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The Labor Government in New South Wales 1941 to 1965

A Study in Longevity in Government

by

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ABBREVIATIONS

AJPH	<u>Australian Journal of Politics and History</u>
A.L.P.	Australian Labor Party
A.W.U.	Australian Workers' Union
D.L.P.	Democratic Labor Party
ML	Mitchell Library
NSWPLP	New South Wales Parliamentary Labor Party
U.A.P.	United Australia Party

PART ONE

INTRODUCTION: THE PROBLEM OF LONG-LIVED GOVERNMENTS

From 1941 to 1962 Labor won eight successive general elections in New South Wales. Before that Labor had never won more than two consecutive New South Wales elections (1910 and 1913). Whereas in the 30 years from 1910 to 1940, Labor governed for some 12 years, in the following 30 years, Labor was in office for 24. Clearly, Labor had a new credibility as a party of government in the latter period.

A look at the electoral record in those years makes Labor's success even more impressive as the table below shows (more detailed results and details of sources of all election results used throughout this thesis are given in Appendix A).

Summary of New South Wales Election Results 1941 to 1965

Date	Primary Vote (%)		Two Party Preferred Vote (%)		Seats Won	
	ALP	Coalition	ALP	Coalition	ALP	Coalition
1941	50.79	31.34	56.70	43.30	54	26
1944	54.52 ¹	33.74 ²	58.69	41.31	58 ¹	23
1947	50.02 ¹	40.75 ³	53.73	45.87	54 ¹	34 ³
1950	46.75	45.12	51.00	49.00	46	46
1953	55.02	39.54	55.30	44.70	57	36
1956	47.87	45.26	50.90	49.10	50	42
1959	49.12	43.73	50.00	50.00	49	44
1962	48.57	44.22	52.40	47.60	54	39
1965	43.30	49.81	47.30	52.70	45	47

¹ Includes Lang Labor as well as Official Labor

² The Democratic and Liberal Democratic vote are included as well as the Country Party

³ Includes one Liberal-Country candidate

Of the eight elections won by Labor, five were very comfortable wins (1941, 1944, 1947, 1953 and 1962). Indeed, 1941, 1944 and 1953 could be classified as landslides. Labor's three narrow wins (1950, 1956 and 1959) are also, in a way, a tribute to Labor's staying power in New South Wales. Given the parlous state of the Party and Government at those elections Labor's survival was remarkable.

Jean Blondel has divided party systems in "Atlantic" countries into four categories based on the average vote of the two "major parties" from 1945 to 1966: two-party systems; two-and-a-half party systems; multi-party with a dominant party; multi-party without a dominant party. Australia (along with

the United States, New Zealand, the United Kingdom and Austria) is classified as a two-party system.¹ On the assumption that "since 1910 the electoral contest for office in New South Wales has been clearly two-sided ... the contest is Labor versus Coalition,"² New South Wales would also fit into Blondel's two-party system category. This type of party system is defined by Blondel as "characterised by a system which is balanced in that the two parties are almost equal in strength."³ Implicit in this definition is the more or less regular alternation of the two "almost equal" sides in office.

Giovanni Sartori in his major 1976 study of party systems has set down four criteria for a two-party system:

- i) two parties are in a position to compete for the absolute majority of seats;
- ii) one of the two parties actually succeeds in winning a sufficient parliamentary majority;
- iii) this party is willing to govern alone;
- iv) alternation or rotation in power remains a credible expectation⁴

On a "lenient" application of these conditions Sartori accepts as two-party systems: England, the United States, New Zealand, Canada, Austria and Australia. Australia (and by extension New South Wales) qualify on the ground that electoral competition is two-sided. As Sartori says "The turnover may be one versus two, provided that 'two' is not a mere coalition but a coalescence."⁵

Electoral longevity is not, of course, unusual in some types of party systems, politics with a "dominant party" or Sartori's "predominant-party systems". It is, indeed, a defining characteristic of such a system, as Sartori has put it: "A predominant-party system is such to the extent that, and as long as, its major party is constantly supported by a winning majority (the absolute majority of seats) of the voters."⁶

Sartori identified thirteen countries as having such systems including: India, Japan, Norway, Denmark, Sweden, Israel and Italy. However, in a two-party (or two-sided) system, as the author of a recent study of the British party system has remarked (following Sartori): "Arguably the most important feature of a two-party system is the rotation or alternation of power between the two parties."⁷

Yet for 24 years in New South Wales no such alternation took place. This was indeed an Australia-wide phenomenon. Federally, the Liberals ruled from 1949 to 1972 and in Victoria from 1955 to 1982. In South Australia, the Liberal Country League governed from 1933 to 1965. As well as New South Wales

there were also two other long-lived State Labor dynasties: in Queensland from 1932 to 1957 and in Tasmania from 1934 to 1969. A study conducted in the late 1960's by Colin Hughes and others of the duration of State and Federal Governments since the end of the war concluded "While the pendulum still swings, it tends to swing on a limited arc which rarely overturns a government in office".⁸

Various hypotheses have been advanced to explain this longevity in general and in New South Wales in particular. One possible explanation is that the continuing prosperity of the post-war "long boom" was directly linked with continuity of government. David Butler, commenting on this trend in Britain (where the Conservatives were in office from 1951 to 1964) and Australia wrote in 1968 "... electors now expect their economic well being to increase and, rightly or wrongly, hold government responsible if it does not. In the last 30 years standards of living have risen pretty constantly and governments have benefited electorally".⁹

In analysing the effects of the Depression on Australian politics, Brian Head has concluded that:

. . . governments were rapidly thrown out of office when they failed to cope with the immense tasks confronting them. Electoral choices were motivated by an impatience and anxiety for economic improvement; the crisis conditions served to emphasize in dramatic terms that the mainstream of the Australian 'political culture' was a cautious pragmatic concern to protect the standard of living.¹⁰

More recently, Owen Hughes in a study of the relationship between elections and the prevailing economic climate has noted that:

There is a widespread belief among politicians, journalists and many of those interested in politics, that there is a link between elections and the state of the economy. Even if this may be an heuristic belief it is one not completely lacking in evidence.¹¹

In his important 1960 essay on comparative State politics, S.R. Davis advanced the following summary of reasons for long-lived State governments:

A. General

1. The 'quietness' of State politics
2. The absence of the high controversial issues such as income tax, social service, or general fiscal policy
3. The identity of all party policy in the pursuit of the one goal-development of a narrow field of 'quiet flowing' activities

4. The influence of strong, able State Premiers - Theodore, Forgan Smith, Ogilvie, Cosgrove, Playford, Hawke, etc.
5. The inertia of success and habit
6. The ideological respectability of State Labor Parties

B. Particular

7. The weakness of some Opposition parties - in leadership (e.g. Liberals in Queensland, Tasmania, and Labor in South Australia); in organisation (e.g. Liberals in Queensland); in cohesion (e.g. Liberal-Country Parties in New South Wales and Queensland)
8. The 'progressivism' and 'impressive' record of industrial development in South Australia under the Playford regime
9. Gerrymandering-South Australia and Queensland.¹²

Davis particularly singled out "gerrymandering", which was also often advanced by the New South Wales Liberals as a reason for their inability to dislodge Labor from office. He concluded that:

the remaining explanations may be gathered into a single theorem. It is this: that the desire for political change in any community is ultimately related to its scale of distemper. Thus, where State politics has been emptied of great controversial issues, where each party is like every other, where all are respectable moderates and none behaves like an outsider, there is no great impetus for change; a cumulative inertia favours the 'ins' and defeat, when it comes, comes mainly from defects of leadership, internal schisms, or gross deficiency of administration, but rarely from profound differences of policy.¹³

Looking at reasons that have been advanced for the survival of the other State Labor dynasties, B.R. Joyce has concluded that in Queensland:

A coalition of electoral support was established by Ryan in 1915 and maintained through to Gair in 1957. This included workers in cities and towns; sugar farmers; small farmers and selectors; small businessmen; public servants and Catholics. It was the Labor Government's continuing ability to retain the support of these groups that kept it in office.¹⁴

Richard Davis, in his history of the Tasmanian Labor Party has identified a number of factors maintaining Labor in office: the incompetence of the Opposition; the strong right-wing orientation of the Government; the continuing ability of Labor to make political capital out of conflict with a Federal Government of the opposite political persuasion, particularly over financial matters.¹⁵

Turning to New South Wales in particular, Don Rawson has argued that a major reason for Labor's electoral success after 1941 was the fact that New South Wales Labor finally achieved a measure of internal stability that it had previously been notably lacking in. This was largely due to the trade unionists who dominated the extra-Parliamentary Party finally achieving a workable relationship with the political wing which they had previously treated with suspicion and disdain.¹⁶

Another possible reason given for Labor's dominance is that New South Wales is a "natural Labor State". Industry, geography, demography and psychology (as Labor went on to victory after victory and the Liberals looked increasingly like a permanent Opposition) gave Labor a natural advantage in New South Wales according to this argument. Ken Turner has recently concluded that "the record gives qualified support to the conventional wisdom that New South Wales is a Labor state".¹⁷

Turning to the related question of why long term governments decline and fall, there is much talk of the "inevitability" of decline. L.F. Crisp, for example, has written that the U.A.P. Federal Government in 1940 (which had been in office since 1932) "was suffering the almost inevitable diminution of popular support of any lengthy Administration".¹⁸ Blewett and Jaensch give as a major reason for the fall of the Playford Government in South Australia "the inevitable hubris of men too long in power."¹⁹ The underlying assumption behind much of the talk of "inevitability" seems to be that, on an organic analogy, governments "inevitably" age, wear out, grow tired and stale, decline and lose office.

Much use is also made of phrases such as "the swing of the pendulum" and "the time for a change factor" in looking at why long term governments fall. The editors of a study of the 1982 Victorian election, for example, conclude that:

Conventional political wisdom was vindicated when a government that had been in office 'too long' grew stale and ineffective, offended too many interests, lost its capacity to regenerate policies and recruit the ablest practitioners, and was eventually turned out by the swing of the pendulum.²⁰

In some cases, phrases such as "it was time for a change" seem to be used more as an excuse for not attempting to explain what happened rather than as an explanation.

More systematically, Stokes and Iversen have summarised possible "forces restoring party competition" as:

the tendency of interest groups to remember the favours an administration has dispensed less than the favours it has not; the ability of the party out of power to make more flexible and extravagant promises of future benefit whereas the party in power is limited by what it can actually deliver; the greater motivational strength of the public's negative response to an administration's mistakes than of its positive response to an administration's successes; the liability of the party in power to disastrous splits as its majority grows and its sense of electoral pressure lessens; movements of the business cycle, generating new support for the opposition party in periods of economic decline; the alternating moods of liberalism and conservatism that have marked our national temper; and a vigorous popular belief in rotation in office, which turns the peccadilloes of a party long in power into convincing evidence that the time for a change has arrived.²¹

Don Aitkin has incorporated such arguments into

an equilibrium theory in which elections form a cyclical pattern: a party's share of the vote increases to a peak and is then progressively eroded to a trough from which, once again, it begins to rise. The proposed sources of this equilibrium are various, but nearly all have to do with the consequences of being in power: for example, a large parliamentary majority (a sign of electoral success) encourages divisiveness, factional disputes and splits, which operate to lower public confidence in the party and reduce its share of the vote, while defeat stimulates unity; or the widespread belief in some kind of rotation in office helps to convert shortcomings in a government's performance into proof that it is time for a change.²²

Aitkin goes on to offer the following explanation as to why governments lose office:

To govern, a party or party bloc must win more than half the seats in the House, and that goal can generally be secured by winning half of the votes cast in the election. To gain the magic 50 per cent parties try to secure the support of as many as possible of the important interests in society, and they adapt their policies and ideologies to this end. At times, therefore, they will be competing for the support of the same people. Once a party has gained power, its ability to satisfy these interests is to some extent a function of their number: the more supporters, the greater the number of rewards expected, and the greater the likelihood of disappointment. In such a situation, the weaker interests are liable to suffer most, to end their support of the party in power, and to be attracted to the camp of the opposition. This process continues when the other party gains office, for expectations will always exceed the capacity of a government to satisfy.²³

Colin Hughes has offered a similar account of the process of governments losing office:

One is faced to think about the pendulum: a government steadily loses support until it is turned out. In one of my favourite Australian images, all the opposition has to do is run after the bus of government policy picking up and comforting passengers as they fall out at bumps and tight corners.²⁴

However, another body of work talks paradoxically of the advantages of incumbency in enabling governments to continually stave off defeat. For example, although Ken Turner in The Wran Model quotes Hughes' above statement, in another chapter Rod Tiffen states unequivocally that "Incumbency has more advantages than disadvantages" and adds that "being in government bestows various advantages in securing the political initiative and generating news."²⁵

An opposition's attempts, by contrast, to attack the government of the day often re-inforce in the public mind "the opposition's status as whingeing losers".²⁶ David Butler has also written that "the opposition, suggesting different and untried remedies, is at a disadvantage with the many electors who are, in some degree, prospering and frightened of anything that might disturb their security".²⁷ What Butler describes as the "fear of change"²⁸ vote seems to compete with the "time for a change factor".

In examining the fall of the long-lived Liberal Federal Government in 1972, Butler has drawn attention to the importance of continuity of good leadership in maintaining a government in office. This is particularly so after the departure of a long-serving, successful leader, in this case Menzies who was followed by "three relatively dud prime ministers".²⁹ Butler further explains the Liberals' decline by repeating the conventional wisdom but concludes with a key query:

'It's time' is an abbreviated version of one of the most universal themes of electioneering - democracy does assume that parties will alternate in government. But why the cry should have resonated successfully after twenty-three years and not after seventeen years or nine years is a challenging question.³⁰

There has, however, been little in the way of systematic, detailed analysis of the progress and development of long term governments, from initial election to final defeat, to test the conventional wisdom and the hypotheses that have been advanced about longevity in government. It is the aim of this thesis to attempt such an analysis in the context of a two-sided

party system using Labor's 24 year term in office in New South Wales as a case study.

The factors influencing the survival or decline of governments would seem to fall into two more or less separate categories. One is external factors or those that a government has little control of, circumstances it finds itself in and must cope with or enjoy the benefits of. Obvious examples are social change and economic boom or depression. Other external factors, although the distinction is less clear cut, are the calibre of opponents and, in State politics, the influence of Federal circumstances. The second class of factors is more of an internal nature: the performance of the government itself; the quality of its leaders and personnel; its political skills including the ability to build and maintain the support of key groups in society; its ability to respond to changed circumstances, to minimise the damage caused by factors beyond its control and to capitalise to the maximum on fortuitous circumstances; to guard against internal rundown and decline as its term wears on. This study looks at why the A.L.P. Governments survived primarily in terms of the latter. This is not to say that social and economic trends at large are ignored or downplayed but that they are examined from the perspective of how well or otherwise the Labor Governments coped with these changes. This approach may seem to be somewhat partial and dependent, yet such an important aspect of the process of electoral longevity deserves to be focused on, even if it may not provide a total explanation.

It also needs to be noted that talk of "a maturing political consensus . . . characteristic of affluent capitalist societies since the 1950's"³¹ and notions such as the "end of ideology"³² that were commonly advanced in the fifties and sixties as the basis of a new age of political stability now seem to have been greatly over-stated. Explanations of governmental stability as simply a reflection of general social stability in the period under review in retrospect seem less than convincing. The degree of social stability existing now seems to have been exaggerated, as W. J. Hudson has written:

. . . there were momentous changes in the 1950's and 1960's [in Australia] such as to produce a society that was much more of a self-confident western industrial state than in 1950, that allowed the allocation among its people of a much larger and tastier social and economic cake, even if not yet in notably equal slices.³³

This examination then, in more detail, focuses on: the various Governments' political performance, electoral politics, their performance in Parliament and their legislative record. Specific themes are: the changing ways in which these Governments saw their role and how they went about

fulfilling it; how they perceived and attempted to respond to changing demands in the electorate; political issues that arose and how they were handled; electoral competition; the style of the various Premiers and how this influenced these Governments' performance; the Governments' administrative skills; Parliament as it reflected and influenced the Governments' political fortunes; how changing relations within the Parliamentary Labor Party and between these Governments and the extra-Parliamentary Party affected the Governments' progress. Areas such as administrative history, A.L.P. machine and branch politics and the Federal dimension of Labor politics are dealt with only as they impinge on the progress of the New South Wales Labor Governments.

An analysis of the Labor Governments' legislative output from 1941 to 1965 is also undertaken as a means of assessing changing performance and priorities. This analysis looks basically at: the policy areas the Governments legislated in; the type of legislation passed, for example, minor machinery amendments or major policy initiatives; the patterns revealed and how they changed from 1941 to 1965. Full details of the methodology used and results are in Appendix B.

All of this material is used in Part Two to construct a detailed picture of how the New South Wales Labor Governments' progress in the areas enumerated above influenced their long-term survival. Part Three uses this case study to look, firstly, at why Labor survived in New South Wales from 1941 to 1965 in terms of the hypotheses outlined earlier. Specific topics addressed are:

- * was manipulation of the electoral system the simple answer as in South Australia and Queensland?
- * the supposed "quietness" in State politics as an explanation for lack of electoral change;
- * the continuing prosperity of "the long boom" as an aid to Labor's re-election chances;
- * the alleged conservatism or "ideological respectability" of New South Wales Labor;
- * the quality of Labor leadership and its impact on the Governments' fortunes;
- * Labor's natural advantages in New South Wales and how they were capitalised on;
- * the importance of the Governments' ability to keep key groups of supporters "on side";

- * relations between the Parliamentary and the extra-Parliamentary Labor Party and within the Parliamentary Party and their effect on the Government;
- * the implications of the fact that a Liberal Federal Government was in office for much of Labor's term in New South Wales;
- * the effect of the weakness or otherwise of the Opposition;
- * how skilfully did the Labor Governments from 1941 to 1965 handle major political issues, electoral politics and Parliament and how important were such skills to ensuring these Governments' long term survival?

Secondly, the reasons for Labor's decline and fall are examined and, finally, some general questions about longevity in government are addressed:

- * the "inevitability" of decline;
- * the possibility of a long term government renewing itself and how such renewal could be brought about;
- * the "time for a change factor" versus the advantages of incumbency.

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PART TWO

THE NEW SOUTH WALES EXPERIENCE

CHAPTER 1

McKELL (MAY 1941 - FEBRUARY 1947)

LAYING THE FOUNDATIONS

I

McKell's qualities as leader - Establishing control over Cabinet and bureaucracy - Party management - Consolidating links with key supporters - the McKell style of government.

At the New South Wales election held on May 10th 1941 the Labor Party, under the leadership of William John McKell, was returned convincingly to office, winning 54 seats in a 90 seat House. Labor had spent almost ten years in the wilderness after the disastrous end in 1932 of its previous term in Government under Lang. McKell had campaigned on a carefully constructed platform of wide-ranging but moderate reforms designed to appeal to both urban and rural interests.¹

A newspaper profile described the new Premier accurately enough as "logical, sane, averse alike from the risky experiment or the showy phrase".² The Sydney Morning Herald said of him on the same occasion: "McKell has always adopted a commonsense, moderate view in politics and, while always a hard hitter, has never embraced extremist philosophies. The glamour of the position leaves him cold. He prefers the simple tastes and pursuits of the people".³ McKell's natural tendency to caution and moderation had been greatly re-inforced by his experience of the vicissitudes of the Lang years.

In personal terms, the new Premier was a man with a great appetite and capacity for hard work. He had also a passion for mastery of detail. By the time of his accession to the Premiership, McKell was an experienced Minister, having served in the Storey, Dooley and both previous Lang Governments (as Minister of Justice, Assistant Treasurer and Minister for Local Government). During this time he had gained a detailed knowledge of the workings of administration and had cultivated key contacts in the bureaucracy. McKell also had behind him long years of Parliamentary experience having first been elected Member for Redfern in 1917 at the age of twenty-five. Over this period he had carefully studied the complex legislative matters coming before Parliament and had gained a reputation for his detailed knowledge of many important Acts.⁴

Attorney-General Martin in his diary described McKell as "easily the best informed man in the Party and by far the most experienced administrator".⁵

In office, McKell moved quickly to set up a powerful political and administrative machine that was to play a large part in maintaining Labor in power for the next twenty-four years. One of McKell's main concerns was to ensure that his knowledge of and control over his Ministers and the bureaucracy was as complete as possible. As Premier he insisted that all submissions for Cabinet be circulated well in advance.⁶ These submissions were carefully checked by McKell, if necessary with the assistance of expert advice. As a result, the situation sometimes arose where McKell knew more about the submission than the Minister proposing it. The Premier was also, on occasion, inclined to play "devil's advocate" and use his background knowledge to force a Minister to justify his submission in Cabinet.⁷

To assist him in this process of control and co-ordination, McKell strengthened the Budget Branch of the Treasury. The Chairman of the Public Service Board, Wallace Wurth, assigned to the Branch a hand-picked group of able public servants. These men were each given a group of Departments to oversee and had full authority to request from the departmental heads any help, advice or documents they needed. They became expert on the workings of their designated Departments and carefully scrutinised for the Premier the financial aspects of all Cabinet submissions.⁸

McKell also made good use of the services of Wallace Wurth, who was something of a protege of his, in checking on the performance of Ministers and Departments. Wurth's army of Public Service Board Inspectors were an invaluable source of information on the inside workings of the public service. Much of this information was passed on to McKell who, as a result, often knew about happenings in Departments before the relevant Minister.⁹

Another McKell device for keeping on top of the bureaucratic machine was to employ selected public servants as special envoys. A prime example was C. K. Jacka, later Under-Secretary of the Department of Conservation. Described by McKell as "a wide awake little fellow who loved to exercise a bit of authority", Jacka was used to gather information and prod department heads into action on projects that the Premier had a special interest in.¹⁰

McKell was particularly aware of the importance to the Government of good relations with the extra-Parliamentary Labor Party and the trade unions. To this end, Minister of Justice Reg Downing, a close associate of McKell's, was put in charge of liaison and communication with the Party Executive and Trades

Hall. This proved to be an inspired choice. Downing had a strong trade union background. He was an organiser and New South Wales President of the Textile Workers' Union from 1928 to 1934 and New South Wales Secretary and Federal President from 1934 to 1941. Downing was also the latest recruit to the Government from the Trades Hall, having been elected to the Legislative Council in April 1940.

As well, Downing was a key member of the group of anti-Lang and anti-Communist trade union officials who had taken control of the New South Wales A.L.P. in 1940 after the removal of first the Langites and subsequently the "left wing" Hughes-Evans Executive. It was this centre group that McKell drew his support from, as did Chifley in the Federal sphere.¹¹

In addition to Downing's wide network of contacts in the unions and labour movement, he possessed abilities of a high order as a conciliator, negotiator and trouble-shooter. Every week the senior officials of the Executive and Trades and Labor Council met with Downing in his office at Parliament House to discuss problems that had arisen and sort out difficulties. This arrangement played an important part in ensuring that there were no major breaches between the Government and the controllers of the A.L.P. and Trades Hall. Another benefit of using Downing as an intermediary was that McKell was able to distance himself from Party and union demands that he was not prepared to meet.¹²

McKell's other means of placating the labour movement was by delivering a solid programme of social and industrial reforms. A record of worthwhile achievements in areas of traditional Labor concern was seen as the best way of heading off discontent with the Government's performance among traditional supporters.¹³

McKell moved to consolidate Labor's hold on power in other ways. He had built up over the years a network of business contacts and took pains to ensure that the message was conveyed that this was a Government that the business community could work with. In one way, the war was fortuitous here in that the Government and business were forced to co-operate closely in the war effort and relations of mutual trust and respect were developed.¹⁴

The Premier also paid special attention to the rural community. He genuinely believed in the importance of balanced development of both the rural and urban areas of the State and took a personal interest in the Government's programme of rural legislation.¹⁵

The legislative analysis in Appendix B reflects McKell's strategy of consolidating Labor's urban, trade union base by a stream of improvements in the

industrial area and his concern to nurture Labor's rural support. Policy areas either solely or largely of concern to rural interests rank first, second, third and fifth in terms of the amount of legislative activity from 1941 to 1947 (Land Law and Planning Law and Procedure 7.7 per cent, Water Supply 5.7 per cent, Primary Industry 5.0 per cent, Development including Public Works 4.2 per cent).¹⁶ Industrial Relations legislation, much of it to do with increased leave, better workers' compensation and other improvements in working conditions, ranks fourth (4.6 per cent).

The McKell style of government as it emerged then was cautious, pragmatic, reasoned and controlled. There was a deliberate attempt to minimise risk-taking and anticipate and deal with potential problems by careful planning. As little as possible was left to chance and decisions were made only after taking the best advice available and with a solid grasp of facts. Also prominent was a preference for compromise rather than confrontation, and the use of negotiation to bridge differences. Above all there was a belief in the realistically achievable, that the continued ability of the Government to implement Labor's programme was more important than any single reform.

II

Planning a key element in McKell's style - McKell's initiatives in regionalism, conservation and urban planning.

McKell had a profound belief in the efficacy of planning and this preference for rational solutions based on expert advice was a dominant theme throughout his term of office. In particular, he was determined that all future development in New South Wales would be carried out on the basis of the principles of planning and conservation. A publication issued by McKell describing his Government's achievements stated:

Perhaps the most characteristic and significant feature of this Government was its determination to work on the lines of a master plan. There would be no more bits and pieces reforms dictated by the expediency of the moment. There would be no more jabs and stabs at public works, all disconnected, often over-lapping . . . Nor, the Government determined, should there be allowed any further deterioration of the land itself . . . all the future development of the State of New South Wales . . . should be carried through on the basis of scientific planning.¹⁷

One of McKell's first priorities on assuming office was planning for post-war reconstruction. A Reconstruction Advisory Committee was set up in 1941 to prepare plans to deal with the post-war problems of New South Wales. In 1943 this became the Reconstruction and Development Division of the Premier's Department. This Division, assisted by numerous committees of experts, was charged with drawing up "the blueprints of long-term reconstruction in New South Wales".¹⁸ In 1946 McKell also set up a State Development Council, chaired by himself and consisting of five other Ministers, to co-ordinate and oversee the State's post-war development and public works programmes.¹⁹

An important part of this planning was regionalism and decentralisation. A Regional Boundaries Committee was established in 1943 to survey the State and divide it into regions. Regional Development Committees were then set up to concentrate on developing the resources of their local areas. State Government Departments were also requested to use the regional divisions as administrative units.²⁰

Conservation of soil, water and forests was an integral part of this new order. Not long after assuming office, McKell ordered a state wide survey of soil erosion problems. This was followed by a comprehensive programme of anti-erosion measures. There was, as well, a "master plan" for water conservation involving the construction of major dams in all areas of the State. A Department of Conservation was created following the 1944 election and in 1947 the Conservation Authority of New South Wales was set up to co-ordinate the Government's various activities in this field.²¹

Urban planning also received attention from McKell. The Local Government (Town and Country Planning) Act of 1945 provided for a comprehensive town planning scheme for the County of Cumberland which embraced 67 councils and shires in and around the Sydney area. The Legislative Council subsequently amended the bill to include a second-tier local government body, the Cumberland County Council, to draw up the actual planning scheme. This was the beginning of what Denis Winston has described as "Sydney's great experiment". Provision was also made for other local government bodies throughout New South Wales to prepare similar plans.²²

In the final analysis, McKell's pioneering town planning and decentralisation schemes failed to live up to their early promise. However, it would seem that this was due more to lack of political support from McKell's successors, who did not share his vision, than to any fault on his part.²³

III

*McKell's respect for Parliament - Good relations with the Opposition
- Managing the Legislative Council.*

In Parliament, McKell's personal style was factual, straightforward and lacking in flamboyance. One commentator talked of "the unusual way he speaks in Parliament; more matter than manner".²⁴ McKell also preferred to conciliate and co-operate with the Opposition as much as possible rather than to try to browbeat or crush his opponents. He could, however, be hard-hitting and forthright when the occasion demanded. In his reply to debate on his first budget, for example, he delivered a detailed, fact-studded rebuttal of Opposition charges. J. B. Shand, a former U.A.P. member re-elected in 1941 as an Independent, commented after McKell's speech: "I have been privileged to sit in this House for more than fifteen years but I have never listened to such a devastating blitz as that which I heard from the Premier last night".²⁵

Parliament as an institution was regarded by McKell with a respect bordering on devotion. On one occasion he told the House: "It is the duty of every one of us to make this an institution of respect and reverence in the eyes of the people of the State".²⁶ At the end of 1943 McKell commented "in the time of greatest crisis this House returned to first principles. We went back to the principles upon which our democratic institutions are based. These principles involve the absolute, the complete and the unfettered freedom of the representatives of the people to express themselves as fully as they think fit".²⁷

In practice, he attempted to make Parliament work effectively rather than to dominate it, "I have been long enough in the House to realise, and I am sufficiently old-fashioned enough to believe, that the interests of the nation are better served by unrestricted rather than restricted debate". The gag and guillotine were not applied during McKell's term of office and time for debate, both on legislation and on private Members' business, was maximised.²⁸ On the last sitting day before Parliament was dissolved for the 1944 election McKell said: "We have seen in this Chamber during the last three years democracy working in its purest and finest form. Every one of the ninety Members of this House has had a full and free opportunity to express himself. This is a great achievement. I have sat in many Parliaments here but this is the first within

my knowledge in which every Member of the House has been unrestricted in debate".²⁹

D. P. Macdonald, Independent Member for Mosman, commented at the end of the 1942 sitting that the Government "has shown extraordinary courtesy to Honourable Members, whatever might be their affiliations" and an "absolute tolerance and fairness".³⁰ Another Independent, J. B. Shand, who had served as U.A.P. Whip from 1932 to 1935, remarked: "Since this Government came to power it has given more latitude and more opportunities for discussion than previous Governments have ever given us, and the Government has not taken advantage of its wonderful majority to force through the Chamber measures opposed to the interests of democracy".³¹ D. H. Drummond, Deputy Leader of the Country Party, stated late in 1942 " . . . the average quality of debate has exceeded anything that I have heard in my twenty-three years of Parliamentary life in this country, and I attribute it in no small measure to the courageous leadership of the Premier himself".³²

Relations between Government and Opposition were also generally good and a mutual respect and willingness to co-operate were noticeable. At the end of 1941 McKell thanked the Opposition for "the co-operative effort for which they have been responsible during the Session, which has been unique in my twenty-four years experience as a Member of this Assembly . . . I pay a tribute to the Opposition for the way it has assisted the Government to make this old institution a success".³³ Mair replied: " . . . the Government went to the people on a certain policy, was victorious and is now endeavouring to implement that policy. Therefore instead of adopting an attitude of complete destruction, we have, wherever possible, endeavoured to help the Government when we felt that help was justified".³⁴ Colonel Bruxner, normally noted for his aggressive style of politics, remarked: "My colleagues and I set out to voice our opinions on the many measures before us and to oppose as strongly as possible those principles our electors expect us to oppose, but do not to do so for the mere sake of destruction. Stone walling and useless obstruction bring about the closure and nothing else".³⁵

Some of this atmosphere of co-operation could no doubt be attributed to the state of war crisis that existed particularly from December 1941 onwards. Vernon Treatt stated soon after the Government was elected: ". . . while this war is raging and the dangers threatening our country are coming closer and closer, there will be nothing from me, or from this side of the House . . . of a merely party character. There will be . . . a vigorous

criticism, but only if that criticism can fairly be described as constructive".³⁶ D. P. Macdonald commented late in 1943: ". . . during the two and a half years of this Parliament the Government have not had a lot of strong opposition and have certainly never had any bitter opposition . . . and the reason for the absence of such opposition is that we have all been anxious to help the Government programme where it helped the national need . . ." ³⁷

Another important factor was the personality of Mair and his attitude to his role as Leader of the Opposition. Mair's attitude is indicated by his comment on a procedural motion: ". . . I always like to return what I receive, and I must admit that in the past, when the Premier was occupying the position of Leader of the Opposition, he always granted me similar consideration".³⁸ His successor as Leader of the Opposition, R. W. Weaver, although adopting a more aggressive personal style, had a similar idea of his role: "It would be futile for the Leader of the Opposition and members of the House merely to obstruct . . . legislation because they are in Opposition. That would be childish and stupid, and not necessarily the duty of the Opposition, because sometimes we can agree with the objectives and good intentions of the Government. The Government is not always wrong . . ." ³⁹ This led J. T. Lang to complain: "There appears to be absolute agreement between the Government and the Opposition as to what will be put through the House . . . This is not in the best interests of the public of New South Wales. Although the Government and leader of the Opposition agree, Members of Parliament have a right to assert their rights".⁴⁰

The Government also, on occasion, was prepared to consider Opposition objections to legislation and try to accommodate them. When the Government's modified Western Lands Bill was going through the Committee stage in the Assembly, Mair said of an amendment he had previously proposed to move: "The Minister kindly gave me his reasons for not being prepared to accept that amendment, and I think that the reasons of the Minister are so satisfactory that I do not now desire to press it".⁴¹ Attorney-General C. E. Martin accepted an Opposition amendment to the Public Trustee (Amendment) Bill stating that it had "much merit". Vernon Treatt commented on the episode that it was "gratifying to note that the Minister has given careful consideration to amendments suggested by Members of the Opposition . . . I believe it enables Parliament to function more satisfactorily . . ." ⁴² McKell also made a point of informally consulting Mair about proposed major legislation. The Opposition was thus able to examine and make suggestions for improvements to legislation before it was introduced into the House.⁴³

The spirit of co-operation evident in the Legislative Assembly was reflected in the dramatic decline in the number of divisions that took place compared with previous Parliaments. The figures for both Houses are set out below:

<u>Parliament</u>	<u>Legislative Assembly</u> <u>Divisions</u>	<u>Legislative Council</u> <u>Divisions</u>
1932-1935	1,415	189
1935-1938	997	74
1938-1941	488	51
1941-1944	157	92
1944-1947	142	66

Source: Votes and Proceedings of the Legislative Assembly, Journal of the Legislative Council

The decline in divisions recorded in the 1938 to 1941 Parliament no doubt reflects the accession of McKell to the leadership of the Labor Party. As Premier he went on to create an even more harmonious atmosphere. The Opposition - controlled Legislative Council, by contrast, shows a modest increase in divisions over the previous two Parliaments, not to be wondered at in view of the conflict between the two Houses that occurred. The number of divisions, however, is nothing like as high as the 1932 to 1935 period in the Council, when the Government controlled both Houses. It would seem that even here a measure of co-operation between Government and Opposition was apparent.

* * *

Reg Downing was McKell's surprise choice as Leader of the Government in the Legislative Council. He replaced J. M. Concannon who had held the position since 1931.⁴⁴ McKell's instructions to Downing were to ensure that debate in the Council was kept on a rational level. There was to be no abuse or questioning of the motives of Opposition M.L.C.'s. McKell also advised Downing that he should always make a point of listening to objections to Government legislation as there might well be valid grounds for the criticism.⁴⁵

McKell himself, never one to make enemies of his political opponents, had established good relations with a number of Opposition Councillors during his

long Parliamentary service. This, plus his reputation as a moderate, gave him some credibility when it came to negotiating the passage of important legislation through the Upper House.⁴⁶ McKell and Downing were also assisted in dealing with the hostility of the Council by the fact that the general political trend was running strongly in Labor's favour. A factor in the mind of the Opposition M.L.C.'s was that there was a strong likelihood that Labor would eventually gain control of the Council. It would thus be better for them to get the most advantageous result while they could, rather than wait until the Government could deal from a position of strength.⁴⁷

This is not to deny that there was much confrontation and interference with Government legislation in the Legislative Council.⁴⁸ However, McKell and Downing were often able to negotiate compromises that allowed many important parts of Labor's programme to become law.

When the Public Trustee (Amendment) Bill, for example, was being debated in the Upper House, Downing moved three amendments "which deal with the principal objections raised by Sir Henry Manning. I have had the benefit of a discussion with him and he is of the opinion that the proposed amendments will meet the position".⁴⁹ On another amendment Manning (who acted as Leader of the Opposition without ever formally assuming the title) said: "I still maintain that there is every justification to oppose the Bill but in view of the differences of opinion expressed by Honourable Members I shall not persist in the amendments".⁵⁰ When the Bill was returned to the Assembly, Attorney-General Martin told the House that all the Legislative Council's amendments could now be considered Government amendments, and added "Various helpful suggestions for amending the Bill were made in the Upper House".⁵¹

Compromise agreement was also reached on a number of contentious clauses in the Public Health (Amendment) legislation after talks between Government and Opposition. On one clause Manning said: "I appreciate the fact that the Minister has afforded me the opportunity of meeting him in consultation and of putting before him the suggestion which has been adopted. It is a distinct improvement and I am very glad that the Minister and I see eye to eye on this matter".⁵² Later Downing said during debate on another clause: "The proposed amendment, while it does not wholly conform to Sir Henry Manning's viewpoint or mine, represents a reasonable compromise".⁵³

There were three main areas of disagreement between the Upper House and the Government over the Motor Vehicles (Third Party) Bill. The first related to the amount of insurance to be handled by the Government Insurance Office and

of this Manning said: " it is not considered to be one of sufficient substance to justify a departure from the express wish of the Government . . ." In the other two areas, amendments were insisted on but in both cases the Council also made significant concessions. The second related to Government instrumentalities compulsorily insuring with the Government Insurance Office. The compromise arrived at was that while the Ambulance service would be forced to insure with that body, local government and Pastures Protection Boards were given freedom to insure elsewhere. In the third area of dispute, the period in which a claim could be lodged, the Government's preferred twelve months and the Council's proposed thirty days became three months.⁵⁴

Protracted negotiations over the Workers' Compensation (Amendment) Bill also led to a compromise between the Government and the Council over amendments unacceptable to the Lower House. Manning said of one of his amendments ". . . I have obtained information from my colleagues to the effect that the number of cases affected by the alteration would be quite small and in the circumstances I do not propose to insist".⁵⁵ On another he suggested a compromise accepted by Downing as it "to a considerable extent liberalises the provisions".⁵⁶

The main bone of contention was the "to and from work" clause which was from the outset completely rejected by the Opposition. After a meeting between the Government and representatives of the Opposition in the Council, Manning accepted a modified version of the clause as a war-time measure to have duration for the war and six months after only.⁵⁷ Hamilton Knight, the Minister in charge of the bill hailed this agreement as giving "this Chamber virtually everything for which it asked in the bill".⁵⁸ R. S. Vincent, Country Party Member for Raleigh, agreed with him: "I consider the amendment that has been inserted by the Legislative Council leaves the measure substantially as it was when it left this Chamber".⁵⁹

Legislation to enable the Government Insurance Office to enter into full competition with private insurance companies was passed by the Council, in spite of the strong representation of the insurance industry in the ranks of the Opposition, on the basis of Government assurances that the Government Insurance Office would be given no unfair advantage over other insurers.⁶⁰ Downing amended the bill in the Council to state specifically that the Government Insurance Office must pay the same stamp duty as other insurance companies, "It was the Government's intention that that should be the position but apparently it was considered that this measure left it too wide as a matter of discretion for the Government . . . To meet the wishes of Honourable Members in that regard it is

proposed to make it a statutory obligation upon the Government Insurance Office to make such payments".⁶¹ Manning's attitude to the bill was: "I feel at the moment, in view of the assurances of the Minister, that the Government does not intend in substance to do more than provide for the community those facilities which are needed and without which the community might be subjected to some form of hardship".⁶²

The Commonwealth Powers Bill (resulting from a decision by a Federal-State Convention in Canberra that extra powers sought by the Commonwealth for post-war reconstruction should be granted by reference from each State to avoid a referendum in war-time) was passed unanimously by the Legislative Council even though five Opposition and two Independent members voted against the bill in the Assembly (at the time they were known as "the Seven Little Australians")⁶³. The only other Parliament to pass the model bill as drafted was the Labor-controlled Queensland Parliament. The Tasmanian Upper House, by contrast, refused to pass it at all.⁶⁴

When a compromise could not be reached that was acceptable to the Government over Upper House amendments the attitude adopted was: ". . . in respect of two of the amendments . . . they have not improved the measure . . . The Government, however, is desirous of seeing this measure become law - and become law now. Because of this we are prepared to accept the amendments in toto". (C. E. Martin on the Money Lenders and Infants Loans Bill)⁶⁵. Hamilton Knight said of the Government's acceptance of Legislative Council amendments to the Workers' Compensation (Silicosis) Bill that it was: "the better of two alternatives . . . I agree that the bill as drafted was better but the alteration was accepted so that men suffering the effects of the inhalation of silica dust will not be deprived of the increased payment it is proposed to extend to them under the bill".⁶⁶ On Upper House amendments to the Workers' Compensation Bill he said: "Because the Government desired to give the workers the benefit of all those provisions contained in the bill it felt that it was justified in accepting the Legislative Council's amendments".⁶⁷

The Government's attitude of being prepared to accept less than it could have desired in order to enact promised reforms in some form was also shown by its re-introduction of a Western Lands Bill acceptable to the Opposition in the Council. As M. A. Davidson, Member for Cobar, said: ". . . we are forced into the position of having to accept the best we can get in very adverse circumstances . . ."⁶⁸ This legislation, nevertheless, allowed substantial quantities of land in the Western Division, which was due to revert

to the Crown in 1948, to be made immediately available for closer settlement.

IV

Establishing a moderate political style - McKell's achievements in implementing Labor policy - Electoral success in 1944.

In political terms, McKell's main concern was to establish and maintain a stable and responsible style of Government. He strove to project an image of unity and competence. It was important to convince the electorate that the Labor Party could govern in this manner, particularly after the turbulent history of the two preceding Labor governments under Lang. McKell told his colleagues after the 1941 election that if they acted as "sane and reasonable men" Labor would be virtually impossible to dislodge from office.⁶⁹

A Sydney Morning Herald editorial in 1946 stated that McKell's record in office "has followed strictly the lines of modest performance rather than spectacular adventuring. Perhaps he saw enough of political fireworks in his Langist days . . . Safety first and all the time has been the guiding principle of the McKell regime". Later the editorial also said: "The Labor Party owes him much . . . Under his leadership it was rebuilt when misrule and division had laid it virtually in ruins . . . his moderation has been an asset to it in the constituencies. He restored popular confidence in Labor's ability to govern when that confidence seemed to have been destroyed".⁷⁰ McKell was, in fact, the first New South Wales Labor Premier to serve a full term and the first to be re-elected for a second consecutive term.

In practice, this aim manifested itself in the deliberate avoidance of crisis and confrontation. Controversial plans were often dropped or modified rather than arouse a storm of opposition. In his 1941 policy speech, for example, McKell spoke of "the Greater Sydney Bill we intend to submit to Parliament once we are elected. The need for it is great . . . I put the issue clearly before the electorate and demand a mandate. On the passing of the Greater Sydney Bill depend vital reforms, our ability successfully to tackle the problems of food prices, and other matters too numerous to mention at this moment".⁷¹ A Greater Sydney Council was a favourite scheme of McKell's and he had unsuccessfully tried to implement such a proposal as Local Government Minister in the second Lang Government. Basically, it involved amalgamation of the Sydney City Council with many of the surrounding local government units and

the control by this greatly enlarged authority of port, fire, water, transport, sewerage, electricity and other services within its area. In office, McKell moved quickly to revive this scheme and in July 1941 publicly announced details of the proposed legislation.⁷² The Herald stated that strong opposition was expected, and Sir Norman Nock (a former Lord Mayor of Sydney) described it as "not town planning but gerrymandering".⁷³ McKell responded by offering to appoint a committee with an impartial chairman to define the new city boundaries and claiming his critics, who were mostly interested parties, had read a sinister intent into the bill in order to further their own interests.⁷⁴ Shortly afterwards McKell again defended his proposals against an attack from F. A. Bland by stating that the bill was not political but an attempt to achieve efficiency and co-ordination in administration.⁷⁵ However, strong opposition from local government and other interested parties persisted and the Greater Sydney Bill, as originally proposed, never appeared in Parliament. The Government had decided that it was "too hard to get".⁷⁶

Another controversial issue on which the Government retreated from a previously announced position was that of compulsory unionism. In November 1941 Hamilton Knight, Minister for Labour and Industry, told a meeting of the Union Secretaries' and Organisers' Association in Newcastle that the Government would legislate for the introduction of compulsory unionism.⁷⁷ The next day he said that he was in the process of preparing a bill for Cabinet and that those who would not join a union were "beneath contempt".⁷⁸ At an A.W.U. conference in February 1942 Knight repeated his statement that compulsory unionism would be introduced.⁷⁹ Later that year Attorney-General C. E. Martin also told a Labor rally that a bill for compulsory unionism would be brought in.⁸⁰ In March 1942, Knight submitted a minute to Cabinet proposing a package of changes to the Industrial Arbitration Act, including compulsory unionism.⁸¹ In the meantime, a storm of protest from newspaper proprietors, employer groups and the Opposition had been growing in intensity.⁸² When the Industrial Arbitration (Amendment) Bill was introduced into Parliament in March 1943, it made provision for preference to unionists only. The Government had dropped compulsory unionism as, in the words of Downing, "unnecessary and provocative".⁸³

Although McKell had promised "to transform the Upper House into a body elected by the people" in his 1941 policy speech it seems that the Government's attempts to reform, and later abolish, the Legislative Council were both "pursued half-heartedly".⁸⁴ The Government had two options in dealing with obstruction by the Council: invoking the cumbersome and complex deadlock

machinery leading to a referendum, which was certain to be strongly fought by the Opposition, or waiting patiently until Labor could pick up enough seats to form a majority. The favoured option would seem to have been the latter. The Herald stated authoritatively in 1943 that "One section of the Cabinet feels that the only thing to do is to wait patiently until sufficient casual vacancies in the Council are filled by Labor members to give the Government a majority. This might be a long wait but some Ministers are confident that if the Government wins the next election it will be able to gain control of the Council".⁸⁵ The Opposition claimed that McKell's Legislative Council reform bill was introduced at the end of the Parliament to fulfil his policy speech promise. The Government anticipated its defeat and could then claim to have been frustrated in its attempt at reform by the obstructiveness of the Council.⁸⁶

McKell certainly waged a strong public campaign against Opposition M.L.C.'s. After the defeat of the Settlement Promotion Tax Bill, for example, he claimed that "while the Allied Nations are waging a life and death struggle for democracy, here in New South Wales, laws cannot be passed unless they have the assent and approval of men not responsible to the electors, and of men who approach the bills submitted to them from the viewpoint of purely personal, biased and selfish interest".⁸⁷ It is hard to escape the conclusion, however, that this was as much an attempt to appease certain sections of the Labor Party, who were demanding militant action to abolish the Council, as a preparation for a serious reform or abolition attempt.⁸⁸

McKell had also promised in the 1941 election campaign to reform the electoral system "so that the vote of no one elector will carry any more value than the vote of another".⁸⁹ Chief Secretary Baddeley circulated a Cabinet Minute in May 1941 proposing a reduction in the number of country seats from 42 to 33 and an increase in the number of Newcastle and Sydney seats to 57 (from 48). The electoral legislation would also be amended to ensure all electorates would be of equal size. Consideration of the matter was stood over. A similar minute in July 1942 met the same fate.⁹⁰ No further action was taken in this area because of the large number of country seats won by McKell and his desire to ensure that Labor's strong following in the country was not eroded by the controversy that would inevitably have followed the abolition of rural seats.⁹¹

There were, however, occasions on which McKell did not hesitate to take a tough, uncompromising stand. As a firm believer in States' rights, the New South Wales Premier found himself in opposition to his Federal colleagues Curtin and Chifley over the imposition of uniform tax in 1942. He described the

Commonwealth's proposal as "revolutionary" and completely changing the nature of Commonwealth-State relations. The power to tax was the power to govern. He could not accept the proposed changes as this would be a betrayal of the trust the people had placed in his Government. McKell added that he appreciated the exigencies of war but also appreciated the fact that there was a constitutional system that would continue to operate after the war. He predicted that the uniform tax proposals, if accepted, would inevitably become a permanent part of the system.⁹²

It was reported that some Labor Members felt that uniform tax was a popular measure and that it was "unwise" to oppose it too strenuously. These Members also believed that unless the conflict between the two Governments was resolved amicably it would damage Labor's prospects at the forthcoming Dubbo by-election.⁹³ In spite of this, McKell persisted in his opposition and announced on the eve of the 1942 New South Wales A.L.P. Annual Conference that he was joining the other State Premiers in a High Court challenge to the Commonwealth action. McKell had not consulted Downing or any of his other advisers on party matters before making this announcement. If he had, he would have been told that he could not beat Curtin and Chifley and that such a move was a serious tactical mistake. The Conference, despite bitter opposition from the Premier, proceeded to endorse overwhelmingly the uniform tax proposals. McKell subsequently withdrew from the High Court action. The press drew comparisons with Holman's loss of control of the 1916 conference.⁹⁴ For once, McKell's usual caution seemed to have deserted him.

* * *

McKell's pragmatic political style was not, however, an end in itself. Electoral success was seen as a means of implementing Labor's policy. By his practical approach to politics McKell aimed to create conditions that would enable him to put into effect as many of his policy speech promises as possible. McKell was a pragmatist with a purpose. He believed that the implementation of Labor policy and the winning of electoral support could be complementary rather than conflicting goals and in reconciling these two aims he was largely successful.

McKell's basic approach was to implement as quickly as possible the large body of reforms with widespread community support that had accumulated during almost ten years of conservative Government. The minutes of the McKell

Government's first Cabinet meeting record:

Ministers to see that Under-Secretaries are supplied with copies of Labor's Policy Speech and given to understand that matters contained therein are to be put into operation ... Premier urged Ministers to get busy on preparation of bills in accordance with Labor's Policy.⁹⁵

Between 1941 and 1947 the McKell Government enacted many worthwhile legislative measures in spite of the Opposition-controlled Upper House and the strenuous demands of the war effort. In the social and industrial area some examples are: pensions for coal miners; a Housing Commission; tougher occupational health and safety provisions; the re-establishment of the Government Insurance Office as a provider of general insurance; compulsory third party motor vehicle insurance; major improvements to workers' compensation; increased legal aid; protection of consumers from exploitation by money-lenders; elimination of abuses in the hire-purchase and lay-by systems; two weeks paid annual holidays for all employees; the Joint Coal Board.

Rural interests were also assisted by a body of beneficial legislation. Some examples are: amendments to the Farmers' Relief Act to assist with debt adjustment; the Agricultural Holdings Act to place tenant and share farming on a sounder basis; new Western Lands legislation to open up more land for settlement; the chance was given to 6,000 holders of titles under earlier closer settlement schemes to reduce their debt burden by converting to lease in perpetuity; the accumulated debts of Crown tenants were waived; the Electricity Development Act of 1945 began a programme that was eventually to bring electric power to much of rural New South Wales.

The analysis of the legislative record in Appendix B confirms that the McKell era was one of wide-ranging reformism. In terms of legislation that could be classified as innovatory or significant (Major Policy legislation), the 1941 to 1947 period shows by far the highest score: 9.6 per cent of all legislation being so classified, compared to 4.2 per cent from 1947 to 1953, 2.6 per cent from 1953 to 1959 and 1.5 per cent from 1959 to 1965. The McKell era stands out not only in terms of quantity of significant legislation. Analysis of such legislation by policy area shows that from 1941 to 1947 innovative Legislation is spread right across the seven broad policy areas that legislative activity has been divided into.

In electoral terms, McKell's success was undoubted as the 1944 election

was to show. The Premier based his appeal to the people on "the solid foundation of promises kept, on the unchallenged record of three years of unremitting work, devotion to the war effort, and enlightened legislative and administrative action".⁹⁶ In his policy speech he summarised in detail the Government's record in promoting the war effort and in the social, industrial and rural areas. McKell then went on to outline the Government's plans for the post-war world with promises of "a vast programme of essential works" and improvements in housing, social welfare, health, education and working conditions.⁹⁷

McKell attempted to defuse any possible backlash from growing criticism of the Federal Labor Government's use of its war-time powers to regulate many areas by admitting this criticism was "to some extent well-based" and promising that his Government would, if re-elected, legislate to ensure that all regulations were valid for a limited period only, after which they would be reviewed by Parliament. He also pointed to the non-use of the gag in Parliament as proof of his Government's commitment to fundamental democratic values.⁹⁸

Leader of the Opposition R. W. Weaver in his policy speech made great play of charges that the McKell Government had stood idly by "while regimentation and rule by regulation had run mad". This was, he claimed, part of a plan "which Labor Governments have already worked out . . . for complete socialisation".⁹⁹ The Leader of the Opposition also had plans for a better post-war world in some respects not dissimilar to McKell's. He spoke of his Party's belief that "every citizen should have the right of continuous employment, and that each individual should have economic security of the highest standard, that will enable him to purchase a home of his own and attain improved social conditions and amenities to the full capacity of the State".¹⁰⁰

Weaver had succeeded Mair as Leader of the Opposition in February 1944. There seemed to be a feeling in the Opposition ranks that the affable Mair lacked the toughness and drive needed to give the Opposition some sort of chance in the coming election. Weaver certainly was aggressive but this was combined with an arrogance and instability of temperament. In his earlier career as a Minister (from 1929 to 1930 and 1932 to 1935) and Deputy Leader of the U.A.P. (from 1932 to 1935) Weaver had succeeded in earning the intense hostility of the labour movement for his involvement in the Rothbury riots and had antagonised the Graziers' Association, the Protestant Church and the British Medical Association. Stevens sacked him from the Ministry in 1935.¹⁰¹

As Leader of the Opposition, Weaver was little more successful and, according

to Downing, was "an asset to Labor".¹⁰²

The Opposition itself was by 1944 in a state of complete disarray. The U.A.P. had disintegrated, amidst bitter recriminations, under the stress of defeat in the 1941 State and the 1943 Federal elections. In November 1943 the main remnant of the New South Wales U.A.P. became the Democratic Party and all U.A.P. State Parliamentarians joined the new grouping, re-electing Mair as their leader. An influential break-away group, however, the Liberal Democratic Party (led by E. K. White), refused to join the new conservative party and endorsed its own candidates for the 1944 election.¹⁰³ Relations with the Country Party also broke down and no electoral agreement was negotiated between the two main Opposition parties for 1944, each preferring to go its own way.¹⁰⁴

There was also some disunity in Labor's ranks, with the re-emergence of a Lang party, but to a much less serious extent. Although officially a Labor backbencher, Lang had soon commenced a campaign of harassment of the Government in Parliament and Caucus.¹⁰⁵ His newspaper, Century, also began to regularly publish savage attacks on the New South Wales and Federal Governments. These included bitter personal diatribes aimed at McKell. The Executive responded by recommending Lang's expulsion from the Labor Party which was confirmed by the 1943 Annual Conference.¹⁰⁶ Lang's predictable response was the formation once again of a breakaway party which contested 22 seats at the 1944 election. Although the contests were bitter in some cases (for example, in McKell's seat of Redfern) Lang was by now a spent political force. The good performance in office of the McKell and Curtin and Chifley Governments undermined much of his appeal.

The result of the election, held on May 27th 1944, was a resounding vote of confidence in the McKell Government. Labor won 56 seats, two more than 1941, in spite of losing two seats to Lang Labor (Auburn and Newtown). The Democratic Party could muster only twelve seats and the Country Party eleven. There were nine Independents. The combined Labor and Lang Labor primary vote was 54.52 per cent (Labor 45.63 per cent, Lang 8.89 per cent) compared to the Democratic, Liberal Democratic and Country Parties' total of 33.74 per cent (Democratic 18.91 per cent, Liberal Democratic 3.89 per cent, Country 10.94 per cent). In two-party preferred terms the result was Labor 58.69 per cent as against 41.31 per cent for the Democratic and Country Parties. Most sitting Labor Members consolidated their majorities, particularly in rural areas. Dubbo and Lachlan, former Country Party strongholds won by Labor at by-elections in 1942 and 1943, were retained with greatly increased majorities.

V

Planning for post-war reconstruction - Unrest within the Parliamentary Party - McKell's departure.

With the Government safely re-elected and the end of the war in sight, McKell's attention turned increasingly to post-war reconstruction. Like his close associate Chifley,¹⁰⁷ McKell had a vision of the future involving the co-ordinated development of the State's resources and a new egalitarian society where social problems and abuses would be eliminated. This belief in rational solutions to social and other problems and the high importance attached to planning were very much in tune with the prevailing current in society at large at this time. There was much talk of a "new order" and a "better world" across the political spectrum.

From 1944 onwards, the Government initiated an ambitious programme of major public works including dams, railways, schools, public housing and hospitals. The physical needs of the State and its citizens were not the only elements in McKell's master plan for the post-war world. Funds were also made available for live theatre, a symphony orchestra, museums and art galleries.¹⁰⁸ There was even a symbolic aspect to McKell's plans in the form of a scheme for a major re-construction of Macquarie Street into an avenue of grand public buildings.¹⁰⁹

McKell's implementation of his post-war plans was accompanied by a rising tide of unrest in the Parliamentary Party. This restiveness had a disproportionate effect on him, due mainly to the fact that McKell had the great weakness for a politician of being over-sensitive to criticism, especially when he regarded such criticism as unjustified.¹¹⁰

In the wake of the 1941 victory, McKell's authority over Cabinet and Caucus had been largely unquestioned. The newly elected Members, in particular, realised that they owed much of their success to McKell as the architect of Labor's victory. The Premier's ticket for the first Cabinet was overwhelmingly successful largely due to this factor.¹¹¹

There were two weak links in the first McKell Cabinet. One was Deputy Premier J. M. Baddeley, a Member since 1922. The obvious man for the job, Heffron, had ruled himself out by refusing to contest the deputy's position after he was defeated for the leadership in 1939. McKell described his deputy

as "a weakling . . . whatever the boys wanted was all right with Jack Baddeley".¹¹² The other problem for McKell was Minister for Education Clive Evatt. Evatt had been a last minute inclusion on the Cabinet ticket, due mainly to the lustre of the Evatt name at that time and personal representations from his brother, H. V. Evatt, then a leading figure in the Federal Opposition.¹¹³

Evatt, aided by an associate from Labor's legal wing, Abe Landa, and on occasion by another former Labor lawyer, W. F. Sheahan, quickly established himself as a source of dissent in Cabinet and Caucus. Evatt's generally unsatisfactory performance as a Minister and his propensity for finding himself in political trouble also did not endear him to McKell.¹¹⁴

After the Government's big electoral victory in 1944, McKell faced a much less acquiescent Caucus. Added to the pre-existing Evatt/Landa dissident axis was a restless and frustrated group of ambitious backbenchers who were disgruntled over their failure to achieve Cabinet rank. Among this group could be numbered: Sheahan, J. G. Arthur, F. Cahill, R. Hamilton and J. B. Renshaw.¹¹⁵ There were also a number of unreconstructed Langites still in the Party who were only too happy to join in the harassment of the Premier. Chief among these was Claude Matthews.¹¹⁶ This combination of forces led to, in McKell's own words, a "simmering" and "pinpricking" in Caucus which he found increasingly hard to bear.¹¹⁷

An early sign of trouble was the narrow re-election of Clive Evatt to Cabinet in spite of McKell's clearly expressed wish that he be dropped.¹¹⁸ The Premier responded by refusing to give Evatt a portfolio. He was made an Assistant Minister and demoted to second-last in Cabinet seniority. This move served only to exacerbate the problem as it was resented by many of the twenty-nine Members who had voted for Evatt in the Cabinet ballot.

Further difficulties for McKell emerged in July 1944. The exclusion of J. Seiffert (the local Member for the area) from the Kosciusko Park Trust led to criticism of the Premier in Caucus. McKell had little personal regard for Seiffert and had appointed Garfield Barwick and N. L. Roberts, both of whom he regarded as dedicated conservationists, to the Trust. Sheahan, supported by Evatt, moved that any future appointments to such trusts or public bodies should be considered by a Caucus sub-committee in consultation with Cabinet. McKell responded by declaring that he regarded such a motion as one of no-confidence. After heated debate, a compromise motion, that Ministers should in future consult with the relevant local Member over appointments to trusts and other similar bodies, was carried unanimously.¹¹⁹

Another confrontation occurred in October 1945 on McKell's return from an overseas trip. R. G. Hamilton, supported by Renshaw, moved for the appointment of four assistant Ministers to Cabinet. McKell, who was infuriated by what he regarded as a carefully orchestrated plot hatched in his absence, told Caucus that he would resign if the motion was carried. The proposal was not proceeded with.¹²⁰

There were also persistent reports of unrest in Caucus over McKell's alleged slowness to deal with abuses in the liquor trade, the implication being that the Premier was unwilling to offend the powerful brewery interests. McKell did, in fact, bring down liquor reform legislation in 1946. A referendum (subsequently lost) was provided for on the contentious hours of opening question.¹²¹

A good indication of the tensions existing in Caucus at this stage is given in a letter written by Sheahan to Chifley in December 1946. The letter followed an incident in Caucus when a serious public transport strike then underway was discussed. Transport Minister O'Sullivan indicated that part of the problem was Federal wage-pegging regulations. Sheahan then moved that the problem be drawn to the attention of the Federal authorities. According to Sheahan's letter:

To my surprise the Premier Mr McKell opposed the motion and suggested that I was endeavouring to censure you as Prime Minister and to cause disruption in the Labor movement. I am just about sick and tired of Mr McKell making these suggestions against me . . . I always understood that Caucus was the place, until I joined this Caucus, for the free honest and open expression of what a Member of the Party believed to be his opinion of actions which would result in improving things . . . I keenly resent the attempt made to use your name as suggesting that I am either disloyal or disruptive. Apparently Mr McKell has forgotten the part I took in Unity negotiations, and if he desires to enter into a personal hostile campaign with me, I can assure you that I will not haul up the white flag.¹²²

By late 1945, McKell gave every appearance of being burnt out. His health had suffered as a result of the constant strain of leadership during the war years. He found the general domestic political climate, in a sense, less congenial, as the war-time unity of purpose dissolved into an undignified squabbling over the fruits of victory. McKell, in addition, seemed more interested in pursuing his grand plans for post-war reconstruction than grappling with the mundane, intractable political problems facing the Government

such as growing industrial unrest. The restiveness in Caucus was also increasingly irksome to him.

