

“DRAFTSMEN GO FREE”



**A HISTORY OF
THE ANTI-CONSCRIPTION MOVEMENT
IN AUSTRALIA**

BY

BOB SCATES

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Front cover photo: Courtesy of "THE HERALD" shows Draft Resisters Robert Scates and Ken McLelland outside Pentridge after their release. Picture: Ken Rainsbury.

Back cover photo of Bob Scates by Toni Chaffey.

ABOUT THE AUTHOR

Bob Scates was born in April 1950 in Sunshine, one of Melbourne's working-class suburbs. From 1964 to 1968 he lived in Mornington where he attended the local high school.

Bob joined the Elwood Branch of the Australian Labor Party and the Bayside Branch of the Young Labor Association in 1969. After a brief stint as an insurance clerk he was employed at Volkswagen on the assembly line in 1971.

In 1971 and 1972 he lived at DMZ, an anti-war centre at 574A Chapel Street, South Yarra. On April 26, 1972 he was convicted of refusing to obey a call-up notice and was sentenced to eighteen months in gaol. The election of the Whitlam Labor Government resulted in Bob being released from Pentridge on December 6, 1972.

In 1973 Bob Scates was elected as State Senior Vice-President of the Young Labor Association. In March 1982 he was elected an ALP member of Fitzroy Council. He remained a Councillor until August 1987.

Bob lives in Dover Street, Richmond and is now a community housing worker and active in issues concerning the rights of public and private tenants in Victoria.

ROLL OF HONOUR

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FOREWORD

Increasingly, much is being written, filmed and argued about the Australians who went to Vietnam. Surprisingly this is the first book about those who refused to go. Yet contemporary public debate focused heavily on the conscientious objectors and draft resisters, majority opinion shifting from hostility to sympathy as the truth and/or futility of the conflict became clearer.

Vietnam was a pivotal political period. It was the first major crisis for the products of the post World War II baby boom: it politicised campuses, it politicised and polarised the community, it drew half a million protesters onto the streets of our capitals. In 1966 it saw the ALP suffer one of its most humiliating political defeats. Finally, it was the key factor to ending 23 years of conservative government.

Those intense politics, the debates spanning the spectrum of socialist and communist thought, were the result of several ingredients — the burgeoning opportunities for tertiary education, the years of conservative government, a comparatively stable economy with high levels of employment. And Vietnam! We may never know how deep the intensity of those polemics would have run without Vietnam.

Ironically, today's levels of debate and involvement are minimal — in an economic and employment climate the debaters of that period would have considered hot for anti-establishment political debate and action. It was argued that any government presiding over unemployment rates of five per cent or more could not survive. It prompts us to ask whether a Vietnam today would arouse the same passions?

I hope so. For many of my generation there is an almost romantic aura around those years and their culture. But at grassroots Vietnam was about millions of Vietnamese fighting and dying for their autonomy against aggression. We battled with police horses in the streets of Melbourne and returned home ideologically content. They died in their millions.

This is not to denigrate the dovetail role of the worldwide anti-war movement in the final result, nor that of the 18, 19 and 20 year olds who had the maturity and courage to comprehend and resist the lies about Vietnam. For that courage they sacrificed their freedom, directly in gaol cells, indirectly within the confines of the underground network they were forced to establish, with its accompanying mental anguish of never knowing when the next knock may remove even that limited freedom.

Bob Scates describes the history of the period. It is not the definitive story, nor the personal anecdotes of a man who himself spent eight months in Melbourne's Pentridge prison before his release on December 6 1972, four days after the change of government. He avoids the personal, the human stories of draft resisters and their supporters defying an immoral, decaying government, and opts for the cerebral. It is an important, albeit surprisingly belated, history of the period.

Many human and political stories will be told, individual stories of draft resistance, of the underground network, the protests, the organisation, the internal struggles and debates. Of the people radicalised by the war and their subsequent development — some are still fighting the system, any a part of it. In similar circumstances where would this latter group stand today? Would they become the perpetrators of the lies and the deceit?

Who knows! We can only hope we don't have to find out. But that is as optimistic as we can be in world where the same philosophical madness which led to Vietnam still prevails. A world where the merchants of death still boast the most profitable industry,

where surplus food production is jettisoned because it is non-profitable while millions starve, where standards of living could rise dramatically if world arms' spending were transferred to common good.

Vietnam taught world leaders to be wary of conflicts which may be bottomless pits — and little else!

Ironically, the truth is being stood on its head. As the reality of the aggressors' defeat fades against Washington's sabre-rattling in Latin-America, the young men who swallowed the lie are being portrayed as the heroes. Feed Rambo to a new generation.

This is a clear disservice to the gallant men who fought conscription. The conscripts hoodwinked by their government deserve fair and honest treatment, but it is improper to convert them into heroes.

This book is a history of the real heroism of conscription. As new generations are represented by a slogan I saw some time ago ('Mummy, what was Vietnam?'), it is important that Australians remember that period, and understand it.

Kevin Healy
March 1988

CHAPTER ONE

EARLY DAYS

In the fight against conscription of labor and life, the Labor Movement finds itself also compelled to fight certain men whom it put into high places to serve the movement, and not to betray it. Unity of action is therefore now more essential than at any time in Australia's history. If the Labor Movement loses, it means that corruption, treachery and reaction win. Fight then you must for your life, your cause, your liberties.

John Curtin¹

CANBERRA — Australia will have a self-contained military task force of 4,500 men — including more than 500 national servicemen — in Vietnam by the middle of this year. The Prime Minister (Mr Holt) announced last night the Government's decision to treble the number of Australian servicemen in Vietnam . . .

To maintain the increased commitment in Vietnam, the Government had decided to continue the National Service intake at 8,400 a year. Government members cheered and Labor MPs jeered when Mr Holt announced the decision to send more servicemen to Vietnam. Mr Pollard (Lab., Vic.) shouted repeatedly 'Will they be conscripts?' When Mr Holt said he was sure that members of Parliament would appreciate the necessity for the Government's decisions, the Leader of the Opposition (Mr Calwell) interjected, 'We don't'. Labor members continued to protest as Mr Holt said: 'Australia cannot stand aside from the struggle to resist the aggressive thrust of Communism in Asia and to ensure conditions in which stability can be achieved. Our own national security demands this course.'

Departing from the text of his prepared statement, the Prime Minister leaned across the table of the House and demanded: 'Do honourable gentlemen opposite deny that?'

When Opposition members shouted 'Yes', Sir Wilfred Kent-Hughes (Lib., Vic.) retorted: 'Peking puppets'.

This *Age* report of March 9, 1966, was not the first time political parties had clashed over the conscription of young men into the military forces.

Australia's first system of universal compulsory military training, or conscription, was established by government proclamation on January 1, 1911.

The scheme was opposed by Quakers, some Protestant church people and a minority within the Labor Movement. The early scheme saw young boys participate in army style drills in halls around the country — usually without any form of arms. Many were able to claim exemption on a variety of grounds: distance from the drill hall, or even their notoriously bad character. However, many young boys were fined for not registering and between 1911 and 1914 some 5,732 brief periods of imprisonment were served.²

Declaration of war in 1914 saw an initial offer to Britain of an Australian armed force of 20,000. In July 1915 the *War Census Act* authorised the stocktaking of both wealth and manpower. Billy Hughes, then Labor Attorney-General, denied the stocktaking was a fore runner to conscription.

In 1915 a Universal Service League was formed, its express aim being the re-introduction of conscription. Supporters included the Labor Premier of New South Wales, W. A. Holman. By October 1915 Billy Hughes was Prime Minister of Australia. After spending the first part of 1916 in England at the request of the British Government, he returned to Melbourne on July 31. Thousands of cheering supporters lined the streets.

Mr Hughes returned to Australia from Britain at the end of July 1916. The supporters of compulsory overseas service were assured that his experiences and expressions of unqualified support for the imperial cause must now lead him to introduce conscription. On 2 August 1916 an editorial in the *Sydney Morning Herald* expressed its confidence in the Prime Minister's intentions.³

By mid 1916 Australian losses in the war in Europe totalled 28,000 killed and wounded. Voluntary recruiting in Australia began to lag. After his return to Melbourne, Hughes received a request from the British Government for a further 20,000 Australian troops immediately and 16,500 in each of the following three months. On August 30, 1916, he announced that a referendum would be held on the question of compulsory overseas service. Catholic Archbishop Daniel Mannix of Melbourne was one of the most vocal opponents of the bill. Although Hughes portrayed the anti-conscriptionists as disloyal, the referendum result on October 28, 1916 went against the Prime Minister — by a majority of only 72,476 of the 2,247,590 formal votes cast.

Historians have produced numerous interpretations of voting in the referendums but still cannot find a convincing explanation for the outcome which surprised most Australians at the time. Canberra researcher, Ann-Mari Jordens, suggests that women, migrants, farmers, men of military age and those living in West Australia tended to be strongest in their support of the introduction of conscription and that Catholics and organised labour tended to be most opposed.

On November 4, 1916 the Labor caucus carried a vote of no confidence in Hughes. Twenty-three of the sixty-five Labor Parliamentarians walked out of the Labor Movement with Hughes. In January 1917, the Labor renegades combined with the conservative opposition to form the Nationalist, or "Win-the-War" Party. Hughes was hated by the Labor Movement with magnificent intensity from this point on.

Recruiting for the war, now in its third year, was languishing in 1917. In November, Hughes announced that a second conscription referendum would be held and vowed to resign as Prime Minister if the electorate did not support his proposal. After an equally bitter campaign, the second referendum was rejected on December 20, 1917.

At the outbreak of World War II in September 1939 the conservative Menzies Government had at its disposal a militia of 80,000. On September 7, 1939, Menzies told the Australian Parliament that there would be no conscription for overseas service. However, he pointed out that Australia's *Defence Act* imposed a universal obligation to serve within both the Commonwealth and its Territories during wartime.

In June 1940, a special Federal Conference of the Labor Party passed general resolutions which gave broad support to the Menzies Government's war policies. Opposition Leader John Curtin supported the majority resolution.

Following the defeat of the conservative parties on the floor of the House of Representatives in October 1941, John Curtin became Labor Prime Minister. By November 1942, Curtin was convinced of the need for conscription within. Although during World War I Curtin had been a fierce opponent of conscription, he now argued that Australia faced a real threat of a Japanese invasion.⁴

The Melbourne special conference of the Australian Labor Party in November 1942, saw Prime Minister Curtin move:

That, having regards to the paramount necessity of Australia's defence, as set out in Section 5 of the special resolution adopted in June 1940, by the Federal Conference, the Government be authorised to add to the *Defence Act*, in the definition of the Commonwealth which at present defined the territories to which the Act extends, the following words: 'And such other territories in the South-West Pacific area as the Governor-General proclaims as being territories associated with the defence of Australia.'⁵

Graham Freudenberg recorded that Arthur Calwell and fellow Labor MP, Eddie Ward, had reduced Curtin "to tears and resignation by their methods in opposing Curtin's efforts to get approval of conscription for overseas service in war time."⁶

In his autobiography Calwell wrote about his 1942 clash with Curtin:

My relations with Curtin over the conscription issue were extremely bad. In the World War I anti-conscription campaign, he filled a splendid role and I was one of his greatest admirers. But after the 1942 Federal Conference decided in favour of the Curtin plan for conscripting Australians into the Pacific zone as holding forces when General MacArthur went north, I felt Australia had already done more than its share in three continents.⁷

In 1964 a young Liberal backbencher, Malcolm Fraser, was to taunt Calwell over his opposition to conscription during World War II.⁸

Kim Beazley (senior), a minister in the Whitlam Government (1972-1975) described the way in which Curtin handled the conscription issue in 1942-1943:

Where Hughes had ignored the movement as a whole and had dealt only with the Parliamentary Party, Curtin assumed that the outside movement could be won to his policies . . . The attacks made on him in the Parliamentary Party were neutralised . . . There are, of course, differences of situation in the two World Wars. The battlefields of 1914-1918 were remote, of 1941-1945 near. But the fundamental difference is that Curtin was profoundly trusted in the Labor Movement.⁹

In January 1943, the National Labor conference re-assembled and Curtin's proposal was carried despite opposition from Senator Donald Cameron, Arthur Calwell, and other delegates. Curtin died in 1945 and former engine driver, Ben Chifley, became Prime Minister. The Chifley Government ended the conscription scheme shortly after the surrender of the Japanese armed forces in 1945.

In December 1949, the Liberal Party, led by Robert Menzies, defeated Labor at the polls. The outbreak of the Korean War in August 1950 and the change of Government saw the re-introduction of conscription in a different form, the National Service Training (NST) scheme.

Despite the Labor Party's opposition the NST scheme was implemented in July 1951. There appeared to be no significant or organised opposition to the scheme which required 18 year olds to undergo 176 days' training in one of the armed forces over a period of five years. This form of compulsory training was restricted to males. The objective was to provide a relatively large number of partially trained men who could be mobilised at short notice to fight in any emergency. The scheme continued until 1959, although it was partially abandoned in 1957.

In the 1950s, as well as Australian combat troops serving in Korea, diggers were also sent to Malaya and Borneo as peacetime support forces. During this Cold War period many people on the extreme right of the political spectrum called not only for the continuation of NST, but for the extension of conscription to all young males.

In September 1957, Ngo Dinh Diem, president of South Vietnam, visited Australia. Catholic Bishops from all over Victoria welcomed Diem to Raheen, the Kew home of Melbourne's Archbishop Daniel Mannix. In press photographs the bishops were joined by Diem and B. A. Santamaria of the National Civic Council. Diem was wined and dined by the Governor-General, Sir William Slim, and the Prime Minister, Robert Menzies.

On April 2, 1957, Richard Casey, the External Affairs Minister, said:

In South Vietnam there has been most heartening progress in recent years towards political and economic stability. Less than three years ago the country was torn by dissident sects and private armies and gravely threatened by the Communist Viet Minh. Now internal security in South Vietnam is better than in most countries in South-East Asia and President Diem's Government has won widespread popular support . . . What President Diem and colleagues have achieved in South Vietnam provides an example and inspiration to the whole area. They have shown that, even when conditions seemed nearly hopeless, resolute and courageous leadership can turn the tide. The Republic of Vietnam has become a valued member of the free community of South-East Asia.¹⁰

In November 1961, the State Department in Washington approached the Australian Ambassador, Sir Howard Beale, to ascertain whether Australia would consider providing a measure of non-combat military assistance to South Vietnam. The Menzies Government had been returned to office on December 9, 1961 with a majority of only two in the House of Representatives. At a meeting held on December 14, Defence and External Affairs officers discussed support for the government of South Vietnam and recommended that small arms and ammunition should be offered to Saigon.

On May 24, 1962, the Defence Minister, Senator Athol Townley, announced that Australia would send thirty army instructors to Vietnam at the invitation of the Diem Government. Almost immediately sections of the trade union movement attacked the Menzies Government decision. The Queensland Trades and Labor Council as early as May 9th had expressed its opposition to what is called 'the use of Australian troops to launch aggression against the people of South Vietnam'.¹¹ Various branches of the Seamen's Union as well as the Fire Brigade Employees Union, the Builders Labourer's Federation and the Waterside Workers Federation passed resolutions against the sending of Australian "advisers" to South Vietnam. The Hobart Trades and Labor Council demanded that no Australian troops be sent to South-East Asia.

Sir Wilfred Kent-Hughes raised again the possible re-introduction of conscription. He asked the Minister for Labour whether:

The machinery for re-instituting national service training was being kept well-oiled in case the Government realizes that we cannot discharge our responsibilities in South-East Asia without it?¹²

Kent-Hughes expanded on his support for conscription when he told Parliament:

Personally, I believe that the best way to tackle the problem is through national service training of at least twelve months for each trainee. I am not going into the civilian side of the question. Defence training is almost the same as being in a technical school.¹³

Kent-Hughes was one of several Liberal backbenchers who spoke frequently of the danger of communism — especially Red Chinese communism — and the threat to South-East Asia. The leading pro-conscription lobby was the Returned Services League (RSL), which, in its 1963 *Annual Report*, declared:

It becomes increasingly obvious that if Australia is to meet its military obligations we must have a system of compulsory military service in one form or another. As members of the most privileged country in the world, the RSL considers that this is the least we can expect of Australian citizens.

In terms of our overseas obligations in the SEATO and ANZUS pacts it is interesting to note that of all the countries involved, Australia and Britain are the only ones not employing a compulsory service scheme . . . The League believes that with even the best results from recruiting, Australia's military forces cannot be employed to the full extent of our obligations, and subsequently maintained without compulsory military service.¹⁴

The RSL found many enthusiastic supporters amongst Federal Liberal Parliamentarians including Malcolm Mackay, John Jess and Sir Wilfred Kent-Hughes.

Certainly, there is evidence that the RSL leadership had strong links with the pro-conscription sections of the Liberals. As early as 1957 Tasmanian Labor Senator, Justin O' Byrne, described the RSL as being little more than a sounding board for the Federal Liberal-Country Party. In 1951 Bill Keys, to become National President of the RSL in 1978, had stood as an unsuccessful Liberal candidate for the Federal seat of Eden-Monaro in NSW.

The RSL had supported Menzies in his attempt to ban the Communist Party at a referendum in 1951. Much later the NSW branch of the RSL under Sir William Yeo expelled one member M. I. Waddington on June 7, 1967 for opposing RSL policy on Vietnam and conscription. Two months later on legal advice, and facing the likelihood of successful appeals by Waddington and another suspended member, the branch reinstated the two expelled members.

By 1963 opposition to Diem amongst his Vietnamese and American "friends" had increased dramatically. In 1961 the US Vice President, Lyndon Johnson, had described Diem as "the Winston Churchill of South-East Asia". However reporters based in Saigon began to probe official claims, exposing the lies of Government officials and the deteriorating security situation.

The Santamaria National Civic Council (NCC) was one far-right Australian political group which supported Diem right to the grave. At the Annual NCC conference a board member of British Petroleum (BP), B. J. Callinan, delivered a eulogy to Diem. In 1971 as Deputy Chancellor of La Trobe University, Callinan was to become a target of anger from radical students.

The crisis of May 1963 began the world-wide television coverage of the war. A protest rally was held at a central Saigon intersection during which a Buddhist monk, Thich Quang Duc, burnt himself to death on June 11 as a plea for justice and peace and in protest against Diem. The death of the monk gained world-wide television and press coverage.

With the knowledge and tacit support of the United States Government a coup overthrew Diem on November 1, 1963. Both Diem and his brother were executed by being shot in the back of the head. It appears that at the last minute the US Government got cold feet about the proposed coup — President John Kennedy cabled Ambassador

Henry Cabot Lodge on October 29, 1963, expressing fears about the likely success of replacing Diem quickly.

Even after the overthrow of Diem, Australia's External Affairs Minister, Garfield Barwick, described the dead dictator as "a sincere patriot, although some of his internal policies in recent times appeared to have lost him the popular support that was necessary to the continuance of his government".¹⁵ Diem was succeeded by a series of short-lived military regimes in Saigon which came to power in overnight coups. Despite the death of Diem, Australian politicians on the conservative side continued to pledge support for the fight against communism. In a statement in June 1964 after a visit to South-East Asia, External Affairs Minister, Paul Hasluck said:

There is no doubt that the North Vietnamese regime is directing, supporting and controlling the insurgency in South Vietnam. Part of this was simply Annamite aggressiveness and the desire to dominate their neighbours, but part is the determination of China to establish Chinese hegemony throughout South-East Asia, working in the first place through the agency of her North Vietnamese puppets.¹⁶

After the assassination of US President John Kennedy in November 1963, Vice President Lyndon Johnson moved into the White House. Four days later, in a secret memorandum, he rejected Vietnamese National Liberation Front (NLF) offers of peace talks. Both Menzies and Calwell made emotional speeches in the House of Representatives in tribute to the late US President. Calwell told parliament:

I want to say only a few words about the person who was taken from this earth so suddenly and in such shocking circumstances in November of last year. A great and good man died and a generous and noble heart ceased to beat when John Fitzgerald Kennedy, the thirty-fifth President of the United States, fell before an assassin's bullet at Dallas, Texas, on November 23, 1963.¹⁷

In June 1964, the Australian Government sent a further thirty army regulars, the so-called "advisers", along with six Caribou aircraft to South Vietnam. The additional commitment was welcomed by President Johnson:

I don't know when a news announcement has given our country more comfort and been received with greater satisfaction than the announcement made last week that the people of Australia were ready and anxious to make their contribution of men, materials and equipment alongside our men who are fighting for freedom in South Vietnam.¹⁸

The first Australian to die in Vietnam was an adviser, William Francis Hacking who was accidentally killed on 1 June, 1963 near the city of Hue.

In June 1964 Prime Minister Menzies visited Washington for talks on Vietnam.

On July 6, 1964 another adviser, Kevin George Conway, was killed in action near the US base at Da Nang.

On August 2, 1964 North Vietnamese torpedo boats attacked the US destroyer Maddox in the Tonkin Gulf. The only damage to the American ship was a one inch bullet hole. However, Johnson believed the North Vietnamese should be taught a lesson. US forces in Vietnam went on the alert and the Maddox remained in the Gulf and was reinforced by a second destroyer, the Turner Joy.

Johnson ordered retaliatory air strikes against North Vietnam. The bombing – code named Pierce Arrow – was the first overt attack on targets in North Vietnam.

On August 7, 1964 both houses of Congress voted to support Johnson's actions. Only two Senators, Wayne Morse and Ernest Gruening voted against what became known as the Tonkin Gulf Resolution. The Menzies Government wasted little time in giving public support to the US actions.

The first anti-Vietnam war protests in Australia took place at the Hiroshima Day anniversary marches on August 9, 1964. In the Sydney protest, estimated to be 2,000 strong, many demonstrators carried "No War In Vietnam" placards. The earlier Gulf of Tonkin incident and US retaliation in November resulted in the first protest outside the US consulate in Melbourne.

In the parliament a few days later (August 13) some ALP politicians, including Cairns and Uren joined in the condemnation of the American reaction to the Gulf of Tonkin incident.

The Congress for International Co-operation and Disarmament (CICD) organised a national conference for the week October 25-30, 1964 in Sydney. Six hundred and seventy Australians including Anglican bishops Cranswick (Hobart), Moyes (Armidale, NSW) and Garnsey (Melbourne) sponsored the congress.

Attorney-General, Bill Snedden, warned of the Communist origins of CICD in the parliament on October 22, 1964. Discussion on Vietnam was limited but one participant, Mrs E. B. Gale delivered a paper called *Australia's Relations with Asia-Vietnam* in which she called for the gradual re-unification of the country.

During the 1964 US election campaign Johnson was still anxious to be seen as less hawkish than his Republican opponent, Senator Goldwater, who was on the record as supporting tactical nuclear strikes against North Vietnam. Three days before the US elections NLF forces attacked the major air-base at Bien Hoa. The US forces did not respond. At the same time the incumbent (Johnson) was secretly considering plans to escalate the war. On November 3, 1964, Johnson was re-elected President.

Only days after Johnson's re-election his Assistant Secretary of State, William Bundy, drafted a memorandum which said that the President was thinking in terms of maximising the mileage gained from the Gulf of Tonkin incident. Bundy recommended consultation with America's allies — United Kingdom, Australia, New Zealand and Thailand — in relation to escalating the war. On December 4, 1964, Bundy flew to Australia to brief the Menzies Government on US plans for bombing North Vietnam and further escalation of military activity.

In January 1965 Defence Minister, Senator Shane Paltridge, visited South-East Asia. The daily press began a campaign to highlight the need for more Australian assistance to Vietnam. In an editorial, the *Sydney Morning Herald* expressed the view:

It is to be hoped that the announcement of further aid which Senator Paltridge is expected to make when he visits Saigon will not just amount to the announcement of more 'technical assistance'. Limited as our military resources are, demanding as are the needs of the Malaysian crisis, South Vietnam is still our fight.¹⁹

As late as October 26, 1964, Menzies' ministers were still disclaiming any intention of introducing a new national service training scheme. In Hobart, Army Minister, Jim Forbes, told a RSL conference: "I could perhaps say that we have not introduced conscription up to this point in time because our military advisers have indicated in the clearest and most unmistakable terms that it is not the most effective way of creating the army we need to meet the situation we face."²⁰

In the House of Representatives on November 10, 1964, Prime Minister Menzies announced the introduction of a conscription scheme very different from the part-time citizens militia of 1950-1959. Twice a year all males, upon reaching the age of twenty, were required to register and a certain number would then be selected by ballot for two years of military training service in Australia or elsewhere.

Certain males were exempt from having to undertake military service if called up. These classifications included:

1. Some persons subject to a prescribed physical or mental disability.
2. Students of theology.
3. Ministers of religion.
4. Members of a full time religious order.
5. Conscientious objectors.
6. Full blood Aborigines.

Other potential conscripts could defer their liability for military service. Of these, tertiary students were the largest group numerically.

The Australian ambassador to America, Keith Waller, informed the US Government on November 12, 1964 that the Menzies Government intended a large expansion of the army and advised the US administration of the introduction of conscription. Greg Pemberton in *All The Way* states that Rusk was pleased at the announcement and placed great importance on the ability of America's ally to be able to react quickly. Only twelve days later External Affairs Minister, Paul Hasluck arrived in Washington for talks with McGeorge Bundy. The Minister for Air, Peter Howson, on the same day (24 November, 1964) met General Curtis Lemay and the Deputy Secretary of Defense, Cyrus Vance. He appears to have been well received by his American guests who saw Howson as a minor political figure but one who was prepared to push the US for a more hawkish line on Vietnam. This suited Lemay who later incurred the hatred of the peace movement when he called for the bombing of North Vietnam "back into the Stone Age."

Prime Minister Menzies told the House of Representatives of the government's reasons for the introduction of the new conscription scheme:

After an examination of all the factors, and in full consultation with our military advisers, we have reached the conclusion that the Regular Army should be built up as rapidly as possible from the present 22,750 to an effective strength of 33,000 men, which means a total force of 37,500 . . .

The Government has given the most careful consideration to the means by which the Army's manpower requirements may be achieved. It seems clear, on our military advice and our own carefully formed judgement, that we cannot expect by voluntary means to achieve a build-up in the Army's strength of the order we require and to the timing which is necessary. We are living in a period of unsurpassed prosperity and more than full employment the attractions of civilian employment are very great indeed.²¹

The Labor Leader, Arthur Calwell, replied:

Let me say unequivocally that the Labor Party opposes utterly and absolutely, conscription for the youth of this country for service overseas in peace time. But when it is proposed, as the Government does now, to conscript one in thirty of the boys eligible each year, rank injustice will be piled upon utter folly. These boys,

with not only their careers, but possibly their lives at stake, are to be selected by some form of lottery, or Russian roulette. Someone has called the lottery a lucky dip. Should it be called an unlucky one? One will go and twenty-nine will stay. Is this equal treatment before the law? Such a system will open the door for the exercise of every kind of privilege and pressure, and in the end it will mean that those selected, even if the euphemism used is 'not exempted', will be young fellows whose families lack influence and friends . . .

Why then has the Government decided to introduce a conscription plan of this sort? It cannot be because of an immediate emergency, because the plan will not begin to operate for nine months, and will show no results for two or three years. It cannot be that the Government wants a more effective Army, because as I have shown on the evidence of its own military advisers, it will actually weaken the effectiveness of the Army. It cannot be that voluntary recruitment has failed, because voluntary recruitment has not failed.²²

The Sydney University Liberal and ALP clubs convened a joint meeting to protest at the new conscription laws on November 11, 1964. At this meeting the possibility of non-registration for conscription was suggested for the first time. The first overseas street demonstration against the conscription laws was held in London when supporters of the anti-conscription committee picketed Australia House and delivered a letter of protest to the Australian High Commissioner on February 26, 1965.

In the first registration period all males whose twentieth birthday fell between January 1 and June 30, 1965, were required to register for the call-up by the first week of February 1965.

At a protest meeting held at the Sydney Town Hall on November 29, 1964 an attendance list was circulated amongst the audience of about 600. This list was to form the initial mailing list for the first anti-conscription group of the 1960s — the Youth Campaign Against Conscription (YCAC). Trevor Ashton, Charles Smith and Barry Robinson were three of the organisers. Twelve members of this group organised a demonstration outside the Melbourne office of the Department of Labour and National Service on March 10, 1965 to coincide with the drawing of marbles for the first ballot.

The first newspaper advertisement against the conscription laws appeared in *The Australian* of June 19, 1966. It followed only a few weeks after US bombers had hit targets in North Vietnam. In part the advertisement read:

The undersigned young Australian male citizens, being of an age making us liable for military service, declare that WE OPPOSE OVERSEAS CONSCRIPTION because we believe we may be sent to fight in Vietnam. . . This would be a moral wrong and unjust call upon our lives by the government of our country. We share a fundamental belief that to safeguard the future of our nation Australia's role in these perilous times is to seek an end to South-East Asian disputes, through negotiations for peaceful settlements — not to pursue the murderous path to world conflict through prolonging the slaughter in Vietnam.²³

The advertisement was signed by 144 twenty year olds, and concluded with an appeal to others of that age group to pledge support for the campaign against overseas conscription.

One of the strongest opponents of the war was the former policeman and federal Labor member for Yarra, Dr Jim Cairns. Cairns had clashed with Menzies in parliament several times. Cairns asked:

Has he [the Prime Minister] seen photography of South Vietnamese government forces carrying on a pole the heads of members of the Viet Cong, photographs showing a member of the Viet Cong being used as a human mine detector, and other photographs showing South Vietnamese government troops sticking knives into the bodies of captured Viet Cong personnel to obtain statements from them? Can he say whether these photographs are genuine?²⁴

With typical Menzies' sarcasm, the Prime Minister replied:

I have not seen these photographs. I can well imagine that the people of South Vietnam do not love members of the Viet Cong, and I should imagine the feeling is reciprocated. I do not know whether the honourable gentleman has gone to the trouble of getting pictures of the Viet Cong massacring innocent villagers, cutting people's throats, and dropping bombs into places where ordinary civilian people exist. If he does come into possession of some of these it will be no surprise to me, but it would be very illuminating to him.²⁵

Yet despite Calwell's strong anti-conscription sentiments, there was little difference between the Government and ALP politician's views on Vietnam up until mid 1965. On February 18, 1965 the Federal ALP's Foreign Affairs Committee concluded that the US bombing of North Vietnam was "based on the aim of shortening the war and achieving a negotiated settlement". To his credit the Opposition Leader (Calwell) did ask for information about the type of weapons being used by the Americans in Vietnam.

Apart from Calwell and Cairns, Tom Uren was Labor's most vocal critic of Australia's involvement in South-East Asia. Uren was federal member for the Sydney suburban seat of Reid. He was a former ex-heavyweight boxer. As a World War II POW of the Japanese, Uren developed a hatred of war. His relations from the early 1960s until the mid 1970s with Cairns were always close.

The Vietnam Action Committee (VAC) was formed on August 10, 1965 with branches in Melbourne, Sydney and Hobart. The VAC was active in organisation of the Hiroshima Day rallies (August 11, 1965) and later was responsible for the blocking of Pitt Street in central Sydney on a Friday afternoon (October 22, 1965). At this demonstration police arrested sixty-five protesters.

As well as YCAC and VAC other anti-conscription groups were launched in 1965. At a Sydney meeting on June 5, an organisation called Save Our Sons (SOS) was formed by mothers and other women opposed to the war and the draft. Jean McLean convened the first Melbourne meeting of SOS in 1966. Twenty years later she was to recall that initial gathering of about thirty women:

While not exactly radical women, they were politically aware and very concerned about conscription. The issue of being against the Vietnam war came later. These were mainly against conscription as such. In fact, one woman refused to have Vietnam even mentioned in our aims. Our aims were that we were against conscription for overseas service. She didn't stay with us very long. She wanted it all to happen without politics entering into it at all.

There was a group in Sydney who paralleled but were independent of ours. They had named their group Save Our Sons and we thought it a good idea to give our group the same name, but at no stage were we ever a national organisation. Ours was Victoria based and similar groups formed in Tasmania, in Wollongong, in Newcastle. We went to Canberra to lobby together a couple of times, but we had

decided very early in the piece that it was much too expensive to be travelling interstate for meetings. It was difficult to raise the money and we had many other things that we had to spend money on.

As a movement we had very loose rules. We held monthly meetings at the Assembly Hall in the city, where we discussed tactics. Quite often we had to make decisions on the run. We couldn't always carry out what we planned. Sometimes we had to do things that we couldn't let anyone know about.

SOS was mainly a women's group but it wasn't a feminist group as such. We didn't have any rules barring men, but as it was a daytime activity and in those days there were a lot of women who didn't work, they tended to be the ones who mainly got involved.

