisp (1978: 249) observes, the Bruce-Page Government:

set up a Royal Commission to survey the whole Constitutional position and make recommendations for its improvement. Three of the Commission's seven members were sympathetic to Labour's unificationist views, one of them being the A.L.P.'s Federal Secretary, McNamara, who had been, in both Federal and Victorian Labour circles, a most persistent and zealous advocate of unification. The President of the A.L.P. gave evidence which had been approved in advance both by the Federal Executive and by the F.P.L.P. leaders. It naturally followed the Platform. The Commission reported in 1929. The majority recommended some additional Commonwealth powers in a few directions but diminished powers in others – in particular, they went directly in the face of Labour's policy in recommending that all industrial matters, including conciliation and arbitration, should be in the State field. The Minority Report recommended full legislative power for the Commonwealth Parliament.

In 1929 (Crisp 1978: 249-250):

Labour formed its first Commonwealth Cabinet since 1916: Labour had a commanding majority in the representatives but was in the minority in the Senate. The Prime minister, Scullin, lost no time in preparing Bills for referenda on three Constitutional issues. The first Bill sought an amendment to enable future amendments [of the Commonwealth Constitution] to be made by absolute majorities in both Houses of the Commonwealth Parliament without any need to conduct a referendum – this amounted to giving the Commonwealth unlimited legislative powers and would open the way to any form of Unification. the second and third Bills provided for the time-honoured amendments broadening the commonwealth's industrial and trade and commerce powers. These Bills were passed through the House but defeated by the senate.

Then at the 1930 Federal Conference (Crisp 1978: 249; quoting Luchetti and citing Scullin and others in ALP 1930: 43, 48):

Forgan Smith, Brennan and Drakeford came down solidly behind full Commonwealth legislative powers. A. S. Luchetti [Labor M.H.R. for Macquarie 1951-] bluntly stated the connection between the need for unification and Labour's Objective: 'Socialisation of industry will never be achieved so long as the States exist. It is only achievable through a united economic Australia.' Conference voted twenty-two to thirteen in favour of Scullin's amendment [to enable future amendments of the Commonwealth Constitution to be made by absolute majorities in both Houses of the Commonwealth Parliament without any need to conduct a referendum] ...

"The years 1938 and 1939", according to Crisp (1978: 252), "found Scullin and Curtin reiterating the need for comprehensive major legislative powers for the Commonwealth".

'Our Constitution', Scullin told the House on 18 November 1938, 'should clothe this Parliament of the nation with full legislative powers, so that it may respond readily to the wishes of the people.' 'I am of the firm opinion', volunteered the partially converted Curtin on 8 July 1939, 'that the best form of government for modern Australia, having regard to all the circumstances, is one in which all major national questions are dealt with by the national Parliament, and that

matters of minor importance, as well as administration of national laws, should be left to the States.'

The 1945 Federal Conference (Crisp 1978: 254, quoting Hanlon in ALP 1945: 26) then:

carried unanimously and without discussion the motion: 'That the Federal Government seek an alteration of the Constitution by referendum as early as possible, to enable the Federal Parliament to legislate effectively for the social and economic needs of the nation'.

The late 1940s saw further developments (Crisp 1978: 255-256; citing ALP 1948: 36):

The 1948 federal Conference still argued a forward move towards general legislative powers for the Commonwealth. The motion on this occasion displays an awareness of the pressing need to prepare the electorate more carefully for the reception of referenda. ... The 1948 motion reads:

The development and economic expansion of the Commonwealth strongly emphasises the necessity for the implementation of plank 3A of the platform, viz. 'amendment of the Commonwealth constitution to invest the Commonwealth Parliament with unlimited legislative powers and authority to create or re-order States or Provinces with delegated powers' ... Conference urges upon State Branches and all members to carry on persistent educative work and propaganda to popularise the necessity of unlimited legislative powers to the Commonwealth Parliament and urges the federal Labour Government to continue its efforts for constitutional amendments as opportunity arises.

In 1949, however, the Chifley Government lost its majority in the lower House at the General Elections and the initiative once more passed from Labour.