On February 13th, 1946, McKell announced to a party gathering in his electorate of Redfern that he was retiring from politics before the next election.¹²³ The Party Executive and McKell's supporters in Cabinet and Caucus responded by organising votes of confidence in his leadership and urging him to stay on. There was a measure of self-interest in this pressure in that it was feared that the unity and electoral success created by McKell would be endangered by his premature departure. The Premier relented somewhat in response and agreed to the Executive's request to carry on until after the 1946 Budget¹²⁴. He appeared to be increasingly having second thoughts about his retirement decision and speculation grew that McKell would lead Labor at the 1947 election¹²⁵. Then came what must have seemed an ideal solution to McKell's dilemma in Chifley's offer of the Governor-Generalship. McKell resigned as New South Wales Premier on February 6th, 1947 to take up his vice-regal duties.

NOTES

1. For a detailed account of the election see Clune, D. H., "The New South Wales Election of 1941" in Australian Journal of Politics and History, V.30 No.3, 1984.
2. Sunday Sun, 11.5.41, p.3 (second news section).
3. Sydney Morning Herald, 12.5.41, p.9.
4. Downing interviews.
5. C. E. Martin Diary, 14.2.46, quoted in White, Paul, "C. E. Martin: a political biography", unpublished M.Ec. Thesis, University of Sydney, 1986, p.210.
6. The record of decisions reached at one of the first (27.5.41) Cabinet meetings states: "The Premier suggested to Ministers that no instructions should be given to the Parliamentary Draftsman in regard to the drafting of proposed legislation until an outline of the provisions of the Bill has been approved by Cabinet. It was agreed that Ministers would furnish to the Premier's Department a minute outlining the provisions of the proposed Bill for circulation to Ministers prior to consideration by Cabinet", State Archives of New South Wales, Premier's Department Records, Cabinet Documents, 9/3036.
7. Downing interviews.
8. McKell interviews; Kelly, V., A Man of the People, Alpha Books, Sydney, 1971, p.81; Moore, B. N., "Administrative Style: its effect on the functioning of an organisation", unpublished Ph.D. Thesis, University of Sydney, 1985, pp. 309-310; see also Sydney Morning Herald, 31.8.87, p.15 for an account of the work of the Budget Branch in the 1940's and 1950's by Phil Gallagher, a former senior public servant; the Public Service Board Annual Report for 1943/44 reads " . . . it was found necessary during the year, in order to provide efficient service to the Premier and Colonial Treasurer to strengthen the Budget Inspection Staff of Treasury Head Office by the appointment of additional Budget Inspectors" New South Wales Parliamentary Papers, 1944-45, V.1, p.964.
9. Downing interviews; on the relationship between Wurth and McKell see Moore, B. N., "Administrative Style: its effect on the functioning of an organisation", unpublished Ph.D. thesis, University of Sydney, 1985, pp.261-3, 117-8.

10. McKell interviews; the Cabinet records on a number of occasions are annotated next to agenda items "Premier to see Jacka", State Archives of New South Wales, Premier's Department Records, Cabinet Documents, 9/3036 (10.6.41), 9/3039 (19.10.42); there is also a reference to Jacka preparing a memorandum for the Premier on marginal wheat area re-construction (10.2.42), 9/3038.
11. On the rise of this centre group to power see Rawson, D. W., "Organisation and Structure of the Australian Labor Party (New South Wales and Victoria)", unpublished Ph.D. thesis, University of Melbourne, 1954, pp.326, 335, 350-1; on Downing's role in the centre faction and his association with Chifley, Downing interviews and Crisp, L. F., Ben Chifley, Longman, Croydon, Victoria, 1961, pp.107-8.
12. Downing interviews.
13. McKell interviews. For example, when McKell was attacked by the Trades and Labour Council for refusing to meet a deputation seeking a forty hour week (something he was not prepared to concede), he was defended by Tom Dougherty, General Secretary of the A.W.U. in these terms ". . . Mr McKell was one of the greatest Labor leaders the Commonwealth had produced. He had been responsible for the introduction of a compulsory two weeks holiday on full pay for all workers in N.S.W. This was one of the most progressive Acts ever introduced by a Labour Government" (SMH, 13.12.46, p.3; 14.12.46, p.4).
14. Downing interviews.
15. Downing and McKell interviews; for an account of the McKell Government's rural achievements see Clune, D. H., "The New South Wales Election of 1941 in Rural Areas", unpublished M.A. thesis, University of Sydney, 1982, Ch.9, and Clune, D. H., "The State Labour Party's Electoral Record in Rural New South Wales 1904-1981, Labour History, November 1984, pp.91-99.
16. The Public Finance category is excluded from this ranking here and in subsequent Chapters as its high score is very largely accounted for by the regular flow of Appropriation, Loan Appropriation and Supply Bills through Parliament.
17. Five Critical Years: story of the McKell Labour Government in New South Wales May 1941 - May 1946, Australian Labor Party, Sydney, 1946, pp.5-6.
18. Ibid, pp.49-50; Sydney Morning Herald, 18.6.41, p.13.
19. Standard Weekly (official ALP newspaper), 25.10.46, p.1; Sydney Morning

Herald, 19.10.46, p.4; the record of Cabinet meeting of 2.9.46 gives details on the State Development Council and its membership and functions, State Archives of New South Wales, Premier's Department Records, Cabinet Documents, 9/3043.

20. Daily Telegraph, 16.6.44, p.10; Sydney Morning Herald, 21.3.44, p.4; 26.9.44, p.4; 2.10.46, p.5; 6.12.46, p.4; Five Critical Years, op.cit., p.50, 53-54; Harris, C. P. and Dixon, Kay E., Regional Planning in New South Wales and Victoria since 1944 with Special Reference to the Albury Wodonga Growth Centre, Centre for Research on Federal Financial Relations, Australian National University, Canberra, 1978, pp.17-21; Powell, J.M., An Historical Geography of Modern Australia, Cambridge University Press, 1988, p.187; Report of the Committee on Determination of Regional Boundaries (J.M. Holmes, Chairman), Government Printer, Sydney, 1943.
21. On these plans generally see Five Critical Years, op.cit., pp.39-46; on specific areas see Standard Weekly, 25.10.46, p.5; Sydney Morning Herald, 9.12.46, p.4, 3.3.45, p.4 (on water); Sydney Morning Herald, 18.12.44, p.4; 4.12.44, p.4; 20.11.44, p.5 (on soil); Sydney Morning Herald, 17.10.45, p.4; 19.4.46, p.3 (on forests); Sydney Morning Herald, 22.1.47, p.3 (on Conservation Authority).
22. On the Cumberland scheme see Winston, D., Sydney's Great Experiment, Sydney, Angus and Robertson, 1957; Parker, R. S., The Government of New South Wales, St Lucia, University of Queensland Press, 1978, pp.415-6; Harrison, P. F., "Planning the Metropolis - a case study" in Parker, R. S., and Troy, P. N., The Politics of Urban Growth, Canberra, Australian National University, 1972, pp.64-79; Sandercock, L., Cities for Sale, Melbourne University Press, 1975, pp.179-186; Larcombe, F. A., The Advancement of Local Government in New South Wales, Sydney University Press, 1978, pp.268-274.
23. This is the conclusion of Sandercock, op.cit., pp.179, 185, 203. A partial exception was Cahill who was the Minister in charge of setting up the Cumberland Scheme and retained an interest in its fate.
24. Sunday Telegraph, 11.5.41, p.11.
25. New South Wales Parliamentary Debates, 7.10.41, pp.1607-1617 (McKell's speech); 8.10.41, p.1644 (Shand quote).
26. Ibid, 19.11.41, p.2585.
27. New South Wales Parliamentary Debates, 16.12.43, p.1399; see also 18.12.42, p.1517 for similar remark.

28. New South Wales Parliamentary Debates, 11.11.42, p.872; the gag was used for the first time in Labor's term of office on 30.10.47 and the guillotine not until 1958.
29. Ibid, 13.4.44, p.2376, see also 6.8.41, pp.282-3 for similar comment.
30. Ibid, 28.10.42, p.592; see also 16.12.43, p.1402 for similar comment.
31. Ibid, 8.10.41, p.1644; see also 16.10.41, p.1841; 29.9.43, p.81 for similar comments.
32. Ibid, 18.12.42, p.1519.
33. Ibid, 19.11.41, p.2585; see also 18.12.42, p.1517; 7.12.44, p.1692, 19.12.46, p.1000 for similar comments.
34. Ibid, 19.11.41, p.2586.
35. Ibid, 19.11.41, p.2587; see also 5.5.43, p.2958 for similar comment.
36. Ibid, 5.8.41, p.240.
37. Ibid, 16.12.43, p.1402.
38. Ibid, 8.10.41, p.1635.
39. Ibid, 30.3.44, p.2189.
40. Ibid, pp.2188-9.
41. Ibid, 9.12.42, p.1197.
42. Ibid, 11.11.42, p.869.
43. McKell interviews.
44. Sydney Morning Herald, 17.5.41, p.13.

45. Downing interviews.
46. McKell interviews.
47. Downing interviews.
48. See Turner, K., House of Review?, Sydney University Press, 1969, pp.39-47.
49. New South Wales Parliamentary Debates, 2.12.42, p.1097.
50. New South Wales Parliamentary Debates, p.1095.
51. Ibid, 10.12.42, p.1218.
52. Ibid, 29.3.44, p.2061.
53. Ibid, p.2061.
54. Ibid, 11.6.42, pp.3900-13.
55. Ibid, 10.6.42, p3842.
56. Ibid, p.3897.
57. Ibid, 16.6.42, p.3918.
58. Ibid, 17.6.42, p.3932.
59. Ibid, p.3929.
60. Ibid, 12.11.41, pp.2485, 2489-90; McKell and Downing interviews.
61. New South Wales Parliamentary Debates, 12.11.41, p.2491.
62. Ibid, p.2486.

63. The Opposition members voting against the bill were: D. B. Hunter, J. Jackson, R. S. Vincent, R. W. Weaver and H. G. Jackett; the Independents were: J. B. Shand and C. B. Lethbridge, New South Wales Parliamentary Debates, 10.12.42, p.1413. The nickname was later recalled by Hunter in New South Wales Parliamentary Debates, 25.8.53, p.258.
64. Sawyer, G., Australian Federal Politics and Law 1929-1949, Melbourne University Press, 1963, p.140.
65. New South Wales Parliamentary Debates, 19.11.41, p.2583.
66. Ibid, 10.6.42, p.3878.
67. Ibid, 17.6.42, p.3932.
68. New South Wales Parliamentary Debates, 14.10.42, p.328.
69. McKell interviews.
70. Sydney Morning Herald, 15.2.46, p.2.
71. Labor Policy Speech 1941 Election, p.12.
72. Sydney Morning Herald, 10.7.41, p.6; Larcombe, op.cit., pp.112-114, 197-204 gives a detailed account of the Greater Sydney proposals and their fate.
73. Sydney Morning Herald, 10.7.41, p.6.
74. Sydney Morning Herald, 12.7.41, p.10.
75. Sydney Morning Herald, 17.7.41, p.10.
76. Downing interviews.
77. Sydney Morning Herald, 28.11.41, p.6.
78. Ibid, 29.11.41, p13.

79. Sydney Morning Herald, 5.2.42, p.5.
80. Ibid, 8.10.42, p.4.
81. State Archives of New South Wales, Premier's Department Records, Cabinet Documents, 9/3038, 24.3.42.
82. See, for example, Daily Mirror, 30.12.42, p.3, 10.2.43, p.2; Sydney Morning Herald, 3.2.43, p.6; 4.2.43, p.4; 11.2.43, p.4; 6.2.43, p.9.
83. Downing interviews. See also SMH, 6.2.43, p.9; 4.3.43, p.4.
84. Labor Policy Speech 1941 Election, p.13; on the reform and abolition attempts see Turner, op.cit., pp.48-49.
85. Sydney Morning Herald, 18.6.43, p.4; see also Sydney Morning Herald, 8.4.44, p.9; Daily Telegraph, 24.6.43, p.6.
86. Daily Telegraph, 13.11.43, p.7; New South Wales Parliamentary Debates, 16.11.43, p.797; 30.11.43, pp.1146-7.
87. Sydney Morning Herald, 18.6.43, p.4; for some other examples see Sydney Morning Herald, 16.3.45, p.5; 26.10.45, p.4.
88. For examples of Australian Labor Party pressure for action on abolition of the Council see Sydney Morning Herald, 27.5.42, p.9; 6.11.41, p.14; Daily Telegraph, 28.10.43, p.7; New South Wales Parliamentary Debates, 6.11.41, p.2402, 8.10.42, pp.230-1.
89. Labor Policy Speech 1941 Election, p.13.
90. Cabinet Minutes in C. E. Martin Papers, 29.5.41, 10.7.42, ML (these minutes are not in the State Archives).
91. McKell and Downing interviews.
92. Sydney Morning Herald, 23.4.42, p.5.
93. Ibid, 18.5.42, p.7.

94. Sydney Morning Herald, 15.6.42, p.5; Downing interviews.
95. State Archives of New South Wales, Premier's Department Records, Cabinet Documents, 9/3036, 19.5.41.
96. Labor Policy Speech 1944 Election, p.4.
97. Ibid, pp.5-22.
98. Ibid, pp.21, 24.
99. Democratic Party Policy Speech 1944 Election, p.27.
100. Ibid, p.4.
101. McCarthy, J., "The Making of a Cabinet . . .", in, Hazlehurst, C., ed, Australian Conservatism, Australian National University, Canberra; 1979, pp.158-160.
102. Downing interviews.
103. Sydney Morning Herald, 9.11.43, p.4; 10.11.43, p.6; 25.11.43, p.4; 26.11.43, p.4; 27.11.43, p.9; 10.12.43, p.4.
104. Aitkin, D. A., "The Country Party and Non-Labor Unity in New South Wales, 1944 to 1964", in Australian Journal of Politics and History, V.11 No.2, August 1965, p.151; Sydney Morning Herald, 15.7.41, p.4; 26.8.41, p.6; 26.2.43, p.4; 28.10.43, p.5; 4.11.43, p.4; 26.11.43, p.4; 2.6.44, p.4.
105. For an example, where Lang in debate on the Third Party Insurance Bill claimed he had been gagged in Caucus, see Sydney Morning Herald, 2.5.42, p.11; NSWPD, 23.4.42, p.3149.
106. Nairn, B., The 'Big Fella', Melbourne University Press, 1986, pp.307-310.
107. In his biography of Chifley, L. F. Crisp writes "Chifley's closest bonds . . . were probably with Premiers like Playford and the New South Welshman, McKell, in whom he sensed a common personal dedication to the development of Australia's natural resources and industrial strength", Crisp, op.cit., p.272.

108. See Sydney Morning Herald, 2.8.44, p.4; 30.9.44, p.5 (on art galleries); 7.11.44, p.3; 22.3.45, p.3 (on establishment of an orchestra for New South Wales); Sun, 20.3.45, p.2 (on proposal for a National Theatre).
109. The Macquarie Street redevelopment involved the removal of Sydney Hospital to a new site at Kensington. The old building would be demolished and the site become a public square. Flanking it would be an Anzac House (a memorial to ex-services personnel), an art gallery and a national theatre. There would also be situated in Macquarie Street an opera house, new law courts, a museum, a new Parliament House and a tower with a carillon (near the State Library building). See Sydney Morning Herald, 24.6.46, p.11; 12.7.46, p.4; 22.1.47, p.1; Sun, 22.1.47, p.7.
110. Downing interviews.
111. McKell, Downing and Nott interviews; see also Sydney Morning Herald, 17.5.41, p.13 and White, op.cit., pp.169-172 on Cabinet election. The only candidate to stand against McKell's ticket was M. A. Davidson who was embittered over his failure to obtain a Cabinet post after playing an important part in the struggle against Lang. He received 13 votes only (of a possible 53).
112. McKell interviews; similar descriptions of Baddeley are provided by Downing and Nott (interviews) and C. E. Martin's diary (White, op.cit., pp.185-6).
113. Downing interviews; Martin diaries quoted in White, op.cit., p.170.
114. McKell, Downing, Nott and Landa interviews; White, op.cit., pp.175, 181-2, 185; Kelly, op.cit., p.103; for some examples of McKell/Evatt clashes see Sydney Morning Herald, 20.3.42, p.7; 30.8.41, p.12 (over administration of Education Department, particularly Evatt's abolition of corporal punishment); Sydney Morning Herald, 11.9.41, p.10 (over appointment to Sydney Technical College); Sydney Morning Herald, 14.4.44, p.4; 15.4.44, p.2; Daily Telegraph, 12.4.44, p.4 (over appointments to Board of Art Gallery).
115. McKell, Downing, Nott interviews; White, op.cit., pp.184-5, 188, 190.
116. The Lang group would seem to have been largely made up of those Members of Parliament who had followed Lang out of the Official Party in 1940. These were: McGirr, Tonge, Quirk, Gorman, Matthews, Lamb and Stanley.
117. McKell and Downing interviews.

118. White, op.cit., pp.185-188; Sydney Morning Herald, 7.6.44, p.4; 9.6.44, p.4. Figures for the first ballot, when Evatt was two votes short of a quota, and the subsequent ballot when he obtained the required 29 votes are in the Sheahan Papers, ML MSS 3350/1, 3350/7.
119. Sydney Morning Herald, 6.7.44, p.4; Sun, 16.7.44, p.3; Kelly, op.cit., p.103; McKell interviews.
120. Sydney Morning Herald, 4.10.45, p.3; Century, 5.10.45, p.6; Kelly, op.cit., pp.150-151; McKell interviews.
121. Sydney Morning Herald, 7.2.46, p.4; Century, 23.2.45, p.2; 11.5.45, p.6; Sun, 4.2.46, p.7; Landa interview. For reports of other Caucus troubles see (on a move by Cabinet rebuffed by Caucus to re-introduce zoning for deliveries of bread and milk) Standard Weekly (official ALP newspaper), 15.2.46, p.1; Century, 8.2.46, p.2; 15.2.46, p.3; (on Caucus pressure to legislate to prevent newspapers publishing details of divorce cases) Century, 19.10.44, p.3; 10.11.44, p.4; 23.2.45, p.2; 15.11.46, p.4; Sun, 4.2.46, p.7.
122. Sheahan Papers, ML MSS 3350/1.
123. Sydney Morning Herald, 14.2.46, p.1.
124. Sydney Morning Herald, 18.2.46, p.3; 19.2.46, p.3; 20.2.46, p.3; 21.2.46, p.3; Standard Weekly, 22.2.46, pp.3, 5, 6.
125. Sydney Morning Herald, 5.4.46, p.1; 9.10.46, p.3; 26.10.46, p.3; 2.11.46, p.1; 6.11.46, p.3; 26.12.46, p.3.

CHAPTER 2

McGIRR (FEBRUARY 1947 - APRIL 1952)

LOSS OF DIRECTION

I

McGirr narrowly defeats Heffron for the Premiership - The leadership struggle perpetuates divisions within the Parliamentary Party - McGirr's failings as leader and lack of ability at Party management - Abandonment of McKell's emphasis on planning and moderation - The Government's loss of direction in the post-war world.

McKell's departure from politics touched off an intense struggle for the Labor leadership. The two leading contenders soon emerged as Minister for Education Robert James Heffron and Housing Minister James McGirr. Heffron's supporters were much the same as the coalition of forces that had supported McKell, including the controllers of the Party machine, the majority of Cabinet and McKell himself. McGirr drew his strength from the dissidents who had so troubled the former Premier. His chief organisers were Clive Evatt and Claude Matthews. McGirr, as one who had been loyal to Lang until the last, had the support of the Lang bloc in Caucus. As a devout Catholic with a rural background, in contrast to the former trade union radical Heffron, McGirr also attracted some support from his co-religionists and country Members.¹

The rival forces were closely balanced in strength as the leadership vote on February 5th, 1947, was to show. McGirr finally triumphed on the fourth ballot by two votes.² Heffron's bid for the Premiership would seem to have failed due to two key mistakes. The first dated back to the deposition of Lang in 1939. Heffron, who did not have the support in Caucus to defeat McKell for the leadership, was offered a deal by Downing, one of the key organisers in the centre group supporting McKell. This involved a joint ticket which would see Heffron, in return for dropping out of the leadership race, become deputy leader. Heffron at first accepted the offer but later changed his mind, taking the short-sighted view that if he could not have the top job he would have no job at all. If Heffron had accepted Downing's offer he would have been Deputy Premier in 1947, ideally placed to succeed McKell.³

The other tactical mistake that tipped the balance in a close race was McKell's decision to vote in the leadership ballot although he had already

accepted the Governor-Generalship. While this move obviously delivered one extra vote for Heffron, it was ultimately counter-productive, in that some members of Caucus were so infuriated by McKell's decision that they voted for McGirr as a protest.⁴

McGirr was, thus, a leader commanding only the barest of majorities in Caucus. He had been opposed by the Party executive and the majority of Cabinet. He had risen to power not with a solid base behind him but on a negative, anti status quo tide. In addition, key figures in the McKell government such as Downing, Martin and Heffron, were now on the outer. By contrast, Clive Evatt was in the ascendant. In the Cabinet re-shuffle following McGirr's victory Evatt rose from second last in rank to third position and took the new Premier's old portfolio of Housing.⁵ Events were soon to prove that the combination of McGirr and Evatt was no substitute for McKell's firm hand in control.

James McGirr turned 57 on the day he was sworn in as Premier. He had been a Member since 1922 and had served as a Minister in the second Lang Government. McGirr is generally acknowledged to have been a decent, sincere man, popular with his colleagues. He was also, however, indecisive, impetuous, stubborn and inclined to be overly suspicious of those around him. The new Premier also lacked his predecessor's mastery of and application to the complex details of the business of Government.⁶ He was unable to provide the leadership, direction and political skills necessary to guide the Government through the difficulties confronting it in a changing post-war world.

A revealing glimpse of the McGirr style in action is given by Attorney-General Martin's description in his diary of the McGirr Government's first Cabinet meeting:

The first obvious feature was the lack of knowledge on Jim's part - in sharp contrast with Bill McKell, he had not mastered the respective minutes or apparently the Treasury view of them. As I anticipated, he has little knowledge of government generally and is apparently content to muddle through.⁷

Things did not improve. Martin wrote a little later:

If we are to govern this way, then it will be a case of God help us - for no real consideration is given to measures and we just stumble along!⁸

An early sign of the abandonment of the former Premier's cautious and

moderate approach was McGirr's introduction of the forty hour week. McKell, in spite of some trade union pressure, had opposed an early reduction in working hours as he believed it would be damaging to Australia's post-war industrial growth.⁹ He may also have been concerned at the political damage that precipitate action in such a controversial area would do to the Government. By contrast, within weeks of his coming to office McGirr announced that the Government would legislate for the forty hour week. New South Wales was in advance of the Commonwealth and every other State in this move.¹⁰

McGirr's campaign for the May 1947 general election was another indication that the emphasis on restraint and careful planning of the McKell years had been thrown out the window. The 1947 policy speech with its wild array of rash commitments was to hang like an albatross around the Government's neck for years to come. Promises made by McGirr that were to remain obviously unfulfilled included: giving Sydney a modernised transport system "comparable with that of any country in the world"; the completion of the Eastern Suburbs Railway; building 90,000 homes in the next three years; a modern medical centre in Sydney including a cancer research institute and eye, general and maternity hospitals; not to "tolerate any longer" blackouts in the Sydney metropolitan area; the removal of the gag from the Legislative Assembly's standing orders; calling a constitutional convention to discuss the best way of preserving basic rights and freedoms and embodying its conclusions in legislation.¹¹

The Opposition, by contrast, was in somewhat better shape than it had been in 1944. The remnants of the old U.A.P. had re-grouped under the Liberal banner and had an intelligent and articulate new leader in Vernon Treatt. Treatt had behind him a distinguished legal and military career. He had been a Member since 1938 and had served in the Stevens and Mair Governments as Minister of Justice.

In his policy speech the Opposition Leader attempted to convince the electors that "if you follow the Labour Socialists down their narrow, sectional, materialistic path it will continue to lead you not only to poorer material standards, but to spiritual disillusionment". Treatt also promised a new deal in the health, housing, transport and education areas, though in more restrained terms than McGirr.¹²

The election result saw the Government returned comfortably. However, the decline in the Labor primary vote (including Lang Labor) from 54.52 per cent to 50.02 per cent (the combined Opposition polled 40.75 per cent) and the loss of five seats (Albury, Drummoyne, Lachlan, Lane Cove, Orange) was a warning to the

Government (largely unheeded) that it needed to take steps to ensure its political survival.

II

Lack of co-ordination and planning in the public works programme and its results - Difficulties not of its own making cause political problems for the Government -By-election reverses show Labor losing support - The Government further damaged by internal disunity and friction with the Party machine - Continuing weakness of the Opposition - Near defeat in 1950.

The re-elected McGirr Government began on an inauspicious note with a resurgence of the bitter divisions remaining from the 1947 leadership ballot. Although McGirr wisely refused to be associated with a Cabinet ticket, his supporters were out for "blood and spoils".¹³ After an unprecedentedly long ballot, from 11.00 on the morning of May 18th to 2.45 the following morning, it finally emerged that the rebel group had succeeded in electing two of its number, Matthews and Sheahan, to Cabinet. One former Minister, W. F. Dunn, was defeated. McGirr had intervened on the final ballot and created an extra portfolio to break a deadlock between four candidates (Matthews, Sheahan, Finnan and Martin), each of whom had received a quota for the three remaining Ministerial vacancies.¹⁴ The fact that two more strong McGirr supporters had joined the unpredictable Evatt in a Cabinet still dominated by the McKell old guard was to prove a continuing source of friction.¹⁵

* * *

As its term progressed the McGirr Government's problems began to proliferate. It became increasingly obvious that many of the vast number of promises made in the 1947 election campaign were not going to be fulfilled. The Government's response was, rather than to re-think, to attempt to push on as quickly as possible and regardless of the consequences with what was basically an impossible task. Works were commenced all over the State with maximum publicity. More attention was given to political considerations than the implications for the State's long term development.

As a result of this largely unplanned and unco-ordinated expansion the public works programme was in a state of confusion by the end of the McGirr

years. Geoffrey Sawer wrote in the early 1950's of the urgent need for New South Wales "to establish an intelligible priority system as between various public works so as to ensure that the monies available for them - which cannot possibly be sufficient to carry them all to completion simultaneously - will be used to complete them in the most sensible order".¹⁶

Yearly expenditure of loan funds (which finance the Public Works programme) had risen from £9.1 million in 1946-47 to £65.4 million in 1951-52. Even allowing for inflation this represented a massive increase. Annual loan expenditure from 1946-47 to 1956-57 is set out below.

YEAR	ANNUAL LOAN EXPENDITURE £
1946/47	9,102,014
1947/48	16,241,077
1948/49	22,959,550
1949/50	27,218,611
1950/51	41,167,801
1951/52	65,354,129
1952/53	54,551,330
1953/54	60,020,860
1954/55	53,335,527
1955/56	55,369,319
1956/57	54,295,556

Source: New South Wales Official Year Book

Some examples of major works the Government had commenced or was committed to by 1952 included: Glenbawn, Burrendong, Keepit, Blowering, Warkworth Dams, the enlargement of Burrinjuck Dam, the Menindee Lakes scheme, a series of weirs on the Darling River ultimately planned to number from thirty to forty, a major storage at Lake Ballyrogan (later re-named Lake Brewster) and a number of irrigation projects. In the area of railway construction, work was underway on the Eastern Suburbs Railway and the Circular Quay loop. The Government was also committed to the electrification of country lines to Lithgow, Newcastle, Goulburn and Nowra. The Sandy Hollow to Maryvale railway was to be completed

and new lines built from Inverell to Glen Innes and Thirlmere to Burragorang. A deep sea port at the mouth of the Clarence River, intended to become a major coastal shipping centre, was authorised and substantial harbour improvements at Newcastle and Port Kembla were promised. In the electricity generation field 16 power stations were under construction or being extended as at November 1952. This included big new stations at Tallawarra, Wallerawang and Lake Macquarie and major extensions to existing facilities at Pymont, Bunnerong, White Bay and Lithgow. All this was in addition to heavy capital works commitments in the housing, education and health areas.

Analysis of the McGirr Government's legislative output as detailed in Appendix B reflects this major expansion of the public works programme. The Development policy area which includes Public Works jumped from fifth rank in terms of legislative activity between 1941 and 1947 to second between 1947 and 1953. Of the Acts classified as Major Policy (those that are innovative or significant), from 1947 to 1953 50 per cent involved major public works projects compared to 16 per cent from 1941 to 1947, 25 per cent from 1953 to 1959 and 20 per cent from 1959 to 1965.

Apart from the generally over-ambitious nature of the McGirr public works programme, part of the problem would seem to have arisen from the fact that the master plans for development contained in the platform Labor had been elected on in 1941 were based on a pre-war conception of development. This involved large-scale expenditure of public funds on works such as railways, roads and dams in rural areas to enable more people to be settled on the land.¹⁷ However, in the post-war world the Government's role changed from promoting closer settlement to striving to provide enough in the way of urban services to cope with the rapid growth of secondary industry and the concomitant growth of the cities.¹⁸ The Federal Government's post-war immigration programme also exacerbated the problems of providing services for the new metropolitan areas. Thus, the situation had arisen in New South Wales where the Government had embarked on the grand schemes of development expounded by McKell in the 'thirties and 'forties only to find that economic circumstances had changed the role of government from being the initiator of large-scale rural development projects to the urgent provision of urban services.

The end result of all this was described by R. S. Parker thus:

The triennial flood of election oratory leaves behind a silt of commitments all over the State ...so that the State is studded with

half finished bridges and dams, works at the drawing board stage, and 'temporarily' abandoned railway extensions, while outmoded and overcrowded schools and hospitals sag under the weight of years, and the waiting list for State houses grows no shorter.¹⁹

* * *

The McGirr Government was also increasingly beset by difficulties not of its own making. The end of the war had seen the beginning of a growing wave of industrial unrest as trade unions fought vigorously for their share of the fruits of victory. Much of this militancy was Communist inspired as the Communist Party became increasingly powerful in key unions and Trades Halls throughout Australia.²⁰ It culminated in the great New South Wales coal strike of 1949, a deliberate Communist challenge to arbitration and the Federal and New South Wales Labor Governments. Chifley, supported by the McGirr Government, met the challenge head-on and inflicted a decisive defeat on the mining unions in particular and Communist influence in general.²¹

The constant inconveniences and hardships suffered by the ordinary citizens of New South Wales during these years of industrial unrest could not but rebound on a trade-union based party such as Labor. The growing Communist trade union influence also left the McGirr Government, in common with Chifley, open to charges that it was not dealing firmly enough with what was widely perceived as an alien and subversive force. Even the defeat of the 1949 coal strike by the New South Wales and Federal Labor Governments was politically damaging as the voters "identified Labor with the striking unions rather than with the . . . successful endeavour to break the strike".²²

The McGirr Government also suffered from the electoral backlash against some of the actions of the Federal Labor Party before and after its defeat in December 1949. The maintenance of much of the war-time system of controls by the Chifley Government was claimed by Labor's opponents to be proof of a desire to gradually impose an authoritarian, "socialist" order on Australia. Chifley's 1947 decision to nationalise banking, in particular, led to a virulent propaganda campaign along these lines.²³ Opposition attempts to portray the New South Wales Labor Government as being of a similar ilk were fuelled by the New South Wales decision to brief counsel to support the Federal Government in the Privy Council appeal against the High Court's invalidation of Chifley's bank nationalisation legislation.²⁴

The Federal Labor Party's objections to parts of Menzies' legislation to ban the Communist Party, and the Opposition's use of its Senate majority to force amendments to the bill on the eve of the 1950 New South Wales election, also did not help the McGirr Government.²⁵ An indication of the concern felt amongst State Labor Members was the statement by R. Hamilton, the acting Chairman of Caucus, in April 1950 that "It is practically the unanimous view of the State Parliamentary Labor Party that the bill should be supported by the Federal Labor Party".²⁶

Another serious difficulty for McGirr and his colleagues was the great shortage of electricity, leading to constant blackouts and power rationing, that was a feature of the post-war years in New South Wales. Existing generating plant had run down during the war and was unable to cope with increasing demand. Replacement equipment was difficult to obtain. Industrial disputes in the electricity supply undertakings and the coal industry exacerbated the problem. By 1949 the situation had reached crisis proportions. An Emergency Electricity Commissioner was appointed to deal with the immediate problems and plans set in train to provide longer term relief. This involved the setting up of the Electricity Commission of New South Wales to take over and co-ordinate all existing electricity supply organizations and a massive programme of expansion of generating capacity. These efforts were eventually successful and all electricity restrictions were lifted by the end of 1953.²⁷ In the short term, however, the electors could not have looked favourably on a Government unable to prevent blackouts and restrictions on power use disrupting their daily lives.

* * *

That the electoral tide was running against the McGirr Government was demonstrated by a series of by-election reverses, culminating in the defeat of the Federal Labor Government only months before the 1950 State election was due. In May 1948 the Government lost Coogee and, in July, Kogarah. There were substantial swings against Labor in both seats (the Labor vote dropped almost 7 per cent on the 1947 general election result in Coogee and over 9 per cent in Kogarah). In March 1949 Concord was also lost to the Liberals. Another by-election in Concord early in 1950, caused by the death of the newly elected Member, saw the Liberal Party retain the seat with an increased majority. A by-election the same day in the previously safe Labor seat of Wollongong-Kembla, by contrast, saw the Government majority reduced to less than 2 per cent.

Caucus and the Executive were reported to be shocked and dismayed by these reverses.²⁸

McGirr's petulant post-election outbursts compounded the damage. After the Coogee by-election, for example, McGirr blamed "the power of money . . . revealed in all its stark nakedness" for the Liberal win.²⁹ The defeat in Kogarah was a result of "the vicious propaganda indulged in by the press, perhaps the most bitter since constitutional government was first established in this State".³⁰ The Labor loss in Concord was blamed on manipulation of postal votes.³¹ The Century summed up the situation accurately when it said of McGirr's post-Coogee statement: "It sounded too much like a squeal. It is bad enough when sportsmen get temperamental when things are going badly, but no one wants temperament from a politician".³²

The Premier was undeterred, however, and in June 1949 introduced a package of controversial amendments to electoral legislation. One change prohibited the dissemination of any "electoral matter", including comment in newspapers, placards, signs, leaflets, and the use of public address systems, within seventy hours of the close of the polls. This was intended to give the electors time to consider the issues "calmly and quietly" without "the spate of last minute comment and propaganda - some of it exaggerated and highly misleading". Other provisions greatly restricted the availability of postal votes.³³ These changes provided added ammunition for Opposition attempts to characterise the Government as authoritarian and repressive. Treatt, for example, claimed that "this latest action by a Government posing as the representatives of a free-living people is another sell-out [to] those evil forces which we hoped had been beaten when World War II ended".³⁴

* * *

The Government's chances of retaining office were further eroded by continuing internal conflict and dissension. It had soon become apparent that McGirr was to face a no less restive Caucus than McKell had done. In September 1947, for example, McGirr suffered an embarrassing rebuff when he opposed a motion to introduce night-trotting. He received little support from his colleagues and Caucus proceeded to carry the motion by a large majority.³⁵

An attempt by the Government to shore up its increasingly uncertain position by major changes to the electoral system was the occasion of a serious split in mid 1949. A redistribution was due in 1949, the last having been held

in 1940. The size of many city seats had increased greatly in the meantime. Cabinet initially decided to take the opportunity to abolish the three existing zones (Sydney, Newcastle and Country) and institute a "one man one vote" system where all electorates would have the same quota of voters with a tolerance of 20 per cent either way.³⁶ This would, it was assumed, help the Government in the coming election by increasing the number of Sydney and Newcastle seats. These electorates were considered to be more winnable than those in rural areas.³⁷

This proposal sparked off a serious revolt amongst country Labor Members, many of whom understandably saw in it the end of their political careers. In addition, those that survived would have larger electorates to nurse. Various attempts at compromise failed as hostility between the city and country blocs in Caucus increased and there was speculation that the forthcoming Annual Conference would be called on to resolve the matter. After much negotiation, however, a compromise was finally hammered out. This involved increasing the number of seats in the Legislative Assembly from 90 to 94. They would be divided into two zones, Sydney and Country (including Newcastle). The quota for city seats would be approximately 6,000 votes higher than in the Country zone, an improvement in the urban position of about 3,000 compared to the former situation. The tolerance would be fixed at 20 per cent. There would be 48 seats in the new Sydney zone (an increase of 5) and 46 in the Country (the old Newcastle and Country zones contained a combined total of 47). On the face of it, the country would thus lose only one seat. However, when the redistribution proposals came down, four seats in the Country zone that were predominantly rural in character were abolished (two were held by Labor, Ashburnham and Namoi) and the three seats that replaced them were on the fringes of Sydney and Newcastle (Kahibah, Lake Macquarie and Gosford).³⁸

The inclusion of Newcastle in the Country zone gave the Government an obvious advantage by allowing these predominantly safe Labor seats to take advantage of the lower quota in that zone, thus increasing their numbers. These changes and the ensuing redistribution were the beginning of a mild pro-Labor bias in the electoral system that was to be a feature of the rest of Labor's term in office (this issue is examined in more detail in Part Three).³⁹

The image of disunity created in Government ranks was increased when McGirr clashed publicly with his former chief supporter, Housing Minister Clive Evatt. In June 1949, Evatt told Parliament that he had suspended the Chairman of the Housing Commission, E. R. Gallop, for allegedly supplying him with misleading information. Gallop refused to accept the suspension claiming that

there was no such power in the legislation which had established the Housing Commission. Immediately after Evatt's statement, the Premier was asked what he intended to do about the matter. He replied: ". . . so far as I am concerned the Act is perfectly clear . . . I know of no power of suspension in the Act and there is, therefore, no need for me to take action".⁴⁰

The feud between Evatt and Gallop continued, however, and McGirr, backed by Cabinet, intervened to take matters out of Evatt's hands. Cabinet's decision on the "question of the powers of the Minister for Housing in relation to the Housing Commission" was:

The whole matter to be left in the Premier's hands to decide. Any matters in respect of which there is a difference of opinion between the Minister and Housing Commission, or that may become the subject of disagreement in future, to be referred to the Premier whose decision on such matters is to be binding on both the Minister and the Commission.⁴¹

In October McGirr again defended Gallop against further allegations of improper conduct in a statement in Parliament. When Evatt attempted to reply he was gagged by the Government Whip. The press reported that Members on both sides of the House regarded McGirr's action as "a severe public rebuke" to Evatt. The two men were also reported to have clashed bitterly over the affair at a subsequent Caucus meeting.⁴² McGirr was to become increasingly estranged from his former supporters as time went on and more and more dependent on those, such as Downing, who had been influential figures under McKell. Downing had already resumed the role he had played under McKell in liaison with the Party machine.⁴³

The most serious split of all occurred on the eve of the 1950 election. Its seeds lay, however, in the triennial election for the Legislative Council in March 1949. It was at this election that Labor finally obtained the control of the Upper House it had lacked since coming to office in 1941. In response to rumours that there was a strong possibility of some Labor votes leaking to an independent candidate (Asher Joel), Downing, with the sanction of the Executive, had put in place a system that would enable him to determine if any Labor Members broke the ticket. Based on a method of disciplining its vote that Labor had first developed in the thirties, the system involved issuing each Labor Member a ticket with an individual order of preferences. Scrutineers checked the ballots cast to ensure each Labor vote had followed the assigned ticket. If a particular order of preferences was missing, it was known that the

Member to whom they had been assigned had not voted as instructed. In the 1949 ballot, five Labor votes went astray. The offenders were discovered to be four Assembly Members (J. Seiffert, J. Geraghty, R. Heferen and F. Stanley) and Colin Tannock M.L.C. As a result, in February 1950 the four M.L.A.'s were refused re-endorsement by the Party Executive for the coming election. All four subsequently stood as independent Labor candidates. Tannock was refused endorsement when his re-election came up in 1952.⁴⁴

This action precipitated a major crisis when McGirr, in a move that was to call greatly into question his political skills and judgement, took up the cause of the four unendorsed Members, three of whom (Geraghty, Seiffert and Stanley) were his strong supporters. The Premier twice led a Caucus delegation before the Executive to plead for a re-consideration of their case. On both occasions he suffered a humiliating rebuff.⁴⁵ The Parliamentary Party itself was far from united on the issue. The newly elected Deputy Premier (since September 1949), Joe Cahill, sided with the Executive and spoke in Caucus against moves to save the threatened Members.⁴⁶ The member of the Government with most influence on the Party machine, Downing, had, in fact, been the architect of the Executive's action.

The crisis deepened when, on March 15th, a stunned Caucus was told by McGirr that he intended to resign as Labor leader over his failure to influence the Executive on the endorsement issue. Caucus unanimously asked the Premier to reconsider his decision and this he agreed to do.⁴⁷

The Party Executive was unmoved by this threat and, at the A.L.P. Industrial Group's annual conference on March 19, Bob King M.L.C., Secretary of the Trades and Labor Council and a leading member of the Executive publicly attacked McGirr in these terms: "I say that Mr McGirr is slighting the movement, and letting it down in his desire to defend individuals who I am assured are guilty of breaches of A.L.P. rules ... The executive has every right to sit in judgement on those responsible for the betrayal of party rules".⁴⁸

While McGirr considered his future during the week following his resignation announcement, speculation grew that he intended to step down. Heffron was tipped as his successor. Then, on March 21, in another surprise announcement, McGirr told Caucus that he had decided to remain leader after all.⁴⁹ It was in such disarray that Labor faced the general elections called for June 17th, 1950.

* * *

In his policy speech for the 1950 election McGirr laboured under the handicap of his many unfulfilled pledges from the 1947 campaign. The most obvious, the promise to build 90,000 houses in three years, was explained away by claiming 83,000 homes had actually been built "or placed under construction". Some promises, such as that to rapidly complete the Eastern Suburbs Railway, were repeated. The Premier also made much of the recently established Transport and Highways Commission as a panacea for transport problems.⁵⁰ He concluded his speech with a crude attempt to take advantage of growing post-War prosperity:

I say ... to every elector in this State ask yourself this one question: are you not better off today than you ever were before? If your truthful answer to this simple question is 'yes' I ask you to return your Labor Government to office ...⁵¹

Apart from attacking the Government over its failings in the transport and housing areas, the Opposition campaigned strongly on the claim that the McGirr Government was "wedded to Socialism and indifferent to Communism".⁵² Communists would be removed from the public service by a Liberal Government where, it was alleged, they had been "allowed to continue their destructive, irreligious activities". Communist influence in trade unions would be resisted by instituting secret ballots for all union elections. The Opposition similarly made much play of Federal Labor's opposition to Menzies' Communist Party Dissolution Bill: "Labor is shamming on the issue; it will only accept the Bill in an unworkable form. Ask yourself why!"⁵³ The Government was also castigated for allowing the electricity supply to deteriorate "alarmingly".⁵⁴ Blackouts and power rationing must have had added salience as an issue in a winter election, held, in fact, in the wettest June in Sydney's history. There were blackouts in fifteen Sydney suburbs on the night before polling day.⁵⁵

The Opposition was, however, hampered in its efforts to gain office by internal problems that were to persist for the next decade. The Liberal Party from its inception in New South Wales had displayed a much less accommodating attitude to the Country Party than the U.A.P. The Liberals' long term aim was "the elimination of the Country Party from state rural electorates preferably by amalgamation but if necessary by competition and defeat".⁵⁶ To this end, no pre-election pact between the two Opposition Parties was negotiated for the 1950 election and the Liberals mounted a "vigorous and intense" campaign in rural seats. The Country Party was later to claim "with some heat that this

'unnecessary'. Liberal diversion of resources from the metropolitan to the rural areas had cost the non-Labor parties the election".⁵⁷

The other long term difficulty for the Liberals was the quality of their leadership. Katharine West has written of Vernon Treatt: "By nature an introvert, Treatt always found difficulty as Liberal Leader in co-operating with his colleagues in the parliamentary and extra - parliamentary wings".⁵⁸ Treatt also, although he could be hard-hitting when he felt the occasion demanded it, appeared in the final analysis to lack the killer instinct. He often gave the impression of being most at home with the more gentlemanly brand of politics of the McKell era.

In spite of this, Treatt very nearly succeeded in bringing Labor's term in office to a close in 1950. After the election, the final state of the House was Labor 46 seats and the combined Liberal and Country Parties 46. The balance of power was held by two of the former Labor Members who had been deprived of their endorsements, Geraghty in North Sydney and Seiffert in Monaro. Labor had polled 46.75 per cent of the primary vote and independent Labor candidates 2.87 per cent. The combined Opposition vote was 45.12 per cent. In two-party preferred terms, the result was Labor 51 per cent and Liberal and Country Parties 49 per cent.

III

Post-election difficulties for the Government in Parliament - Governing without a majority causes a further deterioration in Labor's political position - McGirr's departure - Labor seemingly on the way out in New South Wales.

Seiffert and Geraghty both indicated that they would generally support Labor and McGirr was thus able to form a Government.⁵⁹ Labor's hold on power was, however, extremely precarious. After appointing a Speaker, the Government's numbers on the floor of the House dropped to 45. The support of one of the independents was needed to allow the Speaker to use his casting vote. If one or both of the independent Members voted against the Government it would be defeated. In addition, the unexpected absence from Parliament of Labor Members through illness or misadventure could bring down the Government. Labor could also not afford any further by-election losses.

Seiffert did, in fact, vote consistently with the Government. The Labor Party Executive had not been able to find a candidate to oppose Seiffert and,

unlike Geraghty, he had not automatically placed himself outside the Party by opposing an endorsed Labor candidate. Seiffert continued in the unusual position of being a member of the Labor Party and a Member of Parliament who was admitted to Caucus but who was not officially a member of the Parliamentary Labor Party until his endorsement was restored at the 1953 election.⁶⁰

Geraghty proved to be a more uncertain quantity and was to give the Government some anxious moments. Although, like Seiffert, Geraghty showed no inclination to turn the Government out, he used his key position to pursue, amidst much publicity, a number of issues: abuses in the liquor trade, abolition of the Legislative Council and the prevention of fare rises on public transport.

When public transport fare rises were proposed by the Government in September 1950, Geraghty declared that he would not vote for them as a protest against the retention of the Harbour Bridge toll, an issue of much concern to his constituents in North Sydney.⁶¹ Soon after, when the Opposition attempted to move an urgency motion criticising fare rises, Geraghty abstained from voting. The Government was able to defeat the move easily, however, because four Country Party Members were absent from the House.⁶² A subsequent move by the Opposition in November 1950 to disallow regulations implementing fare rises caused more serious problems for the Government. Geraghty again abstained from voting and the absence of a Labor Member from a key division (Health Minister Kelly had left the House under the mistaken impression the Assembly had adjourned for lunch) led to the defeat of the Government and the invalidation of the proposed increases. When the Government regained its numbers later in the day it was able to rescind the disallowance motion on the Speaker's casting vote, Geraghty again absenting himself from the key division.⁶³

Early in 1952, Geraghty made his long awaited move on the Legislative Council. He had for some time had a motion on the notice paper urging abolition of the Council and on March 25th moved that the motion be debated as a matter of urgency. This put McGirr and his colleagues in an awkward position. The Opposition had indicated that it would support Geraghty's move for a debate on the future of the Council. The Government would then have to explain why it had taken no action on what was official Labor policy. To extricate the Government from this situation, Speaker Lamb, displaying what appeared to be gross partiality, ejected two Opposition Members (E. A. Willis and H. B. Turner) from the House for allegedly interjecting during a rowdy Question Time. This gave Labor the numbers to outvote the combined forces of Geraghty and the Opposition.

When Geraghty rose to speak, Attorney-General Martin took a pre-arranged point of order which the Speaker upheld and Geraghty's motion was ruled out of order. The Opposition, lacking the voting strength to defeat the Government declined to pursue the matter further.⁶⁴ Treatt did, however, move the following day a motion of no-confidence in the Speaker over his behaviour.⁶⁵ This incident marked the final extinction of what remained of the good relations that had existed between Government and Opposition in the McKell years. Lamb, in particular, was never forgiven by the Opposition for his actions.

Geraghty, an ex-publican, had long pursued a crusade against the breweries, in particular, over the "tied-house" system where breweries owned and controlled most hotels. This was responsible for many abuses in the liquor trade he claimed. In November 1950, Geraghty attempted to bring on a debate in the Assembly on the "tied-house" system. He did this by the procedural device of moving that the House adjourn. Under the standing orders, such a motion has to be supported by five other Members. In a remarkable display of unanimity, no Member of either the Government or Opposition rose to allow Geraghty to voice his complaints against the breweries.⁶⁶ Undeterred, Geraghty declared that he would continue his attempts in Parliament to force the Government to act on liquor abuses.⁶⁷

In June 1951, Treatt moved in Parliament for a Royal Commission into all aspects of the liquor trade. Faced with growing pressure from within its own ranks on the issue⁶⁸ and the strong possibility that Geraghty would use his crucial vote to support the Opposition move, the Government caved in.⁶⁹ A Royal Commission under Justice Maxwell was subsequently appointed to inquire into the adequacy of the liquor laws, including all aspects of hotel ownership and control. This move was, in fact, to be Geraghty's undoing. Although he had unrestrainedly attacked in Parliament the breweries and other aspects of the liquor trade, Geraghty was strangely reluctant to appear before the Maxwell Royal Commission and finally had to be subpoenaed to force him to do so.⁷⁰ Under cross-examination he was unable to substantiate his allegations and was forced to withdraw many of them.⁷¹ The affair left his credibility in tatters.⁷²

These arduous Parliamentary battles had taken an increasing toll on McGirr's health, as had presiding over a fractious Cabinet and Caucus. It came as no surprise when, at the beginning of April 1952, he resigned from the Premiership and Parliament to become Chairman of the Maritime Services Board.⁷³ After the reverses of the McGirr years the Government was at a low ebb. Labor seemed to many to be on the way out in New South Wales.

NOTES

1. Sydney Morning Herald, 3.2.47, p.1; 4.2.47, p.1; 5.2.47, p.1; Century, 29.11.46, p.3; 13.12.46, p.2; White, Paul, "C. E. Martin: a political biography", unpublished M.Ec. thesis, University of Sydney, 1986, pp.213-216 (in his diary Martin described McGirr's victory as a "triumph" for the Lang group and the "Catholic influence"); Downing and Nott interviews.
2. Sydney Morning Herald, 6.2.47, p.1; Standard Weekly, (official Australian Labor Party newspaper), 7.2.47, p.2; Century, 7.2.47, p.3; 14.2.47, p.2. Baddeley, Dunn and Cahill also ran unsuccessfully for the leadership.
3. Downing interviews. The votes in Caucus in the 1939 leadership ballot were Heffron 7, McKell 13 and Lang 12 on the first ballot. Lang was then defeated by 20 votes to 12, Heffron's votes going to McKell (Nairn, B, The 'Big Fella', Melbourne University Press, 1987, p.302).
4. Downing interviews. On McKell's decision to vote, and the controversy surrounding it, see Sydney Morning Herald, 5.2.47, p.1; 6.2.47, p.1
5. Sydney Morning Herald, 7.2.47, p.1. Downing and Nott interviews and White, op.cit., pp.217, 238, 242 on Evatt's position.
6. This description of McGirr is drawn from Downing, Nott, Landa and Gallagher interviews and White op.cit., pp.219-220, 226-228, 282.
7. White, op.cit., p.219.
8. Ibid, p.220.
9. McKell interviews; for an example of trade union pressure on McKell on this issue see Sydney Morning Herald, 13.12.46, p.3.
10. Sydney Morning Herald, 22.2.47, p.1; 25.2.47, p.1.
11. Labor Policy Speech 1947 Election, pp.6, 8, 11, 14, 17.
12. Liberal Policy Speech 1947 Election, pp.2, 5ff.
13. Martin's phrase in his diary (9.2.47), quoted in White, op.cit., p.219.

14. For details on Cabinet ballot and events preceding it see Sydney Morning Herald, 5.5.47, p.1; 6.5.47, p.5; 7.5.47, p.1, 15.5.47, p.1; 16.5.47, p.1; Century, 9.5.47, p.2; 16.5.47, p.2; 23.5.47, p.2. White, op.cit., pp.222-226 gives an interesting, detailed account of the ballot from Martin's point of view. Martin seems to have been especially disliked by the rebels for his role in organising McKell's 1944 Cabinet ticket.
15. See, for example, the clash that erupted in December 1948 when McGirr was overseas. Acting Premier Baddeley was incapacitated by a heart attack and moves were made by Matthews and others to install Evatt, the next in Cabinet seniority, as Acting Premier. This move was thwarted by Evatt's Cabinet opponents leaving the Government virtually leaderless until McGirr's return some weeks later. White, op.cit., p.242; Sydney Morning Herald, 17.12.48, p.2; Daily Mirror, 23.12.48, p.5; Truth, 19.12.48, p.37; Century, 10.12.48, p.3. Matthews' Ministerial career was to be brief as he was defeated in the Caucus ballot following the 1950 election.
16. Australian Quarterly, March 1953, p.105.
17. Sinclair, W. A., "Capital Formation", in Forster, C., ed., Australian Economic Development in the Twentieth Century, Sydney, Australasian Publishing Company, 1970, pp. 54, 57.
18. Ibid.; Hudson, W. J., "1951-1972", in Crowley, F., ed., A New History of Australia, Melbourne, Heinemann, 1974, p.533.
19. Parker, R. S., "The Government of New South Wales", in Davis, S. R., ed., The Government of the Australian States, Sydney, Longmans, 1960, pp.159-160.
20. On the post-War industrial situation in general see Turner, Ian, In Union is Strength: a history of trade unions in Australia 1788-1974, West Melbourne, Nelson, 1976, pp.98-109; Murray, R., The Split, Melbourne, Cheshire, 1970, pp.23-24; Crisp, L. F., Ben Chifley, Croydon, Victoria, Longman, 1960, pp.344-355.
21. For accounts of the coal strike see Coleman, P. L., "The 1949 Coal Strike in New South Wales", in Victorian Historical Journal, February 1981, pp.42-56; Turner, op.cit., 103-108; Crisp, op.cit., 360-367.
22. Turner, op.cit., p.108. This is also the conclusion of Crisp, op.cit., p.367.
23. Crisp, op.cit., pp.326-342 on bank nationalisation and its political effects on Labor. See also May, A.L., The Battle for the Banks, SUP,

1968.

24. Sydney Morning Herald, 12.3.49, p.1.
25. Crisp, op.cit., pp.381-396; Murray, op.cit., pp.79-90.
26. Sydney Morning Herald, 29.4.50, p.1.
27. For general accounts of the electricity situation see Anderson, G. F., Fifty Years of Electricity Supply, Sydney County Council, 1955, pp.198-231; Allbut, G., A Brief History of Some of the Features of Public Electricity Supply in Australia, Electricity Supply Association of Australia, 1958, pp.32-34; Electricity Commission of New South Wales, Electricity Supply in New South Wales: a short history, 1968, pp.5-8.
28. Sydney Morning Herald, 13.2.50, p.1; 14.2.50, p.1; 15.2.50, p.5; Century, 17.2.50, p.5.
29. Sydney Morning Herald, 10.5.48, p.1.
30. Ibid, 19.7.48, p.3.
31. Ibid, 16.3.49, p.1.
32. Century, 14.5.48, p.6.
33. New South Wales Parliamentary Debates, 14.6.49, p.2424; 15.6.49, pp.2526-2527.
34. Sydney Morning Herald, 3.6.49, p.4.
35. Century, 3.10.47, p.6; Sydney Morning Herald, 25.9.47, pp.1, 4. Martin in his diary recorded that McGirr "failed to put up an effective speech against the motion and failed, too, to handle Caucus successfully", White, op.cit., pp.227-228.
36. State Archives of New South Wales, Premier's Department Records, Cabinet Documents, 9/5112.3, 2.5.49.
37. Sydney Morning Herald, 18.5.49, p.3; Century, 29.4.49, p.6.

38. Sydney Morning Herald, 25.5.49, p.3; 27.5.49, p.3; 28.5.49, p.3; 29.5.49, p.1; 1.6.49, p.1, 2.6.49, p.5; Nott interviews; for details of the new proposals see also New South Wales Parliamentary Debates, 14.6.49, p.2424; 15.6.49, pp.2523-2524.
39. On the effect of the inclusion of Newcastle in the country zone see Parker, R. S., "The Government of New South Wales", in Davis, op.cit., p.73. On the pro-Labor electoral bias see Hughes, C. A., "Fair and Equal Electoral Districts: the problem at State level", paper delivered at Third Federalism Project Conference, 10 February 1983, p.4; Rydon, J., "The Results", in Campbell, J., State Ballot: the New South Wales general election of 1962, APSA Monograph no.7, Sydney, APSA, 1963, pp.50-51; Mackerras, M., New South Wales Elections, Research School of Social Sciences, Australian National University, 1973, pp.189-190.
40. New South Wales Parliamentary Debates, 16.6.49, pp.2556-2557.
41. State Archives of New South Wales, Premier's Department Records, Cabinet Documents, 9/5112.3, 1.11.49. Evatt was not present at this Cabinet meeting.
42. New South Wales Parliamentary Debates, 19.10.49, pp.4259-4261, 4263-4265; Sydney Morning Herald, 20.10.49, p.1; 27.10.49, p.3. These allegations (that Gallop had given a Housing Commission home to a person whose house he then purchased at a reduced price) were made by J. C. Lang who then held his father's former seat of Auburn. There is more than a slight suspicion, however, that they were connived at by Evatt. In his defence of Gallop, McGirr spent most of his time quoting the Crown Solicitor's opinion that Evatt had no right to suspend Gallop in the initial Evatt/Gallop clash. For another McGirr/Evatt clash, when the Premier publicly overruled Evatt in the latter's attempt to force Government bodies to bank with the Rural Bank, see Sydney Morning Herald, 26.7.50, p.1; Century, 4.8.50, p.2.
43. Downing interviews. Apart from his proven abilities and Labor movement contacts, Downing particularly commended himself to the suspicious McGirr in that as an M.L.C. he was not seen as a leadership threat.
44. Turner, K., House of Review?, Sydney University Press 1969, pp.37, 51; Parker, R. S., The Government of New South Wales, St Lucia, Queensland University Press, 1978, p.208; Rawson, D. W., and Holtzinger, S., Politics in Eden-Monaro, London, Heinemann, 1958, pp.36-38; Sydney Morning Herald, 27.2.50, p.3; Century, 8.4.49, p.5; 3.3.50, p.2; Downing and Nott interviews.
45. Sydney Morning Herald, 4.3.50, p.3; 6.3.50, p.3; 11.3.50, p.1; 13.3.50, p.1. To add to the confusion five other sitting Australian Labor Party

Members were defeated in pre-election ballots at this time (M. Quirk, R. Gorman, K. Dwyer, A. R. B. Powell, R. Hamilton), Sunday Herald, 12.3.50, p.1; Sydney Morning Herald, 13.3.50, p.3. Hamilton, whose seat of Namoi had been abolished, was attempting to transfer to the safe Labor seat of Bankstown.

46. Sydney Morning Herald, 14.3.50, p.1; Century, 10.3.50, p.4; Nott interviews.
47. Sydney Morning Herald, 16.3.50, p.1; 17.3.50, p.1; Century, 17.3.50, p.3; Standard Weekly (official Australian Labor Party newspaper), 17.3.50, pp.1, 2.
48. Sydney Morning Herald, 18.3.50, p.1; for text of King's speech Standard Weekly (official Australian Labor Party newspaper), 24.3.50, p.3; Sydney Morning Herald, 20.3.50, p.1. Cahill also spoke at the Conference and his remarks were chiefly noticeable for their lack of support for McGirr.
49. Sydney Morning Herald, 21.3.50, p.1; 22.3.50, p.1; Century, 24.3.50, p.3; 31.3.50, p.2.
50. Labor Policy Speech 1950 Election, pp.9, 10, 14.
51. Ibid, p.24.
52. Comment by Treatt in Sydney Morning Herald, 8.6.50, p.5.
53. All of these claims were made in a Liberal advertisement "Labor's sham fight on Communism" Sunday Herald, 11.6.50, p.5.
54. See, for example, Liberal advertisement "The Liberal light on blackouts" Sydney Morning Herald, 8.6.50, p.5.
55. Sydney Morning Herald, 17.6.50, p.7.
56. Holgate, Katharine, "Liberal Party Problems in New South Wales State Politics" in Australian Quarterly, December 1961, p.16.
57. Aitkin, D. A., "The Country Party and Non-Labor Unity in New South Wales, 1944-1964" in Australian Journal of Politics and History, Vol. 11 No. 2, August 1965, p.158. The situation between the Liberals and Country Party improved little in the 1953 and 1956 elections (pp.158-159).

58. West, Katharine, Power in the Liberal Party, Melbourne, Cheshire, 1965, p.155.
59. Sydney Morning Herald, 20.6.50, p.1.
60. Rawson and Holtzinger, op.cit., p.38; Downing interviews.
61. Sydney Morning Herald, 16.9.50, p.1.
62. New South Wales Parliamentary Debates, 5.10.50, pp.561-562; Sydney Morning Herald, 6.10.50, p.1.
63. New South Wales Parliamentary Debates, 9.11.50, pp.1462-1479; Sydney Morning Herald, 10.11.50, p.3. It took five divisions to rescind the disallowance motion. Geraghty voted with the Government on three of these but not on the initial vote to consider the rescission motion and the final vote that reversed the disallowance motion.
64. New South Wales Parliamentary Debates, 25.3.52, pp.5575-5579; Sydney Morning Herald, 26.3.52, p.1; Century, 28.3.52, p.2; Turner, op.cit., p.51. The Speaker was to admit the following day that he had erred in accepting Martin's point of order, New South Wales Parliamentary Debates, 26.3.52, pp.5669-5670; Sydney Morning Herald, 27.3.52, p.3. Martin annotated a newspaper cutting of Lamb's admission: "This puts me in! He [the Speaker] knew the position originally - advised that the point could not be sustained . . . It was arranged and I was the 'bunny'", White, op.cit., p.301.
65. New South Wales Parliamentary Debates, 26.3.52, pp.5671-5675.
66. Sydney Morning Herald, 15.11.50, p.3; 16.11.50, p.1; New South Wales Parliamentary Debates, 15.11.50, pp.1576-1577.
67. Sydney Morning Herald, 16.2.51, p.3; 8.6.51, p.3.
68. Evatt, Landa and others had continued their campaign, begun under McKell, against the Government's allegedly over-sympathetic attitude to the breweries (see for example Landa's remarks on the setting up of the Maxwell Royal Commission NSWPD, 12.6.51, pp.2698-2701). For reports of Caucus unrest on this issue see Sydney Morning Herald, 31.5.51, p. 1; 7.6.51, p.1. The extra-Parliamentary Party was also pressing for liquor reform legislation (see Sydney Morning Herald, 16.2.51, p.3). The 1951 Annual Conference passed a series of resolutions calling for reforms in the liquor trade in a significantly stronger form than recommended by the

Executive (Sunday Herald, 10.6.51, p.6).