At its height we had 500 people on our mailing list in Victoria and we had many more supporters.²⁶

In a letter dated December 18, 1964, Menzies advised President Johnson that Australia was unable at that time to provide a significant increase in the number of advisers in Vietnam at that time. But the next few months saw increased American pressure on both the Australian and New Zealand Governments to consider providing combat troops. Menzies conferred with Australian Ambassador Waller in Washington on January 26, 1965 when the former passed through on route to the funeral of Winston Churchill in London.

In late 1964 the Australian cabinet began to consider whether to increase the number of advisers serving in Vietnam. An interim decision announced on January 18, 1965 was made to increase the Australian force by a further 17 men, bringing the total strength of diggers to 100. A US view that it would be beneficial for Australia to have ground forces rather than merely advisers was conveyed to Canberra. On April 13, 1965 the Australian government formally offered to send a battalion of troops to Vietnam. This offer was accepted with enthusiasm by the US Secretary of State, Dean Rusk. The Australian ambassador in Vietnam, David Anderson cabled Canberra on April 29, claiming that consultation between the governments of South Vietnam and Australia concerning the decision to commit the battalion had been minimal.

On March 2, 1965 Johnson gave the order for sustained aerial bombardment of North Vietnam and the dispatch of two battalions of marines to South Vietnam. Only four weeks later the US committed massive numbers of ground forces to Vietnam and further diplomatic requests for assistance were made to the Governments of Korea, New Zealand and Australia.

On April 25, 1965 (ANZAC Day) the First Royal Australian Regiment (1RAR) provided a Guard of Honour in Canberra for the celebration of the fiftieth anniversary of the Australian landing at Gallipoli during World War I. The road which led to the Australian War Memorial was to be opened and, appropriately, named ANZAC Parade. There was nothing to suggest that, in less than a week's time a critical announcement would be made by the Prime Minister concerning the role Australian soldiers were about to play in South-East Asia.

The Australian Government's decision to send an infantry battalion to Vietnam was announced in the House of Representatives by Prime Minister Menzies on April 29, 1965:

The Australian Government is now in receipt of a request from the Government of South Vietnam for further military assistance. We have decided — and this has been

after close consultation with the Government of the United States — to provide an infantry battalion for service in South Vietnam. In case there is any misunderstanding, I think I should say, Sir, that we decided in principle some time ago — weeks and weeks ago — that we would be willing to do this if we received the necessary request from the Government of South Vietnam and the necessary collaboration with the United States. This is not to be regarded as something that has suddenly arisen out of more recent events.

There can be no doubt of the gravity of the situation in South Vietnam. There is ample evidence to show that with the support of the North Vietnamese regime and other Communist powers, the Vietcong has been preparing on a more substantial scale than hitherto, insurgency action designed to destroy South Vietnamese Government control, and to disrupt by violence the life of the local people. The rate of infiltration of guerillas from North Vietnam has been increasing.²⁷

Two days later Opposition Leader Calwell, told the parliament:

The over riding issue which this Parliament has to deal with at all times is the nation's security. All our words, all our policies, all our actions, must be judged ultimately by this one crucial test: what best promotes our national security, what best guarantees our national survival? It is a test which the Labor Party has applied to the Government's decision to send 800 men to fight in Vietnam. We oppose it firmly and completely . . .

It is the Government which has brought this tragic situation about and we will not shirk our responsibilities in stating the views we think serve Australia best. Our responsibility, like that of the Government, is great but, come what may, we will do our duty as we see it and know it to be towards the people of Australia and our children's children. Therefore, I say, we oppose this decision firmly and completely . . .

How long will it be before we are drawing upon our conscript youth to service these growing and endless requirements? Does the Government now say that conscripts will not be sent? If so, has it completely forgotten what it said about conscription last year? The basis of that decision was that the new conscripts would be completely integrated in the Regular Army. The voluntary system was brought abruptly to an end. If the Government now says that conscripts will not be sent, this means that the 1st Battalion is never to be reinforced, replaced or replenished. If this is not so, then the Government must have a new policy on the use of conscripts — a policy not yet announced. Or, if it has not changed its policy, the Government means that the 1st Battalion is not to be reinforced, replaced or replenished from the resources of the existing Regular Army. Which is it to be? There is now a commitment of 800. As the war drags on, who is to say that this will not rise to 8,000, and that these will not be drawn from our voteless*, conscripted 20 year olds?²⁸

In general the media were strong in support for the Menzies Government decision in relation to Vietnam. The *Bulletin* editorialised:

The decision to send the first Royal Australian Regiment to Vietnam has been welcomed throughout Australia, although enthusiasm will be tempered by a heavy heart since Australian casualties in that dirty war are inevitable. But it has been plain to the whole world that South Vietnam is Australia's front line and that the South are

* (Until 1973 the voting age was 21 years old.)

Australia's interests as much as their own. Since the loss of that country to the Communists would inevitably be followed by the Communalisation of the rest of South-East Asia.²⁹

Of the mainstream press only the *Australian* was to express early reservations about conscription and our increasing involvement in Vietnam:

The Menzies Government has made reckless decision on Vietnam which this nation may live to regret. It has decided to send Australian soldiers in to a savage revolutionary war in which the Americans are grievously involved — so that America may shelve a tiny part of her embarrassment.³⁰

The timing of the Menzies announcement was of great importance. The press had already got wind of the Australian announcement forcing Menzies hand. The Australian Government needed a request from the Quat Government in Saigon but none existed. Throughout the day (April 29) there was contact between the Australian capital and the embassy in Saigon. Finally, as late as 6pm, a cable arrived from Dr Quat which could have been construed as an invitation for Australian infantry support. The later publication of the *Pentagon Papers* indicate that all decisions concerning Australian military commitments were taken without any reference to the Government of South Vietnam.

President Johnson for the first half of 1965 had doubts about the need to dramatically increase the number of US armed forces in South Vietnam. On July 2, 1965 he spoke on the phone to former President Dwight Eisenhower about the military options available to the United States. Eisenhower encouraged Johnson to take a stronger line. On July 27, 1965 Johnson raised the stakes in Vietnam by the commitment of American marines to South Vietnam. The ceiling of US forces was increased to 175,000 or thirty-four battalions. The president stopped short of taking the politically unpopular step of calling up US reservists.

The first group of NSW conscripts left Sydney's Central station on June 5, 1965, headed for Puckapunyal training camp. They were farewelled by a demonstration organised by YCAC and SOS.

In the first conscription lottery ninety-six out of 181 marbles were drawn (as birth dates) from Tattersall's lottery barrel — a total of 22,000 youths balloted in. The fourth registration period (July 1–December 31, 1966) saw only thirty-eight of the 184 dates drawn. The discrepancy in the percentage of youths selected by ballot did not go unnoticed by the anti-war movement.

Menzies retired and was succeeded by Harold Holt on January 26, 1966. Holt announced, on March 8, 1966, that the combat strength of Australian troops in Vietnam would be increased to 4,500. Holt told parliament:

The government has for some time been made aware of the desire of the government of South Vietnam that we increase the size of the Australian force there. There has been a very large build-up in the strength of the United States forces. It is evident that the allies must put forward an increased effort if military successes are to be achieved, and then followed effectively by the tasks of reconstruction. Honourable members will be aware that there are presently serving in Vietnam more than 1,500 Australian service personnel . . . the government has decided that the battalion will be replaced by a self-contained Australian task force under Australian command, embracing all personnel serving there, and enlarging our contribution to a total of some 4,500 men

— in effect, a trebling of the current strength of our military forces there.³¹

Clyde Cameron, MHR, later to become a minister in the Whitlam government, strongly opposed the increased level of Australian military involvement. In the debate Cameron declared:

The second step in the government's involvement in Vietnam has been the decision to conscript voteless national service trainees to fight a war that has not yet been declared a war. The second step springs from a motive that is even more indefensible than the one that produced the first step. The first step was the result of a 'diggers for dollars' deal. The second step was nothing better than a 'diggers for dividends' deal, which I will prove presently. For months now the Australian capitalists, who back this government, have been wanting to cash in on the blood money in Vietnam. The Australian Chamber of Manufactures has publicly declared it felt aggrieved that they had been left out of the rich profits that were to be had from the supply of arms and equipment to Australians and other troops risking their lives in Vietnam.³²

April 15, 1966 was an important date for the Anti-war Movement in Sydney. Some 250 people — a loose coalition of pacifists, Left ALP supporters and Communists — were involved in a demonstration against conscription and Vietnam.

After a period of some uncertainty by the Labor leadership, Calwell's position became stronger in relationship to his commitment to withdraw Australian troops from South-East Asia. In May 1966 Calwell appealed:

... for protests and demonstrations from one end of the country to the other against conscription for service overseas — right up to the next Federal elections.³³

Only three days later (May 13, 1966) Calwell told a Canberra press conference that a Labor Government would withdraw conscripts "without delay" and regulars "as soon as possible".³⁴

On April 19, 1966 the first Australian conscripts to serve in Vietnam left Sydney by air. They were members of an advance party for the 5th Battalion which marched through the main streets of Sydney on April 21 before boarding ship for South Vietnam.

The *Age* quoted one of the conscripts, Private Bill Gilders, "It's great", he said. "Why shouldn't they be sent? I don't know what all the fuss is about — if they can send regulars they can send us too."³⁵

Calwell, claimed in parliament that a Brisbane Sunday paper had conducted a poll on the issue of conscription. The Labor leader claimed 9,241 of the 10,383 people surveyed had been opposed to the sending of National Servicemen to Vietnam. The Prime Minister, Harold Holt, claimed that Left-wing organisations had bought large numbers of the newspapers and distributed them by wheelbarrow at an anti-conscription rally in Brisbane with an intention to rig the result.

An *Age* editorial at least gave credit to Calwell for his consistent views on conscription. It read, in part:

None can deny the sincerity of Mr Calwell's denunciation of the imminent dispatch of National Servicemen to Vietnam. Even in the darkest hours of the Second World War, he never wavered in his personal opposition to conscription. But his highly emotional campaign and his election promise to bring National Servicemen home from Vietnam and elsewhere demonstrates the depth of his feeling rather than the strength of his reasoning.³⁶

ENDNOTES – CHAPTER 1

1. John Curtin, Anti Conscription leaflet, World War 1, reprinted in *Socialist Fight*, June 1983.
2. Figures from R. Forward and B. Reece, *Conscription in Australia*.
3. J. M. Main, *Conscription — The Australian Debate 1901-1970*, p.40.
4. L. C. Jauncey, *The Story of Conscription in Australia*, p.211.
5. Forward and Reece, *Conscription in Australia*, report of November 1942 Special Labor Party Conference.
6. G. Freudenberg, *A Certain Grandeur*, p.8.
7. A. Calwell, *Be Just and Fear Not*, p.54.
8. See House of Reps., *Hansard*, November 12, 1964.
9. *Canberra Times*, March 1, 1966.
10. House of Reps. *Hansard*, April 2, 1957.
11. AICD records, Box 4.
12. House of Reps. *Hansard*, April 7, 1964.
13. House of Reps. *Hansard*, March 15, 1962.
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15. D. Marr, *Barwick*, p.183.
16. Hasluck, quoted in F. Frost, *Australia's War in Vietnam*, p.7.
17. Calwell, *Be Just and Fear Not*, p.236.
18. *Age*, June 25, 1964.
19. Freudenberg, *A Certain Grandeur*, p.46.
20. Address to Hobart RSL Conference, October 25, 1964. Quoted in Freudenberg, p.45.
21. House of Reps. *Hansard*, November 10, 1964.
22. House of Reps. *Hansard*, November 12, 1964.
23. *The Australian*, June 19, 1965.
24. House of Reps., *Hansard*, April 1965, p.615.
25. *ibid*.
26. G. Frydman, *Protesters*, p.17.
27. House of Reps., *Hansard*, April 29, 1965.
28. House of Reps., *Hansard*, May 1, 1965.
29. *Bulletin*, editorial May 8, 1965.
30. *The Australian*, editorial April 30, 1965.
31. House of Reps., *Hansard*, April 1965.
32. House of Reps., *Hansard*, April 1965.
33. *The Australian*, May 10, 1966.
34. *The Australian*, May 13, 1966.
35. *Age*, April 20, 1966.
36. *ibid*.

CHAPTER TWO

THE ALP AND CONSCRIPTION

The times are too critical, and the issue too grave, to allow meanness or cowardice, or 'standing in with the boss', to harass or handicap Australia's biggest achievement in industrialist action. Success is vital. Singly, individually, the workers are weakbound, together they are strong. Without unity the workers will be crushed and beaten. United, their class solidarity will break a traitorous government, astonish and hearten a continent, and serve the situation. In the meantime, those affected will wisely disobey the government's illegal, undemocratic and tyrannical proclamation. It must be resisted to the last ditch.

John Curtin¹

The Victorian ALP State conference in June 1965, had a number of local branch and trade union resolutions about conscription on the agenda, all critical of the re-introduction of national service. The Left-wing Amalgamated Engineering Union brought the following motion to the conference:

Conference protests against the introduction of compulsory military training for overseas service, and the huge increase in military expenditure adopted by the Menzies' government.

It strongly condemns the Menzies' government policy in relation to South-East Asia as a whole, as it can only increase the dangers of war, and it makes no contribution toward extending international co-operation and disarmament.

Conference draws attention to previous Menzies' government policy statements, such as that of 1956 which threatened the Australian people with war within three years.

Conference asserts that the introduction of compulsory military training in peacetime, involving compulsory service overseas, is against the tradition of the Australian people.

The method of choosing who shall be a conscript by a lottery of death is wide open to abuse to serve all manner of discrimination, prejudice and class bias.

Conference directs Central Executive to initiate a campaign to be followed through by the whole Labor party in Victoria, in conjunction with the Trades Hall Council, to secure the repeal of this legislation and to put forward in its place a positive policy, designed to promote international cooperation and disarmament.²

A year later Australian conscripts were fighting in Vietnam. The 1966 Victorian ALP conference was to spend quite some time debating Vietnam and conscription. Both Arthur Calwell (Melbourne) and Jim Cairns (Yarra), Victorian members of Federal Parliament, had a great deal of influence on the Branch where foreign affairs was concerned. The Caulfield State Electorate Committee forwarded this motion which was typical of the position of branches and unions:

Conference expresses its profound disagreement with the recent Government decision to triple Australia's military commitment to the undeclared war in Vietnam,

because it is another step toward making lifelong enemies for Australia in Asia and because Australia is taking part in a war in which it should have no part.

Further, conference condemns the decision to make national servicemen an integral part of the Australian commitment because the government made no real effort to recruit regular troops for such type of warfare, and instead, is pursuing a vital policy for which it has no mandate from the electorate.³

However, the mandate from the electorate was not too far away. Prime Minister Holt announced that the Federal election would be held on November 26, 1966.

In the lead up to the 1966 Federal election, Holt was able to arrange for prominent American politicians to visit Australia to put the US case for involvement in the war. Vice President Hubert Humphrey arrived in Australia in early 1966 and briefed Holt about Vietnam. April saw a brief but successful (in publicity terms) visit by Holt to Vietnam where he spent Anzac Day with the diggers.

March 8, 1966 saw the important announcements by the Prime Minister of an annual intake of conscripts to 8,400 and a promise that more diggers would go to Vietnam. Calwell told his party's annual national conference in Launceston that Labor would withdraw all conscripts who were serving overseas. His announcement on April 13 was followed by a leadership challenge by Deputy Gough Whitlam two weeks later. Calwell survived with the support of the majority of caucus but the challenge must have damaged Labor's electoral chances.

In 1966 the mood of police forces was becoming uglier at anti-war demonstrations. In Brisbane, Queensland police made an unprovoked attack on protesters at a rally on March 24, 1966. Public burnings of national service cards by potential conscripts seemed to especially inflame the tempers of the newer constables.

A newspaper aimed at teenagers and the early 20s age group, *Go Set*, wrote about one violent clash between police and anti-war demonstrators:

The police and other officials made it clear they saw this battle as "Them" versus "The Longhairs" . . . all those old men in power think longhair means rock music, freewheeling sex, dope and socialism. The symbol of everything that threatens their scene.⁴

It appeared the police force—or at least sections of it—saw the confrontations with anti-war groups as a struggle between good and evil.

In June 1966, Prime Minister Holt visited Washington and made his famous "all the way with LBJ" speech where he promised Australian support for American foreign policy.

In March 1966 an army warrant officer, T. O. Phillips, died in Da Nang hospital. His widow, Gwen, wrote: "Tom didn't volunteer. He didn't want to go. But they sent him anyway. Knowing that he died in a war that nobody seems to know anything about, does not help me, and it does not help the children."⁵

Only weeks after the parliamentary speeches of Holt and Cameron, the first Australian conscript died. An Adelaide man, Errol Noack, was killed whilst on active service in Vietnam on May 24, 1966.

The tour of major Australian cities by President Johnson in October 1966 saw some of the largest demonstrations of the mid 1960s. In Melbourne police estimated that more than 750,000 spectators had lined the route of the Presidential motorcade. The scene of the strongest demonstration was the Melbourne Town Hall where the US President was being feted. As Johnson left Essendon airport he promised that he would return, probably at the end of the war in Vietnam.

The LBJ visit was seen by many on the Left as a cynical stunt to boost the electoral stocks of the Liberal party. The ALP leadership played a low-key role in the protests against the US Vietnam policies. Students and blue collar workers made up the majority of the crowds. The Holt slogan that Aussies were “All the way with LBJ” was not received enthusiastically by those who saw the US President’s limousine from behind the police lines. In Melbourne two demonstrators broke through police lines and threw a can of paint over Johnson’s car.

The hostile reaction of the Government towards the anti-Johnson protests was predictable, especially its attempts to link sections of the Labor movement with the organisation of the demonstrations.

Senator John Gorton said:

I believe it is time to say that if any bad image of Australia were presented in US newspapers in connection with the visit of President Johnson it could only have been presented by a concentration of a small, violent, undemocratic extreme minority who screamed hatred until they were drowned out by hundreds and thousands who screamed acclamation.⁶

Gorton went on to attack Labor Senator, Jim Keefe, a Left-winger from Queensland, who had been a strong critic of US foreign policy especially over Vietnam.

In August 1966 the ALP was to lose the support of one of its federal politicians over the Vietnam issue. Sam Benson, a former merchant seaman was expelled for refusing to resign from the pro-Vietnam Defend Australia Committee — a group proscribed by Labor’s federal executive. At the 1966 election he contested, and held, the seat of Batman as an independent.

A left leaning historian, Humphrey McQueen described the optimism of the anti-war movement in 1966:

In 1966 the young left looked forward to a Labor victory. It worked incredibly hard. In Victoria the students and youth ran the “Vote No” campaign . . . They felt a tremendous sense of purpose and looked forward to great achievements.⁷

The first unwilling conscript to receive widespread media attention was a Sydney school teacher, Bill White. When his application to become a conscientious objector failed, he defied an army call-up notice on July 18, 1966. He was soon confronted with the possibility of a long military gaol sentence. In September White said:

I am opposed to a state’s right to conscript a person. I believe very strongly in democracy and democratic ideals — and I believe it is in the area of the state’s right over the life of the individual that the difference lies between totalitarianism and democratic government. My opposition to conscription, of course, is intensified greatly when the conscription is for military purposes. In fact the *National Service Act* is the embodiment of what I consider to be morally wrong and, no matter what the consequences, I will never fulfil the terms of the act.⁸

White was imprisoned by the military just before the November 22, 1966 Federal election. He eventually succeeded in obtaining exemption on CO grounds in his second court case on December 23, 1966.

As a result of his gaoling a conscientious objectors (CO) support group was formed. Its rather limited aims were:

1. To render assistance to Bill White, teacher and conscientious objector, in whatever way possible.
2. To seek by amendment of the *National Service Act* and regulations thereunder the removal of harsh provisions as applied to conscientious objectors.
3. To assist, at the discretion of the committee, any other conscientious objectors who may suffer from the *National Service Act* 1951-1965.

A song written by Willow Macky refers to William White as being somewhat of a 1960s wild colonial boy:

There was a young Australian boy,
 his name was William White,
 A conscript for the Vietnam war,
 he did refuse to fight.
 "They've raised no hand against our land,
 this war is cruel and wrong!"
 Declared this brave Australian boy.⁹

A typical anti-conscription leaflet declared:

We aim to turn the Federal election into the referendum on conscription denied the Australian people. We need to only persuade 10 per cent of Liberal voters, mainly women, that their vote means life or death to hundreds of young men, and conscription will be defeated. We will reach the electors through the mass media of press, radio, and above all, television.¹⁰

The fledgling anti-war movement used a song called "The Army's Appeal to Mothers" written by Melbourne folksinger and Save Our Sons (SOS) member, Glen Tomasetti.

Of all the Australian anti-war songs of the 1960s, the SOS song by Tomasetti is perhaps the best known of that period. The last two verses are:

Please teach him how to see the world,
 At the Commonwealth's expense,
 Teach him killing civilians is
 Essential to our defense.
 Teach him to hate each foreign name,
 Color, race or tongue,
 'Cause he'll make a happier soldier
 If you brutalize him young.
 When it comes to twisting a bayonet,
 Or sticking in a boot,
 He'll find it so much easier,
 If you bring him up as a brute.¹¹

A short poem by J. K. Shepherd was printed in a number of anti-war journals:

The glass of the war gods is filling,
 One touch and the liquid is spilling,
 One drink there'll be fighting and killing,
 It's bound to touch you;
 You'd rather be working than fighting,
 Demand it, in song and in writing,
 Take over the system that's blighting,
 And build it anew.¹²



1. Bob Scates being led by Commonwealth Police to Melbourne Magistrates Court, November 1976. 2. Bob on day release from Pentridge with other Draft Resisters. 3. Demonstration in Melbourne against the Vietnam war.

A common theme of the poems and songs of the mid 1960s was a hatred of young Australians dying. In America the music of Joan Baez and Bob Dylan was popular with those of conscription age.

On September 29, the Government announced that any conscript who wanted to contest the forthcoming elections could be discharged from the army if they satisfied the Military Board that they were in fact *bona fide* candidates. If a conscript failed to be elected, he would then be liable to re-enlist, and the period of his temporary discharge would be added on to the length of National Service.

Three conscripts contested the elections as protest against Vietnam and conscription — Brian King (Wentworth), Thomas Yates (McMillan), and Jim Thurwell (Ryan). All candidates failed to poll sufficient votes to save their \$100 deposits. Brian King refused to report back for military service after the election. He was subsequently court martialled and sentenced to 60 days military detention. All were independents with little financial support or organisation.

During the election campaign, a nationwide 'Day of Protest' was organised by the National Union of Australian University Students on October 6, 1966. A resolution was carried: "That the principles of personal liberty and freedom dictate that a person who opposes government policy in Vietnam should not be forced to fight there."

In March 1966 Calwell referring to the Labor Party, told Parliament: "We have always been an anti-conscriptionist party, and we are proud of it. When we cease to be that, we cease to be an Australian Labor Party."¹³

Calwell addressed a public meeting at Mosman Town Hall (NSW) on June 21, 1966. He described the meeting:

There was a very big, enthusiastic audience at the Mosman Town Hall, and I remember devoting the major part of my speech to the immorality and the horrors of the war in Vietnam. The crowd was largely enthusiastic, although there were the usual voices of dissent with Labor's anti-war policy. I later learned from members of the New South Wales Criminal Investigation Branch that a nineteen year old youth named Peter Raymond Kocan had been in the audience.¹⁴

A few minutes after the end of the meeting Kocan shot Calwell as the ALP leader sat in his car outside the hall. Kocan later pleaded guilty to attempting to kill Calwell. The Opposition Leader spent only a brief time in hospital before returning to the election hustings.

On November 10, 1966 Calwell delivered his major policy speech in which he declared:

The most important issue in this campaign is conscription; the conscription of a section of our twenty year old youths, against their wishes and their wills, to kill or be killed in the undeclared war in Vietnam, and the threatened extension of conscription to all twenty-one year olds, and other age groups to increase our unwarranted and unnecessary commitments . . .

Conscription is immoral, it is unjust and it is a violation of human rights. It must and will be defeated.

There are 600,000 Australian mothers with sons between fifteen and 20 years of age, and many of these boys could be sent away to die or be wounded in the long, cruel, dirty war that is raging in Vietnam.

I call on those 600,000 mothers and their husbands, and their other sons and daughters, to tell Mr Holt that the lives of their eligible sons are too precious to be squandered by the man who has pledged this country to go all the way with LBJ . . .

There is no difficulty in separating conscripts from members of the regular army, and so we will act in consultation with the American authorities, immediately we become the government, to withdraw all conscripts from Vietnam.

Our first act as a government will be to abolish conscription, and give orders that all conscripts in camp in Australia shall be discharged forthwith. The remainder of our troops will be brought home at the earliest practicable moment.¹⁵

The ALP rallies were large and enthusiastic. At one meeting Calwell told an interjector, "You are beyond military age. I will not allow you or Holt or Menzies or anyone to plunge your arthritic hands wrist deep in the blood of Australian youth."¹⁶

The Plumbers' Union journal, published in October 1966, was typical of union support for the election of a Federal ALP Government containing articles in support of the ALP, against conscription. A poem entitled "Thoughts on Conscription", which was dedicated to parents in Asia, Australia, New Zealand and the USA; was reprinted in the journal:

God bless Arthur Calwell,
He's a man — Australia wide
'Cause he's voting no conscription
So our sons can stay alive.
A boy has died in Vietnam
In a war that won't be won;
A telegram's delivered —
It could have been our son!
We're glad our first battalion
Arrived home safe and sound.
We'll all vote no conscription —
Put Vietnam out of bounds.
Australia — proud Australia
You've shed your convict link.
Must you now, by force of arms,
Tell Vietnam how to think?
Our taxes could be better used
To advance Australia fair,
Build roads and harness rivers —
Must our wealth lay Vietnam bare?¹⁷

Many on the left became impatient with the efforts of right-wingers within the labour movement to modify policy to suit electoral pragmatism. Jim Cairns criticised West Australian Federal MP Kim Beazley for an article Beazley had written for the magazine *Australian Outlook* implying the ALP would lose votes because of its association with anti-war protests. Calwell seemed to abandon his earlier more cautious approach. He was quoted as saying after one anti-conscription demonstration:

... [it is] no use for Mr Holt moaning over his experience because he helped to provoke the action by the brutal manner in which he caused the young conscript William White to be taken into custody.¹⁸

Tension between Calwell and his deputy Gough Whitlam increased during the campaign, after Whitlam was quoted as saying:

... [if] after consultation with the American and Vietnamese governments, or after the reconvening of the Geneva conference, or after a resolution by the United

Nations, the Australian government judges that there should still be Australian troops in Vietnam, it would send regular troops.¹⁹

Calwell then clarified his own position by declaring that all the conscripts would be withdrawn immediately, but that regulars would be withdrawn after consultation with allies. The press enthusiastically supported the Liberal party with its pro-war and pro-conscription policies. The ALP was left with only 41 seats in a parliament of 123. A few days after the election Cairns wrote in the Melbourne *Sun*:

It would be wrong for us to believe that compromise is the road to power. The real role of the Labor party is to maintain an alternative — a genuine alternative — to the policies and positions of the conservative coalition. I would feel that politics would not be worthwhile if it were just to achieve similar things through a different set of people.²⁰

A Gallup poll taken a week before the 1966 election showed domestic issues as being more important than either Vietnam or conscription. Yet there seems general agreement that Labor lost votes over its strong anti-war stand. In *The Australian Peace Movement: A Short History* joint authors Malcom Saunders and Ralph Summy argue that some Liberals switched their votes to Labor but that the coalition was the net winner. The strong swing against Labor occurred throughout the country and Labor even lost the safe seat of Lalor in Victoria — held by former Minister Reg Pollard — to the government. Only in West Australia was there a swing against the Liberals.

In a confidential internal ALP report to the party's Federal executive, Calwell laid the blame for Labor's defeat partly on his deputy:

Next in importance after the effects of the lying propaganda of the Liberal and Country Parties in their attempts to justify Australia's participation in the Vietnam war and the reasons for using conscripts in that cruel, dirty war, all of which frightened many estimable people into voting against us, and the vicious efforts of the jackal group (the DLP) that supports them, the factor that helped to defeat us most was the disunity in our ranks . . . from January 1964 until March 1966 Mr Whitlam continued to throw the party into turmoil in the pursuit of his ambition to discredit my leadership and advance his own claims to the position.²¹

The report is significant not because of Calwell's bitterness towards Whitlam but because of the ALP leader's recognition that conscription and Vietnam hurt Labor in 1966 elections.

During the summer of 1966-1967 Air Vice-Marshal Ky of South Vietnam visited Australia at the invitation of Prime Minister Holt. Although he was seen by the press as a "lame duck", Opposition Leader Calwell responded to Ky's visit by addressing anti-Ky demonstrations. Ky was forced to arrive at Melbourne's Government House by helicopter to avoid demonstrators outside the grounds. Later in the evening a car with Ky in the back seat made its way through the demonstrators. In Brisbane the anti-Ky protest rocked the city:

Police fought with milling, clawing demonstrators as a 'quiet anti-Ky protest' turned into an ugly brawl between 2,000 in Brisbane last night. The bulk of the demonstrators tried to charge a barrier to get at the South Vietnamese Premier as he stepped from his black Rolls Royce outside Lennon's Hotel at 7.05 pm. But a solid wall of 100 police, security men and Commonwealth police fought them back. They arrested at least twenty . . .

In a big demonstration in Brisbane's King George Square yesterday the Federal Labor Leader (Mr Calwell), told a crowd of 1,200 he did not intend meeting Marshall Ky, Madame Ky, or any of the Vietnam party . . .

Earlier, at a Sydney Trades Hall rally Mr Calwell attacked "tame cat" unions and ALP leaders for their failure to support the Ky protests.²²

Student activist Barry York described the significance of the anti-Ky demonstration:

The first violent clashes between police and protesters occurred during President Johnson's 1966 visit to Melbourne and Sydney and the visit soon after of South Vietnam's ruler, Air Vice-Marshall Ky. The movement began to display a revolutionary tendency. With the ALP reneging on its previous principled policy, a parliamentary solution to the war seemed impossible; and with the vocal support of some government members, the police and courts were cracking down on legitimate forms of dissent.²³

When the Federal Labor caucus met on February 8, 1967, Whitlam's election as leader was regarded as a foregone conclusion. However, voting went to a third ballot before he was elected. A Tasmanian, Lance Barnard, defeated Cairns for the deputy leadership by two votes.

That year was to see the growth of a number of left-wing tabloids, magazines and newspapers. *Vietnam Action* was published by Sydney ALP leftists, Hall Greenland and Rod Webb. In reviewing the anti-war movement in 1966, *Vietnam Action* wrote:

During the last Federal election campaign (and subsequently, in the magnificent demonstrations against the visit of Ky), the movement in Australia against the Vietnam war reached a high point of enthusiasm, determination and unity of purpose, under the leadership of courageous ALP Federal Leader, Arthur Calwell, and around the Australian Labor Party's policy of opposition to the Vietnam war and its call for the withdrawal of Australian troops.

The policy assembled a creditable 42 per cent of the votes in the Federal election despite the tremendous weight of opposition from all the resources at the disposal of the Establishment, press, radio, TV etc.²⁴

Hall Greenland was president of the Sydney University ALP club in 1966. He spent 1968 teaching in England where he became an organiser of London's Vietnam Solidarity Campaign. During his period in England Greenland continued to write articles for the Sydney University student paper, *Honi Soit*. Webb had been responsible for the publication *American Atrocities in Vietnam* and *How Not to Join The Army*. He was a key figure in the organisation of the anti-Johnson protest in Sydney.

The same edition of *Vietnam Action* also carried an interview with a seaman from the ship *Jeparit* who had been among those who had refused to carry military supplies to Vietnam.

The seamen on the Vietnam run made no secret of their opposition to the war. A typical example was of a Yank guard on *Jeparit*, who was sweltering in full combat gear, bristling with guns, while a seaman with only a pair of shorts on casually leaned over the rail giving him a lecture on why he should not be in Vietnam. The Yank kept nodding in agreement all the time and said: 'You don't have to tell me, Bud. I wish I could get to hell out of here right now!' The attitude of the Australian soldiers they spoke to was similar. Seamen felt their point of view was getting across to the troops. One can imagine the distaste of the US and Australian army brass—

hats, to say nothing of the Generals of the Ky junta, at articulate Australian seamen campaigning against the war amongst the troops.²⁵

The NSW branch of the ALP was controlled by the party's Right wing. In February 1967 the secretary of the party, William Colbourne, accused ALP members who took part in the anti-war demonstrations held during Johnson's visit as:

... having provided the television and press with the type of propaganda they wanted to support their claims that the ALP was anti-American.²⁶

The same state branch also attempted to proscribe the anti-war group the Association for International Co-operation and Disarmament (AICD) to ALP members.

Deputy Leader Barnard found himself in conflict with the left after his return from Vietnam in 1967. Barnard had been quoted, during his Vietnam tour, as saying that the United States was winning the war. Rumour had it that he was present on a US warship shortly after it had bombarded military targets in Vietnam. He was also reported to have said that the ALP policy should be reviewed in light of "current realities".

