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## The Idea of the People

*Stuart Macintyre*

The Bathurst People's Federal Convention assembled in November 1896. It had no official status, being called by the local branch of the Australasian Federal League. The delegates who attended were appointed from a miscellany of local government and other bodies. But it attracted a number of notables: the premier of New South Wales, George Reid, and the Leader of the Opposition, as well as leading politicians from other colonies. Edmund Barton, the unofficial leader of the federal movement, addressed it. Several colonial governors sent messages of support.

Along with an earlier unofficial gathering, that of Corowa in 1893, the Bathurst Convention stands in the received history of Australian federation as an expression of the popular movement for federation, episodes where the people overcame obstacles and gave fresh momentum to the goal of an Australian Commonwealth. The Constitution that was finally adopted invoked the people in its preamble:

Whereas the people of New South Wales, Victoria, South Australia, Queensland and Tasmania [but not, initially, Western Australia], humbly relying on the blessings of Almighty God, have agreed to unite in one indissoluble Federal Commonwealth ...

I want to challenge that received interpretation, and raise questions about the popular character of Australian federation. I shall first suggest how 'the idea of the people' was mobilised in the 1890s.

Let me revise the chronology. Representatives of the seven colonies, those of Australia and New Zealand, met in conference at Melbourne in 1890 in response to an initiative of Henry Parkes. The colonies then sent parliamentary delegations to a convention in Sydney in 1891 that drafted a federal constitution to be submitted to the various legislatures. That process had failed because of disagreement, opposition and apathy. The meeting at Corowa in 1893

therefore proposed an alternative procedure to revive the federal movement: direct election of delegates to prepare a new constitution, that would then be submitted directly to the voters. The procedure was adopted by four of the Australian premiers in Hobart early in 1895 and necessary enabling legislation was enacted by 1896; the new Federal Convention met in Adelaide, Sydney and Melbourne during 1897 and 1898; five of the six colonies carried the bill in 1899; Western Australia came in a year later and the British Parliament enacted the Constitution in 1900.

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In this summary narrative, Corowa has special significance because its device of direct election of delegates, and submission of their draft constitution to referenda, overcame the seeming inability of the politicians to carry forward the scheme they had devised earlier. The device was novel and broke with British custom as well as American precedent. In the opinion of John Hirst it initiated a particularly strong form of popular sovereignty as the very basis of the federal constitution: the people themselves elected its authors, the people themselves adopted it and the people themselves were inscribed in its preamble and included in the provisions for its amendment. This was a unique achievement, and the adoption of the scheme worked out at Corowa was in his opinion 'the greatest miracle of Australian political history'.<sup>1</sup>

My own interpretation of Corowa is rather different. I have suggested that Corowa provided the venue for a piece of political theatre whereby organised pressure groups mobilised popular support for the stalled federal cause. Like Bathurst, it was organised by the Australasian Federal League. The initiative for the League came from Sydney. At its initial meeting in the Sydney Town Hall, Edmund Barton suggested there were two aspects to any issue: 'one was the view of the politician, and the other was the view of the citizen'; hence his resolution defined the League as 'an organisation of citizens owning no class distinction or party influence'. For similar reasons, the rules he devised for the League restricted the proportion of its governing body who might be members of Parliament to two-fifths and made the introduction of political topics other than federation a ground for expulsion.<sup>2</sup>

'The main principle', insisted John Quick in moving his resolution at Corowa four weeks later, 'was that the cause should be advocated by the citizen and not merely by politicians.' The time had passed when it should be merely 'a political question.'<sup>3</sup> This was a calculated appeal to popular prejudice. The deprecation of politics and the validation of the popular, the juxtaposition of the self-serving dissembler and his long-suffering victims, are prejudices so deeply embedded in the public discourse that we seldom notice their historical formation. The forms of representative government that were established in nineteenth century Australia combined principles of popular sovereignty with the habits of utilitarian liberalism. The Australian colonists made the state serve their needs with roads and bridges, land grants and comfortable billets, and despised the patterns of flattery and jobbery that characterised their civic life. The politicians, having impugned their own calling, therefore called forth a voice

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<sup>1</sup> John Hirst, *A Republican Manifesto*, Oxford University Press, Melbourne, 1984, p. 35.

<sup>2</sup> Rules of the League are in the Minutes of the Executive Committee, Dowling Papers; see D.I. Wright, 'The Australasian Federation League in New South Wales, 1893-1899', *Journal of the Royal Australian Historical Society*, vol. 57, no. 1, March 1971, pp. 58-73.

<sup>3</sup> *Sydney Morning Herald*, 2 August 1893.

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that could restore its legitimacy: they reinstated the people as a disembodied presence capable of an altruism that they themselves could not achieve.<sup>4</sup>

George Reid took up Quick's scheme and carried it to Hobart, where at the beginning of 1895 he invited the colonial premiers to meet in conjunction with the regular gathering of the Federal Council. He, too, adopted Barton's popular legerdemain. Speaking in Melbourne on his way to Hobart, he explained that 'the vital defect of the efforts of the great men of Australia during the past five years in the direction of federation was that they never quite came home to the hearts of the masses of the people.' Lest his meaning be missed, he paid a backhanded compliment to Henry Parkes and delegates of the 1891 Convention delegates who had failed, he said, because they had pursued federation 'at almost any price' and omitted to consult the people.<sup>5</sup> Henry Parkes could not let the jibe pass. From his home in North Annandale in Sydney, he poured scorn on the idea of starting afresh with elected conventions and referenda: 'It is preposterous to talk of a mob of people making a constitution for the state.'<sup>6</sup> Reid, who had no intention of allowing that to happen, replied more in sorrow than in anger, that Parkes should allow personal vanity to take precedence over the sacred cause: so long as he had led it he had rendered great service; but once deprived of the leadership, then 'what a falling off is there'.<sup>7</sup>

With impressive political skill, he persuaded the Federal Council and a majority of premiers to adopt his proposed course. Queensland and Western Australia held out at Hobart, but Queensland would relent and it became clear, as the various colonial parliaments passed the necessary enabling legislation, that an elected convention would gather, early in 1897.