69. NSWPD, 12.6.51, pp. 2683-2705; Sydney Morning Herald, 13.6.51; Century, 15.6.51, p.4. Cahill was later to give this account of events: "The Leader of the Opposition then moved that a Royal Commission be set up to inquire into the liquor industry and the Government agreed ... It appeared at the time that the Government must either agree to the motion or be defeated and because the Government was not so interested in liquor as in avoiding defeat a Royal Commission was set up" (NSWPD, 31.8.54, p.109).
70. Sydney Morning Herald, 3.7.52, p.4. According to Reg Downing, Geraghty had been wrongly advised by Clive Evatt that he would not have to answer questions at the Commission on statements made in Parliament because he would be protected by parliamentary privilege (Downing interviews).
71. Sydney Morning Herald, 3.7.52, p.3; 4.7.52, p.4; 2.10.52, p.4.
72. Geraghty lost his seat to an endorsed Labor candidate (R. S. Maher) at the 1953 election.
73. Sydney Morning Herald, 2.4.52, p.1; Century, 4.4.52, p.2.

CHAPTER 3

CAHILL (APRIL 1952 - OCTOBER 1959):

A NEW LEASE OF LIFE

I

Labor readjusts to changed circumstances in the 1950's - Cahill's abilities as politician and administrator - Reestablishing control over Cabinet and bureaucracy - Party management - Relations with key groups - Increasing importance of conflict between Commonwealth and State Governments - Cahill exploits the unpopularity of the Federal Government to restore Labor's political fortunes - A new electioneering style - Landslide victory in 1953.

The political ideas of J. J. Cahill and his colleagues in the New South Wales Labor governments of the 1950's had been formulated in the early part of the century and given sharp focus by the Depression. Cahill himself had lost his seat in 1932 and had eked out a meagre existence in a shoe store until his re-election in 1935. To these men, the McKell reforms of the forties, post-war full employment and rising living standards, the welfare state and the steady Commonwealth encroachment on former areas of State responsibility seemed to indicate that all Labor's traditional aims in the State sphere had been accomplished. At a dinner given to Cahill by a Labor M.L.C. to celebrate his accession to the Premiership, Cahill is reported to have said that there was "not much nowadays between the ideas and ideals of the Parliamentary parties because the just claims of the people as advanced by Labor had been largely accepted by the non-Labor parties"¹. Acting Premier Heffron informed the 1953 A.L.P. Conference that after thirteen years in office the Party had completed the major part of its legislative programme: "There is not a great deal remaining to be done by way of legislation . . . the principal work of the Party is, today, the implementing of those decisions we made in other days . . ." ²

In the absence of a programme or agenda, the government saw its main task as protecting and promoting existing prosperity through development, particularly of secondary industry. Labor's traditional commitment to reform was equated with passing on the fruits of the "long boom" in the form of

improvements in wages and working conditions and striving to provide enough in the way of services, such as schools, housing and hospitals, to meet the needs of the fast increasing urban population created by the post-war growth of secondary industry.

The adoption by the Cahill Government of this set of beliefs led to a great deal of policy convergence with the Opposition. R. S. Parker wrote at the end of the decade:

In recent elections the positive programmes offered by both main parties have been largely similar and largely composed of promises of administrative improvement and increased spending in the fields of transport, housing, health, education and public works. And the Liberals have undertaken to conserve Labor's social advances of the past.³

Politics in the 1950's was thus little more than a battle of tactics with only vestigial ideological overtones. Pragmatism was dominant. What policy conflict there was came mainly in the industrial area where Labor continued to be something of a pace-setter in matters such as long service leave, annual leave and equal pay for women⁴.

The legislative priorities of the Cahill Government as analysed in Appendix B shows an increasing emphasis on industrial matters. In terms of legislative activity, the Industrial Relations policy area ranked second from 1953 to 1959 and showed a distinctly higher level of activity than all other periods (7.5 per cent of all legislation compared to 4.6 per cent from 1941 to 1947, 4.9 per cent from 1947 to 1953 and 4.4 per cent from 1959 to 1965). Of the legislation classified as innovative or significant from 1953 to 1959, 50 per cent was concerned with industrial matters. As well as reflecting a continuation of the McKell strategy of consolidating the Government's support in the labour movement by a generous flow of concessions, the large amount of industrial relations legislation correlates with the Cahill Government's tendency to see its role largely in terms of making improvements to the conditions and remuneration of those in employment.

It was at this time that the style of government that was to mark the rest of Labor's term in office emerged. McKell's conception of Labor as a party of moderate reformism was gone (except in the narrow industrial sense), although his emphasis on efficient administration and political pragmatism remained. The New South Wales Labor style was tough, competent and conservative with a marked preference for behind-the-scenes manipulation and back-room deals. There was

also a tendency to see the retaining of office as the only goal rather than as a means to an end. The result was a formidable political machine that was usually able to crush its opponents relentlessly. However, this emphasis on winning at almost any cost had a dark underside of authoritarianism and unscrupulousness. There was, on occasion, an over-readiness to cover-up rather than publicly investigate embarrassing incidents and to manipulate the rules of the game to Labor's advantage.

* * *

On April 2nd 1952 Caucus elected John Joseph Cahill as Premier. Cahill, who was 61, had first been elected to Parliament in 1925 and since Labor had come to power in 1941 had performed impressively in the difficult Public Works and Local Government portfolios. A behind-the-scenes deal was done with supporters of Cahill's chief rival for the Premiership, Heffron, when it was realised that the latter did not have the numbers to win and an exchange of votes was arranged that made Heffron Deputy Leader.⁵ Cahill's strong performance as Deputy Premier under McGirr had led to a steady increase in his standing in the Party to the point where he had eclipsed Heffron as the heir apparent to the Labor leadership.

In one sense, the victory of the Cahill/Heffron ticket marked the formal return to power of the McKell old guard. However, the old divisions, largely a product of the fight to depose Lang and at the best of times blurred by personal rivalries and ambitions, were becoming increasingly irrelevant. New forces, such as the rise to prominence of the A.L.P. Industrial Groups, were coming to dominate the political landscape. In addition, prominent members of the large group of ambitious backbenchers that had proved to be a source of restiveness in earlier years by now had become or were about to become Cabinet Ministers.

As Premier, Cahill proved to be a consummate politician and a capable administrator. He was also renowned for his ability to work hard and to withstand the pressures of office. This combination of toughness and political acumen was to make Cahill a formidable leader for Labor in New South Wales.

Under Cahill, the political and administrative machine created by McKell was revived and strengthened.⁶ Discipline was restored to Cabinet which, in the final McGirr years, had shown an increasing tendency for Ministers to pursue personal feuds in public. Cahill was insistent that his Ministers keep on top

of their portfolios and, if necessary, took action to ensure that they did. According to Pat Hills, who worked with Cahill as Minister assisting the Premier, "Cahill expected you to perform and if you didn't he would let you know. He was never backward in letting you know if he thought you were wrong". The Party Officers were told that if Ministers did not acknowledge representations within three months the Premier was to be informed. Cahill also relied on the powerful Chairman of the Public Service Board Wallace Wurth as a source of inside information on what his Ministers were doing and as a means of controlling them.⁷ In Cabinet, although well versed in the details of what was going on, Cahill tended to scrutinise matters more closely for their political rather than their administrative implications. An early sign that a firm hand was in control was the fate of Clive Evatt. On assuming office, Cahill moved Evatt, in spite of the latter's vehement protests, from Chief Secretary back to the Housing portfolio. When Evatt continued his intractable behaviour Cahill sacked him from the Ministry in April 1954.⁸

Cahill is generally acknowledged to have been a master of the difficult art of handling Caucus. An easy mixer, Cahill took pains to keep on good terms with his colleagues, for example, by constantly making himself available to attend functions in their electorates. He also made himself accessible to backbenchers in the Parliamentary dining room and billiard room. In Caucus, by a mixture of bullying and cajoling, the Premier usually managed to get his way. Cahill always sounded out proposals carefully in advance and tried to ensure he had "the numbers" locked up before suggesting a course of action. His finely honed political judgement also helped him to discern when to push proposals through in spite of criticism and when to back off and compromise.

Although generally popular, Cahill was, in fact, close to few. Reg Downing was a trusted confidant and adviser. Cahill also regularly consulted with C. A. "Gus" Kelly, particularly on Caucus matters.

Cahill devoted much attention to ensuring that there were no major conflicts between the Government and the extra-Parliamentary Party and union movement. The Party Officers met with him every week in the Premier's office. These meetings were usually held on the day before the State Executive met, thus ensuring the Officers were fully briefed on the Government's activities. Tony Mulvihill, Assistant Secretary of the New South Wales Branch from 1957 to 1964, remembers these meetings as being run in a brisk and businesslike fashion. The Premier worked strictly to an agenda and carefully noted decisions reached or matters needing further attention. Cahill backed this up with a steady flow of

concessions to the labour movement, for example, improvements in leave and workers' compensation, to ensure there were no major grounds of complaint about Government remoteness or inactivity.

During his term of office, Cahill also carefully cultivated good relations with the business community. The Government's emphasis on promoting development made for a certain commonality of interest here. Cahill, as one who greatly enjoyed the ceremonial aspects of the Premiership, also mixed frequently with business and community leaders at official functions. A less formal channel of communication was through "Gus" Kelly. Kelly presided over a weekly luncheon group at the Australia Hotel, the "Tuesday Club", which consisted mainly of prominent businessmen. This was often used as a means of liaison between the Government and the "big end of town".

* * *

On assuming office Cahill moved quickly to revive the Government. One of his first priorities was to restore some order to the public works programme. The Premier quickly issued instructions to his Ministers that until works in hand were completed no new projects were to be undertaken, "if the Government starts works and is unable to complete them chaos will result. The Government is determined to prevent that from happening".⁹ In 1955 Cahill told Parliament:

In fact, the government has started no major works since it was criticised for having too many works in progress. It decided - against some objections from its supporters - not to begin new works until all existing major works were near completion.¹⁰

In addition, he adopted a system of priorities for completion of works, which the Opposition had been advocating for years:

[The Government] was told that there were too many works under construction and that none were being completed. Any political general worthy of the name will examine the statements of his opponents. Quite frankly the Government decided that there was some merit in the criticism . . . The matter was discussed by Cabinet and a decision to concentrate on major works and mark time with the others was made.¹¹

Conservation Minister Enticknap said of cuts to the water conservation programme:

I do not apologise for the priority that I have allotted these works. I thought it absurd to proceed with a number of works at less than half speed, and instead decided to press on with those that would most quickly bring greater production. Honourable Members opposite have consistently urged us to adopt such a policy.¹²

Cahill's restructuring of the public works programme showed that he realised a vast program of rural works was an anachronism in the post-war world. The system of priorities adopted severely restricted the major water conservation schemes and other rural works. The only water conservation projects to proceed were the Glenbawn Dam, the enlargement of Burrinjuck Dam and irrigation work at Deniboota in the Murrumbidgee Irrigation Area to make more use of the waters of the Murray. Work on Keepit Dam was resumed in October 1953 after a year's suspension. Railway construction was concentrated on completing the Circular Quay loop and electrification of the main western line. The Clarence River Port disappeared from the Estimates.

By contrast, in his 1953 Budget Speech Cahill told the House that "in accordance with our policy of concentrating all efforts on the completion of works under construction, new schools and hospitals are being brought into service at an accelerated rate and in large numbers".¹³ Speaking on the Loan Estimates he said: "In all fields of activity, the Government's policy is to continue to concentrate upon the completion of works in progress ... No building contracts for schools or hospitals are now being retarded".¹⁴

A Herald editorial in October 1954 stated:

The benefit of more sober management of State loan works is evident . . . [Cahill's] policy of concentrating on the completion of works already in hand, in preference to starting new ones, is beginning to pay dividends. There has been a much better rate of progress . . . The credit belongs to Mr Cahill for tidying up the situation he inherited from his predecessor. Mr McGirr displayed unlimited enthusiasm for starting new works but took not the slightest interest in the problem of meeting the total cost; nor did he pause to consider how programmes on such a grand scale could be carried out, let alone financed. The result was to raise costs and slow down progress all round. But the record in 1953/54 shows that much more is achieved in practice where a reasonable restraint prevails.¹⁵

The change in the direction of the public works programme in the Cahill years is reflected in analysis of loan fund expenditure from 1941/42 to 1964/65

(the public works programme is funded out of loan moneys not consolidated revenue). The table below shows the main categories of loan expenditure during Labor's 24 year term. It has been broken down into four six year periods approximately corresponding with the McKell, McGirr, Cahill and Heffron and Renshaw Governments. The overall trend revealed is that in the first two periods areas of rural concern, such as water conservation, land settlement and agriculture, figure prominently in loan expenditure. In the later two periods, however, these rural areas either remain static or decline and urban-oriented expenditure (water and sewerage, electricity, schools and hospitals) becomes predominant until education alone absorbs almost a quarter of all loan funds spent between 1959/60 and 1964/65.

DISTRIBUTION OF N.S.W. GOVERNMENT LOAN EXPENDITURE 1941/42 TO 1964/65

	1941/42-1946/47		1947/48-1952/53		1953/54-1958/59		1959/60-1964/65	
	£000	%	£000	%	£000	%	£000	%
RAILWAYS	13,617	50.00	79,945	35.14	75,793	22.24	54,550	12.94
OTHER TRANSPORT (BUSES, TRANS, FERRIES)	497	1.82	9,528	4.18	6,159	1.80	2,658	0.63
WATER SUPPLY, SEWERAGE AND DRAINAGE	455	1.66	3,130	1.37	19,900	5.84	50,733	12.04
WATER CONSERVATION & IRRIGATION	2,427	8.91	18,543	8.15	36,813	10.80	42,102	9.99
HARBOURS, RIVERS, WHARVES	1,273	4.67	5,451	2.39	11,916	3.49	27,573	6.54
ROADS AND BRIDGES (INCLUDING CIRCULAR QUAY IMPROVEMENT)	1,553	5.70	1,025	0.45	2,962	0.86	7,045	1.67
ELECTRICITY	930	3.41	35,742	15.71	70,448	20.67	50,100	11.89
OTHER INDUSTRIAL UNDERTAKINGS	726	2.66	4,274	1.87	3,618	1.06	4,267	1.01
LAND AND AGRICULTURE	2,032	7.46	28,677	12.60	26,163	7.67	14,879	3.53
HOUSING	626	2.29	8,837	3.88	2,027	0.59	2,044	0.48
PUBLIC BUILDINGS (GENERAL)	360	1.32	4,676	2.05	8,519	2.50	16,028	3.80
EDUCATIONAL AND SCIENTIFIC WORKS	1,249	4.58	14,272	6.27	46,626	13.68	101,098	23.99
HOSPITALS AND CHARITABLE WORKS	1,289	4.73	12,366	5.43	28,488	8.36	46,462	11.02
MISCELLANEOUS WORKS, IN SHIRES AND MUNICIPALITIES	199	0.73	1,026	0.45	1,268	0.37	1,815	0.43
TOTAL	27,233		227,492		340,700		421,354	

Source: This table has been constructed from the annual figures for distribution of loan expenditure given in the M C U Official Year Book

Two other embarrassing reminders of the misadventures of the McGirr years were also expeditiously dispatched. The state Tileworks, set up in 1948 and after an expenditure of £800,000 still not in full commercial production, was handed over to a private firm.¹⁶ The Transport and Highways Commission, which Opposition Leader Treatt described as a pre-election device to convince the public that something was being done about transport problems that had obviously failed in its avowed purpose, was disbanded at an estimated saving of £25,000 to £30,000 per year.¹⁷

* * *

Another major task facing the new Premier was restoring the Government's political fortunes and the growing unpopularity of the Menzies Government's economic policies gave him the chance to do just that. Conflict with the Commonwealth Government, chiefly over finance, was to become a dominant issue in the Cahill period. Relations with Canberra had been a source of friction when Labor ruled both Federally and in New South Wales. With the advent of the Menzies Government, the tempo had greatly increased. Cahill was to prove a master of the art of exploiting the Federal conservatives' real and alleged failings to the political detriment of their New South Wales colleagues. Cahill was also convinced that the whole basis of Federal-State financial relations was inequitable, specifically in terms of the deal meted out to New South Wales by the Federal Government through the Loan Council and the level of tax reimbursement grants received under the uniform tax system. He believed, with justification, that it was necessary for him to fight as hard as possible to get the best deal for New South Wales.

The Federal Government was at this time pursuing a harsh deflationary line involving tax increases and credit restriction. A minor recession resulted with unemployment reaching a high (by post-war standards) 4 per cent by late 1952.¹⁸ This policy made a cut in loan fund allocations to the States virtually inevitable and when it came it was substantial (a reduction of £12 million in New South Wales' case). Cahill's subsequent general criticism of the Commonwealth's handling of the allocation of public investment funds to New South Wales had much validity.¹⁹ However, the 1952 cut in loan funds to New South Wales was not the major disaster it was subsequently, and expediently, portrayed as. Nevertheless, Cahill went on to make this reduction in New South Wales' loan allocation the centrepiece of a concerted campaign to convince the

electors: that the Federal Government's economic policies were about to cause a new Depression, that the Liberal/Country Parties in New South Wales were no more than Menzies' compliant tools, and that only a strong Labor Government could protect New South Wales' prosperity.

One of Cahill's first statements as Premier was a declaration that he would carry the fight to compel the Commonwealth "to release its tight grip on the lifeblood of the State's money" to the Premiers' Conference and Loan Council.²⁰ However, he would make no "extravagant or outrageous" claims for loan funds at the coming Loan Council meeting in May even though the stage was obviously being set for a "drastic reduction" in State allocations which would curtail important national works and force retrenchments on the States.²¹

When the Loan Council did meet the Commonwealth refused to underwrite state borrowings beyond £185 million. The States had asked for £345 million. The allocation offered to New South Wales was £53 million, compared to £65 million in 1951-52. Cahill commented "if the Prime Minister's view is correct, the economy has broken down and we are back to the early 1930's. We are in a new economic depression".²² Of the Commonwealth's offer he said, "I will carry that figure back to my workers. They will appreciate the Commonwealth's responsibility. They will know where to lay the blame".²³ The Premiers unanimously refused Menzies' offer and used their majority on the Loan Council to vote themselves a "compromise" sum of £247.5 million, £70 million of which was to go to New South Wales. The difference was to be raised on the public loan market, a task most observers felt would prove to be impossible.²⁴

Cahill instructed government departments to prepare their estimates on the basis that the £247.5 million would be available as important structural works must go on.²⁵ If Menzies tried to create "lively optimism" the loan target would be met.²⁶ When a major Water Board loan was undersubscribed Cahill was quick to comment that one of the major causes was "the macabre financial and economic predictions and forebodings" of Menzies and Federal Treasurer Fadden.²⁷

As the July Loan Council meeting approached, Cahill began to increase the pressure. He stated that he had every confidence that at the forthcoming meeting "those appointed to guide our economic policy will see they have a responsibility to the people as a whole as well as to the State Premiers".²⁸ The Commonwealth was warned that if more money was not made available the people might have to be called upon to show they were behind a full works programme, not just the completion of a few projects.²⁹ The works programme had already been slowed down and if funds were not increased thousands would be dismissed.³⁰

Predictably, the Commonwealth refused to increase its earlier offer when the Loan Council met. On his return to Sydney, Cahill stated that the government was in a "money jam" as a result of loan fund cuts.³¹ All ministers were instructed to impose rigid economies in their departments as the "utmost care" was necessary in view of the financial situation.³² Dismissals of workers from government departments soon began. The Water Conservation and Irrigation Commission, for example, sacked over 400 men from major dam construction projects and the Water Board another 500. By November 1952, the railways had retrenched over 4,000 men.³³

A similar drama was played out at the October Loan Council meeting. Before the meeting began Cahill released to the press the text of a telegram he had sent to Menzies expressing grave concern at the "rapid spread of unemployment . . . caused by restrictions of loan funds". The Commonwealth was urged to "take immediate action to implement Loan Council's decision from which only Commonwealth dissented" and begin supplying funds at the "approved" rate. Cahill added that Menzies "must heed the legitimate protest of workers who are again being thrown on the industrial scrap heap".³⁴ At this meeting Cahill had trouble even getting his request for more funds discussed, let alone agreed upon.³⁵

That the campaign against the Federal Government was bearing fruit was shown by the results of two by-elections in May and June. The first was in McGirr's former seat of Liverpool. Opening his campaign Cahill stated that because the Commonwealth would not make available to New South Wales sufficient loan money the Government was unable to do all the things the people expected, "We call on you to settle this question by your vote at this election".³⁶ Labor retained the seat with an increased majority (the vote rose from 62 per cent in 1950 to 69 per cent).

The following month saw a by-election in the "blue-ribbon" Liberal seat of Ashfield held by Athol Richardson since 1935. Cahill again campaigned largely on Federal issues. He challenged Treatt to justify the cuts in loan funds at Ashfield as he had at Liverpool, "The people of Australia know the wealth is here and the labour is here. They are impatient with any person or force that will prevent these things being exploited for the best interests of the country".³⁷ The result was a "stunning loss" for the Liberal Party.³⁸ The Labor vote increased 10 per cent over the 1950 general election, giving the Party a clear-cut victory. Ashfield had never before been held by Labor. This victory would have been particularly satisfying to Cahill as it restored Labor's

majority in the Legislative Assembly.

It is hard to escape the impression that almost every action taken by Cahill after assuming the Premiership was geared towards an election to exploit the unpopularity of the Menzies Government. Cahill, however, did his best to disguise this by trying to create the impression of a statesmanlike determination to carry on despite the adverse circumstances.

Meanwhile, the Government's campaign against the Commonwealth gained substance and momentum. When Parliament resumed in August, a Labor backbencher said when moving the Address-in-Reply: "The future of Australia as a nation should not be jeopardised at this critical stage by the implementation of a national economic policy in Canberra that requires vital State works . . . to be curtailed". The Labor member for Blacktown, J. S. Freeman, moved a motion condemning the Federal Government's economic policy for producing "chaos, uncertainty and fear in commerce, industry and the private lives of citizens".³⁹

Question time became an orchestrated series of attacks by Ministers on the Menzies Government. In one sitting day, for example, Cahill told the House that the Government was unable to continue providing subsidies to local government for aged accommodation "because of lack of funds".⁴⁰ Enticknap followed by responding to a question on dismissals at Burrendong Dam that this "tragedy" had been brought about by a lack of loan funds.⁴¹ Health Minister O'Sullivan then stated that the expected construction of maternity unit at Parramatta Hospital would now not take place "as a result of the drastic restrictions of funds".⁴²

The Commonwealth Government also found itself accused of (among other things): forcing Cahill to increase taxes and charges in the 1952 Budget because of the low level of income tax re-imbursement grants;⁴³ perpetuating black-outs by refusing to raise a dollar loan to enable New South Wales to purchase American generating plant;⁴⁴ slowing down the rate of home building by reducing funding to New South Wales under The Commonwealth State Housing agreement.⁴⁵

Cahill took other measures to ensure the Government's re-election. The machinery for a redistribution was set in motion although the 1950 election had also been held on new boundaries. Cahill also moved quickly to deal with the revelation of wide-spread police corruption by the hearings of the Maxwell Royal Commission into the liquor trade. There were persistent calls in the press for an independent inquiry into the police force to allay public fears that "the disturbing state of affairs revealed in evidence before Mr. Justice Maxwell is

not confined to administration of the liquor laws".⁴⁶ Treatt also moved in Parliament for the setting up of such an inquiry. Cahill's response was to accuse the newspapers of trying to drag the police into disrepute: "Trial by press" was not acceptable. There was a need to protect public figures from such unfounded allegations. He would certainly not institute any sort of inquiry unless "somebody in this House can prove that there is something wrong with the police force". There would be no "fishing expedition". Cahill then proceeded to read out a list of eight police officers who had recently been killed while on duty and express his gratitude to the police "for their splendid service".⁴⁷ Attorney General Martin replied in even more extravagant fashion. He accused Treatt of "Star Chamber methods" and of conducting a "Senator McCarthy smear campaign". The proposed inquiry was "an invitation to the gangsters, gunmen and hooligans of the community. The Leader of the Opposition wants to tear down our judicial and social structures by prolonging this campaign of smear".⁴⁸

The public hearings of the Maxwell inquiry itself were hastily wound up in early October. Cahill also announced that he had approved Justice Maxwell's request to study the liquor industry overseas. Maxwell left on his study tour at the end of 1952 and remained in Europe until well after the 1953 election had been held.⁴⁹

There was also a package of concessions and easing of restrictions to enhance the Government's image. The improving electricity supply situation allowed Cahill gradually to relax controls in this area.⁵⁰ Restrictions on building operations and use of materials were abolished.⁵¹ Price controls were lifted on clothing and textiles.⁵² There was a series of concessions for primary producers.⁵³

Cahill's policy speech for the February 1953 election was in a new low-key style. Problems were frankly admitted, no major promises made, the Government's record was stressed:

The basic test of a government is its record. We have had our difficulties. We have not overcome all of our problems. We do not claim perfection. What we do claim, however, is to have done our utmost for the State as a whole, city and country alike, and to have given New South Wales political stability and progressive government.⁵⁴

Cahill's tactic of standing on his record, looked at in the light of the McGirr years would seem a doubtful strategy. However, when emphasising the government's "record", Cahill was actually claiming credit for the post-war

economic boom with its concomitant rise in living standards and full employment. He realised that in the political climate of the prosperous 1950's sweeping electoral promises such as those made by McGirr were not only unnecessary, but a positive liability. Instead, Cahill was offering the electors not major change but increased economic development, continuity of moderate and stable government, and more efficient delivery of services such as housing, hospitals, education and transport. This conservative approach would seem to have been an astute reading of contemporary public opinion.

It had the added advantage of allowing the Opposition to be portrayed as untried experimenters who in office would be no more successful than their Federal colleagues, the men who were threatening New South Wales' economic prosperity. In his policy speech Cahill said, "I do not think we will hear a challenging call to the people to look at the alliance of the Liberal and Country Parties at Canberra and return a duplicate of that regime in this State". He went on to say, "Labor's policy is full employment, and for ten years we have had full employment. That has been destroyed by the clumsy, badly timed and restrictive actions of the Federal Government".⁵⁵

Treath, by contrast, took "some risks - as an Opposition Leader can who has been starved of power so long".⁵⁶ He promised to explode "20 bombshells" in his policy speech.⁵⁷ Treath claimed that the Government was "in the hands of men who have been too long in office, men who violated their platforms pledges, men who now comprise a do-nothing and see-nothing Government". He accused the government of mis-managing transport and housing, causing blackouts, littering the state with unfinished public works and imposing unnecessarily high taxation. In addition, although Cahill and his colleagues were "posing as the champions of employment and security" in a "false campaign, which is at this very moment being conducted by Labor Party officials in every electorate", the mismanagement and interference "of this twelve year old socialist Government is no basis for full and secure employment as thousands of people have unhappily discovered in recent months".⁵⁸

Apart from the difficulty of refuting the Government's charges about the Commonwealth's economic policies, the Opposition faced a number of other handicaps. Treath's promise to abolish rent control on new housing provided Cahill with a fruitful line of attack. He claimed that under this policy the situation would revert to what it was before controls were imposed and rents would again rise to "extortionate" levels.⁵⁹

The two Coalition parties were also once again unable to negotiate an

election agreement covering matters such as three-cornered contests in country seats and a joint policy speech, and relations between them generally were not good. This allowed Cahill to claim that:

We get the impression that the electors are afraid of coalitions with the parties pulling two ways. They have seen the damage a Country Party Treasurer like Fadden can do to a coalition Government and to the country. They have seen many evidences of division between the Liberal and Country Parties in the New South Wales Parliament.⁶⁰

The Government did not have it all its own way, however, particularly with the eruption in the last weeks of the campaign of a scandal involving Mines Minister J. G. Arthur. The discovery of fragments of forged Placer Development share certificates floating in the harbour led to a number of arrests and a nationwide police search for Reginald Aubrey Doyle.⁶¹ Allegations by Liberal members soon followed that Doyle was a confidant of Arthur, had regular meetings with him and used the car park at Parliament House under Arthur's auspices.⁶² Arthur admitted to knowing Doyle, but claimed he had no improper dealings with him. Cahill quickly intervened to defuse the issue. He stated that he was making inquiries and would not hesitate to act if necessary.⁶³ On 12 February a Royal Commission into the affair was announced. The Premier said that Arthur had, in fact, requested this action to clear the matter up. All those making allegations would now be able to back them up under oath.⁶⁴

The election result was a resounding victory for Labor. The Government won 57 seats compared to 46 in 1950. The overall primary vote rose from 46.75 per cent to 55.02 per cent. The Liberal-Country Party vote dropped from 45.12 per cent to 39.54 per cent. In terms of seats, the Liberals were reduced from the 29 they had won in 1950 to 22, and the Country Party from 17 to 14. The two-party preferred vote was Labor 55.3 per cent and the Coalition 44.7 per cent.

II

The Government's authoritarianism combined with the "Split" endanger Labor's renewed hold on power - The rise of the Industrial Groups - Friction between the Government and the "Grouper" controlled Party machine - Bad relations with the press and mishandling of allegations of impropriety further damage the Government.

The re-elected Cahill Government's behaviour showed similar tendencies in

operation to the pre-election period. Administrative competence was combined with a pragmatic political style. However, the Government's actions now exhibited a degree of complacency and arrogance not previously in evidence. The big electoral victory of 1953, plus the fact that Labor, almost for the first time, had comfortable control of both Houses seemed to engender an attitude that scandals could be ruthlessly covered up and electorally unpopular measures pushed through. Time and the Government's political skills would negate any potential damage. Cahill and the Government generally also became increasingly intolerant of criticism.

In addition, the first manifestations of the train of events that would eventually lead to the great Labor "Split" were starting to become evident. One of the most damaging of these was a readiness by the Industrial Group-controlled A.L.P. machine to seek to enforce its views on the Government. This combination of circumstances was almost to bring the Cahill Government to disaster in the 1956 election.

* * *

At the 1952 New South Wales A.L.P. Annual Conference the old Executive (by now known as the "Ferguson Executive" after its President, J.A. Ferguson), basically the same as the anti-Lang group that had controlled the Party since 1940, was defeated by an alliance of the A.W.U. and the A.L.P. Industrial Groups. The Groups, originally founded to combat Communism in the union movement, had become extremely powerful within the Labor Party. They seemed increasingly to be as much interested in controlling the A.L.P. machine as in pursuing their original charter. This and their strong links with the Catholic Social Studies Movement, or the "Movement" as it was commonly known, had made the "Groupers" extremely controversial. At the 1954 Annual Conference, the Industrial Group supporters broke with their former A.W.U. allies and dominated the New South Wales Party on their own.⁶⁵

Cahill and senior members of the Government, particularly Downing who was a key member of the old controlling group, did not welcome the departure of the former Executive with which they had built up a good working relationship. The political inexperience of some members of the new Executive and the "Groupers'" tendency to a brash, aggressive style also made for strained relations with the Government.⁶⁶

An early example was strong pressure from the new Executive on the

Government in 1953 for the introduction of compulsory unionism. This would greatly benefit the "Grouper"-controlled Clerks' and Shop Assistants' Unions in terms of membership and finance. More organisers could be appointed and there would be additional delegates at A.L.P. Conferences. The Party itself would benefit financially from increased capitation fees from these unions.⁶⁷

Many in Cabinet and Caucus had strong reservations about compulsory unionism. This was partly because of concern about the effect on the Government politically and doubts about the practicability of the proposal. Others were concerned about the civil liberties aspect. There would also seem to have been a wariness of any proposal to give the "Groupers" more power.⁶⁸ The Government finally decided to proceed with compulsory unionism, however, largely in the belief that if it was pushed through early in the Government's term it would be forgotten as a political issue by the next election.⁶⁹

It is doubtful, even so, whether the Cahill Government anticipated fully the extent of the political storm that was to break about its head when the Industrial Arbitration (Amendment) Bill was introduced into Parliament in November 1953. The Government attempted to make the Bill more palatable by including extensive provisions for conscientious objection to joining a union and adding amendments to liberalise long service leave. The legislation was also justified as aimed at combatting Communist control of unions.⁷⁰

Treath replied that the Bill was the "triumph of a reactionary but powerful minority and the victory of arrogant party controllers over a weak-kneed and servile Government". Compulsory unionism was "born of greed for power and more money".⁷¹ Under the heading "Labor's Authoritarian State", a Herald editorial described some of the Bill's provisions as "monstrous".⁷² The Daily Mirror featured prominently a cartoon showing a line of convicts having "compulsory unionism dog collars" fastened around their necks.⁷³ A petition opposing compulsory unionism containing over 8,000 signatures was presented to parliament.⁷⁴

Cahill stated that he would make compulsory unionism the main issue of by-elections in Waverley and Kahibah.⁷⁵ The result was a large drop in Labor's majority in Waverley (the Labor vote fell from 69 per cent in general election to 61 per cent) and the loss of Kahibah to an independent Labor candidate. The Government had not, however, helped its chances in the latter by-election (caused by the resignation of former Mines Minister J. G. Arthur over criticism of his actions by the Doyle Royal Commission) by endorsing Arthur's father as

the official Labor candidate.

Cahill announced in October 1953 that new legislation would be brought in to strengthen the Obscene and Indecent Publications Act. Once again, these proposals were said to emanate from the "Groupers" and the "Movement" and they also proved to be extremely controversial. Pressure was alleged to have been applied by these forces in several States to introduce censorship procedures similar to those existing in Southern Ireland.⁷⁶ This system involved the setting up of a government-controlled board to administer the legislation, a feature many considered to be undesirable from a civil liberties point of view. The Queensland Labor Government had already legislated to give effect to such a system. Premier Cain's Government in Victoria had implemented a milder version, with the censorship board replaced by a system of registration of publishers.

When the legislation finally appeared in Parliament, in March 1955, it bore a closer resemblance to the Victorian than the Queensland model.⁷⁷ The definition of obscenity was widened and penalties increased. Distributors of printed matter were to be registered, and registration would be cancelled on conviction of an offence under the Act. There was a wide variety of exemptions from registration provided for, including one for newspapers.⁷⁸

The Opposition attacked the Bill for making the definition of obscenity so wide that it would include many reputable literary works. The registration system was also felt to be open to abuse in that if one of a distributor's publications was the subject of successful conviction he automatically lost the right to bring out any other publication. This opened up the possibility of back-door political censorship and intimidation through prosecution of a publication of a proprietor who had displeased the Government by criticism in a different journal.⁷⁹

Clive Evatt greatly embarrassed the Government by speaking against the legislation. He claimed it would make literature "a dying profession" and endanger "freedom from fear, freedom of expression and freedom of worship". Great works of art could now be banned at the whim of a magistrate.⁸⁰ Dr. Colin Roderick spoke at the bar of the Legislative Council against the Bill on behalf of 35 Australian authors (including Kenneth Slessor, Douglas Stewart, Colin Simpson, Vince Kelly, Morton Herman, Ruth Park, Kylie Tennant, Jon Cleary and Marjorie Barnard). He claimed the Government's legislation would "spell death to our free thought and decadence to Australian literature".⁸¹

The 1954 A.L.P. Annual Conference saw further friction between the

Government and the extra-Parliamentary Party. The Conference passed resolutions directing the Government not to proceed with two previously announced proposals: to greatly liberalise petrol trading hours⁸² and to give local councils the power to control Sunday trading.⁸³ The powerful Industrial Committee's Report to Conference concluded with a strong general attack on the Government in these terms:

. . . the Committee feels that the close liaison which should exist between the joint Committee and the Government is almost non-existent and is due entirely to the failure of the Government to honour its promises made to the Committee on several occasions and if allowed to continue, will cause the industrial wing to draw further away from the political wing of the Party. The Committee also feels that the sympathy which should be apparent between these bodies is not in evidence now, as the legislation proposed by the Government is a direct negation of everything for which the Trade Union Movement stands.⁸⁴

The same June A.L.P. Conference also passed a resolution that there should be no change to liquor trading laws without a referendum.⁸⁵ According to journalists covering the conference, this was in response to rumours that some Ministers favoured quick legislative action to implement Justice Maxwell's recommendation in favour of later closing in the belief that a referendum would inevitably produce a negative result.⁸⁶

Another political disaster for the Cahill Government was the Sydney City Council (Disclosure of Allegations) or "Press Gag" legislation. F.A. Larcombe in his definitive history of local government in New South Wales has written: "It would be safe to assert that no local government legislation, certainly in Australia and perhaps in any other country, excited so much adverse criticism and world-wide condemnation . . ."⁸⁷

Throughout the latter part of 1953, the press, particularly the Herald and Sun-Herald, had been prominently featuring allegations of corruption involving Aldermen of the Labor-controlled Sydney City Council. Council employees were alleged to have offered bribes to Aldermen for higher paid positions, certain Aldermen were said to have prevented the lease of Council-owned hotels to the highest tenderer and a City Council property had been sold to a car dealing firm at well below the unimproved capital value. There were numerous instances reported of Aldermen soliciting bribes in connection with building permits, development applications, property resumptions and similar matters. There were also allegations concerning the issuing of street barrow

licences.⁸⁸ The Opposition joined with the press in calling for an independent inquiry into these revelations.⁸⁹

The Government, in conjunction with the A.L.P. Executive, had taken some steps to clean up the City Council. It had legislated in October 1953 to abolish the ward system, substituting a smaller Council to be elected on a city-wide basis by proportional representation, and instituted a separate poll for Lord Mayor. The A.L.P. Executive would control both pre-selections for the 8 December municipal elections.⁹⁰ The Executive used this opportunity to remove the endorsement of some aldermen suspected of corruption and to install one of Labor's rising stars, P.D. Hills, as Lord Mayor with a specific brief to clean up the Council and keep it out of the headlines.⁹¹

The press revelations and calls for an inquiry into the City Council continued, however, and the Government, already nettled by newspaper criticism of the compulsory unionism legislation, reacted with hostility. Cahill said in Parliament that the press "seems to criticise strongly any man in public life at the faintest suggestion that something is wrong - at least in common fairness some evidence should be advanced or a charge should be made so that the matter can be investigated".⁹² Attorney-General Sheahan said:

If the press of this country is not prepared to eliminate the journalistic lice that infest its locks, probably this Parliament will have to take action to see that it does so and to see that its pages are not used for the spreading of propaganda based upon mis-presentations, vilification and lying distortion such as have been displayed during the last week.⁹³

The A.L.P. Executive, according to press reports, warned the Government that unless it moved to clean up the affairs of the City Council action would be taken by the Executive to force it to do so. Twenty-four of the 32 members of the Executive were polled by the Herald on the issue and 17 declared in favour of a Royal Commission or similar broad inquiry into the Council.⁹⁴ On this occasion Cahill firmly rebuffed the Executive by responding that: "We will make up our minds and do what we believe to be the right thing. The responsibility is the Government's. The Government will accept that responsibility, irrespective of what anyone else says. Nobody else will make up the Government's mind".⁹⁵

The Government's response was to introduce, and force through all stages in the Assembly, on 25 November 1953, the Sydney City Council (Disclosure of Allegations) Bill. This measure provided for a Judge of the Supreme Court to

issue a direction to produce documents or disclose information relating to offences under the Local Government or Secret Commissions Act relating to the City Council or its employees. Such an order could be sought by a police inspector or superintendent having reasonable cause to believe someone had such information, previously having made such charges or published such material.⁹⁶ The Government's reasoning would seem to have been that if those making allegations could be forced into the open and their charges examined publicly and fully much of what was being claimed could be discredited.⁹⁷

Treath said of the Bill:

This procedure has nothing in common with the principles of British justice . . . a procedure such as this would only be designed by people who were determined to have the truth suppressed . . . I suggest calmly to honourable members on both sides of the House that this is nothing more nor less than part and parcel of an attempt by the Government to interfere with the freedom of the press . . . the Bill will clearly have the effect of intimidating and driving away persons who would be prepared to go before a Royal Commission.⁹⁸

The Daily Telegraph described the legislation as the "most deliberate attempt to stamp out legitimate criticism ever perpetrated by an Australian Parliament in peacetime".⁹⁹ The Herald described it as "one of the most dangerous bills ever put on the statute book of a democratic country" and featured a cartoon of Cahill outside Long Bay Gaol laying the "foundation stone for political prisoners' wing".¹⁰⁰ Geoffrey Sawer wrote in the Australian Quarterly in March 1954: "A hasty measure requiring disclosure to police officers - some of the very people whose conduct might be involved - and with no proper protection to clerical or professional confidence, is indefensible".¹⁰¹ A rally in the Domain to protest against the Bill drew a crowd estimated at 4000. Over a thousand signatures appeared on a petition to the Governor requesting him not to assent to the measure.¹⁰²

News Weekly, the unofficial journal of the "Movement", said that the Cahill Government had made a "very grave error" in not accepting the Executive's advice to set up a Royal Commission into the City Council. "Continual refusal to do so only served to lend weight to what the newspapers were suggesting: that the Government had something to hide".¹⁰³

Cahill hastily declared that the Disclosure Act would be repealed as soon as it had achieved its purpose and the information in the hands of certain newspapers secured. An amendment to allow the Act to be repealed by

proclamation was inserted by the Government in the Legislative Council.¹⁰⁴

Early in December an action under the Act was launched against the Herald. The application for an order was rejected by Justice Owen on the grounds that he was empowered under the Act only to order disclosure of documents, not oral information, against a body corporate. The order sought against the Herald asked for disclosure of oral information.¹⁰⁵ After this ignominious failure the Disclosure of Allegations Act was repealed by proclamation in March 1954. No other prosecutions had been launched.¹⁰⁶

Although it was reported that "State Ministers and particularly the Premier, Mr Cahill, have been increasingly worried by the evidence they have received of widespread public hostility to the [Disclosure of Allegations] Act"¹⁰⁷ there was no effort to tone down the campaign against the press. Indeed, it was broadened into open, and ultimately unwinnable, warfare.

In a speech in early March 1954, Cahill described press criticism over the compulsory unionism and Sydney City Council affairs as "vicious and filthy". He went on to say that:

This Government was constitutionally and democratically elected. We are going to govern despite the vicious attack by a section of the press of New South Wales. The Government will always act when it believes it is its duty to do so. But until allegations have been proved we don't want trial by newspapers.¹⁰⁸

Addressing the A.L.P.'s Annual Conference in June, Cahill asked:

Why this fierce, intemperate criticism of myself and your Government? That is an easy one to answer - because your Government has done and proposes to do more, in a great variety of ways, for the lesser privileged than those interests behind the press can stomach.

He went on to claim that no previous Labor Government or any other New South Wales Premier had been "the target for such shameful, unjustifiable abuse". Cahill added that "I am pretty tough fellow really. But there are things that do get under anyone's skin".¹⁰⁹

Attorney-General Sheahan told parliament that an executive of Consolidated Press, who had some years previously been arrested on a morals charge, had more recently been charged with driving under the influence and dangerous driving. Having failed in an attempt to bribe the citizen that

arrested him he had allegedly absconded to the UK.¹¹⁰ On two occasions Sheahan also claimed that individuals associated with the management of the Sydney Morning Herald had had a former manager of that paper incarcerated in a mental institution after a difference of opinion.¹¹¹ R.S. Jackson, Labor member for Drummoyne, stated that the press "daily recounts to the children whom we try to rear decently the most minute detail of rottenness and debauchery in every unsavoury sex case that comes before the courts. It poisons the minds of children in other ways also".¹¹² T. P. Murphy (Labor Member for Concord) accused the press proprietors of pandering to those who bought papers "to see on every page naked women and filth ... if the press is not prepared to lay down a code of ethics some independent body should do so. I am prepared to be accused of interfering with freedom of the press if that will protect the children and residents of this State".¹¹³

While most of the Government's animus had previously been directed at the Fairfax press, chiefly over its campaign against the City Council Aldermen, relations with the Packer group also broke down completely late in 1954. The Century claimed that Cahill had tried to strike a deal with Frank Packer by transferring government advertising from the Herald to the Telegraph.¹¹⁴ There were, in fact, some Telegraph editorials favourable to the government during 1954.¹¹⁵ However, in December the Telegraph lashed out in an editorial calling the Cahill Government a "sleazy outfit" that has the "arrogance and laziness which result from long tenure" and "the aroma of corruption which follows lack of sufficient moral spring cleaning". Its tactics included "handing out jobs to the boys; gerrymandering seats to make them impervious to attack; buttering up possible opponents to neutralise their antagonism".¹¹⁶ The Government issued a statement in response condemning the editorial as "not only completely biased politically but also as indecent and false". The Telegraph was variously described as "inconsistent", "biased", "unreliable" and "malicious". The Government also threatened that Ministers would withdraw all facilities and refuse to see Daily Telegraph representatives.¹¹⁷

If the Government had hoped that its assaults on the press would have some intimidatory effect, it was sorely disappointed as a fresh series of scandals involving the police force were given great prominence throughout most of 1954. The Government's response to these allegations again gave the impression of an attempt to cover up rather than get at the truth. Calls for a full independent inquiry were strongly resisted and attempts made to

obfuscate the issue by claiming the press and Opposition were campaigning to destroy the police force.

In January 1954 ex-police constable R. B. Muir made detailed allegations that "many police officers had accepted bribes from a Sydney gambling establishment".¹¹⁸ In parliament, Treatt moved for a Royal Commission into Muir's charges:

The public knows that over the past weeks and months the Premier has been evasive and has sought to postpone inquiry into matters which are disturbing the public mind. There have been interminable delays, the passing of the hot potato from one Minister to the other and an oft-repeated assurance that in time something will be done ... the only sensible thing to do is to appoint a Royal Commission so that the facts can be examined and public confidence in the police force restored.¹¹⁹

Cahill replied by charging that:

The leader of the Opposition seems to have a mania for attacking the police force of this State. For months, under cover of Parliamentary privilege he has taken every opportunity to make charges against and innuendoes regarding the finest police force in Australia. He has attacked men who have worked hard for this State and, in some cases, suffered permanent injury in their efforts to protect its citizens.

He added that if this campaign continued "it will be impossible to walk the streets at any hour of the night in safety as we do today".¹²⁰

Further allegations of police misconduct emerged not long after. G. V. Quinn had been arrested in 1948 during the investigation of a robbery and taken to Inverell police station. He was subsequently released without being charged and proceeded to take action in court against a police officer who, he alleged, had assaulted him while he was in custody. Commissioner Delaney, then Superintendent at Tamworth, was claimed to have arranged for the payment of £250 to Quinn to persuade him to withdraw the case.¹²¹

Cahill rejected press and Opposition calls for an inquiry into these charges on the grounds that he would not be "party to the destruction of public confidence in the New South Wales police force".¹²² Later he defended this decision on the grounds that, as Quinn had had a remedy at law and decided not to proceed, it would be wrong for the Government to reopen the case. Calls for an inquiry were not an attempt to gain justice for Quinn,

"that has already been determined in the court", but an attempt to discredit the Government.¹²³

Also current at this time were allegations by D. Studley-Ruxton, supported by a statutory declaration, that he had been bashed by seven police at Darlinghurst Police Station. In this instance, Cahill immediately ordered a Royal Commission, under Justice Dovey, into the affair.¹²⁴ Cahill declined, however, to extend the terms of reference to include similar sets of allegations that had emerged, or the Quinn charges. In the latter case, this was in spite of the fact that the same police officer that Quinn had taken action against, Inspector J. Aldridge, was also alleged to be one of those involved in the Studley-Ruxton affair.¹²⁵

Studley-Ruxton was quickly discredited as a witness during the Royal Commission's hearings. Already facing charges of theft, false pretences and offering a bribe to the police, as well as having a number of previous convictions, he confessed that his whole life had been a string of "dastardly actions" and that as an individual he was "practically worthless".¹²⁶ These revelations prompted a Government back bencher to ask Cahill, in Parliament, to discontinue the Royal Commission as an obvious waste of money. The Premier's reply was that "it is apparent to everybody that the government should not place itself in a position where it can be charged with spending money it need not have spent".¹²⁷ Cahill was later to admit that he "possibly" should not have criticised the cost of the Royal Commission before it had finished.¹²⁸ Attorney-General Sheahan was even less circumspect about prejudging the result of the inquiry. During question time on the same day he said of Studley-Ruxton: "It is to be regretted that certain worthless persons in the community who make baseless charges should be financed by newspapers who pride themselves on maintaining high standards and moulding public opinion".¹²⁹ It is hard to escape the impression that Studley-Ruxton's charges were deliberately selected for an inquiry with the foreknowledge that he, and by implication all others making allegations against the police, could be easily discredited.

Dovey's report described Studley-Ruxton as a "helpless and hopeless derelict" who had lied to the inquiry on many occasions. He concluded, however, that there was "more than a slight suspicion" that some of Studley-Ruxton's injuries had been caused by two of the police named in his allegations.¹³⁰

The Government ordered the Police Commissioner to investigate the

findings against these two officers. Delaney reported subsequently that there was no evidence to support the charges.¹³¹ In Parliament Cahill described Studley-Ruxton as a "self-confessed criminal or pervert" and said that "we should almost feel ashamed that the State's money was expended on so worthless an individual".¹³² There would be no more such inquiries.¹³³

Although there was undoubtedly some political motivation on behalf of the press in sponsoring this series of allegations, especially in the lead up to the 1954 Federal election on 29 May, Cahill would seem to have "made a serious tactical error when he assumed the defensive as soon as the newspapers started yelling for a Royal Commission into the police administration".¹³⁴ For the Government, already tainted with corruption over the Doyle-Arthur affair, the City Council and the revelations of the Liquor Royal Commission, to seem to be covering up further scandals could only heighten the impression that there was much to hide, and further damage its credibility.

The Government that had so handsomely won the 1953 election was reeling by mid-term. The actions of the Cahill Government, particularly compulsory unionism and the Sydney City Council (Disclosure of Allegations) legislation, were largely held responsible for turning an expected Federal Labor victory in the December 1953 Gwydir by-election into defeat.¹³⁵ The Government's behaviour had given credence to charges that it was arrogant, corrupt, dictatorial and under the control of an outside body. One of the Government's big assets, the carefully created image of moderation that had enabled it to seize the middle ground in New South Wales politics, was jeopardised. In addition, while the Sydney press had previously tolerated if not supported the Cahill Government, Labor now faced the bitter, united enmity of all the major newspaper groups.

III

*The Government's lack of respect for Parliamentary traditions -
Cahill's qualities as Parliamentarian - The Opposition
disadvantaged by a partisan Speaker.*

The Cahill Government's attitude to Parliament, unlike the McKell era, showed scant respect for the traditions of the Westminster system. Cahill was, however, a tough and aggressive Parliamentary performer consistently able

to out-class and outmanoeuvre the Opposition. Speaking on the condolence motion after Cahill's death, Country Party Member for Tamworth W.A. Chaffey said:

... not many years ago it was every cricketer's ambition to be able to bowl to Don Bradman. If there is any relationship between the game of cricket and this Parliament, some of us for many years have been bowling to the late Premier. If we bowled a loose one he hit it for six. He cut us through slips and glanced us to leg. He drove us to the on and to the off. If there was anything in the nature of a bumper or a body line ball bowled to him he let it pass over his head; nobody was more adept at blocking a googly. On many occasions, with the help of the Government Whip, he even successfully appealed against the light.¹³⁶

P.H. Morton who for 3 years faced Cahill across the Chamber as Leader of the Opposition said on the same occasion: "I have often remarked to many of the newer Members of Parliament that I had never yet seen any Member score off the Premier with a question".¹³⁷

Under Cahill, Parliament became little more than another arena for party conflict of a rigorous, "no holds barred" kind. Opposition initiatives aimed at making Parliament work more effectively, such as strengthening the Public Accounts Committee or reviving the long dormant Public Works Committee were strenuously resisted.¹³⁸ The Government also on occasion took advantage of an openly partisan Speaker, W.H. Lamb, to manipulate the forms of the House to the Opposition's disadvantage. Opposition resentment at Lamb's behaviour in the Chair came to a head in November 1953 during turbulent scenes in the House. On November 3rd, the Opposition moved dissent from one of Lamb's rulings. The Speaker had previously ruled that a question by the Liberal Member for Eastwood, Eric Hearnshaw, was out of order on the grounds that it gave rather than sought information because Hearnshaw had used the phrase "as recorded in the press". Speaking to the motion Hearnshaw gave several examples of the use of the phrase in questions by A.L.P. Members that had been allowed by the Speaker. He argued that if this ruling was upheld it would prohibit any future reference to the press in any question in the House. Treatt added that questions of this type had been permitted from "time immemorial" and that the ruling was a "dangerous precedent". The motion was defeated on party lines.¹³⁹

At the conclusion of the division A. Landa reported that during the division C. B. Cutler (Country Party Member for Orange) had used a "foul and

unbecoming epithet" and adopted a menacing attitude towards the Premier. He asked that Cutler be named by the Speaker. Cutler denied the allegation. During the ensuing barrage of interjections and points of order, Speaker Lamb at one stage said: "Now keep quiet!" Ivan Black (Liberal, Neutral Bay) asked if Lamb was talking to the Opposition or to the whole House. Lamb replied "I am talking to the Honourable Member for Eastwood. He is an excitable little man", and added "I sat here during the whole of that division with the honourable member for Eastwood glaring at me most offensively." This was too much for Colonel Bruxner who rose, "defiant and trembling" according to one report, and said: "Mr Speaker, you are turning this place into a bear garden . . . I have been in this House for thirty-three years and I have never seen anything like it". Bruxner, for the first time in his Parliamentary career, was duly removed from the House.¹⁴⁰

The uproar continued as Cutler was suspended for two days. Opposition members repeatedly attempted to take points of order and points of privilege. This resulted in the suspension of P. H. Morton. Lamb several times attempted to continue with normal business but was prevented by the Opposition. It took the suspension of another Liberal member, Black, for order to be restored.¹⁴¹

The next day the Opposition moved a censure motion against the Speaker. The motion alleged that Lamb had

displayed grave partiality in favour of Government members; improperly applied the Standing Orders to protect Government members from Opposition criticism; sought to intimidate and insult members of the Opposition in the discharge of their duties ... and frequently conducted himself as an implement of the Labor Party ..."¹⁴²

Murray Robson was particularly aggressive in his attack on the Speaker:

We of the Opposition have heard you from time to time abuse honourable members, and having risen to your feet, which means that they must sit down, and poured a tirade of abuse on them, you then resume your seat, and on several occasions I and other members of the Opposition have noticed that you gave what could be described as a benign wink to the Minister in the chair or the Premier. We all know what it looks like - a cunning leer just to let those who put you in the chair know that you are playing their game.¹⁴³

At one point during Robson's speech the following bitter exchange took place:

Robson: "I say to you, Mr Speaker, you have not a fair mind and your judgment -"

- Lamb: "I have a clean mind though"
- Robson: "And your judgment, increasingly over the last few months, has been far from impartial".
- Lamb: "I have a clean mind and nobody has seen me coming into this Chamber drunk. I say that to the honourable member"..
- Robson: "That is a filthy lying statement and one that is absolutely typical".¹⁴⁴

When Cahill rose to speak, his defence of the Speaker was lukewarm:

... in late years a practice has grown up of Mr Speaker during question time or debate occasionally interjecting ... I suppose that if the utmost decorum was observed that would not take place ... after what the Speaker has been subjected to this afternoon ... I think that in future he will preside in this Chamber and will not make any contribution, even if it will help someone, if it is not what a Speaker should do.

Cahill concluded: "... this debate will show you Mr Speaker, that in future when you are giving decisions you will see ... that such a charge cannot be laid at you".¹⁴⁵ After the Premier resumed his seat the debate was gagged and the censure motion lost on Party lines.

Lamb was to be the subject of 5 Opposition censure motions during his term of office (from 1947 to 1959), 3 of them in the years 1956 to 1959. The previous Labor Speaker, Dan Clyne, by contrast, had no such motions moved against him. Also in contrast to Lamb's behaviour was that of Frank Burke who presided over the tumultuous Parliament of the second Lang Government (from 1930 to 1932). It has been said of Burke's conduct in the chair that he "retained more than a touch of independence in the most trying circumstances."¹⁴⁶ Lamb was also opposed by the Opposition for re-election in 1953 (the first time this had happened since Labor came to power in 1941) and in 1956. His erratic career finally came to an end after the 1959 election when he was dumped by his own colleagues in favour of R. S. Maher.¹⁴⁷

IV

Further problems for the Government in the lead up to the 1956 election - Skillful damage control efforts overseen by Cahill - The Government still showing signs of vitality and administrative competence to justify its claim to office - Containing the "Split" - The Opposition's continuing failure to appear a credible alternative - Narrow victory in 1956.

Things continued to go wrong for the Cahill Government during the second half of its term. Mid-1955 saw a serious outbreak of industrial trouble. In two weeks in July there were strikes by bus employees, sanitary carters, newspaper printers and workers in the gas industry, as well as a threatened train strike. There was also industrial trouble on the trams and in the fire brigade.¹⁴⁸ Most of this stemmed from the fact that workers had not had a pay rise since September 1953, when quarterly cost-of-living adjustments to the basic wage were suspended. By August 1955, the basic wage would have increased by seven shillings had it not been frozen by the Commonwealth Arbitration Commission.¹⁴⁹

The Government continued to be dogged by scandals. There were allegations of "gangster rule" and a "reign of terror" at Bankstown. The "Mr Big" behind all this was alleged to be one R. E. Fitzpatrick, said to control Bankstown Council and to have connections in "high places" including the judiciary which had enabled him to enjoy "extraordinary immunity and favoured treatment".¹⁵⁰ A campaign by local A.L.P. federal member, C.A. Morgan, to expose this state of affairs, led to the celebrated Browne-Fitzpatrick parliamentary privilege case.

The omission of any plans to remove fruit barrows from congested streets in government attempts to speed up city traffic brought further charges of undue influence by Labor Aldermen on the City Council.¹⁵¹

W.F. Sheahan became embroiled in a controversy over allegations by a magistrate that Sheahan had improperly tried to influence him in the hearing of traffic charges against a nephew of the Attorney-General. Cahill refused to set up an inquiry into the affair and, instead, supported the action of the Public Service Board which had rebuked the magistrate and warned him "not to engage in similar controversies". This led to charges of attempts by the Government to "gag the Bench".¹⁵²

In his 1955 pre-election budget, Cahill was also forced to take the politically unpopular step of increasing railway fares and freights, stamp

duties and hospital charges due to financial difficulties, caused mainly by wage rises and disastrous floods in February 1955.

Most serious of all, however, the outbreak of open warfare in the A.L.P. machine between the adherents of the Industrial Groups and their opponents threatened to destroy the stable political structure Cahill and his colleagues had created, as it had the Cain Labor Government in Victoria.

In spite of all this, the Cahill Government narrowly survived the 1956 election. There would seem to have been a number of reasons for this. Cahill, by this time becoming known as "the old smoothie", once more on the defensive seemed to recover the impeccable political skills he had shown in the lead-up to the 1953 election. The Government generally was still showing some signs of vitality and administrative competence to justify its claim to office. The Opposition's chronic disunity by contrast made it something less than a credible alternative. The Government's big 1953 majority also meant that the Opposition faced an uphill struggle to win the 12 extra seats need for victory.

* * *

Cahill gave assurances to Caucus that there would be no contentious legislation in the final year of the Government's term.¹⁵³ Instead he attempted to refurbish the Government's image with a series of initiatives, including a number of proposals for major public works projects to try to convince the electors that the Cahill Government was enlightened, progressive and had a vision of the future.