A leading left-winger, Joe Chamberlain, wrote on behalf of the West Australian State ALP:

Even if we have no feelings whatsoever for the suffering of the Vietnamese people, surely we could spare a thought for the young Australian and American boys who are facing death ... in what has been justly described as an unjust, filthy and unwinnable war.²⁷

Whitlam was able in early 1967 to exercise considerable influence over the ALP foreign affairs committee — which he chaired. While this committee was generally putting foreign affairs positions which were in tune with Whitlam's own views, but in 1967 Vietnam was an exception.

On an ABC current affairs programme, *Four Corners*, the new Opposition Leader (Whitlam) moved away from Labor's commitment to withdraw conscripts from Vietnam as soon as he became Prime Minister. The *Four Corners* interview on February 16, 1967 soured the relationship between the Labor leadership and the peace movement.

Whitlam was asked on *Four Corners* about time lines for withdrawal from South-East Asia. He replied: "The only way (Australian) troops can come back now is if there is a settlement, if there is an armistice".²⁸ While relations between Whitlam and the anti-Vietnam groups had cooled in early 1967, the RSL began to throw out the olive branch to the Opposition. The RSL decided to print and distribute half a million leaflets before the 1967 Senate elections. The pamphlets titled *Honoured in War; Forgotten in Peace*, were critical of the Liberal Government over pensions for ex-servicemen. William Keys, later National President of the RSL, invited Lance Barnard to the League's new headquarters in Canberra. Over lunch Barnard gave promises for a better repatriation deal under Labor.

At the 1967 Federal conference a resolution, moved by Tasmanian delegate Neill Batt (later to become Tasmanian Opposition Leader), was carried which stated that Australia had no treaty obligation to involve itself in Vietnam, and proposed a three stage revision of policy: firstly, a Labor Government would demand that its allies cease bombing North Vietnam; secondly, the US should recognise the National Liberation Front of Vietnam as a negotiating party; and thirdly, the war in Vietnam should be de-escalated to a holding operation. If the allies (in reality the United States) failed to meet these conditions, then a Labor Government would consider that it had no alternative but to withdraw all forces from Vietnam.

According to Kim Beazley, Whitlam was embarrassed by the new policy and particularly upset by the implication that, if the United States did not agree with all conditions, Australian troops would be withdrawn. The same Federal conference rejected a hard-line motion moved by Joe Chamberlain: "That all Australian troops will be withdrawn from Vietnam,"²⁹ but re-affirmed the Labor Party's opposition to the *National Service Act*.

The Senate election on November 25, 1967 saw a substantial swing against the Liberal Party, although this swing would not have been sufficient to elect an ALP Government in a House of Representatives election.

On December 17, 1967, Harold Holt disappeared in the seas off Portsea. A few weeks later John Gorton became the new Liberal Prime Minister. The funeral of Harold Holt saw a strong turn-out. The conservative coalition of Liberal and Country parties still retained strong public support despite having been in power for eighteen years. A reporter from the *Age* spoke to one of the admirers at the Holt funeral:

Three back from the barricades opposite the cathedral was Private Wayne Osborne, 20, a signalman with the third Battalion, Royal Australian Regiment. He has been in the Army for two years as a regular soldier, has not seen active service, but 'I hope I'll get to Vietnam soon'. Why did Private Osborne turn out with the crowd? 'Mr Holt did a lot for our country and a lot for us as soldiers.'³⁰

It is now certain that the United States used the memorial service for Harold Holt as an occasion for urgent talks between Western leaders concerning the deterioration of the military situation in South Vietnam. As well as US President Johnson, Park Chung-Lee (South Korea), Ferdinand Marcos (Philippines), Nguyen Thieu (South Vietnam) and Harold Wilson (UK) all attended the service at St Paul's Cathedral on December 22, 1967.

Victorian Governor, Sir Rohan Delecombe, organised two separate receptions so that those heads of governments involved in the Vietnam conflict could discuss the crisis in Saigon. The South Vietnamese party included no fewer than thirteen including Thieu and Defence Minister Vi. Australia's short term Country Party Prime Minister John McEwan continued Holt's pro-Johnson and pro-Vietnam policies.

On his way back to America, Johnson stopped briefly in South Vietnam. An Australian reporter, Hugh Lunn, describes the brief visit of LBJ to Vietnam:

Johnson flew in with an escort of fighter-bombers under his Air Force One jet, and they pulled out just before he landed. He had the White House press corps following him in a similar plane. After making a speech on the importance of the war and his friendship with the late Harold ("All the way with LBJ") Holt to a satisfactory number of American troops standing in rows at attention — but really to the press — he got into his plane and took off, escorted by more fighter-bombers.³¹

By February 1967 ninety-one Australian soldiers had died in Vietnam. Controversy arose over the statistics of April 1967 showing that, although conscripts formed only about 25 per cent of the Australian Forces in Vietnam, 48.5 per cent of Australian soldiers killed in action were conscripts. Malcolm Fraser, Minister for the Army, explained that it was because conscripts were mostly concentrated in the infantry regiments. Fraser continued that it was not worth training conscripts for duties other than that of infantry duties because they would be in the army for only two years.

For those Australian soldiers selected to serve in Vietnam, the Military tried to justify the part of the free-world effort in South-East Asia. A pocket book was issued to those diggers who were expecting to serve in Vietnam. It described the actions of the enemy:

The war in Vietnam is not a civil war as some people try to make out, but deliberate sustained aggression started, controlled, directed and supported by North Vietnam against the South. In this type of conflict the standard communist tactics of subversion, terror, murder, attacks on women and children and the wanton killing of village administrators are being employed daily by the Vietcong . . . tens of thousands of local government officials, civilian school teachers, and even nurses have been slaughtered by the Vietcong.³²

The Tet offensive in January 1968 by the National Liberation Front saw attacks on major US installations including the United States embassy in Saigon. While there are some doubts as to how much of a success the co-ordinated uprising was in purely military terms, the set backs to morale on especially the Saigon junta troops was enormous.

Neil Davis, and Australian combat cameraman, was in Saigon during part of the NLF offensive. He wrote on February 29, 1968:

The Communist attacks were astounding in the way that they sustained their various offensives, particularly in the old imperial capital of Hue — it was my favourite city in Vietnam. Besides Hue, other cities and towns all over the country have been devastated — mostly by Allied bombing and shelling as the Americans and South Vietnamese recaptured the towns. Many were up to fifty per cent destroyed.

Hue was eighty per cent destroyed or damaged. About four thousand civilians were killed there, plus thousands of North and South Vietnamese soldiers besides Americans. Actually the South Vietnamese Army did most of the fighting throughout the country, which I suppose is contrary to the press reports from here, where one would think only the Americans were doing anything. In Hue, for instance, they retook only about one-fifth of the city, while the South Vietnamese recaptured four-fifths.³³

During much of the Vietnam war, including the 1968 Tet offensive, General Westmoreland was in command of the US forces. Eventually the Johnson administration “kicked him upstairs”. Neil Davis wrote of Westmoreland’s ability.

There is no doubt that the American commander-in-chief in South Vietnam, General Westmoreland, was one of the most brilliant generals of modern times. He was a superb logistics expert, but as a tactician, fighting a conventional war on a massive scale, whereas the Viet Cong and North Vietnamese were running in and out of his hundreds of thousands of troops. He never could seem to locate them.³⁴

Despite the success of the Tet offensive by way of impact on US public opinion, the war would drag on for another seven years. Ho Chi Minh (the North Vietnamese leader) died on September 3, 1969.

ENDNOTES – CHAPTER 2

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CHAPTER THREE

TWENTY YEARS OLD

BESIDE LENINGRAD

Beside Leningrad
the people, who survived, built
cemeteries
without names.
Row after row,
low mounds with stone walls
black
in winter.

An in Flanders
we built stone gardens for them.
And in Melbourne
We built stone walls.
And in Berlin
Hiroshima
Seoul
Budapest
Hanoi

*R. Connell.*¹

Following the ALP's devastating defeat at the 1966 polls, the Australia-wide branches of the Youth Campaign Against Conscription quickly folded. The anti-conscription movement's strategy had been closely linked to a pro-ALP electoral campaign.

While 1967 saw fewer anti-war demonstrations than 1966, it was the year the first *National Service Act* public non-compliers declared themselves.

During the fifth registration period, January 23 — February 6, 1967, three young men refused to register for the draft and subsequently informed the authorities of their decision. They were Mike Matteson and Chris Campbell from New South Wales and Errol Heldzinger from Victoria. At the time of the sixth registration, from July 24 to August 7, 1967 a number of other public non-compliers including John Paull, Mike Jones and the Mowbray triplets, David, Graham and Robert took the same stance.

The Federal government seemed in no great hurry to prosecute those who refused to register. On the other hand, those who had applied for, but denied, conscientious objector (CO) status were pounced upon. Denis O'Donnell and Desmond Philipson had already been inducted into the army. Simon Townsend (then a Sydney journalist) refused to comply with a call-up notice after being denied exemption as a conscientious objector.

On May 22, Simon Townsend was sentenced to twenty-eight days military detention. Townsend spent his first days of army detention on a diet of bread and water. Every half hour a guard would rap loudly on the door in an attempt to stop Townsend sleeping. As a supposed precaution against suicide, the prisoner would be ordered to stand at attention at regular intervals during the night. After considerable publicity (initiated by Jim Cairns MP) the Military Board ordered these practices to cease.

In May 1968 a bill was passed by parliament replacing indefinite military detention for non-compliers with civil imprisonment — for a mandatory two year period.

The Australian Congress for International Co-Operation and Disarmament (AICD) organised a poster parade in Sydney's Martin Place in support of Townsend on May 31, 1968. AICD also organised a protest march on June 10, 1968 after Townsend's transfer from Holdsworthy to Ingleburn military camp. Four days later Townsend was discharged from the army.

A school teacher from Croydon (Vic.), Peter Hill, was another non-complier who spent some time in a military prison. Hill's second application for exemption from all military duties was rejected by the courts on October 17, 1968. At the hearing, Hill gave evidence that he had refused a series of injections because he did not believe in compulsory medication. He was sentenced to five days detention at Puckapunyal army camp in central Victoria.

After Hill had refused an order to repair torn army clothing, he was sentenced to a further seven days' detention. An hour after completion of this detention, Hill disobeyed a similar order and was once again sentenced to seven days in gaol. He was to spend a further five days behind bars for failing to wear an army uniform after his transfer to Kapooka (Qld). Hill then obtained leave without pay to prepare his first, but unsuccessful, application for exemption on the grounds that army philosophy was incompatible with his belief in the individual's right to make his own decisions. In support of his application he said: "Killing in self-defence could be acceptable in some circumstances, but in war and in most other situations it is wrong and immoral."²

Hill also questioned the morality of his spending time in the army while there was a desperate shortage of teachers in Victoria. The magistrate rejected the application saying: "He only objects to some orders. He has not satisfied me that he has a conscientious belief sufficient to gain exemption."³

A few days later Hill was again court-martialled after his return to the army. He was sentenced to 84 days detention for being absent without leave. Subsequently he began a hunger strike, which lasted ten days. After a further period of two weeks Hill was discharged as medically unfit.

A more publicised case was that of Denis O'Donnell. On April 4, 1968 O'Donnell was sentenced to forty-eight days detention at Holdsworthy military prison in NSW for being absent without leave. Cairns gave evidence in the Melbourne County Court that in discussions with O'Donnell in November 1967 the objector had shown a good knowledge of the issues of Vietnam and conscription. While on leave from the army, O'Donnell had visited the Cairns' home in Hawthorn. Cairns claimed in parliament on May 31, 1968, that O'Donnell had been shadowed by ASIO and that their conversation had been bugged. In support of this accusation Cairns said that a government official had been able to repeat details of the conversation which could only have been known to the two people present.

Townsville (Qld) bricklayer Gordon Reisenleiter, a Jehovah's Witness, had his application for conscientious objection rejected by a Queensland magistrate in August 1967. A County Court appeal in January 1968 resulted in Reisenleiter being exempted from combat duties only. On October 1, 1968 he refused to obey a call-up notice.

In NSW Geoff Mullen of Maroubra was convicted of failing to attend an army medical examination on October 23, 1968. Mullen had initially registered in January 1967 but later wrote to the Minister for National Service stating that he could no longer comply with the Act in any way.

The diaries of the then Minister for Air, Peter Howson, record some of the atmosphere of the time. After a long lunch with *Bulletin* editor Donald Horne, to smooth over controversy about the F111 plane purchase, Howson wrote of the climate in which the amendments to the *National Service Act* were discussed on July 2, 1968:

Then on to the parliamentary offices which had been picketed in Martin Place (Sydney) by students demonstrating against the Vietnam war and our National Service legislation. Demonstrations of this sort really do no good and only serve to bring students into disrepute with the general public.⁴

Howson also disclosed details of his discussion on May 24, 1968 with Bishop Frank Woods over changes to the *National Service Act*:

Over to Bishopscourt to talk to Frank Woods about provisions of the *National Service Act*. Frank is worried particularly about the effects this may have on university students, but I had done a good deal of homework this morning and was able to explain in detail the actual effects of some of the proposed amendments . . .⁵

This visit of Howson to Woods was important in that it seemed to indicate some of the heat being put on Liberal politicians by even the more conservative sections of the church. His diary entry of May 28, 1969 indicates that Howson had been deluged by letters concerning the operation of the *National Service Act* from constituents and groups.

On May 1, 1968 National Service Minister, Les Bury, introduced the *National Service Act* 1968 in the House of Representatives. The Act doubled most existing penalties except the mandatory prison sentence for those convicted of refusing a call-up notice.

In part, the intention of the bill was to make more explicit the section of the Act which compelled people to supply information about possible non-compliers, or face a fine of \$200. However, the right-wing Democratic Labor Party (DLP) announced its opposition to any amendment which would penalise the family of a suspected non-complier. With the possibility of a Senate defeat looming, Bury backed down. On May 14, he circulated an amendment exempting certain members of a person's own family from having to inform. On May 28, Bury circulated a further amendment extending the exemption to anyone who had a good reason not to inform the Department.

Another clause, requiring the head of an educational institution to give certain information about possible non-compliers (and to grant access to certain records) or face a fine of \$400 was also changed in the May 14 amendment. The May 28 amendment of the bill dropped this clause completely.

However, two other clauses which required particular people to act as informers remained intact. The first required an employer to advise the Department of any employee suspected of breaching the *National Service Act*, or face a \$400 fine. The second required anyone who issued an airline or shipping ticket to do so only if there was proof that the purchaser was not in breach of the *National Service Act*.

A three stage penalty system for non-compliers existed. Any 20 year old found guilty of failing to register could be fined between \$40 and \$200, as well as being "deemed to have registered for National Service". In other words, the 75 per cent chance of your marble not being drawn did not apply to those who initially refused to register. Magistrates who convicted any person who had failed to attend a medical examination would sentence them to a mandatory seven days imprisonment.

The final penalty — for refusing to obey an army call-up notice — was two years civil imprisonment. In 1968, Len Truscott, Jonathon Hicks, Stephen Townsend, Sean Foley,

Jeremy Gilling, Graham Jensen, Karl Armstrong, Tony Dalton, David Bissett and Laurie Carmichael Jnr all became public non-compliers.

Australia's best-known draft resister was a young Melbourne postman, John Francis Zarb. On November 2, 1967 Mr Cuthill, SM, rejected a conscientious objection application by Zarb. Cuthill conceded that "In this case the applicant has satisfied me that he has a sincere and conscientious objection to serving as a member of the Australian Forces while they are actively engaged as part of the forces now serving in Vietnam."⁶

However, as Zarb was not a complete pacifist, Cuthill concluded his remarks with the words: "I therefore find that the applicant does not hold a conscientious belief that does not allow him to undertake combatant or non-combatant nature and I accordingly dismiss the application."⁷

Zarb did not obey his call-up notice seeking his induction to the army on December 4, 1967. In June 1968 Zarb's lawyer received a telephone call from the Commonwealth Solicitor seeking to adjourn the case because of the absence of an unspecified witness. A further call from the Commonwealth Solicitor on June 26, 1968 seeking Zarb's permission to withdraw the prosecution gave Zarb the impression that the charges would be dropped.

On July 4, 1968, however, a second call-up notice was delivered to Zarb by a Commonwealth police officer. On October 3, 1968 Zarb disregarded the further call-up notice, and was served with another summons.

John Zarb appeared before Mr Elvish, SM, on October 14, 1968 on a charge of refusing to obey a call-up notice. Zarb was asked if he would enter into any agreement to obey any future notice. He replied: "I refuse to compromise my established conscientious beliefs and comply with a notice that demands I do military service. This I refuse to do."⁸

Zarb gave evidence that he could not aid and abet what he regarded as an unjust and immoral war. He said he would be prepared to defend Australia against an unprovoked attack, but not if Australia attacked another nation and was later attacked in return.

Elvish sentenced John Zarb to a prison sentence of two years. The prisoner said a few words to his lawyer, a brief goodbye to his parents, and was taken to the remand section at Pentridge Prison. He was shortly afterwards classified to A Division which probably had the best physical conditions of any division at Pentridge.

An appeal before seven justices of the High Court heard counsel for Zarb submit:

The *National Service Act* as at present administered was beyond the powers conferred by the Australian Constitution and therefore void. The magistrate, Mr Elvish, had been wrong in law in holding that Zarb could be convicted and imprisoned under the *National Service Act*. (Further) that the Court which convicted Zarb, by being constituted by a magistrate was not competent to deal with the matter. Another ground for appeal was that Mr Elvish failed to accept that Zarb had an honest belief.⁹

On December 6, 1968, the High Court unanimously rejected the appeal — Zarb remained in Pentridge.¹⁰ Shortly afterwards George Slater, General Secretary of the Amalgamated Postal Workers' Union, issued the following press statement:

LIFE — FOR ZARB

The General Secretary of the APWU of Australia, Mr George Slater, said today that he would recommend to the union's 1969 Federal Conference that Postman John Zarb be made an Honorary Life member of the Union.

Zarb, 21, was sentenced to two years' gaol in the District Court in Melbourne on October 14, 1968 for failing to comply with a call-up notice for National Service in Vietnam.

Zarb was the first person to be penalised under the new Act. Mr Slater said:

'John Zarb is a political prisoner, gaoled by fascists. He refuses to take part in the murder of people who have done him no harm. He upholds the Christian principle of "thou shalt not kill".'

It is tragic that he has not received more wide spread support from leaders of the churches, the trade union movement and the community generally. . .'

Mr Slater said the union would raise the issue of conscription at the forthcoming (1969) ACTU congress.¹¹

The Victorian Labor College, a school for working people based at the Melbourne Trades Hall, carried the following resolution at its general meeting held on February 23, 1969:

The trade union delegates and visitors assembled at the 52nd annual conference of the Victorian Labor College register their emphatic protest against the two years sentence imposed on John Zarb for his refusal to obey a call-up notice for the Vietnam war.

The reports documenting his case reveal conclusively that this young man had seriously studied all aspects of this war before deciding his course of action. It is revealing further, that holding strong beliefs in the freedom for expression contained in the democratic way of life, he sought assistance and advice from various public bodies in upholding this principle, only to find that in their replies nothing transcending the shame-faced reply of churches that his case was a "matter for individual conscience".

These facts are sufficient in themselves to reveal the class nature of democracy. That even in the case involving the categorical imperative, thou shalt not kill, when seen to clash with capitalist class interests necessitating war can be changed to its opposite: the killing of as many people as possible, regardless of individual conscience against the type of war waged and without protest from public institutions.¹²

The Labor College was not the only working class organisation to register its disgust over the gaoling of Zarb. A Victorian trade union leaflet contained the following statement, signed by thirty-four prominent unionists:

RELEASE JOHN ZARB

We, the undersigned union officials in Victoria register our most bitter condemnation against the gaoling of 21 year old John Zarb for two years because of his refusal to be conscripted to the war in Vietnam. We demand his immediate release and that all similar charges be dropped immediately.

The long standing tradition of the Australian Labor Movement is in direct opposition to such outrageous acts, and the policy of the 1967 ACTU Congress calls for this war to be brought to an end.

WE CALL ON ALL TRADE UNIONISTS TO REGISTER THE GREATEST AND MOST EFFECTIVE PROTEST POSSIBLE TO END THIS SHOCKING VIOLATION OF HUMAN RIGHTS AND TO DEMAND AN END TO THIS WAR IN VIETNAM WITHOUT FURTHER DELAY.¹³

The leaflet concluded by reprinting the Victorian Trades Hall resolution of October 31, 1968:

Council registers its strongest protest against the sentence recently imposed on a person because of his conscientious objection to military service. Council regards such a law as being outmoded, undemocratic and usurping.¹⁴

An unusual idea for protest was a proposal by the State Secretary of the Victorian ALP, Bill Hartley, who requested permission of the Post Master General to use a franking mark "Release Postman Zarb". Hartley's letter to George Slater, dated February 19, 1969 contained the following:

We have attached many hundreds of your yellow stickers to correspondence but thought it would be easier for the girls if the franking machine was adapted to carry the message 'Release Postman Zarb'.¹⁵

In WA the General Secretary of the ALP Joe Chamberlain raised the gaoling of Zarb with his executive. On July 28, 1969 he wrote to Slater:

Your union's letter in connection with the inhuman treatment meted out to John Zarb under the iniquitous provisions of the *National Service Act* was placed before the last meeting of the State Executive of the Australian Labor Party in this State.

The Executive resolved as follows, which is basically the same as that expressed by the Federal Executive of the Party:

"That the Executive registers a vigorous protest and deep sense of personal grievance at the imprisonment of John Zarb as a result of the provisions of the *National Service Act* 1952-1968.

We support the criticism of the Federal Parliamentary Labor Party of these provisions as authoritarian, coercive and capable of the worst possible violation of natural justice.

At this time when the correctness of Labor's policy towards the war in Vietnam is being substantiated by developments in the war, such action against conscientious young Australians violates the spirit of a new atmosphere which holds out firm prospects for peace in Vietnam."¹⁶

Many people on the right of the trade union movement argued that unions should not get involved with politics or the anti-war movement. Ken Carr of the Furnishing Trades Union and Secretary of the twenty-six left-wing "rebel" unions in Victoria disagreed. He recalls: "I kept telling people that it was useless just to campaign for bread and butter issues when young unionists were being conscripted or gaoled. To say unions should only be interested in the eight hours that workers are on the job is pathetic."¹⁷

Slater wrote to Neville Hill, an organiser with the Amalgamated Engineering Union (AEU) on February 28, 1969. (A trade union based group "Committee for Conscience on Conscription" was based at the AEU office in Victoria Parade, East Melbourne.)

I believe it is becoming increasingly evident that there are not many Australians proud of the record in Vietnam. The gaoling of postman John Zarb has raised this issue sharply. This man's courage and the courage of those other objectors who have now been sent to join him in gaol is forcing the issue. It is making everyone think about conscription, and it is making everyone come to a decision.

I believe that peace is trade union business for without peace it is useless to try and win economic conditions for the working people.¹⁸

White and blue collar unions condemned both the war in Vietnam and conscription, specifically, the gaoling of Zarb. The Plumbers' Union Federal Council declared:

Council calls for the immediate withdrawal from Vietnam of all Australian Military Forces, as an indication of Australia's legitimate desire for peace in Vietnam.

Council condemns the Federal Liberal Government, its action of gaoling conscientious objector, John Zarb, for two years. Council declares support for all young men who refuse to be conscripted to fight in the war in Vietnam.¹⁹

Dr Cairns MHR was one of twenty-two speakers at a meeting in the Melbourne Town Hall on March 2, 1969. He called conscription the most severe of all impositions that can be placed on an individual by the state. It placed a person in a position where he had to kill whether he wanted to or not, as well as run the risk of death himself. "In these circumstances it is not the refusal to kill that needs justification but killing itself."²⁰

In Hobart, three weeks after the Melbourne Town Hall meeting, Cairns addressed 500 people where he "urged and incited people not to render themselves for military service". He challenged the police to arrest him, but they refused. The June 1969 ALP Conference at the Collingwood (Vic.) Town Hall again debated conscription. The party's Civil Liberties Policy Committee put the following report on the agenda:

NATIONAL SERVICE ACT

The Committee presented a supplementary report to the 1968 Annual Conference on the amendments to the *National Service Act* which were then before the Federal Parliament.

It is a source of some satisfaction that certain of the most objectionable features of the proposed amendments referred to in the supplementary reports were withdrawn or substantially amended by the Government under pressure from the Federal Parliamentary Labor Party and an outraged public opinion.

However, it is the source of considerable dissatisfaction that many of the other objectionable features have now been passed into law. Some of these are:

- (I) The denial of the right of trial by jury.
- (II) The removal from persons convicted under the Act of many of the rights which are enjoyed by persons convicted of serious criminal offences.
- (III) Undue restrictions on the travelling rights of young men whether eligible for service or not.
- (IV) The giving of arbitrary powers to bureaucratic officials.
- (V) The failure to make any attempt to remedy the more objectionable features of the old Act.

The situation has caused the Committee to examine the question of whether or not the *National Service Act* serves any useful purpose at all. The Committee has concluded that it does not. It therefore considers that it would be in the best interests of Australia if the Act were repealed.²¹

At the conference Arthur Calwell, still the Federal member for Melbourne, moved that the conference reconvene outside Pentridge prison. Kevin Healy, then a Young Labor Association representative on the Victorian Central Executive, seconded the motion. Healy recalls:

The motion was carried by conference and the ALP provided buses to take delegates from Collingwood to Coburg. Virtually every delegate went to Pentridge to show solidarity with Zarb.

At the prison I was one of a number of speakers. The victory over the gaoling of unionist Clarrie O'Shea earlier was still fresh in the minds of many delegates. I said that the best support for Zarb and the others was industrial action instigated by the unions to force the backdown of the Gorton government. A prominent left-wing union official later told me this was 'not on'.²²

A few days after the 1972 election of the Whitlam government, Zarb was to recall his time in Pentridge some four years earlier with mixed emotions:

I suppose I felt bitter about what the government was doing, but I don't think I've ever felt bitter about the experience itself. The other prisoners in Pentridge did not regard me as a monster. Why should they? I think they would have felt exactly the other way.²³

On August 21, 1969 Zarb was freed by the Federal government after serving ten months of his two year sentence. The balance of the term was remitted on compassionate grounds by the Governor General, Sir Paul Hasluck, following a recommendation by the Federal cabinet.

The 1970 Victorian ALP Central Executive report to the June conference referred to the Zarb case:

The State executive is pleased to note that in August/September 1969, John Zarb, an objector to the Vietnam war who refused to register for National Service, was released on compassionate grounds from Pentridge gaol. The State executive co-operated with various sections of the party and other citizens throughout the period of John Zarb's imprisonment in endeavouring to ensure his release. Last year the State Conference of the party adjourned to Pentridge Prison for a demonstration, seeking an end to his detention under the provision of the Act. Although the eventual reason for his release was said to be compassionate grounds, the executive believes that the continuing pressure put on the Federal government to secure John Zarb's release eventually had a helpful effect in terminating his political imprisonment.²⁴

The early release of Zarb was designed to show that the Federal Liberals still had some humanity. However after such a long period in prison the anti-war movement dismissed such a gesture as cynical in the extreme.

Prime Minister Gorton was conscious of the morale of National Servicemen. He was able to announce the award of the highest military honour of all — the Victoria Cross — to Warrant Officer Ray Simpson for an act of bravery in Vietnam. This award was announced on the same day that Zarb was released. The timing was no coincidence.

Gorton continued to be convinced that eventually the United States and its allies would win the war in Vietnam. When he visited the diggers at Nui Dat in Vietnam, in June 1968 the Prime Minister stated:

For every nut who carries a placard or sits in the middle of the roadway, there are 100 Australians with you. And ninety per cent of the Australian people are behind you in what you are trying to do.²⁵

ENDNOTES – CHAPTER 3

1. R. Connell, *Firewinds*, poetry published 1968.
2. *Australian Peacemaker*, November-December, 1968.
3. *ibid.*
4. The Howson Diaries, p.433.
5. *ibid.*, p.429.
6. *The Postal Advocate*, 1968.
7. *ibid.*
8. *ibid.*
9. *Australian Peacemaker*, November-December 1968.
10. *ibid.*
11. Press release, George Slater, APTU Correspondence Register.
12. Victorian Labor College leaflet, 1968.
13. *ibid.*
14. *ibid.*
15. Letter from Slater to Hartley, February 1969, APTU Correspondence Register.
16. Letter to Slater from Chamberlain, July 1969, APTU Correspondence Register.
17. Ken Carr, interview with the author, Melbourne, December 1983.
18. Letter to Slater from Hill, February 1969, APTU Correspondence Register.
19. *Plumber's News*, December 1969, p.9.
20. Leaflet in Ryder collection, State Library of Victoria.
21. Conference Papers, Victorian Branch of the ALP, June 1969.
22. Kevin Healy, interview with the author, Fitzroy, January 1984.
23. *Melbourne Sun*, December 7, 1972.
24. Conference Papers, Victorian Branch of the ALP, June 1970.
25. A. Trengrove, John Grey Gorton, *An Informal Biography*, p.251.

CHAPTER FOUR

BIRTH OF THE DRAFT RESISTERS' UNION

Life demands involvement, but not conscripted involvement

Brian Ross¹

In 1966 the Youth Campaign Against Conscription (YCAC) branches were folding, however Save Our Sons (SOS), with an all female membership, expanded, especially in Victoria. SOS was opposed to "conscription of youth into the armed forces to serve in overseas war", and stated its objective as "the amendment or repeal of the present *National Service Act*, particularly with regard to objectionable clauses providing for long periods of compulsory service, engagement in military action abroad".²

SOS emphasised that its tactics were both peaceful and legal. Over the period 1965-1972, SOS was in the forefront of anti-conscription demonstrations, vigils and even slogan paint-ups. The membership and political position of SOS women varied from time to time, but relationships with other anti-war groups were good and reflected the important role women played in Australia and elsewhere against the Vietnam war.

In NSW the Vietnam Action Committee was formed on August 10, 1965 followed, on September 17, 1965, by the formation of the Victorian group, the Vietnam Day Committee. The primary concern of both these groups was opposition to the war in Indo-China rather than the ending of the draft. However, the birth of the newspaper *Viet Protest News* was an important first step in the organising and co-ordination of anti-war forces. Without doubt the biggest step forward in co-ordination of anti-draft activity in Melbourne occurred on February 5, 1968.

Twenty-five people, including members of the university Labor Clubs, Young Socialist League, Young Labor Association and the Youth Campaign Against Conscription (YCAC) met to form a new organisation to be called the Draft Resistance Movement (DRM). A decision was taken to chain four people across the driveway of the Swan Street Army Barracks (Richmond, Vic.) early in the morning of the intake of new conscripts on February 7, 1968.

These intakes were emotive events for all involved. Girlfriends, parents and friends of those who had won the "lottery of death" would arrive at the Richmond barracks to farewell their 20 year olds. After the tears and kisses, the young men would walk through the gate into the induction centre clutching their call-up notices. The demonstration on February 7 was to be the first of many to be organised jointly by the DRM and SOS.

Also at that inaugural meeting the DRM decided to demonstrate against the Liberal Party's policies on Vietnam and conscription. The initial protest was timed for the evening of February 13, 1968 at Caulfield Town Hall where the Liberals were opening their campaign in the Higgins by-election (necessitated by the death of Prime Minister Harold Holt, the local member). The Liberal candidate (soon to become the new Prime Minister) John Gorton, was a member of the Senate at the time of his gaining the Liberal leadership. A statement issued by the demonstrators at the meeting read in part:

The aim of the first demonstration was to highlight in the public mind the process of conscription as it exists in our society today, the cause of this process (Liberal Party's Vietnam policy); to influence those being conscripted and their parents to challenge this process and/or inform them of their rights under the present Act. We will support twenty year-olds who challenge conscription in the way they desire, and

request parents, friends and employers to support their position. We are preparing a statement to be signed by at least fifty prominent people who can influence parents of today to act on behalf of their sons in this matter.

How successful a demonstration at an intake can be needs careful analysis; we invite your written submission on this one aspect of working against conscription.