The *ALP Federal Platform and Objective*, as amended by the ALP Federal Conference in Canberra in May 1939, called for the "amendment of the Commonwealth Constitution ... to invest the Commonwealth Parliament with unlimited legislative powers and authority to create (or re-order) States or Provinces with delegated powers" (ALP 1939: 1). In 1948 the wording of the platform was re-worded slightly, calling then for "amendment of the Commonwealth Constitution" by "the clothing of the Commonwealth Parliament with sovereign powers and with authority to create States or Provinces possessing delegated constitutional powers" (ALP 1949: 1). In 1951, the wording of the Unification objective was again changed slightly, to call for "amendment of the Commonwealth Constitution ... to clothe the Commonwealth Parliament with Sovereign powers and with authority to create States and Provinces possessing delegated constitutional powers" (Healey 1955: 190). In 1961 and 1965 the ALP Federal Platform called for "amendment of the Commonwealth constitution ... to clothe the Commonwealth Parliament with unlimited powers and with the duty and authority to create States possessing delegated Constitutional powers" (ALP 1961: 59-60; 1965: 7).

Crisp (1978: 257) summarises Labor's Unificationist developments from 1901 to 1951 as follows:

To sum up, for over thirty years Labour has formally proclaimed its constitutional aim to be full legislative powers for a unicameral National Parliament, with delegation of some legislative and administrative powers to States or provinces. Only once, in 1930, has a Labour Government frankly moved for an amendment of the Constitution which would, at one favourable vote of the people, have brought all this change within the reach of the Commonwealth Parliament. On that occasion Labour failed to press the issue to a referendum.

### ***Gough Whitlam in 1957***

According to Whitlam (1957: 33):

There are few functions which the State Parliaments now perform which would not be better performed by the Australian Parliament or by regional councils. The States are too large to deal with local matters and too small and weak to deal with national ones. Three-quarters of the acts which each State Parliament passes are repetitions of the acts which each State Parliament passes. The same applies to regulations gazetted by each State government. Most of this legislation does not refer to local matters but to matter which are the same from one end of Australia to the other.

...

The present State boundaries were imposed on Australians a century ago from Westminster. There is no economic reason for preserving them. They merely serve to maintain the domination of the commercial and political interests which are centred in the State capitals.

### **Unification Objective Removed from the Federal Platform in 1971**

Sawer (1977: 3) observes that the Unification objective was removed from the Federal Platform at the ALP's Federal Conference in Launceston in June 1971, and that:

In its place was substituted the following much vaguer aim: 'amendment of the Commonwealth Constitution to clothe the Parliament of Australia with such plenary powers as are necessary and desirable to achieve international co-operation, national planning and the Party's economic and social objectives'.

Sawer (1977: 4) observes further that "as a matter of textual analysis, the disappearance of the unification objective in 1971 had the consequence of leaving the A.L.P. with a platform which looked like endorsing the continued existence of federalism very much as it is today", but he adds, significantly, that:

It could even be contended that no additional powers for the Commonwealth were required, so long as the latter retained the financial strength to build up economic control and social services by the machinery of conditional grants under s. 96 of the Constitution, in areas not otherwise within federal power.

Sawer's observation here aligns with an earlier assessment by Butlin (1954, as quoted in McMinn 1979: 169):

Federalism is a stage in Australian political development which must now be regarded as over, and ... in most, but not quite all, functions of government we have an effective unification within a nominal federalism. ... To deplore the departures from what the Founding Fathers designed is perfectly legitimate; to see dangers of centralization and overgovernment in trends away from ...

federalism may be completely justified. But it is not sensible to believe that it is practical politics to secure in this country a reversion towards federalism and less of the near unitary state we have reached. The clock will not go backwards.

### ***Gough Whitlam in 1971***

Whilst Unification may have been removed from the ALP Platform in 1971, the Federal Labor Leader Gough Whitlam made his support for Unification clear on many occasions, including in an *Australian Quarterly* article titled 'A New Federalism', Whitlam (1971: 6-7), as follows:

The Commonwealth and most State governments are insensitive to the mounting frustration among ordinary Australians who no longer know which level of government they are to hold responsible for the growing inadequacy of the schools, hospitals, law enforcement agencies and other public facilities on which the quality of their lives depends. The buck-passing between the commonwealth and the States has eroded the foundations of democratic responsibility and accountability ... The whole phoney war over States' rights serves to protect private affluence and to promote public squalor.

Further, according to Whitlam (1971: 11):

Ideally, our continent should have neither so few State governments nor so many local government units. We should not have a federal system of overlapping parliaments and a delegated but supervised system of local government. WE should have a House of Representatives for international and nation-wide matters, an assembly for the affairs of each of our dozen largest cities, and regional assemblies for the few score areas of rural production and resource development outside those cities. Vested interests and legal complexities should not discourage or deter us from attempts to modernise and rationalise our inherited structure.

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