First came the announcement that the Government would "examine closely" a proposal for a tunnel under Sydney Harbour. This idea was greeted enthusiastically by the Mayors of some Northern Suburbs and the Daily Telegraph said that: "If Mr Cahill pushes this imaginative scheme through he will be among the few Premiers who have handed something to posterity".¹⁵⁴

Cahill announced a plan to demolish the current State Parliament and build a new one on the site. While this was going on Parliament would temporarily occupy the Sydney Hospital building, the hospital having been moved to a new site at Randwick.¹⁵⁵ The Premier also said he was considering a plan to spend over a million pounds on a new building for the Museum of Applied Arts and Sciences.¹⁵⁶

Another such proposal, and the only one actually to go ahead, was for

the building of an Opera House. The Herald congratulated Cahill "on wise and enlightened decision which must have required some courage".¹⁵⁷ An international competition for design was launched but Cahill, wary of being accused of falling back into the bad habits of the McGirr era, warned that the project would not start for at least two years because of the need for careful planning.¹⁵⁸

Cahill was also determined to complete a number of large projects before the election to provide concrete evidence of the Government's competence. The two most prominent of these were the Circular Quay railway loop and the first stages of the electrification of the main western line. Cahill's attitude was said by one of his Ministerial colleagues to be that "the Government had to face the electors with an achievement and not [just] a policy".¹⁵⁹

The Premier was reported to be "determined that trains would be running over the [Circular Quay] railway by the end of 1955 and would take drastic action if necessary to ensure they were". Cahill made a personal visit to the site and questioned staff as to why the work was not progressing more rapidly. He "expressed dissatisfaction" with some of the answers he received and it was said that "in three months since Mr Cahill's visit to the project almost as much work [has] been done as in the previous three years".¹⁶⁰ The Circular Quay railway loop was officially opened in January 1956. In February 1955 Cahill opened the electrified line to Blacktown, and in October the section to Penrith. He promised commuters that the railway would be electrified to Mt Victoria by mid-1956 cutting more than an hour from the current travelling time.¹⁶¹ In his report to Caucus in October 1955 Cahill "enumerated a good list of completed public works opened last week throughout the state".¹⁶²

Other vote-catching initiatives were announced. New attempts were made to combat the housing shortage, with a particular emphasis on home ownership. Blocks of Crown land were made available for homes and the Rural Bank was empowered to offer advances to those who wanted to build on these blocks. The Housing Commission began construction of a number of homes for sale on low deposits and easy terms.¹⁶³ The Government also moved to have the Commonwealth State Housing Agreement amended so that Housing Commission tenants could purchase their homes on favourable terms. Agreement to allow this to happen was reached in January 1956.¹⁶⁴

Firemen had their 56-hour week reduced to 40 hours.¹⁶⁵ Public servants generally were given increased long service leave benefits¹⁶⁶ and in October 1955 Cabinet decided to extend long service leave provisions to cover all

workers who did not presently receive such benefits.¹⁶⁷

In a gesture towards the Roman Catholic community the Government allowed denominational schools to purchase books and materials from the Government Stores Department at the lowest possible price. Cahill said of this scheme that "the narrow attitude towards denominational schools must recede. These institutions are doing a work that is both splendid and Christian".¹⁶⁸

Cahill moved adroitly to deflect the public backlash over the wave of industrial disputes and deal with growing A.L.P. and union pressure for the Government to take legislative action to remedy the causes of this unrest. Late in July 1955 Cahill made a highly publicised request to Menzies to call an urgent conference of Premiers to discuss ways of overcoming the increasing industrial unrest, which could disrupt the country's economy "unless prompt corrective action was taken at the highest level". He also suggested that a committee of Commonwealth and State judges and union and employer representatives be set up to recommend improvements to the arbitration system, and the calling of a conference of business and labour leaders to develop a better understanding between the two.¹⁶⁹

Federal Minister Holt replied by accusing Cahill of "playing politics" and attempting to cover up his own shortcomings by placing the responsibility on the Commonwealth. The proposed Premiers' Conference would serve no useful purpose as it was unlikely to get beyond generalities.¹⁷⁰

This response played right into Cahill's hands. He replied that

If in airily dismissing a constructive approach to a problem of grave national importance, [Holt] is speaking for the Federal Government and not as an irresponsible individual it is a sorry outlook for Australia while the present Federal Government stays in office. Everyone who read my letter ... will know that it was completely devoid of any political intent.¹⁷¹

A Herald editorial said that Cahill "should command general support ... in demanding that the Commonwealth must accept some of the responsibility and initiative for bringing coherence and a rule of law to wage fixing".¹⁷²

Since the abolition of quarterly basic wage adjustments by the Commonwealth Arbitration Court Cahill had been under pressure to legislate for their reintroduction by the State Industrial Commission. Premier Cain had taken this step in Victoria. The New South Wales Premier had previously rejected such proposals on the grounds that the extra expenditure involved

would cause the Government budgetary difficulties and lead to increases in charges. In addition, only workers under State awards, an estimated 40 per cent of the New South Wales workforce, would benefit.¹⁷³ Pressure from the extra-Parliamentary Party continued to mount, however.¹⁷⁴

Cahill moved quickly to defuse the issue. Claiming that the Commonwealth's refusal to act meant that the State had to do what it could within its powers to reduce industrial unrest, the Government reintroduced price control on 27 July. Cahill said that he was reluctant to set up a large price control organisation and that controls would apply to essential items only.¹⁷⁵ The Government's action was given a big boost some months later when an inquiry into the timber industry revealed that "flagrant monopolistic practices" had developed after the relaxation of price controls in 1952.¹⁷⁶

Early in August Cabinet set up a special committee consisting of two Ministers and union and Public Service representatives to investigate the reintroduction of quarterly basic wage adjustments.¹⁷⁷ Within a week the committee had recommended in favour of the proposal. The report said that the only justification for not taking such action would be if the Commonwealth took comprehensive anti-inflationary measures and did not limit the fight against inflation to the basic wage earner.¹⁷⁸ Legislation to this effect was introduced into Parliament in October 1955 and as a result quarterly adjustments were reintroduced in State awards from the first pay period in November.

* * *

As mentioned earlier, Cahill's election strategy, and general political philosophy, placed most emphasis on promoting Labor as the party best suited to protect and promote economic prosperity through efficient government. He was very aware of the fact that, particularly in the 1950's, prowess in the fields of administration and economic management covered a multitude of sins in other areas. Cahill told Caucus after the 1953 election that he felt "much of the Government's success must come from its administration".¹⁷⁹ This attitude is also well expressed in some free advice Cahill gave Murray Robson, just after the latter had become Leader of the Opposition:

He must be positive and not continually destructive. He must show what he is going to do and how his party would improve on what is being done today. He must demonstrate how he could increase the

State's production at a rate greater than that now being achieved under the regime of the Government ... Instead of making any positive proposals along these lines the honourable member makes these nasty insinuations ... The citizens of this State like something positive from a political leader and his party.¹⁸⁰

At this stage, the Government could point to some solid evidence to justify its claim to office. In terms of personnel, the leadership team of Cahill, Heffron and Downing was a formidable one. All three men had long since proven themselves capable administrators and politicians. Cabinet also contained some vigorous, younger Ministers, such as Renshaw, Landa, Sheahan and Roger Nott. Labor's "golden boy" P. D. Hills had also recently entered Parliament, at a by-election in 1954, and was obviously destined for Ministerial office. The rural Ministers, Enticknap and Graham, were able to boast experience and competence in their field equal to anything the Country Party had to offer.

Cahill's major restructuring of the Government's previously chaotic public works programme was also starting to have demonstrable results. When Murray Robson raised the old cry of "unfinished public works" in his speech on the Loan Estimates in 1954, Cahill replied by reading out a list of recently completed works, including 12 new power stations, four major additions to existing stations, 12 major new hospitals, 18 school buildings and three large country abattoirs.¹⁸¹ The Herald commented that Robson had made a "false move ... when he selected the more recent public works programme for attack. The Premier had no difficulty in refuting his strictures, and was probably grateful for the diversion."¹⁸²

The Government's attempts to deal with the electricity supply situation had been notably successful. When opening the Tallawarra power station in 1954, Cahill was able to state that the power supply now available was "sufficient to meet all immediate demands, both industrial and domestic. There is no disturbance to industry, and blackouts are a memory". Generating capacity, in fact, more than doubled in size between 1946-47 and 1956-57.¹⁸³

Cahill's performance as Treasurer had also enhanced the Government's image of responsible economic management. He told Parliament early in 1955: "Although I have been twitted because it is said I am too Treasury-minded, the Government has always been able, with one small exception, to strike a balance and overall the surpluses have been greater than the deficits . . . the money has been spent wisely and well".¹⁸⁴ Even the 1955 Budget, which saw

increases in rail fares and freights, stamp duties and hospital charges, probably won Cahill at least as many points as it lost by allowing him to claim that he had foregone the politically expedient course for the economically responsible one,

If I came with a deficit of £9 million or £10 million the people would say, quite rightly, that this Government could not manage the affairs of New South Wales. I have the responsibility to see to it both that governmental functions are maintained and that financial excesses are not permitted. In achieving those two ends unpopular things have to be done ... but the Government has taken this action because it considers it to be right"¹⁸⁵

* * *

By far the greatest test of Cahill's political skills in this period was the need to minimise the political damage caused by the great Labor "Split" and to prevent it from shattering the Government.¹⁸⁶ In October 1954 Dr. Evatt launched his now famous attack on the Industrial Group forces in the Labor Party. By early 1955 the resulting turmoil had worked its destructive way through the Victorian and Federal Labor Parties and tensions were rising to flash point in New South Wales. Although Cahill and the majority of Government Members had no ideological quarrel with the "Groupers" they had become increasingly disenchanted with the abrasive style of the more extreme elements and the damage this had done to the Government. Memories of the chaotic Lang period and the resultant long, cold years in Opposition strengthened the resolve of many in the Government to ensure there was no major split in New South Wales.¹⁸⁷ Cahill, as the successful Premier of a long-surviving Labor Government personally at the height of his powers, was well placed to attempt to preserve unity.

The major aims of Cahill, assisted by Downing, as they emerged in response to the deepening Party crisis were threefold: first and most obviously to prevent a major Party split that would destroy the Government; secondly to leave the Party machine in the hands of moderate forces the Government could work with; in the shorter term, it was vitally necessary to preserve at least a facade of unity until after the election due early in 1956.

The strategy evolved to achieve these aims involved, firstly, a united,

non-aligned Parliamentary Party as a sheet-anchor and rallying point for moderates of all sides. Although the divisions were not rigid, the majority of Caucus at this time consisted of what could be described as a "centre/right" grouping around the Premier and Cabinet. Against this was a rebel group numbering, at a maximum, about a dozen Members. The rebels enthusiastically took up the pro-Evatt cause. However, Cahill was able to keep the great majority of Caucus firmly behind his stand and to avoid any open breach in the Parliamentary Party.

Secondly, Cahill and Downing began negotiations with the moderate pro-Evatt forces on the Federal Executive to try to achieve a compromise solution that would leave the New South Wales Party in the hands of the more reasonable pro and anti-Group elements who were prepared to compromise to preserve Labor in power in New South Wales. Cahill made it clear that he was prepared to see some of the "die-hard Groupers" purged to achieve this.

Finally, negotiations were held with the Sydney Roman Catholic hierarchy to ensure the "Groupers" received no encouragement to split from the Labor Party. Cahill, a devout Catholic on friendly terms with Cardinal Gilroy, was well placed to do this. Downing, likewise a staunch Catholic, was also active in this process. Archbishop Carroll, who came from a strong Labor background, was particularly sympathetic to the Government's cause. These negotiations were also assisted by the fact that the Sydney Catholic hierarchy, unlike that in Melbourne, had never been particularly sympathetic to the "Movement" and its political aims.

Although the outcome at times was far from certain, after much intricate and onerous negotiation Cahill very largely achieved what he had set out to do. The short term aim of presenting a united front to the electors was achieved by a special unity conference in 1955 which slightly increased the representation of the pro-Evatt forces in the New South Wales Branch hierarchy while leaving the "Groupers" largely in control. This solved nothing in the longer term, however. In June 1956 a more permanent solution was finally arrived at where the Government and the moderates on the Executive agreed to a modest re-structuring of the New South Wales Branch. In return, only the most intransigent "Groupers" were to be purged and the control of the Party was left in the hands of a centre group around the Party Officers. This was the so-called "balanced" Executive.

* * *

Cahill was greatly assisted in the 1956 election by the fact that, if his Government's image was looking tattered around the edges, obvious divisions within the Opposition made it a less than attractive alternative. The Opposition was, in fact, divided on three levels. The Parliamentary Liberal Party, which had had three leaders in thirteen months by 1956, was bitterly divided within itself. There was, in turn, friction between the Liberal Parliamentarians and the Liberal Party's "Ash St machine", the Party organisation. Relations between the Liberals and the Country Party were also still in a state of disarray.

After three successive election defeats, Vernon Treatt was inevitably stigmatised with the mark of the loser. Having narrowly survived a leadership challenge early in July, on August, 6th 1954, Treatt resigned as Leader of the Opposition. Lack of support from some members of the Parliamentary Party and repeated disagreements with the Liberal Party Executive were cited as the main reason for his resignation.¹⁸⁸ It quickly became obvious, however, that the anti-Treatt group, while strong enough to make the previous leader's position untenable, did not have the numbers to capture the leadership itself. When the Parliamentary Party met to elect a new leader, four ballots were taken and each resulted in a dead-heat with R. W. Askin and P. H. Morton both receiving eleven votes. Attempts were made to break the deadlock by persuading Treatt to withdraw his resignation and asking Murray Robson to stand. Both declined to pursue the suggested course of action. Askin also suggested the matter be resolved by a draw from a hat but Morton rejected the idea. The meeting adjourned on this unsatisfactory note leaving the Opposition leaderless for almost a week.¹⁸⁹

On August 17th, Askin stood aside for Murray Robson who defeated Morton for the leadership by twelve votes to ten on the second ballot. A prior ballot had again resulted in an eleven - all deadlock. Askin was reported to have persuaded Robson to withdraw his previous objections to standing. The Herald commented accurately that the voting "showed all too clearly that the new leader commanded no greater support in the party than did the old. Mr Murray Robson was given no more than a grudging permissive occupancy of the office".¹⁹⁰

One student of the affairs of the Liberal Party at this time has observed that in changing leaders the Liberal Parliamentarians attempted to remedy the perceived defects of the previous leader. Thus, "a legalistic

introvert was replaced by a flamboyant ex-lieutenant colonel of an infantry regiment; and having led his colleagues as would a company sergeant - major, he was replaced by a genial company director who transformed the parliamentary party into a political club and became its essentially part-time president".¹⁹¹ As well as alienating his colleagues, Robson also clashed strongly with the Liberal Party machine, mainly over the issue of relations with the Country Party. On September 20th 1955, Robson was replaced by Morton at a "tense and angry" party meeting. The former Opposition Leader claimed afterwards that:

When I was elected Parliamentary leader, I received all sorts of assurances of loyalty and co-operation from the Executive and from the Parliamentary Party. This has not been forthcoming. But there has been a continuous intrigue against my leadership since the beginning of the year.¹⁹²

The overthrow of Robson left the Liberals even more divided, with the Parliamentary Party now containing an embittered Robson/Askin faction as well as Morton's supporters. It was reported that "the general feeling in the Liberal camp is that yesterday's events have greatly increased Labor's prospects at the election early next year".¹⁹³

* * *

Cahill's approach to the 1956 election was similar to his 1953 campaign strategy. Hoping that time had softened the electorate's memories of the Government's actions in the first part of its term, he attempted to counter Opposition attacks by stressing that the Labor Government's economic and administrative skills were essential to ensure continued prosperity in New South Wales.

Cahill also attempted to discredit the Opposition by portraying it as a group of inexperienced amateurs who could not even agree among themselves. The Opposition's disunity was stressed as well to counter charges about divisions within Labor's own ranks. In his policy speech Cahill claimed that:

Your alternative to a continuance of sound, practical Labor government is attempted government by a Party which is divided against itself; a Party which is uncertain of its own leaders and entirely vague as to its own policies. It is a Party led by, and mainly composed of, untried, inexperienced men who, in their political weakness, accept and repeat the dictates of their Liberal-Country Party masters at Canberra.¹⁹⁴

Attacks on the Federal Government's economic policies were again a major feature of Cahill's campaign. However, this strategy, although still useful, met with nothing like the success it had achieved in 1953. An early attempt by Cahill to revive the old cry of cuts in loan funds retarding progress failed completely when Menzies, no doubt wary of being caught twice, announced at the February Loan Council meeting that instead of an expected cut back, State loan programmes could proceed at the rate agreed upon in 1955. Any shortfall in loan-raising would be made up by the Commonwealth.¹⁹⁵ Cahill was undaunted, however, and attempted to make his Government's attempts to secure a greater tax re-imbusement allocation from the Commonwealth one of the main issues of the campaign.¹⁹⁶

The Premier also effectively played on fears that the Federal Government was contemplating a revival of some of the unpopular economic measures of 1952. Signs of renewed inflationary pressure and balance of payments problems led to Menzies announcing late in 1955 that bank credit would be tightened and import controls made more stringent. Hire purchase companies came to a voluntary agreement with the Federal Government to restrict credit. Menzies also said that if the adverse balance of payments situation was not improved by this package, further unspecified measures would be taken.¹⁹⁷

This allowed Cahill to claim Menzies was preparing to drop an "economic bomb" very shortly. The Prime Minister was "concocting something extra special in the way of a repellent economic brew" that would involve "a general tightening of belts and a surrender of hard won conditions". The defeat of the Labor Government in New South Wales "would advance the zero hour very substantially".¹⁹⁸

Opposition Leader Morton's campaign was styled as a "crusade" to clean-up government in New South Wales. In his policy speech he said "This election is unique. It is not the usual contest between two political parties and two rival policies. It is . . . a test of political moralities". It was a case of "The people versus Cahill".¹⁹⁹ If the Liberals were returned to office the City Council would be cleaned up, compulsory unionism legislation repealed, the electoral "gerrymander" ended and the recent amendments to obscene publications legislation reviewed. A Bill of Rights would be incorporated in the New South Wales Constitution to "protect the community against the more obvious onslaughts on our basic freedoms".²⁰⁰

A notable feature of the 1956 election was the bitter press campaign

against the Cahill Government. Daily Telegraph editorials complained of "The fifteen long years of bully rule, of self-centred shoddy control by a decaying Labor clique".²⁰¹ The Herald spoke of "the entrenchment of bureaucracy, of the contempt of Parliament, of the multiplication of State works for political ends, of scandals hushed up, of the unhealthy growth of patronage, and of slackness in administration" that supposedly marked Labor's record.²⁰²

The Sun in particular featured a series of articles that were vitriolic attacks on the Government. The climax of this campaign came just before election day when the Sun alleged that the Premier's son had received favoured treatment from the Housing Commission by having a home specially built for him.²⁰³ This was too much even for the Telegraph which said in an editorial that there was "nothing scandalous" about the arrangement, and that it was "unfortunate and unfair" that Cahill's son had been dragged into the election fight.²⁰⁴ The extreme nature of the press campaign, particularly in the Sun, was probably counter-productive in the final analysis and provoked a backlash of sympathy for Cahill.

The election result was in doubt for some days, and it was not until the following Friday, March 9th, that Morton conceded defeat. The final state of the House was: Labor 50 seats (compared to 57 in 1953), Liberal 27 (compared to 22), Country Party 15 (previously 14) and Independents 2 (1). Labor won 47.87 per cent of the primary vote, the Liberal and Country Parties 45.26 per cent. The two-party preferred result was Labor 50.9 per cent and Opposition 49.1 per cent. A number of Labor seats (Ryde, North Sydney, Concord, Dubbo, Mudgee, Young) were held by very narrow majorities.

The unfortunate aspect of the 1956 election for Labor was that the renewed hold on power gained in 1953 was so quickly dissipated. Instead of consolidation, the Government had moved perilously close to disaster. It found itself very much on the defensive once again.

V

Continuing political problems for the Government - Federal State relations - Instability in the Party machine following the "Split" - Increasing division in Caucus in the post "Split" era - Labor survives the 1959 election.

The issues that dominated the final years of Cahill's Premiership were familiar ones: highly-publicised allegations of scandal and impropriety;

conflict with the Commonwealth Government over Federal-State financial relations; internal disputation within the Labor Party.

Further accusations of corruption in the Sydney City Council emerged late in 1956, chiefly concerning an alleged bribe paid by the licensee of a Council-owned hotel in an attempt to have his rent reduced.²⁰⁵ The actions of the Police Force also came in for criticism. It was claimed that police were regularly soliciting bribes from tow-truck operators in return for favoured treatment.²⁰⁶ A long-serving Labor MLC, Mrs Gertrude Melville, in August 1958 made serious charges concerning police brutality, unlawful arrests and general misconduct.²⁰⁷ Most damaging of all, allegations of impropriety touched Cabinet itself when the Auditor-General in his annual report for 1958 accused Housing Minister Landa of improper conduct. Landa was alleged to have used his position as Minister to assist a company represented by his legal firm. A Royal Commission into the charge was subsequently set up and Landa was temporarily relieved of his portfolio. The Commissioner, Mr. Justice Herron, subsequently found that Landa had acted imprudently but not improperly.²⁰⁸

Conflict with the Commonwealth, mainly over financial relations, had continued unabated since the 1953 election. In particular, Cahill waged a persistent campaign against the Menzies Government over the uniform tax system. This was, it would seem, partly to score political points and partly in a genuine effort to reform the system into something that Cahill considered would operate more to New South Wales' advantage. There seems little doubt that the Commonwealth's tax re-imbusement grants to New South Wales and Victoria at this time disadvantaged to a significant extent these two most populous States with the fastest growing economies to the benefit of the smaller States.²⁰⁹ What Cahill was fighting for was the return of a much greater share of the tax collection raised from New South Wales. As a strong believer in States' rights, he also had some more fundamental objections to the Commonwealth's financial dominance over New South Wales.

A special Premiers' Conference was held soon after the 1953 election to discuss Menzies' earlier commitment to return taxing powers to the States. The Prime Minister, however, presented no concrete proposals to the Conference allowing Cahill to seize the initiative by presenting a "ten point plan" for a dual tax system with much lower rates than at present. Menzies in turn ridiculed Cahill's plan as "fantastic". If it went ahead the Commonwealth would have to raise its taxes by 50 per cent. The Conference made no further progress.²¹⁰

Cahill made great play of the fact that the Liberal Premiers of Victoria and South Australia, Bolte and Playford, were attacking the uniform tax system in similar terms to his own campaign.²¹¹ In October 1955 Bolte made a highly-publicised visit to Sydney to discuss the situation with Cahill. They issued a joint press release after this meeting stating that they were "gravely concerned" over the financial position of their respective States under uniform tax.²¹² Cahill reported to Caucus after this meeting that there had been an "exchange of views common to both States due to the Commonwealth's restrictive financial policy which ignores the reasonable needs of the States." He added that Premier Playford also had "now aligned himself with New South Wales and Victoria in opposition to Commonwealth financial policy".²¹³ As part of this new found solidarity between Premiers, New South Wales joined Victoria in 1955 in a largely unsuccessful High Court challenge to the validity of the uniform tax system.²¹⁴

Another tactical move by Cahill in his war with Canberra over the tax system was the setting up after the 1956 election of Joint Select Committee of the New South Wales Parliament into the operation of the Commonwealth Constitution. This Committee (chaired by Attorney-General Downing) devoted its first report to the uniform tax scheme and, unsurprisingly, concluded that uniform tax was "a threat to the fundamental structure of the Federal System" which, if continued, would "ultimately destroy it".²¹⁵

At the 1959 Premiers' Conference a decade of fruitless negotiations over the return of taxing powers to the States was abandoned. Although most parties were to some extent in favour of the idea, none were prepared to suffer any political pain to see their objective achieved. Instead, a more generous tax re-imbusement formula was negotiated. This Conference was to be the scene of one of Cahill's most significant victories over the Commonwealth. Before the Conference there was speculation that a behind-the-scenes deal had been made between the Liberal Governments of the Commonwealth and Victoria to significantly increase Victoria's tax re-imbusement grant at the expense of New South Wales. Usually well-informed Canberra correspondent Alan Reid wrote that "on paper Mr Cahill does not look like having a hope of getting out of the Conference unscathed ..." When the new formula was handed down it was indeed significantly more generous to Victoria at New South Wales' expense. Cahill at once protested vehemently but it seemed, at first, with little hope of success. However, the New South Wales Premier continued to push his case tenaciously and in an "extraordinary change from the opening [of the

Conference]" finally succeeded in extracting from the Commonwealth a more acceptable (though still not entirely satisfactory) offer.²¹⁶

According to Alan Reid, Cahill showed his fellow Premiers at this Conference that he "knew more about the technique of getting what he wanted out of a Premiers' Conference than most of them would ever learn". Reid went on to give this description of Cahill in action:

With only a mild disappointment showing on his homely, kind face he could by a simple change of tone and choice of words make a Premiers' Conference feel that the proposed course of action would turn poor, deserving New South Wales into a melancholy almost uninhabitable desert ... To such perfection had he brought this technique that he never had to rant and rave as some of his brother Premiers still feel they have to.

Katharine West has also commented that Cahill's skill at "extorting funds from the Commonwealth Government" on occasions like this "caused him to receive the sort of respect that no Liberal Leader had received in New South Wales from senior Liberal Ministers in Canberra."²¹⁷

In the aftermath of the successful resolution of the crises of the "Split" era came a period of instability and restiveness in the Party machine. The passions and bitterness aroused in such a period of turmoil were not easily forgotten. In addition, the "balanced" Executive was widely perceived as a temporary expedient and there was intense competition between the "right" and "Grouper" elements who had chosen to "stay in and fight" and a revived "left" bent on capturing the Party machine. The "balanced" Executive by its very nature had to try to placate both extremes. This lack of a single faction with strong overall control that could negotiate deals with the Government and be reasonably certain of delivering "the numbers" made for difficulties in relations between the Government and the extra-Parliamentary Party.

The 1957 and 1958 Annual Conferences, for example, both succeeded in embarrassing the Government to a certain extent. At the 1957 Conference delegates attacked a Government plan to pay the retiring Governor (Sir John Northcott) a pension and, despite a personal appeal from Cahill, passed a resolution asking Cabinet to reconsider its decision. Another motion calling on the Government to urgently consider abolishing the position of State Governor was also passed. The Government, with the assistance of A.L.P. State President F. Campbell who stated that they were requests not directions to the Parliamentary Party, ignored both resolutions.²¹⁸

The 1957 Conference also called for repeal of all penal clauses in the Industrial Arbitration Act.²¹⁹ This call was reaffirmed in even stronger terms the following year. The 1958 Conference rejected the A.L.P. Industrial Committee's recommendation that proposals by the Government to modify the offending sections be accepted and instead called for total abolition.²²⁰ This decision was unacceptable to Cahill who believed that repeal of the penal clauses would give too much power to union militants and undermine the whole basis of arbitration. Labour and Industry Minister Maloney subsequently told an Executive deputation that the Government did "not accept the validity" of the 1958 Conference resolution.²²¹

As the 1959 Conference approached pressure on the Government to take some action on the penal clauses mounted. A compromise package of amendments that went some way to meeting union demands without completely abolishing the penal clauses was finally arrived at and accepted (despite strong "left" opposition) by that year's Conference.²²²

As well as the embarrassing penal clause resolution, the 1958 Conference also saw a revolt by delegates on the issue of the Legislative Council. A resolution demanding immediate Government action to abolish the Upper House drew cross-factional support and was overwhelmingly successful.²²³

Amendments to the Landlord and Tenant Act in 1958 were the occasion of further difficulties in relations between the Government and the extra-Parliamentary Party. Widespread unrest over these changes (which were claimed by the Government's opponents in the Party to leave tenants at the mercy of landlords) was only quelled when Downing, the responsible Minister, made a personal appeal to the 1958 Conference and a move to repeal the controversial amendments was narrowly defeated by 334 votes to 320.²²⁴

Criticism within the Labor Party of the alleged influence of liquor interests over the Government also flared up again around this time. The occasion was a complaint by the Grafton Brewery that Government rail freight subsidies to the Sydney breweries allowed them to undersell the local company and were forcing it out of business. A sub-committee of the Executive was set up to investigate this allegation and was subsequently publicly critical of the Government's actions.²²⁵

In the wake of the "Split" Cahill also faced a much less docile Caucus. The bitter factional manoeuvrings of the "Split" era had given the pre-existing dissident group momentum and organisation. From this time onwards,

Caucus is most usefully seen as divided into "Ins" and "Outs". The dominant faction, the "Ins", was basically made up of the Premier, the Cabinet and the other office holders (Speaker, Chairman of Committees and Whip) plus the "right wing" and most of the Catholic element in Caucus. Prominent members (apart from Cahill) included Downing, Renshaw, Hills, "Gus" Kelly, R.S. Maher and N. J. Mannix. The "Outs" were a mixed and often overlapping group of ideological "leftists" (such as the driving force behind the group, R.F.X. Connor),²²⁶ Protestants with a strong Masonic influence, Members from the northern and southern coalfields, dissidents alienated from the ruling group because of frustrated ambition or personal quarrels and some Members who seemed to prefer the role of "loner" and "spoiler". Leading members were: Seiffert, W. F. Crabtree, W. Rigby, C. Earl, C. Mallam, R. J. "Tiger" Kelly, R. F. Jackson and (after the 1959 election) L. J. "Jack" Ferguson.

An example of the increasing dissension in Caucus was the struggle over the building of the Sydney Opera House, a project in which Cahill had a personal interest. On May 1st, 1957, Cahill outlined his proposals for an Opera House to Caucus. These included "the running of special lotteries for the purpose of providing revenue. If these proposals were adopted ... it would mean that there would be no impact on loan commitment or revenue commitments".²²⁷ J. W. Seiffert immediately opposed proceeding with the Opera House scheme on the grounds that it would have an "adverse effect on building of hospitals, schools, water schemes etc."²²⁸ The ensuing debate showed strong support for Seiffert's stand and the rebels' request for a special Caucus meeting on the Opera House issue was agreed to.²²⁹

This meeting was held a week later. After a lengthy and at times heated debate in which 15 Members spoke a motion to proceed with the Opera House was carried by a less than comfortable margin, 24 votes to 17. Seiffert immediately gave notice that he would move at the next meeting of Caucus to have the decision rescinded.²³⁰

The strength of Caucus opposition to the Opera House forced Cahill into a strategic retreat. At the meeting of Caucus at which Seiffert's rescission motion was due to be debated (June 5th), the Premier announced that he would not proceed with the Opera House proposal pending the decision of the forthcoming A.L.P. Annual Conference. Seiffert then withdrew his motion.²³¹

In his address to Conference, Cahill made a strong plea to delegates for support for the Opera House and received an overwhelmingly favourable vote in response.²³² Armed with this endorsement, Cahill returned to Caucus to seek

approval for the Opera House scheme. Although the Conference vote had rallied more support to the Premier's side, the "Outs" did not give in without a fight. Seiffert, supported by Connor, moved that a ceiling of £1.75 million be placed on the Government's financial support for the project. The motion was defeated on the voices.²³³

* * *

As the 1959 election approached, one Labor Member was reported to have said that there was a "smell of death" about the Government.²³⁴ Labor had been in power for eighteen years and Cahill for over seven. The Government's support had been eroded by years of allegations of scandal and impropriety and by constant internal Party warfare. The Federal electoral tide was running strongly against Labor. The Democratic Labor Party was also for the first time in the field, a factor that many felt would finally defeat Labor in New South Wales.

The Government, however, went on, against all the odds, to one more electoral success, albeit narrowly. The two party preferred vote for the March 1959 election has, in fact, been calculated as being evenly divided between Labor and the Coalition. In terms of seats, the Government's margin was a little more comfortable, 49 to the Coalition's 44, a factor that may have been partly due to a redistribution before the election. There would seem to have been two main reasons why Labor avoided defeat: the weakness of the Opposition and the efforts of Cahill.

The Liberals in the later Cahill years reached their post-war nadir. Continuing electoral defeat had sapped the morale of the Parliamentarians. Many, in particular Opposition Leader Morton, became only part-time politicians, more interested in pursuing lucrative private activities than devoting time to their Parliamentary duties. There was also a widespread feeling in the Liberal Party that the Federal Liberal Government was giving little support to the State Opposition and that the Party machine in New South Wales was more concerned with keeping Menzies in office than assisting the State Liberals. The New South Wales Liberals received little support from their natural allies in the business community who were not inclined to back an obvious loser. Internal tensions also continued within the Parliamentary Party with the former Treatt/Robson supporters backing R. W. Askin against Morton. All of this added up to a widespread perception of the Liberals as a

permanent Opposition.²³⁵ The Country Party was in little better shape. As Don Rawson put it: "The Country Party plodded on under the ageing Colonel Bruxner ... never disunited and rarely noteworthy for any other reason".²³⁶ There had, however, been one positive development in that relations between the Liberal and Country Parties had improved to the point where Morton was able to give a joint Opposition policy speech.²³⁷

As mentioned earlier, the damage caused by the "Split" in New South Wales had been minimised and this ensured that the DLP had little support compared to its Victorian counterpart. The Catholic hierarchy in Sydney remained behind the Government and Cahill worked hard to ensure there was no serious leakage of Catholic votes from Labor. The Liberals were to claim after the election that a decisive factor had been an intense campaign by Labor organisers in marginal seats to convince Catholic voters "that the Cahill Government should be preserved as a foil against Federal Labor and as a platform from which to restore it. The issue placed before them was Evatt versus Cahill ..."²³⁸

In his policy speech, Cahill also adopted a deliberately conciliatory tone towards potential D.L.P. supporters:

I do sincerely believe that those who, some little time ago, chose to travel a route apart from that trodden by the official Australian Labor Party - although there is very little to distinguish objectives in either case - will be reluctant when it comes to marking their ballot papers to be party to the assassination of a people's Government ...²³⁹

All of these efforts paid off and the D.L.P. polled an insignificant 1.32 per cent, compared to 5.59 per cent in New South Wales in the 1958 Federal election and 14.43 per cent in the 1958 Victorian election.

Cahill also deliberately distanced his Government as much as possible from Dr Evatt and the Federal Labor Party to prevent any electoral backlash. In this Cahill was greatly assisted by the fact that he was widely known for his conservative views and devout Catholicism. As the Herald put it the New South Wales Premier was "more difficult to 'smear' with general charges of Communist sympathies".²⁴⁰

Another move by Cahill to revive the Government's electoral fortunes involved two major vote-buying concessions. These were an additional week's leave and the beginnings of equal pay for women. Both were in place by polling day.

A further factor working in Labor's favour was the Premier himself. Cahill grew increasingly in public stature during his final years in office. In June 1959 he became the longest continuously serving New South Wales Premier, surpassing Sir Bertram Stevens' record (of seven years two months and 24 days continuous service). Cahill's personal integrity, his determination to do what he believed to be right for his State, his demonstrated qualities of leadership which saw him holding his embattled Party together virtually through force of personality alone, all had won him a measure of respect from even his strongest opponents. Cahill threw his many personal and political skills into the 1959 campaign without reserve and there is more than a measure of truth in Vernon Treatt's assessment, after Cahill's death, of the final result:

[1953] was not his greatest victory, for there were special circumstances in the 1953 elections. We shall remember him not for that victory but ... for the magnificent manner in which he fought the elections this year, turning what many people believed was impending defeat into victory for the Parliamentary Labor Party.²⁴¹

By the end of the 1950's Labor's hold on power in N.S.W. again seemed very tenuous. The Government's increasing authoritarianism, arrogance and cynical determination to cling to office for its own sake combined with the damage caused by the "Split" had largely undone the benefits of the renewal Labor had undergone in the early Cahill period. When Cahill died in October 1959, the Government was again facing challenges similar in some respects to those it faced at the beginning of the decade.

NOTES

1. Daily Mirror, 7.5.52, p.16.
2. ALP (NSW) Official Report of the 1953 Conference, p.16.
3. Parker, R.S., "The Government of New South Wales", in Davis, S.R., The Government of the Australian States, Sydney, Longmans, 1960, p.110.
4. See Martin, R. M., "Trade Unions and Labour Governments in Australia: a study of the relation between supporting interests and party policy" in Hughes, C. A., ed. Readings in Australian Government, UQP, St Lucia, 1968, pp 400-402.
5. Cahill easily fended off a challenge from C.E. Martin for the leadership. Sydney Morning Herald, 3.4.52, p.1; NSWPLP, Minutes of Meetings (Caucus Minutes), 2.4.52, ML MSS 4156/2.
6. This description of Cahill is largely based on Downing, Nott, Landa, Mulvihill, Hills, Gallagher interviews and comments by Renshaw in Bulletin, 7.12.82.
7. On Cahill and Wurth see B.N. Moore, "Administrative Style: Its effect on the functioning of an organisation", unpublished Ph.D. Thesis, Department of Government, University of Sydney, 1985, pp.264-273, 389-390. See also article in Sydney Morning Herald, 31.8.87, p.15 by a former senior NSW public servant and member of Cahill's personal staff, Phil Gallagher.
8. This move on first sight seems a strange one as Evatt's old enemy, Gallop, was still Chairman of the Housing Commission. However, it would seem that Cahill's motive was to put Evatt in a position where he could rely on being closely informed of Evatt's activities. On Evatt's sacking from Cabinet see Sydney Morning Herald, 1.4.54, pp.1,3; Sun Herald, 4.4.54, p.67. Evatt then began a campaign of harassment against the Government from the backbench which culminated in his expulsion from the Party, on the recommendation of Caucus, for voting with the Opposition on a motion to disallow public transport fare rises in July 1956 (see Sydney Morning Herald, 12.7.56, p.4; NSWPLP, Minutes of Meetings (Caucus Meetings), 11.7.56, ML MSS 4156/2).
9. New South Wales Parliamentary Debates, 27.10.54, p.1276.
10. Ibid., 22.2.55, p.2477; see also New South Wales Parliamentary Debates, 1.10.53, p.959 for a similar comment by Cahill.

11. New South Wales Parliamentary Debates, 22.2.55, p.2473.
12. Ibid., 27.8.53, p.339.
13. Ibid., 22.9.53, p.738.
14. Ibid., 14.10.53, p.1183.
15. Sydney Morning Herald, 22.10.54, p.2.
16. Ibid., 25.9.52, p.2; New South Wales Parliamentary Debates, 27.9.52, p.905 ff.
17. Sydney Morning Herald, 27.8.52, p.1; for Treatt's comment see New South Wales Parliamentary Debates, 30.9.52, p.1010.
18. Unemployment figures from Australian Bureau of Statistics, Labour Report. The figure for September 1952 was 4 per cent and 4.1 per cent in December.
19. J. Holmes and C. Sharman (The Australian Federal System, Sydney, Allen and Unwin, 1977) describe the Federal Government's control of public investment from 1950 onwards as "shortsighted and counter-productive ... its main long-term effect has been generation of a high level of conflict between the State and Federal levels of government" (p.158).
20. Daily Telegraph, 3.4.52, p.3; Sydney Morning Herald, 3.4.52, p.1.
21. Sydney Morning Herald, 22.4.52, p.1.
22. Ibid., 2.5.52, p.1.
23. Ibid., 3.5.52, p.1.
24. Ibid., 5.5.52, p.2; Sunday Herald, 4.5.52, p.1.
25. Sydney Morning Herald, 7.5.52, p.4.
26. Ibid., 8.5.52, p.2.

27. Sydney Morning Herald., 22.5.52, p.4.
28. Ibid., 27.5.52, p.2.
29. Ibid., 30.6.52, p.1.
30. Ibid., 9.7.52, p.3.
31. Sydney Morning Herald., 16.7.52, p.3. Cabinet decided to appoint a committee of six Ministers (Heffron, O'Sullivan, Weir, Sheahan, Hawkins, Renshaw) to examine the relative importance of all public works and recommend priorities for the rationed loan moneys, State Archives of NSW, Premier's Department Records, Cabinet Documents, 9/5112.4 (Cabinet Meeting 15.7.52).
32. Daily Mirror, 14.8.52, p.3.
33. Sydney Morning Herald, 27.9.52, p.4; 3.10.52, p.4; 13.11.52, p.1.
34. Sydney Morning Herald, 26.9.52, p.5.
35. Ibid., 20.10.52, p.3.
36. Sydney Morning Herald, 8.5.52, p.2.
37. Daily Telegraph, 31.5.52, p.7.
38. Sydney Morning Herald, 30.6.52, p.2.
39. N.J. Mannix, New South Wales Parliamentary Debates, 19.8.52, p.95; for Freeman see New South Wales Parliamentary Debates, 16.9.52, p.609.
40. New South Wales Parliamentary Debates, 12.11.52, p.2099.
41. Ibid., p.2100.
42. Ibid., p.2102.

43. New South Wales Parliamentary Debates., 3.9.52, pp.428-433.
44. Sydney Morning Herald, 12.7.52, p.3; 14.7.52, p.3; 9.9.52, p.1; 17.9.52, p.1.
45. New South Wales Parliamentary Debates, 3.9.52, p.435; Daily Mirror, 3.11.52, p.5.
46. Sydney Morning Herald, 12.9.52, p.2.
47. New South Wales Parliamentary Debates, 27.8.52, pp.270-3.
48. Ibid., pp.275, 277.
49. Sydney Morning Herald, 14.10.52, p.1; New South Wales Parliamentary Debates, 2.9.52, pp. 345-6. For Cabinet's approval of Maxwell's trip see State Archives of NSW Premier's Department Records, Cabinet Documents, 9/5112.4 (1.9.52).
50. Daily Telegraph, 8.5.52, p.14; Sun, 9.4.52, p.3; Sydney Morning Herald, 3.10.52, p.1.
51. Sydney Morning Herald, 25.6.52, p.3; 2.9.52, p.4; 1.10.52, p.3; 14.10.52, p.1.
52. Ibid., 23.7.52, p.1.
53. Sydney Morning Herald, 11.9.52, p.5; 14.10.52, p.1.
54. Labor Policy Speech 1953 Election, p.3.
55. Ibid., pp.3-4.
56. Sun, 12.2.53, p.23.
57. Daily Telegraph, 27.1.53, p.2.
58. Liberal Policy Speech 1953 Election, pp.3, 5.

59. Daily Telegraph, 30.1.53, p.1.
60. Ibid., 2.2.53, p.7.
61. Ibid., 31.1.53, p.1; 4.2.53, p.1.
62. Ibid., 9.2.53, p.1.
63. Ibid., 10.2.53.
64. Ibid., 12.2.53, p.1. The Royal Commission, under Mr. Justice Amsberg, found that Arthur had acted improperly but not corruptly. Arthur subsequently resigned from Parliament. For Amsberg's report see New South Wales Parliamentary Papers, 1953, Vol. 1, pp.149-181.
65. Murray, R., The Split, Cheshire, Melbourne, 1970, pp.35-36, 40-42, 133-136, 140.
66. Downing, Hills, Mulvihill interviews; see also Cahill's comments to this effect reported in Sydney Morning Herald, 24.3.55, p.1; Daily Telegraph, 24.3.55, p.1.
67. Murray, op.cit., p.124; Rawson, D. and Holtzinger, S. Politics in Eden Monaro, Heinemann, London, 1958, p.21. News Weekly published a highly laudatory article on the Government's introduction of compulsory unionism (25.11.53, pp.1, 3, 4).
68. An indication of the concern in Cabinet is that the matter was discussed at four Cabinet meetings before the final go-ahead was given for the compulsory unionism legislation (State Archives of NSW, Premier's Department Records, Cabinet Documents, 9/5112.4, 9/5112.5, 9.6.53, 23.6.53, 19.10.53, 2.11.53). See also Sydney Morning Herald, 29.9.53, p.1; 30.9.53, p.3; 7.10.53, p.3; 8.10.53, p.1; Daily Mirror, 6.11.53, p.5; Century, 23.10.53, p.4; 30.10.53, p.6; 11.12.53, p.3; 18.12.53, p.3. Downing had not moved from his previous position (when compulsory unionism was proposed in the McKell years) that it was "unnecessary and provocative" (interviews).
69. Nevertheless, the "Groupers" did not get it all their own way. The Cabinet Minutes record that when the combined Labor Party and Labour Council Committee on compulsory unionism's recommendations were discussed, "The Committee's request, that no exemption be granted to objectors on conscientious as distinct from religious grounds, was not approved", State Archives of NSW, Premier's Department Records, Cabinet

Documents, 9/5112.5, 2.11.53.

70. New South Wales Parliamentary Debates, 17.11.53, pp.1983-1988; 19.11.53, p.2097. The compulsory unionism legislation in practice proved to be a complete failure (see Rawson and Holtzinger, op.cit., p.21). It was repealed in 1959 after an Executive delegation told the then Minister (J.J. Maloney) that "this legislation is completely impracticable to the Unions since preference to unionism ... is much more effective", NSW ALP Records, MLMSS 2083/138 325, 20.4.59.
71. New South Wales Parliamentary Debates, 12.11.53, pp.1918-19.
72. Sydney Morning Herald, 14.11.53, p.2.
73. Daily Mirror, 6.11.53, p.3.
74. Daily Telegraph, 25.11.53, p.2; New South Wales Parliamentary Debates, 24.11.53, pp. 2111-2113. The Opposition also unsuccessfully sought permission for Garfield Barwick to address the Legislative Assembly in support of the petition.
75. Sydney Morning Herald, 9.10.53, p.3.
76. On the role of the "Groupers" in promoting this legislation see Rawson and Holtzinger, op.cit., pp.21-22; Century, 7.4.55, p.5; 11.3.55, p.2; 18.3.55, p.2; Sydney Morning Herald, 17.3.55, p.4. See also News Weekly article praising the legislation, 27.10.54, p.2.
77. The legislation as originally approved by Cabinet provided for an "advisory committee" of seven members (State Archives of NSW, Premier's Department Records, Cabinet Documents, 9/5112.4, 26.10.53, 27.10.53). No further action was taken until late 1954, no doubt because of the controversial nature of the amendments (see Daily Telegraph, 15.7.54, p.29; 2.9.54, p.7). When Cabinet finally approved the legislation the "advisory or consultative committee" proposal was dropped (State Archives of NSW, Premier's Department Records, Cabinet Documents, 9/5112.5, 18.10.54). News Weekly described the legislation as it finally appeared as "a compromise" (27.10.54, p.2).
78. New South Wales Parliamentary Debates, 2.3.55, pp.2717-20.
79. Ibid., pp.2726, 2765; 8.3.55, pp.2816-2820, 2834-5.
80. Ibid., pp.2852-3.

81. New South Wales Parliamentary Debates., 16.3.55, p.2978; Daily Telegraph, 9.3.55, p.11.
82. ALP (NSW), Official Report of the 1954 Conference, pp.57-58. Waters, W.J., "Ideology and practice in the NSW Labor Party 1941-1963: The Sovereignty of Conference", unpublished Government III thesis, University of Sydney, 1963, pp.22-23; Sun Herald, 13.6.54, p.21. According to press reports there was also strong Caucus opposition to the liberalisation of garage hours (Sydney Morning Herald, 7.4.54, p.1; Sun, 5.5.54, p.1; Century, 16.4.54, p.5). In November the Government legislated for a modest increase in garage opening hours instead of the originally proposed unrestricted 24-hour trading (New South Wales Parliamentary Debates, 18.11.54, pp.1803-5).
83. Sydney Morning Herald, 16.6.54, p.1; Daily Mirror, 3.6.54, p.7; 15.6.54, p.21; Waters, op.cit., pp.22-23.
84. ALP (NSW), Official Report of the 1954 Conference, p.58.
85. Ibid., p.56; Sydney Morning Herald, 16.6.54, p.1; Daily Mirror, 15.6.54, p.21; Waters, op.cit., pp.23-24.
86. Century, 5.3.54, p.2; Sun Herald, 21.3.54, p.73. There was, it seems, further trouble in the lead up to the liquor referendum (held on November 13th, 1954 and narrowly passed). Combined Caucus and Party pressure apparently forced Cabinet to back down on a proposal to link club and hotel closing hours in the referendum. Clubs were not obliged to abide by current trading laws due to a court decision. The proposal to link the two was seen by many in Caucus and the Party machine as having been unduly influenced by brewery interests (Sydney Morning Herald, 12.8.54, p.1; 17.8.54, p.1; 31.8.54, p.1; 8.9.54, p.1; 9.9.54, p.5; Daily Telegraph, 30.8.54, p.3; Century, 3.9.54, p.3; NSWPLP, Minutes of Meetings (Caucus Meetings), ML MSS 4156/2, 11.8.54, 17.11.54, 28.11.54).
87. Larcombe, F.A., The Advancement of Local Government in NSW 1906 to the Present, SUP, 1978, pp.133-4.
88. Sydney Morning Herald, 24.11.53, p.1; 20.11.53, p.1; 26.11.53, p.1; Century, 16.10.53, p.3; Sunday Herald, 21.6.53, p.4; Sydney Morning Herald, 1.12.53, p.1.
89. Sydney Morning Herald, 24.11.53, p.2; Daily Telegraph, 25.11.53, p.1; New South Wales Parliamentary Debates, 18.11.53, pp.2013-2015.

90. State Archives of NSW, Premier's Department Records, Cabinet Documents, 9/5112.4, Cabinet meeting of 12.10.53; Sydney Morning Herald, 14.10.53, pp.2,3; Century, 16.10.53, p.3; Murray, op.cit., p.134.
91. Hills, Mulvihill interviews; Sydney Morning Herald, 26.11.53, p.1; News Weekly, 11.11.53, p.2. According to Alan Reid, Executive inquiries had confirmed the existence of corrupt practices among Labor City Council Aldermen and it was on this basis that the decision was reached to reconstitute the Council (Daily Telegraph, 13.6.57, p.3). Jack Kane also gives details on the events leading to these changes in his autobiography, Exploding The Myths, Sydney, Angus and Robertson, 1989, pp.39-40.
92. New South Wales Parliamentary Debates, 18.11.53, p.2014.
93. Ibid., p. 2029.
94. Sydney Morning Herald, 24.11.53, p.1. News Weekly published an article at this time accusing the Ferguson Executive of allowing corruption to flourish for years on the City Council and stating that "members of the [new] Executive and a strong body of opinion in the Parliamentary Party are pressing for a thorough and complete clean up of the Sydney City Council", 25.11.53, p.1. See also Murray, op.cit., on friction between the "Grouper" Executive and the "old corrupt City of Sydney machine", pp.41, 281.
95. Sydney Morning Herald, 25.11.53, p.1.
96. New South Wales Parliamentary Debates, 25.11.53, p.2169.
97. Downing interviews.
98. New South Wales Parliamentary Debates, 25.11.53, p.2170.
99. Daily Telegraph, 26.11.53, p.1.
100. Sydney Morning Herald, 28.11.53, p.2; 30.11.53, p.2.
101. Australian Quarterly, Political Review, March 1954, p.98.
102. Sydney Morning Herald, 30.11.53, p.1. For further details of the storm of protest generated by this legislation see Larcombe, op.cit., pp.135-138.

103. News Weekly, 2.12.53, p.1.
104. Sydney Morning Herald, 28.11.53, p.1; New South Wales Parliamentary Debates, 1.12.53, pp.2446, 2479.
105. Sydney Morning Herald, 4.12.53, p.1; 16.12.53, p.1; NSW Law Reports, Vol. 54, 1954, pp.86-95 (for Owen's judgment).
106. At the Cabinet meeting of 2.3.54, the Attorney-General reported that as "all matters connected with the allegations concerning the Sydney City Council had been cleared up" the Premier would have a proclamation issued making the Act cease to have effect, State Archives of NSW, Premier's Department Records, Cabinet Documents, 9/5112.5. See also Sydney Morning Herald, 3.3.54, p.4.
107. Sydney Morning Herald, 16.12.53, p.1.
108. Ibid., 10.3.54, p.4.
109. ALP (NSW), Official Report of the 1954 Conference, pp.28-29.
110. New South Wales Parliamentary Debates, 3.12.53, p.2644.
111. New South Wales Parliamentary Debates, 23.3.54, p.46; 15.9.54, pp.446-7.
112. Ibid., 18.11.53, p.2043.
113. Ibid., 1.9.54, p.134.
114. Century, 3.9.54, p.6. In April 1954 Cabinet decided "that there should be a more equitable distribution of Government advertising between the metropolitan newspapers". Tender advertisements were subsequently transferred from the Herald to the Telegraph. Cabinet decided to revert to the former arrangement in September 1955 after representations from the Master Builders' Association (State Archives of NSW, Premier's Department Records, Cabinet Documents, 9/5112.5, Cabinet meetings 27.4.54, 4.5.54, 1.6.54, 20.9.55).
115. See, for example, Daily Telegraph, 25.8.54, p.8; 26.8.54, p.8; 22.9.54, p.8.

116. Daily Telegraph, 13.12.54, p.1.
117. Ibid., 15.12.54, p.1.
118. Sydney Morning Herald, 20.1.54, p.1.
119. New South Wales Parliamentary Debates, 23.3.54, pp.20, 25.
120. Ibid., pp.19, 27-28.
121. Ibid., 31.8.54, pp.98-99; Sydney Morning Herald, 6.5.54, p.5.
122. Sydney Morning Herald, 19.5.54, p.1.
123. New South Wales Parliamentary Debates, 28.9.54, pp.636, 639.
124. Sydney Morning Herald, 10.3.54, p.3; 11.3.54, pp.1, 4.
125. State Archives of NSW, Premier's Department Records, Cabinet Documents, 9/5112.5, Cabinet meetings 16.3.54, 18.5.54; Sydney Morning Herald, 12.3.54, pp.1, 2; 16.3.54, p.1; 17.3.54, p.6; 6.5.54, p.5.
126. Sydney Morning Herald, 12.3.54, p.3; 25.3.54, p.4.
127. New South Wales Parliamentary Debates, 25.3.54, p.84.
128. Ibid., 2.9.54, p.175.
129. Ibid., 25.3.54, p.85.
130. Sydney Morning Herald, 31.7.54, p.1. For Dovey's report see New South Wales Parliamentary Papers, 1954, Vol. 1, pp.177-203.
131. At the Cabinet meeting of 3.8.54 Cabinet considered the report of the Police Commissioner and other senior police on the officers named in Dovey's report and "decided to adopt the unanimous recommendation in those reports that the two Police be restored to Police duty", State Archives of NSW, Premier's Department Records, Cabinet Documents, 9/5112.5. See also Sydney Morning Herald, 4.8.54, p.4.

132. New South Wales Parliamentary Debates, 31.8.54, p.106.
133. Ibid., 28.9.54, p.639.
134. Century, 22.1.54, p.4.
135. Mayer, H. and Rydon, J., The Gwydir By-Election 1953: A study in political conflict, Canberra, ANU, 1954; Australian Quarterly, Political Review, March 1954, p.96; Sun Herald, 21.3.54, p.73; Sydney Morning Herald, 6.7.54, p.2.
136. New South Wales Parliamentary Debates, 27.10.59, p.1560.
137. Ibid., p.1564.
138. For example, see on Public Works Committee New South Wales Parliamentary Debates, 30.3.54, pp.128-131, 135-140 and on Public Accounts Committee New South Wales Parliamentary Debates, 14.10.53, pp.1216-18; 27.10.53, p.1396; 6.10.54, p.843. See also Hawker, G.N., The Parliament of NSW 1856-1965, Sydney, Government Printer, 1971, pp.282-3.
139. New South Wales Parliamentary Debates, 3.11.53, pp.1600-1603.
140. Ibid., pp.1609-1610; Sydney Morning Herald, 4.11.53, p.1.
141. New South Wales Parliamentary Debates, 3.11.53, pp.1613-14.
142. Ibid., 4.11.53, p.1659.
143. Ibid., p.1671.
144. Ibid., p.1670.
145. Ibid., 4.11.53, pp.1674-5.
146. Hawker, op.cit., p.271.
147. Sydney Morning Herald, 1.4.59, pp.1, 3.

148. Sydney Morning Herald, 8.7.55, pp.1, 4; 13.7.55, p.1; 19.7.55, p.4; Murray, R., The Split, Cheshire, Melbourne 1970, p.288.
149. Sydney Morning Herald, 3.8.55, p.1.
150. Ibid., 15.4.55, p.3; 15.6.55, p.4; 29.6.55, p.2; 8.6.55, p.4; 9.8.55, p.2; Daily Telegraph, 23.6.55, p.2.
151. Daily Telegraph, 20.12.55, p.2.
152. Sydney Morning Herald, 11.1.56, p.5; 20.1.56, p.2; AJPH Political Chronicle, May 1956, p.250.
153. Century, 11.3.55, p.2; 7.4.55, p.5. The Caucus minutes record Cahill's remarks as "controversial measures, difficulties to be appreciated", NSWPLP, Minutes of Meetings, ML MSS 4156/2, 20.10.54.
154. Daily Telegraph, 21.9.54, p.2; 22.9.54, pp.2, 8; Sydney Morning Herald, 21.9.54, p.1.
155. Sydney Morning Herald, 10.12.54, p.8.
156. Ibid., 13.4.55, p.16.
157. Sydney Morning Herald., 1.12.54, p.2.
158. Daily Telegraph, 28.5.55, p.9.
159. Landa, Sydney Morning Herald, 13.10.55, p.6; see also comments by Cahill, Sydney Morning Herald, 22.9.55, p.4.
160. Sydney Morning Herald, 22.1.55, p.3.
161. Sun Herald, 27.2.55, p.25; 9.10.55, p.3.
162. NSWPLP, Minutes of Meetings (Caucus Minutes), ML MSS 4156/2, 12.10.55.
163. Sydney Morning Herald, 29.4.54, p.3.

164. Sydney Morning Herald, 26.1.55, p.1.
165. Sydney Morning Herald, 12.1.55, p.8; State Archives of New South Wales, Premier's Department Records, Cabinet Documents, 9/5112.5, 11.1.55.
166. Sydney Morning Herald, 5.5.54, p.6.
167. Ibid., 19.10.55, p.3.
168. New South Wales Parliamentary Debates, 30.11.54, p.1962.
169. Sydney Morning Herald, 21.7.55, p.1.
170. Ibid., 29.7.55, p.5.
171. Ibid., 30.7.55, p.7.
172. Ibid., 9.8.55, p.2.
173. Ibid., 3.11.53, p.1; Daily Mirror, 4.11.53, p.3; Sydney Morning Herald, 14.6.54, p.1; 3.8.55, p.1.
174. Century, 10.6.55, p.4; 17.6.55, p.6; Sydney Morning Herald, 22.7.55, p.4; 3.8.55, p.1; 4.8.55, p.4.
175. State Archives of NSW, Premier's Department Records, Cabinet Documents, 9/5112.5, Cabinet meeting of 26.7.55. See also Sydney Morning Herald, 27.7.55, p.1; 28.7.55, p.1.
176. Sydney Morning Herald, 1.9.55, p.2; New South Wales Parliamentary Debates, 30.8.55, pp.97-8.
177. State Archives of NSW, Premier's Department Records, Cabinet Documents, 9/5112.5, 2.8.55. See also Sydney Morning Herald, 3.8.55, p.1; 4.8.55, p.4.
178. State Archives of NSW, Premier's Department Records, Cabinet Documents, 9/5112.5, 9.8.55, 4.10.55. See also Sydney Morning Herald, 10.8.55, p.1.

179. NSWPLP, Minutes of Meetings (Caucus Meetings), ML MSS 4156/2, 18.2.53.
180. New South Wales Parliamentary Debates, 27.10.54, p.1280.
181. New South Wales Parliamentary Debates, 27.10.54, pp.1277-9.
182. Sydney Morning Herald, 29.10.54, p.2.
183. Ibid., 23.10.54, p.4. Figures on generating capacity are from Official Yearbook of New South Wales 1959, pp. 801, 802.
184. New South Wales Parliamentary Debates, 22.2.55, pp.2475-6. Both the 1953 and 1954 Budgets were commented upon favourably in editorials in the Herald and Telegraph (Sydney Morning Herald, 23.9.53, p.2; Daily Telegraph, 23.9.53, p.11; Sydney Morning Herald, 22.9.54, p.2; Daily Telegraph, 22.9.54, p.8). Cahill's 1955 Budget also received some editorial support from the Herald (Sydney Morning Herald, 15.9.55, p.2).
185. New South Wales Parliamentary Debates, 15.9.55, p.464.
186. This account of the Split in NSW is largely based on Downing, Hills, Mulvihill interviews and Murray, The Split, Cheshire, Melbourne, 1970, pp.129-131, 189, 241-3, 268, 281-306. J. Kane and C. Oliver also shed some light on these events in articles in the Australian, 15-16 June 1985 (Oliver), 29.6.85 (Kane), as do letters by Kane and Mulvihill (Sydney Morning Herald, 7.5.85, 16.5.85). Kane's autobiography (Exploding The Myths, Sydney, Angus and Robertson, 1989) is also a useful source.
187. W.F. Sheahan, for example, wrote to Dr. Evatt in November 1954: "I had too much to do with trying to help in repairing the effects of faction fighting during the Lang regime and have received, and am still receiving abuse, for my part in it from parties that were not satisfied with the action of the Federal Executive to want a repetition of it" (25.11.54) letter in Sheahan Papers, ML MSS 3350/1.
188. Sydney Morning Herald, 11.8.54, p.3; 18.8.54, p.1; Daily Telegraph, 17.8.54, p.8. A more detailed account of the following events is provided in West, K., Power in the Liberal Party, Melbourne, Cheshire, 1965, pp.155-165.
189. Sydney Morning Herald, 11.8.54, p.3.

190. Sydney Morning Herald, 18.8.54, pp.1, 2.
191. Holgate, K., "Liberal Party Problems in NSW State Politics", in Australian Quarterly, December 1961, p.22.
192. Sydney Morning Herald, 21.9.55, p.6.
193. Ibid., p.1.
194. Labor Policy Speech 1956 Election, p.24.
195. Sydney Morning Herald, 25.1.56, p.1; Sun Herald, 29.1.56, p.10; Sydney Morning Herald, 2.2.56, p.1; 30.1.56, p.6.
196. Labor Policy Speech 1956 Election, pp.6, 24; Sydney Morning Herald, 7.2.56, p.12.
197. AJPH, Political Chronicle, May 1956, p.249; Australian Quarterly Political Review, December 1955, pp.92-94.
198. Sydney Morning Herald, 29.2.56, p.5.
199. Liberal Policy Speech 1956 Election, pp.3, 8, 36.
200. Ibid., pp.4-6, 9-10, 39.
201. Daily Telegraph, 10.2.56, p.5.
202. Sydney Morning Herald, 14.2.56, p.2.
203. For some examples see Sun, 20.2.56, p.3; 24.2.56, p.2; 28.2.56, p.3. The claim about Cahill's son was in Sun, 29.2.56, p.1; 1.3.56, p.1.
204. Daily Telegraph, 1.3.56, p.2.
205. AJPH, Political Chronicle, May 1957, pp.232-3; November 1957, p.101; NSW Parliament, Legislative Council Office, Record of the 38th Parliament, Sydney, Legislative Council, 1971, p.60.