Points involved in the second demonstration were to clearly demonstrate against and disturb the conscience of those people who are at present formulating the day to day policy of Australia's continuing involvement in Vietnam, i.e. Gorton, McMahon, Fraser, Chipp, Snedden, etc. Men who are negligent in terms of humanity in failing to use their influence as 'allies' of America, to force the Johnson Administration, by means of publicly embarrassing that Administration when an ally (Australia) withdraws its troops from Vietnam and publicly discredits the American position in Vietnam.³

The DRM was distinctly more militant than its predecessor YCAC. Its statement of aims declared:

The DRM has not been formed to oppose conscription, it has been formed to wreck it. We are opposed to the war in Vietnam and we intend to resist the conscription of Australian youth for this war by all available means. We will hold demonstrations of various kinds with the aim of making conscription as ineffective as possible; we will supply information on how to fail medical exams and other methods of resisting the draft and we will encourage people not to register. By these means we will help those 20 year olds who do not wish to be conscripted for any reason.⁴

Although the DRM lasted for only a few months, its level of resistance was to be continued by other anti-war groups — especially within the student movement. The most important group insofar as physical resources and sheer volume of printed material was concerned, was the Students for a Democratic Society (SDS) which had an office-student household at 57 Palmerston Street, Carlton, Victoria. SDS was also active on campus at Sydney. The movement in Australia was inspired by the level of resistance and rebellion in the United States, where thousands of men had defied the draft.

One of the key activists in SDS was Diana Crunden who lived at Palmerston Street. The ANZAC day march of returned diggers (April 25, 1968) saw Crunden stand outside the Melbourne GPO wearing a badge which said: "I am against the Vietnam War. I would like to talk to you if you would like to talk to me".

Ian McIvor was president of SDS at Melbourne University in 1968. He, along with other student radicals, was to incur the wrath of Liberal politicians who branded him "a professional agitator". McIvor, a law student, remained active in the movement until the early 1970s.

By the middle of 1967, the US had over half a million troops stationed in Vietnam. In comparison, Australia had 8,500 military personnel in Vietnam; South Korea had 50,000, Thailand 2,500 and New Zealand 500.

In the US in March 1968, Lyndon Johnson announced that he would not be a candidate for another term as President. The groundswell around liberal anti-war Democrat candidates Senator Eugene McCarthy and Senator Robert Kennedy continued to grow. Anti-Vietnam demonstrations in the streets of major American cities attracted thousands of protesters. Lyndon Johnson and Hubert Humphrey were taunted by chants of "Hey, Hey, LBJ, how many kids did you kill today?" On October 31, 1968 Johnson announced the cessation of US air raids on North Vietnam.

In Australia the escalation of the war throughout 1968 produced a higher level of activity in the form of sit-ins, occupations of government offices, demonstrations and protest marches. Demonstrators began to target symbols of the establishment and conscription laws such as major military installations and government offices. Ninety-two demonstrators were evicted from the Sydney office of the National Service Minister, Leslie Bury, on June 19, 1968. The demonstration was organised by campus supporters of SDS.

A few weeks later, on August 8, 1968, Bury disclosed that 1,044 young men were being investigated for suspected breaches of the *National Service Act*.

Anti-war groups such as SDS, the radical Labor Clubs, pacifist societies at universities and the Bakery group in Prahran (Vic.) campaigned extensively. While John Zarb was in gaol, vigils and protests became frequent events. The urging of 20 year olds not to register was, in itself, an act of civil disobedience which violated the "incitement provisions" of the Commonwealth *Crimes Act*. Penalties for breaches of the *Crimes Act* varied from a fine to a maximum of twelve months' imprisonment. The Federal government threatened to use the Act but was reluctant to pursue massive prosecutions.

Student groups were supported more and more, not only by the membership of recognised and established peace groups such as the Congress for International Co-operation and Disarmament (CICD), but by a wide variety of individuals — academics, writers, artists and church people and the like. On June 29, 1968 in the *Australian* newspaper an advertisement calling for the repeal of the *National Service Act* was endorsed by 3,000 people.

Although the movement was concentrated more in Melbourne and Sydney than in other cities, non-compliers from all over Australia were being convicted of offences in magistrates courts.

The 1968, July 4 demonstrations in Sydney and Melbourne saw arrests after violent clashes between police and demonstrators. At Melbourne's Yarra Bank, mounted police wielding batons charged into a crowd of 2,000 protesters. Henry Bolte, the Victorian Premier, declared that some protestors would be charged under the *Riot Act*. Five days later, 1,500 Sydney students marched through the capital to demand the repeal of the *National Service Act*. On October 2, at a demonstration organised by SOS at the Melbourne General Post Office, two people were charged under Melbourne City Council By-Law 418 for handing out leaflets which urged non-compliance with the *National Service Act*.

Amongst the prominent church people who advocated resistance to the conscription laws was the rector of St John's College in the University of Sydney, Dr John Burnheim, who wrote:

NON-VIOLENT RESISTANCE

A second major difference between our situation and all earlier ones is that it is now conceivable that peaceful resistance to aggression could be an effective weapon of defence if only it were organised properly. I think there is a very solid case for this proposal, but once again I do not think it can exclude the possibility of justifying some acts of war so long as no such system of non-violent resistance is crying out for closer examination. However, these matters are clearly matters of opinion. I certainly think that a person could argue very reasonably that the only way to avoid the unimaginable evils of total war is to refuse to go to war for any cause whatever. In other words, it is a perfectly reasonable position to hold that one is obliged to reject war altogether.⁵

The coming new year was to see more draft resisters sentenced to gaol terms. On January 3, 1969, Sean Foley was gaoled for twenty-nine days in Sydney's Long Bay for

refusing to pay a fine arising from his failure to attend a National Service medical examination. Seventeen days later Geoff Mullen joined Foley in Long Bay gaol when he also was sentenced to twenty-nine days for refusing to attend his medical examination.

The first co-ordinated "Don't Register" campaign was launched at a joint SDS-DRM conference in Carlton (Vic.) on December 28 and 29, 1968. On January 28, 1969, the first day of the new registration period, seven student activists were arrested outside the Melbourne GPO. Of the seven arrested, two were charged with 'incitement' under the *Crimes Act*, and the rest under a Melbourne City Council by-law. On February 6, 1969 Clyde Holding, then Leader of the Victorian Parliamentary Labor Party responded:

The use of the *Crimes Act* and Council by-laws to prevent anti-Government viewpoints being expressed, can only weaken the democratic process and lead many young people to the view that violence is an essential ingredient if social change is to take place here in Australia.

In this situation the real enemies of Australian democracy are those who are prepared to wield the *Crimes Act* and Council By-Laws to defend their own political views. Time is long overdue for our city fathers and their Liberal Party colleagues to think a little more about defending democracy in Victoria as a pre-condition to their right to mouth platitudes about defending democracy in Vietnam.⁶

News of more arrests lead to greater activity. Over 500 people handed out the "Don't Register" leaflet in February. Michael Hamel-Green described the finale:

Faced with this epidemic of criminality, the Commonwealth Police were highly selective in making arrests under the *Crimes Act*. They concentrated on a handful of student 'ringleaders' rather than on more prominent or powerful members of the community. City Council parking officers were less fussy in their policing of By-Law 418. By the beginning of March (1969) over 100 people had been thus arrested, including JF Cairns MHR (who became national chairman of the Vietnam Moratorium in the following year). Many arrested under the By-Law refused to pay their fines and were gaoled for five or seven day periods, and the number facing gaol grew larger every week. As a result, this relatively minor free speech issue was fought to a successful conclusion within the space of ten weeks: on 9 April the City Council repealed the law.⁷

Hamel-Green played an important role in both the initial formation of the DRM and later in the Draft Resisters Union and the organisation of the underground. In the mid 1960s he was president of the Melbourne University Labor Club. His spouse, Fran Newell, was active in the Pacifist Club and a key link between the non compliers and pacifist groups.

As an MA student in politics, Hamel-Green, who had been born in England, explained the reasons for his change of status of a deferred student to active draft resister:

Vietnam is a knife that was not twisted into me until the end of my second year at university, 1965. Before then, I had been afforded and allowed myself to enjoy, the luxury of a casual approach to what was happening in that country. The pictures of the Buddhist monks who immolated themselves just before Diem's downfall in 1963 had aroused a momentary, uncomprehending horror in me, but nothing more . . . it was only when the monks again burned themselves to death in 1966, this time in opposition to Ky's regime, that they burned their way through to me as well. What happened to change my response?

Conscription and Australian intervention in Vietnam had happened. I was required by the new *National Service Act* to register in the very first ballot. I am ashamed to say I did. I am also ashamed to say that, at the time, I hoped I would be balloted out. Now, in a paradoxical way, I am glad I was not . . .⁸

From the Howson diaries we learn that the full (Liberal) party meeting on March 19, 1969 debated whether to launch a series of prosecutions under the *Crimes Act* against those who had incited young men not to register. The Liberals had problems reaching agreement.

As 1969 moved along the protest movement expanded from Melbourne and Sydney into most of the major cities. In Brisbane a demonstration of over 200 saw ten arrests of anti-draft protesters on April 1, 1969. Three weeks later a draft resister was able to halt the departure of a troop-train from Wollongong station by sitting on the railway lines. He was dragged off by police and charged with offences concerning the incident.

The April 11, 600-strong demonstration in Brisbane received little publicity, but a slightly larger protest in Adelaide received wide coverage when fifty-four students were arrested at an anti-conscription sit-in at the Department of Labour and National Service offices. After the arrest of twenty-three protesters in Sydney on April 18, a number of unions and anti-war groups organised a protest against not only the war and the draft but also police brutality at demonstrations.

Church groups were also voicing increasing disquiet about the conscription laws. On April 24, 1969 the annual conference of thirty-eight Roman Catholic bishops meeting in Sydney asked the Government to re-examine the existing laws on conscientious objection "in the light of more recent moral and legal studies", and to devise ways in which "appropriate service to the community may be rendered by anyone whose conscientious objection is upheld". On May 1, 1969, the Australian Council of Churches called upon the government to allow conscientious objection to a particular war. Thirty-four Anglican bishops on May 7, 1969 made a similar request to the Federal Government.

On June 17, 1969 Professor Charles Birch addressed a meeting of 800 students at Sydney University. He was supported by Professor Charles Martin and Dr Terry Smith. All three made speeches which supported draft resisters and publicly urged young men to refuse to register for national service. The call received widespread press coverage, including a report in *The Australian* on June 30, 1969 that the Acting Minister for National Service, William McMahon, had called for an immediate report on suitable action to be taken against the three academics. Within a few days 500 academics had signed a similar statement of incitement. A newspaper advertisement signed by Australia Party convenor Gordon Barton, author Robin Gollan, Lesley Haylen, Tom Uren, MHR, George Petersen, MLA, Jack Ferguson, MLA and others was rejected for publication by the *Sydney Morning Herald* and *The Australian*.

The July 4 demonstration of 1969 was one of Melbourne's most violent clashes between police and protesters. Arthur Calwell, still a Federal Member of Parliament, addressed the march at its starting point in the Treasury Gardens. The *Melbourne Sun* of July 5, described the former Opposition Leader as being surrounded by National Liberation Front flags. The wet and cold Friday night march to the US Consulate in St Kilda Road was attacked by police armed with truncheons. Over forty-five arrests followed the demonstration. Previous American Independence Day had seen a number of anti-imperialist demonstrations, but possibly none where the police were so unrestrained in their violence towards marchers. The use of batons and horses further soured the relationship between police and protesters.

A La Trobe University student present at the July 4 demonstration, Ian Christey, described the police action: "A demonstrator was lying in the gutter bleeding. They [the police] picked him up and threw him in the wagon. They would not say where they were taking him. We were just walking away from the [Southern Cross] hotel when they descended upon us."⁹

Early in July a Statement of Defiance pledging whole-hearted support, encouragement and aid to draft resisters, was issued by a group calling itself the Committee in Defiance of the *National Service Act*. The Secretary of the AICD in Sydney, Ken McLeod, described the signing of the incitement statement as one which marked the end of token support for non-compliers, and began a new escalation of the anti-conscription movement in Australia.¹⁰

The part of the *Crimes Act* which was contravened by the joint signatories read:

Part 1a, Section 7a: If any person —

- (a) incites to, urges, aids or encourages; or
- (b) prints or publishes any writing which incites to, urges, aids or encourages, the commission of offences against any law of the Commonwealth or of a Territory or the carrying on of any operations for or by the commission of such offences, he shall be guilty of an offence.

Penalty: Two hundred dollars or imprisonment for twelve months, or both.

On July 19, 1969, Professor Reobuck of the University of Tasmania called upon Australian soldiers to refuse to fight in Indo-China: "How often have you said that the German people were responsible for the Nazi war crimes? They must have known. Well, now you know. You too are responsible."¹¹

Following widespread expressions of solidarity generated by the call to young men not to register by Professors Birch and Martin and Dr Smith, as well as the Committee in Defiance of the *National Service Act* the Government dropped plans to prosecute them. McMahon backed down and stated that he was not considering prosecutions and on August 26, 1969 Nigel Bowen, the Attorney-General, told the House of Representatives that he believed a prosecution "would not succeed". By November 1969 the number of signatories in support of the Statement of Defiance had grown to 8,000. It appeared that the Federal government, which had no qualms about sending young men like John Zarb to two years gaol, felt somewhat uneasy about the prospects of sending well known citizens to prison for a few days or so.

The weeks leading up to the July 1969 registration period saw new and varied acts of resistance. The National Service Minister Bill Snedden's brief "imprisonment" by anti-conscription protesters in his Treasury Place office in July was greeted by an angry reaction from the establishment. Other actions included an occupation of the Victorian Liberal Party head quarters, a sit-down in front of the Sydney University Military Regiment and the occupation of Snedden's Sydney office. On September 8, 1969 a raid on the Adelaide offices of the National Service Department wrecked much of the furniture. Telephone lines were cut and pig's blood was poured over the files. Defence Minister Allan Fairhall's Newcastle electorate office was occupied for about sixteen hours by demonstrators.

Melbourne's twenty-six rebel Left-wing trade unions, which had split from the conservative Trades Hall Council, were very active in support of the anti-draft movement. The bonds between progressive trade unions and the younger, radical, anti-war students

were strengthened immensely by the combined actions in support of one draft resister, Laurie Carmichael Jnr.

Carmichael Jnr's court case at Williamstown on September 19, 1969 received widespread publicity. He was summonsed to appear on a charge of refusing to report for a national service medical examination, an offence which carried a penalty of a mandatory seven day gaol sentence. Just as Carmichael Jnr arrived at the court he was spirited away by supporters. His disappearance seemed to inflame the tempers of the police outside the court. Carmichael's father, State Secretary of the Amalgamated Engineering Union (AEU), was arrested minutes later inside the courthouse. Ken Carr, administrative secretary of the twenty-six rebel unions, described the court scenes that day:

There were about one hundred coppers outside the court and over three hundred demonstrators. After Laurie Jnr was whisked off in a car, angry scenes started. Val Carmichael was pushed in the back and knocked to the floor. She was then carried some distance by four policemen who had gripped her arms and legs. Her head was banging on the ground. Laurie Snr was also taken away by the coppers and later charged.¹²

Val Carmichael (Laurie Jnr's mother) claimed upon her release on bail that she had fallen to the floor of the court after having been punched in the back by a policeman. A reporter for *The Australian* described the scene at the court:

Many of the protesters were workmen from nearby Williamstown docks who downed tools after hearing of the incident involving Mrs Carmichael. Twelve other people were also arrested and charged with similar offences.

Mr N. Hill, a federal council member of the AEU, pleaded with police to leave Mrs Carmichael alone as they dragged her from the court at Williamstown. He said later police half-dragged, half-carried Mrs Carmichael to the police station, and then left her lying on a cement footpath outside so he could help her. He said that Mrs Carmichael suffered from a heart condition . . .

A constable grabbed one demonstrator and forced him back against a parked car with his hand around the demonstrator's throat, and forced him through the crowd towards the police station. When the case was called inside the court several young men stood up saying that they were Laurie Carmichael. They were forcibly ejected. It was at this point Mrs Carmichael started to leave the court.¹³

A few days later Carmichael Jnr addressed the congregation to the Melbourne Unitarian Church, where he explained why he had refused to enter the Williamstown Court building:

I feel that by not being in gaol right now I can get across to as many people as possible why young men like myself believe that the war in Vietnam is wrong. Only while I'm free is it possible for me to speak against the war and conscription at workshop meetings, at the universities, to church groups. This way I can explain to people why young men are prepared to go to gaol for two years rather than get involved in the Vietnam war. I realise that some people will have to go to gaol because of their beliefs before the *National Service Act* is repealed and I may very well be one of them. Michael Hamel-Green and Tony Dalton have been sentenced to a week in gaol and there are seventy young men who may be in gaol as political prisoners after the federal election.¹⁴

One week later Laurie Snr and Val Carmichael appeared before Stipendiary Magistrate Kelly, in Williamstown Court. This time the size of the demonstration was much larger — about 1,000 in all. Ken Carr had, earlier in the morning, addressed a meeting of unionists. “There were great meetings of unionists in September 1969. At the Williamstown Naval Dockyard the blokes just dropped their tools and marched towards the court.”¹⁵

The Magistrate refused to hear evidence against Carmichael Snr or his wife Val. Both had been charged with resisting arrest and assaulting police on the previous Friday. Twelve others had also been charged. Kelly said: “It is not a case I can hear. If the police account is correct, contempt of court has been committed, and it is a typical case which should be brought to the Supreme Court.”¹⁶

The Magistrate adjourned the charges to a date to be fixed and released both Carmichaels on bail of \$20 each. A warrant for Carmichael Jnr had been issued, but it was not until October 10, 1969 that he gave himself up. He was subsequently sentenced to seven days in Pentridge. The Right-wing Democratic Labor Party (DLP) led the attack on the unions and demonstrations. Victorian DLP Secretary, Jim Dowling, described the anti-conscription meetings as “a manipulation to destroy the processes of justice”. The press coverage created some anger amongst unionists. Especially the banner headline in the final edition of the Melbourne *Herald*:

ANGRY MOB STORMS COURT

Disturbed by the headline, Ken Carr rang the newspaper to speak to the editor, a Mr Williams. Unable to get through he spoke to one of the industrial or ‘Trades Hall’ reporters. Carr said that the Seamens’ Union would consider refusing to carry newsprint for the *Herald* if a retraction did not appear the next day. Within half an hour a conference was arranged in William’s ‘inner sanctum’ office at which Carr and a number of other Union officials were present. The next day a form of retraction was printed.¹⁷

After the Carmichael case, Union leaders like George Crawford (Plumbers’ Union), Ray Hogan (Miscellaneous Workers’ Union) and Roger Wilson (Seamens’ Union) were readily available to meet with draft resisters and student activists at short notice. Unions continued to assist in organising factory meetings and addressing shop stewards seminars.

The Australasian Meat Industry Employees’ Union had a history of militancy and radicalism. The Victorian secretary, George Seelaf had represented the union at a deputation to the Federal Government in Canberra on May 9, 1968. The group of unionists and peace activists had called on the Gorton Government to withdraw all Australian troops from Vietnam and to end conscription.

On August 20, 1968 the union passed the following resolution and submitted it to the ACTU:

... recent events have demonstrated that the National Liberation Front is a legitimate representative of the large section of the South Vietnamese people and hence is entitled to take part in any political settlement of the conflict.

The Labor Party, believing that Australia’s security is in no way threatened by war in Vietnam, and that Australia is not obliged under any treaty to be militarily involved in the conflict, declares that:

1. All Australian military forces should be withdrawn forthwith.
2. All possible diplomatic and political initiatives should be used now to expedite an early settlement of the war.

3. That on the conclusion of the war the fullest civil aid should be provided to relieve the suffering of the Vietnamese people, and to assist in the economic development of the country.¹⁸

The resolution is significant in that it indicates a need for Australia to contribute to the reconstruction of Vietnam after the end of the war.

Carmichael Jnr was not the only draft resister to involve his family in the anti-draft fight. Tony Dalton was sentenced to seven days in prison on September 17, 1969 by Foley, SM, at Cheltenham Magistrate's Court. After Dalton had been sentenced, his father Les, a CSIRO scientist, jumped to his feet and shouted at the magistrate: "I am a man of your own age. You should be dealing with me, not my son."¹⁹ The magistrate then directed that Dalton Snr be taken into custody. Shouts of "Shame on the court" rang out as Les and his wife Dorothy were escorted from the court.

About two hours later, Les was brought back to the court for the contempt charge to be heard. The magistrate asked if he wanted to apologise, Les declined. Foley refused to allow Les to read a prepared statement and fined him \$10 on the contempt charge. Les and Dorothy were two of the strongest supporters of the draft resistance movement and many anti-war meetings were held in the Dalton's Cheltenham home over the next three years.

Another court case, on September 15, 1969, saw the gaoling of both Michael and Fran Hamel-Green. Fran was arrested a few minutes before her husband's court case. (She refused to pay a fine which was the result of an arrest at an anti-draft sit-in.) The magistrate gaoled her for sixteen days which she spent at Fairlea Women's Prison, Fairfield. Michael was also gaoled for sixteen days and fined a further \$50 for refusing to attend a medical examination. In court he declared: "I could not, in conscience, have complied with this notice because it would have entailed my complicity in genocide in Vietnam. Nor will I obey further notices and will refuse to pay any fines, or comply with any legislation under the *National Service Act*."²⁰

ENDNOTES – CHAPTER 4

1. Letter from Brian Ross, reprinted in *Resist* 1970.
2. SOS leaflet, Gibson Collection, Melbourne University Archives.
3. *Statement of Aims*, Draft Resister's Movement, February 5, 1968, Gibson Collection.
4. *ibid.*
5. *Annals*, July 5, 1969.
6. Letter from Clyde Holding, February 6, 1969, private collection of the author.
7. M. Hamel-Green in *Australia's Vietnam*, ed. P. King, p.114.
8. M. Hamel-Green in *Australian Left Review*, April 1970.
9. *Melbourne Sun*, July 5, 1969.
10. Ken McLeod, manuscript in AICD collection, August 1969.
11. M. Hamel-Green, *The Legitimacy of the 1964-72 Australian Conscription Scheme*, MA Thesis.
12. Ken Carr, interview with the author, Melbourne, December 1983.
13. *Australian*, September 20, 1969.
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19. *Australian*, September 18, 1969.
20. *Australian*, September 16, 1969.

CHAPTER FIVE

ORGANISE

War is a crime against humanity. I therefore am determined not to support any kind of war and to strive for the removal of all causes of war.¹

The Prime Minister, John Gorton, announced that a Federal election would be held on October 25, 1969. The media and the public generally expected that the Liberal Government would be returned with a reduced majority. Labor needed a massive swing, of about 9 per cent, to win enough seats to form a Government. Opposition Leader Gough Whitlam launched his campaign with a policy speech at the Sydney Town Hall on October 1, 1969. More than two thousand supporters cheered the Labor Leader, who said that the ALP platform was “the most comprehensive, consistent programme our party has ever presented, or any party ever presented.”²

Whitlam stressed those issues he believed would win the electoral support of outer suburban voters in swinging seats — education, health, housing and welfare, areas which had been badly neglected by Australian conservative governments of the previous two decades. He also pledged that all Australian troops would be withdrawn from Vietnam by the end of June 1970 and that conscription would be abolished under a Labor Government.

During the election campaign Gallup polls showed Labor closing the gap on the coalition, and some commentators revised their predictions of an easy Liberal victory. Whitlam, ever the pragmatist, became worried about the electoral backlash against anti-war and anti-conscription rallies. A number of Liberals believed that the law and order (called by some “Laura Norda”) issue, coupled with defence, would help the Gorton government’s chances on election day. The Minister for External Affairs, Gordon Freeth, was quoted as saying:

The necessary discipline of service life just does not have enough attraction for young men in an affluent and fully employed society. It is just fantasy to hope that army strength can be maintained without national service. Nearly every comparable modern country has had to introduce some form of compulsory military service.³

Labor Party and anti-war groups were buoyed by the publication of a Gallup poll in the Melbourne *Herald* on September 10, 1969. In answer to the question: “Would you bring our forces back from Vietnam, or continue to fight in Vietnam?”, 55 per cent of the 2,000 people surveyed answered “bring back” while only 40 per cent said “continue”. Notably, the percentage of Labor voters in favour of withdrawal was much larger, with 72 per cent in favour of withdrawal.

A week before the 1969 election, Arthur Calwell made what was described by the press as “an open call for demonstrations against Vietnam and conscription.”⁴

The *Age* reported that Calwell had defied Whitlam and contradicted his leader’s statement that all the troops would be home in June 1970. Calwell said that no Australian soldiers should be serving in Vietnam after Christmas 1969.

The election was almost a dead heat, with Labor gaining a swing of more than 7 per cent in the House of Representatives. As late as Monday, October 27, 1969, Whitlam still believed he had a chance of forming a government after doubtful seats were decided. *The Age* of that day described the position as: sixty-two Liberal-Country party, fifty-nine ALP and four seats still to be decided on preferences. The Liberals did better than Labor in the

late counting of postal and absentee votes and the Gorton Government was finally returned with a majority of seven in the House of Representatives.

Between the 1966 and the 1969 elections both the issues of Vietnam and conscription had turned sour for the Liberals. Public opinion polls indicated majority support for withdrawing all conscripts from Vietnam. It appeared that Labor's anti-Vietnam and anti-conscription policies had actually helped increase the Labor vote in the election.

Immediately after the Federal election more protestors reached the courts. In a press release, Plumbers' Union Secretary, George Crawford, criticised the magistrate at the Ringwood (Vic.) Court, Mr Brown SM, who had sentenced Plumbers' Union member, Alan Brough, aged 23, to one month's imprisonment plus \$250 in fines with \$41.30 costs. Brough was given only one week to pay the fine or face a further extension of the gaol term.

The conviction arose from an incident when Brough went to the National Service office and sought information regarding his call-up for national service which had previously been deferred. As a result of a heated exchange of views, Brough tore up his file and was seized by seven officers of the Department who prevented him from leaving the office. However Brough broke free and disappeared. Nothing further was heard of the matter until after the elections, when Brough appeared in court on November 17, 1969, on a number of charges arising from the incident. Crawford said: "Sentences of this nature, designed to bludgeon young men into acceptance of conscription to take part in a war of aggression, must fail as the majority of the Australian people were opposed to these laws."⁵

The Congress for International Co-operation and Disarmament (CICD) organised a controversial "March of the Dead" through Melbourne streets on November 15, 1969. A relative of one soldier who had died in Vietnam threatened to disrupt the march if the name of his deceased brother was carried by a demonstrator. Cairns offered not to have placards with the names of deceased soldiers at the demonstration if relatives objected. Consequently twelve names were removed. The weekly newspaper *Sunday Observer* reported:

Yesterday's orderly and well supported peace demonstration in Melbourne was a sizeable ripple of the rapidly swelling waves of war protest emanating from the United States and now sweeping around the western world. (US President) Mr Nixon is presiding over a polarisation of his own and allied countries which has reached the unprecedented extent of continuous demonstration and counter demonstration.

The protesters are taking to the streets in increasing numbers and frequency to demand an end to that which is tearing their own society apart, as well as continuing to inflict an appalling degree of suffering on the people of Vietnam. They do so because of unresponsive policy makers who still persist in attempting to justify directions which have already led the world into disaster.⁶

In the analysis of the 1969 election results, Calwell and Whitlam put different interpretations as to whether the Vietnam protests had helped Labor. In a letter dated February 20, 1970 Calwell wrote:

Very few people in Canberra seem to think of anything other than holding their seats and securing the return of a Labor Government at any price — and that means at the sacrifice of any, or even every principle. Democracy in Australia is in a very sick condition. . .⁷

A few days after the 1969 election, draft resister Brian Ross appeared in Orbost Court, East Gippsland, on a charge of refusing to obey a call-up notice. Ross told the court:

I would like to know why I should be faced with the alternatives of either being a slave or of going to gaol for 18 months? Surely in our "free" democracy the society as a whole must pay for any services it deems are necessary? Why are some of us — the voteless ones — expected to provide cheap labour? Conscription is a transgression of human rights. I believe there are some things which are the right of everybody. We ought to be free to lead the life we choose, and to think what we like. The individual must be free to control his own destiny as long as he recognises the equal rights of others. The *National Service Act* forces the individual to relinquish those things which are his. They are his because he is a human being; his integrity, his conscience and the responsibility for his own actions. Didn't the trials at Nuremberg say exactly that?

Crimes against International Law are committed by men, not by abstract entities, and only by punishing individuals who commit each crime can the provision of International Law be enforced . . .

Your worship, on this occasion, you are going to decide that our late Liberal Government's law is superior to the International Law of Nuremberg, and the Declarations of the United Nations. Militarism in my mind means destruction. I have no faith in the use of military methods for solving problems, or for protecting anyone or anything. Surely we have reached the crowning glory of militarism, when we have at our disposal fifteen tons of TNT for every man, woman and child in the world . . .⁸

During 1969 the Gorton Government reduced the period of army service for conscripts from two years to eighteen months. The alternative, imprisonment, was also reduced to eighteen months. Ross spent a total of eleven months in Sale prison in Gippsland. One churchman, outspoken in his support for the Vietnam war, Bishop Fox, lived in relative luxury only a few hundred metres from Sale prison.

The isolation of the gaol made demonstrations in support of Ross difficult to organise. Eighty demonstrators arranged a freedom ride to Sale prison on December 13, 1969. Cairns addressed the rally outside the gaol. Two days later, the progressive wing of the trade union movement was in the news when a meeting of 200 unionists in Victoria, called upon conscripts to refuse to fight: "We encourage those young men already conscripted to refuse to accept orders against their consciences and those in Vietnam to lay down their arms in mutiny against the heinous barbarism perpetrated in our name upon the innocent, aged, men, women and children."⁹

The so-called mutiny call received widespread publicity and was strongly condemned by both the press and government. *The Age* noted that the maximum penalty for offence, incitement to mutiny, was life imprisonment.

On December 12, 1969 the focus of the movement moved to the national capital. Two hundred people demonstrated outside the Prime Minister's Lodge in Canberra. Among them were the mother, sister and girlfriend of a conscript who had been killed in Vietnam five days earlier.

An advertisement in *The Australian* on January 14, 1970 from the *Committee in Defiance of the National Service Act* declared:

We charge your Government with moral hypocrisy and political cowardice. If your coalition Government does not have the moral conviction to imprison or act

impartially against us, then we suggest the only honourable alternative is to release all young men currently in gaol . . . and end Australia's shameful participation in the Vietnam war.¹⁰

The ALP Victorian branch conference met again in June 1970. Ross was still in gaol and the following resolution appeared in the conference papers:

BRIAN ROSS CASE

Shortly after the Federal election in 1969, a member of the ALP (Orbost Branch), Brian Ross, was committed to Sale Prison for refusing to register for National Service. The executive condemned his imprisonment and has since worked continuously for his release. Labor parliamentarians and officials have taken part in demonstrations at Sale against the gaoling of Mr Ross.¹¹

Another anti-conscription report from the party's Civil Rights committee was also on the agenda:

Members of the committee were involved in giving practical assistance on matters relating to the *National Service Act* . . .

In particular, the operation of the *National Service Act* continues to give concern. The committee calls upon the Labor movement to continue to support the repeal of the Act and, in particular, any action aimed to release from gaol Brian Ross whose only offence is his opposition to the Vietnam war and to conscription as contained in the *National Service Act*.¹²

Ross recorded the following in his prison diary on June 6, 1970:

As things stand at the present, there is no civilian alternative to military national service. We can only speculate as to what, and if, it will be. One can only be alarmed and concerned that the Australian Government and people are willing to enforce and accept such a despicably low method for implementing equally despicable and low policies of misadventure overseas . . .

To put it mildly, I find myself unable to support or be part of Australia's incredibly stupid militarism, or to associate myself with the Australian Government's interpretation of international affairs, or its apparent sense of priorities in regard to the basic needs and rights of human beings. I can only imagine what I would feel about Australia if I was a Vietnamese peasant.¹³

Brian Ross wrote letters to a number of draft resisters. One such letter addressed to Tim Harding, the Draft Resisters' Union Secretary, was reprinted in *Resist*:

HM Prison,
Sale,
June 23, 1970.

Dear Tim,

Thank you for your letter of 3.6.70. It was very good to hear from you about the latest happenings . . .

The Moratorium appears to have been a great success and these shows of the public's feelings certainly tend to back up and support our action. Well, it gets me thinking that I can't be completely mad anyway . . .

I am getting along quite OK. The first few months are the worst. There are lots of ups and downs. But I am sure that I will not die here. I wouldn't wish anyone to come to gaol but it is bearable, and necessary when you know that it

is the only way to maintain your status as a human being. Please give my regards to Tony (Dalton), Michael Hamel-Green and anyone else associated with our effort. I wish you all luck. I will write again.
We will win.

Bravo Tim and comrades

Brian James Ross¹⁴

Although Brian Ross had consistently refused to co-operate with the government, a so-called Judicial Inquiry found him to be conscientiously opposed to war and conscription. Ross was released on September 21, 1970, after eleven months in prison.

On June 20, 1970 an all-day conference of draft resisters was held at the La Mama Theatre in Carlton (Vic.). The conference agreed to a statement: "That there be an organisation known as the Draft Resisters' Union. Membership shall be open to all persons who have refused to comply with the *National Service Act* together with those intending future non-compliance who are willing to sign a statement to this effect."¹⁵

Jim Page was elected treasurer. Page recalls the La Mama meeting.