Unlike Corowa, therefore, the Bathurst gathering had no vital strategic significance. It occurred under the very shadow of the impending official convention. It began as a local initiative (closely tied to the ambition that Bathurst become the federal capital) and relied on the enthusiasm of its promoters. The central committee of the Federal League was by no means convinced of its utility. Its unofficial status was emphasised by an early proposed resolution that the proceedings at Bathurst should be 'purely educational' and not bind in any way delegates who might find themselves elected to the Adelaide Convention—the proposal was withdrawn as an insult to their 'manliness'.<sup>8</sup> The women at Bathurst were confined to the gallery, as they had been at Corowa and would be again in the elected conventions.

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That is one qualification to the popular version of federation. The boundaries of the popular were also closely policed for any suspicion of disloyalty. At Corowa the challenge had come

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<sup>4</sup> Stuart Macintyre, 'Corowa and the voice of the people', *Canberra Historical Journal*, n.s. no. 33, March 1994, pp. 2–8.

<sup>5</sup> *Argus* (Melbourne), 24 January 1895. See also the commentary on this meeting in the *Bulletin*, 2 February 1895.

<sup>6</sup> *Daily Telegraph* (Sydney), 4 February 1895.

<sup>7</sup> *Argus* (Melbourne), 11 February 1895; G.H. Reid, 'The conference of premiers at Hobart', *Review of Reviews*, vol. 6, no. 2, 20 February 1895, pp. 149–53.

<sup>8</sup> *Sydney Morning Herald*, 17 November 1896.

from the New South Wales radical E.W. O'Sullivan and the Victorian Socialist Dr William Maloney. They submitted the proposal:

That while approving of federation, this meeting desires to state that the only federation which would be acceptable to the people of Australia would be one of a democratic country, embodying one man one vote and the direct expression of the will of the people.

This was disconcertingly specific and both speakers were repeatedly interrupted as they spoke to their proposal. The Victorian premier deprecated its contentious nature and appealed to O'Sullivan and his 'dear little friend' to withdraw the motion. O'Sullivan obliged over the protests of Maloney.<sup>9</sup>

Then in response to the motion 'That in the opinion of this Conference the best interests and the present and future prosperity of the Australian colonies will be promoted by their early union under the Crown ... ', Maloney declared Australia was marching towards a republic. Amid cries of 'No, no', 'Question' and 'Chair', the chairman called him to order. 'If that sort of question ... was not allowable', Maloney persisted, 'he would say that he trusted the Federation of Australia would go forward and bring about a civilisation that would wipe out poverty from our midst.' One or two other delegates ventured to make remarks on the same lines but were not allowed to proceed. Another Labor man wanted the conference to endorse the principle of 'one man one vote', but he was ruled out of order. The original motion was put and carried.<sup>10</sup>

At Bathurst there was a new nuisance: John Norton. In 1888 he had published his Australian edition of the American compilation, *The History of Capital and Labour*. In 1896 he acquired the newspaper *Truth* and made it a byword for populist radicalism. Thus, when the Bathurst People's Convention began debating the 1891 draft constitution, Norton put down a motion on the order paper that 'the time had arrived when the Australian provinces should federate as the United States of Australia on an independent national basis', and further proposed that the Governor-General be appointed locally rather than in London. His motion was negatived on the voices and the members of the Convention rose and gave three cheers for the Queen.<sup>11</sup>

On the fourth day of the Convention Norton tried again with an amendment to the clause on royal assent to legislation with an amendment that the royal assent must be given to bills passed by the new Commonwealth Parliament within a year or the law would automatically come into force. The chairman of the session ruled the motion out of order on the grounds that it would be against the Constitution.<sup>12</sup> Since the whole purpose of the Convention was to debate the 1891 draft and devise a new constitution for a federal Commonwealth, this seems an odd ruling.

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<sup>9</sup> *Age*, (Melbourne), *Argus* (Melbourne), *Sydney Morning Herald*, 1 August 1893.

<sup>10</sup> *Age* (Melbourne), 2 August 1893; *Argus* (Melbourne), 3 August 1893; *Official Report of the Federation Conference held in the Courthouse Corowa on Monday 31 July and Tuesday 1 August*, James C. Leslie, Corowa, NSW, 1893.

<sup>11</sup> *Sydney Morning Herald*, 18 November 1896.

<sup>12</sup> *ibid.*

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At the end of the week the politicians came from Sydney to add their blessings to the work of the delegates. As premier, George Reid repeated his usual flattery: 'The gathering showed him he was not far wrong in the belief he entertained that the only way of restoring the federal movement to its proper place in Australia was to place it upon the basis of the personal advocacy of the people themselves.' He made little reference to the work of the Bathurst Convention, and the chief novelty of his address was the announcement that he would make a personal appeal to the premier of Queensland that the people there would have a voice in the federal process. 'Many had thought', he added, 'that it would be impossible to get the people to rise to the dignity of the part which the conference at Hobart had designated for them, but he looked upon [the] gathering as an answer to that view.'<sup>13</sup>

The people, then, figured in the federal movement both as a political force and as a rhetorical device. Without the resort to the popular politics of the election and the referendum, the plan for a Commonwealth could not have been created; but the degree of participation in these activities fell some way short of a common enthusiasm. Like federation itself, the activities were conceived and designed by the politicians, who invoked the people and were duly answered.

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<sup>13</sup> *Sydney Morning Herald*, 21 November 1896.