206. AJPH, Political Chronicle, May 1959, p.95; NSW Parliament Legislative Council Office, op.cit., pp.116, 119-120.
207. AJPH, Political Chronicle, May 1959, p.95; NSW Parliament, Legislative Council Office, op.cit., pp.94, 115-120; for Mrs. Melville's remarks see New South Wales Parliamentary Debates, 27.8.58, pp.214-220; 4.9.58, pp.484-89.
208. AJPH, Political Chronicle, May 1959, p.95; NSW Parliament, Legislative Council Office, op.cit., pp.124-125; for Herron's report see New South Wales Parliamentary Papers, 1958, Vol. 1, pp.191-218.
209. See Holmes, Jean, and Sharman, Campbell, The Australian Federal System, Sydney, Allen and Unwin, 1977, pp.140-145.
210. Sydney Morning Herald, 20.2.53, p.1; 21.2.53, p.1; Sunday Herald, 22.2.53, p.4; Conference of Commonwealth and State Ministers, Held at Canberra, 20th and 21st February 1953, Proceedings of the Conference, Canberra, Government Printer, 1953, pp.5-18, 19-32; for Cahill's report on the Conference to Caucus see NSWPLP, Minutes of Meetings (Caucus Minutes), 4.3.53, ML MSS 4156/2.
211. Daily Mirror, 7.9.55, p.18; Daily Telegraph, 12.10.55, p.3; New South Wales Parliamentary Debates, 12.10.55, p.945.
212. Sydney Morning Herald, 7.10.55, p.1.
213. NSWPLP, Minutes of Meetings (Caucus Meetings), 12.10.55, ML MSS 4156/2.
214. For Cabinet's decision to join this challenge see State Archives of NSW, Premier's Department Records, Cabinet Documents, 9/5112.5, 9.10.56, 23.10.56; for the High Court decision see Victoria v Commonwealth (Second Uniform Tax Case) (1957) 99 Commonwealth Law Reports 575. There appears to have been an unsuccessful move on the Executive to direct Cahill to discontinue this challenge on the grounds that it was contrary to Federal policy, Sydney Morning Herald, 6.4.57, p.4.
215. For the Committee's interim and final reports see New South Wales Parliamentary Papers, 1958, Vol. 3, pp.563-618. The interim report on uniform tax was brought down in February 1957.
216. Alan Reid quote from Daily Telegraph, 24.6.59, p.8. Second quote from Daily Telegraph, 25.6.59, p.1. See also Sun, 24.6.59, p.2; Sydney Morning Herald, 24.6.59, p.1; 25.6.59, p.1; Conference of Commonwealth and State Ministers, Held at Canberra, 23 and 24 June 1959, Proceedings

of the Conference, Government Printer, Canberra, 1959, pp.8-27; NSW Parliament, Legislative Council Officer, Record of the 39th Parliament, Sydney, Legislative Council, 1962, pp.28-29. The Commonwealth's original offer would have meant that the per capita difference in grants between NSW and Victoria would have fallen from 14s.4d. to 4s.8d. The offer finally accepted by Cahill restored the difference to about 10s.

217. Reid quote from Daily Telegraph, 23.10.59, p.15. West quote from Power in the Liberal Party, Cheshire, Melbourne, 1965, p.186. The Daily Mirror described the outcome as a "great win for Cahill" (25.6.59, p.5). A Daily Telegraph editorial at the time said that the "strength, reason and statesmanship of Mr Cahill's case" was responsible for a better result for New South Wales (25.6.59, p.2).
218. Sydney Morning Herald, 17.6.57, pp.1, 4; 18.6.57, p.1; AJPH Political Chronicle, November 1957, p.100; Waters, W.J., "Ideology and practice in the NSW Labor Party 1941-1963: The sovereignty of conference", unpublished Government III thesis, University of Sydney, 1963, pp.35-37. For Cabinet's reaffirmation of its earlier decision to pay the Governor a pension see State Archives of NSW, Premier's Department Records, Cabinet Documents, 9/5112.5, 25.6.57.
219. Sydney Morning Herald, 18.6.57, p.4; Waters, op.cit., p.44.
220. Sydney Morning Herald, 16.6.58, p.4; Waters, op.cit., pp.44-45; for the Industrial Committee's defence of retaining the penal clauses see ALP (NSW) Executive Report to 1958 Annual Conference, pp.8-10.
221. The minutes of this meeting (on 20.4.59) are in NSW ALP Records, ML MSS 2083/138, 325; Mulvihill interview and Waters, op.cit., on Cahill's attitude.
222. Sydney Morning Herald, 4.6.59, pp.1, 4; 31.3.59, p.14; 15.6.59, pp.1, 4; Waters, op.cit., pp.45-48; for the Industrial Committee's recommendations see ALP (NSW), Official Report of 1959 Conference, p.18. This was not to be the end of the story, however. The 1959 amendments were generally acknowledged to have proved ineffective and, after a renewed campaign of pressure on the Government, further amendments were brought down in 1964 that largely resolved the issue. On the issue in 1963 see Waters, op.cit., pp.48-51. On the 1964 proposals see ALP (NSW), Official Report of the 1964 Annual Conference, p.52; Sydney Morning Herald, 22.5.64, p.9; 2.9.64, p.10; Daily Telegraph, 16.6.64, p.16; 17.9.64, p.4.
223. Turner, K., House of Review?, SUP, 1969, pp.57-64.
224. Nelson, H.G., "The Politics of Rent Control in NSW", unpublished Ph.D.

- Thesis, Department of Government, University of Sydney, 1977, pp.44-45, 49-55, 333-334.
225. Sydney Morning Herald, 19.10.57, p.4; 15.11.57, pp.1, 3; 30.11.57, p.5; AJPH, Political Chronicle, November 1958, pp.248-9. The Executive also passed a resolution asking Cahill to explain "why was a written reply prepared and handed to the Party Officers and the Committee [of the Executive on the Grafton Brewery] prior to hearing the point of view the Committee eventually put to the Premier and his Ministers; why did the brewery manager and Grafton ALP receive the same letter within a matter of days of the meeting with the Committee" (text contained in letter from State Secretary Colbourne to Cahill, 11.2.58), NSW ALP Records, ML MSS 2083/136, 318.
226. For an analysis of Connor's beliefs and attitudes see Hagan, J., "R.F.X. Connor as State Parliamentarian", paper presented at Connor Conference, University of Wollongong, 25.7.82.
227. NSWPLP, Minutes of Meetings (Caucus Minutes), 1.5.57, ML MSS 4156/2.
228. Ibid.
229. Ibid. Those speaking against the Opera House were: C. Earl, R. Connor, T. Ryan, R. Coady, R. Jackson, S. Freeman.
230. Ibid., 8.5.57. Those opposing the Opera House in this debate were: S. Freeman, A. Tonge, A. Sloss, R. Kelly, H. Fowles, W. Crabtree. See also Sydney Morning Herald, 9.5.57, p.1.
231. NSWPLP, op.cit., 5.6.57; Sydney Morning Herald, 6.6.57, p.1; 7.6.57, p.1.
232. Sydney Morning Herald, 17.6.57, p.1; AJPH, Political Chronicle, November 1957, p.100.
233. NSWPLP, Minutes of Meetings (Caucus Minutes), 3.7.57, ML MSS 4156/2; Sydney Morning Herald, 4.7.57, p.1. For other significant Caucus clashes see: on proposed public transport fare rises, NSWPLP, op.cit., 6.6.56, Sydney Morning Herald, 7.6.56, p.1; on hire purchase interest rates which were claimed by Connor and his associates to be unnecessarily high, NSWPLP, op.cit., 1.5.57, 3.7.57, 9.10.57, 23.10.57; on a proposal to allow increased grazing in the Snowy Mountains catchment area (sponsored by Seiffert whose electorate included this area), NSWPLP, op.cit., 15.10.58, 10.12.58; Daily Mirror, 24.9.58, p.25; 15.10.58, p.21. The "Outs" also joined in the agitation over the 1958 Landlord and Tenant amendments (NSWPLP, op.cit., 19.3.58) and in the

pressure for abolition of the penal clauses (NSWPLP, op.cit., 6.5.59, 3.6.59).

234. Sun Herald, 21.9.58, p.7.
235. This account is largely based on West, K., Power in the Liberal Party, Melbourne, Cheshire, 1965, Chapter 5, and Cameron interview.
236. Rawson, D. and Holtzinger, S., Politics in Eden-Monaro, Heinemann, London, 1958, p.22.
237. On the 1959 Liberal/Country Party rapprochement see Aitkin, D.A., "The Country Party and Non-Labor Unity in NSW, 1944 to 1964", Australian Journal of Politics and History, V.11 No. 2, August 1965, pp.159-160.
238. West, op.cit., pp.133-4.
239. Labor Policy Speech 1959 Election, p.4.
240. Sydney Morning Herald, 7.3.59, p.2.
241. New South Wales Parliamentary Debates, 27.10.59, p.1562.

CHAPTER 4

HEFFRON AND RENSHAW (OCTOBER 1959 - MAY 1965) FINAL DECLINE AND FALL

I

Heffron becomes leader by default - A "benign great-uncle" as Premier - Heffron's inability to provide strong or decisive leadership leads to lack of co-ordination in administration and disunity in the Government - Divisions in Caucus become increasingly rigid and bitter - The de-stabilising effect of this factional strife.

On Wednesday October 21st 1959, Cahill was admitted to Sydney Hospital. He had previously left a stormy Caucus meeting early after complaining of feeling unwell. At the time it was reported that Cahill's medical advisers had said that there was no cause for alarm. However, his condition deteriorated rapidly and on Thursday October 22nd Deputy Premier Heffron announced in the Legislative Assembly, amidst emotional scenes, that Cahill had died that morning. The former Premier was sixty-eight years of age at the time of his demise.¹

Cahill's sudden death thrust the 69 year old Heffron, who had long since given up any hope of attaining the Premiership, once more into the political spotlight. When the Parliamentary Labor Party met on October 28th to elect a new leader, Heffron (who had previously seemed doomed to be "always the bridesmaid and never the blushing bride" after being denied the Labor leadership by McKell, McGirr and Cahill) was elected unanimously as Premier.²

Although Heffron had the support of the "Ins" in the leadership ballot, this would seem to have been largely by default. With the vacancy so unexpected, Heffron's strategic position as Deputy Premier meant that there was little choice for the dominant faction but to fall in behind him. There remained, however, a widespread perception of Heffron as a caretaker Premier. It seemed only a matter of time until Renshaw (with Hills as a potential rival) made his move. The "Outs", by contrast, enthusiastically backed Heffron's candidature. This was not, however, out of any personal loyalty or because of the policies he espoused, but because Heffron's election would prevent a strong "In" group candidate from occupying the office.

In an unexpectedly close vote for the Deputy Premiership, Renshaw narrowly fended off a challenge from Sheahan, who had the support of the "Out" group. The "Ins" choice for the Ministerial vacancy, N.J. Mannix, had a more comfortable victory over Connor, winning by 29 votes to 18.³

Heffron pledged himself as Premier to follow the Cahill line "without deviation". He intended to

carry on the work of the late Mr. Cahill right where he left off ... There will be no deviation in the future from the Labor policy which has made the Government in this State strong and respected everywhere ... [The Cahill line] is a line which for many years has had the approval not only of the Parliamentary Labor Party but of the people of New South Wales as a whole.⁴

The Cahill Ministry was also preserved virtually intact, the major surprise being Heffron's retention of the Education portfolio which entailed relinquishing the Treasury, traditionally held by the Premier, to Deputy Premier Renshaw.

Although Heffron's general policy was thus set in a similar direction to Cahill's, the style and capability of the two men as Premier was markedly different. Heffron had had an adventurous past, working his way through North America as a young man, including a stint as a prospector in the Yukon gold rushes. He had also been well known as a radical union leader in New Zealand, the country of his birth. When he came to Australia he was again associated with radical elements in the Labor movement and was for ten years Secretary of the Marine Stewards' Union. Heffron had also spearheaded the fight that ultimately led to the displacement of Lang as Labor Leader in New South Wales. In office, Heffron had proved to be a highly successful Minister, first at National Emergency Services (from 1941 to 1944) and later at Education.

By the time of his accession to the Premiership, however, the youthful radical had mellowed into a "benign great-uncle" who was "no longer hard and tough. He has become soft and appeasing".⁵ Heffron, as Premier, was notorious for his lethargy and procrastination. He proved incapable of providing strong or decisive leadership. During his term of office Heffron was largely propped up by a few key Ministers, notably Downing.⁶ The smooth-running administrative apparatus created by Wallace Wurth and, from 1960 onwards, presided over by John Goodsell also helped to prevent the machinery of government from grinding completely to a halt, but unlike the McKell and Cahill eras, there was no strong Premier maintaining discipline in Cabinet and Caucus, controlling the

bureaucracy and ensuring important groups of supporters were not neglected.⁷

As well as giving the impression that, in personal terms, he was a spent force, Heffron seemed deliberately to eschew the role of strong leader. He told Parliament not long after he became Premier:

My colleagues in Cabinet will tell honourable members opposite that at the first meeting I said to them: 'I am Premier but I regard myself as one of a team ... I do not want people to agree with me simply because for the time being I am premier of New South Wales. I do not want a Cabinet of yes-men'. I told them that I wanted a Cabinet of men who would stand up here and say what is in their minds and not be afraid to tell me if they thought I was on the wrong road ... No man will ever be disadvantaged with me if he tells me when he things I am wrong. I think all the more of him for it, and I regard him as a wise counsellor and as a good colleague ...⁸

Whatever the merits of such an attitude, in practical terms it may have been unwise at the best of times. In the embittered post-Split political climate, with a divided Caucus that Cahill was only just managing to control by the full exercise of his toughness and political skills, it was a recipe for disaster.

In the Heffron years the divisions in Caucus were to become increasingly rigid and bitter. The "Ins", in response to a more aggressive "Out" group, became increasingly intransigent. The "Outs" were excluded from any chance of Cabinet positions and given as little say as possible in determining the Government's policies and direction. In response, the "Outs" became more and more embittered, the only prospect in front of them being years as ciphers on the backbench. In the words of Jack Ferguson, "We were spoilers".⁹

The "Outs" began to use Caucus, the main forum at their disposal, to harass the "Ins" and to try and assert their authority. Almost every Caucus meeting was the scene of confrontation and heated tactical battles. The Premier and Ministers giving reports or seeking permission to introduce legislation regularly faced a barrage of questions, suggestions and criticisms. The "Outs" constantly attempted, under general business, to bring on motions designed to embarrass Cabinet or raise matters the "Ins" would have preferred forgotten. A favourite tactic of the "Outs" was to attempt to refer matters to Caucus committees. One of the main roles of Caucus was traditionally the scrutiny of proposed legislation. With major matters this was often done by appointing a Caucus committee, usually on the suggestion of the relevant Minister. In more normal circumstances the arrangement worked well enough and allowed Caucus members to have a useful input into the direction of the Government. Now,

however, it was used by the "Outs" not to assist but in an attempt to thwart the wishes of Cabinet. Detailed reports of all these supposedly secret Caucus battles were regularly leaked to the press by the "Outs" to maximise their impact.¹⁰

The result was a government lacking leadership, direction and co-ordination. Decisions were usually made only after interminable delays and consensus often reached by exhaustion. It was a government sunk in complacency and conservatism with no policy except more of the same. In Heffron it had a leader who could not or would not lead. He was unable either to reconcile the warring factions in his own Caucus or to control the increasingly vigorous dissident group.

* * *

Few governments have got off to a less auspicious start than the first Heffron Government. Within a fortnight, the Government suffered a humiliating defeat on the floor of the Assembly, for the first time since the later McGirr years it was claimed, when Deputy Leader of the Opposition Willis called an unexpected division immediately after the luncheon adjournment. The Government was defeated 39 to 41 and the nine Labor absentees included two Ministers (Sheahan and Ryan). The official explanation was that the missing Government Members mistook the division bells for the bells ringing to summon Members for the afternoon sitting. Others less kindly suggested that they were lingering over their port in the Parliamentary dining room. The Government quickly regained its majority but it took four hours of confusion and almost thirty divisions to undo the effect of the defeat.¹¹

Two weeks later, Willis again used this tactic to inflict an almost identical defeat on the Government. An arduous procedural battle once again followed and, on this occasion, the electric division bells broke down due to constant ringing.¹²

Within a further month, the Government lost control of the Legislative Council, where it had had a majority since 1949, when seven Labor MLC's defected on the second reading of legislation to abolish the Upper House. The rebels were subsequently expelled and formed an Independent Labor Group. Although they at first stated their intention of generally supporting Labor policy, the breakaway group subsequently combined with the Opposition to inflict numerous defeats on the Government. The Independent Labor group also increased its

numbers through further defections and by joining with the Opposition to elect its own nominees to Council vacancies. By September 1961 it had increased in size to 10 compared to Labor's 23.¹³

Lack of control of the Legislative Council was not as serious an impediment as it had been in the 1940's as the Government did not have a large programme of sometimes controversial legislation it was determined to put through. Nevertheless it added to the impression of a Government in disarray, unable to control the course of its own destiny.

The new year brought little improvement in the Government's fortunes. In January 1960 a long drawn out struggle began over the proposed appointment of Federal Opposition Leader H. V. Evatt as Chief Justice of New South Wales. Early reports claimed that Evatt's appointment, which was strongly backed by Heffron, was a foregone conclusion as it also had strong support from the Federal Party and the Party machine. However, it soon became apparent that Cabinet was badly split on the issue and that the anti-Evatt forces, led by Downing, were, in fact, strong enough to divide the Cabinet equally on the appointment. Downing's opposition was centred around his belief that Evatt had deteriorated mentally to such an extent that he would be ineffective and a potential embarrassment in the position. His preferred choice was a Sydney Q.C., Jack Smyth, who, he felt, had the right combination of toughness and competence to keep the court system moving effectively.¹⁴

Heffron's response was to continually defer a decision. The affair dragged on unresolved into February, to the consternation and confusion of all concerned. The Premier's only comment in response to close press questioning was: "The members of Cabinet are giving me 100 per cent loyalty. Nobody in my experience has had more loyalty than is being shown to me in Cabinet". A week later, after a lengthy Cabinet meeting described as "one of the tensest meetings in the past 19 years of Labor Government in New South Wales", the affair was finally resolved when one of Downing's supporters (Renshaw) buckled under the strain and defected. The next day it was finally announced that Evatt would indeed be sworn in as Chief Justice of New South Wales.¹⁵

Although the affair was technically a victory for the Premier, a more realistic assessment was that "Heffron's grip on the Premiership is weakened. The inevitable question that must be asked in the Labor Party is whether Heffron could be trusted to handle any really tough political issue".¹⁶

The Heffron Government's first six months were, in fact, to conclude with an even more serious challenge to the Premier's authority and the Government's

stability. At a Caucus meeting in early March 1960 Mallam and Connor called for a judicial inquiry into the leasing without calling for public tenders of properties owned by the Railways. They objected particularly to a proposal to transfer the lease of the Wynyard Plaza Hotel. The prospective new lessees also wanted an extension of the lease to carry out a major redevelopment of the site. Heffron responded by promising to obtain an urgent report on the matter and the debate was adjourned on this basis.¹⁷

Cabinet became involved in the affair when Sheahan, who supported the "Outs" in their objections, clashed with Downing who argued that the Government was legally bound to approve the transfer of the lease. To resolve the conflict, it was decided to seek the opinion of two independent Q.C's as to the legal situation. These authorities subsequently supported Downing's position but Sheahan refused to withdraw his opposition.¹⁸

On March 16th, Heffron moved in Caucus that the transfer of the lease of the Wynyard Plaza Hotel be approved. The "Outs" objected strenuously and instead proposed that the lease be resumed by the Government, a course of action Cabinet had previously rejected. This amendment was defeated 29 votes to 13 and Heffron's original proposal was then approved on the voices.¹⁹

To try and placate his critics, Heffron obtained a report from the Auditor-General, Crown Solicitor and Valuer-General saying that the second part of the deal (the extension of the Plaza Hotel lease) was not against the public interest. However, when the matter went before Caucus in May 1960 there was once again fierce opposition from the "Outs". After a lengthy debate, the extension of the lease was finally approved 23 votes to 15.²⁰

A further serious outbreak of de-stabilising factional strife occurred in February 1961 over the filling of the Cabinet vacancy left by Agriculture Minister Nott's resignation to become Administrator of the Northern Territory. The "In" group backed K.C. Compton, Member for Lismore since a by-election in September 1959, while the "Outs" supported veteran rebel and Member for Monaro since 1941, J.W. Seiffert.²¹ The ballot for the Cabinet vacancy was preceded by a preliminary skirmish over the voting system to be used. For some time the "Outs" had been pushing for preferential voting in Caucus elections rather than the usual exhaustive ballot (where a quota of votes necessary for election was set and if this was not reached further ballots were held). Preferential voting would allow the "numbers men" in the "Out" faction to negotiate complex deals that would possibly allow them to pick up enough preferences to elect their candidate. An exhaustive ballot, by contrast, allowed the "Ins" to better

discipline their vote. In response to this pressure it had been resolved to seek the guidance of the Party Officers as to what voting system should be used to fill the Nott vacancy.²² On the day of the ballot, newly-elected President of the New South Wales Branch (and staunch "right winger") C.T. Oliver attended Caucus to deliver the Officers' ruling, that Caucus could use any voting method it chose. Having done this, Oliver made no move to leave, much to the fury of the "Outs" who saw this as a deliberate attempt to intimidate them. W. Crabtree then moved that Oliver withdraw before the voting. This was defeated 25 votes to 14 as was a subsequent motion by the "Outs" for a preferential ballot (23 to 17). Compton then narrowly defeated Seiffert for the Ministerial vacancy. According to press reports the meeting was marked by Members jostling and abusing each other, and the corridors outside the Caucus Room echoed with the sound of angry voices. Members of the factions "snubbed each other" in the lobbies after the meeting.²³

Yet another damaging internal brawl occurred over the implementation of the Wyndham Report on secondary education. In April 1960 Cabinet gave approval to Heffron and Education Minister Wetherell to draft a bill to implement the Report's recommendations. A Caucus committee set up to examine the legislation made little progress, however, due to opposition from the "Outs". Wetherell then took steps to place the matter before the June 1961 A.L.P. Annual Conference as a means of overcoming Caucus resistance. In response, the "Outs" moved in Caucus to forestall Wetherell and a motion by Sheahan was agreed to:

That in view of the fact that the Caucus sub-committee report has not been considered by Cabinet or Caucus the Premier and Minister for Education confer with the Party Officers to have any Conference decision deferred in view of the complex and [sic] economic problems involved in the Wyndham Report.²⁴

In spite of this, Wetherell proceeded with his original plan and gained strong Conference backing for the Wyndham Report proposals. This led to a violent response from the rebels when Caucus next discussed the matter (on August 2nd) and a leading "Out" (C.J. Earl) resigned from the Caucus committee on the Wyndham scheme in protest at Wetherell's actions.²⁵

The main focus of disagreement had by now been narrowed to the future role of the Intermediate Certificate examination, with the "Outs" pushing for an external rather than internal examination. In September 1961, a compromise proposal was arrived at (with some subjects to be examined externally and others

internally) that received enough support to gain Caucus approval, 26 votes to 15.²⁶ The Wyndham Report was thus, finally, given the go ahead. The fact that it had taken a protracted period of tortuous and damaging manoeuvring to arrive at this position was a good indication of how slow and convoluted the Government's decision-making processes were becoming.

The decisive defeat of the Legislative Council abolition referendum in April 1961 was a further blow for the Government. Heffron's prestige was diminished, particularly as it was the first time he had led Labor at the polls. Askin's position as Leader of the Opposition was correspondingly strengthened. Here at last was a Liberal leader who had actually defeated the Government. The size of the defeat (57.6 per cent voting "No") was said to have seriously alarmed Labor Members about their prospects in the next election. Added to this were charges by the rebels in Caucus that some sections of the Party had put in less than a full effort and were secretly not displeased with the result.²⁷

II

The Opposition's resurgence under Askin.

To make matters worse for the Heffron Government, it faced a resurgent Opposition with a wily and competent new leader. On July 17th, 1959, the Parliamentary Liberal Party elected Robin William Askin, Deputy Leader since 1954, as Leader in place of P.H. Morton. Liberal Members had been unhappy with the extent of Morton's time-consuming private business interests and his inactive and generally ineffective leadership. Although in previous Liberal faction fights Askin had been allied with the Treatt/Robson independent Liberal group, as opposed to Morton who was "Ash St's" man, this was more out of personal loyalty to Robson than any ideological convictions. Askin, whose background was not a traditional Liberal one, proved in practice to be a supreme pragmatist. He quickly began to move the New South Wales Liberal Party from one where "old-fashioned views on everything from drink to Catholics prevailed" towards a party that spoke "more the language of the ordinary working man".²⁸

As part of this effort, Askin began to assiduously cultivate groups in the community already disaffected with the Government, or with the potential to be, particularly traditional Labor supporters. As Frank Browne put it, Askin

popped up at places where no Liberal had been seen since the Spring

of 1892 ... He hasn't shirked a public issue and has made his position clear on every issue, even when doing so made some of the old ladies of both sexes in his own Party shudder and fuzzle their croquet shots.

Railway workers, teachers, public servants, and retired public servants living on pensions being steadily eroded by inflation were among the groups Askin set out to win over.²⁹

Askin and his colleagues also posed as the champion of the "small man" and the "underdog" who was being neglected by a Government they portrayed as grown arrogant, dictatorial and increasingly out of touch with ordinary people. As the Leader of the Opposition stated in Parliament: "As long as some sections of the community are not receiving justice, we of the Liberal Party will rise in this Chamber to state their case".³⁰ Small shopkeepers, mental patients, aborigines, commuters and those having difficulty paying rates and taxes due to land values increased by inflation were examples of some such causes championed by Askin.

The Government, too, was portrayed as complacent, old-fashioned and unable to come up with policies appropriate to the "new age" of the 1960's. As one Liberal said in Parliament: "[Government members] seem to be living in the past and are doing all they possibly can to perpetuate the class hatred and struggle that existed 50 years ago ... the Labor Party is saddled with policies 50 or 60 years out of date". Another claimed that "It is plain that Labor has no policy except socialisation. Labor has no original thinking, no ideas on development - absolutely nothing ... Speech after speech by Government supporters is based on nineteenth century philosophies". Askin himself said of the Government's programme outlined at the beginning of the new session of Parliament in 1961:

[It] lacks a strong central theme. It is disjointed - a programme of bits and pieces; it dwells too much on the past, more than half of it dealing with past achievements ... the Government has failed to face the fact that we are passing through a period of momentous change and it is coasting along in the same old way.³¹

Under Askin's leadership the Parliamentary Liberal Party achieved unprecedented unity. The factions seemed largely to reconcile their differences

after Morton's fall, perhaps because they saw Askin as, at last, a leader who was a winner. Highly visible signs that the Government was faltering would have encouraged this tendency. Perhaps also the new style of politics Askin brought to the Liberal Party made the previous differences seem largely irrelevant. The old fractiousness was submerged in an overwhelming desire to win. Askin also encouraged the search for "new blood" in the Parliamentary Party that led to the dropping of several long established Members. The acquisition by the Liberals of men such as John Maddison, A.H. Jago, J.L. Waddy and R.O. Healey helped give the Party a new image of youth and vigour. Askin was also assisted by having a tough, capable and energetic Deputy in E.A. Willis.

As well, relations between the Liberal and Country parties were starting to improve. The new degree of co-operation achieved for the 1959 elections persisted, despite some subsequent policy disagreements, such as over the fate of the Legislative Council, and Askin was able to establish a good personal and working relationship with the Parliamentary Country Party leadership team of Cutler and Chaffey. The Country Party itself had gone through a period of renewal with the departure in 1958 of M.F. Bruxner, its Leader since 1932. By 1962 only two of its fourteen Members were older than fifty. The result was that, as Don Aitkin has put it, "the two parties strove to create the impression that they were a united and vigorous opposition, entirely prepared for the responsibility of office".³²

III

Parliament reflects the revival of the Opposition - Heffron an ineffectual Parliamentary performer - An increased level of Party conflict in Parliament.

Parliament exemplified all of these trends in microcosm. In the House, Heffron was largely ineffectual, particularly when compared to Cahill who had been able to dominate the Assembly. The Premier was, in fact, usually only active in Parliament during Question Time, leaving Renshaw and, to a lesser extent Hills, to safeguard the Government's interests for most of the rest of the time. The Century accurately enough said of Heffron's personal style in the

House that he was "often prolix but on occasions proves that he can crack hard, giving several members of the Opposition the full treatment of his long experience and ready tongue".³³ Journalist Richard Hall provided a similar description of Heffron in action:

In the House he tends to ramble on, recalling past glories as Minister for Education or Minister for Emergency Services in answer to questions. In an age where clichés cloak most politicians, Heffron throws them out as though they were devastating retorts, although occasionally the old radical has shown his teeth, flashed into anger, and for a few minutes reminded us that this was the great mob-orator who led many bitter strikes.³⁴

Inevitably, this lack of leadership affected the Government benches, leaving Members without a focus or rallying point to urge them on and stiffen their morale.

Askin, by contrast, proved to be competent and capable as Opposition Leader. Although he generally projected a low-key and temperate image, Askin pursued the Government relentlessly in Parliament. In this he was assisted by his Deputy, Willis, whose manner was much more abrasive and aggressive, and the Country Party leaders Cutler and Chaffey, both of whom were experienced and capable Parliamentary performers.

The result was a much more turbulent Parliament, with a revived Opposition constantly harassing the Government. Prolonged disorder, heated procedural battles and barrages of interjections and points of order were commonplace.

Presiding over all this was R.S. Maher, who had replaced Lamb as Speaker after the 1959 election. Maher, in marked contrast to his predecessor, did genuinely try to uphold the tradition of the impartiality of the Speaker. As he himself put it:

There are some unreasonable people on both sides of the House who accuse me of being a bit biased ... As I see it my position is one of strict impartiality and whether it pleases members of the Opposition or supporters of the Government I propose to carry out my work in a strictly unbiased way.³⁵

However, Maher was hampered in this endeavour by two factors. One was his own temperament. He exhibited, on occasion, an uncontrollable temper, was over-sensitive to criticism and was inclined to pursue personal feuds, such as those he indulged in with Willis and Sheahan.³⁶

The other factor that told against Maher was the increased level of party conflict in Parliament during his tenure. In particular, the Opposition after the excesses of Lamb were no longer prepared to treat the Speaker as independent. He was seen, rather, as part of the Government and thus fair game for political

attack. Willis, in particular, went out of his way to provoke Maher. The result was that, as the Speaker himself put it, "I try to be as tolerant as I can and I try to be as impartial as I can but it seems to me that some Opposition Members are trailing their coats, have a chip on their shoulder, and are determined to have an argument".³⁷

The table below shows the increasing level of controversy surrounding the Speaker during Labor's term of office:

PARLIAMENT	SPEAKER	MOTIONS OF DISSENT FROM SPEAKER'S RULING	CENSURE MOTIONS	RE-ELECTION OPPOSED
1941-1944	Clyne	1	0	No
1944-1947	Clyne	0	0	No
		TOTAL	TOTAL	
		1	0	
1947-1950	Lamb	1	0	No
1950-1953	Lamb	1	1	No
1953-1956	Lamb	4	1	Yes
1956-1959	Lamb	1	3	Yes
		TOTAL	TOTAL	
		7	5	
1959-1962	Maher	5	0	No
1962-1965	Maher	5	1	Yes
		TOTAL	TOTAL	
		10	1	

Source: Votes and Proceedings of the New South Wales Legislative Assembly

Opposition dissatisfaction would seem to have peaked during the second half of Lamb's tenure, as shown by the large number of censure motions and the fact that he was twice opposed for re-election. The high number of dissent motions against Maher's rulings and opposition to his re-election in 1962 are signs of some dissatisfaction with his performance. However, the fact that there was only one censure moved against Maher, a much more serious form of protest than a dissent motion, would seem to indicate that he was regarded in a somewhat better light than his predecessor.

IV

Party management - Increasingly strong "right" control of the Party machine helps the Government - Labor exploits the Federal Government's unpopular economic policies to achieve a comfortable victory in the 1962 State election.

As the 1962 elections approached, the Government's record would suggest that there was little cause for optimism about its prospects. There were, however, some things working in the Government's favour. One was a new redistribution that maintained and even slightly increased the moderately pro-Labor bias already existing. Assistant Secretary Mulvihill wrote to a colleague in February 1962 that there was "the possibility that the term 'time for a change' could rebound against Labor in the State election [but the] State electorate redistribution should qualify any adverse swing within reason".³⁸

As well, the Government was assisted by the fact that, paradoxically, as the dissonant elements became more powerful in Caucus, the extra-Parliamentary machine, particularly after the accession of C.T. Oliver to the Presidency, was under increasingly strong "right" control. The old "balanced" Executive set up after the "Split" had, in the face of the challenge presented by a newly revived and powerful "left", divided on "left"/"right" lines with the more conservative "anti-Groupers" (such as Oliver and the AWU) aligning themselves with the moderate Industrial Group supporters, Colbourne being the leading example.³⁹ This "right wing" ascendancy had become increasingly concerned about the lack of unity in the Parliamentary party. For example, Fred Bowen, Vice President of both the New South Wales A.L.P. and of the Labor Council, wrote in a frank letter to State Secretary Colbourne:

As officers of the party we have been concerned at newspaper reports of happenings in Caucus and the apparent lack of discipline exercised over Caucus meetings ... The continued disclosure of Caucus decisions and discussions to the point where it is possible for newspapers to print the names of Members who vote in a division in Caucus is a disgrace.⁴⁰

In response, the controllers of the extra-Parliamentary machine had decided on a policy of intervention to try and contain the Caucus rebels. There were also persistent rumours that "Room 32" had threatened dissident politicians with expulsion and loss of pre-selection.⁴¹

More importantly, those in control of the party machine strove to shield the Government from the effects of any internal unrest or demands for radical or politically embarrassing action. As Oliver said in a frank press interview:

"It's a good Government and it's got to be looked after ... All I'm concerned with is seeing that nothing interferes with its progress". He went on: "You've got to build [the politicians] up, make them big men. They're your election winners ... You can't have the Executive laying down dictums, forcing the issue. You can't expect the politicians to carry out immediately everything the conference wants them to do".⁴²

Part of this strategy was the careful stage-managing of the Annual Conference, a strategy which the "right's" growing numerical superiority allowed to be carried out with great success. Alan Reid wrote that the June 1961 Conference "presented the face of moderation, the group image of a party that kept its feet on the ground, was not concerned with 'isms' of any kind, was anti-Communist and pro-Australian, and was primarily concerned with such bread and butter issues as putting extra money into the workers' pay envelope". The Victorian A.L.P. Conference held at the same time, Reid said, presented a different picture: "There the wild men were very much in charge".⁴³

The "Outs" in Caucus, as the election approached, imposed a measure of self-discipline on themselves in a continuation of the pattern that had come to mark the Labor Government's style in New South Wales, where the electors could be virtually ignored for the first two years of a Government's term and the damage made up by a show of unity in the run-up to polling day. A temporary truce thus prevailed in the Parliamentary Party that allowed Heffron to go to the polls with some facade of unity behind him.

Most importantly of all, however, the Menzies Government's attempts to deal with growing inflation and other economic difficulties in late 1960 led to an unpopular "credit squeeze" and rapidly rising unemployment. New South Wales was particularly hard hit with unemployment increasing by 170 per cent in the twelve months from June 1960 to June 1961 when it reached post-war record levels.⁴⁴ The resulting electoral backlash against the Federal Government gave Heffron and his colleagues an unexpected chance to ensure their re-election which they exploited to the full in a mounting campaign of attacks on Menzies' economic policies. It was in many ways similar to Cahill's 1952 campaign without, however, the ferocity that the Premier had managed to inject on that occasion.

Commenting on the June 1961 employment figures, Heffron said that the "appalling" result had been "deliberately engineered" by Menzies and added "it is an indictment of the measures adopted which were abruptly thrust on the nation at a time of unprecedented progress".⁴⁵ A little later he described Commonwealth economic policies as "bungling", "ill-considered" and "the

interfering of a muddler".⁴⁶

Heffron announced that due to the impact of the recession the Government was considering a partial moratorium on repayments on homes, furniture and other assets where the purchaser was unemployed. Although nothing came of this idea, it served to dramatise to the voters the seriousness of the situation. Heffron also called a highly publicised meeting of representatives of all sections of the community to discuss unemployment which met in the Legislative Council chamber on July 20th 1961. Again nothing positive emerged and there would seem to have been some validity in the charge by Askin, who was not invited to the conference, that the Government was "not concerned so much with a frank discussion as with trying to make political capital".⁴⁷

The Government at the same time initiated a speeding up of public works programmes to relieve unemployment. It was stressed, however, that there was a limit to what the State could do without substantial Commonwealth assistance.⁴⁸ When such assistance was finally forthcoming in February 1962 in the form of an extra £6.9 million in loan funds, Heffron turned this also to the Government's advantage by calling it another step in the "stop-go" process which had characterised the Commonwealth's handling of the economy.⁴⁹

That this line of attack was a fruitful one was demonstrated by the December 1961 Federal election when the A.L.P., despite its internal problems, came within a handful of votes of victory. The swing against the Menzies Government had been particularly marked in New South Wales where Labor gained five seats.

* * *

The Government's campaign for the March 1962 election, predictably, re-stated the old Cahill formula that continued prosperity in New South Wales depended on the re-election of the sound, experienced Labor Government and combined this with attacks on the Federal Government for its economic mismanagement which had brought about the recent recession.

In his policy speech Heffron said:

Labor is dedicated to safeguarding and improving existing general living standards, employment and the value of the wage envelope. Labor's policy is one of progress and contentment for all.

He added:

Even untoward developments quite beyond the State Government's control have failed to halt except momentarily, the spectacular advance of New South Wales ... I refer, of course, to the abrupt, crude and quite unnecessary checks to the national economy imposed by the Commonwealth Government which threw everything so suddenly off-balance and out of gear for the greater part of last year.⁵⁰

Askin, by contrast, sought to play down Federal issues and based his campaign around characterising the State Government as worn-out, old-fashioned, out of touch with the ordinary people and incapable of efficiently managing New South Wales. He opened his policy speech thus:

The fumbling and divided Labor Government has been in office much too long. It has run out of ideas, other than Socialism, and is just seat-warming ... The Government would early love to fight on Federal issues ... But the people have already voted on Federal issues, so we intend to fight on State issues.

The Opposition Leader went on:

We will govern on the conviction that poverty, unemployment, slums, curable illness, and suffering in old age, are a disgrace amidst the surrounding luxuries, privileges and indulgence of a wealthy community such as ours. Every political instinct tells me that the public is in the mood to entrust a younger, more vigorous, more modern team with the task of overcoming unemployment, improving social justice and meeting the challenges of the Nuclear Age.⁵¹

The Government's campaign proceeded relatively smoothly on the lines set out above and Heffron was able to respond effectively to some of Askin's initiatives. For example, Askin's promise to legalise starting price betting was matched by an assurance from Heffron that a judicial inquiry would be held into the question, probably a wiser approach as it held out the promise of some action without altogether alienating anti-gambling groups. When Askin during the campaign promised an immediate increase in public service superannuation, the Government responded by increasing such pensions by 10 per cent.⁵²

Askin, by contrast, would seem to have made a number of campaign errors. His promise to ease rent control was felt to have hurt the Liberals in some marginal seats. Vernon Trett, after his defeat in Bligh, complained that "attempts to explain the Liberal Party's policy on rents in Bligh was like going over Niagara in a barrel".⁵³ The promise to legalise starting price betting was probably also a vote-loser for Askin.

The Liberals as well, unlike the Country Party, failed to grasp the State Aid nettle and Askin was forced to come out against assistance for church schools in his policy speech. By contrast, widespread rumours that the Government and Roman Catholic hierarchy had reached a secret "deal" on some form of State Aid probably assisted Labor in retaining the Catholic vote.⁵⁴

The electoral backlash against the Menzies Government, however, would seem to have been the main factor in returning Labor with an increased majority (the number of ALP seats rose from 49 to 54, compared to 39 won by the Opposition, with Labor polling 48.57 per cent of the primary vote compared to the Liberal/Country Party's 44.22 per cent or, in two-party preferred terms, 52.4 per cent to 47.6 per cent). This was apparently the opinion of the Federal Liberal leader himself. Reg Downing recalls that when he saw Menzies not long after the election, the Prime Minister asked in mock bewilderment why he had not received a letter of thanks from the New South Wales Labor Party acknowledging his substantial contribution to the Government's return.⁵⁵

V

The 1962 election result precludes any possibility of change by giving the Government a false sense of security - Heightened internal disunity and loss of direction increasingly weaken Labor's political position - Heffron's retirement.

The big electoral victory of 1962 was ultimately to be a contributing factor to Labor's defeat in 1965 in that it precluded any possibility of substantial change in the Government. The vote was seen as a personal victory for Heffron, confirming him in the Premiership for some time to come. Other ageing Ministers, who might have been edged out if the victory was narrower, were also reinforced in their determination to stay on. As well as preventing any "new blood" entering Cabinet, the good electoral result was taken as an indication that there was no need to re-examine the Government's policies or direction. The old electoral formula of the fifties was still seen as valid and the Government's smug and complacent attitude that a show of unity before polling day plus a few vote-buying concessions was enough to ensure victory was left unchallenged. Thus, a last reprieve was squandered.

The old situation in Caucus quickly began to reassert itself, the main difference being that the "Outs" seemed to be even more powerful. Cabinet had become increasingly inflexible and insensitive to the concerns of ordinary

backbenchers. By carefully picking issues, the "Outs" were sometimes able to win the support of some less committed members of the dominant group and defeat Cabinet recommendations. More and more business was now referred to Caucus committees whether Cabinet wanted it or not. In balloting for membership of these committees the "Outs" were, on occasion, able to win a majority of places. These committees did not hesitate to re-examine Cabinet proposals with a critical eye and, sometimes, to amend Cabinet decisions unacceptably.

An indication of the increasing power of Caucus came in late 1962 over the issue of the timing of announcements of proposed legislation. Traditionally, the practice was that no public announcement was made until Caucus had approved legislation.⁵⁶ The "Ins" had increasingly disregarded this in an attempt to lock Caucus in to Cabinet decisions. After complaints from the "Outs", on October 25th Heffron in Caucus "reported on the practice of giving details of proposed legislation to the press immediately after Cabinet meetings, before the proposals have been discussed in Caucus. He felt that members of Caucus should be given the opportunity of discussing proposed legislation before it becomes public. Cabinet had discussed the proposal and agreed ..."⁵⁷

The "Outs'" most significant victory in Labor's final years, however, was over the issue of proposed rises in Housing Commission rentals. This was a particularly sensitive issue in Caucus as many backbenchers had large numbers of Housing Commission tenants as constituents and branch members. At a Caucus meeting in October 1962 Housing Minister Landa moved for approval of proposals to raise Housing Commission rents. There was immediate strong opposition from the "Outs". An amendment by Mallam to defer the rent rise to the New Year was only narrowly defeated, 22 votes to 19, and Landa subsequently agreed to a move by Connor to refer the matter to a Caucus committee.⁵⁸

The struggle intensified when Landa rejected the Caucus committee's recommendations and moved in Caucus in December for approval of his original proposal. Connor moved an amendment "that the terms of the Caucus subcommittee decision be adhered to and the matter referred back to the Committee for consideration of alternate suggestions".⁵⁹ The Caucus Chairman declared Connor's amendment lost on the voices but the "Outs" immediately demanded a division. It then became clear that Cabinet had suffered a humiliating rebuff and Connor's amendment was declared carried.⁶⁰

A new note of bitterness was added to the affair when information was leaked to the press that two prominent "Outs" who opposed the rent rise (Rigby and Earl) lived in low rent Housing Commission homes. They alleged that Landa had been the source of the story. Earl, perhaps in revenge, then issued a

circular strongly criticising Landa over his role in the rent rise proposal. This was also reported in the press. Landa responded by moving in Caucus that Earl be reported to the State Executive. In spite of the fact that Heffron seconded the motion, the "Ins" did not have the strength to carry the day and a relatively innocuous motion, "that the Executive be asked what action it proposes over the circular in its possession appearing over the name of Mr. Earl," was accepted by all parties.⁶¹

A compromise that allowed a moderate increase in rents for Housing Commission tenants was finally agreed to (though not without further opposition) in March 1963, some five months after the original proposal had first been put forward.⁶²

* * *

It has been written that under Menzies "coalition Cabinets concentrated more on providing political leadership than on making decisions. Cabinet acted as a political unit, assessing alternatives in terms of political and sectional advantage, planning Parliamentary tactics, co-ordinating the work of administration".⁶³ The problem with the Heffron Government was that no-one was fulfilling this vital role. The Premier, by age and inclination never a strong leader, was now increasingly discredited. The factions and dominant personalities in the Government seemed to place as much emphasis on winning power struggles as maintaining Labor in office. Individual Ministers pursued their own aims almost regardless of the impact on the Government at large. The shift in the locus of power from Cabinet to Caucus created yet another source of relatively un-co-ordinated action. In addition, the new found strength of Caucus tended to make the Government's actions slower and even more indecisive. The Century accurately described how the system worked in practice:

Cabinet trundles up a proposition and almost inevitably Caucus decides to refer it to a committee to be turned upside down and inside out. Then the next problem is to obtain a quorum of the committee. Often months drag by without a report coming back to Caucus. The end result is that legislation is being blocked and Cabinet is getting less and less voice in deciding the business of government.⁶⁴

An example of just how politically damaging this combination of circumstances was to the Government was the complex conflict surrounding the legalisation of off-course betting. Following Heffron's election promise, a

Royal Commission was established in April 1962 under Justice Kinsella to investigate whether and, if so, how off-course betting should be permitted. In what was to prove, in retrospect, to be an unfortunate statement, Heffron said the Government would take "immediate action" on the recommendations of the inquiry.⁶⁵

Kinsella reported a year later in favour of legalised off-course totalisator betting with heavy penalties to stamp out illegal starting price bookmakers. The recommendation in favour of a totalisator system was to touch off an acrimonious dispute between two of the most powerful figures in the "In" group, Downing and Kelly. The latter, who as Chief Secretary had Ministerial responsibility over the matter, strongly favoured the licensing of existing starting price bookmakers. Downing favoured the totalisator. Early memories of "S.P." bookmakers taking away a worker's pay envelope at the factory gate, leaving him no money to take home to his family, reinforced Downing's opposition to the "S.P." operators. Downing, in fact, had carefully selected Justice Kinsella for the inquiry knowing that they both held similar views on the subject.⁶⁶

The "S.P." bookmakers, through the Racing Commission Agents' Association, began an intense lobbying campaign against the Kinsella recommendations. The Association put up a series of proposals for licensed "S.P.", each more generous than the last. The final proposal, it was claimed, would yield the Government an immediate £10 million in revenue. Sections of the Government also opposed the proposed T.A.B. system. In particular, country members felt that it would be a vote loser in that the T.A.B. would not have a wide network of country branches. Licensed "S.P." bookmakers would, by contrast, be able to service all parts of the State without difficulty. There were also widespread rumours that some Cabinet members had been "fixed" and of enormous sums of money floating around the Caucus to buy votes for "S.P.". In addition, Kelly, who was responsible for putting up recommendations for action to Cabinet, seemed to be deliberately stalling to allow the anti-tote forces to gather strength.⁶⁷

Downing's counter-stroke was to organise, behind the scenes, for the ALP Executive to intervene in the dispute in support of the Kinsella report. Thus, in July 1963, the Executive adopted a report from its five senior officers that: "We are of the opinion that the registration of off-course bookmakers would not be in the best interests of racing and is socially undesirable".⁶⁸ Further pressure was applied away from the public gaze. At a meeting in September, State President Oliver told Heffron and senior Ministers "that the State Executive would not continue to remain passive in the absence of positive action

to implement the Executive's decision [on the T.A.B.] ... the time was overdue to make a firm commitment".⁶⁹ In October, the Executive stepped up the pressure when State Secretary Colbourne publicly announced that the Premier had advised the Party Officers that he expected legislation would be introduced "in conformity with the views expressed by the Executive".⁷⁰

At this stage, the matter was in the hands of a Cabinet sub-committee. Downing was eventually able to persuade a majority of members around to his point of view and present a report to Cabinet in favour of an all-tote system. In December, a majority of Cabinet also approved this method of off-course betting. However, Kelly and his Cabinet supporters remained adamant in their opposition.⁷¹

When the proposed legislation reached Caucus it was referred to a sub-committee. Kelly was by now in league with the "Outs", who were in favour of legalised "S.P.". In balloting for membership of the sub-committee, the "Outs" won a majority of positions, leading to rumours that they would endeavour to thwart the Cabinet recommendations.⁷² To head off this possibility, Downing and his allies in Cabinet arranged for Heffron to issue a tough statement emphasising that Caucus had been asked to look at the details of implementing an all-tote system only. Heffron also announced that Cabinet had fixed July 1964 as the date for the commencement of off-course totalisator betting, thus attempting to lock Caucus into this position.⁷³

In January 1964, Kelly retired hurt and was admitted to hospital for a month's rest. Renshaw took over the preparation of the legislation and proceeded to push matters along at a more energetic pace. Negotiations were held with the Caucus sub-committee and a proposal put forward that was subsequently endorsed by the full Caucus. In March 1964, almost a year after the Kinsella report was released, legislation finally passed through Parliament for legalised off-course betting.⁷⁴

* * *

Late 1963 and the early months of 1964 were marked by mounting speculation that Heffron's resignation was imminent. The Premier, who turned 73 in September 1963, was not unaware that the time had come to get out and, after some gentle persuasion from leading figures in Cabinet, stepped down from the Premiership on April 30th, 1964.⁷⁵

VI

Renshaw becomes leader - The new Premier's leadership qualities - Problems facing the Government as the 1965 election approaches - Renshaw fails to renew Labor - Final defeat in 1965.

Heffron's retirement had been carefully managed by the king-makers in the "In" group, with the assistance of the Party Officers, to ensure the succession went to their chosen candidate, Renshaw. Although there was a good deal of support for Hills, who had shown himself to be an energetic and efficient Minister, Renshaw was preferred because of his seniority and the way he had loyally and capably supported Heffron as Premier. Renshaw had also performed well as Acting Premier during Heffron's absence overseas from April to August 1963, particularly at the Premiers' Conference in June of that year. It was also felt that his rural background would be an asset to Labor in holding its remaining country seats. A deal was done with Hills where, in return for not opposing Renshaw, he was offered the Deputy Premiership and given an assurance he would not have to wait over long for the top job.⁷⁶

The newly elected Premier was 54 years of age and had been a Member since 1941. He was generally popular in Caucus and had held a wide variety of portfolios (Lands, Public Works, Local Government, Highways, Agriculture, Industrial Development and Decentralisation and Treasurer) in which he had shown himself to be a competent Minister. He suffered from an inability, however, to apply himself to mastering the details of a complex brief, preferring a quick verbal briefing from his officials, and could never have been described as dynamic.⁷⁷

With the 1965 election fast approaching the situation facing the new Premier was a very serious one. Renshaw had inherited, and preserved virtually intact, an ageing, lacklustre Cabinet. Kelly (Chief Secretary), Enticknap (Agriculture and Conservation) and Wetherell (Education) were all over seventy and Sheahan (Health) and Hawkins (Child and Social Welfare) were in their late sixties. A number of these Ministers had long ceased to perform effectively. Of the newer recruits to Cabinet, only Hills and Mannix had shown any real ability. Ministers whose performance might have been adequate under the firm direction of Cahill had become lazy and arrogant in the Heffron years. What drive and leadership remained came mainly from the powerful triumvirate of Renshaw, Hills and Downing. The result was neatly summed up by an anonymous "senior member of the A.L.P." with a sporting analogy: "When Benaud and Davidson

batted seven and eight for Australia, you could generally count on them for 50 or so runs each. In the Cabinet though, when you got past the leadership bloc, there were some that could not carry a bat at all".⁷⁸

Inept handling of sensitive issues by the Government had given it an image of being arrogant and contemptuous of the interests of ordinary people. A major example was Labour and Industry Minister Maloney's attempts to deal with pressure for increased retail trading hours. Shopping hours had long been a difficult area for the Government as it was prevented from responding to public and industry pressure for liberalisation by the entrenched opposition of powerful forces in the Labor movement led by Ernie O'Dea and the Shop Assistants' Union. The difficulties caused were exacerbated, however, by Maloney's single-minded determination to enforce the letter of the law, whatever the political cost. Renewed agitation from small shopkeepers in the early 1960's for the right to trade late led to some of their number, who had been summonsed and convicted for breaches of the law, refusing to pay fines imposed. During most of 1964, to the accompaniment of great publicity, the offending shopkeepers were as a result sent to gaol. One, tragically for all concerned, died of a heart attack while in custody. Maloney refused to relent, however.⁷⁹ A number of raids, and subsequent prosecutions, were also launched against ladies' hairdressing salons during 1964.⁸⁰ In early 1965, the Department of Labour and Industry threatened to close down laundromats at nights and weekends. The directive was hastily withdrawn but Government Members were reported to be "disturbed at the Department's actions, and have described it as a serious blunder on the eve of the State elections".⁸¹

The Government's general lack of co-ordination and direction and the poor performance of some Ministers had led to the alienation of key groups in the community. By the time of the 1965 election, teachers, railwaymen and other transport workers, police and public servants were all expressing grave dissatisfaction, chiefly over pay claims, with the Government. Transport Minister McMahon, for example, in April 1965 responded to representations by railway and bus workers for a wage increase, similar to that already granted to Victorian workers by Liberal Premier Bolte, with an unsympathetic letter drawn-up by Departmental officers. The transport unions were infuriated by this rebuff.⁸² The A.L.P. Executive, in a special report to the 1965 Conference on the reasons for Labor's election loss, stated:

The attitude of industrial organisations, the Teachers' Federation, the Police Association and the Clerical Section of the Public Service Association, in sponsoring advertisements, public meetings,

and, in the case of the Police Association, personal letters either directly or indirectly intended to influence their members to vote against the Labor Government ... undoubtedly had a detrimental effect ... The manner of dealing with the wages claim for those in the lower wage bracket in the New South Wales railways created bitter opposition among a section of railway workers who would normally be Labor voters.⁸³

The bumbling of the Heffron era had also fatally damaged the Government's image of administrative competence, for so many years a vital electoral asset. Many voters had lost faith in the Government's ability to deal with the perennial problems of State politics such as housing, development and public transport.

To add to the Government's problems, the Federal trend was now running strongly against Labor. Menzies had shrewdly exploited defence and foreign policy differences with the Federal Opposition to portray Labor as under extreme "left" domination and anti-American. The power of the "left" in the Federal and Victorian A.L.P. machines had also assisted the Prime Minister in this endeavour leading, in particular, to the electorally damaging charge that Labor Parliamentarians were subject to the dictation of "the thirty-six faceless men" of the Federal Conference. Some of this inevitably rubbed off on the New South Wales A.L.P. and had its local echo in the highly public disunity in Caucus. This could not help but jeopardise the New South Wales Government's carefully created image of safeness and political moderation.

The conflict between the New South Wales and Federal Labor Parties over State Aid compounded the damage. After the 1962 election the Catholic Church in Sydney began to put increased pressure on the Government for some substantial form of assistance to Church schools. However, the State A.L.P. was limited greatly in its ability to respond by Federal policy. The situation was made more critical by the fact that the Country Party had espoused State Aid in its 1962 election policy and the Liberals were obviously moving in the same direction.

In June 1963, the New South Wales A.L.P. Conference pressed for direct assistance for private schools in the form of State sponsored science facilities. The Federal A.L.P. Conference some five months later, in a "clarification" of Labor policy, ruled out this type of State Aid. The New South Wales Government then sought to circumvent the ban on direct assistance by offering substantial indirect State Aid in the 1963 Budget in the form of allowances to pupils in private schools.⁸⁴

Retribution was swift in coming. Within days the Federal Executive

condemned the Government's allowances plan as in contravention of Federal policy. Negotiations ensued and, because of the damage to Labor at all levels that would have resulted from continued insistence on its position, the Federal Executive finally gave way and left the Government's allowance scheme intact. Ironically, Menzies used to good effect in the 1963 Federal election a promise to provide science facilities to independent as well as Government schools.

In June 1964, conflict flared again when the New South Wales A.L.P. Conference called for a further liberalisation of the Government's existing State Aid scheme. The Federal Executive attacked the decision as against Federal policy and demanded that it have the right to vet any proposed New South Wales legislation in this area. A deal was finally negotiated between the State and Federal Executives which allowed the New South Wales Labor Party to considerably liberalise the existing scheme of concessions to pupils attending Church schools. The government, however, by this stage had been damaged on a number of fronts. It had twice been humiliated by the Federal Executive, leading to Opposition charges that the "faceless men" of the extreme "left" were really in charge in New South Wales despite the Government's "false veneer of respectability".⁸⁵ The Labor Party was also prevented from offering direct State Aid to Church schools thus weakening its hold on the important Catholic vote.

Yet another difficulty for the Renshaw Government was the fact that by the mid 1960's the first stirrings were becoming evident of the great social and political changes that were to take place over the next decade. New generations of voters were conditioned to expect increasing prosperity. They had neither experienced nor remembered the privations of the Depression and War years. There seemed, as well to be a more general feeling in society that a "new age" was coming and that the attitudes and beliefs of the post-war years were no longer relevant. The authors of a recent long-term survey of British electoral opinion have put it this way:

The period was not only one of considerable social and political change ... but also - and it is this which is particularly relevant - a period of increased questioning of authority and of the status quo ... Once critical questioning became widespread, political slogans demanding carte blanche approval, such as 'Trust us', 'We have served you well', 'We too come from a mining background', 'We have the experience', which might have served well in the past, lost their appeal ... There were other factors too ... Yesterday's success in raising living standards became today's baseline for setting expectations. This led to impatience with another rhetoric, that of using the past as a guide to the future, 'Remember the 'thirties' and 'You've never had it so good'. What mattered was not yesterday, but tomorrow; modernity not tradition.⁸⁶

New issues and directions were emerging in Australian politics. At about this time E.G. Whitlam was beginning his crusade to reform Federal Labor's party structure and policies. As he himself put it:

The reverses which we suffered in the 1963 election for the House of Representatives convinced me that the Party was providing an inadequate alternative to the policies of the Menzies Government. New and attractive policy programs, meeting the aspirations of both the Party and the electorate, had to be developed if the Party was to regain government.⁸⁷

In March 1965 Labor came to office in South Australia. The driving force behind the Government was soon revealed as D.A. Dunstan who as Premier, went on to rewrite existing notions of the role of State Governments. The Dunstan years, it has been said, "were especially noteworthy not only for the intrinsic substance of the reformist policies but also for their national significance. They represented a new style of State Government and a new style of Labor Government - electorally successful, effectively reformist, and unashamedly appealing to middle class voters".⁸⁸

Within the New South Wales Labor Party there was a general questioning of whether the Party and the Government had adapted to the changed circumstances of the 1960's. State President Oliver told the A.L.P. Women's Conference in February 1964 that the Party was "old fashioned" and would need to do "a lot of rethinking. We are facing up to a different age".⁸⁹ The New South Wales A.L.P. records reveal a number of complaints from branches that the Party was no longer attractive to young people. The Secretary of the Mascot branch, for example, wrote in obvious frustration to the Party Officers of the need for "the encouragement of young, intelligent and dedicated people to join the Party. I am absolutely sick of going to meetings where a lot of Boer War veterans talk about pedestrian crossings. This is 1963 and the Party's original philosophy must be reinterpreted to suit the times. Change has got to come both in the beliefs and in the people who are responsible for propounding those beliefs ..."⁹⁰ The Mosman branch of the A.L.P., which numbered among its adherents four influential members of the State Executive (G. Godfrey, L. Short, C. Fitzgibbon and J. Scully) in February 1964 prepared a report, subsequently leaked to the press, that was highly critical of the state of Labor in general and the New South Wales Government in particular. The report stated bluntly that "the record of the State Government and Caucus in the last eighteen months is uninspiring to say the least. No major legislation has been framed ... but the

public of New South Wales has been treated to an exhibition of inactivity, procrastination and opportunism". It concluded: "Labor still lives in the past when the misery of the proletariat was evident to everyone. Nowadays most people not only have bread and butter but some have cakes and jam as well".⁹¹

In the face of this demand for a different style of politics and the concomitant need for revamped, coherent policies addressing new issues the New South Wales Government appeared to be, as E.G. Whitlam succinctly put it, "beyond the age of policy bearing".⁹²

This failure to respond to new demands in society with innovative policies and the Government's general decline into complacency and inertia show up clearly in analysis of the legislative record (full details are given in Appendix B). The Major Policy category of legislation (that which is significant or innovative) shows a steady decline from a high of 9.6 per cent in the McKell years to a mere 1.5 per cent or five Acts under Heffron and Renshaw. This decline is not only in quantity of legislation. From 1959 to 1965, the majority of policy areas (four out of seven) show no innovative legislative activity.

The electoral portents for the 1965 election were far from encouraging for the Government. The November 1963 Federal election saw a pronounced swing to the Liberal and Country Parties in New South Wales which allowed them to take seven seats from Labor. The result was widely attributed, at least in part, to the unpopularity of the State Government. The New South Wales A.L.P. was reported to be "shocked" by the result.⁹³ Senate elections held a year later showed a continuing swing away from Labor with the Party winning only two of the five New South Wales Senate positions.⁹⁴

There were also a series of poor by-election results throughout 1964. In March, the Government very narrowly retained the previously safe seat of Wollongong-Kembla. Connor (who had resigned to contest a Federal seat) had polled 58.45 per cent in the 1962 general election compared to his successor's 50.52 per cent.⁹⁵ In August, Waratah was lost to an independent. The Labor vote dropped from 52.7 per cent in 1962 to 48.27 per cent.⁹⁶ The Lakemba by-election in September saw a swing of over 4 per cent against the Labor candidate.⁹⁷

An opinion poll commissioned by the A.L.P. in four marginal seats (Coogee, Drummoyne, Gosford, Goulburn) in February 1965 showed that Labor's vote had dropped 14 per cent compared to a similar survey undertaken in January 1962.⁹⁸

Another reverse for the Government on the eve of the 1965 election was a scandal involving Speaker Maher who was alleged to have indecently exposed

himself to a typist at Parliament House. Maher was subsequently charged and committed for trial amidst a blaze of publicity. The trial, which took place after the election, led to Maher's acquittal but the affair was widely felt to have reflected adversely on the Government.⁹⁹

Renshaw initially showed some signs of moving decisively as Premier. Quarterly adjustment of the basic wage, a constant source of budgetary uncertainty, was abolished. The union movement was placated by an increase in the basic wage and a package of concessions including improved holiday pay and liberalised workers' compensation provisions.¹⁰⁰ The penal clauses in the Industrial Arbitration Act were watered down, going some way to meeting a long standing union grievance.¹⁰¹ Renshaw also performed impressively at the Premiers' Conference in April 1965.¹⁰²

However, in the final analysis, Renshaw lacked the drive and imagination necessary for the admittedly Herculean task of putting Labor back on top. No young blood was injected into the Ministry, no general shake up of the Government took place, no new ideas or policies were developed. Instead, Renshaw fell back on the tired, old clichés of the Cahill era as the campaign for the May 1st election was to show.