It was a strange mixture of people: some from around the left who could be seen as "heavies", supporters from the Save Our Sons movement, and there were young people who I had never seen before. Perhaps forty people were at the meeting altogether.

I had initially registered for the draft, but with grave misgivings. The first really important new feeling we had was that "doing a CO" was not much use in fighting the draft. We took a number of important decisions in setting up the Union. Tony Dalton was to be president, Tim Harding was elected secretary and I was the first treasurer.¹⁶

From its initial meeting, the Draft Resisters' Union (DRU) had a militant strategy. Its major aims were the "immediate repeal of the *National Service Act* and the immediate end to Australian support for American imperialism rather than simply the release of particular gaoled objectors."¹⁷

The formation of the DRU in Victoria, and similar groups in New South Wales, Queensland, Western Australia and South Australia, were of crucial importance from an organisational perspective. The DRU gave fresh impetus to the "Don't Register" drives, as well as to the size and organisation of demonstrations at numerous court cases.

While draft resisters continued to face the courts and spend time behind bars, Liberal politicians attempted to find a more satisfactory alternative to army service than prison. In May 1970, the Minister for National Service, Bill Shedden, announced a proposal that young men who refused to register for the draft might be forced to undertake some form of civilian work. It appeared that whatever type of work they did, the "alternative conscripts" would be paid less than award wages. *The Australian* produced the following editorial:

MR SNEDDEN BUILDS A SALT MINE

Final judgements of the Government's proposed changes in the *National Service Act* must await next week's promised statement in detail by the Minister, Mr Snedden. Even at this stage, however, it seems sadly evident that the concept of a civilian alternative to compulsory military service has suffered transmutation.

The type of scheme being discussed in Government circles, and apparently given a narrow majority endorsement by cabinet, will not provide an alternative form of

service for those unwilling to submit to military conscription. It offers them an alternative penalty for holding to their personal belief. Instead of going to gaol for two years they can go to a labor camp for 2½ years. They will not be choosing between service to the nation under arms and service as civilians; they will be choosing their punishment for refusing armed service.

One of the concepts of a civilian alternative when Mr Bury, as National Service Minister, first raised it, was that it should have real value along with the hard labor. It sought to acknowledge conscientious belief beyond the present narrow legal definition and to channel it into worthwhile projects with some of the idealism of a peace corps.

Civilian conscription as it is now emerging has none of this element. As a penal measure it cannot have them. It seems most unlikely, in fact, that many highly-motivated objectors to military service would choose it in preference to a civil gaol term which would demonstrate the penal approach so much more clearly. There must be the gravest misgivings, too, about how the civil labor plan would work in practice. Could it create anything less than forced labor camps? It seems unlikely when it is to be regarded as an alternative to prison. If the camps have such distinguishing features as guards, geographical isolation, low wages and physical labor lacking a clear national 'service' function (and all these seem likely), they will be quickly recognised for what they are: our equivalent of Siberia and the salt mines.¹⁸

The civilian alternative or "salt mine" proposal was quickly abandoned by the Liberals.

ENDNOTES – CHAPTER 5

1. *Australian Peacemaker*, November-December 1968.
2. *Australian*, October 2, 1969.
3. *Age*, October 14, 1969.
4. *Age*, October 18, 1969.
5. Press release, G. Crawford, reprinted in *Plumbers' News*, November 1969.
6. *Sunday Observer*, November 16, 1969.
7. A. Reid, *The Gorton Experiment*, p.250.
8. *Downdraft*, 2nd edn, p.20.
9. M. Hamel-Green, *The Legitimacy of the 1964-72 Australian Conscription Scheme*, MA Thesis.
10. *Australian*, January 14, 1970.
11. Conference Papers, Victorian Branch of the ALP, June 1970.
12. *ibid.*
13. *Australian*, July 17, 1970.
14. *Resist*, July 1970.
15. *ibid.*
16. Jim Page, interview with the author, Melbourne, August 1983.
17. *Resist*, July 1970.
18. *Australian*, May 29, 1970.

CHAPTER SIX

FTD

Australia's participation in the war has already cost this country about \$120 million and repatriation costs and allowances in the future will greatly increase that figure. John Zarb is one of the great young men of this year. Men like John Zarb, Simon Townsend and William White, who were the first conscientious objectors, are men we all should respect. I wish to pay my tribute tonight to men of the character of John Zarb.

Arthur Calwell MHR¹

In January 1970, Departmental advertisements appeared in the daily press directed at the young men who were to turn 20 years of age between January 1 and June 30, 1970. 'If you fail to register by February 2', so the advertisement read, 'you will be liable to a fine of up to \$200 and to be called up for military service regardless of the result of the ballot.' Tim Harding and the author were but two of the hundreds of 20 year olds who did not register as directed.

Harding, of Page Street, Albert Park, had recently been elected secretary of the DRU. This position guaranteed that the Commonwealth Police would take considerable interest in his failure to register and subsequent breaches of the conscription laws.

In late January thousands of anti-conscription leaflets were handed out on campuses and to anyone walking past the GPO in Melbourne and Sydney. As well as urging non-compliance with the conscription laws, the leaflets advertised telephone contact numbers, times and places of anti-draft meetings and information about penalties. The DRU's post box in the Melbourne suburb of Highett was perhaps the most important and best publicised contact point.

While hundreds defied the order to register, the Department of Labor and National Service received registration forms from the most unlikely people. Anne McPherson, a Monash University Arts student, was responsible for her horse, Topaz, receiving a draft card. Liberal Party politicians found their names had been registered by DRU supporters. Mrs Berry Healy of Highett remembered a telephone call about the registration papers for her 60 year old husband, Leo. Middle-aged Ted McCormick, a waterside worker and union activist, found he would shortly be able to commence his military service, but was surprised to read that his normal occupation was that of nightsoil collector.

Despite the warnings about the penalties for false registration, the system began to become clogged with non-existent, but very willing conscripts. Harry Van Moorst wrote about the false registration campaign:

The aim of this was not only to sabotage the selection process but also to give the Department [of Labor and National Service] some indication of the strength of opposition to the *National Service Act*. At least 6,000 false forms were sent in and many filled out in public with Commonwealth Police observing — but the police refrained from prosecuting.²

Some draft resisters used the opportunity of court appearances and demonstrations to whip up the Fill in a Falsie campaign. Melbourne plumber Karl Armstrong wrote:

To me the coercing of young men to fight an unpopular war is just part of the move towards a totalitarian state. So, therefore, I intend to ignore all court notices and refuse to pay any fines incurred against me for non-compliance. I shall call on other young men to join me by non-compliance, filling in false registration forms and demonstrating as a means of working for the complete repeal of the *National Service Act*.³

An official with the Department of National Service had earlier been quoted as saying: "The possibility of receiving 10,000 false registration forms wouldn't be very attractive. The Department would waste a lot of time checking them."⁴ A leaflet issued by a student radical group, FTD, or Fight the Draft, described the workings of the false registration drive:

FILL IN A FALSIE

Since 1965, people have been calling on the government to repeal the *National Service Act*. After 5½ years it is perhaps time to stop asking? It is now up to those who oppose the Act to repeal it themselves. Can it be argued any longer that it is the duty of tyrants to repeal tyranny? We can repeal the Act by making it unworkable. Repealing the Act cannot be done by voting at meetings and holding barbecues, they are only the trappings. Success will only come when large numbers of people decide that a certain period of their time, as much as possible, will be put aside to work on the methods of achieving that success.

The False Registration Campaign and phone disruption can help make the Act unworkable. It has been adopted by many organisations as well as the moratorium. Some of your time can make it work. Keep this leaflet for reference.

Registration forms are distributed through post offices and the National Service office. *There is no law against collecting them* and clerks are seldom suspicious. All you have to do is ask for them (if you see a pile on the counter, take them, but be careful or quick). The forms are easy to fill in; all you have to do is follow the instructions like genuine registrants.⁵

The huge increase in the number of public non-compliers, especially after January 1970, created problems for the judiciary as well as the bureaucracy. Draft resisters continued to be summonsed to answer charges connected with the *National Service Act*. Many of those charged simply failed to appear while others organised demonstrations at the court.

The front page of the *Oakleigh Standard Times*, a suburban (Vic.) newspaper, featured a photo of an objector, Bob Bissett, and lead story:

OBJECTOR TELLS OAKLEIGH CROWD: WHY I DIDN'T REGISTER

Members of Parliament, students, mothers and babies were among 50 demonstrators outside Oakleigh Court last Friday. They had marched from Warrawee Park to the Court in support of Bob Bissett, who is defying the *National Service Act*.

Bissett of Carnegie refused to enter the court and then addressed the demonstrators in the park beside the court.

He told the demonstrators he was not going inside the court for three reasons.

Firstly, I don't accept the Act and therefore I don't consider I've committed any crime and if I entered the court I'd be accepting their right to charge me with something.

Secondly, it's a complete farce. If I get a Queen's Counsel in the court they are still going to find me guilty.

Thirdly, if I'm inside the court I won't be able to give my reasons for not registering because they will rule them irrelevant.

Federal Labor Member for Wills, Mr Gordon Bryant, supported Bissett's stand by stating that he thought the *National Service Act* was one of the greatest acts of National immorality this country has ever perpetrated.

Secretary of the Victorian ALP, Mr Bill Hartley, the then MLC for South-Eastern Province, Mr Ian Cathie, also spoke on Mr Bissett's behalf.

Meanwhile inside the court Bissett was fined \$50 for failing to register and ordered to pay costs of \$26.50.⁶

The position Bissett took — absolute non-compliance — differed from that of the earlier conscientious objectors like John Zarb. Zarb exhausted all of his legal remedies before taking the final step in refusing to obey a call-up notice.

Bissett had spent sixteen years in Tamworth NSW before deciding to live in Victoria. He worked as a bank clerk before becoming a state public servant employed by the Housing Commission of Victoria. His ginger beard made him a easy target to identify at demonstrations.

Jim Page explained why he chose to go public in defying the draft rather than seek conscientious objector status through the courts:

I felt that the government could afford to allow a few hundred people to be successful in their applications to become CO's — all you had to do was draw an extra marble from the barrel. The DRU as a whole believed that COs did not challenge the system but actually gave it indirect assistance.⁷

The United States saw huge demonstrations against the Vietnam war in October 1969. The name 'moratorium' was given to these marches. On November 21, 1969, John Lloyd, Secretary of Victoria's CICD called a meeting of peace supporters to organise protest marches in the New Year. Only forty people attended the initial meeting in the National Memorial Methodist Church hall in Canberra, but follow-up meetings were better attended.

Seventy-four State and Federal ALP politicians signed a statement of support for the moratorium campaign. A Melbourne meeting, chaired by Dr Jim Cairns, in December 1969 saw a fiery debate on tactics amongst the 150 people present. Later meetings of the Victorian Moratorium Campaign at the Richmond Town Hall were sometimes marked by heated clashes between various groups. The debate was at times intense and acrimonious. Some DRU members felt that the May 1970 leaflets produced by the Moratorium Committee did not stress the importance of conscription which supplied the canon fodder for the war in Vietnam.

Albert Langer, from the Monash Labor Club, spoke frequently and strongly at the Vietnam Moratorium Committee (VMC) meetings. He challenged the Communist Party members and CICD supporters to make the major objective of the campaign the smashing of US imperialism rather than the more reserved demand of peace now. Langer, Mike Hyde and others believed that the route of the coming Moratorium march should be along St Kilda Rd to the US Consulate.

The original Moratorium concept was for three day-time protests on May 8, 9 and 10. As the days drew closer the main focus became the demonstration on the afternoon of

Friday, May 8. The Melbourne *Sun* increased interest in the Moratorium by featuring a countdown to M-Day. In Sydney, the Moratorium Committee worked well — largely due to organisation through the Association for International Co-operation and Disarmament (AICD) and some left-wing unions. During the lead-up to the Moratorium a number of trade unions offered to supply buses to pick up students and workers who wished to march.

The concept of mass anti-war protests was anathema to Liberal politicians. Bill Snedden referred to the Moratorium badge as the “badge of the Comintern that is worn by honourable members opposite”.⁸ Snedden continued in the Federal parliament to predict a poor level of support for the Moratorium marches around the country.

It looks as though union activity will be confined to the maritime unions. So the response of unions makes a melancholy story for the organisers of the Vietnam Moratorium. Quite clearly the only people to whom they can look for support are the Labor voters, whose purpose is to attack the Government in contrast to the purpose of the organisers which is to attack democracy. Indeed it is very important to try to distinguish between the organisers only as political bikies who pack rape democracy.⁹

Other Liberals joined in the debate with predictions of violent confrontation. The member for Deakin, Alan Jarman asked:

Is the Deputy Prime Minister aware that stores in Melbourne and Sydney have been forced to put up shutters, employ security guards and have extra plate glass on hand in case of violence at this insane Moratorium demonstration today?¹⁰

Australian journalist, Wilfred Burchett, returned to Australia in early May. The Australian Government had refused to give Burchett a passport and had made stringent attempts to stop him entering the country. After he left Australia, Burchett continued to advance the cause of the NLF forces in South Vietnam and made several visits to the areas of that country controlled by the liberation forces.

The long-time Victorian Premier, Henry Bolte, urged good citizens to boycott the city area on M-Day. Bolte was due to face a State election on May 30 that year and he tried to make political capital by warning that the people running the demonstration would be controlling the government in the event of a Labor victory. Roman Catholic Archbishop, James Knox, declared: “We might well be about to see for the first time in our history the introduction of lawlessness and violence as a means of pursuing one’s ends.”¹¹

Despite the warnings of Knox and some other church people condemning the Moratorium, many thousands of their flock marched on May 8, 1970.

On the morning of the Melbourne demonstration 1,000 police were rostered for crowd control duties. The organisers of the Moratorium elected about 500 marshals to control the march.

The Melbourne *Herald* featured a huge photograph of the Moratorium on its front page and recorded the atmosphere:

THOUSANDS IN MARCH

A great crowd extending from Elizabeth Street to Parliament House sat down in Bourke Street today after the Vietnam Moratorium march. The marchers lined up 60-abreast in Spring Street after an hour of speeches in the Treasury Gardens. The Gardens rally was orderly. At exactly 3.30 pm when the marchers extended east the whole length of Bourke Street they started to sit down.¹²

The *Herald* focused on the role of the Moratorium Chairman, Dr Cairns, who had been the target of a continuing barrage of reactionary attacks from Liberal politicians in the lead-up to the march. The *Herald* continued its coverage:

Dr Cairns said that Australians had to place themselves in the position of the people who were being killed and injured in Vietnam.

He continued: "There are so many people who appear not to know what democracy is. Democracy is action by the people — on the farms, in the factories and in the streets. If it does not start there, we will have no democracy at all."¹³

Throughout Australia the Moratorium was front page news. In Melbourne, 100,000 marched against the war and conscription. In Sydney 25,000 people demonstrated against the war. Brisbane had a protest march of 6,000, Perth 3,000, Hobart 3,000 and Adelaide 2,000.

At a Melbourne rock concert on May 10, 1970, organised by the Vietnam Moratorium Committee, four draft resisters publicly burnt their draft cards. Although conscription was not the central theme of the first Moratorium it was to receive plenty of publicity shortly afterwards.

The crowds of marchers was perhaps greater because of the escalation of the war into Cambodia. American bombers attacked targets in Cambodia while South Vietnam ground forces also violated the neighbouring country. In the parliament Cairns asked Minister McMahan:

Can the Minister for External Affairs say whether any request was made by the Lon Nol Government in Cambodia to the Government of the United States of America or to the Thieu Government in Saigon to send into Cambodia, American and South Vietnamese armed forces?¹⁴

McMahan answered:

The Lon Nol Government did not ask for the assistance that was given by South Vietnam and the United States of America but yesterday the Premier himself, Mr Lon Nol, issued a statement in which he said that the liberation government of Cambodia recognised that the action by the United States and South Vietnam was taken in order to achieve the freedom, the independence and the realisation of the highest ideals of the people and the Government of Cambodia.¹⁵

The success of the moratorium met with mixed responses from the Labor Party politicians. Queenslander, Tom Burns, then National ALP president later remarked that if all the planning, effort and finance of the moratorium had been directed into the last federal election campaign in 1969, Labor would have won.¹⁶

On June 14, 1970 the ALP Victorian Branch Conference at Collingwood urged all young men to defy the *National Service Act*. The resolution was signed by over 300 delegates. It expressed its "... warm approval and supports and encourages all young Australians to refuse to be conscripted to fight in the dirty war in Vietnam".¹⁷

In early August 1970 the ALPs federal executive met in Broken Hill and declared its support for "the principle" of moratorium demonstrations. The executive also called upon the parliamentary party and the ACTU to sponsor and support the coming second moratorium planned for September 1970.¹⁸

Four days later Prime Minister John Gorton told a press conference that the law would be enforced against all young men who defied the draft.

Moratorium Campaign activist, Beven Ramsden, a Melbourne printer, outlined in an article for *Aquarius* what he believed were limits to the effectiveness of the campaign up to May 1970.

Perhaps the moratorium provides the opportunity to consolidate public opinion on a wide basis and to provide the means through which many more became publicly committed against the Vietnam war and conscription as a necessary prelude to the development of quality — resistance on a much wider scale. This type of resistance is not new — the present level of opposition to conscription is largely a response to the quality of actions of a few, such as John Zarb, Gordon Riesenlater and Brian Ross, together with perhaps a hundred others at present at various stages in the non-compliance procedure.

On this issue of conscription and the Vietnam war, where are the points of pressure at which resistance action might be effectively applied? The first is, of course, non-compliance with the requirements of the *National Service Act*, and the open and effective encouragement of this response among potential conscriptees. This movement, which is already established, needs to be developed on a wider basis to reach the point where the government can no longer sit back and tolerate it. The Draft Resisters' Union (or, better, Conscription Resisters' Union, for Australian consumption), may be the answer to the need for widening of the movement to involve others above and below the conscription age-group in resistance action, and also to enable the movement to disperse and expand into suburban and country areas.¹⁹

By mid 1970 at least twenty viable local anti-war groups had been formed in Melbourne suburbs. Many had their own banners and were responsible for the organisation of leaflet hand-outs. A number of draft resisters spoke at local Moratorium meetings, as well as addressing various ALP branches.

After the Moratorium march in May those on the right of the political spectrum continued their verbal attacks on the anti-war movement. RSL President, Sir Arthur Lee, said:

I am confused how they can get to the stage of being prominent citizens and advocate the law of the jungle.

The May 8 events [the Vietnam Moratorium] in capital cities were unprecedented in the history of Australia.

Flags of the enemy with whom our troops are engaged in mortal combat were carried in processions even by Australians holding high positions.

How sick can a community become that it completely forgets and ignores the very principles on which it was founded.²⁰

The first edition of the DRU manual about conscription, *Downdraft*, was launched in booklet form in early 1971. Bob Muntz, an activist in the DRU who lost his Victorian Government Public Service job because of a Special Branch security file, wrote:

Why does the government allow conscientious objection to conscription? After all there is very little sympathy for conscientious objectors amongst the government members. When the government introduced conscription it knew from past experience both in Australia and overseas, that there would be a small number of people who would refuse to serve in the army in any circumstances and who would accept imprisonment rather than compromise their consciences. To force these

people into the army or to gaoil them would only excite public disquiet with both conscription and the government itself. Far better, thought the government, to allow this small exemption from service. They could then be conveniently ignored so that their views could not be publicised and they would then have no effect on public opinion. Conscientious objection could be given minimal publicity and the requirements for exemption kept so stringent that the numbers of conscientious objectors would remain small. At the same time the existence of these provisions would give an aura of respectability to conscription — those who objected to war didn't have to go, so we were told.

It seems that conscientious objection in its present limited form is allowed in order to make conscription function more smoothly. It acts as a 'safety valve' on dissent for the government. By permitting this form of protest against the conscription system the government hopes to contain dissent within its own legal framework, where it represents no threat to governmental militarist policies.

In fact conscientious objection is nothing but a sophisticated tactic on the part of the government to ensure the smooth operation of its policies.²¹

The July registration period in 1970 saw thousands more of the incitement leaflets distributed by opponents of the draft. The pamphlet read, in part:

DON'T REGISTER FOR NATIONAL SERVICE

All male persons resident in Australia whether British or non-British, whether born in Australia or elsewhere, who are about to turn 20 years of age, are urged *to refuse to register* for National Service when the law requires them to do so.

Absolute non co-operation with immoral laws is the only way to change them.²²

A number of Christian activists against the war in Vietnam put their names to the incitement leaflet including: Rev. J. Hudson, Father Val Noone, Rev. Terry Lane, Rev. N. Anderson, Rev. P. Andrews and Rev. Dudley Hyde. At a court appearance Dudley Hyde, the father of Monash Labor Club activist Michael, explained why he defied the *Crimes Act* by signing the incitement statement:

I am proud to plead guilty to the charge of inciting people to defy the *National Service Act*. I regard my incitement as a just exercise of my democratic and moral right to oppose this immoral war.

In addition I want it understood that I took the action I did as an ordained Minister of the Methodist Church. As such I am authorised and committed to proclaim the gospel as the church sees it. The Methodist Church has repeatedly called on the Government to repeal the *National Service Act* and has proclaimed through its General Conference the right of people to dissent and demonstrate in the exercise of civil disobedience.

But, above all, I did it as a follower of Jesus Christ. Because I cannot possibly imagine Jesus condoning such a war as this. I am sure that, if he were a 20 year old today, he would refuse to register for National Service. If by any chance he were compelled to take part in this war I am sure he would choose to be on the side of the NLF and not the USA.²³

The Reverend Stanley Moore of the Unitarian Church in East Melbourne was another anti-war Christian. Many meetings of the DRU took place in the Melbourne Unitarian Church. Moore wrote for *Aquarius* on the role of a draft counsellor:

The job of the draft counsellor should not be regarded as that of merely helping out the occasional young man who finds himself in trouble under the *National Service Act*. Rather it is one of fighting against the growing influence of militarism and its debasing and dehumanising influence on all the lives it contaminates. Ideally the section of the community at which to aim the message would be the high school students (of both sexes) and their parents.²⁴

Moore, a US citizen, disappeared from the political scene in the early 1970s. Joan Coxedge — amongst others — suspected Moore as being a plant within the movement. He was later seen attending the opening of the Liberal Victorian election campaign in 1982.

Val Noone was assistant parish priest at Frankston in 1968 and then at Ringwood in 1969. He was to invoke the wrath of the Catholic hierarchy for his anti-war activities.

Another source of Christian support for the anti-war movement came from the *Catholic Worker* group. This Melbourne paper, edited by John Ryan, had criticised the Vietnam war and conscription as early as 1966. In an editorial the *Catholic Worker* attacked the Catholic Bishops in general and bishops Fox and Stewart in particular. These bishops, the editorial said, viewed the Vietnam war as:

... a holy war against communism (and this end) justifies glossing over the moral implications of the means (including conscription) being used to achieve it.

Catholics may not expect their bishops to give them specific guidance on conscription, for or against; but they do expect general spiritual guidance, the religious and moral aspects of such issues being presented to us fairly and squarely so that we may then be able to make our own judgements adequately. But this, alas, is what we poor sheep look for in vain from our shepherds ...²⁵

The *Catholic Worker* editorial bias brought it into frequent conflict with conservative sections of the church.

In July 1970 the Minister for Defence, Malcolm Fraser (later to be Prime Minister), told a Liberal Party conference in Perth that those who took an extreme stand on dissent were not restricted to the radical fringe:

Dissent by many now appears to accept advocacy of defiance of the law, and defiance of the law itself, as a principal technique of dissent.

This must be understood. It must be exposed for what it is — an attempt to break down the constitutional mechanism and the democratic process of change.

If the trends that have become evident, in defiance of the law cannot be reversed, then we are fast destroying the basis of the democracy that we cherish.

The point which concerns us most is that there are now significant elements in our parliamentary Opposition who have stepped outside the bounds of constitutional change, who have gone beyond the limits of normal opposition and demonstration and who advocate breaking the law.²⁶

Three weeks later in Brisbane, Fraser continued his attack on the anti-war movement:

Why then disillusion? Does it revolve entirely around the issues of peace and war?

Does it indicate in its entirety a victory for the propaganda machine of our opponents, unable to win on the battlefield?

Can they win in the schools and on the campuses and the homes of America and Australia?

Has it been possible to establish so much disillusion with our cause that a significant minority now believe us to be wrong, that the North Vietnamese are now shrouded in a mantle of justice, with righteousness on their side?

If you think I am too far-fetched in my view we now have members of parliament saying that North Vietnam is right and that our cause is wrong.

Thus Australia and a large part of her people become the villains in the minds of many.²⁷

The regular Saturday morning demonstrations at the Melbourne GPO during registration periods often passed with little publicity or police activity. However, the leaflet hand-out and speeches on August 1, 1970 saw arrests and violence. Journalist Michael Costigan described the events:

Commonwealth Police were entirely to blame for what happened at the GPO yesterday.

They heard well-known people like Labour MHR Dr Moss Cass express defiance of the Act.

Then they decided to act against the mildest and least known of all the speakers, a fresh faced youth of about 19 or 20.

He had just finished speaking when one of the plainclothes men tried to approach him.

Other demonstrators formed a human barrier around him, while the Commonwealth Policeman went into the Post Office to telephone for reinforcements.

At this stage the demonstration had lasted nearly an hour and a half. It was showing every sign of fizzing out.

Then the police charged the demonstrators, pushing, grabbing, and swinging their fists as they advanced. The demonstrators resisted but I didn't see any of them aim a blow at the police.²⁸

At the same demonstration a young woman protester, Miss D. J. Thompson, was discovered to have in her possession a card issued by the Commonwealth Police. She was the first confirmed agent provocateur to be exposed by the DRU but was never identified as being present at any other protests.

On July 17, 1970, members of DRU and SOS briefly occupied the Melbourne GPO, the Department of Labor and National Service and the Combined Recruiting Centre. A few days later a conference between the Acting Chief Secretary of Victoria, Ian Smith, and the Victorian and Federal Police recommended a tougher official line against demonstrations. A Melbourne sculptor, Earl Ingleby, burnt a draft card outside the GPO on July 27. Five days later police made six arrests at the same location.

The Victorian DRU began to meet on a weekly basis and was responsible for the publication and printing of the weekly *Resist*, which summarised the situation in mid 1970:

Recent weeks have also seen a sharp escalation in defiance of the Government amongst those older sections of the public not themselves directly affected by conscription. First, the entire State Conference of the ALP in Victoria unanimously voted to encourage young men to refuse to be conscripted in full awareness that such an appeal would be breaching the *Crimes Act*. Then, in Sydney, the Headmaster of

Newington College appealed to young men not to register for National Service, and was promptly dismissed (illegally as it turned out) by his school council. To add a final straw to the Government's troubles, the Labor Premier of South Australia, Don Dunstan, said he would not register for conscription if he was in the position, and would advise his own son similarly. With the prospect of another Moratorium in September, and Senate Elections in November, and the probability that it will have to go at least some of the draft resisters in the coming months, the Government is clearly heading for a crisis.²⁹

Each edition of *Resist* featured on its front page the new running total of known public non-compliers who had contacted the DRU. The total on September 18, 1970 had reached 191. The left began to be optimistic that the government would eventually have to abandon the operation of the *National Service Act*. Harry Van Moorst wrote:

At present the government is faced with a movement which is probably for the first time, well integrated yet decentralised (thereby allowing individuality of ideas and ideals) incorporating ever-growing numbers of trade unionists and workers, academics, clergymen from all churches, students and many others. The contact and solidarity created between these groups during the last months can only increase. The defiant and militant style of opposition will of itself ensure the growth of the movement by creating an atmosphere of commitment and action — an atmosphere encompassing more and more people.

While the *National Service Act* could last another two years, it is much more likely that the next twelve months will see such a growth of opposition that the government will be forced to back down. The question is not whether the *National Service Act* will be repealed but whether or not the movement will have diversified enough by that time to force other important changes in the system as well.³⁰

In *Resist*, another draft resister, Peter Clark, asked:

Where then, is the draft resisters' movement going?

Certainly the DRU will be disbanded when conscription is ended in Australia. But, the contacts it has made, the education of the people to the faults of our society — a society that in the very act of needing to force its beliefs on its members and others shows it is not utopian — will continue to have their effects. The draft resistance campaign is one which is and will attract many people to consider for the first time their responsibility to their society, not to accept the establishment simply because it does exist. It needs to reach all people in society, not just students as the previous campaigns have tended to do.³¹

The attention of the media turned to Adelaide on June 28, 1970, where the son of the Australian Premier, Don Dunstan, said in an ABC interview:

If I registered for conscription I would be, in effect supporting the Vietnam war, which I feel is very wrong. I think it would be so much against my conscience that I could not register. On the other hand I don't expect my marble will be drawn because I expect Gough Whitlam to be Prime Minister by then.³²

On June 30, 1970, Queensland DLP Senator Vince Gair called upon the Federal Government to prosecute Dunstan (Senior) for his anti-conscription public statements:

How could he hope as premier for people to observe the laws of South Australia if he sees fit to induce people to break the law of the Commonwealth.

Those who are not prepared to observe the law should pay the appropriate penalty . . .

Mr Dunstan is no exception to this — personages don't matter.³³

Twenty-four trade union leaders in South Australia issued a statement expressing "Full support for the courageous stand taken by Mr Dunstan against the conscription of youths for national service." It concluded by saying: "We believe a true patriot is one who does not blindly say: 'My country, right or wrong', as the Returned Servicemen's League would have us do. A patriot is one, who like Don Dunstan is prepared with full knowledge of personal consequences, to work to make his country right."³⁴

While Melbourne may have had the best organised anti-war movement in the late 1960s and early 1970s, militant demonstrations focusing on wrecking the draft were seen in all capital cities. On August 7, 1970, twenty-four students and workers chained themselves together in the Perth office of the Department of Labor and National Service. Fourteen were arrested. In Brisbane on September 2, 1970 students attempted to occupy the Citizens' Military Forces (CMF) headquarters at the university. Commonwealth Police subsequently served warrants on those known to be involved in the raid.

Another milestone for the DRU was the holding of its first national conference in Sydney on the weekend of August 28 and 29, 1970. A deputation to Federal Attorney-General Tom Hughes' home was met by a cricket-bat wielding Hughes. The draft resisters had attempted to hand Hughes a list of 182 unprosecuted draft resisters. The visit to the Hughes' home saw the arrest of six people who were later to spend a fortnight in Long Bay Gaol.

A second national Moratorium was planned by the Vietnam Moratorium Campaign (VMC) for September 18, 1970. Progressive trade unions, as distinct from the right-wing Trades Hall Councils of Melbourne and Sydney, were active in distribution of leaflets to their members. One Adelaide Moratorium union leaflet called for:

Massive public opposition to Gorton's Vietnam policy . . .

Millions of Australians realise that Australian workers and Vietnamese workers killing one another is morally wrong, and does nothing to improve living standards for either.

The ALP Federal Executive this month unanimously approved of the Moratorium and called for joint ALP/ACTU action.

Don Dunstan, the leader of the only Labor Government in Australia, has unequivocally opposed our commitment in Vietnam. His forthright condemnation of the *National Service Act* stamps him a leader with courage and personal conviction, and one worthy of workers' support.

Australian workers, by unified action, have rendered inoperative the repressive penal powers of the *Arbitration Act*, and it should be realised that united action along similar lines could end our military involvement in South-East Asia.

The very forces which in the US are making billions from the war in Vietnam are making millions in Australia by low-wage exploitation of Australian workers.

Unless the acquisition of Australian resources and industries by foreign interests is curbed, Australians may, in the future, no longer find themselves masters of their own destinies — the same situation as that of the Vietnamese people today.³⁵

Again, as in May, the march on September 18 was largest in Melbourne. The rally moved from the Treasury Gardens down Bourke Street where a 30 minute sit-down took place. A Vietnam veteran read out the names of Australians killed in the war. At the corner of La Trobe and William Streets, many marchers yelled "Turn right" but a police blockade prevented the demonstration from heading towards Swanston Street.

The rally was peaceful although four people were arrested at the City Square. Draft resisters Paul Fox and Ian Turner publicly burnt their call-up summonses. Fox, a motor mechanic, and Turner, an engineer, were both to spend long periods behind bars in 1972. Turner said he could have made an application for conscientious objection but refused because it would be "simply sweeping the matter under the rug".³⁶

In Melbourne the size of the crowd was smaller than the first Moratorium, with estimates ranging from 50,000, to 70,000.

Moratorium leaflets tied the Government's utilisation of conscription to the continuation of the war: "Only by conscription can an Australian Government indulge irresponsible foreign adventures like Vietnam which it cannot sell to the people of Australia. While we have conscription, we have no guarantee that our involvement in Vietnam will be the last such irresponsible venture."³⁷

In his BA (Hons) thesis — *The Vietnam Draft Resisters in Victoria, 1966-1972*, Darryn Kruse was able to differentiate between the draft resisters and the anti-war movement mainstream opinion:

The draft resisters were something other than just an element within the anti-Vietnam/anti-conscription movement. While it is undeniable that the general movement concerned itself with what it saw as an undemocratic attack on freedom, it was solely the resisters who developed a semi-philosophical critique of conscription.³⁸

By the September 1970 Moratorium, the Draft Resisters' Union had established itself as a key component of the anti-war movement.

ENDNOTES – CHAPTER 6

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11. *Melbourne Sun*, April 20, 1970.
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22. Leaflet, Draft Resisters' Union, July 1970.
23. Handbill, Rev. Dudley Hyde, July 1971, collection of the author.
24. *Aquarius*, May 1970.
25. *Catholic Worker*, July 1966.
26. *Australian*, July 7, 1970.
27. *Australian*, July 20, 1970.
28. *Sunday Observer*, August 2, 1970.
29. *Resist*, July 3, 1970.
30. *Aquarius*, May 1970.
31. *Resist*, July 3, 1970.
32. *Australian*, July 4, 1970.
33. Handbill of Moratorium Committee, South Australia, July 1970, collection of the author.
34. *Australian*, July 4, 1970.
35. Handbill of Moratorium Committee, South Australia, September 1970, collection of the author.
36. Darryn Kruse, *The Vietnam Draft Resisters in Victoria, 1966-1972*, p.50.
37. Handbill of Moratorium Committee, Victoria, September 1970, collection of the author.
38. Kruse, *The Victorian Draft Resisters*, p.42.

CHAPTER SEVEN

AUSTRALIAN LABOR PARTY — PART 2

Linger not, stranger, shed no tear
Go back to those who sent us here.
We are the young they drafted out
To wars their folly brought about.
Go tell those old men, safe in bed,
We took their orders and are dead.¹

Inscription from Any War, Hope

By September 1970 Gough Whitlam and Clyde Cameron, MHR, had decided “to clean up” the left-wing dominated Victorian Branch of the ALP. The Federal Executive meeting at the Travelodge Motel, St Kilda Road, Melbourne, voted to disband the branch. An Advisory Council was appointed to assist the Federal Executive run the affairs of the ALP in Melbourne.

The debate over intervention was bitter. Two leading Victorian ALP figures — Bill Hartley and George Crawford — were seen by the right wing as the personification of left-wing evil. In part, the purpose of federal intervention was to remove these two from office, however, less than twelve months later, George Crawford was again elected Chairman of the Victorian ALP by conference delegates. The strength of the anti-war movement was due, in part, to the involvement of the Victorian ALP branch in the support of the Moratorium of May 1970.

In June 1970, the Victorian ALP conference unanimously passed a resolution which declared: “This branch considers that conscription in any form whether civil or military is a violation of basic rights of the individual, and as such can have no place in the policies of the Australian Labor Party.”²

More importantly, the State Conference directed Victorian delegates to Federal Conference to seek deletion of the following words from the platform of the party “and to ensure that fair and appropriate penalties are imposed for failure to register for military service and for similar offences.”³ Thus, the Victorian pre-intervention position on conscription was stronger than that of any other State branch.

Those who had opposed intervention began to work with Bill Hartley, George Crawford, former State ALP organiser Bob Hogg and others to set up a faction known as the Socialist Left (SL). A number of draft resisters, including Bob Bissett, Barry Johnston and the author, were ALP members who strongly aligned themselves with the SL. Apart from opposing the undemocratic way in which the Victorian ALP had been temporarily disbanded, the new faction was interested in promoting a number of foreign affairs policies which were much more radical than those adopted by the parliamentary party. The Socialist Left was not just interested in gaining the numbers in the Federal Parliament, but was also committed to working for peace and socialism.

The SL produced a newsletter in rough roneoed format — *Inside Labor* — which was circulated to rank-and-file members of the Australian Labor Party. One edition in 1970 criticised the new Victorian ALP Advisory Council for not giving sufficient support to draft resisters, commenting that most of the support for draft resisters’ demonstrations came from the left rank and file and not from the parliamentarians.

At an Elsternwick Court demonstration on March 19, 1971 the author spoke outside the building and outlined why he would refuse to pay any fines imposed under the *National Service Act*. Other speakers included SL supporters Kevin Healy, Bill Hartley and draft resister Bob Bissett. Jim Cairns also spoke outside the courthouse. The recent change of leadership in the Federal Liberal party led the author to predict that he would shortly become one of Mr McMahon's first political prisoners instead of one of Mr Gorton's last political prisoners. The author was fined \$40, which he refused to pay.

The Draft Resisters' Union contained a breadth of political thought and some draft resisters were absolutely opposed to working with the ALP. Many remained cynical about promises made by any of its politicians.

Michael Hamel-Green wrote under a heading of "That ALP victory":

Another common argument against continuing with resistance is the seductive suggestion that draft resistance may be obviated by an ALP victory at the end of the year (1972). Why take the Long March of draft resistance when the November election provides a short-cut to the same objective?

In the first place, there is the lesson of the 1966 election. On the erroneous assumption that elections can be turned into referenda, virtually the whole of the anti-conscription and anti-war movement believed that, because of the public's undoubted opposition to sending conscripts to Vietnam, the election would simultaneously rid Australia of both conscription and the Vietnam involvement. In the disillusionment over the election defeat, the anti-conscription and anti-war movements virtually collapsed overnight, to be revived again only by the rise of radical and revolutionary student groups with somewhat broader horizons than winning the next election. Belief in the 1966 Election as the panacea for the country's ills inhibited the early development of a popular resistance and civil disobedience movement that might have secured a rapid end to Australian involvement in Vietnam. Now again we have the situation where people hope that the forthcoming election will prove the answer. While it is true that in this case there is more probability of an ALP victory, there is still no certainty of such a result: to pin one's hopes on such a variable is to risk once again the sweeping sense of disillusionment that led to the collapse of the anti-conscription movement in 1967, with far less chance, this time, of being able to revive it.⁴

The Worker-Student Alliance (WSA) was one of the strongest of the anti-imperialist groups. The old bakery building in Prahran with its printing press was a centre for anti-war activity in the late 1960s. Keith Langford and Karl Armstrong were both draft resisters who supported the political position of WSA. Langford outlined his reasons for resisting the draft in a leaflet reprinted by *Vanguard*. Langford, the son of a blue collar union official, wrote in 1971:

Conscription serves imperialism: without conscription the government would not be able to fill its occupation army which is being used to assist United States aggression in Vietnam.

Throughout South-East Asia there are countries under the control of US-backed military dictatorships. It is likely that in the near future the people of these countries will begin revolutionary struggles to halt the American economic exploitation of their countries, and to kick out the treacherous regimes which have sold their countries out to economic, political and military control by the United States. When these national

independence struggles do occur, it is likely that Australian troops will be used, just as they have been used in Vietnam, to support American military aggression designed to ensure that these countries remain under the control of the United States.⁵

Langford, a printer, left Australia and lived for 1971 and 1972 in Albania.

In the Magistrate's Court, Melbourne, on August 4, 1971, eight union officials were charged with inciting young men to refuse to register for National Service. The unionists charged were:

Ted Bull, Waterside Workers' Union
Tom Cook, Waterside Workers' Union
Ray Hogan, Miscellaneous Workers' Union
Marco Masterson, Australian Building & Construction Workers' Union
Harry Mitchell, Miscellaneous Workers' Union
Jim O'Neill, Amalgamated Metal Workers' Union
Les Smith, Amalgamated Metal Workers' Union
Peter Van Veen, Food Preservers' Union

The magistrate found all the unionists guilty and fined them between \$20 and \$50 each. At the court, the following statement was issued by them to explain their actions:

As trade union officials, representing many thousands of organized workers, we firmly believe the continued conscription of young Australians to be sent to Vietnam to kill or be killed is a criminal act. We therefore, as a matter of conscience with 30 other like-minded trade union officials deliberately handed out leaflets in Flinders Street outside the Department of Labor and National Service. The *National Service Act* was introduced for the sole purpose of involving Australia in United States imperialist aggression against the people of Indo-China.

Such a law is both immoral and corrupt. As such it is totally indefensible, acting against the best interests of Australia and Indo-China. The Nuremberg War Crimes Trial established that it was the duty of individuals to oppose and fight to defeat immoral and unjust laws.

Therefore such laws must be defeated by the organized, conscious actions of increasing thousands of people, particularly organized workers, even if it means deliberately breaking the law to defeat the law.

Accordingly, we declare our intention actively to encourage people to incite others into direct confrontation with the Federal Government in respect of the *National Service Act* and the dirty war in Vietnam.

Further, we declare our complete solidarity with all 20 year olds who refuse to register, regardless of the consequences. Fines and gaol sentences will not intimidate trade unions into silence.

We are conscious of our moral responsibility to the Australian people, the overwhelming majority of whom oppose the war in Vietnam.⁶

The fines were never paid by the trade unionists.

The Trade Union Peace and Solidarity Committee (TUPSC) was formed to help in the co-ordination of anti-war activity of unionists. On a number of occasions, draft resisters addressed unionists in an effort to co-ordinate the anti-war activity. Fred Lack of the Plumbers' Union acted as secretary of TUPSC. Some idea of the scope and strength of union support is evident when we examine the list of unions which endorsed the TUPSC meeting on September 21, 1971:

Amalgamated Engineering Union, Amalgamated Postal Workers' Union of Australia, Australian Meat Industries Employees' Union, Australian Building and Construction Workers' Union, Australian Railways Union, Boilermakers and Blacksmiths' Society, Clothing and Allied Trades Union, Electrical Trades Union, Federated Engine Drivers and Firemens' Association, Federated Liquor Trades Union, Australian Federated Union of Locomotive Enginemen, Federated Ships, Painters and Dockers Union, Federated Shipwrights' Association, Food Preservers' Union, Furniture Trades Society, Miscellaneous Workers' Union, Moulders' (metal) Union, Painters' Union, Plumbers and Gasfitters' Union, Seamens' Union, Sheet Metal Workers' Union, Storemen and Packers' Union, Tramways Union, Vehicle Builders Employees' Federation, United Firefighters Union, Waterside Workers' Union.⁷

In his history of the Meat Workers Union (AMIEU), Bert Davies records the union's involvement in the campaign against the *National Service Act*:

The AMIEU was one of the first unions to sponsor the Victorian Moratorium Committee. It was one of the unions that sponsored a leaflet on Trade Unions and National Service. . .

The leaflet drew attention to the recent arrests of ten union officials for handing out leaflets encouraging young men in particular to oppose the *National Service Act*.

The officials from ten different unions, including the AMIEU Assistant Secretary, Wally Curran, had been fined from \$20 to \$50 for "inciting young Australians not to register or allow themselves to be conscripted for military service in Vietnam".⁸

There is a discrepancy in the number of union officials actually fined (eight or ten) between what Davies writes and what the TUPSC leaflet stated at the time. Mr Curran's name does not appear on the earlier material.

While not all unions were active in the formal meetings of the TUPSC, the group was able to distribute information about conscription and Vietnam to shop stewards and activists.

Yet while the left unions and the Victorian ALP were sympathetic to the peace movement, the NSW right was certainly not. The NSW state ALP president, Charlie Oliver accused the Vietnam Moratorium Committee of "being under communist control".⁹ The NSW Opposition leader, Pat Hills, went further and completely dissociated the parliamentary party from any moratorium actions.¹⁰

The Federal ALP Conference in 1971 passed a resolution on draft resistance which was more radical than the previous national position. It was moved by Victorian delegate Bill Hartley and seconded by the then Australian Council of Trade Unions' (ACTU) President, Bob Hawke: "This executive again emphasizes the ALPs opposition to the principles of the *National Service Act* and declares its support for all those young men who have refused to be conscripted for the undeclared war in Vietnam."¹¹

Their motion was carried without dissent.

The June 1971 Executive meeting of the ALP carried this resolution: "This Executive asks all members of the party in Victoria to protest in their own way in favor of Barry Johnston and Tony Dalton and others who are refusing to comply with the provisions of the Act."¹²

The Launceston National Conference of the ALP also endorsed a Victorian resolution condemning the widening of the war in Indo-China. The resolution, in part, read:

Conference deplores the spreading of the war in Vietnam to Laos and Cambodia and asserts that there is no justification for the aggressive intervention of troops or military power in other nations affairs, and hence urges that all foreign troops in Laos and Cambodia be immediately withdrawn.¹³

Bob Muntz expressed reservations about how strongly a Federal ALP Government would act:

Whilst the Socialist Left in Victoria and some other elements in the party are implacably opposed to conscription, the dominant factions and particularly the Parliamentary wing, were from 1966 to 1971, either less than enthusiastic in their opposition to conscription, or in favor of retaining conscription in a modified form. Despite the 1969 Federal Conference decision 'undertaking to repeal the [*National Service Act*]', the party leader, Gough Whitlam, consistently refused to give any undertaking that conscription would be abolished if Labor was elected to power. This attitude did not change until November 1971, when Whitlam equivocally undertook to repeal the Act if elected, or to suspend its operation if repeal was blocked by a hostile senate.

The Deputy Leader, Lance Barnard, said in May 1972, that while the ALP would abolish conscription if elected, it would reconsider its policy if it failed to establish an all-volunteer army.

It would appear that the ALP leadership entertains no strong anti-conscription sentiments as such.¹⁴

While draft resisters in 1971 speculated what a Federal ALP government might do to repeal the *National Service Act*, in Western Australia Gary Cook became the first draft resister to be gaoled under a State Labor Government. On August 27, Cook was imprisoned for eighteen months and sent to Fremantle gaol.

The DRU activist from Perth, Bill Thomas, records that WA Premier Tonkin told a draft resisters' delegation in early August 1971 that:

he could see no reason for continuing draft resistance as the Prime Minister [Mr McMahon] had announced the withdrawal of combatant troops from Vietnam.' This political myopia became more serious when a few months later the same people attempted to see him to discuss the by-now-reality of the imprisonment of Gary Cook (who had by now spent six weeks in Fremantle gaol). They were told that the Premier had seen the request but was busy and could they ring back next month.

Soon after Cook was moved from Fremantle to Woorooloo, a minimum security institution after advances were made through sympathetic government members. Whilst at Woorooloo he was badly beaten up by some fellow prisoners.¹⁵

Thomas wrote that while he had tried to be objective, it was difficult for a draft resister from WA who was also a close friend of Cook's. At the time of writing Thomas was a rank-and-file member of the Labor Party. The writer did concede that the Hartley/Hawke resolution quoted earlier in the chapter was "the most radical position to be adopted by the ALP with regard to draft resistance."¹⁶

In Sydney a number of Christian anti-draft people continued to run foul of the law. Peter Galvin, a member of the DRU, told a Magistrate's Court in July 1971:

Dear Mister policy-maker,

I may not have enough influence to initiate meaningful social change and therefore stop what you are doing, but I hope that what I am doing will be the beginning of a new dawn because I am not alone. I know that you probably can't or won't hear me, but how much longer can you ignore the cries of the helpless as they lie and die in the dark? How much longer can the death of a people, my people, our people, continue? I not only mean the death of Vietnam but also the death of Australia, America and possibly the world.

Do you care about me? Do you even think about me? How long is it since you last cared for some-one like me? I don't mean to ask so many questions but I really can't understand why you want to do it, I can't understand why you insist on prosecuting me, its not that I didn't anticipate it, it is just that I can't understand the delight you seem to get out of persecuting people for not participating in your war games and your silly military service.

It seems quite empty to me, for this type of system to continue — how can something that is hurtful and so anti-human be thought of as acceptable to you or me. Isn't it time you stopped. Stop now, please! I have.¹⁷

On Bill Hartley's suggestion, the author rang left-wing veteran West Australian ALP Secretary, Joe Chamberlain, to put the DRU view that Cook should be released. Chamberlain was sympathetic and referred the request to a State Labor politician, Colin Jamieson, to talk to Tonkin. However, it appeared that Cook was to receive little better treatment under Labor in WA than gaoled resisters in other States.

By 1972 draft resisters had served prison sentences in two States — West Australia and South Australia — which were governed by State ALP Governments.

A leaflet handed out by South Australian members of the Draft Resisters' Union was scathing of the lack of action by the Dunstan State Government in September of the same year (1970). The leaflet stated:

Charles Martin languishes in a South Australian gaol. Meanwhile, the Labor Government that controls the gaol incarcerating him does absolutely nothing to release him, or even express disapproval at his presence in one of their gaols.

Federal ALP policy is to repeal the *National Service Act*, and it also explicitly opposes the imprisonment of those refusing to comply with the *National Service Act*. But the South Australian Government has chosen to acquiesce in the gaoling of Charles Martin.

Before the 1970 May elections, the Victorian Labor Party said that if elected it would refuse to hold Brian Ross, then in Sale gaol for refusing to comply. Whether they would have actually carried out such a policy is speculative, but there is no question about the stand of the South Australian Labor Government Charles Martin has been imprisoned 3 months, but they have not acted on his behalf despite approaches to do so.¹⁸

This view is much different to the Moratorium movement in South Australia, which had praised Premier Dunstan's opposition to the Vietnam war and conscription.

ENDNOTES – CHAPTER 7

1. Hope, *Inscription From Any War*.
2. Victorian ALP Branch Papers, June 1970.
3. *ibid*.
4. *Downdraft*, 1st edn.
5. DRU leaflet, quoted in *Vanguard*.
6. Leaflet Authorised Trade Union Peace and Solidarity Committee, August 4, 1971.
7. *ibid*.
8. A. E. Davies, *The Meat Workers Unite*, p.258.
9. *Australian*, 11 September, 1970.
10. *Sydney Daily Telegraph*, 17 September, 1970.
11. Federal ALP Executive Resolution, June 1971 (Victorian ALP Papers).
12. *ibid*.
13. Minutes of Federal ALP Conference, Launceston, 1971.
14. *Downdraft*, 2nd edn, p.45.
15. *ibid*. p.43.
16. *ibid*. p.43.
17. Court statement by Peter Galvin, Sydney, July 1971, quoted in *Ryder Collection*.
18. *Ryder Collection*, leaflet by Adelaide DRU.

CHAPTER EIGHT

THE TIDE TURNS

A MILLION children have been killed or wounded or burned in the war America is carrying on in Vietnam, according to the estimate of William Pepper. Not many of them even get to hospitals, which are few and far between, but when they do, they may lie three in a bed or on newspapers on the floor. Flies are in the wounds. Even such simple equipment as cups and plates are in short supply. Materials for the adequate treatment of burns — gauze, ointments, antibiotics and plasma — are usually non-existent. This contrasts with the incredible speed and efficiency with which American troops napalmed by mistake are given elaborate first aid while being lifted out of the battlefield and then flown to a Texas hospital for treatment.

When Terre des Hommes, a Swiss humanitarian organisation, asked for American government assistance in flying burned and wounded children to Europe for repair, our officials refused. With crocodile tears they explained children are unhappy when separated from their families. The fact is that a third of all Vietnamese children in institutions have already lost both parents or been abandoned.¹

The Liberal Reform Movement published a Ramparts booklet, *The Children of Vietnam* in 1971. The Victorian government Chief Secretary attempted to ban the publication but it was sold under the counter at left wing bookshops. The atrocity of Vietnam was being bought home to the American and Australian public.

The October 1970 edition of *Resist* named 204 resisters who had not yet been convicted for failing to obey a call-up notice. The same edition also published a list of prominent people who had agreed to provide sanctuary for resisters on the run. The promise of gaoling of not just a few, but perhaps hundreds of non-compliers, was starting to send icy chills down the backs of even the most ardent pro-war politicians. The government decided to look for options other than mass political imprisonments.

Adverse press reaction to a proposed civilian alternative (or forced labor camp) saw the quick abandonment of plans to introduce a new, compulsory, civilian alternative to the imprisonment of draft resisters. Instead, a Conscientious Objector Referral Scheme, whereby special court hearings could determine if a resister had a sincere anti-war belief and thus would be exempted, was established. Even if non-compliers refused to co-operate, these referrals could declare anyone to be a CO and consequently waive the obligation to perform military service or face further prosecution. Brian Ross had spent eleven months in gaol when he was returned to Pentridge from Sale. Without Ross's consent, a special court hearing was convened in Melbourne. Ross refused to recognise the hearing or present any evidence on his views to the court. He was found exempt and released from gaol on the grounds that he had a sincere objection to compulsory military service.

The new amendment, 32A, allowed "... the Minister to direct the Registrar at a National Service Registration Office to refer the question to a competent court of summary jurisdiction for hearing and decision."

Downdraft described the operation of CO Referral Scheme:

The non-complier is summonsed to appear before a court to be examined as a conscientious objector against war. The definition of a conscientious objector has become conveniently flexible for political purposes when it suits the government.

This tactic is obviously the result of the rapidly increasing number of non-compliers on the government files . . .

The intended purpose of this regulation may be interpreted as follows:

To enable the government to selectively continue its prosecution of the leading draft resisters: the theory is that they are brought to court and if declared conscientious objectors then they are discredited in the eyes of the movement and if declared not to be a conscientious objector then the government says 'we have been very fair to you and the court has given its decision so it is not our fault if you must go to gaol for eighteen months.'²

Jo Erftemeyer was a resister who had already spent ten days in Pentridge. In 1972 he was told to attend a CO referral hearing. Despite a warning issued by Tony Dalton's father, Les, that the court would try to find him a CO, Erftemeyer was confident that his views were not those of a CO, in that he was not opposed to all war and was not a pacifist.

Erftemeyer, a Monash University (Vic.) student recalled the events:

I refused to lead any evidence before the magistrate. The Crown produced one or two letters which I was supposed to have written to the Minister. There was a lot of muttering between the prosecution and the magistrate during which the SM read some document which I was not allowed to see. After a few minutes the SM declared that because of what I had written I was definitely a pacifist and he then signed some release.

I was amazed! The case before mine had seen a bloke declared a CO but only after his local priest and family friends testified at length. There was a double standard.

I tried to protest at the whole farce but was quickly removed.³

In July 1970 four anti-war young Australians visited South Vietnam as part of an international delegation. Lynn Arnold a Quaker and co-ordinator of the Moratorium campaign in South Australia and Graham Jensen a Sydney University student and a member of International Fellowship of Reconciliation (IFOR) joined draft resisters Hamel-Green and Dalton.

The delegation spent eight days in South Vietnam — all but one in the city of Saigon. During that period they met a number of Americans — mostly Christians — in Saigon. They stayed in a central hotel in the capital and linked up with various 'third force' Vietnamese activists.

University of Saigon students had called on the Thieu/Ky junta to abolish military service provisions for tertiary students and the release of those held in prison for violations of draft provisions. The four Australians had the opportunity to talk to five anti-war Vietnamese students who had recently been released from the Con Son Island prison on May 25 of that year (1970). The account of prison conditions in the infamous 'tiger cages' of the island is recorded in the publication *Hoa Binh* which was printed later in 1970.

The city of Saigon that the Australian anti-war delegation saw contained large numbers of dispossessed people from rural areas. Prostitution involved perhaps 200,000 women.

Children often begged on the street or were part of the sidewalk economy of peddlers, and locals trying to make a living from the US servicemen who frequented the bars. Shoeshine boys, street merchants and hustlers were common in the streets of Saigon until 1975.

It was unfortunate in terms of seeing the situation in the rural areas that the only region visited by the delegation (apart from the capital) was the Mekong River island of Phung Isle, where there had been almost no military activity. The delegation crossed the bridge of Peace and Life and met one of the leaders of the Buddhist 'peace loving' monks. No direct contact was made between representatives of the National Liberation Front (NLF) of Vietnam and the four Australians.

Most of the Vietnamese interviewed, who included priests, lawyers, intellectuals and unionists; were pledged to non-violent protests. The unionists contacted were mostly Saigon based rail workers whose union had been reduced in size because of war time sabotage of railway lines and the banning of unions by Diem in 1963.

The delegations had brief and largely unproductive meetings with the United States ambassador (Ellsworth Bunker) and his Australian counterpart. On another evening the delegation attended a peace concert organised by the Buddhist Student Association.

On July 12, at the invitation of the Vietnamese Student Union, the international delegation marched from the Agricultural school of Saigon University to the United States Embassy. A particularly warm ovation was given to US Vietnam war veteran, Tim Butz (a former Kent State University activist) and to the four Australians just before the start of the march. A coffin, containing the names of Vietnamese activists who had died since the start of the war, was carried at the head of the march. Tear gas was used by Saigon police to disperse the protest.

On July 13, John Steinbeck Jr addressed the International Delegation. The son of the famous author called for solidarity with the Con Son Island political prisoners.

When the four Australians returned they were watched by Federal police at Tullamarine Airport. No attempt was made to arrest Dalton or Hamel-Green. In August 1970, the Saigon Government cracked down on the student third force. A total of 117 students were arrested and beaten by police in one day.

Hamel-Green recalls that some members of the Monash Labor Club were critical of the report of the visit to Vietnam. They felt that Hamel-Green and Dalton could have given stronger support to the NLF who were doing most of the fighting against the Thieu/Ky junta. The report — *Hoa Binh* — is valuable in that it recalls first hand the reactions of the anti-war Australians to the situation in Saigon in mid 1970.

On October 19, 1970, a delegation of draft resisters confronted National Service Minister Bill Snedden at the Royal Ballroom in Melbourne. A draft resister, later regarded as a provocateur by the DRU, attacked one of the guests. This provocateur was known to members of the DRU as Bill Allen, which by coincidence, was also the name of a high ranking Department of National Service official who signed most letters on behalf of the bureaucracy.

After disappearing for some months 'draft resister' Bill Allen was seen wearing a Victoria Police uniform. When confronted by a real draft resister, John Noyse, Allen denied being a spy but then made casual enquiries about another Melbourne DRU member, Bob Muntz.

Members of the DRU began to believe that a number of plants had infiltrated the movement. Police made a point of attempting to speak to most draft resisters in their homes and setting out the options which would avoid prison. In 1972 a device believed to

be a listening bug was found by a youth worker, John Finlayson, at the left-wing book shop, DMZ, in Chapel Street, South Yarra (Vic.). The DRU assumed it had been planted by Federal police.

The Christmas-New Year holiday season, 1970-1971, saw the first summer offensive along the southern Victorian coast. Supporters of the DRU handed out leaflets to holidaymakers. Anti-war films were shown in the evenings in open air theatres. At various times the headquarters of the offensive was in the backyard of Bill and Alma O'Mara's Torquay house.

Perhaps the biggest break for the DRU came when the movement 'liberated' files showing that over 11,000 people had failed to register for national service between 1965 and the end of 1970. This proved that the Department was either hopelessly inefficient in catching non-compliers, or was being directed to move along with prosecutions at a snail's pace, in an effort to ease political pressure which would occur with mass gaolings of convicted non-compliers.

In March 1971, Geoff Mullen appeared in court dressed as a soldier-of-peace. The Sydney magistrate was not impressed with the plea, nor the dress, and Mullen spent the next twelve months in prison. In his powerful submission to the court Mullen said:

I AM NOT A MACHINE

I DEMAND THE REPEAL OF THE *NATIONAL SERVICE ACT* AND I WILL REFUSE MY CO-OPERATION WITH THE GOVERNMENT UNTIL THE AIM IS ATTAINED.

I pity you all, I pity you war-criminal politicians who must feed like carrion on other people's lives to sustain your own. I pity you beaten soldiers who kill and are killed for lies. I pity you revolutionaries whose fear condemns them to sterile games. I pity you Australians whose lives are mere progression from school to home to work to bed to death, and yet must be all the while accomplices to slaughter. None of you are free. None of you are human before all else.

Look around you. Imagine that the man nearest you has been burned by napalm. His face has melted, his features run into each other, his skin is charred, flaky, perhaps the bones in his arms are exposed where the skin was evaporated. See the woman near you. Her baby is dead, body pock-marked with holes from anti-personnel bullets. But you don't need imagination in Vietnam.

... This is a country, like others, governed by a compulsion to manipulate. In the factory or office, you have no more significance than any other working machine. For the government you are liable to be used for whatsoever they choose.

I AM NOT A MACHINE. I AM NOT TO BE USED MERELY AS OTHERS WILL! I CAN, AS BERTRAND RUSSELL ASKED, 'Remember my humanity'. IF YOU CANNOT, I PITY YOU.⁴

A number of hit-and-run paint-ups were made on pro-war establishments in 1971. These paint-ups were often completed late in the evening by one painter and a driver. Years later Les Dalton was to recall this nocturnal visit to the Cheltenham Magistrate's Court with his sons Tony and Kim, when he was interviewed in the book *Protesters*.

In January 1971, five Melbourne Save Our Sons members were arrested for trespassing in a National Service Office. The five — Rene Miller, Jean McLean, Christine Cathie, Jo McLaine-Cross and Joan Coxsedge expected to be fined by the court. However, the

Magistrate took a dim view of the anti-war activity and sent the five to Fairlea prison over Easter 1971. On their first night in gaol a large painted sign appeared mysteriously on the outside gates of the prison:

SMASH CONSCRIPTION: FREE SOS WOMEN: DRU

The Plumbers' Union described the gaoling in the following terms:

It has been the practice of members of the Save Our Sons Movement, to attend the offices of the Department of Labour and National Service, on the 10th floor of the Princes Gate building, during registration periods when young men were obliged to register under the provisions of the *National Service Act*. In April, of this year, the Department of Labour complained to the Employers' Federation about these women counselling and handing out leaflets to young men in the lift lobby.

Mr Eric Gwyther, the Assistant Secretary of the Victorian Employers' Federation, requested the ladies to leave and when they refused, their names were taken and they were proceeded against for trespass by summons, under the provisions of the Victorian *Summary Offences Act*.⁵

The case was the last one heard on the Thursday afternoon before Good Friday and the five women were found guilty and sentenced to fourteen days gaol without the option of a fine. This was a most savage sentence for the first offenders and was obviously a political decision to intimidate them into ceasing their dissent from the Government's policies.

This case was the first use of amendments to the *Summary Offences Act*, which the Victorian Bolte Government rushed through Parliament despite the opposition of the trade unions and Australian Labor Party.

On Good Friday, South Yarra lawyer Peter Faris visited the five at Fairlea prison. He said that "the SOS women were given fish and chips in newspaper yesterday and told not to complain about it".⁶ He described the women as being determined and remarked on their dress. "They all wore grey prison uniforms and said they had been put with several other prisoners in a large dormitory."⁷

On the Saturday of the Easter weekend a State Conference of the Young Labor Association was being held at La Trobe University. The conference passed a resolution, without dissent, which called for "industrial and political action" to free the five women.

Alan Best, a Young Labor delegate, called for a handout of leaflets at the Department of Labor and National Service the following Thursday. At 6 a.m. on Sunday April 11, 1971 a dawn service was held outside the gates of the prison. The same afternoon saw Bill Hartley (Victorian ALP Secretary 1965-1970), Professor Ian Turner (Monash) and Ian Cathie (ex-State MP for South-Eastern) speak to a demonstration at the gaol. About 20 people kept what the *Age* described as a "chilly vigil"⁸ all night at the City Square in Melbourne. Victorian Opposition Leader, Clyde Holding, called for the release of the five: "It is oppressive and heartless for the Government to allow their imprisonment to continue."⁹

A strike by waterside workers after a mass meeting at Festival Hall stopped all work at the Port of Melbourne.

After six days the five women were released. Jean McLean told *Scope*, a trade union paper, that a mother of five was being kept in prison for the crime of shoplifting. During their prison sentences the SOS women worked as billets and laundry hands. They were able to form bonds of friendship with other prisoners and kept in contact with some Fairlea inmates after their release.

The 'Fairlea Five' as they became known were not intimidated by the prison system and a few days later were in the vanguard of yet another demonstration at the Richmond Army Barracks where new conscripts entered the building in the early hours of the morning. Joan Coxsedge was later offered a job at Fairlea by the State Minister for Community Welfare, Ian Smith. Smith later reneged on the offer.

The demonstrations at the National Service intakes appear to have had some impression on the potential draftees as a former conscript, Gary McKay wrote:

There was chaos at the induction centre when we arrived. The police were out in force and the footpaths were choked with protesters. This time they weren't all young students but also included a matronly band of dissenters who rallied under the flag of the "Save Our Sons" movement. Dad was unable to get closer than 400 metres to the gate and so we said our goodbyes and I walked down to the gate with my suitcase and took in the bedlam around me.

At the gate the scene was fairly hysterical. Almost every woman there was over 40 and intent on doing her utmost to hinder the police allowing draftees free passage to the depot . . . It was all very emotional and judging by the reactions of the young draftees who were watching all this from inside the depot grounds, it was not without its effect. Some of the guys were quite impressed by the intensity of the demonstration.¹⁰

Whether any potential conscripts actually turned away is unknown. However the above description of an SOS demonstration at Marrickville (NSW) is interesting as a view from "the other side".