Once again, the Government "tried to project the image of a solid, experienced, trustworthy and moderate team which had managed the State's affairs soundly for the past quarter century".¹⁰³ The Liberals were portrayed as inexperienced and untried adventurers who could not possibly finance all their election promises. This approach was combined with the offer of a few judicious vote-catching concessions to groups such as young home buyers, the aged and parents of children at independent schools.

Renshaw also attempted to make use of the other old electoral stand-by, attacking the Federal Government in the hope of provoking a backlash against the State Liberals. He hoped to achieve this by making political capital out of a dispute then in progress between the New South Wales and Federal Governments over the allocation of airline routes. This conflict had arisen when the Commonwealth blocked State Government moves to give a greater share of air traffic to the locally owned East-West Airlines at the expense of Airlines of New South Wales, an Ansett subsidiary. The issue failed to catch fire, however, probably due to its complexity and remoteness from the concerns of most voters.

Askin, by contrast, continued to pursue effectively his strategy of cultivating the support of groups alienated from Labor and painting the Government as autocratic, old-fashioned and out of touch. The treatment of small shopkeepers, the "tow away" system for illegally parked cars and the

frustrations of commuters were all used as examples of the Government's failings. The ageing Labor Ministry was held up as a highly visible personification of the state of the Government itself. Catholic voters were wooed with a promise of direct State Aid. The Labor Party was portrayed as being in the grip of "the thirty-six faceless men". The constantly increasing cost of the Opera House was used to attack Labor's administrative competence. Askin also reversed his vote-losing 1962 policy of relaxing rent control.

Above all, Askin strove to project an image of the Liberals as being progressive and constructive with the modern, up-to-date policies needed "to get things going again in New South Wales". The Labor Party, by contrast, was described as being "a museum of old-fashioned ideas. It fails to grasp the great potentialities of our age".¹⁰⁴ In reality, there was little difference between the policies of the major parties on most issues. However, Askin's cultivation of an image of newness was an astute response to the climate of the time.

Although Renshaw was generally acknowledged to have campaigned well,¹⁰⁵ the Government's accumulated weaknesses and Askin's shrewd exploitation of them proved too much to resist. On May 10th 1965, twenty-four years to the day after McKell had led a rejuvenated Labor Party into Government, Renshaw conceded defeat. The result in terms of seats was close, Labor winning 45 seats (a loss of nine on the 1962 result) to the combined Liberal and Country Parties' 47 (the Coalition could also count on two sympathetic independents). However, in terms of votes the Government had been decisively defeated. Labor polled 43.3 per cent of primary votes to the Coalition's 49.81 per cent. In two-party preferred terms the result was 47.3 per cent Labor to 52.7 per cent for the Coalition.

NOTES

1. Sydney Morning Herald, 22.10.59, p.1; 23.10.59, p1.
2. Ibid., 26.10.59, p.1.; 28.10.59, p.1; 29.10.59, p.1; Daily Telegraph, 24.10.59, p.3; 28.10.59, p.11; Sun Herald, 25.10.59, p.23.
3. Sheahan was resentful of his removal from the Attorney-Generalship by Cahill and his replacement by Downing after the 1956 election. There would also seem to have been an element of frustrated ambition in Sheahan's alliance with the "Outs". According to press reports Renshaw defeated him for the Deputy Leadership by only one vote (Sydney Morning Herald, 29.10.59, p.1). The Caucus Minutes give only the voting figures for the Ministerial vacancy (NSWPLP, Minutes of Meeting, 28.10.59, ML MSS 4156/2).
4. Sydney Morning Herald, 27.10.59, p.1; Daily Telegraph, 27.10.59, p.1.
5. First quote from Sydney Morning Herald, 29.4.62, p.2; second from Century, 30.10.59, p.3.
6. This picture of Heffron is drawn mainly from Downing, Hills, Mulvihill, Gallagher, Nott, Bowen, Ferguson interviews. Downing and Heffron had been on friendly terms since their Trades Hall days in the 1930's.
7. On Wurth and later Goodsell's role under Heffron see Moore, B. N., "Administrative Style: its effect on the functioning of an organisation," unpublished Ph.D. thesis, University of Sydney, 1985, pp.164, 273-4, 390-1, 444.
8. New South Wales Parliamentary Debates, 15.3.60, pp.3036-7.
9. Ferguson interview.
10. Seiffert was one of the main sources of Caucus "leaks". He used to style himself the Century's "Caucus correspondent" (Ferguson interview). On at least two occasions in Caucus Heffron strongly attacked this practice but to little avail (NSWPLP, Minutes of Meetings (Caucus Minutes), 4.5.60, 28.9.60, ML MSS 4156/2; Sydney Morning Herald, 29.9.60, pp.1, 4; Daily Telegraph, 29.9.60, p.7).
11. Sydney Morning Herald, 5.11.59, pp.1, 4; Sunday Mirror, 8.11.59, p.47; New South Wales Parliamentary Debates, 4.11.59, pp. 1717, 1726-1738. The defeat occurred during the committee stages of the Local Government (Amendment Bill).

12. Sunday Mirror, 22.11.59, p.65; New South Wales Parliamentary Debates, 19.11.59, p.2159; 24.11.59, pp.2203-2206. The defeat occurred during the committee stages of the Public Hospitals (Amendment) Bill.
13. Sydney Morning Herald, 8.12.59, p.27; 9.12.59, p.28; 12.12.59, pp.1, 4; see also Turner, K., House of Review?, Sydney University Press, 1969, pp.114-117.
14. Sydney Morning Herald, 9.12.59, p.1; Sun, 2.2.60, p.1; Daily Telegraph, 27.1.60, p.1; 5.2.60, p.1; Sydney Morning Herald, 28.1.60, p.1; Downing interviews.
15. Sydney Morning Herald, 3.2.60, p.1; 5.2.60, p.1; 10.2.60, p.1; 11.2.60, p.1; Downing interviews. The Cabinet meeting that finally decided on Evatt's appointment (on 9.2.60) lasted from 11 a.m. to 5.35 p.m. with only three other items on the agenda, State Archives of New South Wales, Premier's Department Records, Cabinet Documents, 9/5112.6.
16. Frank Browne in Things I Hear, 4.2.60, p.3.
17. NSWPLP, Minutes of Meetings (Caucus Minutes), 2.3.60, ML MSS 4156/2; Sydney Morning Herald, 3.3.60, p.1; 4.3.60, p.1.
18. State Archives of New South Wales, Premier's Department Records, Cabinet Documents, 9/5112.6, Cabinet Meetings of 8th, 9th and 15th March 1960; Sydney Morning Herald, 10.3.60, p.1; 11.3.60, p.1; Daily Telegraph, 16.3.60, p.1.
19. NSWPLP, op.cit., 16.3.60; Sydney Morning Herald, 17.3.60, p.1; Daily Telegraph, 17.3.60, p.3.
20. NSWPLP, op.cit., 11.5.60; Daily Telegraph, 12.5.60, p.3. The report of the Auditor-General Crown Solicitor and Valuer-General was tabled in Parliament (but not included in the Parliamentary Papers), Votes and Proceedings of the Legislative Assembly, 1959-60, p.277.
21. It seems that the "Ins" were initially backing the retiring Minister's brother Leo, Member for Mudgee and a Catholic. The "Outs" then began to push the line, with some success, that there were too many Catholics in Cabinet. This threatened to swing some votes to Seiffert, a Protestant, so the "Ins" then switched their support to Compton, also a Protestant (Ferguson interview; Daily Telegraph, 24.2.61, p.3).
22. NSWPLP, op.cit., 22.2.61. For other occasions when the "Outs" unsuccessfully pushed for a preferential ballot see NSWPLP, op.cit.,

- 31.3.59, 28.10.59; Sydney Morning Herald, 10.3.56, p.1.
23. NSWPLP, op.cit., 23.2.61. The Caucus Minutes do not give the voting figures for the actual ballot but press reports claimed Compton polled 27 votes to Seiffert's 22 (Sydney Morning Herald, 24.2.61, pp.1, 4; 25.2.61, p.4; Daily Telegraph, 24.2.61, p.3).
24. For Cabinet's original approval see State Archives of New South Wales, Premier's Department Records, Cabinet Documents, 9/5112.6, 26.4.60. The Caucus decision is in NSWPLP, op.cit., 7.6.61. See also Sydney Morning Herald, 10.5.61, pp.1, 4.
25. Sydney Morning Herald, 13.6.61, p.1; 3.8.61, p.1; 4.8.61, p.4; 5.8.61, p.5; NSWPLP, op.cit., 2.8.61.
26. NSWPLP, op.cit., 23.8.61; Sydney Morning Herald, 23.8.61, p.12; 7.9.61, p.7.
27. The "Outs" moved unsuccessfully in Caucus for a committee of six Ministers and six backbenchers to be set up "to investigate the reasons for recent election results and frame recommendations for our future guidance as a Parliamentary party", NSWPLP, op.cit., 2.5.61. See also Sydney Morning Herald, 4.5.61, p.4; Daily Telegraph, 4.5.61, p.49.
28. West, K., Power in the Liberal Party, Cheshire, Melbourne, 1965, pp.164-167; Cameron interview. First quote from, Bulletin 8.9.62, p.14; second from Sydney Morning Herald, 30.4.62, p.2.
29. Frank Browne in Things I Hear, 15.2.62, p.1; see also Australian, 12.5.65, p.11; Frank Browne in Sunday Mirror, 24.4.60, p.44; Bulletin, 5.6.65, p.21; H. B. Turner, "New South Wales", in Rorke, J. (ed.), Politics and State Level, Sydney University, Sydney, 1971, pp.69-71; for some specific examples of causes championed by the Opposition see New South Wales Parliamentary Debates, 29.3.60, pp.3389-91; 6.4.60, p.3741; 30.8.60, p.121; 21.9.60, p.661; 1.11.60, p.1589; 10.11.60, p.1923; 21.2.61, p.2510; 8.3.61, p.3004; 25.10.61, p.1772; 30.11.61, p.3501 (on public service particularly those on pensions); 8.9.60, p.419 (two questions); 1.9.60, p.290; 21.9.60, p.660; 21.9.61, p.1008; 23.2.61, pp.2636-7 (on railway workers); 21.9.60, p.664; 17.8.61, pp.88-89; 7.11.61, p.2223 (teachers); 25.10.60, p.1459; 21.2.61, pp.2505-9; 12.9.61, pp.721-2; 21.9.61, pp.1040-41; 4.10.61, p.1343; 2.11.61, pp.2100-1; 7.11.61, p.2223 (Aborigines); 25.10.60, p.1458; 15.2.61, p.2406; 7.11.61, p.2222 (mental patients); see also letter from AFULE to ALP officers (1961) expressing concern that a speech by Askin on superannuation had "obviously received wide circulation among public servants and retired railway employees", New South Wales ALP Records, ML MSS 2083/373, 949.
30. New South Wales Parliamentary Debates, 21.9.60, p.653.

31. New South Wales Parliamentary Debates., 24.11.59, p.2250 (M.A. Morris); second quote Ibid., 1.9.60, p.273 (I.R. Griffith); see also J. Beale, 13.9.60, pp.488-9. For Askin quote see Ibid., 17.8.61, p.75.
32. Aitkin, D.A., The Country Party in New South Wales, Australian National University, Canberra, 1972, pp.65-66.
33. Century, 11.11.60, p.3.
34. Bulletin, 15.2.64, p.7.
35. New South Wales Parliamentary Debates, 21.9.61, pp.1007-8.
36. There were two celebrated clashes between Maher and Sheahan. In the first, Sheahan accused the Speaker of "preventing the ventilation of views in this Chamber" and Maher replied, "I do not know of any special rule that gives a divine right to Billy Sheahan" (New South Wales Parliamentary Debates, 15.2.61, pp.2400-2407; 16.2.61, pp.2445-2447; 22.2.61, p.2554; 23.2.61, p.2630; 28.2.61, p.2702). In the second clash Sheahan accused Maher of not being impartial and refused to return to the House while Maher was in the Chair until prevailed upon by Heffron and Oliver to make his peace with the Speaker (New South Wales Parliamentary Debates, 6.2.63, p.3085; 7.3.63, pp.3164, 3199; Sydney Morning Herald, 7.3.63, p.1; 8.3.63, p.1; Daily Telegraph, 14.3.63, p.43).
37. New South Wales Parliamentary Debates, 8.11.61, p.2287.
38. New South Wales ALP Records, ML MSS 2083/45, 95.
39. Murray, R., The Split, Cheshire, Melbourne, 1970, pp.331, 352.
40. New South Wales ALP Records, ML MSS 2083/143, 341 (letter dated 18.12.62).
41. Sydney Morning Herald, 25.2.61, p.4; 25.11.61, p.1; Sun, 2.11.60, p.13; Daily Telegraph, 1.11.60, p.7; 3.11.60, p.27; Century, 25.8.61, p.3; 11.8.61, p.3.
42. Sydney Morning Herald, 2.9.64, p.2 (interview with Craig McGregor).
43. Daily Telegraph, 14.6.61, p.10; see also Sydney Morning Herald, 14.6.61, p.2.
44. Proceedings of Conference on Unemployment Convened by Hon. R. J. Heffron,

20.7.61, Sydney, Government Printer, 1961, p.3.

45. Sydney Morning Herald, 20.6.61, p.1.
46. Ibid, 27.6.61, p.7.
47. Sydney Morning Herald, 6.7.61, p.1; 7.7.61, p.1; 21.7.61, p.4 (Askin quote); Daily Telegraph, 12.7.61, p.3.
48. Sydney Morning Herald, 11.7.61, p.1; 12.7.61, p.4.
49. Ibid., 8.2.62, p.4; 16.2.62, p.1.
50. Labor Policy Speech 1962 Election, pp.46, 3.
51. Liberal Policy Speech 1962 Election, pp.3, 29.
52. For a detailed account of the campaign see Campbell, Ian, State Ballot: The New South Wales General Election of 1962, APSA Monograph No. 7, APSA, Sydney, 1963.
53. Ibid., p.23.
54. Daily Telegraph, 5.2.62, p.1; 6.2.62, pp.1, 5; Sunday Telegraph, 25.2.62, p.3; Campbell, op.cit., pp.19-22; Sydney Morning Herald, 6.2.62, p.1; Sun, 5.2.62, p.1.
55. Interview with R.R. Downing for Menzies' story; on Federal backlash see Campbell, op.cit., pp.9-14; Sun Herald, 4.3.62, pp.1, 40; Sydney Morning Herald, 5.3.62, p.1; 6.3.62, pp.1, 4.
56. McKell, for example, stated the position thus: "The practice that I have always adopted is that I do not make any announcement whatsoever with respect to projected legislation until that legislation has been approved by Cabinet and the Parliamentary Labor Party", New South Wales Parliamentary Debates, 8.10.42, p.204.
57. Heffron went on to add the proviso that "when the House is not in session it may be necessary to give some information to the press before the regular monthly meetings of Caucus", NSWPLP, Minutes of Meetings (Caucus Minutes), ML MSS 4156/3, 23.10.62.
58. NSWPLP, op.cit., 31.10.62; Sydney Morning Herald, 1.11.62, p.1; 15.11.62,

p.1.

59. NSWPLP, op.cit., 5.12.62.
60. Ibid. See also Sydney Morning Herald, 6.12.62, p.1.
61. The story on Rigby and Earl's Housing Commission homes was in the Sun, 23.11.62, p.1. For ensuing events see Sun, 29.11.62, p.2; Sydney Morning Herald, 8.2.63, p.8; 21.2.63, p.7; NSWPLP, op.cit., 28.11.62, 20.2.63. J. Ferguson (in interview) also confirmed details of this incident.
62. NSWPLP, op.cit., 6.3.63; Daily Telegraph, 7.3.63, p.9. Another victory for the "Outs" was forcing changes in the system of issuing new taxi licences, principally the issue of new licenses to existing drivers by seniority rather than in an open ballot (NSWPLP, op.cit., 20.11.63, 8.4.64, 29.4.64; Sydney Morning Herald, 21.11.63, p.1; 9.4.64, p.1; 30.4.64, p.7). The "Outs" also forced changes in a proposal, already announced in the Budget, for increased poker machine taxes (NSWPLP, op.cit., 17.10.62, 23.10.62; Sydney Morning Herald, 18.10.62, p.2; 25.10.62, p.15).
63. Lloyd, C. and Reid, G.S., Out of the Wilderness, Melbourne, Cassell, 1974, p.133.
64. Century, 29.11.63, p.3.
65. Sydney Morning Herald, 10.4.62, p.1.
66. Downing interviews; Hills in interview also confirmed Downing's strong dislike of "S.P." bookmakers. For Kinsella's report see New South Wales Parliamentary Papers, 1962-63-64, pp.1289-1351.
67. AJPH, Political Chronicle, April 1964, p.104; Downing, Ferguson, Bowen interviews; Sydney Morning Herald, 22.7.63, p.5; 24.7.63, p.4; 9.8.63, pp.1, 4; 31.8.63, p.1; 2.9.63, p.5; Century, 20.12.63, p.3.
68. ALP (NSW), Officers Report 'B' Off-Course Betting in NSW, 19.7.63, New South Wales ALP Records, ML MSS 2083/458; Sydney Morning Herald, 20.7.63, p.1.
69. New South Wales ALP Records, ML MSS 2083/142, 338 for minutes of meeting.
70. Sydney Morning Herald, 26.10.63, p.1.

71. Hills, Downing interviews; Sydney Morning Herald, 4.12.63, p.1.
72. NSWPLP, Minutes of Meetings (Caucus Minutes), ML MSS 4156/3, 4.12.63; Sydney Morning Herald, 5.12.63, p.1.
73. Sydney Morning Herald, 6.12.63, p.1.
74. NSWPLP, op.cit., 5.2.64; Sydney Morning Herald, 22.1.64, p.1; 5.2.64, p.1; 6.2.64, p.3; 7.2.64, p.6.
75. Downing, Hills and Mulvihill interviews for details on resignation; for press comments see Sydney Morning Herald, 29.4.64, pp.1,2,4; Daily Telegraph, 29.4.64, p.10; Heffron remained on the backbench until the 1968 election.
76. Bulletin (Richard Hall), 15.2.64, p.7; 9.5.64, p.14; Sydney Morning Herald, 30.4.64, pp.1,2,4; for 1963 Premiers' Conference see Sydney Morning Herald, 19.6.63, p.1; interviews with Downing and Mulvihill. According to Jack Ferguson, Hills did not have the numbers to win because the "Outs" would have thrown their strength behind Renshaw. Hills was seen as more of a Machiavellian "numbers man" by the rebel group (interview).
77. Based mainly on Downing, Hills, Nott and Mulvihill interviews; for press profiles on Renshaw see Daily Mirror, 29.4.64, p.2; Sun, 29.4.64, p.2; Sydney Morning Herald, 30.4.64, p.2.
78. Australian, 12.5.65, p.11.
79. Daily Mirror, 24.2.64, p.2; Sun, 25.2.64, p.7; Daily Mirror, 25.2.64, pp.7, 11; Sydney Morning Herald, 6.3.64, p.11; Sunday Mirror, 15.3.64, p.7; Sydney Morning Herald, 1.5.64, p.4; Sun Herald, 7.4.64, p.19; Sydney Morning Herald, 21.8.64, pp.1,7; 7.4.65, p.2; AJPH, Political Chronicle, August 1964, pp.230-1; December 1964, p.374; New South Wales Parliament, Legislative Council Office, Record of the 40th Parliament, pp.81-84, 116-118.
80. Sydney Morning Herald, 29.10.64, p.4; New South Wales Parliament Legislative Council Office, Record of the 40th Parliament, pp.100-101.
81. Sydney Morning Herald, 5.4.65, p.1; 7.4.65, p.18.
82. Australian, 12.5.65, p.11; Century, 9.4.65, p.3; Mulvihill, Ferguson and Hills' interviews.

83. New South Wales Australian Labor Party Records, ML MSS 2083/460, 1194.
84. This account is based on H.S. Albinski, The Australian Labor Party and the Aid to Parochial Schools Controversy, Pennsylvania State University Studies No. 19, Pennsylvania State University, 1966; B.J. Clark, "The Development of a Policy of State Aid to Non State Schools in New South Wales in 1956 to 1971", unpublished M.A. Thesis, University of Sydney, 1974; M.C. Hogan, The Catholic Campaign for State Aid . . ., Studies in the Christian Movement No. 4, Catholic Theological Faculty, Sydney, 1978.
85. See letter by E.A. Willis on Australian Labor Party's "false veneer of respectability", Sydney Morning Herald, 27.2.65, p.2. For another "left"/"right" clash on the eve of the election (over Senator Kennelly's call for reconciliation with the Democratic Labor Party) see Sydney Morning Herald, 6.3.65, p.4; Daily Telegraph, 6.3.65, p.1.
86. H. Himmelweit, P. Humphreys, M. Jaeger, How Voters Decide: A model of vote choice based on a special longitudinal study extending over fifteen years and the British election surveys of 1970-1983, Open University Press, Milton Keynes, 1981, ppp.201-202.
87. E.G. Whitlam, The Whitlam Government 1972-75, Viking, 1985, p.4.
88. D. Jaensch and A. Parkin, "Politics in South Australia: Return to a Steady State", Current Affairs Bulletin, November 1985, p.14.
89. Sun Herald, 23.2.64, p.2.
90. New South Wales Australian Labor Party Records, ML MSS 2083/232, 582; for other complaints re Party's failure to attract youth see correspondence from: East Bankstown branch 30.9.64 (ML MSS 2083/235, 588); Padstow branch (ML MSS 2083/66, 145); Wangi branch 15.5.65 (ML MSS 2083/181, 450); see also letter by Mulvihill to Cyril Wyndham in which he says an article in Newsweek (23.11.64, p.15) about the problems of the United States Republican Party "has some relationship to problems of the ALP". The article concludes "The Republican Party will not, I believe, restore itself as long as it cuts itself off from the bright young men who carry in their heads the seed corn of the future" (ML MSS 2083/112, 256).
91. Sunday Telegraph, 16.2.64, p.1; Sydney Morning Herald, 18.2.64, p.7.
92. Interview.
93. AJPH, Political Chronicle, April 1964, pp.102-104; Sydney Morning Herald, 3.12.63, p.10; M. Isaacs, Federal Election Report: North Sydney Electorate 1963, APSA News, V.9 No.1, March 1964, p.8.

94. AJPH, Political Chronicle, April 1965, p.92; Sydney Morning Herald, 7.12.64, p.1.
95. Sydney Morning Herald, 2.3.64, p.8; Daily Mirror, 2.3.64, p.5; Sydney Morning Herald, 3.3.64, p.12.
96. Sydney Morning Herald, 28.7.64, p.4; 8.8.64, p.4; 10.8.64, p.4; 11.8.64, p.11.
97. Sydney Morning Herald, 21.9.64, p.6.
98. Marplan Division (Hansen Rubensohn-McCann Erickson Pty. Ltd.), Political Attitudes in Four New South Wales State Electorates, January 1962 and February 1965 (the 1962 survey was conducted in Goulburn, Sutherland, Drummoyne, Coogee).
99. New South Wales Parliament Legislative Council Office, Record of the 40th Parliament, pp.124-127 for a full account of the affair; Downing, Hills and Mulvihill believe the Maher case was a major factor in Labor's defeat (interviews). See also comment by Renshaw to this effect in Bulletin, 7.12.82.
100. Sydney Morning Herald, 27.6.64, p.6; 9.7.64, p.1; Daily Telegraph, 27.6.64, p.4.
101. Sydney Morning Herald, 22.5.64, p.9; 2.9.64, p.10; Daily Telegraph, 16.6.64, p.16; 17.9.64, p.4. See also references in Chapter 3, note 222.
102. Sydney Morning Herald, 23.4.65, p.4; 30.4.65, p.2.
103. Matthews, Trevor, "The Campaign in the State", in Power, J. (ed.), Politics in a Suburban Community: The New South Wales Election in Manly, 1965, Sydney University Press, 1968, p.5. This article is a useful general account of the details of the 1965 campaign.
104. Liberal Party advertisement, Sydney Morning Herald, 23.4.65, p.7.
105. Australian, 12.5.65, p.11; Bulletin, 8.5.65, p.16; Sydney Morning Herald, 30.4.65, p.2.

PART THREE

CONCLUSION: CONTINUITY AND DECLINE

Turning now to the questions posed in the Introduction firstly why did Labor survive in office from 1941 to 1965? There may, of course, be a simple answer: manipulation of the electoral system, as was constantly alleged by the Opposition from 1950 onwards. This allegation can be broken down into a number of sub-questions: was there a bias towards Labor in the electoral system? Was it the result of deliberate manipulation and, if so, how was this achieved? Was such manipulation enough to prevent the Coalition from winning office even if it won a majority of votes at a general election?

Some time ago Colin Hughes devised a measure of fairness in the electoral system based on the following:

under a Westminster-model parliamentary system, the object of an election is to win at least a bare majority of seats in the legislature - 50 per cent plus one of the seats - in order to form the government and secure the perquisites and opportunities of office. The best measure of fairness will be the relative ease (expressed as the necessary minimal proportions of the total vote each would require) with which each of the major parties could attain that object.

Using this concept, Hughes examined the result of every Federal and State election from 1949 to 1982 for bias towards the A.L.P. and the Coalition. His results are reproduced below.

TABLE 1: BIAS IN AUSTRALIAN ELECTORAL SYSTEMS 1949-1982

Commonwealth		New South Wales		Victoria		Queensland		South Australia		Western Australia	
Year	Bias	Year	Bias	Year	Bias	Year	Bias	Year	Bias	Year	Bias
1949	3.1	<u>1950</u>	<u>-2.0</u>	1950	8.1	1950	-7.9	1950	16.3	1950	0.9
1951	5.0	1953	-1.8	<u>1952</u>	<u>6.5</u>	1953	-10.5	<u>1953</u>	<u>14.7</u>	<u>1953</u>	<u>-5.0</u>
<u>1954</u>	<u>2.5</u>	<u>1956</u>	<u>-0.5</u>	<u>1955</u>	<u>-1.0</u>	1956	-9.9	1956	17.6	1956	-3.1
1955	7.0	<u>1959</u>	<u>-2.7</u>	1958	3.8	<u>1957</u>	<u>n.a.</u>	1959	17.2	<u>1959</u>	<u>-2.3</u>
1958	5.2	1962	-3.2	1961	3.2	1960	9.2	1962	11.9	1962	0.8
1961	1.8	<u>1965</u>	<u>-2.0</u>	<u>1964</u>	<u>3.0</u>	1963	9.7	1965	12.2	<u>1965</u>	<u>-0.9</u>
1963	1.8	<u>1968</u>	<u>2.0</u>	1967	3.2	1966	7.9	<u>1968</u>	<u>6.4</u>	1968	2.6
<u>1966</u>	<u>1.3</u>	<u>1971</u>	<u>6.0</u>	1970	2.2	<u>1969</u>	<u>4.6</u>	1970	-3.1	<u>1971</u>	<u>-0.2</u>
1969	2.9	1973	4.9	<u>1973</u>	<u>3.6</u>	1972	4.7	1973	-9.3	<u>1974</u>	<u>-3.6</u>
1972	2.9	1976	1.4	1976	4.5	<u>1974</u>	<u>1.2</u>	<u>1975</u>	<u>-7.0</u>	1977	4.2
1974	2.4	<u>1978</u>	<u>3.8</u>	1979	2.8	1977	1.2	1977	-9.3	<u>1980</u>	<u>5.0</u>
<u>1975</u>	<u>2.8</u>	1981	-6.1	1982	3.5	1980	1.5	1979	0.5		
1977	2.5							1982	-5.5		
1980	2.8										

Redistribution.

Positive bias pro-coalition; negative bias pro-ALP

Reproduced from Hughes, Colin A., "Fair and Equal Electoral Districts - The problem at State level", Paper Delivered at Third Federalism Project Conference, ANU 10 February, 1983.

The first redistribution held by Labor after assuming office in 1941 was in 1949, and these boundaries were used for the 1950 election. Hughes' figures clearly show that in this and all subsequent elections held while Labor was in power, the electoral system showed a bias towards Labor. New South Wales hardly stands out here. As Hughes notes

If our hypothesis were that bias is induced to the advantage of the party in office at the time when the redistribution takes place, there would appear to be considerable evidence in support and relatively little against.²

Nevertheless, compared to Queensland and South Australia, the pro-Government bias in New South Wales was modest.

Malcolm Mackerras has given some examples which, he claims, are evidence of the boundaries of seats being drawn to suit the Party in power in New South Wales. One of the most clear cut seems to be Broken Hill

Under Labor, Broken Hill was divided and half of it was in Cobar and half in Sturt. So Labor had two seats with surrounding rural votes swamped by the Broken Hill vote. Under Liberal-CP the two Labor seats have become one and a very safe Labor seat has been created wasting away the Labor vote.

Mackerras has concluded that, on the previous experience, it seems

inevitable that boundaries will tend to favour the party in power. New South Welshmen can take comfort from the fact that gerrymandering in New South Wales has been mild compared with most other states.³

However, can we safely conclude that this bias was a "gerrymander"? More cautiously, Joan Rydon in a survey of the results of New South Wales elections from 1950 to 1962 found that "there is substance in the claim of the opposition parties that the A.L.P. has an electoral advantage" but concluded that

to what extent movements and growth of population were responsible and to what extent there were elements of 'gerrymandering' in the changing of electoral boundaries are questions to which there are unlikely to be final answers.⁴

One way in which Labor was alleged to have manipulated the electoral system to its advantage was the 1949 legislation including Newcastle and Wollongong in the Country zone, thus allowing these predominantly safe Labor seats to take advantage of the rural weighting in that zone. However, against this must be set the fact that the Coalition, specifically the Country Party, also drew a substantial advantage from the existence of a rural bias in the electoral system. It was also claimed that the restriction on the availability of postal voting imposed in 1949 amendments was designed to disadvantage the Coalition Parties as they usually obtained the majority of these votes (sometimes by improper means Labor counter-charged). Whether such an accusation was valid, and, if so, how decisive such an advantage was, are questions that it seems impossible to satisfactorily answer.

Another method of electoral manipulation is the locking up of an opposing party's votes by concentrating them in safe seats with excessive majorities. As Hughes has defined it "The object of gerrymandering is supposed to be to 'waste' the enemy's votes by concentrating them in unnecessarily safe constituencies whilst spreading one's own votes to maximum advantage by winning the greatest possible number of seats by such margins as are compatible with a reasonable assurance of winning"⁵. However, there seems to be no evidence that this was the case in New South Wales under Labor redistributions. Hughes has analysed the proportions of marginal, ultra-marginal, safe and ultra-safe seats held by Labor and the Coalition at the New South Wales elections of 1950 and 1953 and found that there was no "readily discernible pattern of party advantage". In fact, in 1953 "the government responsible for the redistribution appears to have finished with the obverse of a gerrymander with a disproportionate, and wasteful, larger share of its seats held by unnecessarily comfortable majorities"⁶.

After 1952, electoral boundaries in New South Wales were drawn up for the rest of Labor's term by three Commissioners independent of Parliament (a judge, the Electoral Commissioner and a registered surveyor). Hughes has speculated that one possible reason electoral boundaries favour the Government is that "electoral commissioners were chosen to do the right thing or suspected that they would have been wasting their time if they didn't."⁷ However, to consistently improperly influence three such senior officials would, on the face of it, seem to be a difficult feat for any Government. This is especially so as, politically, the Government could not afford the slightest public indication that one of the Commissioners was of less than the highest probity or somehow

in the thrall of the Government. The Opposition did, in fact, suggest in 1952 that the substitution of a registered surveyor for the Surveyor-General as one of the Commissioners was intended to improperly influence the result: "while no one would criticise the impartiality of the judiciary, a judge could hardly be expected to have any expert knowledge of a complicated subject like electoral boundaries. At best, he would exercise his knowledge of the hearing of evidence - in this what was put before him by his two expert colleagues"⁸. No hard facts were forthcoming to support this insinuation, however, and it seems over-reliant on the presumed gullibility of judges and the corruptibility of surveyors. Nevertheless, governments do have great powers of patronage at their disposal and the possibility cannot be totally excluded that the promise of, for example, a sought after senior judicial post might sway a Commissioner towards the Government's submission. Another possible explanation may be that the Government, with the resources of the bureaucracy behind it, can more powerfully argue its case and present much better prepared submissions to the Commissioners than the Opposition. In addition, it could be argued that sitting Members (of whom the Government has a majority by definition) due to their position and local knowledge are well placed to win crucial objections to proposed unfavourable boundary changes.

In spite of the fact that there seems to be no obvious mechanism by which the Government manipulated the electoral system, there remains a prima facie suspicion that somehow it did. This is because of the consistency of the pro-Labor bias and the frequency and timing of redistributions. Of the six elections held under Labor redistributions, four (1950, 1953, 1959 and 1962) were held on new boundaries. Looked at overall, a redistribution seemed to be a standard procedure before what looked like a tight election. This would not seem to have been the case if the Government was not confident of deriving some benefit from re-drawing the boundaries.

Was it then the case that bias in the electoral system prevented the coalition from winning Government even if it won a majority of votes? Voting figures for New South Wales elections from 1941 to 1965 on a two-party preferred basis are given below (based on the detailed election results in Appendix A).

Table 2: New South Wales Election Results 1941 to 1965

Date	Two-Party Preferred Vote (%)	
	ALP	Coalition
1941	56.70	43.30
1944	58.69	41.31
1947	53.73	45.87
1950	51.00	49.00
1953	55.30	44.70
1956	50.90	49.10
1959	50.00	50.00
1962	52.40	47.60
1965	47.30	52.70

It can be seen that Labor polled ahead of the Opposition in two-party preferred votes in every election to 1962, with the exception of 1959 when the vote is calculated as being evenly divided between Labor and the Opposition. On this occasion, favourable boundaries may have helped Labor to form a Government more easily than it might otherwise have done but it cannot be definitely stated that the redistribution prevented what would otherwise have been a clear Labor loss. It is also worth noting that the Coalition in New South Wales elections never achieved 50 per cent or more of the primary vote from 1941 to 1965; Labor did so on four occasions: 1941, 1944, 1947 and 1953 (see table on page two of Introduction). In sum, electoral bias probably inflated Labor's majorities on a number of occasions but it seems that we must look elsewhere for an explanation of Labor's long run of electoral victories in New South Wales.

As mentioned in the Introduction, it has been commonly argued that the tendency of the post-war years at State level to policy convergence between government and opposition led to a "quietness" in State politics that was inimical to change of government. A.F. Davies wrote in 1958

.....in state politics, they fight without principle at all. 'Policy' differences confined to matters of administration, team contests over which team has the better administrators, do not throw up those issues that can and do split and sunder parties voyaging in deeper waters. Success peacefully breeds success...⁹

As the events set out in Part Two of this thesis indicate, New South Wales politics at this time was anything but quiet. For example, a hung parliament with Labor narrowly clinging to power at the beginning of the 1950's, years of furore over alleged erosion of civil liberties and attempts to curtail freedom of the press, constant allegations of corruption in the police and government and the turmoil of the "Split" to close the decade. It also seems illogical to claim that a contest without ideals or principles is necessarily a less intense fight. As has been argued earlier, the reverse seemed to be true. The transition of New South Wales politics in the fifties into a struggle almost exclusively concerned with the fruits of office led to a tough, cynical, "no-holds barred" type of politics where pragmatism was dominant. The reason that Labor was so successful at this time was not the "quietness" of politics but rather that the Government proved to be much better at tough, "bare-knuckle" politics than the Opposition (until the advent of Askin and the decline of Labor in the sixties reversed the trend).

More plausible is the view that the continuing prosperity of the "long boom" aided Labor's re-election chances. Don Aitkin has written that "the notion that hard times galvanise voters into turning out governments that have failed to stop the rot is a respectably ancient one. It has some impressive Australian supporting evidence: out of all Australian governments that went to the people between 1930 and 1933, the onset of the depression, only one was re-elected".¹⁰ The authors of a 1968 study of the decline in alternation in government in post-war Australia concluded that: "Twenty years of almost uninterrupted prosperity removes one stimulus for change, recession or depression."¹¹ More recently, Owen Hughes in a study of the effect of the economy on Australian Federal elections from 1925 to 1983 has concluded that "if a government presides over a decline in the economy, it is likely to suffer a decline in its electoral support; if times are good it is likely to increase its support."¹²

Labor in N.S.W. realised that the surest course in a time of unprecedented economic boom was to preside over and claim credit for the steadily growing prosperity of the average voter with as little interference as possible. Occasional economic hiccups could be blamed on a Federal Government of the opposite political persuasion. As David Butler wrote in 1968

For the last 20 years Australia has been booming... Those appealing for a renewal of power have almost always been able to point to three years of increased prosperity (even though, in fact, their

politics may have had little to do with it)... The ordinary Australian voter has over the last generation received few shocks of the sort that might incline him to the risks inherent in any change of government.¹³

The conservatism of post-1941 New South Wales Labor (or its "ideological respectability" as S.R. Davis¹⁴ put it), in the fifties especially, has often been commented on as a reason for electoral success. There is no doubt that the senior figures in the Labor Governments after 1941 were very much influenced by the lessons of the Lang era. McKell was determined to create a stable moderate style of government and to prove that Labor could govern in a responsible fashion. In these aims he was largely successful. Under Cahill this tendency was even more marked. The moderate reformism of the McKell years was gone. To Cahill and his colleagues, all Labor's traditional aims seemed to have been achieved in a world where everyone was fed, housed, clothed and employed. There was a system of social security in place and every child had a chance of a decent education. Their attitude, that it was the role of government to provide more of the same more efficiently, was an astute reading of contemporary public opinion which enabled Labor to comfortably occupy the electoral middle-ground. Michael Hogan has also persuasively argued that the conservative, gradualist style of New South Wales Labor has coincided with and been reinforced by a similar style in the Catholic Church in Sydney

...it is the reinforcing coincidence of political styles which has led both Church and party leaders to be pragmatic, bureaucratic and moderate.¹⁵

It needs to be noted, however, that this moderation and political pragmatism was not an invention of McKell's. This strand had always been present in New South Wales Labor, chiefly amongst the politicians, but had been interspersed with intermittent outbursts of a more radical and less "safe" tendency (notably the Lang years). What was different was that from 1941 onwards New South Wales Labor's conservative face was increasingly dominant (although more radical elements were always present as a minority).

Concomitant with this political moderation was a strong emphasis on efficient administration. Under able Premiers like McKell and Cahill, Labor in New South Wales was very much seen by the voters to be the Party of efficient management in government. In an era such as the fifties when electoral politics was largely about rival claims to administer the State efficiently Labor thus

gained a decisive edge.

Also important in consolidating Labor's image as the Party best able to administer the State was the influence of Wallace Wurth, Chairman of the Public Service Board from 1939 to 1960. The big role played by Wurth in assisting the New South Wales Labor Governments has been mentioned earlier. Barry Moore, in his detailed analysis of Wurth's career has concluded that Wurth "must be seen as one of the major influences which kept Labor in power from 1954 to 1960". Moore cites the Public Service Board Chairman's "success in keeping Ministers out of trouble . . . His success in heading off public inquiries into maladministration" and adds that Wurth's "capacity for creating good order and discipline in the Public Service, or at least for projecting a credible image thereof, was a powerful factor in maintaining public support for the Government"¹⁶. Wurth's successor, Sir John Goodsell, continued in this tradition and as noted in Chapter Four of Part Two, played an important part in propping up the Government in the Heffron years.

Another important factor in explaining Labor's continuing electoral success was that, looked at overall, the Party was fortunate in the quality of the personnel that formed its successive governments. There were two outstanding leaders: McKell and Cahill. Each seemed particularly suited in personal terms to the climate he governed in. McKell, the planner, meticulous administrator, moderate reformer and practical visionary, in the war and post-war years found a climate particularly suited to his abilities. Cahill the superb politician and tough Party in-fighter had qualities vitally necessary in the "Split" era.

The fact that for much of its term Labor in New South Wales had two such capable leaders would seem to have been a particular advantage given the dominant position of the Premier in State politics and government. As the authors of a recent study of the role of State Premiers note:

Smaller Parliaments, ministries and bureaucratic structures permit Premiers to have a more intimate and direct knowledge of the machinery of government and to use this knowledge to enhance the Premier's power. It has been common for this characteristic to be enhanced by the Premier combining his role with that of Treasurer . . . and in some cases with that of leader of the house and chief parliamentary tactician . . . This is further accentuated by the monopoly that Premiers have over critical channels of inter-governmental relations, an aspect of state politics that has no equivalent at the national level and which permits the Premier to monitor and shape politics across a whole range of governmental activities . . . To this list must be added the fact that a Premier is more likely to be concerned in details of party activity, more

intimately involved with interest groups, more engaged in brokerage politics, and generally more caught up in the day-to-day concerns of his political community than in his national equivalent. While this may generate costs as well as benefits, it gives the Premier the potential to put his stamp on the character of the political process . . .¹⁷

Such a description approximates closely with the dominant role played by McKell and Cahill.

As well as McKell and Cahill, another figure of outstanding ability, Reg Downing, was a constant source of strength and stability behind the scenes for the whole of Labor's 24 year term. There were also a large number of able figures of the second rank helping to keep Labor functioning efficiently in office: the early Heffron, Renshaw, Hills, Sheahan, Roger Nott, Landa, Martin being some examples. McKell and Cahill were also vitally important to establishing and maintaining Labor in office in that each created a style of Government suited to the times they worked in. The 1941 to 1965 New South Wales Labor Government machine was created by McKell and put back on the rails by Cahill. The failure of the sixties to produce a leader who could respond to the changing climate of a new era contributed strongly to Labor's final defeat in New South Wales.

It cannot be denied that Labor had some natural advantages in New South Wales as a heavily urbanised and industrialised State (becoming increasingly more so in the post-war world). In addition to its strong trade union and urban working class base, the majority of Catholics regularly voted for Labor. The Party in New South Wales has also always had a strong rural base (declining over time but still of electoral significance in the 1960's) unlike its Victorian counterpart.¹⁸ McKell put together a coalition of these groups plus enough middle-class votes to give Labor majority support in the electorate. He, and later Cahill, proved adept at maintaining this base both through concessions and an image of "safe", efficient government. Even groups such as business interests which were not natural supporters of Labor came increasingly to accept the legitimacy of the New South Wales Labor Government as they realised that it was not going to go away and found that they could work with Labor in mutually beneficial arrangements.¹⁹

One of the main reasons Labor failed to entrench itself in office before 1941 was internal conflict: both between the Parliamentary and extra-Parliamentary Party and within the Parliamentary Party. Looking first at

Parliamentary Party and Labor machine relations, overall there was an obvious improvement from 1941 to 1965 compared to earlier periods. It needs to be stated at the outset that the extra-Parliamentary Party is not monolithic. It is, however, usually in the tight grip of a controlling group. Details of the various factions controlling the New South Wales Labor machine from 1941 to 1965 have been given in Part Two. Relations between these groups and the Governments were generally good and marked by a mutual base of understanding between the controllers of both wings of the Party. What inevitable frictions arose were generally handled with a willingness on both sides to compromise. There was a marked disinclination for confrontation and brinkmanship. The controllers of the Party machine were, in fact, more likely to try and suppress potential sources of trouble than to build them into major conflicts with the Parliamentarians. The most common pattern of intervention in the affairs of the Government was to assist one faction, usually the Premier and the dominant "In" group, against internal opposition rather than to encroach on the prerogatives of the Parliamentary Party.

Why was this so? In looking for reasons for the dramatic post 1941 improvement in Parliamentary and extra-Parliamentary relations it is impossible to over-emphasise the impact of traumatic Lang years. The disasters of this period created a determination in many of the key players of the 1941 to 1965 era to ensure at all costs that there was no repetition. On the Party machine side, as Don Rawson has put it -

By 1941 the New South Wales union officials appeared at least to have accepted that compromise between politicians and machine which has marked the Labor Party in other states, and, on terms still more favourable to the politicians, the Labor Party in federal politics. This acceptance must be regarded at least as a major factor in producing the succeeding decade of unity and political success.²⁰

The leaders of the extra-Parliamentary Party developed more realistic expectations of the politicians and became sensitive to the fact that, even if Labor in Government did not produce everything they wanted, it could nevertheless deliver many worthwhile benefits. The politicians, for their part, became very conscious of the need to consider the interest of the Party machine and to ensure that they delivered enough in the way of tangible benefits, particularly in the industrial area, to satisfy the extra-Parliamentary Party. The legislative analysis in Appendix B reveals that the Industrial Relations category showed the third highest level of legislative activity from 1941 to

1965 (5.3% of all legislation passed compared to 8.0% for Land and Planning Law and 6.4% for Primary Industry). Much of this legislation was to do with increased leave, better workers' compensation and other improvements in working conditions. The relatively high score of the Retirement Benefits category (3.0% of all legislation passed) also reflects a steady stream of improvements in areas obviously of much concern to the union movement, for example, public service superannuation and miners' pensions. The result was a willingness on both sides to co-operate and to avoid open, irrevocable breaches. An overriding factor in the minds of those controlling both wings of New South Wales Labor from 1941 to 1965 was the desire to maintain the stable, increasingly entrenched structure of Labor in power.

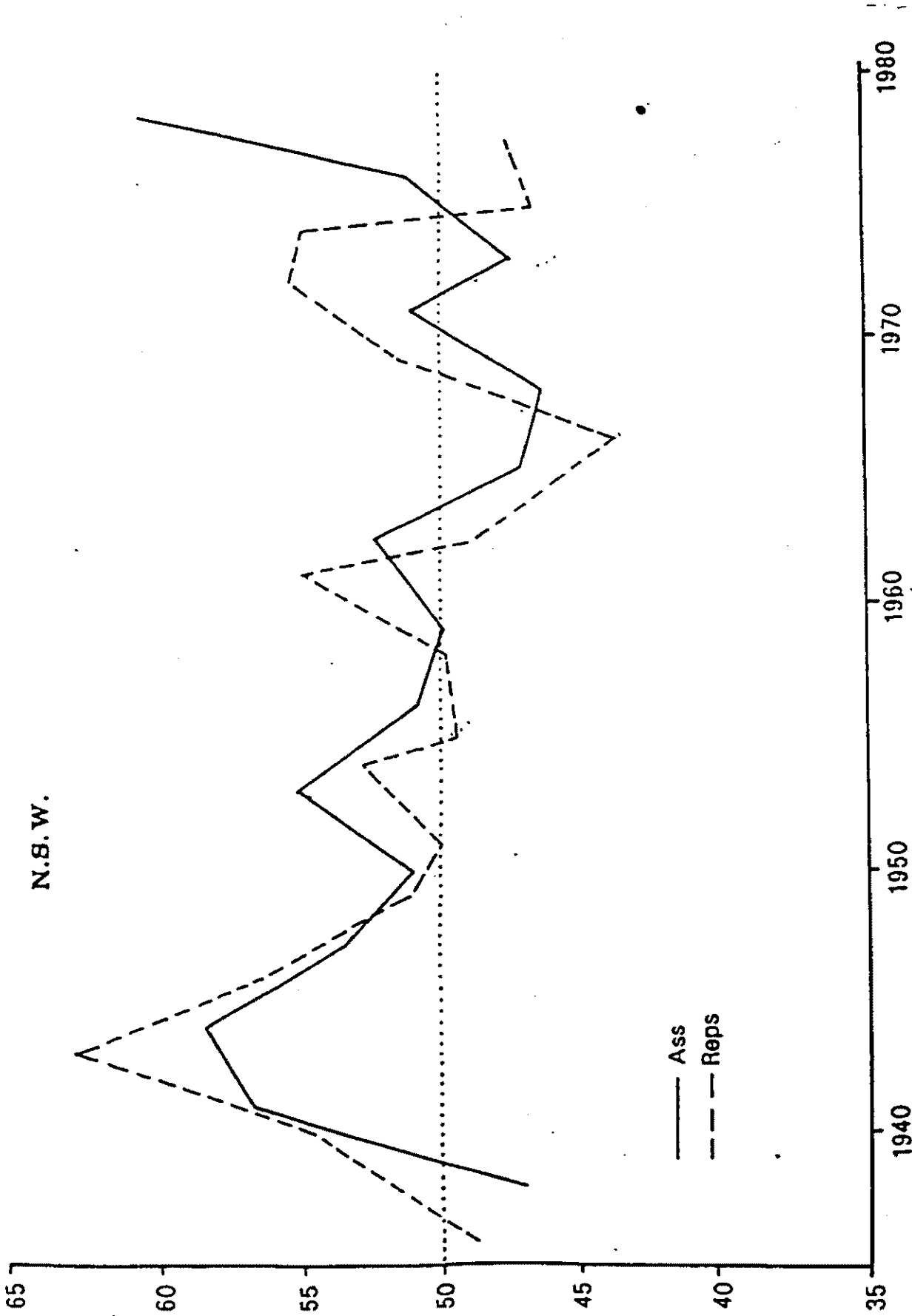
Internal strife within the Parliamentary Party was also mild compared to the bitter divisions that arose in earlier Labor Governments in New South Wales. It would seem that here also the Lang influence was at work. The Parliamentarians were conscious of the electorally damaging effects of factionalism and attempted to contain their disputes as much as possible in the interests of electoral success. The most striking example of this was the solidarity of Caucus during the Split in spite of the fact that it contained determined pro-Evatt and pro-Industrial Group sections. Such a consciousness contributed to Labor's long run of electoral success in New South Wales and its diminution in the sixties was an important factor in Labor's final demise in New South Wales.

For seven of the nine New South Wales elections held between 1941 and 1965, the conservative parties were in office in Canberra. On balance, this was an asset to Labor in New South Wales. In an era when more and more financial and other power was accruing to Canberra a multitude of shortcomings in government in New South Wales could be laid at the feet of the Federal Government. The Federal conservatives' real and alleged failings could also be exploited to the detriment of their New South Wales colleagues. There were, however, times when the Federal tide flowed the other way and the weakness of Federal Labor and corresponding popularity of Menzies worked against Labor in New South Wales: 1950, the Split era and 1965. Nevertheless, the tide did not seem to flow with equal force in both directions. In 1953 and 1962, for example, Labor was able to translate the unpopularity of the Federal Government's economic policies into landslide victories. In 1962, in particular, Labor seemed to have little else going for it. The New South Wales Opposition did not seem to be able to derive the same benefit at times of

Federal Labor weakness, as witnessed by the fact that Labor in New South Wales survived in 1950 and the Split era. One reason may be that the New South Wales Government did not hesitate to distance itself from Federal Labor. This was particularly so during the Split when the conservative attitudes and devout Catholicism of Cahill were emphasised as a contrast to Dr. Evatt. The Opposition did not seem to be anything like as successful as the Government in distancing itself from the unpopular actions of its Federal counterpart. Possible reasons may be: the greater political astuteness of a leader such as Cahill compared to the State Liberal leaders; the fact that the New South Wales Liberal machine was inclined to be more supportive of the Federal Liberal Government than the New South Wales Opposition thus greatly limiting the latter's freedom to attack the Federal Government; possibly, the higher profile of a Federal Government (compared to the Federal Opposition) means that unpopular policies become more identified in the public mind with that particular party both at State and Federal level.

Another important aspect of the relationship between Federal and State politics is the comparative performance of the Federal and State Labor Parties. Colin Hughes has thrown some light on this by comparing the two-party preferred vote for both branches of the Party from 1935 to 1980²¹. His results in graph form are reproduced below.

ALP Two Party-Preferred Vote in N.S.W. 1935-1980



Source: Hughes, C.A., "Elections: Federal or National?", paper delivered at work in Progress Seminar, Department of Political Science, ANU, 1980.

The overall trend from 1941 to 1965 is that both State and Federal Labor move in broadly similar directions. However, there are some important variations within this pattern. For most of the 1940's, the Federal Party seemed to poll above New South Wales Labor although both did well electorally. A possible explanation is the great focus on the Federal Government in war time. In such a time of national emergency the Commonwealth assumes much greater powers and its actions are vital to the survival of the nation. The fact that Federal Labor performed well at this time may have thus served to push its vote higher than the State Government.

In the 1950's, by contrast, New South Wales Labor polled consistently better than Federal Labor. This is no doubt due to the renewal of State Labor under Cahill and the relative containment of the "Split" in New South Wales. Throughout most of the 1960's Labor was in decline at both levels overall. The New South Wales vote seems to have held up better, probably because the State Party avoided the extremes of factionalism evident Federally and was not so easy to portray as under extreme "left" domination.

One should be wary of drawing too strong a conclusion from the similarity in overall voting trends at both Federal and State elections from 1941 to 1965 as the longer time sequence shows a marked divergence in the 1970's. However, the trend is there and there would seem to be a number of possible reasons why:

1. Some factors were clearly a major influence at both levels. The most definite example is the fact that on two occasions the Federal Government's unpopular economic policies translated into major electoral boosts for both State and Federal Labor (1953 and 1962 New South Wales elections, 1954 and 1961 Federal elections).
2. Both levels of Labor were closely interconnected in a dynamic situation. The good performance or misfortunes of one level inevitably affected the electoral fate of the other, to a greater or lesser extent, thus producing a tendency for the vote to converge. It needs to be emphasised that this was a two-way process, with the State Party not just the passive recipient of the Federal backwash. A good example is the "Split". Although both levels of Labor were dragged down by this major cataclysm, the containment of the "Split" in New

South Wales not only saved the New South Wales Government but also prevented New South Wales from becoming a long-term electoral disaster for Federal Labor such as Victoria proved to be.

3. At some times, Labor was simultaneously on the upswing or declining at both Federal and State levels but for different reasons. In 1950, for example, the State election would have produced a bad result for Labor irrespective of Federal factors because of the poor performance of the McGirr Government. In 1965, the New South Wales Labor Government would probably have fallen because of the fact that it was obviously, worn out, divided and out-of-touch even if Federal Labor had been in good shape. Instead it was in simultaneous decline for reasons of its own.

The weakness of the New South Wales Opposition for the whole of Labor's term, until the advent of Askin, was an electoral gift to Labor. The Liberal leadership was a continuing problem. From 1941 to Askin's accession in 1959 the Liberals had six leaders (Mair, Weaver, Mair again, Treatt, Robson and Morton). None were up to the mark against their Labor counterparts. The Country Party also had problems, being distinguished for having had the same leader from 1932 to 1958 (Bruxner), but for little else. There was continuous conflict between the Liberals and the Country Party for most of Labor's term of office. The Liberals were engaged in enervating squabbles within the Parliamentary Party and between the Parliamentarians and the Party machine. Continuing electoral defeat at the State level sapped the morale of the Opposition Parties as a whole and the Parliamentarians in particular. All of this meant that the Opposition did not appear to be a credible alternative to the electorate for much of Labor's period in office.

When Labor first came to power in 1941 it was seen by some as a Party that was "unfit to govern", that is, as a Party that could win elections but always self-destructed in office. As its term progressed it came increasingly to be seen as "the natural party of government" in New South Wales (although this should not be confused with a "dominant party" such as is found in the type of party system described by Sartori as a "predominant party system"). This gave Labor a decided psychological edge as the Government went on to electoral

success after electoral success even in the most adverse circumstances, for example, the "Split", which many believed would destroy the New South Wales Labor Government as it had done the Victorian and Queensland Governments. The Liberals by contrast were seen to be increasingly demoralised and ineffectual and were widely perceived as a permanent Opposition.

It was also an advantage in more practical terms in that groups that would normally be hostile or at best neutral towards Labor came increasingly to accept that Party's seeming stranglehold on power and learnt to cooperate with the Government rather than risk being permanently "out in the cold." Such trends further strengthened Labor's hold on office and tended to make talk of the "inevitability" of Labor governing in New South Wales to some extent a self-fulfilling prophecy.

Although Labor was assisted by circumstances largely beyond its control such as increasing prosperity, the Federal political situation and the weakness of the Opposition, it needs to be emphasised that one of the most important reasons that Labor survived in office from 1941 to 1965 was that it was generally skilful enough to take maximum advantage of such circumstances. The emphasis on political astuteness and pragmatism began under McKell, in large part as a reaction to Labor's mixed political success in earlier periods. It became dominant, and was re-inforced by the desire to continue enjoying the fruits of office, under Cahill. New South Wales Labor became noted for the pragmatism and political skills that almost continually enabled it to get the better of the Opposition. At its worst this degenerated into an almost Machiavellian unscrupulousness. At its best, New South Wales Labor was a superior political machine able to exploit opportunities to the maximum, astute at damage control and keeping key supporters on-side and usually able to outflank the Opposition. Many examples of these skills in action have been given in Part Two.

The management of Parliament is a particular example of how Labor's political skills kept it on top. Elaine Thompson has accurately noted that

Parliamentary performance is a variable critical to the success or otherwise of a political party. If a party cannot demonstrate unity, direction and initiative in parliament, then its perceived weakness will affect its standing outside parliament. Party leaders must be able to function in parliament, to attack opponents consistently and forcefully, and to demonstrate control of their own party members . . . Effective parliamentary performance by a political party as a whole and especially by a party leader is a necessary, though not sufficient, prerequisite to political success.²²

Through most of its term, Labor's superior (if not always unreservedly admirable) performance allowed it to dominate Parliament. McKell was a good Parliamentarian in two senses. He believed in the importance of the institution and attempted to make it function as well as possible. A key part of this was cooperation with the Opposition. This plus his natural ability at negotiation and conciliation allowed him to largely get his way in Parliament. McKell was also a good Parliamentary performer and when consensus waned was usually able to equal or better Opposition attacks. Cahill's mastery of Parliamentary tactics and his tough, aggressive and unyielding performances in the Chamber enabled him to completely dominate the Legislative Assembly. The Government also did not hesitate at this period, with the cooperation of a partisan Speaker, to manipulate the forms of the House to disadvantage the Opposition. It was in the Heffron era, when the Government was generally in decline, that Labor lost its grip on Parliament. This in turn contributed to Labor's final defeat by weakening the morale of Government Members and assisting the Opposition's revival under Askin.

In sum, it would seem that the Labor Governments' skills as practitioners of the art of politics were a major factor in ensuring their political longevity. As important to Labor's survival as the advantages that were largely fortuitous was Labor's ability to make good use of such opportunities.

* * *

In the nine New South Wales general elections from 1941 to 1965, Labor won narrowly three times (1950, 1956 and 1959) and was defeated in 1965. Some of the factors that enabled Labor to win so consistently in New South Wales have been enumerated above. What are the common factors in the near losses and eventual loss of office?

Firstly, internal disunity in the Government and Labor Party. In 1950, McGirr lacked convincing control of Caucus, there was division and conflict in Cabinet, a revolt by rural Members took place and McGirr had clashed strongly and publicly with the A.L.P. Executive on the eve of the election. The 1956 and 1959 elections were overshadowed by the turmoil of the Split. In 1965, Caucus was divided into warring factions almost as much concerned with winning their own battles as preserving the Government. The "left" generally was re-

invigorated and increasingly prepared to take on the "right wing" controllers of the A.L.P. machine.

Secondly, the Government suffered from failures in its administration in each case. In the case of the McGirr Government there was a lack of leadership, direction and ability at the top. The Cahill Government's image in 1956 and 1959 had been tarnished by a tendency to arrogance and authoritarianism and continuing scandals and allegations of impropriety. By 1965, the Government was showing general signs of run-down and decrepitude (the reasons for Labor's final fall in New South Wales are examined in more detail below).

Another factor in all four cases was that the Federal trend was running against Labor. In 1950, the Chifley Government had just been defeated. In 1956 and 1959, Dr. Evatt's leadership was suspect and the Federal Opposition was hopelessly divided and outmanoeuvred by Menzies. In 1965, Menzies had carefully exploited defence and foreign policy issues to portray Labor as under extreme "left" domination.

One factor present in 1965, however, and not in the earlier elections was a united, credible Opposition with a capable leader. By 1965, Askin had a seemingly strong team behind him and a new, up-to-date image. He had carefully exploited the grievances of many groups in society alienated by the Government's ineptitude. By contrast, in 1950, 1956 and 1959 Labor faced divided Oppositions with ineffective leaders.

It would seem that, in New South Wales politics from 1941 to 1965 at least, the old saw "that Oppositions don't win elections, Government lose them" was only half true. It needed both a faltering Government and a vigorous Opposition with a credible image ready to capitalise on the Government's mistakes to bring Labor's term to a close.

* * *

Why then did labor finally fall from office in New South Wales in 1965? The factors involved in Labor's defeat are summarised below (based on the detailed account given in Chapter Four of Part Two):

1. Poor leadership: Cahill was followed by the ageing Heffron who was long past his best. The Heffron Premiership was marked by procrastination, lethargy and weak leadership. When Heffron was finally eased out in early 1964 he was succeeded by a younger, more able Premier. Yet Renshaw could

never have been described as dynamic and proved quite unequal to the task of re-vitalising the Government and breathing new life into it.

2. **Weakness in Cabinet:** Renshaw inherited and preserved virtually intact an ageing, lacklustre Ministry. Kelly, Enticknap and Wetherell were all over 70 and Hawkins and Sheahan were in their late sixties. A number of these Ministers had long ceased to perform effectively. In addition, Ministers whose performance might have been adequate under Cahill's firm direction had become lazy and arrogant under Heffron.
3. The bumbling of the Heffron era had fatally damaged the Government's image of administrative competence, for so many years a vital electoral asset. Many voters had lost faith in Labor's ability to deal with the perennial problems of State politics such as housing, health, public transport, education and development.
4. Inept handling of sensitive issues by the Government had given it an image of being arrogant and out of touch with the interests of ordinary people, a major example being Maloney's pursuit of small shopkeepers for after-hours trading. The Government had also forgotten the need to keep "on-side" key groups of supporters in the electorate. By the time of the 1965 election teachers, railway and bus workers, police and public servants were all expressing grave dissatisfaction with Labor, chiefly over pay claims.
5. The Federal trend was now running strongly against Labor. Menzies had exploited defence and foreign policy issues to portray Labor as dominated by the "faceless men" of the extreme "left". Some of this inevitably rubbed off on New South Wales Labor and the damage was compounded by the highly visible faction-fighting in the New South Wales Parliamentary Party. This could not help but jeopardise the New South Wales Government's carefully created image of safeness and political moderation. These problems were exacerbated by the well-publicised intervention by the A.L.P. Federal Executive to prevent the New South Wales Government offering direct State aid to Church schools. This weakened Labor's hold on the Catholic vote, for so long a key part of Labor's coalition of support in the electorate, and helped the Opposition to portray New South

Wales Labor as under the domination of the extreme "left".