By late 1970, it appeared that the government would not launch a campaign of wholesale arrests and gaolings of draft resisters, but instead only selectively prosecute a small percentage of those defying the Act. By gaoling one or two of the 11,000 who had broken laws at any one time, the system anticipated being able to intimidate the majority of twenty year olds into compliance. Michael Hamel-Green responded:

A counter to this government tactic was found in the concept of an underground resistance: a collective refusal by draft resisters to submit to intimidatory gaolings in the same manner as they had collectively refused to submit to compulsory registration and army induction . . .

The strategy of underground resistance, calculated as it is to cause continuing political discomfort to the government, is obviously not guaranteed to insure resisters against eventual arrest and detention. No one currently in the underground expects such insurance. The point is neither to submit to conscription nor to flee from it, but rather to share the risks of politically confronting it, both with fellow resisters and with the broader community. The bourgeois media will inevitably try to distort the moral and political bases of draft resistance by pejorative reference to 'draft dodgers', but such characterizations carry their own contradiction: people will hardly fail to ask themselves why draft 'dodgers' should publicly risk or defy arrest when — according to the stereotype — they would be more sensible to stay out of sight completely.¹¹

Perhaps the most successful action of the embryo underground was the occupation by four wanted draft resisters and three hundred supporters of the Melbourne University Union building in Parkville from September 27 to 30, 1971. The voice of Melbourne peace worker, Sue Mc Culloch, explained the purpose of the occupation: "Good morning, this is Radio Resistance 3DR. We are trying to give power to the people."

It was not long before the Postmaster-General's Department (PMG) began to jam the pirate broadcasts. Short successful assaults by the radio station on the airwaves continued intermittently for forty-eight hours and could be picked up throughout the inner suburbs of Melbourne. Mike Matteson (Sydney), John Scott (Adelaide), Tony Dalton (Melbourne) and Michael Hamel-Green (Melbourne) participated in numerous on-campus meetings and spent many hours talking with supporters. The illegal broadcasting, coupled with the harbouring of the four underground draft resisters, made an eventual police raid almost certain.

Barricades of chairs and chains were erected on stairwells, and look-outs were posted. At 5 a.m. on the final morning, thirty or so plain-clothed and uniformed police were sighted approaching the campus. They were soon supplemented by an additional one hundred police. University sentries set off sky rockets and sounded fog horns as a warning. It took police only minutes to stumble over the barricades where they were greeted by chants of 'Power to the People' by the crowd. The police were told that the birds had flown and a quick police search of the building failed to locate any of the four elusive resisters. The police left empty-handed, not realising that Hamel-Green, Scott, Dalton and Matteson were all still in the university building where they remained for the next four hours before quietly slipping out into the community.

A report from the left-leaning *Nation Review*, a weekly newspaper published by Australia Party businessman, Gordon Barton, described a day with the DRU in the underground:

There have been four Australians who have won the highest military honor, the Victoria Cross, in the Vietnam war, but it's a safe bet you don't know their names. On the other hand John Zarb, Brian Ross, Charles Martin and Geoff Mullen are four names readily identified as draft resisters.

Gary Cook is the latest name on what could well prove to be the honor roll of the Vietnam era. He has just been gaoled for two years in Perth for refusing to take part in the war the government now says is over.

But what is the role of the draft resisters and their union now that prime minister McMahon has promised that the boys will stealthily sneak out before Christmas?

An appointment was made with the Draft Resisters' Union at their shop, DMZ, in Chapel Street, South Yarra, but after a quick check the scene was moved to a comfortable flat in the southern suburbs. Gathered here in one room were Melbourne's five most wanted men and several more who are due for their two year prosecution.

Paul Fox, Ian Turner, Michael Hamel-Green, Tony Dalton and John Scott have all had warrants issued for their arrest. All face two year gaol sentences if they are arrested. Hamel-Green was picked up by the police three months ago (outside the DMZ shop, of all places) but skipped his \$200 bail put up by the Draft Resisters' Union and is underground again.

Photographs of the five wanted non-compliers were posted up on the walls of the Commonwealth Police office in Melbourne. Mr and Mrs Les Dalton observed the photographs recently when they were being booked for incitement.¹²

The comfortable flat was actually the Richmond weatherboard home of Jan and Graham Lacey, two supporters of the underground.

In July 1972, five draft resisters, Bob Muntz, Michael Hamel-Green, Tony Dalton, Sandy Thomas and Bob Bissett began work on a book to be called *Conscience and the*

Law. Lachlan Chipman, a conservative Melbourne academic, began by putting into print arguments for compliance with the conscription laws, and the five draft resisters collectively wrote the rebuttal. The book entailed some months of work at various locations and was hampered by the lack of mobility of the joint authors and lack of access to files and libraries.

The draft resisters' rebuttal began by making a parallel between the conscription laws passed in Australia in the 1960s and the actions of the Nazi Government in the 1930s in Germany. Hamel-Green *et al.* claimed that Hitler came to power through legal parliamentary processes. Conscription of German youth was an important tool for building an army of conquest. However, the majority of 'good' Germans took the course of obedience and acquiescence — with disastrous consequences for the whole of humanity. Playwright Peter Weiss is quoted by Hamel-Green *et al.*:

The most horrifying aspect of the Nazi extermination programme was not the exceptionally sadistic concentration camp overseers, but rather the unexceptional clerks who typed out the order forms for Zyklon B gas and made sure supplies were delivered on time to the gas chambers. Imbued with uncritical acceptance of authority, it probably did not even occur to such clerks that they ought to do anything else. Nor are present-day Australians free from such attitudes.¹³

At a number of court cases, resisters argued in front of magistrates that Australians were not blameless for the killing of many thousands of civilians in Vietnam. Comparisons to the extermination of the Jewish people in Europe under Hitler and the slaughter of Vietnamese civilians by US and Australian troops made many judges feel somewhat queasy in their stomachs.

Sydney draft resister Michael Matteson proved to be one of the most elusive of the underground draft resisters in the early seventies. In October 1971 Matteson spoke at an open-air rally of several thousand anti-war protesters and then was able to safely avoid capture. His most spectacular appearance was a live television interview on ABC current affairs show *This Day Tonight (TDT)* in November 1971.

Liberal Attorney-General Ivor Greenwood was being interviewed on line from interstate when Matteson appeared in the Sydney studio simultaneously to debate conscription. Greenwood was furious at being "set up" and immediately ordered the police to raid the studio in search of Matteson who had already bolted out of a rear exit. *Downdraft* featured a cartoon of Greenwood watching a television screen with bars placed across the set and a caption which read: "And this is the set I watch when there is going to be a draft resister on."¹⁴ Greenwood, still steaming with anger, accused the TDT staff of conspiracy. The ABC Staff Association repudiated the charge.

Draft resisters kept appearing at unlikely places. Michael Hamel-Green spoke briefly at the end of the year examinations for matriculation (Year 12) students in Melbourne's Exhibition Buildings. In December 1971, Paul Fox marched passed under the noses of Commonwealth Police in an anti-conscription demonstration in Melbourne. He appeared in a short interview for a television station as he marched in the crowd.

National Service Minister (later Sir) Phillip Lynch gave details of the number of defaulters in a press statement on September 3, 1972. Lynch said that in 1971, 2,738 young men were denied the benefit of the ballot. A further 1,238 likewise failed to register on time in the first half of 1972. The total number of non-compliers in the years 1965 to 1972 was about 14,000. However only fifty-three draft resisters were prosecuted for failing to obey a call-up notice — the final stage in the legal process which carried an automatic eighteen month prison sentence.

It is difficult to know how active the State and Federal Police were in their attempts to bring the fugitives to justice. One DRU supporter, Marg Boyce, received late-night police visitors at her landlords' home in Rosanna. On January 21, 1972, the Federal Police arrested Ian Turner at his temporary home at Eden on the southern NSW coast. He was extradited to Melbourne and was to spend the next ten months in Ararat prison — 150 kilometres west of Melbourne.

Mark Taft, a Melbourne student and draft resister, was convinced that the Commonwealth Police could have made more intensive efforts to arrest those in defiance of the *National Service Act*. In a 1987 interview,¹⁵ he stated that the McMahon Government did not want large numbers of political prisoners. The search for the anti-war fugitives was scaled down in the year before the 1972 Federal election.

The manner of the arrest of Ken McClelland at the little town of Hawkesdale in the Western District was unusual. On February 7, 1972 McClelland was summonsed to appear in Bendigo Magistrate's Court on a charge of refusing to obey a call-up notice. McClelland was teaching at his high school on the day when police arrived with a warrant for his arrest. However, McClelland had been tipped off and was spirited away from the school. The DRU then organised a conference in Melbourne where it was announced that McClelland would report to school as per normal on Monday, February 7, and would not try to avoid police. His first teaching period of the day was to be Form One French. On the Monday morning a number of former students and friends were at the school to witness the arrest by two Federal Police. The news of the arrest was featured on radio programmes and in the local *Warrnambool Standard* newspaper. Over the next few weeks letters and articles continued to appear in regional newspapers. In a conservative country town it was not surprising that some were critical of McClelland. Jim O'Brien of Mortlake wrote to the editor:

Sir,

The controversy over Mr McClelland's refusal to do National Service over the last month makes one wonder why, if Mr McClelland and his likes can refuse to do National Service and get away with it, should other young Australians have to learn to defend a country that encourages its citizens that to defend one's country is immoral?

We have in Senator C. G. Primmer one who is elected to help make the laws of this country, to make it a worthy place to live in. He also should be encouraging young Australians to be ready to defend our country in time of need, but what do we find?

We find him working with the draft resisters.¹⁶

After some weeks in gaol McClelland applied for and was granted bail to appeal against his conviction. On April 18, 1972, despite a number of submissions on McClelland's behalf, his appeal against his conviction for refusing a call-up notice was rejected in the County Court. A protest rally was then organised in the Melbourne City Square.

A few days after the rejection of the appeal by the courts, the local branch of the Victorian Secondary Teachers' Association (VSTA) at Hawkesdale carried a resolution: "Realising that young men are being removed from such vital community services as teaching to provide fodder for the government's immoral conscription policy, demands that the *National Service Act* be repealed immediately."¹⁷

The Hawkesdale branch of the ALP (where McClelland was a member) wrote to local Federal politician Malcolm Fraser and National Service Minister Phillip Lynch informing them of the branch resolution condemning the imprisonment:

The branch supports the stand of Ken McClelland, a member of this branch, against an immoral *National Service Act* and calls on all branches of the ALP and Labor Party Members of Parliament to support McClelland and condemn the *National Service Act*.

The branch authorises a petition calling for the immediate release of McClelland from prison.¹⁸

A statement issued to the earlier court case by McClelland read:

I OPPOSE CONSCRIPTION BECAUSE I BELIEVE THAT IT IS WRONG FOR A GOVERNMENT TO COERCE AN INDIVIDUAL TO SERVE IN MILITARY FORCES IN ANY WAY WHATSOEVER.

The *National Service Act* is immoral; it is an instrument by which the government of Australia exploits and sacrifices the lives of young men for its own ends. It was introduced specifically to raise an army to fight for the preservation of imperialism in Vietnam. During the last five years it has provided more than half the Australian fighting forces for that war against humanity, and an even higher percentage of front-line men. The *National Service Act* enables the government to place voteless young men in the position of either killing or being killed in a war which is serving its own narrow interests. There is no guarantee that conscripts will not be similarly used in future wars.

THE *NATIONAL SERVICE ACT* IS IMMORAL BECAUSE IT VIOLATES THE BASIC FREEDOM OF THE INDIVIDUAL. Whatever their beliefs and ideals, the Government attempts through conscription to channel young men into a system, denying them the right to choose their own means of facing world problems . . .

I am a school teacher and have taught French and History in a small country town during the past three years. I find my life within my work, and within the environment in which I work. I derive my being from relationships my work offers with students, colleagues, and the wider community. I believe it is my duty to continue this work, and I deny the right of any government to imprison me for doing so.¹⁹

While many sons of farmers (McClelland) and workers were being called up or facing the prospect of gaol, few of the government ministers seem to have boasted of their children fighting in South-East Asia. In an interview with Peter Cole-Adams of the *Age*, Bill Snedden said: "I have two sons — the eldest will be 19 years old in May — and both tell me they are looking forward to doing national service."²⁰

Some time later the *Nation Review* in an article headed 'Drew Snedden and the Army', reported:

In his enthusiasm for this experience, he registered two weeks before his dad, Billie Snedden, gazetted January 25 as the National Service registration date.

He (Drew) also sought permission to leave Australia before his marble rolls, so as to further his career with a London posting as a Qantas clerk.

Anybody who doesn't share Drew's enthusiasm for conscription can fill out an 'Application for permission to leave Australia'. Indeed 3,000 such applications are made each year in Victoria alone.²¹

Minister Bill Snedden protested that his family had been dragged into the controversy. Drew Snedden was one of many who left Australia rather than face the possibility of conscription or prison.

ENDNOTES - CHAPTER 8

1. Dr Benjamin Spock, *Preface to The Children of Vietnam*, Ramparts, 1971.
2. *Downdraft*, 2nd edn, 1971.
3. Joe Erftemeyer, interview with the author, Melbourne, August 1983.
4. Geoff Mullen, statement at Sydney Court, March 1971.
5. *Plumber's News*, October 1971.
6. *Melbourne Sun*, April 10, 1971.
7. *ibid.*
8. *Age*, April 12, 1971.
9. *Melbourne Herald*, April 13, 1971.
10. G. McKay, *In Good Company*, p.6.
11. *Downdraft*, 2nd edn, 1971.
12. *Nation Review*, copy of article in *Ryder Collection*.
13. *Conscience and the Law*, Ann Turner, ed.
14. *Downdraft*, 2nd edn, 1972.
15. M. Taft, Casette of Interview in the archives of the Australian War Memorial, 1987.
16. *Warrnambool Standard*, April 10, 1972.
17. *ibid.*
18. *ibid.*
19. Ken McLelland, leaflet, Bendigo Court, April 1972 (also in *Downdraft*).
20. *Age*, February 25, 1970.
21. *Ryder Collection*, photostat of *Nation Review*.

CHAPTER NINE

PRISON

The prison system is, therefore, an integral part of the class based system of justice. Just as the law is presented as operating universally to protect equally all individuals, so the prison is a universal symbol of social order, standing as a severe warning to potential law breakers. But in practice the prison system reinforces a definition and enforcement of crime and punishment which is selective. Not only are particular groups singled out as the criminal classes but attention is diverted from the socially harmful activities of the powerful.¹

By early 1972, the popularity of the government's conscription scheme had waned dramatically. A Gallup poll published in February 1972 showed that only 5 per cent of those interviewed believed draft resisters should be gaoled. Later Gallup polls continued to find similar small percentages of the population in favour of sentencing resisters to prison terms.

Bob Muntz believed that the biggest change in the movement from the mid 1960s to 1972 was the increased understanding, support and lack of hostility from the community as a whole towards those who refused to be conscripted: "I would have hated to be Simon Townsend or Bill White."²

Michael Hamel-Green argued:

We must show now, through the collective resistance of all humane members of our community, whether liberal or radical, that the colossally expensive maintenance of conscription, standing armies, and instruments of mass destruction (tanks, bombers, missiles, navies) is in itself an extreme provocation in a world where two-thirds of humanity are living at or below the subsistence level and where every available dollar and human resource are needed to resolve the explosive world problems of over population, ecology and the gulf between rich and poor peoples (the latter largely deriving from imperialist policies that Western countries and Japan are still pursuing).

When draft resister, Ken McClelland, is seized from his normal profession of teaching to be thrown into gaol for refusing to be conscripted, it is not as some would imply, an unfortunate collision between Ken's idiosyncratic obstinacy and the legitimate demands of our 'defence' system, but rather the essence of a political system that constantly transmutes whatever is most creative and life-affirming in people into what is most wasteful, destructive and obsessive.³

In South Australia, Bob Martin was arrested and on February 25, 1972 sentenced to eighteen months gaol after having refused to obey a call-up notice. Martin told the Adelaide court that he believed that the prosecution of resisters was deliberately selective:

Ordering young men to undergo an authoritarian training, while frightening and blindfolding the rest of the population into unquestioning acceptance, makes for an unhealthy society — one much more likely to live at the mercy of powerful and greedy men.

My objection to conscription in itself, reinforced by my observation of its use in Australia's disgraceful participation in the Indo-China conflict, has led me to civilly disobey the demand that I register, undergo medical examination and report for

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My objection to conscription in itself, reinforced by my observation of its use in Australia's disgraceful participation in the Indo-China conflict, has led me to civilly disobey the demand that I register, undergo medical examination and report for

military service. I am willing to undergo the legal consequences of my refusal, while protesting at the legal system's allowance of itself to be used as an instrument of political repression. Prosecution of non-compliers has been slow and selective in accordance with a stated government policy of avoiding trouble while making examples of a few.⁴

On June 2, 1972 Bob Martin gave a press conference at Yatala Gaol in South Australia. Two days later he spoke outside the prison gates to a freedom rally of supporters.

Victorian non-complier Paul Fox's life in the underground ended the day his daughter was born — February 25, 1972. He was arrested on his way home from witnessing the hospital birth. He told the Melbourne Magistrate's Court on March 3, 1972:

Last week witnessed the most amazing event of my life — the birth of my baby girl, Hanna — the ultimate product of a LOVE relationship.

Here today the charge against me is that I have refused to fight in a war where babies are the main casualty — this war is the product of hate propagated by the USA and Australian governments.

I have chosen to LOVE and CREATE.

National Service was implemented to HATE and DESTROY.

National Service will always find someone to destroy as it did in Vietnam or as it will in New Guinea, or any other place where people dare to struggle to be FREE.⁵

After Fox was sentenced to eighteen months in prison, a rally at Melbourne University was quickly organised in protest at the gaoling. Tony Dalton addressed the crowd of students before disappearing into the campus.

Up until March 1972 all resisters had been summonsed to appear in court in the same way as for a civil case. On March 8, 1972 Bob Bissett reported for work at the Premier's Department in Melbourne. Without warning he was visited by two Commonwealth Police and arrested under section 8A of the *Crimes Act*. Bissett was later bailed out of the watch-house at a cost of \$400 with the same amount of surety.

A meeting held that evening at the DMZ bookshop in South Yarra heard Bissett explain the sequence of the day's events. The meeting of draft resisters and supporters believed that the use of the *Crimes Act* would now become the usual method of arrest. They were not wrong.

The following morning (March 9, 1972) the author received a similar visit at his work place, Volkswagon, at Clayton, Victoria. The author rang the Vehicle Builders' Union, of which he was a member, and was bailed that afternoon. Other resisters who had already defied the order to obey a call-up notice quickly abandoned their jobs and changed address rather than suffer the same fate as Bissett and Scates.

In the Senate, on the same day as Bissett was arrested, Victorian ALP Senator Bill Brown asked a question of the Attorney-General, Ivor Greenwood, as to why the *Crimes Act* had been invoked. Brown went on to describe Bissett's arrest as being quite contrary to the ordinary course of the administration of the law. Within a few days John Varley, John Noyes, John Halpin, Bob Muntz and Keith Langford had joined the Victorian underground network. Police visited Muntz's employer on March 10 but he had already left his employer without giving the normal two weeks notice.

A hurried conference took place on Saturday morning (March 12) between draft resisters and key Victorian ALP activists. Victorian State Opposition Leader Clyde

Holding together with industrial lawyer John Button and the Amalgamated Engineering Union's Jim Roulston met the author and Bissett at the Plumbers' Union office in Victoria Street, Carlton South. Holding, a lawyer, offered to defend any draft resister facing the possibility of an eighteen month gaol sentence and to seek adjournment of the case until after the Federal election, expected to be called for October or November 1972. The possibility of such an adjournment was remote, but it would have been an interesting exercise to test the water. Bissett was not impressed with Holding's offer and indicated his intention to join the underground.

The author told friends of his intention to accept Holding's offer partly because of the considerable cost of a number of resisters forfeiting bail monies. However, later meetings of SOS and VMC people argued that for draft resisters to appear in court and be sentenced to long periods in prison was a mistake. It was argued that the system would have chalked up a significant victory if a number of active draft resisters were meekly despatched to Pentridge. On March 14, 1972 Bissett and Scates issued the following statement, part of which was printed in the Melbourne *Sun* of the following day:

Today we are due to appear in the Melbourne City Court to be given an automatic eighteen month gaol sentence for refusing to obey a conscription call-up notice.

Last Tuesday and Wednesday respectively, we were arrested without warrants at our work places. We were given amateur psychology treatment by the Commonwealth Political Police and ultimately each released on \$400 bail plus \$400 surety.

The conscription laws provide that proceedings against us for refusing to obey a call-up notice cannot take place without consent in writing of the Minister. As there are now over 14,000 young men who have refused to comply with the conscription laws and as the government has attempted to prosecute fewer than forty for refusing to obey a call-up notice it is obvious the Minister is only selecting a few political active people to make an example of, in the hope of intimidating most young men into unquestioning compliance.

We had to decide whether we would go to gaol today when the government considers it is politically convenient for them or whether we could do more for the progressive movements generally by continuing our work against conscription from the draft resister's underground.

We decided that as political arrests without warrants or summonses are now taking place in our so-called democracy, that all draft resisters who have received call-up notices should go underground to help us and the present people underground fight against this new step into fascism.

Draft resisters are not prepared to contribute to the murder of people of other countries in order to make even higher profits for big business in this country and America. We will settle for nothing less than the repeal of all conscription laws.⁶

The then Federal Attorney-General, Ivor Greenwood, issued a challenge in the daily press to the National Executive of the ALP over Labor's public support of the resisters. Greenwood argued that the ALP Victorian Branch had encouraged draft dodgers to break the law. He also claimed that a political party which encouraged defiance of the law was inviting its own laws to be disobeyed. He made particular references to Senator Bill Brown, Dr Jim Cairns and Victorian ALP Chairman, George Crawford who had spoken outside the court in support of the author and Bissett.

In Sydney on April 24, 1972 Mike Matteson was arrested by Commonwealth police after giving a press conference. Matteson's driver immediately drove to Sydney University where, within minutes, hundreds of students surrounded the arresting officers. Matteson's handcuffs were cut with bolt cutters. It was claimed that over 800 students were involved in the liberation of Matteson.

Attorney-General Greenwood was angry at the news of Matteson's escape, ordering raids on draft resisters' homes and making strong but fruitless appeals to university authorities to assist in identifying the students concerned. Several people were interrogated but not charged.

Commonwealth police had made a great deal of effort to find and arrest Matteson. On Christmas Day 1971 his parents' suburban home of Elmore was searched without success and a number of friends received visits by police in NSW.

Some resisters coped with life underground better than others. Bob Muntz spent many evenings walking around Melbourne's suburbs deep in thought, unable to sleep. The author remembers being abused for his recklessness while underground after he addressed a meeting of the Young Labor Association at the Trades Hall, Carlton. Perhaps the most enjoyable experiences of being underground were not so much the drama and political activity but being involved in the pleasant day-to-day activities of the groups and families that hid the draft resisters. Michael Hamel-Green recalls living a few hundred metres from the Commonwealth Police Headquarters in East Melbourne. Barry Johnston, the endorsed ALP candidate for the Federal seat of Hotham, addressed the Victorian March State ALP Conference in Carlton. Just before he appeared on the platform, the Chairman, George Crawford, ordered all doors to be locked. Johnston spoke for a few minutes and was then ushered away by supporters. A waterside worker, later to be a Victorian Cabinet Minister, was one of Johnston's bodyguards for the day. Like many resisters, Johnston had a father who was a World War II veteran but who was supportive of his son's stand against conscription for Vietnam.

On Anzac Day 1972 the author was being driven to a meeting of draft resisters in South Melbourne when a 1967 HR model Holden, driven by a Commonwealth policeman, forced the Volkswagen containing the author off the road. The driver, Kevin Healy, left the scene and informed the draft resisters' meeting of the manner of the author's arrest. Sixteen years later the circumstances that resulted in the arrest are still not clear. If the police had followed Healy and Scates for another 400 metres they could have arrested most of the Victorian underground resisters in one swoop. Perhaps the arrest was a fluke.

The annual report of the Commonwealth Police 1971-1972 refers to "extreme difficulties in the apprehension of draft resisters who were living in the underground network". We may conclude that the underground operated fairly efficiently and that arrests were few in comparison to police hours accrued in surveillance.

Barry Johnston was assumed by the DRU to be the prize most wanted by the authorities and security was tighter than for other underground comrades. He was to spend much of 1972 in Tasmania after being ferried secretly across Bass Strait.

Those who spent time behind bars were to have quite different experiences within the penal system. One thing which stood out for Bob Bissett when he remembers his brief time in gaol was the continual hunger:

The degradation starts with the filth of the Melbourne City Watch-house. It is cold and dirty. The whole place stinks of urine.

The cops even take away your glasses so you can't see properly. In prison you just feel a nagging sensation in your stomach all the time. I'm not a big eater — not at all

— but there is just not enough to eat. All the food was very plain, poor in quality and often cold.

The worst place in Pentridge was C Division. It is just like something out of the nineteenth century. There was no sewerage and they had rats as big as fox terriers.⁷

John Zarb recalled:

I suppose I felt bitter about what the Government was doing, but I don't think I've ever felt bitter about the experience itself.

The other prisoners in Pentridge didn't regard me as a monster. Why should they? I think they should have felt exactly the other way.⁸

Prisoners who shared A Division with Zarb remembered him as a loner — a quiet person who kept to himself. The then Governor of Pentridge, Ian Grindlay, told trusted inmates of his high regard for Zarb. He did not have the same respect for some other political prisoners, including the author.

South Australian draft resister, John Scott, wrote of his prison days:

In the past and at present, gaoled draft resisters generally receive the best treatment that the respective systems are offering. The reason for this treatment is readily apparent. Administrations knowing that resisters are articulate and have some access to the media and are only too willing to expose the inhuman conditions . . .⁹

In NSW, information passed on from gaoled draft resister Mike Matteson to a State Labor member of Parliament, George Petersen, led to a series of Parliamentary questions about brutality in Long Bay prison. The allegations of brutality to prisoners engaged in a hunger strike in October 1970 were later corroborated by others. The extent of the brutality alarmed Petersen. Justice Minister Maddison denied the claims but admitted that twenty Long Bay gaol prisoners had been treated for injuries after warders had subdued protests.

A young prisoner, Keith Clarke, upon his release from Bathurst, contacted major newspapers about violence in the prison system. Despite his persistence newspapers generally ignored his allegations about brutality and ill-treatment. A Royal Commission later found Clarke to have been severely ill-treated by warders in October 1970.

In December 1970, four Long Bay psychologists wrote to the Commissioner for Corrective Services expressing their concern at allegations of ill-treatment of inmates at Bathurst. In February 1971 — in light of inaction on their claims — one of the four again wrote to the Commissioner demanding an inquiry into conditions at the gaol. A short time later the two most senior of these psychologists was removed from Long Bay.

Again, in May, 1971, Petersen asked a number of questions in the NSW Parliament about Long Bay. Justice Minister Maddison ducked the issue and attacked Petersen for continually opposing the forces of authority. Maddison said that the prisoners and ex-prisoners should not be believed because of their unsavoury police records. He told Parliament that his legal officers had made inquiries and not found any evidence that NSW prisoners had been abused or assaulted. It was later discovered that the extent of the legal officers enquiries consisted of talking to four prisoners and twenty warders.

By June 1971, a number of NSW Council for Civil Liberties lawyers collected statements about the prison system. Three lawyers, Staples, Grahame and Kelly, were later to become part of the committee to compile the publication *Bathurst Battering October — 1970 — The Case for a Royal Commission into the Department of Corrective Services of NSW*. This document was circulated widely to unions, solicitors, churches and

judges. The extent of the allegations eventually led to the Nagle Inquiry Into Prisons in NSW which recommended the immediate removal of the head of the Corrective Services Department and the restructuring of the Department.¹⁰

The left and alternative press began to take a greater interest in prison conditions and the inhumane treatment the predominately working class inmates had to suffer. Under the leader, 'Pentridge on the Boil', the Communist Party paper, *Tribune* said:

The penal system crisis appears to be reaching the stage where minor reforms no longer have any effect, being crushed in effectiveness by the overall brutality of the system. For example, prisoners' elected representative bodies are bashed out of existence by warders who themselves are as much brutalised and imprisoned by the system as the gaol inmates.

The Bolte government does not even consider 'modernisation' of the present gaols, built decades ago but now living monuments to barbarity. There is 'no money' to repair for example, the remand section, where men deemed innocent until proven guilty by the courts are kept for months in disgusting conditions.

The overriding concern of the 'youthful image' Social Welfare Minister Smith is that any 'trouble' can be dealt with.

But it is not the 'trouble' which is the main problem — it is the 'normal' at Pentridge which has to be confronted. This includes bashing, arbitrary punishment, humiliating and inhuman treatment, and impossible conditions for rehabilitation.¹¹

South Australia draft resister Bob Easton recorded some of his 1971 prison experiences:

The prison uniform was grey, like the prison surroundings, and intended to make the prisoner look and feel like the village idiot. The petty insistence that the cap be worn tightly over the head was just a means of reinforcing the prisoners' feeling of subjection and exercising the guard's power over him.

The cell was bare, anonymous and depressing. Toilet facilities were primitive.

Work was the art of stretching an occupation to last the day. Mine was cleaning latrines and polishing brass fittings in an assigned area, a task which in normal circumstances would have taken an hour to complete.

Leisure time was spent in the yard killing time or indulging in exercise (the most vigorous of which was pacing the yard or playing hookey).

Outside contact was brief and de-personalising. There was a quota on letters, which were censored, and visits were restricted to one a month and to a painfully brief twenty minutes. Normal physical contact with visitors was not allowed in any form. Even upon release one is still in some ways a prisoner of the system, since visits to a friend inside 'would be consorting', an arrogant official informed me.

Beatings do take place. A friend I made there was beaten upon recapture after an attempted escape.¹²

John Scott from the South Australian industrial city Whyalla, made comparisons about the nature of both prison and army conscription:

Conscription is as much a part of our authoritarian and compulsive society as the prison which houses the rejects. Our efforts to effect change therefore need not to be limited to activities outside of prison.

Each draft resister will find, whether he is a pacifist, Christian, anarchist, anti-imperialist, civil-libertarian, or whatever, that gaol practices challenge or totally reject those principles on which his anti-conscription stand is based. They do not respect his basic rights or wishes to contribute in his own responsible way toward solving social problems.¹³

By 1972 both South Australia and Western Australia had elected State ALP Governments. Gordon Bryant MHR wrote to all Federal ALP conference delegates in 1971 concerning the legal responsibility of the States to keep draft resisters in prison. Bryant argued that while the States were obliged to detain Commonwealth prisoners the actual type of detainment was the responsibility of the State Government concerned. Clyde Holding, Victorian ALP Opposition Leader, was quite strong in his intentions not to allow a State Government with himself as Premier to agree to continue to keep draft resisters imprisoned.

In the two States where the Labor party held power in 1970-1971, South Australia and Western Australia, there was often sympathy or admiration of the imprisoned federal inmates. John Scott argued: "In cases of resisters gaolled in states where a Labor government is in power there is sometimes remorse or embarrassment on their part which can result in even more favoured treatment."¹⁴ In Western Australia, in spite of Scott's optimism it appeared that Gary Cook received little better treatment than any other prisoner. Prison warders developed a hatred for the articulate Cook and made their contempt for the draft resistance movement widely known.

South Australian Premier Dunstan referred to conscription as an improper and immoral law. He went further, stating that interned resister, Bob Martin, was not a criminal and challenged the Federal Attorney-General, Ivor Greenwood, to contest in the courts the action of allowing Martin out of gaol to speak at a freedom rally. Greenwood failed to take up the challenge.

The arrest of a country school teacher, Ken McClelland, in Hawkesdale near Hamilton (Vic.), saw the movement respond with leaflets and paint-ups. McClelland was from Sea Lake in Victoria's Mallee where his parents were farmers. His brother, Robert, was a member of the local branch of the Country Party in Wilton Turnbull's electorate. A resolution opposing conscription was carried at the local branch but defeated at Federal Electorate level. Robert McClelland resigned from the Country Party in 1972 because 'he could not belong to a party he would not vote for at the next federal election'.¹⁵

An anti-conscription rally on April 8, 1972 in Warnnambool was to receive front page publicity in the local paper.¹⁶ ALP Senator Cyril Primmer, a resident of nearby Koroit, and SDS member Harry Van Moorst were two of the speakers in the main street demonstration.

A spray-painted 'Free Ken McClelland' slogan on an Elgin Street (Carlton, Vic.) wall still survives at the time of publication (1989). A special FTD edition roneoed at Monash University described the gaoling:

Yesterday Kenneth McClelland was gaolled for eighteen months. His crime was to stand up for what he believed to be morally right.

His crime was to do his own small part in making this a world of love, peace and freedom, and not one of hate and killing.