6. Labor in New South Wales was increasingly out of touch with new directions in society. The policies and electoral formula of the fifties were still seen as adequate by the Government. It was unable to come up with revamped policies addressing new issues in the electorate or develop a new style of politics more appropriate to the age as E.G. Whitlam was to do in the Federal Labor Party.
7. The Opposition, as previously mentioned, was, by contrast with the Government, revived and effective. Askin effectively pursued a strategy of cultivating support from groups disenchanted with Labor and painting the Government as autocratic, old-fashioned and out-of-touch.

The factors listed above, as indicated in the Introduction, may be divided into internal and external challenges. The internal problems involved the Government's run-down in personnel and performance. These are factors a government has some control over and can be avoided or ameliorated. They are potential problems a long-term government needs to be aware of and take steps to combat. External challenges are those a government has little or no control of, in this case: social changes, the Opposition, the Federal political climate. External challenges can mean that even if a government is doing what it is doing reasonably well this may not be enough to ensure its survival. It needs to stay flexible and responsive, able to adjust its style and policies to new forces in society. In New South Wales in 1965, Labor faced threats on both the internal and external fronts and was in no condition to respond to either.

* * *

Looking briefly at the fall of the other long-lived Federal and State Governments mentioned in the Introduction, although each situation obviously has some unique features, a broadly similar combination of internal run-down and failure to respond adequately to external challenges can be seen. The same general factors seem to recur, though in varying degrees, in explanations given for the eventual fall of these Governments: run-down in quality of personnel, especially at the top; internal disunity; failings in administration; alienation of key groups in the electorate; inability to respond to new directions in

society; a revitalised Opposition.

Richard Davis, in his history of the Australian Labor Party in Tasmania, notes that the Reece Government as it approached the 1969 election that was to end Labor's 35 years in office

was in very bad shape indeed. Conservationists were furious about Lake Pedder, epitomising HEC secrecy and authoritarianism. The southern Tasmania bushfires of early 1967 had provided a splendid opportunity for the opposition and Labor malcontents to excoriate the government for its bungling and delays over compensation payments . . . Nor was the ministry pulling well together . . . many of the ministers were under heavy fire from opposition and press. Reece was condemned for refusing a ministerial reshuffle to remove dead wood. State aid, though popular with Catholic authorities antagonised many state school teachers and parents. The Legislative Council was in a particularly savage mood. Worst of all, there was an economic downturn . . . ²³

Davis goes on to say that in the past "the Liberals had always contrived to muff splendid opportunities and allow Labor, chastened but unbeaten, to creep back with minuscule majorities". This time, however, "Bethune, as Liberal leader, provided a reasonably smooth performance"²⁴. The fact that Labor had last touch with the mood of the electorate is emphasised by the fact that "The three [annual] conferences while in opposition saw many efforts to streamline the party and bring it into line with modernity, in both organisation and policy"²⁵.

Blewett and Jaensch in analysing the fall of the Liberal Country League Government under Sir Thomas Playford which ruled South Australia from 1933 to 1965 state that

by the 1960's the Playford system had grown rigid, and its dynamism had been exhausted . . . [Playford's] dominance was now stultifying. He himself had passed the usual retiring age in 1961, yet there was no apparent successor in his party, if only because qualities of leadership had not been encouraged within the Premier's orbit. The party machine had deteriorated: pedestrian leadership at the top was coupled with a lethargic membership and moribund branch structure . . . The need for a more sophisticated approach to economic development in a more competitive situation went unrecognised . . . [Playford's] authoritarian style, his parochial complacency and his insensitivity to currents of public opinion were obvious . . . ²⁶

They go on to note that "Social changes threatened the Playfordian equilibrium": the influence of the old Adelaide establishment had waned and an increasingly restive middle class was more inclined to turn to Labor; a dissenting urban,

progressive group emerged within the Liberals; the feeling grew in rural constituencies that Playford's policies were inimical to country interests²⁷. Finally, "the barrier of the electoral system was beginning to crumble, mainly as a result of population movements arising from industrialisation. The regime could not survive the weakening of its basic prop"²⁸.

The ability of the Opposition under the lacklustre Walsh, was not as significant a factor in the Liberals' downfall. However, the Opposition's quality should not be overlooked: "the legislative achievement of the Walsh Ministry was remarkable, and in terms of legislative output and impact, few Governments in South Australian history could boast such a record"²⁹. The Opposition also had amongst its ranks D. A. Dunstan who was to emerge as the driving force behind the Labor Government and a figure of national significance.

The defeat of the Liberal Government in Victoria in 1982 (the Government had been in office since 1955) shows a not dissimilar pattern. Although R. J. Hamer had been successful in giving the Liberals a new lease of life when taking over from the long-serving Sir Henry Bolte, towards the end of his term he displayed a marked "inability to provide the party with purpose and coherence"³⁰. Hamer was succeeded in 1981 by Lindsay Thompson but

Neither party nor community responded to the new leader; indeed, Lindsay Thompson seemed to reinforce the now widely held view that, at the very best, the Liberals would only provide 'more of the same'. Neither the vast majority of Liberals nor the Liberal campaign recognised the electorate's desire for change; their feeling that 'there had to be a better way'³¹.

The Liberals also suffered from internal disunity with friction in the party machine between the small 'l' Liberal supporters of Hamer and the more conservative supporters of Prime Minister Fraser. There was, as well, division in Cabinet³². More importantly, Marian Simms has observed that "One of the central reasons for the Liberals' electoral decline was their inability to maintain an image of good economic managers. This had always been a central element of the successful Bolte image . . ."³³ Allied to this was an increasing distance between the Government and its former key supporters in the business community³⁴. Labor, by contrast, had a capable new leader, John Cain, and for the first time in many years looked like a credible alternative. For some time Labor had been going through a

process whereby the Victorian ALP acquired a middle-class public face and improved the calibre of its parliamentary members. This

process culminated in the ascent of Cain himself to the leadership, and in the development of a capable front-bench team. Behind the ALP's 1982 electoral success lies not only a professionally conducted campaign, but a decade in which new policies were adopted, and parliamentary 'shellbacks' discarded³⁵.

The ingredients in the fall of the Federal Coalition Government in 1972 after 23 years are much the same. Poor leadership was a major factor:

. . . in Whitlam, Labor had a leader with the qualities Australians had come to regard as 'proper' in a Prime Minister. McMahon . . . : had few Menzian qualities - and nor, for that matter, did Gorton³⁶.

Also prominent were internal disunity and alienation of the electorate:

the coalition . . . had done quite a lot to alienate support. Mr Gorton had offended many susceptibilities in 1969 to 1971, but the manner of his removal first from the prime ministership and then from the Ministry of Defence cannot have won back any votes. And Mr McMahon stood even lower in public, let alone elite, regard than either of his predecessors. Throughout the last two years of the coalition, the tensions within it were more publicly apparent than ever before³⁷.

Prime Minister McMahon "was not liked by his colleagues and received little support from them"³⁸.

The Labor Opposition, in sharp contrast, under Whitlam had solved many of its internal problems and had developed new policies more attuned to an era of rapid social change. As David Butler has commented

The seeds [Whitlam] had sown had done much to change the agenda of Australian politics. The climate had to be right but without his efforts the environmental, urban, and educational issues would not have flowered . . . Mr Whitlam spread the sense that Labor offered constructive, well thought-out alternatives that were not radical or dangerous³⁹.

The exception to the broadly similar pattern revealed above is Queensland. The defeat of Labor in 1957 (the Government had been in office since 1932) was largely due to one overriding external factor, the great Labor "Split". It should be noted, however, that two of the major internal factors noted in the decline of long-term governments were also at work: internal disunity (the Queensland Government and Labor Party were chronically faction-ridden)⁴⁰ and alienation of key groups of supporters (there was increasing resentment among the trade unions at the Government's neglect of their interests)⁴¹.

* * *

Any examination of a long term in office brings up the question of whether, on an organic analogy, governments inevitably age, wear out, decline and lose office. Alternatively, can a government renew itself and prolong its term of office? Before proceeding further, the process of renewal needs to be analysed in more detail. It can be seen as having four important elements.

1. Personnel: there is a need to attract capable new backbenchers into parliament and to ensure the more able of these replace ageing ministers. At the highest level, capable leaders have to be found and allowed to take over in an orderly process of succession.
2. Administrative competence: long tenure of office can breed stagnation, lack of co-ordination, inflexibility, run-down and complacency. A government's administration needs to be periodically shaken-up and revitalised.
3. The need to adapt to changing social conditions and new ideas: a government needs to be responsive to new ideas and currents in society, to pick-up on these and to transform them into relevant policies.
4. Maintaining the support of key groups in the electorate: a long-serving government needs to: constantly renew and re-inforce the allegiance of its key supporters; maintain an on-going effort to placate or neutralise other important interests that are not normally so supportive; be alert to the rise of new interest groups or the changing concerns of older ones.

Arian and Barnes in their study of the long dominance of post-war Israeli and Italian politics by the Alignment and the Christian Democrats respectively stress the need for the governing party to respond to new social currents and movements if it is to survive. Although discussing a different kind of party system (one with a "dominant party"), their remarks have equal relevance to a long-lasting government in a two-party system:

The dominant party must adjust to changes in society... Dominant parties carry a large baggage of historical, ideological and organizational commitments that set real limits on their freedom of manoeuvre. The key to survival is that these seeming boundaries are flexible.⁴²

They add that "by intelligent trimming" the dominant party

can remain at the centre of the action-conservative but not rigid, principled but flexible... if it remains attuned to fundamental changes, it can cement its dominance even further by aiding and facilitating that which it cannot prevent while it repels much else.⁴³

Arian and Barnes also warn, however, that

Party strategists labour under several obvious and some not-so-obvious handicaps in moving the party in new directions, and there success is anything but inevitable, just as there is nothing inevitable about the continued dominance of the party. Wrong interpretations of public opinion, inadequate attention to the demands of major groups, misperceptions about the importance of marginal groups, poor organizational work - all these can lead to disaster.⁴⁴

One way of bringing about renewal, particularly in terms of policy and administration, would seem to be through new leadership. A recent study by V. Bunce of the impact of leadership changes gives some support to this concept. She argues that succession is a mechanism of policy innovation. In particular, new leaders in their "honeymoon" period straight after assuming office set new priorities which evolve into new routines. This gives way to incrementalism as the new leader's term progresses.⁴⁵

An Australian example of renewal through new leadership would seem to be the replacement in 1972 of Sir Henry Bolte by R.J. Hamer as leader of the Victorian Liberal Government which had been in office since 1955. Hamer strongly espoused the small "l" liberalism, progressive policies and quality of life issues then very much on the political agenda.⁴⁶ In the 1973 Victorian elections, in marked contrast to the decline in the Federal Liberal vote six months earlier, the State Liberal vote "increased by more than 6% in a massive vote of confidence for Mr. Hamer and his new-style Liberal politics."⁴⁷ Hamer also had some success "in tackling the administrative reform of some of Victoria's ramshackle structures of government."⁴⁸ Thanks largely to Hamer's efforts, the Liberals in Victoria enjoyed another decade of government after Bolte's departure.

In New South Wales, as has been previously argued, Cahill achieved something of a renewal in terms of policy and administration when taking over from McGirr a Government that seemed increasingly to be running down and losing its way. Firm control was asserted over Cabinet and the bureaucracy and the Government's administrative competence was made its chief electoral weapon. Cahill also recast the Government's policy direction away from McGirr's "promise 'em everything" philosophy towards one more in tune with the conservatism and

materialism of the increasingly prosperous fifties. Under Cahill, the Government concentrated on delivering more of the same more efficiently. Cahill's revitalisation of New South Wales Labor saw the party go on to a series of further electoral successes.

This is not to say that there is anything inevitable about new leaders bringing a new lease of life to long-serving governments. Indeed, change of leadership after a long term identified with a particular successful leader would seem to be a time of great danger for an ageing government. Recent Australian political history shows many examples of governments finally falling in this situation: Corcoran after Dunstan, Thompson after Hamer, O'Connor after Court, Unsworth after Wran.

The first and most obvious difficulty in the process of change of leadership as a means of renewal is that there needs to be someone of appropriate stature and ability in the pool of available leaders. The most able candidate, however, may not have sufficient seniority, acceptance and factional support to succeed. A smooth transition can also be bedeviled by the reluctance of an existing leader to go quietly at a suitable time. Fate can also take a hand and the leadership can fall vacant at a time when the most suitable candidate is not ready or able to move (as in the case of Heffron's accession).

Assuming a capable new leader can be found and installed, such a leader may fail to set the government on a new course through inability to override established party tradition or doctrine. A government might also be in so parlous a condition that it is beyond saving. The leader may not have enough able colleagues to carry through his programme of change. A programme of renewal may also be blighted by events beyond the leader's control, for example, economic recession or political fallout from the actions of Federal colleagues. The hazards of this process of succession are exemplified by the fact that of the four new leaders after McKell in the New South Wales Labor Government from 1941 to 1965, only one (Cahill) was a success. New South Wales Labor's failure in the sixties, an era that was to see the beginning of a complete re-thinking of the established role of State governments, to produce a leader who could bring to the Government something of the freshness that D.A. Dunstan was to bring to Labor in South Australia was a large factor in its final defeat.

As well as failing to revitalise its ideas and administration in the sixties the Labor Government in New South Wales signally failed all through its term to renew itself in terms of personnel as the table below indicates.

Table 3: AGE OF MINISTERS 1941 to 1965

Ministry	Date ¹	Average Age	Age Dispersion				
			30-39	40-49	50-59	60-69	70-79
McKell	16.5.41	51	1	4	8	2	0
McKell	8.6.44	53	1	3	8	3	0
McGirr	19.5.47	52	0	6	9	1	0
McGirr	30.6.50	52	0	4	11	1	0
Cahill	23.2.53	56	0	2	9	4	0
Cahill	15.3.56	58	0	2	6	7	1
Cahill	1.4.59	57	0	4	5	7	0
Heffron	14.3.62	58	0	4	4	6	2
Renshaw	1.5.65	61	0	2	4	7	3
Askin	1.5.65	49	1	7	7	1	0

Source: Hughes and Graham, Handbook of Australian Politics and Government; New South Wales Parliamentary Record; Radi, Spearitt and Hinton, Biographical Register of the New South Wales Parliament.

¹ The date is the date the Ministry was sworn in on after the election at which that Ministry came to power except for the Renshaw Ministry where the date is that of the 1965 election to contrast with the relative youth of Askin's incoming team.

Renewal in terms of personnel is admittedly far from a simple process. Assuming able backbenchers can be found in the parliamentary party promoting them to Cabinet rank can have its pitfalls. The authors of a recent study of rejuvenation of post-war British Cabinets warn that such promotions

may lead to jealousy and resentment among those who remain unpromoted, or who rise more slowly than the favoured few. Younger members are also less likely to be the leaders (and thus able to command the loyalty) of the various factional groupings within the parliamentary party whose support the government needs. Moreover, dropping of on age grounds ministers who believe themselves still capable of an active ministerial career risks adding to the numbers - and status - of backbench malcontents.⁴⁹

The dropping of a large number of ministers at one time can also lead to accusations of panic measures.⁵⁰ Also to be considered is the leader's own age,

Unless the Prime Minister is unusually young, the younger his

Cabinet becomes 'the more he himself becomes a man apart - in terms of age, experience, outlook, prestige and power' - a process which has disadvantages as well as advantages.⁵¹

Nevertheless,

As custodian of the party's future a Prime Minister has to ensure that able, younger party colleagues have a chance to acquire Cabinet Experience.⁵²

New South Wales Labor Premiers from 1941 to 1965 not only ignored this responsibility but seemed to be unaware that it even existed. This failure is even more reprehensible in that, as Weller and Fraser have recently argued, a long term in office facilitates gradual career progressions from backbench to Cabinet. A Government coming into office after a long spell in opposition, by contrast, is hampered by having a large number of inexperienced new Ministers.⁵³ The core of the New South Wales Labor Government was the talented group of Members that came into office with McKell in 1941. As they aged and wore out, so did the Government. There seemed to be virtually no consciousness of the need to bring new blood into the Party or the Ministry.⁵⁴

Of the 16 Members of the Cabinet sworn in after Labor's final election victory in 1962, nine had been Members of Parliament in 1941 (Heffron, Renshaw, Downing, Kelly, Sheahan, Hawkins, Enticknap, Landa, Maloney) and all were in the top eleven places in Cabinet ranking (Hills and Wetherell occupying the two other places at five and ten respectively). Of the seven newer recruits, only Hills and Mannix had shown any real ability and two (McMahon and Compton) were generally recognised as complete failures as Ministers. Entry to Cabinet was very much in terms of seniority and the right factional background. This latter factor compounded even further the obstacles in the way of bringing what talented backbenchers there were into Cabinet as the "Out" group were rigidly excluded from any chance of Ministerial office. As a result, Members such as Rex Connor, Jack Ferguson and Lionel Bowen, who later went on to some success as Ministers in other Governments, languished on the backbench. Indeed both Connor and Bowen moved to the Federal Parliament because they saw their careers as permanently blocked in the New South Wales Caucus. The Government as a whole was a double loser in that the reservoir of talent available to strengthen the Cabinet was thus diminished and the exclusion of Members of the "wrong" factional background from Cabinet led to increasing division and bitterness in Caucus.

It is interesting to contrast this with the approach of the Wran Government. A conscious effort was made to ease out ageing Ministers (such as Kevin Stewart, Eric Bedford, Don Day and Lin Gordon) and replace them with promising newcomers. Deals were also done to allow talented young "left" backbenchers such as Rodney Cavalier and Ken Gabb access to Cabinet. Seniority as a pre-requisite for promotion seemed to be given little consideration. Bob Carr, for example, was in Cabinet in just over a year after his election to Parliament. Bob Debus became a Minister less than three years after becoming a Member and John Aquilina had only to wait a little over four years for Ministerial office. These three Ministers were all in their thirties at the time of their promotion. Wran very consciously strove to avoid the mistakes of 1941 to 1965.

* * *

A particular problem confronting a government after a long period in office is the "time for a change" factor. This argument at its most simplistic has been put by one journalist thus

There is a palpable feeling that governments need to be changed even if they have done nothing to particularly deserve to be put out of office.⁵⁵

On a more sophisticated level, a senior A.L.P. official (speaking of the same election) put it this way:

After a considerable period of government in any Western democracy, the electoral pressure increases because of government decisions that have the impact of alienating some sections of the community, and because inevitably, in a democracy, long periods of government mean the focus tends to shift towards the Opposition.⁵⁶

Another variety of this latter argument is the "bus" analogy where it is claimed all the opposition has to do is run after the bus of government policy picking up and comforting passengers as they fall out at bumps and tight corners.⁵⁷

Presumably, the longer the bus is on the road the more passengers are ejected.

However, another body of literature, as noted in the Introduction to this thesis, talks of the advantages of incumbency. A party in government has the resources of the public service behind it and access to the "pork barrel". It can generate news and take initiatives. The Opposition in attempting to respond creates for itself the image of carping, sniping critics who have nothing

positive to offer. There is also David Butler's concept of the "fear of change"⁵⁸ vote, that is, those who are doing reasonably well under the current regime have little inclination to replace it with a relatively unknown quantity. An article in the Sydney Morning Herald in July 1964 outlined what it described as the "increasing handicaps of opposition parties" and concluded that

Governments, if they have reasonable political acumen and an average run of luck, have a leech-like grip on power . . . Oppositions are being made to labour under increasing handicaps while Governments are getting it progressively easier⁵⁹.

In reality, these seeming contradictions are resolved because they are not absolutes. The advantages of incumbency vary greatly with the context. One important determinant of how effective the "time for a change" factor is would seem to be the economic climate. In the post-war climate of prosperity, incumbency was a positive advantage allowing Labor in New South Wales to claim credit for higher living standards and to hold out the threat that the good times might be jeopardised by a change in government. Continuity and stability of administration were definite electoral pluses. It certainly seems far-fetched to claim that the electors would capriciously turn out a long-serving government still showing some signs of competence, especially in a time of economic boom, for no other reason than its longevity.

It cannot be denied that, as Don Aitkin has argued,⁶⁰ long years in office inevitably involve a Government in more and more situations where it has to make decisions that will not be well received by some groups in society. However, particularly in a time of prosperity, it must be remembered that a Government has powerful means at its disposal to placate and buy-off important interest groups at election time (provided that it remains astute enough to do so). Cahill, for example, was (as detailed in Part Two) a master of the cyclical and cynical school of politics where painful decisions were made as soon as possible after an election and judicious vote-buying concessions handed out in the final period of a government's term. To return to the "bus" analogy, there is no reason why the Government's bus cannot reverse and entice passengers back on board, particularly if these passengers are not at all sure that the following Opposition bus will give them a smoother ride.

The other major determinant of whether incumbency is a liability or advantage for a long-serving government would seem to be the electorate's perception of its competence. If a government is widely perceived as unable to handle effectively the basic problems of administering the State, Opposition

attacks and alternatives start to become more credible to the voters. An astute Opposition can successfully begin to sheet home responsibility for almost any problem to a faltering government with a good chance of being believed by the voters. A government's high media profile then becomes a disadvantage as it ensures that the government's failings (real and alleged) are prominently displayed before the electorate. A government in this situation becomes in effect a highly visible, slow-moving target. If the Opposition itself is in good enough shape to present a viable alternative, the government is in real trouble. In New South Wales, the Opposition regularly accused Labor from the early 1950's onwards of being old, tired, run-down and unable to govern effectively. By 1965, the Government's poor performance meant that such charges finally rang true to enough voters to put it out of office. In sum, the charge that it is "time for a change" can be a powerful weapon for an Opposition, but only when it is coupled with palpable evidence that a government is failing.

* * *

Based on Labor's 24 years of Government in New South Wales, a "life cycle" for governments could perhaps be tentatively outlined. After one or two terms the programme, impetus, motivation and dynamics behind a party's initial rise to power are largely exhausted. A number of alternatives seem possible at this stage. A simple and obvious one is electoral defeat. In some situations it may be sufficient for a government to go on, doing nothing but doing it rather well, for example, in a time of steadily rising economic prosperity. Sooner or later, however, it becomes necessary for a government to renew itself, to re-adjust to conditions that may be greatly changed from when it first came to office, if it is to survive. If this process is successful, most likely through the medium of an able new leader, the government goes on to a new lease of electoral life. In time, however, the same dilemmas re-occur and much the same courses of action are possible in response. Renewal being a difficult process at the best of times, as a government's term lengthens the constraints against it would seem to accumulate to such an extent that ultimately decline and fall become highly likely.

* * *

In sum, one could say that the Labor Party survived in government for 24

years in New South Wales for a variety of reasons some more of its own achievement , others largely fortuitous circumstances that Labor was able to take advantage of. Briefly, those in the former category are: the conservative, pragmatic style that came to be the hallmark of New South Wales Labor; capitalising on Labor's natural advantages in New South Wales to build and maintain a coalition of majority support in the electorate; the fact that Labor delivered reasonably good government for much of its tenure; the minimisation of internal Party conflict; the Labor Governments' political skills in general and in the areas of electoral politics and Parliamentary management in particular. Labor was fortunate in that: its term of office coincided with steadily increasing prosperity; it was led by two very able Premiers (McKell and Cahill); the long conservative domination of Federal politics at the same time was overall a plus for Labor in New South Wales; the New South Wales Opposition was not a serious alternative for much of the period from 1941 to 1965. Labor finally fell from office in New South Wales because it could not meet pressing internal and external challenges: poor leadership, a run-down in quality of personnel, alienation of key groups in the electorate, failings in administration, an adverse Federal trend, a failure to respond to new currents in society, a revitalised Opposition. More generally, the major lesson to be learned from Labor's long tenure in office in New South Wales is that governments do not inevitably decline and fall after a certain period of time. Governments can (although the process is far from certain) in the right set of circumstances renew themselves and go on to a further period of electoral success.

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54. It could be argued that Cahill's rapid promotion of Pat Hills was an exception (Hills entered Cabinet in the fifth position). Hills had, however, had to wait from 1954 to 1959 for admission to Cabinet. Whether Cahill was grooming Hills as a successor remains open to question. Hills himself told the author that Cahill was seeking a Minister to assist him with the increasingly burdensome leadership. A number of senior Ministers refused but Hills accepted and was rewarded with a high Cabinet ranking (interview).
55. Sydney Morning Herald, 30.1.88, p. 28 (article by Dennis Shanahan).
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APPENDIX A

NEW SOUTH WALES ELECTION RESULTS 1941 TO 1965

Sources: New South Wales Parliament, New South Wales Parliamentary Record; Radi, H. Spearritt, P., and Hinton, E., Biographical Register of the New South Wales Parliament 1901-1970, Australian National University, Canberra, 1979; Hughes, C.A., and Graham, B.D., Voting for the New South Wales Legislative Assembly 1890-1964, RSSH, Australian National University, Canberra, 1975; Hughes, C.A., and Graham, B.D., A Handbook of Australian Government and Politics, 1890-1964, Australian National University, Canberra, 1968. Two-party preferred votes for 1941 to 1947 are from Rydon, J., "Voting in Australian State and Federal Elections 1937-1961", unpublished Ph.D. Thesis, University of Melbourne, 1966. All other two-party results are from Hughes, C.A., Australian Two-Party Preferred Votes 1949-1982, APSA, Date File Number One, APSA, Canberra, 1983. Hughes' figures are not available for the earlier period. However, as he himself has noted ("Elections: Federal or National", Work in Progress Seminar, Australian National University, 1980, p.18), a comparison of his figures with Rydon's for the 1950 to 1962 elections reveals that only in one case is there a discrepancy of more than 1% (1950, 1.1%).

1941 Election

Polling Day: 10th May, 1941

Premier: A. Mair (UAP)

Leader of Opposition: W.J. McKell (ALP)

	Labor	Coalition			Minor Parties and Independents			
		UAP	Country	Total	State Labor (Hughes/ Evans)	Ind. Labor	Ind. UAP	Other
Seats	54	14	12	26	0	1 ²	5	4 ¹
Primary Vote (%)	50.79	20.29	11.05	31.34	5.64	2.27	3.25	6.63
Two-Party Preferred Vote (%)	56.70	-	-	43.30	-	-	-	-

Notes: ¹Independents were elected in Corowa, Gloucester, Oxley and South Coast. The Independent in Corowa (C.B. Lethbridge) was generally considered to be pro-Labor at the time of his election but gradually moved towards the other side of politics. The other Independents generally supported the Non-Labor Parties.

²A.G. Enticknap was elected as a Country Labor candidate in Murrumbidgee but soon joined the official Labor Party.

1944 Election

Polling Day: 27th May, 1944

Premier: W.J. McKell (ALP)

Leader of Opposition: R.W. Weaver (Democratic)

	Labor	Coalition			Minor Parties and Independents		
		Democratic	Country	Total	Lang Labor	Liberal Democrat	Other
Seats	56	12	11	23	2	0	9 ¹
Primary Vote (%)	45.63	18.91	10.94	29.85	8.89	3.89	11.71
Two-Party Preferred Vote (%)	58.69	-	-	41.31	-	-	-

Notes: ¹Independents were elected in Corowa, Gloucester, Hornsby, Manly, Mosman, Ryde, South Coast and Tamworth. One National Liberal Candidate was elected in Nepean. A former UAP Member, he later rejoined the Opposition. Most of the Independents generally supported the Opposition.

1947 Election

Polling Day: 3rd May, 1947

Premier: J. McGirr (ALP)

Leader of Opposition: V. Treatt (Liberal)

	Labor	Coalition			Minor Parties and Independents		
		Liberal	Country	Total	Lang Labor	Liberal Country	Other
Seats	52	18	15	33	2	1	2 ¹
Primary Vote (%)	45.94	29.60	10.22	39.82	4.08	0.93	9.18
Two-Party Preferred Vote (%)	53.73	-	-	45.87	-	-	-

Notes: ¹Independents were elected in Gloucester and South Coast. Both generally supported the Opposition.

1950 Election

Polling Day: 17th June, 1950

Premier: J. McGirr (ALP)

Leader of Opposition: V. Treatt (Liberal)

	Labor	Coalition			Minor Parties and Independents	
		Liberal	Country	Total	Independent Labor	Other
Seats	46	29	17	46	2 ¹	0
Primary Vote (%)	46.75	37.51	7.61	45.12	2.87	3.89
Two-Party Preferred Vote (%)	51.00	-	-	49.00	-	-

Notes: ¹Independent Labor candidates were elected in Monaro and North Sydney. Both supported the Government.

1953 Election

Polling Day: 14th February, 1953

Premier: J.J. Cahill (ALP)

Leader of Opposition: V. Treatt (Liberal)

	Labor	Coalition			Minor Parties and Independents
		Liberal	Country	Total	
Seats	57	22	14	36	1 ¹
Primary Vote (%)	55.02	27.94	11.60	39.54	5.44
Two-Party Preferred Vote (%)	55.30	-	-	44.70	-

Notes: ¹An Independent Labor candidate (J. Chalmers) was elected in Hartley. Chalmers had previously held the seat (since December 1947) as an endorsed Labor candidate. He generally (though not invariably) supported the Government.

1956 Election

Polling Day: 3rd March, 1956

Premier: J.J. Cahill (ALP)

Leader of Opposition: P. Morton (Liberal)

	Labor	Coalition			Minor Parties and Independents
		Liberal	Country	Total	
Seats	50	27	15	42	2 ¹
Primary Vote (%)	47.87	35.11	10.15	45.26	6.86
Two-Party Preferred Vote (%)	50.90	-	-	49.10	-

Notes: ¹An Independent Labor candidate (T. Armstrong) was elected in Kahibah and supported the Government. An Independent (F. Purdue) was elected in Waratah. Purdue more generally supported the Opposition than the Government.

1959 Election

Polling Day: 21st March, 1959

Premier: J.J. Cahill (ALP)

Leader of Opposition: P. Morton (Liberal)

	Labor	Coalition			Minor Parties and Independents	
		Liberal	Country	Total	DLP	Other
Seats	49	28	16	44	0	.1 ¹
Primary Vote (%)	49.12	35.35	8.38	43.73	1.32	5.83
Two-Party Preferred Vote (%)	50.00	-	-	50.00	-	-

Notes: ¹F. Purdue was re-elected as an Independent in Waratah.

1962 Election

Polling Day: 3rd March, 1962

Premier: R.J. Heffron (ALP)

Leader of Opposition: R.W. Askin (Liberal)

	Labor	Coalition			Minor Parties and Independents	
		Liberal	Country	Total	DLP	Other
Seats	54	25	14	39	0	1 ¹
Primary Vote (%)	48.57	34.85	9.37	44.22	1.49	5.71
Two-Party Preferred Vote (%)	52.40	-	-	47.60	-	-

Notes: ¹E.D. Darby (who had been Member for Manly since 1945) lost Liberal preselection for the 1962 election and was re-elected as an Independent. He supported the Opposition.

1965 Election

Polling Day: 1st May, 1965

Premier: J.B. Renshaw (ALP)

Leader of Opposition: R.W. Askin (Liberal)

	Labor	Coalition			Minor Parties and Independents	
		Liberal	Country	Total	DLP	Other
Seats	45	31	16	47	0	2 ¹
Primary Vote (%)	43.30	39.58	10.23	49.81	2.11	4.75
Two-Party Preferred Vote (%)	47.30	-	-	52.70	-	-

Notes: ¹E. Darby was re-elected in Manly as an Independent. H. Coates was elected as an Independent candidate in Hartley. He generally supported the Non-Labor Parties.

APPENDIX B

THE LEGISLATIVE RECORD 1941 TO 1965

One way of examining how the New South Wales Labor Governments changed and evolved over the 24 years from 1941 to 1965 is by analysis of the legislative record. Such an analysis needs to focus on: the areas occupying the bulk of Labor's legislative activity; the type of legislation passed (machinery amendments or major policy initiatives); any changes in any of the above over Labor's 24 years in office.

The measurement of legislative output as a guide to the priorities and activities of Government has some difficulties. There is no account taken of a Government's activity in areas that do not require Parliamentary sanction, for example, the widespread use of delegated legislation. As well, some Government proposals may not become legislation due to Upper House hostility. This was the case in New South Wales from 1941 to early 1949 and from 1960 to early 1965. In this instance, however, as has already been pointed out, from 1941 to 1949 shrewd negotiation by Mckell and Downing allowed much of Labor's programme to become law. Another qualification that needs to be made is that some bills seem to have been introduced at this time to satisfy Party opinion in the almost certain knowledge that they would not be passed (reform of the Legislative Council being a case in point). In the later period, lack of control of the Council tended not to greatly distort the Government's legislative output as it had little in the way of major policy legislation of a controversial nature that it was determined to push through. In spite of these qualifications, however, legislative analysis is a valid and useful tool for one overriding reason, "that sooner or later (and usually sooner rather than later), virtually all policy making will involve legislation."¹

Legislative output can be analysed on two basic levels. One involves a subject type approach, classifying all legislation according to the policy area it is intended to effect. This takes no account, however, of the relative weight or importance of legislation, for example, between a routine machinery amendment and legislation embodying a major policy initiative. A scheme of classification that allows a more qualitative assessment is thus also needed. A schema developed by Burton and Drewry for analysis of the output of the British Parliament from 1970 to 1974² and used (with modifications) by Helen Nelson for a recent comparative study of Australian Federal and State legislative outputs³ meets both the requirements outlined above and has been used for the present study with some minor changes.⁴

The Burton and Drewry (as modified by Nelson) scheme of classification

uses seven major policy areas each divided into sub areas. They are set out below:

1. Constitutional and administrative law
 - 1.1 Constitution, Governor-General, Governors
 - 1.2 Parliament
 - 1.3 Administrative reorganisation and public service
 - 1.4 Armed forces and police
 - 1.5 Administration of justice
 - 1.6 Electoral procedures
 - 1.7 Local government

2. Public finance and regulation of the economy
 - 2.1 Public finance
 - 2.2 Taxation
 - 2.3 Exports and imports
 - 2.4 Subsidies, loans and grants
 - 2.5 Public service and statutory authorities remuneration
 - 2.6 Control of statutory authority activities
 - 2.7 Regulation of prices and income

3. Administration of welfare services
 - 3.1 Social security, repatriation
 - 3.2 Superannuation, retirement funds
 - 3.3 Provision of employment
 - 3.4 Health services
 - 3.5 Education services
 - 3.6 Housing
 - 3.7 Specific groups

4. Administration of non-welfare services
 - 4.1 Communications
 - 4.2 Transport operation
 - 4.3 Supply of energy
 - 4.4 Arts, entertainment, sport, recreation and culture
 - 4.5 Water supply
 - 4.6 Public health
 - 4.7 Primary industry
 - 4.8 Services (fire, emergency etc.)

5. Land use and environmental control
 - 5.1 Land law and planning law and procedure
 - 5.2 Pollution and conservation
 - 5.3 Development (inc. public works)

6. Relations between individuals and the state
 - 6.1 Criminal law
 - 6.2 Road traffic control
 - 6.3 Licensing and trading control
 - 6.4 Commercial and industrial control
 - 6.5 Betting, gaming and lotteries control
 - 6.6 Professionals and trades regulation
 - 6.7 Civil liberties

7. Relations between individuals and groups
 - 7.1 Consumer protection

- 7.2 Industrial relations
- 7.3 Landlord and tenant
- 7.4 Creditor and debtor
- 7.5 Family law
- 7.6 Control of animals

The second level, the scheme of classification according to type of legislation, is based on a distinction between policy and administration measures. Within these major headings, legislation is further divided into: major and minor policy and administrative reform and administration. Measures in the former two categories are defined as "innovatory", major policy legislation being "comprehensive" in scope, minor being "particular". The latter two categories represent "non-innovatory" legislation, administrative reform legislation being "comprehensive" and administration being "particular".⁵ Burton and Drewry further explain the working of the scheme in this way:

the relationship can be further explained by considering what may happen when a particular public policy is not working. If it is basically sound but is failing in some particular, then if this failure is due to some anomaly in existing provisions, the remedy is an administration bill. If it is due to some defect in the policy, then the remedy is a minor policy bill. If, however, the policy is generally failing to work properly then the remedy is either comprehensive reorganisation of the administrative machinery through an administrative reform bill or, if the cause of the failure lies in the fact that the basic policy is defective, then a new policy is required through the medium of a [major] policy bill.⁶

The five different types of legislation are set out below with a definition of how they have been used in the present study.

Major Policy: innovations, new directions, major policy initiatives or significant changes in public policy.

Minor Policy: fine tuning; a specific change to some aspect of public policy already in place; a minor adjustment requiring some specific policy input; innovatory but in a restricted area.

Administrative

Reform: changes to or re-organisation of existing administrative arrangements; re-inforcing an existing policy by re-organising administrative support.

Administration: machinery measures devoid of policy intent; minor amendments to: smooth out administrative difficulties, adjust for inflation or unexpected difficulties, remove anomalies, deal with problems that arise in the day-to-day functioning of administration.

Financial: Budget and Loan related.

It needs to be said at the outset that any such scheme of classification as the Burton Drewry/Nelson schema is something of a Procrustean bed and, on occasion, involves some violence to the legislative material to accommodate all of it within the defined categories. As Nelson comments, "No system of grouping...avoids problems of definition and overlap."⁷ In the case of the policy area classification, a case can often be made for putting legislation into two or three different categories, for example, are miners' pensions most appropriately classified with coal mining activities or as superannuation? Is workers' compensation to be put with social security, commercial or industrial control or industrial relations? Do major dams go under water supply or public works? (in all these examples the latter category has been chosen). A related problem is that one piece of legislation can often include provisions that impinge on a number of different areas. As a general principle, it has been attempted to put legislation into the policy area where its main impact seems intended.

The classification into type of legislation also is not without its difficulties. Helen Nelson points to a potential problem at the outset:

Again, the lines between categories are blurred. As well, although the above definitions might appear distinctive enough, in practice the designations 'administrative' and 'policy' set up a false dichotomy. Changes to the composition of a marketing board to include a consumer interest, for instance, are as much 'policy' and have as much potential impact on future policy direction as any 'policy' change to actual marketing policy.⁸

A particular difficulty is that the lower end of the Minor Policy category shades off into the Administration category and it is often hard to draw a decisive line between the two. For example, a bill that extends to police certain industrial benefits already enjoyed by other public servants is, in one sense, only correcting an anomaly, in another it reflects a deliberate policy decision to extend these benefits to police. Another problem is that a particular measure may often have a background not apparent on the surface that has a bearing on its significance or otherwise as a policy decision. It may be the culmination of a long bureaucratic or political struggle or the result of a campaign by a community or lobby group.

In spite of these qualifications and the inevitable anomalies and inconsistencies they involve, the Burton and Drewry/Nelson schema remains a valuable means of clearly identifying trends, patterns and priorities in Government activity and drawing some conclusions about their significance.

The tables below show all Public Acts passed in New South Wales from May 1941 to May 1965 (the Thirty Third to the Fortieth Parliaments) classified according to policy area (details of all Acts passed and their classifications are in Appendix C - in the case of Major Policy legislation a brief description of the effect of the measure is also included). Legislation has been sub-categorised into four periods approximately according to the four distinct eras identified in Part Two of this thesis: 1941 to 1947 (the Thirty Third and Thirty Fourth Parliaments), McKell; 1947 to 1953 (the Thirty Fifth and Thirty Sixth Parliaments), McGirr; 1953 to 1959 (the Thirty Seventh and Thirty Eighth Parliaments), Cahill; 1959 to 1965 (the Thirty Ninth and Fortieth Parliaments), Heffron and Renshaw. Table Two presents the results in detail. Table One gives them in summary form and includes a ranking of the policy areas according to the amount of legislative activity.

**TABLE 1: Public Acts Passed by the N.S.W. Parliament May 1941 to May 1965 (Thirty Third to Fortieth Parliaments)
Classified According To Policy Area
SUMMARY TABLE**

Broad Policy Area	1941-47		1947-53		1953-59		1959-65		1941-65	
	n	%	n	%	n	%	n	%	n	%
1. Constitutional and administrative law	26	10.0	32	11.2	39	12.7	46	13.4	143	11.9
2. Public finance and regulation of the economy	40	15.3	33	11.5	32	10.4	34	9.9	139	11.6
3. Administration of welfare services	32	12.3	42	14.7	32	10.4	49	14.3	155	12.9
4. Administration of non-welfare services	60	22.3	56	19.6	87	28.2	71	20.7	274	22.9
5. Land-use and environmental control	34	13.0	55	19.2	29	9.4	55	16.0	173	14.4
6. Relations between individuals and state	38	14.6	39	13.6	50	16.2	64	18.7	191	15.0
7. Relations between individuals and groups	31	11.9	29	10.1	39	12.7	24	7.0	123	10.3
Total Acts Passed	261		286		308		343		1,198	

TABLE 2: Public Acts Passed By the N.S.W. Parliament May 1941 to May 1965 (Thirty Third to Fortieth Parliaments)

Classified According to Policy Area

Policy Area	1941-47 n %	1947-53 n %	1953-59 n %	1959-65 n %	1941-65 n %
1. Constitutional and administrative law					
1.1 Constitution, Governor-General, Governors	1 0.4	0 0.0	1 0.3	1 0.3	3 0.3
1.2 Parliament	1 0.4	7 2.4	6 1.9	8 2.3	22 1.8
1.3 Administrative reorganisation and public service	3 1.1	3 1.0	8 2.6	7 2.0	21 1.8
1.4 Armed forces and police	3 1.1	2 0.7	4 1.3	6 1.7	15 1.3
1.5 Administration of justice	6 2.3	7 2.4	16 5.2	11 3.2	40 3.3
1.6 Electoral procedures	6 2.3	3 1.0	0 0.0	2 0.6	11 0.9
1.7 Local Government	6 2.3	10 3.5	4 1.3	11 3.2	31 2.6
2. Public finance and regulation of the economy					
2.1 Public finance	27 10.3	20 7.0	23 7.5	26 7.6	96 8.0
2.2 Taxation	10 3.8	8 2.8	7 2.3	2 0.6	27 2.3
2.3 Exports and imports	0 0.0	0 0.0	0 0.0	0 0.0	0 0.0
2.4 Subsidies, loans and grants	1 0.4	0 0.0	0 0.0	0 0.0	1 0.1
2.5 Public service and statutory authorities remuneration	0 0.0	2 0.7	2 0.6	5 1.5	9 0.8
2.6 Control of statutory authority activities	1 0.4	0 0.0	0 0.0	1 0.3	2 0.2
2.7 Regulation of prices and income	1 0.4	3 1.0	0 0.0	0 0.0	4 0.3

Policy Area	1941-47 n %	1947-53 n %	1953-59 n %	1959-65 n %	1941-65 n %
3. Administration of welfare services					
3.1 Social security, repatriation	4 1.5	1 0.3	3 1.0	5 1.5	13 1.1
3.2 Superannuation, retirement funds	4 1.5	13 4.5	9 2.9	10 2.9	36 3.0
3.3 Provision of employment	0 0.0	0 0.0	0 0.0	0 0.0	0 0.0
3.4 Health services	10 3.8	11 3.8	3 1.0	5 1.5	29 2.4
3.5 Education services	3 1.1	8 2.8	6 1.9	11 3.2	28 2.3
3.6 Housing	2 0.8	3 1.0	4 1.3	8 2.3	17 1.4
3.7 Specific groups	9 3.4	6 2.1	7 2.3	10 2.9	32 2.7
4. Administration of non-welfare services					
4.1 Communications	0 0.0	0 0.0	0 0.0	0 0.0	0 0.0
4.2 Transport operation	13 5.0	11 3.8	14 4.5	10 2.9	48 4.0
4.3 Supply of energy	9 3.4	12 4.2	12 3.9	13 3.8	46 3.8
4.4 Arts, entertainment, sport, recreation and culture	3 1.1	4 1.4	6 1.9	8 2.3	21 1.8
4.5 Water supply	15 5.7	6 2.1	11 3.6	9 2.6	41 3.4
4.6 Public health	4 1.5	3 1.0	15 4.9	7 2.0	29 2.4
4.7 Primary industry	13 5.0	18 6.3	24 7.8	22 6.4	77 6.4
4.8 Services (fire, emergency, etc.)	3 1.1	2 0.7	5 1.6	2 0.6	12 1.0

Broad Policy Area	1941-47		1947-53		1953-59		1959-63		1941-63	
	n	%	n	%	n	%	n	%	n	%
5. Land use and environmental control										
5.1 Land law and planning law and procedure	20	7.7	30	10.5	16	5.2	30	8.7	96	8.0
5.2 Pollution and conservation	3	1.1	7	2.4	0	0.0	7	2.0	17	1.4
5.3 Development (includes public works)	11	4.2	18	6.3	13	4.2	18	5.2	60	5.0
6. Relations between individuals and the state										
6.1 Criminal law	2	0.8	4	1.4	5	1.6	2	0.6	13	1.1
6.2 Road traffic control	3	1.1	10	3.5	8	2.6	9	2.6	30	2.5
6.3 Licensing and trading control	7	2.7	4	1.4	8	2.6	8	2.3	27	2.3
6.4 Commercial and industrial control	15	5.7	9	3.2	10	3.2	19	5.5	53	4.4
6.5 Betting, gaming and lotteries control	3	1.1	7	2.4	4	1.3	12	3.5	26	2.2
6.6 Professionals and trades regulation	7	2.7	5	1.7	15	4.9	14	4.1	41	3.4
6.7 Civil liberties	1	0.4	0	0.0	0	0.0	0	0.0	1	0.1
7. Relations between individuals and groups										
7.1 Consumer protection	8	3.1	2	0.7	3	1.0	3	0.9	16	1.3
7.2 Industrial relations	12	4.6	14	4.9	23	7.5	15	4.4	64	5.3
7.3 Landlord and tenant	3	1.1	8	2.8	4	1.3	3	0.9	18	1.5
7.4 Creditor and debtor	5	1.9	2	0.7	5	1.6	2	0.6	14	1.2
7.5 Family law	1	0.4	1	0.3	2	0.6	1	0.3	5	0.4
7.6 Control of animals	2	0.8	2	0.7	2	0.6	0	0.0	6	0.5
Total Acts Passed	261		286		308		343		1,198	

The results of the analysis by policy area of the legislative output from 1941 to 1965 clearly show that administration of non-welfare services (area 4) occupied most legislative activity, both overall and in each of the separate eras the period has been sub-divided into. This is hardly surprising as this area contains such basic State Government responsibilities as: public transport; regulation and supply of coal, electricity and other sources of energy; water supply; primary industry. Next come relations between individuals and the state (area 6) and land use and environmental control (area 5). Again, this is hardly a surprise as these two areas include many of the State's important regulatory functions (criminal law, roads and motor vehicles, commercial and trading control, gaming and betting, trades and professions) and development and public works. The remaining four categories (constitutional and administrative law, public finance and regulation of the economy, administration of welfare services, and relations between individuals and groups) also show significant legislative activity. Indeed, probably the most notable feature of the State's legislative activity over the period under discussion is that rather than being concentrated in any one area it is spread broadly over the whole range of policy areas. This confirms Helen Nelson's conclusion from her study of the legislative output of all States from 1983 to 1985:

the spread of state legislative outputs over the broad band of policy areas is an impressive reminder of the strength of their position in the federation. In their law-making capacities, the states suffer few inhibitions.⁹

Turning to the policy sub-areas, public finance (2.1) is an area of high legislative activity. This is largely accounted for by the regular flow of Appropriation, Loan Appropriation and Supply Bills through Parliament. Land law and planning law and procedure (5.1) and primary industry (4.7) are also areas of much legislative activity. Much of the land law passed involved rural matters such as closer settlement and post-war soldier settlement. This and the high activity in the primary industry area would seem to be a reflection of the Labor Government's concern to nurture its rural base. The large number of rural seats won by McKell in 1941 were an important (though declining) factor in maintaining Labor in office. Other sub-areas of particular activity were industrial relations (7.2) and development, including public works (5.3). The

large amount of industrial relations legislation (much of it to do with increased leave, better workers' compensation and other improvements in working conditions) no doubt reflects the strategy developed by McKell and continued particularly by Cahill, as mentioned in Part Two, of a constant stream of benefits to the labour movement to ensure there were no major breaches between the Parliamentary and extra-Parliamentary Party. The relatively high score of the superannuation and retirement benefits category (3.2) also reflects a steady stream of improvements in areas such as public service superannuation and miners' pensions. The large amount of industrial relations and development and public works legislation, as well, correlates with the Labor Government's previously described tendency, particularly from the 1950's onwards, to see its role almost exclusively in terms of protecting and promoting existing prosperity through development and passing on the fruits of the "long boom" in the form of improvements in wages and working conditions.

As mentioned earlier, the Burton and Drewry/Nelson schema also allows for a qualitative assessment of legislation by type as well as a classification into policy areas. The results of this analysis are given in Table 3 below. Table 4 analyses all legislation from 1941 to 1965 both by type of legislation and broad policy area.

TABLE 3: Public Acts Passed by the N.S.W. Parliament May 1941 to May 1965 (Thirty Third to Fortieth Parliaments)

Classified According to Type of Legislation

Type of Legislation	1941-47		1947-53		1953-59		1959-65		1941-65	
	n	%	n	%	n	%	n	%	n	%
MAJOR POLICY	25	9.6	12	4.2	8	2.6	5	1.5	50	4.2
MINOR POLICY	76	29.1	95	33.2	83	26.9	75	21.9	329	27.5
ADMINISTRATIVE REFORM	7	2.7	8	2.8	12	3.9	10	2.9	37	3.1
ADMINISTRATION	134	51.3	152	53.1	187	60.7	235	68.5	708	59.1
FINANCIAL	19	7.3	19	6.6	18	5.8	18	5.2	74	6.2
Total Acts Passed	261		286		308		343		1,198	

TABLE 4: Public Acts Passed by the N.S.W. Parliament May 1941 to May 1965 (Thirty Third to Fortieth Parliaments)

Classified According to Type of Legislation and Policy Area

Broad Policy Area	Major Policy		Minor Policy		Administrative Reform		Administration		Financial	
	N	%	N	%	N	%	N	%	N	%
1. Constitutional and Administrative Law	3	12.0	4	5.3	0	0.0	19	14.2	0	0.0
2. Public finance and regulation of the economy	1	4.0	3	3.9	1	14.3	16	11.9	19	100.0
3. Administration of welfare services	3	12.0	11	14.5	1	14.3	17	12.7	0	0.0
4. Administration of non-welfare services	2	8.0	18	23.7	4	57.1	36	26.9	0	0.0
5. Land-use and environmental control	10	40.0	10	13.2	0	0.0	14	10.4	0	0.0
6. Relations between individuals and the state	3	12.0	16	21.1	1	14.3	18	13.4	0	0.0
7. Relations between individuals and groups	3	12.0	14	18.4	0	0.0	14	10.4	0	0.0

1947-53

Broad Policy Area	Major Policy		Minor Policy		Administrative Reform		Administration		Financial	
	N	%	N	%	N	%	N	%	N	%
1. Constitutional and Administrative Law	3	25.0	11	11.6	0	0.0	18	11.8	0	0.0
2. Public finance and regulation of the economy	0	0.0	4	4.2	0	0.0	9	5.9	19	100.0
3. Administration of welfare services	1	8.3	17	17.9	0	0.0	25	16.4	0	0.0
4. Administration of non-welfare services	1	8.3	22	23.1	5	62.5	28	18.4	0	0.0
5. Land-use and environmental control	6	50.0	16	16.8	2	25.0	33	21.7	0	0.0
6. Relations between individuals and the state	0	0.0	14	14.7	1	12.5	22	14.5	0	0.0
7. Relations between individuals and groups	1	8.3	11	11.6	0	0.0	17	11.2	0	0.0

1953-59

Broad Policy Area	Major Policy		Minor Policy		Administrative Reform		Administration		Financial	
	N	%	N	%	N	%	N	%	N	%
1. Constitutional and Administrative Law	0	0.0	16	19.3	2	16.7	21	11.2	0	0.0
2. Public finance and regulation of the economy	0	0.0	5	6.0	0	0.0	9	4.8	18	100.0
3. Administration of welfare services	1	12.5	6	7.2	2	16.7	23	12.3	0	0.0
4. Administration of non-welfare services	0	0.0	11	13.3	6	50.0	70	37.4	0	0.0
5. Land-use and environmental control	2	25.0	8	9.6	1	8.3	18	9.6	0	0.0
6. Relations between individuals and the state	1	12.5	21	25.3	1	8.3	27	14.4	0	0.0
7. Relations between individuals and groups	4	50.0	16	19.3	0	0.0	19	10.2	0	0.0

1959-65

Broad Policy Area	Major Policy N %	Minor Policy N %	Administrative Reform N %	Administration N %	Financial N %
1. Constitutional and Administrative Law	0 0.0	10 13.3	2 20.0	34 14.5	0 0.0
2. Public finance and regulation of the economy	0 0.0	2 2.7	1 10.0	13 5.5	18 100.0
3. Administration of welfare services	2 40.0	6 8.0	2 20.0	39 16.6	0 0.0
4. Administration of non-welfare services	0 0.0	13 17.3	3 30.0	60 25.5	0 0.0
5. Land-use and environmental control	2 40.0	14 18.7	1 10.0	38 16.2	0 0.0
6. Relations between individuals and the state	1 20.0	21 28.0	1 10.0	36 15.3	0 0.0
7. Relations between individuals and groups	0 0.0	9 12.0	0 0.0	15 6.4	0 0.0

1941-65

Broad Policy Area	Major Policy		Minor Policy		Administrative Reform		Administration		Financial	
	N	%	N	%	N	%	N	%	N	%
1. Constitutional and Administrative Law	6	12.0	41	12.5	4	10.8	92	13.0	0	0.0
2. Public finance and regulation of the economy	1	2.0	14	4.3	2	5.4	47	6.6	74	100.0
3. Administration of welfare services	7	14.0	40	12.2	5	13.5	104	14.7	0	0.0
4. Administration of non-welfare services	3	6.0	64	19.5	18	48.6	194	27.4	0	0.0
5. Land-use and environmental control	20	40.0	48	14.6	4	10.8	103	14.6	0	0.0
6. Relations between individuals and the state	5	10.0	72	21.9	4	10.8	103	14.6	0	0.0
7. Relations between individuals and groups	8	16.0	50	15.2	0	0.0	65	9.2	0	0.0

As the Tables above reveal, the Financial and Administrative Reform categories of legislation occupied the least amount of activity, a pattern that varied very little over the whole period of Labor's term. The lack of variation in the Financial category is no surprise as the Government must pass annually the Budget, Loan Estimates and at least one Supply Bill. The Administrative Reform figure, however, seems unusually low, Helen Nelson's analysis of New South Wales legislative output from 1983 to 1985 revealing a figure of 14.8% in this category.¹⁰ The lack of administrative reform seems particularly unusual in the McKell years, otherwise an era of wide-ranging moderate reformism. Part of the explanation would seem to lie in McKell's personal attitude. As Premier he had great respect for the quality of the New South Wales Public Service. McKell believed that problems were best solved by finding the right person and letting them get on with the job rather than re-arranging the administrative machinery.¹¹ Another explanation was the growing power of Wallace Wurth, Chairman of the Public Service Board from 1939 to 1960. Administrative reform was definitely not on Wurth's agenda. As Barry Moore has observed:

Wurth's style of decision-making concentrated on immediate solutions to acute problems. He did not have the imagination, or the patience, to become involved in long-term planning.¹²

This lack of administrative reform may also be accounted for by Martin Painter's recent argument that in the years under discussion

The role of government was relatively limited and mostly uncontentious, resting on a consensus about the value of state enterprise, physical works to aid 'development' and the granting of specific economic benefits.¹³

In the 1970's and 1980's, by contrast, an "administrative revolution occurred in Australian State governments"¹⁴ which was "brought about mainly by new pressures and demands on the administrative system associated with the growing complexities of big government".¹⁵

Turning to the remaining types of legislation, Administration overall accounted for 59.1% of all legislation, thus confirming R.S. Parker's 1960 observation that the bulk of State Government legislation emanates

from the public departments as routine amendments or afterthoughts to past enactments; while a small number are passed to meet the special needs of some public or private institution.¹⁶

Minor Policy legislation made up another 27.5% of all Acts. These results are scarcely to be wondered at. This kind of "fine-tuning" legislation is unglamorous but necessary and important. It represents the "nuts and bolts" of government.

Looking at the overall picture, the Administration category shows a steady increase from 51.3% in 1941 -1947 to 68.5% in 1959-65. Minor Policy declines from 29.1% to 21.9%. The most marked trend, however, is in the Major Policy category, which shows a consistent, steady decline from 9.6% in the McKell years to 1.5% in the Heffron/Renshaw era. This decline is not only in quantity of legislation. As Table 4 shows, innovative legislation from 1941 to 1947 is spread across all policy areas with a heavy concentration in land use and environmental control (area 5). In succeeding eras this concentration in area 5 persists, due largely to major public works projects, but the spread of Major Policy legislation contracts more and more until in the 1959 to 1965 period four of the seven policy areas show no innovative legislative activity. This picture would seem to correlate with the overall course of the New South Wales Labor Governments from 1941 to 1965 as identified in Part Two of this thesis. McKell came to office with a wide-ranging programme of moderate reforms which he was determined to implement. In this he was largely successful. After McKell's departure, the Government lost direction and concentrated mainly on a vast, largely uncoordinated programme of public works. With the advent of Cahill, the Government went through a period of renewal. However, in terms of innovative legislation this was largely a negative trend with Cahill's basic attitude being to preside over growing economic prosperity with as little interference as possible. What innovative legislation there was was concentrated in the industrial area (7.2) as Cahill passed on to the labour movement the fruits of the "long boom". By the time of Labor's final years, the climate in society was changing again and there was once more a need for innovative policies to meet new demands. The Government was by now, however, sunk in inertia and complacency with no policy except more of the same and this was an important factor in Labor's final defeat.

NOTES

1. Burton, Ivor and Drewry, Gavin, Legislation and Public Policy: public bills in the 1970-74 Parliament, London, Macmillan, 1981, p.42.
2. Ibid.
3. Nelson, Helen, "Legislative Outputs", in Galligan, Brian, ed., Comparative State Policies, Melbourne, Longman Cheshire, 1988.
4. Nelson's policy areas 8 ("relations between foreigners and the state") and 9 ("external relations") have been dropped as irrelevant to a State Parliament. Sub area 1.8 "Other" has been dropped as superfluous. In the classification according to type of legislation, the "Policy" category has been re-named "Major Policy" to make its nature clearer. The "Mixed" category, "legislation that combines administrative reform and policy" was not used, legislation being put into either of these categories according to which element was predominant.
5. Burton and Drewry, op. cit., pp.39-40.
6. Ibid.
7. Nelson, op. cit., p.23.
8. Ibid, p.33.
9. Ibid, p.28.
10. Ibid, p.34.
11. McKell interviews.
12. Moore, B.N., "Administrative Style; its effect on the functioning of an organisation", unpublished Ph.D. thesis, Dept. of Government, University of Sydney, 1985, p.396.

13. Painter, Martin, Steering the Modern State: changes in central coordination in three Australian State Governments, Sydney, SUP, 1987, p.53.
14. Ibid, p.1.
15. Ibid, p.177.
16. Parker, R.S., "New South Wales," in Davis, S.R., ed., The Government of the Australian States", London, Longmans, 1960, p.107.

APPENDIX C

**Public Acts Passed by the New South Wales Parliament 1941 to 1965
(33rd to 40th Parliaments: 17 June, 1941 - 31 March 1965)**

Classified According to Type of Legislation and Policy Area

1941 - 47

(33rd and 34th PARLIAMENTS: 17 JUNE 1941 - 29 MARCH 1947).

MAJOR POLICY

Session

Policy Area Classification

1941-42

Coal and Oil Shale Mine Works (Pensions) (set up a pension scheme for coal miners)	3.2
Crown Lands (Am) (allowed the waiving of accumulated interest and rent by farmers who were Crown tenants)	5.1
Government Insurance (Am) (enabled the G.I.O. to enter into full competition with private firms in all phases of the insurance business)	6.4
Housing (established the Housing Commission of New South Wales to provide welfare housing)	3.6
Income Tax Management (carried out a complete re-structuring of income and company taxation)	2.2
Motor Vehicles (Third Party Insurance) (made third party insurance compulsory for all owners and drivers of motor vehicles)	6.2
War Service Land Settlement (provided that a minimum of 50% of land to be made available for closer settlement over the next five years be reserved for ex-servicemen)	5.1
Workers' Compensation and Workmens' Compensation (Broken Hill) (Greatly increased the scope and availability of workers' compensation)	7.2

Total 8

1942-43

Commonwealth Powers (permitted the transfer of certain State powers to the Commonwealth for use in post-war reconstruction)	1.1
Legal Assistance (created the office of Public Solicitor to provide legal aid for those in need)	3.1
New South Wales Government Engineering and Shipbuilding Undertaking (set-up State Dockyard at Newcastle)	5.3
Sydney Turf Club (introduced non-proprietary racing)	6.5
Western Lands (Am) (withdrew and made immediately available land originally scheduled for release in 1943 and 1948)	5.1
Total 5	

1943-44

Closer Settlement Am (Conversion) (allowed holders of freehold tenure under earlier closer settlement schemes to convert to lease in perpetuity thus reducing their otherwise insurmountable interest burden)	5.1
Crown Employees Appeal Board (created on independent Appeals Board for public servants)	1.3
Kosciusko State Park (set aside half a million acres for the creation of this National Park)	5.2
Total 3	

1944-45

Annual Holidays (increased annual leave from one to two weeks)	7.2
Local Government (Town and Country Planning) Am (set up the Cumberland County Council and the planning scheme for Sydney associated with it)	5.1
Total 2	

1945-46

Burrendong Dam (authorised construction of this dam)	5.3
Electricity Development (established the Electricity Authority of New South Wales to carry out a large scale programme of rural electrification)	4.3
Glenbawn Dam (authorised construction of this dam)	5.3
Legislative Assembly Members Pensions (set up a pension scheme for M.L.A.'s)	1.2
State Brickworks (authorised the setting up of the State Brickworks to produce, distribute and sell all classes of bricks)	5.3
Total 5	

1946

Coal Industry (together with similar Commonwealth legislation set up the Joint Coal Board and Coal Industry Tribunal)	4.3
Total 1	

1946-47

Industrial Arbitration (Forty Hours Week) (fixed the standard working week at 40 hours)	7.2
Total 1	

Total Major Policy 1941-47 25

1941-47

MINOR POLICY

Session

Policy Area Classification

1941-42

Agricultural Holdings	4.7
Charcoal (Producer Gas)	4.3
Charitable Collections (Am)	6.3
Coal Mines Regulation (Further Am)	4.3
Factories and Shops (Am)	6.3
Farmers' Relief (Am)	4.7
Government Railways (Am)	4.2
Hire Purchase Agreements	7.4
Local Government (Electoral Provisions)	1.7
Milk (Am)	4.7
Money Lenders and Infants Loans	7.1
Technical Education (Nullification of Proclamation)	3.5
Unauthorised Documents (Am)	7.1
Widows' Pensions (Am)	3.1
Workers' Compensation (Silicosis)	7.2

Total 15

1942-43

Aborigines Protection (Am)	3.7
Disorderly Houses	6.3
Factories and Shops (Am)	6.4
Fisheries and Oyster Farms (Am)	4.7
Pastures Protection (Am)	4.7
Public Trustee (Am)	3.1
Scaffolding and Lifts (Am)	6.4
Total 7	

1943-44

Crown Lands (West Bogan Settlers Improvements Relief)	5.1
Farmers' Relief (Am)	4.7
Fire Brigades (Am)	4.8
Industrial Arbitration (Am)	7.2
Lay-by Sales	7.1
Noxious Trades (Am)	4.6
Police Regulation (Superannuation) (Am)	1.4
Prevention of Cruelty to Animals (Am)	7.6
Prickly Pear (Am)	4.7
Public Health (Am)	4.6
Public Instruction (Blind and Infirm Children) (Am)	3.5
Pure Food (Am)	4.6
Rural Bank (Personal Loans Department)	7.1
Superannuation (Am)	3.2

Total 14

1944-45

Apiaries	4.7
Law Reform (Miscellaneous Provisions)	1.5
Pest Destroyers	7.1
Physiotherapists Registration	6.6
Public Accountants Regulation	6.6
Textile Products Labelling	7.1
Workers' Compensation (Bush Fire Fighters)	7.2
Wyangala Dam Hydro-Electric Development	5.3

Total 8

1945-46

Auctioneers, Stock and Station and Real Estate Agents (Am)	6.6
Audit (Am)	2.1
Bread Industry	6.4
Building Operations and Building Materials Control	6.4
Commonwealth and State Housing Agreement	3.6
Compensation to Relatives (Am)	3.1
Cook's River Improvements	5.3
Darling River Waters	5.3
Factories and Shops (Am)	6.4
Farm Water Supplies	4.5
Governor-General's Residence (Grant)	5.1
Hospital Benefits Agreement	3.4
Industrial Arbitration (Police) (Am)	7.2
Inflammable Liquid (Am)	6.4
Lake Ballyrogan Storage	5.3
Law Reform (Miscellaneous Provisions)	1.5
Liquor (Am)	6.3
Lunacy (Am)	3.4
Lunacy (Am)	3.4
Medical Practitioners (Am)	6.6
Obscene and Indecent Publications (Am)	6.3
Rural Bank (Am)	2.4
Timber Marketing	7.1
War Service Land Settlement Agreement	5.1

Total 24

1946

Firearms (Am)	6.1
Total 1	

1946-47

Broken Hill Water and Sewerage (Am)	4.5
City and Suburban Electric Railways (Am)	5.3
Economic Stability and War Time Provisions	2.7
Land Acquisition for Industrial Purposes (Tomago)	5.3
New South Wales - Queensland Border Rivers	4.5
Soil Conservation (Am)	5.2
Workers' Compensation (Am)	7.2
Total 7	
Total Minor Policy 1941-47	76

1941 - 1947
ADMINISTRATIVE REFORM

<u>Session</u>	<u>Policy Area Classification</u>
1941-42	
Factories and Shops (Further Am)	6.4
Southern Electricity (Administration)	4.3
Trustees of Public Reserves (Limitation of Numbers and Retirement)	2.6
Total 3	
1942-43	
State Coal Mines (Am)	4.3
Transport (Administration)	4.2
Total 2	
1943-44	
Public Hospitals (Am)	3.4
Total 1	
1944-45	
Total 0	
1945-46	
Museum of Technology and Applied Science	4.4
Total 1	
1946 Total 0	
1946-47	
Total 0	
Total Administrative Reform 1941-47	7

1941-47

ADMINISTRATION

Session

Policy Area Classification

1941-42

Audit (Am)	2.1
Child Welfare (Am)	3.7
Church of England Clergy Provident Fund (Sydney) (Am)	3.7
Coal and Oil Shale Mine Workers' (Pensions) (Am)	3.2
Conveyancing (Am)	5.1
Cooperation	6.4
Income Tax	2.2
Income Tax Management (Further Am)	2.2
Income Tax Management (Am)	2.2
Irrigation (Am)	4.5
June Water Supply Administration (Am)	4.5
Landlord and Tenant (Am)	7.3
Land Offices	5.1
Local Government (Am)	1.7
Motor Vehicles (Taxation)	2.2
National Emergency (Am)	4.8
National Emergency (Salvage of Waste)	4.8
Prevention of Cruelty to Animals (Am)	7.6
Public Works (Stormwater Channels Vesting)	5.3
South-West Tablelands Water Supply Administration	4.5
Supreme Court and Circuit Courts (Am)	1.5
Sydney Harbour Trust (Am)	6.2
Total 22	

1942-43

Australian Red Cross Society, New South Wales Division, Incorporation (Am)	3.4
British Home Supplies Pty Ltd., (Investigation)	7.1
Conveyancing (Am)	5.1
Dormant Funds	2.1
Entertainments Tax Suspension	2.2
Friendly Societies (Am)	3.4
Gaming and Betting (Am)	6.5
Glen Davis (Am)	4.3
Income Tax Suspension	2.2
Irrigation and Water (Am)	4.5
Loans (Validation)	2.1
Local Government (Am)	1.7
Matrimonial Causes (Am)	7.5
Metropolitan Water Sewerage and Drainage (Capital Indebtedness)	2.1
Moratorium	7.4
Police Regulation (Am)	1.4
Public Service (Commonwealth Elections)	1.6
Roman Catholic Church Communities' Lands	3.7
Sir Joseph Banks Memorial Fund	4.4
State Taxation Collection	2.2
Sydney University Engineering School Memorial Lecture Fund	3.5
T.B. Sailors and Soldiers' Association of New South Wales Incorporation	3.4
Transport (Am)	4.2
Workers' Compensation (Silicosis) (Am)	7.2
Workmen's Compensation (Broken Hill) (Am)	7.2

Total 25

1943-44

Bega Cemetery	5.1
Conveyancing (Further Am)	5.1
Disorderly Houses (Am)	6.3
Government Guarantees and Meat Industry (Am)	2.1
Government Insurance (Am)	6.4
Government Railways (Am)	4.2
Government Railways (Rates) (Am)	4.2
Grafton-Kyogle to South Brisbane Railway Management	4.2
Landlord and Tenant	7.3
Limbless Soldiers' Association, New South Wales Incorporation	3.7
Lunacy (Norfolk Island) Agreement Ratification	3.4
Parliamentary Electorates and Elections (Am)	1.6
Parliamentary Elections (War Time)	1.6
Public Trusts (Am)	3.7
Roman Catholic Church Communities' Lands (Am)	3.7
Stanford Coal-mine Railway (Am)	4.2
Tax Agents' Board Arrangements	2.2
Transport (Am)	4.2
Total 18	

1944-45

Auctioneers, Stock and Station and Real Estate Agents (Am)	6.6
Cereal Growers Drought Relief	4.7
Companies (Death Duties) (Am)	2.2
Co-operation (Am)	6.4
Country Towns Water Supply (Reduction of Debts)	4.5
Crown Lands, Returned Soldiers Settlement and Closer Settlement (Am)	5.1

Deficiency (Revenue)	2.1
Financial Agreement	2.1
Fish River Water Supply	
Administration	4.5
Friendly Societies Dispensaries	
Enabling	3.4
Government Railways (Am)	4.2
Government Railways (Am)	4.2
Irrigation and Water (Am)	4.5
Jeanneret's Tramway (Repeal)	4.2
Local Government (Am)	1.7
Local Government (Electoral Provisions)	1.7
Lotteries and Art Unions (Am)	6.5
Lunacy (Am)	3.4
Main Roads (Am)	6.2
Metropolitan Water, Sewerage, and	
Drainage (Am)	1.3
Mines Inspection (Am)	6.4
Parliamentary Electorates and	
Elections (Further Am)	1.6
Police Offences (Am)	6.1
Police Regulation (Am)	1.4
Public Health (Further Am)	4.6
Public Service (Am)	1.3
Registration of Births, Deaths, and	
Marriages (Am)	6.7
Statutory Duties (Contributory Negligence)	1.5
Transport (Am)	4.2
Western Lands (Am)	5.1
Wild Flowers and Native Plants	
Protection (Am)	5.2
Workers' Compensation (Am)	7.2
Total 32	

1945-46

Broken Hill Water and Sewerage (Am)	4.5
Bulli (Slacky Flat) Land Sale	5.1
Census (Am)	6.4
Dentists(Am)	6.6
Farmers' Relief (Am)	4.7
Forestry (Am)	4.7
Government Railways and Sydney	
Harbour Trust (Financial Provisions)	4.2
Grafton and South Grafton	
Water Supply Administration (Am)	4.5
Hunter District Water, Sewerage and	
Drainage (Am)	4.5
Irrigation and Water (Am)	4.5
Landlord and Tenant (Am)	7.3
Metropolitan Water, Sewerage and	
Drainage (Am)	4.5
Moratorium (Am)	7.4
Opticians (Am)	6.6
Parliamentary Electorates and	
Elections (Am)	1.6
Parliamentary Elections (Neutral	
Bay by-election)	1.6
Sir Joseph Banks Memorial	4.4
Swine Compensation Taxation	4.7
Theatres and Public Halls	6.3
War Service Land Settlement and	
Closer Settlement (Am)	5.1
War Service Land Settlement (Am)	5.1
Workers' Compensation (Am)	7.2

Total 22

1946 Total 0

1946-47

Bankruptcy (Am)	7.4
Cattle Slaughtering and Diseased Animals and Meat (Am)	4.7
Churches of Christ in New South Wales Incorporation	3.7
Coal and Oil Shale Mine Workers (Pensions) (Am)	3.2
Coal Mines Regulation	4.3
Cooperation (Am)	6.4
Damages (Infants and Persons of Unsound Mind) (Am)	1.5
Gas and Electricity	4.3
Justices (Am)	1.5
Land Acquisitions (Charitable Institutions)	3.7
Local Government (Am)	1.7
Mining (Am)	6.4
Moratorium (Am)	7.4
Royal Agricultural Society (Am)	5.1
War Service Land Settlement and Closer Settlement (Am)	5.1

Total 15

Total Administration 1941-47 134

1941 - 1947

FINANCIAL

Session

Policy Area Classification

1941-42

Appropriation	2.1
Loan	2.1
Supply	2.1

Total 3

1942-43

Appropriation	2.1
Loan	2.1
Supply	2.1

Total 3

1943-44

Appropriation	2.1
Loan	2.1
Supply	2.1

Total 3

1944-45

Appropriation	2.1
General Loan Account Appropriation	2.1
Supply	2.1

Total 3

1945-46

Appropriation	2.1
General Loan Account Appropriation	2.1
Supply	2.1

Total 3

1946 Supply	2.1
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Total 1

1946-47

Appropriation	2.1
General Loan Account Appropriation (No. 2)	2.1
Supply (No. 2)	2.1

Total 3

Total Financial 19

1947 - 1953

(35TH AND 36TH PARLIAMENTS: 27 MAY 1947 - 14 JANUARY, 1953)

MAJOR POLICY

<u>Session</u>	<u>Policy Area Classification</u>
1947-48	
Local Government (Areas) (carried out major local government amalgamations in the City of Sydney and County of Cumberland)	1.7
State Tileworks (provided for the establishment, management, control and maintenance of the State Tileworks)	5.3
Total 2	
1948-49-50	
Clarence Harbour Works (Authorised a proposed major port at the mouth of the Clarence River)	5.3
Electricity Commission (set up this body to take control of all electricity supply in New South Wales with a view to dealing with serious power shortages)	4.3
Glen Innes to Inverell Railway (Authorised construction of this proposed railway)	5.3
Lake Illawarra and Cowra Power Stations (Construction) (Authorised construction of these major power stations)	5.3
Menindee Water Conservation (authorised construction of the Menindee Lakes Scheme)	5.3
Parliamentary Electorates and Elections (Am) (increased the number of seats in the Legislative	1.6

Assembly, reduced the rural weighting in the electoral system and made a number of other important changes to the electoral system)

Technical Education and New SouthWales

University of Technology

3.5

(established the University of New South Wales and set up a Department of Technical Education)

Total 7

1950-51-52

Blowering Dam

5.3

(Authorised construction of this dam)

Constitution Am (Legislative Assembly)

1.2

(provided that the duration of any Legislative Assembly shall not be extended beyond three years without a referendum)

Industrial Arbitration (Am)

7.2

(among other major industrial changes, this measure made New South Wales the first Government in Australia to grant workers long service leave)

Total 3

1952-53

Total 0

Total Major Policy 1947 - 1953

12

1947 - 1953

MINOR POLICY

Session

Policy Area Classification

1947-48

Factories and shops (Home Deliveries) Am	6.3
Friendly Societies (Am)	3.4
Housing (Am)	3.6
Industrial Arbitration (Am)	7.2
Jury (Am)	1.5
Land Sales Control	2.7
Landlord and Tenant (Am)	7.3
Legal Assistance (Am)	3.1
Local Government (Am)	1.7
Local Government (Electoral Provisions)	1.7
Married Women (Lecturers and Teachers) Acts Repeal	3.5
Parliamentary Allowances and Salaries	1.2
Prices Regulation	2.7
Rivers and Foreshores Improvement	5.2
Rural Bank of New South Wales (General Banking)	6.4
Stock (Artificial Insemination)	4.7
Superannuation (Am)	3.2
Transport (Officers Gratuities) Am	3.2
University and University Colleges (Am)	3.5

Total 19

1948-49-50

Bread Manufacture and Delivery	6.4
Bush Fires	4.8
Coal Mining Industry Long Service Leave	7.2
Constitution Am (Legislative Council Members Allowances)	1.2

Cooperation (Am)	6.4
Dairy Industry (Am)	4.7
District Courts (Am)	1.5
Emergency Powers	4.3
Factories and Shops (Hairdressers)	6.3
Farm Colony Type Mental Hospital Construction	3.4
Fauna Protection	5.2
Fire Brigades (Am)	4.8
Gas and Electricity (Am)	4.3
Government Railways and Transport (Am)	4.2
Hide and Leather Industries	6.3
Hume Dam Hydroelectric Development (Construction)	5.3
Landlord and Tenant (Am)	7.3
Landlord and Tenant (War Service) (Am)	7.3
Local Government (Regulation of Flats)	3.6
Local Government Superannuation (Am)	3.2
Local Government (Town and Country Planning) Am	5.1
Mental Institution Benefits Agreement	3.4
Moruya River Improvements (Extension of Works)	5.3
Motor Traffic (Am)	6.2
Motor Vehicles (Taxation)	2.2
Motor Vehicles Taxation Management	2.2
Newcastle Wharf (Merewether St)	5.3
Parliamentary Electorates and Elections (Am)	1.6
Racing (Am)	6.5
Racing (Am)	6.5
River Murray Waters (Am)	4.5
Scaffolding and Lifts (Am)	6.4
Workworth Flood Mitigation and Water Conservation	5.3
War Service Land Settlement and Closer Settlement (Am)	5.1
Wheat Industry Stabilization	4.7
Total 35	

1950-51-52

Ambulance Transport Service (Am)	3.4
Broken Hill Water and Sewerage (Am)	4.5
Cattle Compensation	4.7
Cattle Compensation Taxation	4.7
Coal Industry (Am)	4.3
College St. Pedestrian Subway Construction	5.3
Crimes (Am)	6.1
Dividing Fences	5.1
Electricity Commission (Balmain Electric Light Co. Purchase)	4.3
Friendly Societies (Am)	3.4
Northern Railway Deviation (Singleton to Nundah)	5.3
Height of Buildings (Am)	5.1
Industrial Arbitration (Basic Wage) Am	7.2
Landlord and Tenant	7.3
Local Government (Am)	5.1
Moratorium (Am)	7.4
Motor Traffic (Am)	6.2
New South Wales University of Technology (Construction)	3.5
Newcastle Harbour (Improvements)	5.3
Parliamentary Allowances and Salaries	1.2
Parliamentary Electorates and Elections (Am)	1.6
Pharmacy (Am)	3.4
Police Offences (Age Limitation on the Use of Firearms) Am	6.1
Prevention of Cruelty to Animals (Am)	7.6
Prisons (Am)	1.5
Rural Workers Accommodation (Am)	4.7
State Coal Mines (Am)	4.3
Suitor's Fund	1.5
Sydney Harbour Transport	4.2
Thirlmere to Burraborang Railway	5.3
Workers' Compensation (Am)	7.2

Total 31

1952-53

Damage by Aircraft	4.2
Farm Produce Agents (Am)	4.7
Gas and Electricity (Am)	4.3
Landlord and Tenant (Am)	7.3
Lunacy (Am)	3.4
Motor Traffic(Am)	6.2
Poisons	4.6
Stamp Duties (Am)	2.2
State Tileworks	5.3
Transport (Am)	4.2

Total 10

Total Minor Policy 1947 - 1953 95

1947 - 1953

ADMINISTRATIVE REFORM

<u>Session</u>		<u>Policy Area Classification</u>
1947-48	Total 0	
1948-49-50		
	Conservation Authority of New South Wales	5.2
	Meat Industry (Am)	4.7
	State Coal Mines (Am)	4.3
	Transport and Highways	4.2
	Total 4	
1950-51-52		
	Crimes (Amendment)	6.1
	Hunter Valley Conservation Trust	5.2
	Transport (Division of Functions) Am	4.2
	Total 3	
1952-53		
	Transport (Division of Functions) Am	4.2
	Total 1	
	Total Administrative Reform 1947-1953	8

1947-1953

ADMINISTRATION

Session

Policy Area Classification

1947-48

Camperdown Cemetery	5.1
Closer Settlement (Am)	5.1
Closer Settlement Validation	5.1
Coal and Oil Shale Mine Workers (Pensions) Am	3.2
Coal and Oil Shale Mine Workers (Pensions) Further Am	3.2
Co-operation (Further Am)	6.4
Crown Lands (Conditional Purchases Transfer)	5.1
Crown Lands (Irrigation Areas Servicemen Settlement)	5.1
Economic Stability and War-time Provisions Continuance (Am)	6.5
Farmers' Relief (Am)	4.7
Friendly Societies Dispensaries Enabling (Am)	3.4
Georges' River Bridge (Am)	5.3
Government Guarantees (Am)	2.1
Kosciusko State Park (Am)	5.2
Landlord and Tenant (Am)	7.3
Local Government Elections (Am)	1.7
Money-lenders and Infants Loans (Am)	7.1
Moratorium (Am)	7.4
Parliamentary Select Committees Enabling	1.2
Physiotherapists Registration (Am)	6.6
Police Offences (Firearms) Am	6.1
Police Regulation (Appeals) Am	1.4
Registration of Births, Deaths and Marriages (Am)	1.3
Roman Catholic Church Communities Lands (Am)	3.7
Ryde Mental Hospital Construction	3.4
State Transport (Co-ordination) Am	4.2
Statutory Salaries Adjustment	2.5
Supreme Court and Circuit Courts (Prothonotary) Am	1.5
Swine Compensation Taxation	2.2
Workmen's Compensation (Broken Hill) Am	7.2
Total 30	

1948-49-50

Broken Hill Proprietary Company Ltd.	
(Reclamation and Exchange) Agreement Ratification	5.1
B.H.P. Co. Ltd. (Steelworks) Agreement Ratification	5.1
Camperdown Cemetery (Am)	5.1
Canterbury Road Bridge Reconstruction	5.3
Church and School Lands (Grace Bros. Pty. Ltd.)	5.1
Church of England Trust Property (Am)	3.7
Coal and Oil Shale Mine Workers (Pensions) Am	3.2
Cooperation (Am)	6.4
Cooperation (Am)	6.4
Hide and Leather Industries (Am)	6.3
Hospital Benefits Agreement (Am)	3.4
Housing (Am)	3.6
Kemira Tunnel (Arbitration)	7.2
Landlord and Tenant (Further Am)	7.3
Legislative Assembly Members Superannuation (Am)	1.2
Liquid Fuel	4.3
Liverpool Cemetery	5.1
Local Government (Further Am)	1.7
Main Roads and Transport (Am)	6.2
Main roads (Federal Aid Roads and Works) Am	6.2
Main Roads (Finances Adjustment)	6.2
Metropolitan Water Sewerage and Drainage (Am)	4.5
Mine Subsidence (Am)	4.3
Motor Traffic (Fees) Am	6.2
Navigation (Am)	4.2
Pastures Protection (Am)	4.7
Prices Regulation (Am)	2.7
Public Accountants Registration	6.6
Public Instruction (Am)	3.5
Public Service (Am)	1.3
Roman Catholic Church Trust Property (Am)	3.7
Stamp Duties (Am)	2.2
Survey Coordination	5.1
T.B. Soldiers and Sailors' Association of	

New South Wales Incorporation (Am)	3.7
The Lakemba Memorial Hall	5.1
Tuberculosis	4.6
War Service Land Settlement and Closer Settlement (Am)	5.1
War Service Land Settlement and Closer Settlement Validation	5.1
Western Lands (Am)	5.1
Workers' Compensation (Am)	7.2
Workmen's Compensation (Broken Hill) Am	7.2

Total 41

1950-51-52

Coal and Oil Shale Mine Workers (Superannuation) Am	3.2
Coal and Oil Shale Mine Workers (Superannuation) Am	3.2
Coal Mining Industry Long Service Leave (Am)	7.2
Cooperation (Leeton Fruitgrowers' Agreements)	6.4
Copyright (Am)	4.4
Dairy Industry (Am)	4.7
District Courts (Am)	1.5
Dried Fruits (Am)	4.7
Forestry (Am)	4.7
Girl Guides Association (New South Wales) Incorporation	3.7
Government Railways (Superannuation) Am	3.2
Government Railways (Am)	4.2
Hunter District Water, Sewerage and Drainage (Am)	4.5
Industrial Arbitration (Am)	7.2
Inflammable Liquid (Am)	4.3
Jury (Am)	1.5
Landlord and Tenant (War Service) Am	7.3
Legislative Assembly Members Superannuation (Am)	1.2
Local Government (Am)	1.7
Local Government (Further Am)	1.7
Local Government (Land Acquisition) Am	1.7
Main Roads (Am)	6.2
Main roads (Am)	6.2
Matrimonial Causes (Am)	7.5

Meat Industry (Am)	4.7
Medical Practitioners (Am)	6.6
Mine Subsidence (Am)	4.3
Mining (Am)	6.4
Motor Vehicles (Taxation)	2.2
Motor Vehicles (Taxation)	2.2
Motor Vehicles Taxation Management	2.2
Pastures Protection (Am)	4.7
Police Regulation (Superannuation) Am	1.4
Prevention of Cruelty to Animals (Am)	7.6
Public Accountants Registration (Am)	6.6
Public Health (Am)	4.6
Racing (Am)	6.5
St. Luke's Hospital	3.4
Statutory Salaries Adjustment	2.5
Superannuation (Am)	3.2
Superannuation (Defence Service)Am	3.2
Sydney Sports Ground and Sydney Cricket Ground Amalgamation	4.4
Traffic Safety (Lights and Hoardings)	6.2
University and University Colleges (Am)	3.5
Valuation of Land (Am)	5.1
Veterinary Surgeons (Am)	6.6
War Service Land Settlement and Closer Settlement (Am)	5.1
Wheat Industry Stabilisation	4.7
Wild Dog Destruction (Am)	4.7
Workers' Compensation (Further Am)	7.2
Workmen's Compensation (Broken Hill) Am	7.2

Total 51

1952-53

Bellingen Cemetery	5.1
Bookmakers (Taxation) Am	6.5
Bursaries Validation	3.5
City of Sydney Loan Authorisation	1.7
Closer Settlement(Maryvale Estate)	5.1

Coal and Oil Shale Mine Workers (Superannuation) Am	3.2
Coal Mining Industry Long Service Leave (Am)	7.2
Crown Employees Appeal Board (Am)	1.3
Crown Lands (Conditional Purchase and Homestead Farm Transfer)	5.1
Crown Lands (Special Leases) Am	5.1
Government Railways (Am)	4.2
Hunter District Water, Sewerage and Drainage (Further Am)	4.5
Kosciusko State Park (Am)	5.2
Library (Am)	4.4
Library and Art Gallery (Am)	4.4
Local Government (Further Am)	1.7
Parramatta Park (War Memorial)	5.1
Phillip St., Sydney, Land Lease	5.1
Potato Growers Licensing (Am)	4.7
Public Works Declaratory	5.3
Queen Victoria Building Site	5.1
Racing Taxation (Betting Tax)	6.5
Royal Blind Society of New South Wales	3.7
Soil Conservation and Hunter Valley Conservation Trust (Am)	5.2
Superannuation (Am)	3.2
Timber Marketing (Am)	7.1
Totalizator (Am)	6.5
University and University Colleges (Am)	3.5
Warragamba Catchment Area Cemeteries	5.1
Water (Am)	4.5

Total 30

Total Administration 1947-1953 152

1947-1953

FINANCIAL

Session

Policy Area Classification

1947-48

Appropriation	2.1
General Loan Account Appropriation	2.1
Supply	2.1
Supply (no. 2)	2.1
Supply	2.1
Total 5	

1948-49-50

Appropriation	2.1
Appropriation	2.1
General Loan Account Appropriation	2.1
General Loan Account Appropriation	2.1
Supply	2.1
Total 5	

1950-51-52

Appropriation	2.1
Appropriation	2.1
General Loan Account Appropriation	2.1
General Loan Account Appropriation	2.1
Supply (1950)	2.1
Supply (1951)	2.1
Total 6	

1952-53

Appropriation	2.1
General Loan Account Appropriation	2.1
General Loan Account (Expenditure Validation)	2.1
Total 3	

Total Financial 1947-1953 19

1953-1959

(37TH AND 38TH PARLIAMENTS: 14 MARCH 1953 - 16 FEBRUARY 1959)

MAJOR POLICY

<u>Session</u>	<u>Policy Area Classification</u>
1953	
Industrial Arbitration (Am) (introduced compulsory unionism and made important changes in the areas of jurisdiction of tribunals, long service leave and right of entry of union officials)	7.2
Newcastle Harbour Improvements (authorised major improvement works for Newcastle Harbour)	5.3
Total 2	
1954 Total 0	
1954-55	
Crimes (Am) (abolished the death penalty except for piracy and treason and made a number of other substantial changes to the criminal law).	6.1
Total 1	
1955-56	
Industrial Arbitration (Basic Wage)Am (re-introduced quarterly adjustments of the basic wage after they had been abolished by the Commonwealth Arbitration Court)	7.2
Port Kembla Inner Harbour Construction and Agreement Ratification (authorised construction of a new all weather inner harbour at Port Kembla)	5.3
Total 2	

1956-57 Total 0

1957-58 Total 0

1958

Annual Holidays 7.2

(increased annual holidays from two to three weeks)

Industrial Arbitration (Female Rates)Am 7.2

(provided for equal pay for women)

Mental Health 3.4

(repealed the Lunacy Act and replaced it with an
entirely new Act taking account of modern practices
and developments)

Total 3

Total Major Policy 1953-1959 8

1953-1959

MINOR POLICY

<u>Session</u>	<u>Policy Area Classification</u>
1953	
Audit (Am)	2.1
Bread Manufacture and Delivery (Am)	6.4
Coal Mines Regulation (Am)	4.3
Compensation to Relatives (Am)	1.5
Judges' Pensions	1.5
Local Government (Am)	1.7
Nurses Registration	6.6
Port Kembla (no.6) Jetty	5.3
Prevention of Cruelty to Animals	7.6
Sydney City Council (Disclosure of Allegations)	1.7
University of New England	3.5
Workers' Compensation (Am)	7.2
Total 12	
1954	
Fines and Forfeited Recognizances	1.5
Local Government (Am)	1.7
Macleay River Improvements	5.3
Motor Traffic (Am)	6.2
Private Hospitals (Am)	3.4
Total 5	
1954-55	
Administration of Estates	1.5
Australian Oil Refining Limited Agreement Ratification	4.3
Child Welfare (Am)	6.1
District Courts (Am)	1.5
Evidence (Am)	1.5
Factories and Shops (Am)	6.3
Fire Brigades (Am)	4.8
Gas and Electricity (Am)	4.3
Hire Purchase Agreements (Am)	7.4

Industrial Arbitration (Am)	7.2
Justices (Am)	1.5
Landlord and Tenant (Am)	7.3
Liquor (Am)	6.3
Liquor (Referendum)	6.3
Local Government and other Authorities (Superannuation) Am	3.2
Medical Practitioners (Am)	6.6
Noxious Insects (Am)	4.7
Obscene and Indecent Publications (Am)	6.3
Opticians (Am)	6.6
Petroleum	6.4
Police Offences Am (Drugs)	6.1
Public Service and Other Statutory Bodies (Long Service Leave)	7.2
River Murray Waters (Am)	5.3
Superannuation (Am)	3.2

Total 24

1955-56

Commonwealth and State Housing Agreement	3.6
Corneal and Tissue Grafting	4.6
Governor's Salary (Am)	1.1
Local Government, Motor Traffic and Transport (Am)	6.2
Long Service Leave	7.2
Private Inquiry Agents	6.3
War Service Land Settlement and Closer Settlement (Am)	5.1

Total 7

1956-57

Credit Sales Agreement	7.4
Factories and Shops (Am)	6.4
Gaming and Betting (Poker Machines)	6.5
Gaming and Betting (Poker Machines) Taxation	6.5
Habitual Criminals	6.1
Hire Purchase Agreements (Am)	7.4
Land Tax Management	2.2
Medical Practitioners (Am)	6.6
Parliamentary Allowances and Salaries	1.2

Radioactive Substances	4.6
Second-hand Motor Dealers	7.1
Stamp Duties (Am)	2.2
Supreme Court Procedure	1.5
Weights and Measures (Am)	7.1
Workers' Compensation (Am)	7.2
York St. North-Bridge over Argyle St .Sydney (Construction)	5.3

Total 16

1957-58

Common Law Procedure and Landlord and Tenant (Am)	7.3
Fire Brigades and Bush Fires (Am)	4.8
Fisheries and Oyster Farms (Am)	4.7
Fluoridation of Public Water Supplies	4.6
Gogeldrie Weir and Main Diversion Canals	5.3
Landlord and Tenant (Am)	7.3
Local Government (Am)	1.7
Matrimonial Causes (Am)	7.5
Road Maintenance (Contribution)	2.2
Scaffolding and Lifts (Am)	6.4
Snowy Mountains Hydro-electric Agreements	5.3
Speedway Racing (Public Safety)	6.2
Total 12	

1958

Bush Fires (Am)	4.8
Defamation	1.5
Legislative Assembly Members Superannuation (Am)	1.2
Stamp Duties (Am)	2.2
Sydney to Melbourne Railway Standardisation Agreement	5.3
University of New South Wales	3.5
Workers' Compensation (Am)	7.2
Total 7	

Total Minor Policy 1953 - 1959 83

1953 - 1959

ADMINISTRATIVE REFORM

<u>Session</u>	<u>Policy Area Classification</u>
1953	
Lord Howe Island	1.3
Total 1	
1954 Total 0	
1954-55	
Grain Elevators	4.7
New South Wales State Cancer Council	4.6
Nurses Registration (Am)	6.6
Public Service (Am)	1.3
Total 4	
1955-56 Total 0	
1956-57	
Ambulance Transport Service (Am)	4.6
Coal and Oil Shale Mine Workers (Superannuation) Am	3.2
Fire Brigades (Am)	4.8
Height of Buildings (Am)	5.1
Total 4	
1957-58	
Art Gallery of New South Wales	4.4
Bursary Endowment (Am)	3.5
Wild Dog Destruction (Am)	4.7
Total 3	
1958 Total 0	
Total Administrative Reform 1953 - 1959	12

1953-1959

ADMINISTRATION

Session

Policy Area Classification

1953

Ballina to Booyong (Cessation of Operation)	4.2
Cattle Slaughtering and Diseased Animals and Meat (Am)	4.7
Civil Service (Am)	1.3
Commonwealth Bank (Interpretation)	2.1
Goulburn Cattle Sale Yards	4.7
Government Railways and Transport (Am)	4.2
Inflammable Liquid (Am)	6.3
King George V and King George VI Memorial	4.4
Legal Assistance (Am)	3.1
Maitland to Morpeth Railway (Cessation of Operation)	4.2
Maritime Services (Am)	4.2
Medical Practitioners (Am)	6.6
Miners Accident Relief (Supplemental)	3.1
Oaths(Am)	1.5
Old Wallsend Cemetery	5.1
Orange Show Ground (Am)	5.1
Public Service (Am)	1.3
Public Service (Inquiries) Am	1.3
Pure Food (Am)	4.6
Sale of Goods (Am)	6.3
St. Anne's Church of England, Ryde	3.7
Statutory Salaries Adjustment	2.5
Wheat Marketing (Am)	4.7
Workers' Compensation (Silicosis) Am	7.2
Workmen's Compensation (Broken Hill)	7.2

Total 25

1954

Auctioneers, Stock and Station and Real Estate Agents (Am)	6.6
Broken Hill Water and Sewerage (Radium Hill) Am	4.5
Coal and Oil Shale Mine Workers (Superannuation) Am	3.2
Coal Mining Industry Long Service Leave (Am)	7.2

Cooperation (Am)	6.4
Crimes (Am)	6.1
Crown Lands (Am)	5.1
Electricity Commission (Am)	4.3
Irrigation (Am)	4.5
Legal Practitioners (Am)	6.6
Main Roads (Am)	6.2
Mosman Anzac Memorial Hall (Am)	4.4
Navigation (Am)	4.2
New South Wales Government Engineering and Shipbuilding Undertaking and Electricity Commission	1.3
Pharmacy (Am)	6.6
Richmond to Kurrajong Railway (Cessation of Operation)	4.2
Stamp Duties (Am)	2.1
Supreme Court, Industrial Arbitration and Workers' Compensation (Am)	1.5
Taree-Wingham Water Supply Administration (Am)	4.5
Textile Products Labelling	7.1
War Service Land Settlement (Am)	5.1

Total 21

1954-55

Companies (Am)	6.4
Fines and Penalties (Am)	1.5
Government Railways (Am)	4.2
Irrigation, Water and Rivers and Foreshores Improvement (Am)	4.5
Land and Valuation Court (Am)	1.5
Legislative Assembly Members Superannuation (Am)	1.2
Lunacy (Am)	3.4
Metropolitan Water, Sewerage and Drainage (Am)	4.5
Murrumbidgee Electricity Undertaking Transfer	4.3
Necropolis (Am)	4.6
Pastures Protection (Am)	4.7
Real Property (Am)	5.1
State Transport Coordination (Am)	4.2
State Transport Coordination (Banning of Claims and Remedies)	4.2
Technical Education and New South Wales University of Technology (Am)	3.5

Theatres and Public Halls (Am)	6.3
Western Lands (Am)	5.1
Wheat Industry Stabilisation	4.7
Whickham Wharf (Construction)	5.3
Wine Adulteration (Repeat)	4.6
Total 20	

1955-56

Church of England Clergy Provident Fund (Sydney) (Am)	3.7
Coal and Oil Shale Mine Workers (Superannuation) Am	3.2
Coal Industry (Am)	4.3
Crown Lands Am (Home Sites)	5.1
Davy Ind (Am)	4.7
Housing (Am)	3.6
Interest Reduction (Am)	7.4
Local Government (Regulation of Flats)	3.6
Mines Rescue (Am)	4.8
Police Regulation (Am)	1.4
Police Regulation (Superannuation) Am	1.4
Public Parks and Reserves	4.4
Stamp Duties (Am)	2.1
Statutory Salaries Adjustment	2.5
Sydney Turf Club (Am)	6.5
Total 15	

1956-57

Attachment of Wages Limitation	7.4
Auctioneers, Stock and Station, Real Estate and Business Agents (Am)	6.6
Border Railways (Grain Elevators) Am	4.7
Broken Hill Water and Sewerage (Am)	4.5
Capital Debt Charges	2.1
Cattle Compensation (Am)	4.7
Cattle Compensation Taxation	4.7
Cattle Slaughtering and Diseased Animals and Meat (Am)	4.7
Child Welfare (Am)	1.3
Civil Service (Am)	3.2
Coal and Oil Shale Mine Workers (Superannuation) Am	3.2
Coal Mining Industry Long Service Leave (Am)	7.2
Crown Lands (Am)	5.1

Destitute Children's Society (Vesting) Am	3.7
Electricity Commission (Balmain Electric Light Company Purchase) Am	4.3
Electricity Development (Am)	4.3
Gas and Electricity (Am)	4.3
Glenbawn Dam (Am)	5.3
Grafton Water Supply	4.5
Housing Agreement	3.6
Hunter District Water, Sewerage and Drainage (Am)	4.5
Hunter Valley Flood Mitigation	5.3
Industrial Arbitration (Am)	7.2
Industrial Arbitration (Am)	7.2
Land Tax	2.2
Local Government and Cattle Slaughtering and Diseased Animals and Meat (Am)	4.7
Marketing of Primary Products	4.7
Marriage (Am)	7.5
Medical Practitioners (Am)	6.6
Motor Traffic and Transport (Am)	6.2
Motor Traffic (Am)	6.2
Newcastle Tattersall's Club (Am)	4.4
Noxious Trades (Am)	4.6
Parliamentary Joint Committee Enabling	1.2
Poisons (Am)	4.6
Police Regulation (Am)	1.4
Presbyterian Church (New South Wales) Property Trust (Am)	3.7
Public Service and Other Statutory Bodies (Extended Leave)	7.2
Public Service and Other Statutory Bodies (Extended Leave)	7.2
Pure Food (Am)	4.6
Real Property (Am)	5.1
Stamp Duties (Further Am)	2.2
Superannuation (Am)	3.2
Taronga Zoological Park	7.6
Transport (Division of Functions) Am	4.2
Transport (Division of Functions) Am	4.2
Transport (Division of Functions) Commissioner for Railways	4.2
University and College Lands (Saint Paul's College and Wesley College)	3.5
Veterinary Surgeons (Am)	6.6

Workers' Compensation (Silicosis) Am 7.2

Total 50

1957-58

Architects (Am)	6.6
Bread Industry, Manufacture and Delivery (Am)	6.4
Cattle Compensation Taxation	4.7
Coal and Oil Shale Mine Workers (Superannuation) Further Am	3.2
Coal Industry (Am)	4.3
Companies and Business Names (Am)	6.4
Crown Employees Appeal Board (Am)	1.3
Crown Lands (Irrigation Area Resumption) Am	5.1
District courts (Am)	1.5
Dried Fruits (Am)	4.7
East Ballina Cemetery	5.1
Electricity Commission (Transfer of Reticulation Works)	4.3
Fish River Water Supply Administration (Am)	4.5
Government Railways and Transport (Am)	4.2
Industrial Arbitration (Further Am)	7.2
Justices (Am)	1.5
Land Tax Management (Am)	2.2
Landlord and Tenant (Am)	7.3
Legal Assistance (Am)	3.1
Legislative Assembly Members Superannuation (Am)	1.2
Main Roads and Local Government (Am)	6.2
Medical Practitioners (Am)	6.6
Mine Subsidence (Am)	4.3
Motor Traffic and Local Government (Am)	6.2
New South Wales Government Engineering and Shipbuilding Undertaking (Am)	5.3
Parliamentary Joint Committee Enabling	1.2
Pastures Protection (Am)	4.7
Police Regulation (Superannuation and Appeals) Am	1.4
Public Instruction (Am)	3.5
Public Service and Other Statutory Bodies (Extended Leave)	7.2
Pure Food (Am)	4.6
R.T. Hall Trusts	4.6
Royal Agricultural Society (Am)	5.1

Royal New South Wales Institution for Deaf and Blind Children	3.7
St. Andrew's Church of England, Mayfield Cemetery	5.1
Sir Henry Parkes National (War) Memorial Museum and Library	4.4
Swine Compensation (Am)	4.7
Swine Compensation Taxation	4.7
Totalizator (Am)	6.5
Wheat Industry Stabilisation (Am)	4.7
Workers' Compensation (Silicosis) Am	7.2
Workmen's Compensation (Broken Hill) Am	7.2
Total	42

1958

Broken Hill Water and Sewerage (Am)	4.5
Cooperation (Am)	6.4
Crown Lands (Permissive Occupancies) Am	5.1
Friendly Societies (Am)	4.6
Government Railways and Transport (Am)	4.2
Justices (Am)	1.5
Land Acquisition (Charitable Institutions) Revesting	3.7
Meat Industry (Am)	4.7
Mines Inspection (Am)	6.4
Public Accountants Registration (Am)	6.6
River Murray Waters (Am)	4.5
The Baptist Union Incorporation (Am)	3.7
Tuberculosis	4.6
Wheat Industry Stabilisation	4.7
Total 14	
Total Administration 1953 to 1959	187

1953-1959

FINANCIAL

Session

Policy Area Classification

1953

Appropriation	2.1
General Loan Account Appropriation	2.1
Supply	2.1

Total 3

1954 Total 0

1954-55

Appropriation	2.1
General Loan Account Appropriation	2.1
Supply	2.1

Total 3

1955-56

Appropriation	2.1
General Loan Account Appropriation	2.1
Supply	2.1

Total 3

1956-57

Appropriation	2.1
General Loan Account Appropriation	2.1
Supply	2.1

Total 3

1957-58

Appropriation	2.1
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General Loan Account Appropriation	2.1
Supply	2.1

Total 3

1958

Appropriation	2.1
General Loan Account Appropriation	2.1
Supply	2.1

Total 3

Total Financial 1953 to 1959 18

1959 - 1965

(39TH AND 40TH PARLIAMENTS: 16 APRIL 1959 - 31 MARCH 1965)

MAJOR POLICY

<u>Session</u>	<u>Policy Area Classification</u>
1959-60	
Sydney Opera House (provided for construction of the Opera House)	5.3
Total 1	
1960-61	Total 0
1961-62	
Clean Air (provided for the first time for a comprehensive scheme to combat air pollution)	5.2
Education (to implement the major changes to education recommended by the Wyndham Committee)	3.5
Total 2	
1962	Total 0
1962-63-64	
Macquarie University (established Macquarie University)	3.5
Totalizator (Off-course Betting) (provided for legalised off-course betting)	6.5
Total 2	
1964-65	Total 0
Total Major Policy 1959 to 1965	5

1959 to 1965

MINOR POLICY

Session

Policy Area Classification

1959-60

Bermagui Harbour Works	5.3
Companies (Am)	6.4
Coroners	1.5
Crown Lands (Am)	5.1
Deserted Wives and Children (Am)	3.1
Filled Milk	4.7
Gaming and Betting (Poker Machines) Am	6.5
Gaming and Betting (Poker Machines) Taxation Am	6.5
Hire Purchase	7.4
Industrial Arbitration (am)	7.2
Local Government (Am)	1.7
Motor Vehicles Taxation (Am)	2.2
Parliamentary Allowances and Salaries	1.2
Physiotherapists Registration (Am)	6.6
Public Health (Am)	4.6
Public Service and Police Regulation (Am)	1.3
Sydney Harbour Bridge (Further Works) and Main Roads (Am)	5.3

Total 17

1960-61

Archives	4.4
Brunswick Heads Harbour Works	5.3
Closer Settlement (Am)	5.1
Conveyancing (Strata Titles)	5.1
Dairy Industry (Am)	4.7
Evans Head Harbour Works	5.3
Industrial Arbitration (Am)	7.2
Liquefied Petroleum Gas	4.3

Mine Subsidence Compensation	4.3
Motor Traffic (Am)	6.2
Total 10	
1961-62	
Agricultural Seeds (Am)	4.7
Banks and Bank Holidays (Am)	7.2
Coal Loading Works (Ports of Newcastle)	
Port Kembla and Sydney) Agreement	4.3
Companies	6.4
Crimes (Am)	6.1
Land Tax Management (Am)	2.1
Money-lenders and Infants Loans (Am)	7.1
Motor Vehicle Driving Instructors	6.3
TweedHeads Harbour Works	5.3
Valuation of Land and Local Government (Further Am)	1.7
Wyangala Dam (Strengthening and Enlargement)	5.3
Total 11	
1962	
Argentine Ant Eradication	4.6
Australian Lubricating Oil Refinery Ltd.	
Agreement Ratification	4.3
Business Names	6.4
Chiropodists Registration	6.6
Housing Indemnities	3.6
Local Government (Town and Country Planning) Am	5.1
Sydney Harbour Bridge (Administration) Am	5.3
Total 7	
1962-63-64	
Aborigines Protection (Am)	3.7
Blowering Dam (Snowy Mountains Hydro-electric Authority)	5.3
Chowilla Reservoir Agreement	5.3

Coal Mines Regulation (Am)	4.3
Commercial Agents and Private Inquiry Agents Companies (Am)	6.3 6.4
Constitution (Am)	1.2
Constitution and Police Regulation (Am)	1.4
Cooperation (Am)	6.4
Factories, Shops and Industries	6.3
Land Vendors	5.1
Law Reform (Married Persons)	1.5
Long Service Leave (Am)	7.2
Medical Practitioners (Am)	6.6
Mines Rescue (Am)	4.8
Optical Dispensers	6.6
Optometrists (Am)	6.6
Parliamentary Allowances and Salaries (Am)	1.2
Railways Retirement Fund	3.2
Second Hand Dealers and Collectors (Am)	6.3

Total 20

1964-65

Air Transport	4.2
Factories, Shops and Industries (Am)	6.3
Industrial Arbitration (Am)	7.2
Landlord and Tenant (Am)	7.3
Maintenance	7.5
New South Wales Institute of Psychiatry	6.6
Pharmacy	6.6
Policy Regulation (Women Police) Am	1.4
Private Hospitals	3.4
University of Newcastle	3.5

Total 10

Total Minor Policy 1959 to 1965 75

1959 TO 1965

ADMINISTRATIVE REFORM

<u>Session</u>	<u>Policy Area Classification</u>
1959-60	
Public Hospitals (Am)	3.4
University and University Colleges (Am)	3.5
Total 2	
1960-61	
Maritime Services (Am)	4.2
Public Health (Am)	4.6
Rural Bank of New South Wales (Am)	2.6
Total 3	
1961-62	
Public Accountants Registration (Am)	6.6
Total 1	
1962 Total 0	
1962-63-64	
Fisheries and Oyster Farms (Am)	4.7
Local Government (Boundaries Commission)	1.7
State Planning Authority	5.1
Total 3	

1964-65

Police Regulation (Assistant Commissioners)

1.4

Total 1

Total Administrative Reform 1959 to 1965 10

1959 TO 1965

ADMINISTRATION

Session

Policy Area Classification

1959-60

Banking (Interpretation References)	2.1
Burrendong Dam	5.3
Centenary Celebration (Amendment)	4.4
Coal Industry (Am)	3.2
Coal Mines Regulation (Am)	4.3
Companies (Am)	6.4
Companies (Receiver and Manger)	6.4
Cooperation (Am)	6.4
Country Water Supplies Administration and State Brickworks (Am)	4.5
Crown Employees Appeal Board (Am)	1.3
Crown Lands (Removal of Restriction on Transfer)	5.1
Factories and Shops and Local Government (Am)	7.1
Farm Produce Agents (Am)	4.7
Fisheries and Oyster Farms	4.7
Hide and Leather Industries (Repeal)	6.3
Housing (Am)	3.6
Interstate Destitute Persons Relief (Am)	3.1
Land Tax Management (Am)	2.2
Legal Practitioners (Am)	6.6
Legislative Assembly Members Superannuation (Am)	1.2
Library (Am)	4.4
Local Government (Am)	1.7
Local Government and Other Authorities (Superannuation) Am	3.2
Lotteries and Art Unions (Am)	6.5
Main Roads and Local Government (Am)	6.2
Meat Industry (Am)	4.7
Ministers of the Crown	1.3
Nurses Registration (Am)	6.6

Parliamentary Electorates and Elections (Am)	1.6
Public Service and Other Statutory Bodies (Extended Leave)	1.3
Public Trustee (Am)	3.1
Public Works (Liverpool Lands Disposal)	5.3
Racing (Am)	6.5
Reorganised Church of Jesus Christ of Latter Day Saints Trust Property	3.7
Roman Catholic Church Trust Property (Am)	3.7
Scaffolding and Lifts (Am)	6.4
State Coal Mines (Am)	4.3
Statutory Salaries (Am)	2.5
Suitors' Fund (Am)	1.5
Suitors' Fund (am)	1.5
Superannuation (Am)	3.2
Swine Compensation Taxation	4.7
Sydney Sports Ground and Sydney Cricket Ground Amalgamation (Am)	4.4
Sydney University Settlement Incorporation	3.5
The National Trust of Australia (New South Wales)	5.2
Valuation of Land and Local Government (Am)	5.1
Walgett Water Supply	4.5
Weights and Measures (Am)	7.1
Wellington Show Ground (Am)	5.1
Wildflowers and Native Plants Production (Am)	5.2
Workers' Compensation (Am)	7.2

Total 51

1960-61

Balmain-Rozelle Anzac Memorial Hall	5.1
Child Welfare (Am)	3.7
Church of England in Australia Constitution	3.7
Coal and Oil Shale Mine Workers (Superannuation) Am	3.2
Constitution (Legislative Council Elections) Am	1.2
Darling River (Great Ana Branch) and Lake Tandou Water Supply	5.3

District Courts and Small Debts Recovery (Am)	1.5
Gladesville Mental Hospital Cemetery	5.1
Government Railways and Transport (Am)	4.2
Grain Elevators (Am)	4.7
Housing (Further Am)	3.6
Industrial Arbitration (Further Am)	7.2
Landlord and Tenant (Am)	7.3
Local Government (Am)	1.7
Local Government and Dairies Supervision (Am)	4.7
Main Roads (Am)	6.2
Motor Spirits and Substitute	
Liquid Fuels (Repeal)	4.3
Police Regulation (Am)	1.4
Police Regulation and Superannuation (Am)	1.4
Prevention of Oil Pollution of Navigable Waters	5.2
Public Works (Am)	5.3
Royal New South Wales Institution for Deaf and Blind	
Children (Sale of Darlington Lands)	3.7
Statutory Salaries Adjustment	2.5
Sydney Opera House Trust	4.4
Taronga Zoological Park (Am)	4.4
Transferred Officers Extended Leave	1.3
Transport (Am)	4.2
Workers' Compensation (Further Am)	7.2

Total 28

1961-62

Australian Jockey Club (Am)	6.5
Australian Oil Refining Pty. Ltd. Agreement Ratification (Am)	4.3
Child Welfare (Further Am)	3.7
Coal and Oil Shale Mine Workers (Superannuation) Further Am	3.2
Conveyancing (Strata Titles) Am	5.1
Cooperation (Am)	6.4
Cooperation (Rural Societies) Am	6.4
Domain Leasing	5.1

Educational Institutions (Stamp Duties Exemption)	3.5
Electricity Commission (Am)	4.3
Housing Agreement	3.6
Industrial Arbitration (Basic Wage) Am	7.2
Jindabyne Cemetery	5.1
Ku-ring-gai Chase	5.1
Landlord and Tenant (Am)	7.3
Leeton War Memorial	5.1
Mining (Renewal of Leases) Am	6.4
Museum of Applied Arts and Sciences	4.4
Parliamentary Elections and Liquor (Am)	1.6
Parramatta Methodist Cemetery	5.1
Port Kembla Inner Harbour (Further Construction)	5.3
Public Service and Statutory Salaries Adjustment (Am)	2.5
Public Works (Am)	5.3
Radioactive Substances (Am)	4.6
St. George's Church of England, Hurstville, Cemetery	5.1
Stock Diseases (Am)	4.7
Swine Compensation Taxation	4.7
Transport (Am)	4.2
University of New South Wales	3.5
Valuation of Land and Local Government (Am)	1.7
War Service Land Settlement (Am)	5.1

Total 31

1962

Ambulance Transport Service and Crown Employees Appeal Board (Am)	3.4
Common Law Procedure (Am)	1.5
Cooperation (Am)	6.4
Coral Sea Park	5.1
Government Railways and Transport (Am)	4.2
Legislative Assembly Members Superannuation (Am)	1.2
Mental Health (Commonwealth Agreement Ratification) Am	3.4
Mines Inspection (Am)	6.4

Moree and District War Memorial Educational Centre	3.5
Oaths (Am)	1.5
University of Sydney (J.J.W. Power Bequest)	3.5

Total 11

1962-63-64

Bank of New South Wales (Am)	6.4
Book Purchasers' Protection (Am)	4.4
Bush Fires (Am)	4.8
Campbelltown to Camden Tramway and Jerilderie towards Deniliquin Railway	4.2
Cattle Compensation (Am)	4.7
Cattle Compensation Taxation	4.7
Child Welfare (Commonwealth Agreement Ratification)	3.7
Churches of Christ, Scientist, Incorporation	3.7
Coal and Oil Shale Mine Workers (Superannuation) Am	3.2
Cobar Water Supply	4.5
Coonamble Cemetery	5.1
Coroners (Am)	1.5
Crown Employees Appeal Board	1.3
Crown Lands (Am)	5.1
Dairy Industry (Am)	4.7
Dentists (Am)	6.6
Dried Fruits (Am)	4.7
Electricity Development (Am)	4.3
Electricity Development (Am)	4.3
Friendly Societies (Am)	4.6
Gaming and Betting (Am)	6.5
Gaming and Betting (Poker Machines) Am	6.5
Gaming and Betting (Poker Machines) Taxation Am	6.5
Gas and Electricity (Am)	4.3
Government Railways and Transport (Am)	4.2
Government Railways and Transport (Am)	4.2
Housing (Am)	3.6
Hunter District Water, Sewerage and Drainage (President)	4.5

Inclosed Lands Protection (Am)	5.1
Irrigation and Water (Am)	4.5
Kosciusko State Park (Am)	5.2
Land Tax (Am)	2.1
Legislative Assembly Members Superannuation (Further Am)	1.2
Legitimation	1.5
Limitation of Actions (Recovery of Imposts)	1.5
Liquor (Am)	6.3
Lithgow Land (Pitt's Paddock Vesting)	5.1
Local Government and Conveyancing (Am)	1.7
Local Government and Metropolitan Water, Sewerage and Drainage (Am)	4.5
Local Government Liquor and Impounding (Am)	1.7
Local Government (Payment of Fees)	1.7
Local Government (Regulation of Flats) Am	3.6
Long Service Leave (Metalliferous Mining Industry)	7.2
Main Roads and Sydney Harbour Bridge (Administration) Am	6.2
Medical Practitioners (Am)	6.6
Menindee Lakes Storage Agreement	4.5
Milk (Am)	4.7
Miners' Accident Relief (Supplemental)	7.2
Mining (Am)	6.4
Motor Traffic (Am)	6.2
Motor Traffic (Am)	6.2
Motor Vehicles (Taxation)	2.1
Motor Vehicles (Third Party Insurance) Am	6.2
Motor Vehicles (Third Party Insurance) and Law Reform (Miscellaneous Provisions) Am	6.2
Mudgee Cemeteries	5.1
New South Wales Government Engineering and Shipbuilding Undertaking	5.3
New South Wales State Cancer Council (Am)	4.6
Parliamentary Joint Committee Enabling	1.2
Parramatta North Land Disposal	5.1
Pistol License and Police Offences (Am)	6.1
Plant Diseases and Irrigation (Am)	4.7

Police Regulation (Am)	1.4
Public Service and Other Statutory Bodies (Extended Leave) Am	7.2
Racing (Am)	6.5
River Murray Waters (Am)	4.5
Road Maintenance (Contribution) Am	6.2
Royal Blind Society of New South Wales (Am)	3.7
Stamp Duties (Am)	2.1
Stamp Duties (Am)	2.1
Statutory Salaries Adjustment	2.5
Superannuation (Am)	3.2
Sydney Exchange Company Ltd.	5.1
Sydney Opera House (Am)	5.3
The King's School Council (Am)	3.5
The Standard Insurance Co. Ltd. and certain other Insurance Companies	7.4
Transferred Officers Extended Leave (Am)	7.2
Transport Commissioners (Superannuation)	3.2
Trustee Companies	6.4
Valuation of Land (Am)	5.1
Venereal Diseases (Am)	4.6
War Service Land Settlement and Closer Settlement (Am)	5.1
Weights and Measures (Am)	6.3
Western Lands (Am)	5.1
Wheat Industry Stabilization	4.7

Total 84

1964-65

Annual Holidays (Am)	7.2
Bread Industry (Am)	6.4
Clean Air (Am)	5.2
Coal and Oil Shale Mine Workers Superannuation (Am)	3.2
Cobar to Wilcannia Railway (Repeal)	4.2
Cooperation (Am)	6.4
Crown Employees Appeal Board (Further Am)	1.3
Discharged Servicemen's Badges	3.1
Fauna Protection (Am)	5.2

Gaming and Betting (Am)	6.5
Gaming and Betting (Poker Machines) Taxation Am	6.5
Government Guarantees (Am)	3.6
Governor's Salary (Am)	1.1
Housing Indemnities (Am)	3.6
Hunter District Water, Sewerage and Drainage (Am)	4.5
Judges' Pensions and Equity (Am)	1.5
Land Tax Management (Am)	2.1
Legal Assistance (Am)	3.1
Local Government (Building Regulation)Am	1.7
Local Government (Elections) Am	1.7
Marketing of Primary Products (Am)	4.7
Meat Industry (Am)	4.7
Mental Health (Am)	3.4
Nurses Registration (Am)	6.6
Pastures Protection (Am)	4.7
Stamp Duties (Am)	2.1
Statutory Salaries Adjustment	2.5
Surveyors (Am)	6.6
Sydney Grammar School (Am)	3.5
Workers' Compensation (Am)	7.2
Total 30	
Total Administration 1959 to 1965	235

1959 TO 1965

FINANCIAL

Session

Policy Area Classification

1959-60

Appropriation	2.1
General Loan Account Appropriation	2.1
Supply	2.1

Total 3

1960-61

Appropriation	2.1
General Loan Account Appropriation	2.1
Supply	2.1

Total 3

1961-62

Appropriation	2.1
General Loan Account Appropriation	2.1
Supply	2.1

Total 3

1962 Total 0

1962-63-64

Appropriation	2.1
Appropriation	2.1
General Loan Account Appropriation	2.1
General Loan Account Appropriation	2.1
Supply	2.1
Supply	2.1

Total 6

1964-65

Appropriation	2.1
General Loan Account Appropriation	2.1
Supply	2.1

Total 3

Total Financial 1959 to 1965 18

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James Alexander Cameron 29. 8.1986

(On staff of New South Wales Liberal Party 1948-59; Press Secretary to P.H. Morton 1955-59; MLA 1968-1984; Speaker of Legislative Assembly 1973-76; Deputy Leader of Liberal Party 1981)

Robert Reginald Downing 10. 4.1987 (with Ken Turner)
21.11.1986, 19.12.1986, 11. 9.1987

(MLC 1940-72; Attorney-General 1956-65; Minister of Justice 1941-60; Vice President of the Executive Council 1941-65; Leader of the Opposition in Legislation Council 1965-72)

Laurie John Ferguson 22. 3.1988

(MLA 1959-1984; Minister for Public Works 1976-1984; Deputy Premier 1976-1984)

Phillip Gallagher 8.11.1988, 16.11.1988

(Member of J.J. Cahill's personal staff 1952-58; former New South Wales Commissioner for Consumer Affairs and Chairman of the Board of Fire Commissioners)

Patrick Darcy Hills 16.12.1987

(MLA 1954-88; Minister Assisting Premier 1959; Minister for Local Government and Highways 1959-65; Deputy Premier 1964-65; Leader of the Opposition 1968-73; Minister for Industrial Relations 1976-88)

Abram Landa 10. 2.1986 (with Ken Turner)

(MLA 1930-32, 1941-65; Minister for Labour and Industry 1953-56; Minister for Housing 1956-65)

William John McKell 22. 7.1977, 5. 8.1977, 26. 8.1977, 16. 9.1977
(with Ken Turner and Heather Radi)
(MLA 1917-47; Minister of Justice 1920-22, 1925-27; Assistant Treasurer 1925-27; Minister for Local Government 1930-31; Minister of Justice 1931-32; Premier and Treasurer 1941-47; Governor-General 1947-53)

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(Private Secretary to J. McGirr; MLA 1952-1971; Minister of Justice 1960-65)

James Anthony Mulvihill 3. 6.1987 (with Ken Turner)
(Assistant Secretary of New South Wales Branch of the Australian Labor Party 1957-1964, Senator 1964-1983)

Roger Bede Nott 1. 8.1978 (with Ken Turner)
4. 2.1988
(MLA 1941-61; Minister Without Portfolio 1954-56; Minister for Lands and Mines 1956-57; Minister for Agriculture 1957-61)

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Note: Tapes of interviews with McKell, Downing (19.12.1986, 10. 4.1987), Hills, Nott (1. 8.1978) and Mulvihill are held by the New South Wales Parliamentary Library and the New South Wales Parliamentary Archives. The tape and transcript of the Landa interview are held by the National Library of Australia as part of the Labor Council of New South Wales Oral History Project. Notes of all other interviews are in the possession of the author.