His crime was to resist forces such as conscription which oppose his goal by refusing to obey a call-up notice.

For this he has been denied his own freedom and has been imprisoned. Ken was a teacher. He believed that through teaching he could carry out his duty to humanity by helping to promote peace and freedom. He was arrested while taking a class at Hawkesdale High School.¹⁷

The editorial team at Monash University included Kevin Bain, Jo Erftemeyer, Warren Kirk, Joy Elley and Anne McPherson. McPherson came from a farm at Macarthur in the Western District and had been a student of McClelland's at Hawkesdale High. During 1972 she wrote to both McClelland and the author in Pentridge. In September 1975 she and Scates were married and lived in Albert Park until March 1977 when they separated.

Tribune, claimed that increasing numbers of political prisoners was having a dramatic effect on the prison population:

A substantial proportion of our prison population should not fall under any penal system at all. This includes the large category usually referred to as social nuisances — such as habitual drunks and vagrants. No police or penal system is suitable for dealing with such problems. Punishment is no answer.¹⁸

In April 1972 Federal Attorney-General, Ivor Greenwood issued a challenge to any underground draft resister to give himself up or make his whereabouts known to police. As a response to Greenwood's statement, draft resister William (Robert) Wood reported to police in the ACT. Greenwood then described the surrender as "political stunting designed to ensure maximum publicity for themselves and also, if possible, to discredit the role of the Commonwealth Police."¹⁹

Robert Wood, who was born in England, was elected to the Senate in July 1987. Wood was sentenced to seven days gaol for refusing to attend a medical examination. He joined Sydney resister, Brian Childs, who was serving a similar sentence at Long Bay. The Sydney, May 21, 1972 National Conference of draft resisters adjourned to the gates of Long Bay to express solidarity with the two imprisoned comrades.

Melbourne's Monash University had been regarded by many as the most radical campus in the late 1960s. Monash Labor Club member Michael Hyde, noted at the beginning of the 1970s that La Trobe, Melbourne's newest university was now seen by the establishment as the *enfant terrible*. The anti-war and anti-imperialist students targeted their anger at those members of the La Trobe University Council who were directors of companies which made profits from the war in Vietnam.

After a number of occupations at La Trobe three students were charged with contempt of court. They refused to apologise to the judge concerned for their statements. In April 1972 Fergus Robinson, a member of the Worker Student Alliance, was sentenced to an indefinite term of imprisonment. He joined draft resisters Ken McClelland and Paul Fox in A Division, Pentridge. Weeks later La Trobe students Brian Pola and Barry York were arrested and sentenced to prison. The three young students, despite being given opportunities to apologise to the judge concerned, all remained firm. After a number of rallies of support outside the prison and on campuses, Pola, York and Robinson were finally released on August 2, 1972. Speaking to law students at Monash University, York recalled his days in prison:

My experience inside was an eye-opener and I don't mind admitting that it has had a lasting emotional effect.

In my opinion there is no room for 'humming and ha-ing' about this issue: It is a life and death issue.

“Inside” prisoners are treated not like animals but worse than animals. At least animals in a zoo are shown affection, there is some attempt made at recreating a natural environment. Prisoners are ill-treated, humiliated, and sometimes bashed by prison officers. Nearly everyone must at one time or another have heard rumors about the brutality inside. Suffice to say that most of the rumors have a great deal of basis in fact.²⁰

In a statement to the Supreme Court of Victoria, issued on April 7, 1972 the gaoled students outlined why they were refusing to apologise for their actions.

The fact that your Court has been called on to interfere and has interfered in student affairs and to some extent trade union affairs is a measure of the desperation and failure of the ruling circles to maintain their ‘Law and Order’ except by force. It brings your Court into contempt and exposes it for what it is: a vital part of the repressive state machine. We will continue to struggle against imperialism in support of the four basic student demands at La Trobe:

1. . . . the immediate reinstatement of the twelve currently expelled students;
2. . . . the dropping of all fines and related penalties;
3. . . . the dropping of all civil charges;
4. . . . the immediate and unconditional repeal of the Supreme Court order restraining students from using student funds as students see fit.²¹

The arrest of the author (April 25, 1972) and his subsequent conviction for failing to obey a call-up notice added another political prisoner to the population of Pentridge. Conditions, especially security, were least oppressive in A Division where Scates, McClelland, Fox and the three La Trobe students were held. The monotony of poor quality prison food and isolation from friends did adversely effect the morale of those serving prison terms.

Ken McClelland kept a diary within the gaol in which he recorded personal experiences as well as comments about the prison system. The diary was discovered by warders during a routine search of McClelland’s cell. At some personal anguish to McClelland warders not only confiscated the diary but also read various entries. Requests for the return of the diary were denied and McClelland did not regain its possession until after his release in December 1972, when it was returned to him by Deputy Director of Community Services, Ben Bodna. Some of McClelland’s diary is now in the hands of the Australian War Memorial in Canberra.

McClelland described an incident on May 16, 1972 when Paul Fox and Fergus Robinson made complaints about the censorship of books by prison authorities.

Paul and Fergus both went before the Governor today about the books they were not allowed to have. Apparently the Governor allowed dialogue to take place and although he stated that material that was “Communist propaganda” was not allowed into the gaol, he agreed to “look into the matter.” Paul is now looking for some sort of apology to Liz, who was apparently treated pretty rudely by the security officers when she tried (having been instructed by Paul) to hand back the magazine a *Rolling Stone* that had originally been denied by security. Paul had gone to Governor’s Court; the Governor had promised to “look into the matter”, he had forgotten; security took it into their own hands to give it to Liz; Paul told her to give it back because he had not yet heard from the Governor. Security “threw it back at her”(Liz’s words).

I don't think the Governor will forget again.²²

During the first month he was a prisoner in Pentridge the author refused to agree to be transferred to a prison camp at Won Wron in Gippsland. As a consequence the author found himself hauled before a Governor's Court where the most senior prison officer dealt with minor charges laid by warders against prisoners. Scates was convicted of failing to obey an order and sentenced to an additional four days imprisonment.

Both the author and McClelland used the special service provided illegally by warders to smuggle letters out of the prison system. The charge per letter in 1972 was \$1.00 each time. Ken McClelland had a number of his normal outwards letter censored by prison officers who appeared to often relish the task of reading inwards mail to the imprisoned resisters. One of the author's 'hot' letters was sent to George Crawford and concerned material about unrest within the gaol.

In September 1972 Amnesty International "adopted" four imprisoned draft resisters. Turner and Scates were adopted by the West German group of Amnesty and Cook and McClelland by the Dutch section.

Draft resisters in Pentridge received letters from Amnesty International supporters in England as well as from friends.

Much of the news in letters to draft resister concerned the political situation in relation to the expected federal election. SL organiser, Bob Hogg, wrote to the author concerning the new left paper, *Action*. Hogg also recorded his pleasure at the ALP endorsement of Ian Cathie (Socialist Left) for the State seat of Mentone at the 1973 Victorian election. Caroline Hogg, then a teacher at Fitzroy High, wrote that Danny Hogg now had a younger sister (Georgia). Northcote ALP member, Betty Jones, as well as a letter to the author also enclosed drawings done by her schoolage son, Gareth.²³ McClelland received letters from relatives at Sea Lake, ex-students and teachers at Hawkesdale as well as from draft resisters living in the underground network.

In the second half of 1972 pressure increased on the Victorian ALP to strip candidate Barry Johnston of his endorsement for the seat of Hotham. At the July National Executive meeting of the ALP, Opposition Leader Gough Whitlam was reported to have suggested that Johnston should consider surrendering to police. Victorian delegate Bill Hartley was said to have been "highly critical of suggestions that Mr Johnston should give himself up to police and ask the courts to adjourn his case."²⁴

In a television interview on the ABC programme *This Day Tonight*, Johnston rejected the suggestion of surrender. Johnston told the interviewer that he saw no point in co-operating with Commonwealth Police: "I think the party is much bigger than this one person [Whitlam] . . . the Victorian ALP unanimously supported me earlier this year."²⁵

On July 5, 1972 the National ALP Executive sent a telegram to Prime Minister McMahon urging a moratorium on prosecutions of draft resisters. It got a quick reaction from the Defence Minister David Fairbairn who replied:

If Mr Whitlam really expects the government to do this then his political acumen has reached a new low.

The policy of a government has always been that there should be no political interference with the administration of the law.

Mr Whitlam appears to have realised belatedly the problems of himself and his party by endorsing an alleged draft resister as one of their candidates.²⁶

Attorney-General Ivor Greenwood described the ALP Executive telegram as: "surely be the most deceitful and disgraceful statement that has ever been made by the Australian Labor Party."²⁷

The DRU alleged that a great deal of effort was spent in searching for a few well known activists who had breached the *National Service Act* yet thousands of young men had not even been contacted concerning their failure to register. This argument was supported by the speedy prosecution of radical Christian activist Peter Galvin. Galvin was to receive the support of some twenty-five Roman Catholic priests. In Sydney Galvin told the court:

The complicity of the court in participating in the unjust and immoral service of death is evident proof of the bankruptcy of our legal and parliamentary systems. I pity you accomplices of death, I sorrow for your ignorance. Haven't you caused enough destruction in Vietnam without wanting to inflict more?

. . . it is not without regret that I accuse the powers that rule and control this land of the crimes of murder, exploitation and coercion.²⁸

Tribune claimed that the selective prosecution of Galvin was "one of the speediest prosecutions in National Service history and it is believed that because of his activities in the Draft Resisters' Union, the government and police are keen to make an example of him."²⁹

In 1972 Pentridge Prison was still the focus of much anti-draft activity. On June 7, a number of draft resisters — at various stages of non-compliance — chained themselves together outside the prison and challenged Commonwealth Police to act.

Draft resister, Bob Bissett claimed in a Monash edition of *FTD* that there were now over 14,000 people who had breached the *National Service Act* in some way. Yet only twenty or so had ever been sentenced to eighteen months gaol for refusing to obey a call-up notice. In what was to be the last ever registration period (July-August 1972) some 128 people were arrested in Melbourne at five different anti-conscription protests.

Ian Turner, who had been in Ararat Prison in Western Victoria since January 1972, was not forgotten by the movement despite the distance of the gaol from Melbourne. At Monash campus Open Day in 1972, over one hundred students, staff and visitors signed a declaration in support of gaoled draft resisters — McClelland, Turner and the author. It read, in part: "We all express our confidence in your ability to determine your own life style, and admire you for defying the immoral *National Service Act*."³⁰ The copies of the declaration sent to the gaoled draft resisters did help morale and, in Turner's case, reduced his feeling of isolation.

During the July-August registration period, in a gesture of solidarity, the three Victorian gaoled non-compliers went on a seven day hunger strike. The hunger strike — which was strictly adhered to despite some discomfort — received little publicity.

The DRU and Monash *FTD* arranged a birthday celebration for Turner on September 16, 1972. The itinerary began with an evening vigil at Pentridge on the Friday followed by a cavalcade of cars driving to Ballarat for leafleting on the Saturday morning. The protest continued on to Ararat in the afternoon to see Turner. Turner kept up contact with his friends at Monash and elsewhere:

I'm not here because eighteen months gaol is some kind of civilian alternative to 18 months army service, I'm here because I called the bluff of the power structure, not simply by registering along with other sensible people but because I didn't step back-wards fast enough when a volunteer was called to be secretary of the embryonic DRU.

And now a word to those still vacillating between doing their duty to their country as defined by Lynch, Sir Arthur Lee *et al.* and following their noses. Being in gaol isn't a picnic: at times it is so frustrating you could scream and less fatalistic people than me probably do. Sometimes I get the idea that they are trying to bore me into submission.³¹

On the weekend of July 19-21, 1972 draft resistance communes were established at Sydney and Monash Universities. Five underground resisters were barricaded in the Sydney University Union building, and four in the Monash University Union. In neither case did police attempt to raid the draft sanctuaries. In the same week, a National Mobilisation Against Conscription march in Melbourne was criticized by the RSL, who objected to the protesters laying a wreath at the Shrine of Remembrance in St Kilda Road. The wreath carried the following dedication:

*To the unwilling
Led by the unqualified
To do the unnecessary
In memory of all those sacrificed in Vietnam*

Between 1962 and the end of 1972, 501 Australian soldiers died in Vietnam. Nearly 3,000 were wounded or injured during their tour of duty.³³

In August and September 1972 a trade union delegation consisting of George Crawford (Plumbers' Union), Ron Gifford (Seamans' Union), Neville Hill and Ron Arnold (AMWU) visited the North Vietnamese capital of Hanoi and surrounding areas which had suffered as a result of the US bombing. A trade union journal described the situation in Hanoi:

But the killing hasn't stopped. Instead, Vietnam became tangled in the politics of a US election campaign. The settlement is being delayed. Now is the time for all people of peace to demonstrate that the agreed accords must be proceeded with and this tragic war ended at the earliest possible moment . . .

The streets of Hanoi are clean, neat and leafy — punctuated by slit trenches and shelters. The city streets are spotted with circular air-raid shelters. Each was just big enough for one Vietnamese.³⁴

A decade and a half later, controversy over the effects of chemicals like Agent Orange still continues in Australia. Australians who served in Vietnam are still fighting for compensation for the mental and physical harm caused during their periods of overseas service.

McClelland and the author were both Pentridge prisoners during the Jenkinson Inquiry into conditions within the Victorian penal system. During the period July to December 1972 the inquiry heard evidence from 183 witnesses and produced over 3,500 pages of transcript. The worst cases of assaults were those which occurred in the maximum security H Division.

Ken McClelland described in his diary the build up of tension within the prison. As early as May 11, 1972 McClelland wrote:

On Monday morning a bloke died over in C Division, apparently from heart trouble. C Division jacked up in the morning — they claim he had complained of the trouble for about four years, but had never been given proper treatment. On that Sunday night he banged on the cell door for an hour but was told by the screw on duty "to

get fucked". In the afternoon A, B and E Divisions joined C in the protest which lasted an hour. It is the only one I have known A Division to undertake.

There had been no noise at all from next door (H Division) for over a week now — for all I know they might be all dead or removed to the country!! They may be quiet while they wait to see how far Galbally gets with his demands for a Royal Commission.³⁵

A Melbourne lawyer, David Ross, appeared on behalf of the Council for Civil Liberties. Ross referred to H as "a concentration camp of the most vicious type [staffed by] savage, brutal and sadistic prison officers, giants specially selected for that purpose."³⁶ One draft resister who spent seven days in the prison described the turmoil of that time. Michael Wood was a PhD student at La Trobe University who kept a diary of the events:

Saturday: Prison officers took over the work that had to be done such as the cooking. We were locked in our cells instead of being let out at the usual time of 8 a.m. It's quite frightening to be locked in cells all day.

All visits were cancelled.

About 2.30 p.m. on Saturday we were let out to be confronted with 40 to 50 warders all carrying batons the size of baseball bats and with their sleeves rolled up.³⁷

Throughout 1972 in particular, the prison population was swelled by draft resisters and others like the La Trobe activists. As well as Wood other resisters to spend time in 1972 were Mark Taft, Roger Naphthine and Sandy Thomas.

Taft, of Vermont, was editor of Monash University paper *Lot's Wife* in 1972. His father, Bernie, was a member of the executive of the Communist Party of Australia. Taft and Naphthine, formerly of Colac in Western Victoria, were both active in Monash student issues. Thomas was one of the most active DRU members in 1972.

When he appeared before Magistrate Froude on a charge of refusing to attend a medical he was represented by a lawyer Joe Gullaci. Gullaci was amazed when Thomas was sentenced to fourteen days gaol. After protests that the sentence was twice the mandatory amount, Thomas was sentenced to seven days instead. A few minutes later the prisoner was served with a call-up notice.

During their months of imprisonment most draft resisters did have some contact with Labor politicians and journalists. McClelland received parts of *Hansard* from Senator Cyril Primmer who was based at Warrnambool. Scates was visited in late 1972 by Age writer, Kevin Childs. In addition many resisters were to receive legal visits from sympathetic solicitors. Legal visits were less restricted than the regular 20 minute 'box' visit. Conversation did not have to be raised several decibels and both inmate and lawyer could be seated at a table.

Carlton football ground was the starting point for a march in support of the resisters organised on October 15. The demonstration marched north along Sydney Road for six kilometres to Pentridge. Crawford and Cairns addressed the rally. Cairns described Pentridge as "the most effective means Australian authorities have designed to debase and corrupt human spirit."³⁸

In the last few months of 1972 many draft resisters debated the usefulness of continuing the practice of urging those who had been served with call-up notices moving into the underground. A date for the Federal election was announced by Prime Minister McMahon. It was to be December 2. Sandy Thomas and Mike Matteson argued that a

mass surrender of those facing immediate prison sentences was the tactic most likely to put pressure on the McMahon Government. Thomas was quoted as telling the mainstream press: "We want to show that the Government is not serious about law and order. We want to show that if the (National Service) Act is to be enforced, it would mean several hundred people in gaol, because that's how many people have defied the Act."³⁹

On November 9, 1972 Matteson was arrested in Sydney. He informed police that he would be at his parents' home in Elmore on the day. Seven police subsequently entered the house and arrested him. Matteson's mother described the arrest: "There was no need for violent arrest. They [Thomas and Matteson] were walking out. There was no need for violence."⁴⁰

A telegram of support was sent to the two arrested comrades from eleven other resisters who had decided to remain underground, including ALP candidate Barry Johnston. It read simply: "They can gaol resisters but not the resistance."⁴¹

ENDNOTES – CHAPTER 9

1. Mark Findley, *The State of the Prison*, p.155.
2. R. Muntz, interview with the author, October 1983.
3. *Downdraft*, 2nd edn, DRU, 1971.
4. *ibid.*
5. *ibid.*
6. Scates and Bissett, handbill, March 14, 1972.
7. Bob Bissett, interview with the author, October 1983.
8. *Sun*, December 7, 1972.
9. *Downdraft*, 2nd edn, DRU 1971.
10. Mark Findley, *The State of the Prison*, p.159.
11. *Tribune*, May 1972.
12. *Downdraft*, 2nd edn, DRU 1971.
13. *ibid.*
14. *ibid.*
15. Ken McClelland, interview with the author, January 1988.
16. *Warrnambool Standard*, April 10, 1972.
17. *FTD*, April 1972, Monash University leaflet.
18. *Tribune*, May 1972.
19. *Australian*, July 6, 1972.
20. Monash University Law Student's magazine, *Oracle '74*, p.58.
21. K. McClelland, Diaries in prison 1972, collection of the author.
22. Statement to Supreme Court by B. York, B. Pola, F. Robinson and R. Taylor, dated April 7, 1972.
23. Letter to R. Scates, collection of the author.
24. *Australian*, July 6, 1972.
25. *ibid.*
26. *ibid.*
27. *ibid.*
28. Leaflet distributed by DRU, Sydney, 1972.
29. *Tribune*, June 1972.
30. *ibid.*
31. Ian Turner, letter to J. Erftemyer, 1972, collection of the author.
32. *ibid.*
33. Frank Frost, *Australia's War in Vietnam*, p.1.
34. *PGEU News*, October 1972.
35. McClelland diaries, 1972.
36. *Age*, November 30, 1972.
37. *Age*, October 5, 1972.
38. *Age*, October 16, 1972.
39. *Age*, November 8, 1972.
40. *Age*, November 10, 1972.
41. Telegram, collection of author.

CHAPTER TEN

IT'S TIME

Suddenly I am one of those ratbag student radicals, making a nuisance of himself, or a confused idealist playing the martyr.¹

By late 1972, with a federal election imminent, both conscripts and draft resisters were creating problems for the government.

Newspapers reported a number of instances of national servicemen attempting suicide. On September 22 the *Age* reported five cases, and four days later the *Adelaide Advertiser* claimed attempted suicides had occurred at both Puckapunyal, in Victoria, and Kappoka, in NSW. The South Australian Labor Senator, Jim Cavanagh raised the treatment of national service trainees in an adjournment debate. He quoted the *Sydney Daily Mirror*.

The three recruits who tried to take their lives there, slashed their wrists. One was found in the toilet, nearly dead from loss of blood. He recovered, and with the other two, was discharged from the Army. The incidents were revealed by other national servicemen in the battalion who completed their 10 week basic training this week. They said other trainees made bids to escape what they described as a bastardisation process.²

The proximity of the election was no guarantee of amnesty for either politically active draft resisters or their supporters. Victorian SOS member Jean McLean was arrested at her Carrum home on October 18 for refusing to pay fines imposed for handing out "don't register" leaflets. Victorian ALP senator Cyril Primmer defended her actions in the Senate that day.

In my opinion there is no law under which it is justifiable to gaol a person of the moral character and fibre of Mrs McLean. In addition to the work that Mrs McLean has done over the years to make young men aware of their rights under the *National Service Act*, quite recently she was responsible for the release of a statement calling for an end to the blatant bombing of women and children in North Vietnam. This statement was signed by prominent Australians, including the Reverend Professor R. Anderson, Dr Max Charlesworth of the Melbourne University, the Hon. Don Dunstan, Premier of South Australia, and Mr Clyde Holding, MLA, Leader of the Opposition in Victoria.³

In November the Attorney-General, Senator Ivor Greenwood, agreed to a television debate on conscription with the ACTU president Bob Hawke. Greenwood still believed there was mileage for the coalition parties in highlighting law and order as a major election issue. In the much publicised *This Day Tonight* debate Hawke appeared better briefed. He handed Greenwood a list of public draft resisters who had not been prosecuted (the list had been compiled by the DRU using "liberated" Departmental files). Hawke claimed the government had been selective in prosecutions under the conscription laws.

Phillip Lynch, a McMahon Government cabinet minister, was another Liberal keen to link the Opposition with the more radical anti-war groups.

"The left-wing pulls the strings, and the machine acts accordingly", he said. "The ALP's continuing endorsement of Barry Johnston as their candidate for Hotham is a clear example of what government by them would mean — government by sectional interests."⁴

In the first major speech of the campaign, Whitlam gave an unqualified promise to abolish conscription immediately an ALP government was elected. He also made a specific commitment to release all who had been imprisoned for defying the *National Service Act*. These pledges, and a promise to bring home from Vietnam the Australian "advisers", brought the loudest cheers at public meetings.

Labor focused on winning marginal outer suburban seats like Casey, La Trobe and Diamond Valley, in Victoria, and St George in NSW.

In contrast to the enthusiasm of the launch of the Labor campaign, the Liberal opening was a much more subdued affair. McMahon's policy speech some three days after Whitlam's was defensive. The Liberals did try and gain some electoral benefit by attacking Labor's links with the unions and anti-war groups. McMahon said in his major speech: "We have all suffered because of industrial upheavals for purely political motives without one word of protest from the Labor Party. Labor has supported the draft dodgers and has incited young soldiers to disobey orders. They have nominated one draft dodger as a candidate at these elections."⁵

One week before the Australian election the New Zealand Labor Party, led by Norman Kirk, scored a convincing victory at the polls. On November 27, Prime Minister-elect Kirk told a news conference that his government would abolish conscription. He also promised that the New Zealand contingent in Vietnam would not be replaced at the expiry of their period of duty.

The final "It's Time" rally in Melbourne was held at the St Kilda Town Hall where Whitlam and Hawke spoke to a large audience. In the last days the *Age* gave qualified editorial support to an ALP win — the first time in over two decades if had done so.

On election night the polls closed at 8 p.m.. Within an hour early returns indicated a trend favourable to the Opposition. Whitlam claimed an historic victory on behalf of the ALP. By 11 p.m. McMahon had conceded defeat, although the size of the Labor majority was not yet determined. The election was won largely in the newer suburbs of Melbourne, Sydney and Brisbane. Johnston achieved a respectable swing although the incumbent (Chipp) was returned in the seat of Hotham. After preferences were distributed, Johnston had 42.8 per cent of the vote.

In Pentridge, McClelland and the author heard the progress of counting on headphones in their cells. After a couple of hours of counting a few prisoners sang out in expectation of the anticipated Labor win. While the movement outside celebrated with champagne and beer, the imprisoned resisters had to make do with fruit juice.

The next morning (Sunday, December 3) witnessed the visit to Pentridge by resisters who were — technically — underground. This was the first time that the imprisoned resisters had received visits from other comrades like Tony Dalton, Bob Muntz and Bob Bissett. Stories of a huge election night party at Jean McLean's home the previous night were exchanged amongst the visitors.

It was anticipated that freedom for the imprisoned draft resisters was not far away. Whitlam was expected to be sworn in as Prime Minister within a few days.

Jean Melzer, the State Secretary of the ALP in 1972 and later a Victorian Senator, recalled the events of the election night: "I remember the champagne at the tally room, the sight of all those people who had never seen or could not remember a Federal Labor Government. The next morning I found bodies asleep all over the lounge room floor of my home."⁶

Monday morning saw the delivery of telegrams to draft resisters still awaiting news of their release date. Frank Crean, who became the first Federal ALP Treasurer in twenty-three

years, was one of those who sent a telegram to the author. Tuesday morning radio news stories carried reports that Senator Lionel Murphy, who was expected to become the new Attorney-General, had given undertakings that the resisters would be released soon. On Tuesday night the internal Pentridge radio station played requests for McClelland and the author in expectation of their early freedom.

On December 5 *The Age* reported that Deputy Prime Minister, Lance Barnard, had instructed both Commonwealth and State police not to execute outstanding warrants against those who breached the *National Service Act*. The next day (December 6) the *Canberra Times* announced that Barnard had also ended all liability for national service under the Act.

At noon on Wednesday, December 6, 1972, Charlie Taylor, the chief prison officer of A Division, told McClelland to shave because there were people and cameras outside the gates. After a series of quick goodbyes, the two draft resisters/prisoners were escorted to the front office where the Prison Governor, Ian Grindlay, and Labor Senator Bill Brown, were waiting. The Melbourne *Herald* described the scene as McClelland and the author stepped out to freedom:

They walked from the prison gates smiling.
Friends and relatives mobbed them.
Friends thrust glasses of beer into their hands.

Scates said: 'I feel very good. I want to convey to the people of Australia my thanks for voting a Labor government into power. I applaud everyone who fought for our freedom.'⁷

Ian Turner was relieved to be away from the race broadcasts in his shared cell in Ararat. In the *Age* the day after his release, Turner said:

In the four-man cells the radio is in the middle of the ceiling and it blares out the races all the time . . . it can drive you insane.

Eventually I was moved into a cell where the others were all junkies and didn't want to listen to the races either . . . we had a record player with a couple of dozen records, including Bob Dylan.⁸

Employment in the prison industries was not especially financially rewarding. After nearly eight months in Pentridge, the author had earnings of \$34. As a billet (cleaner) in April/May 1972 the pay rate was some forty cents per day. In the administration job within the gaol the pay rate was better — some fifty cents per day. Deductions were made from earnings for amenities such as coffee and fruit juices.

On December 6, 1972 a charge against John Paul, a 25-year-old clerk, was withdrawn by Commonwealth Police in the Melbourne Magistrate's Court. No other charges for breaches under the *National Service Act* were heard.

Whitlam later recorded the events which preceded the release of the imprisoned draft resisters when he reprinted minutes of a meeting held in the office of the Leader of the Opposition. Those present included the Deputy Prime Minister-elect, Lance Barnard, and senior public servants, Sir John Bunting, Sir Keith Waller and Clarence Harders.

Whitlam's first press release as Prime Minister concerned his signing letters to the Governor-General, Paul Hasluck, recommending the remission of gaol sentences imposed under the *National Service Act*. There was some irony in a former Liberal minister, who supported the war in Vietnam (Hasluck), agreeing to release men who had fought against the previous government's conscription laws.

The Melbourne *Sun* reported the draft resisters could receive compensation for the time that they had spent in gaol or underground:

Draft resisters freed yesterday are likely to get Federal compensation for their time in gaol. Compensation will also be considered for resisters who went 'underground' because of the call-up. Federal Cabinet will consider the type of compensation 'at the earliest opportunity' according to ALP sources.⁹

No draft resister was ever to receive compensation.

Matteson was jovial about his treatment during the four weeks he had spent in Long Bay: "I did things for which other prisoners would go to solitary or Grafton."¹⁰ Matteson's energy and above all his lack of fear or apprehension, made him a popular person with sections of the media. In April 1987 his photograph — with a Vietnam veteran — appeared on the front page of the *Sydney Morning Herald*. Media writer K. Windschuttle wrote:

During the Vietnam War, the handful of draft resisters who attracted personal publicity (such as Michael Matteson who escaped from custody and then gave media interviews and appeared publicly right under the noses of the police) gave large numbers of young men the courage to take a stand against conscription.¹¹

A few days after the Labor win, CICD was to editorialise on the future role of the anti-war movement after the change of government:

We enthusiastically congratulate the new Labor Government on the speed with which it has stopped conscription, freed the gaoled draft resisters, taken steps towards the recognition of China, changed Australia's attitudes within the United Nations, restored a passport to Wilfred Burchett, etc. It remains to be seen whether the legislative measures which the Labor Party will introduce (possibly including an attempt to repeal the *National Service Act*) will be blocked by the Senate.¹²

Tony Dalton described the effect the anti-conscription movement had on the position of the Labor Party:

We contributed in two main ways. Firstly we divided the Liberals on conscription, and, secondly we put the ALP in a position where it had to be unequivocal about the *National Service Act*. Our actions have made it extremely difficult for conscription to be introduced again.¹³

Michael Hamel-Green also wrote about the campaign against the draft and concluded:

It may be assumed that even if Labor had not won the 1972 election the Liberals would have been forced by pressure from below to abandon conscription in any case. Over the last two years of the scheme the numbers of draft resisters increased dramatically and the government was finally provoked to more rapid and systematic prosecutions. Rapid increases in the number of resisters facing 18 month sentences could have resulted in massive confrontations between the government and the harboring communities. Given the public disillusionment with conscription and sympathy for the resisters, such confrontations would almost certainly have forced relinquishment of the scheme.¹⁴

In his well researched thesis on the draft resisters in Victoria, Darryn Kruse makes a number of observations about the motivation and the backgrounds of those who fought against the conscription laws. Like many who were to examine the organisation of the Draft Resisters' Union, Kruse argues that most had middle-class backgrounds. He profiles the Victorian resisters as being:

On the whole, an idealistic group of men, whose arguments went far beyond objection to overseas conscription and extended to an objection to the very concept of conscription (as it was seen as representing an illegitimate imposition of the State over the individual). At the same time they appear to have had strong political motivations and well defined political aims. Having noted both their idealism and their political objectives, the question of the draft resisters' effectiveness inevitably arises.

Certainly the opposition of these men was noted by the government, and their gaoling did appear to detract from the smooth running of the conscription scheme. In parliament they became a focus for the Labor Party's attacks on the *National Service Act*.¹⁵

Despite a review of the nature of national service in 1983 by a Parliamentary Committee chaired by Tasmanian ALP Senator, Michael Tate, the Act has not yet been repealed. Tate went as far as introducing a private members bill which widened the conscientious objection criteria. This bill was later referred to a Senate committee. Melbourne journalist, Kate Legge commented on the public hearings:

The response to Senator Tate's call for submissions proves that the issue of conscientious objection is not dead. Groups ranging from the Yea and District People for Nuclear Disarmament to the Rockhampton branch of the Australia Defence Association, made their views known.¹⁶

One draft resister whose political struggle against the conscription laws did not end with the election of the Whitlam Government was Bob Bissett who was arrested at his Armadale home on the morning of July 30, 1973. Bissett had forfeited a sum of \$400 in bail money when he failed to appear at the Melbourne Magistrate's Court in March 1972. The Victorian police intended that Bissett should serve eighty days in prison if he did not pay the surety of \$400.

Bissett spent the night of July 30, 1973 in Pentridge and spoke to a number of prisoners who remembered warmly the earlier draft resisters who had served time with them in A Division. The intervention of Attorney-General, Lionel Murphy was required before Bissett was to be released on the following day (July 31).

The 1974 Federal election campaign saw the then Liberal leader, Bill Snedden, promise that a conservative government would not introduce conscription again. Snedden failed in his bid to become Prime Minister.

The Australian involvement in Vietnam ended shortly after the change of government. Ian McNeill described the last hours of Australian military presence in Vietnam: "On 17 December 1972, the day before the AATTV [Australian Army Training Team Vietnam] departed from Vietnam, the Australian flag outside the Free World Forces building in Saigon was lowered for the last time."¹⁷

Authors Malcolm Saunders and Ralph Summy make the observation that the main increase in support for the peace movement was after the announcements of partial withdrawal of US and Australian troops from South-East Asia:

It is worth noting that the Australian peace movement reached its peak when the United States and Australian governments were already in the midst of slowly and reluctantly reducing their troop levels in Indo China.¹⁸

On December 11, 1972 Lance Barnard announced that all Australian advisers in South Vietnam would be withdrawn within three weeks. On December 27 the Whitlam Government announced that all military aid to South Vietnam would be cancelled. A plan

to train Cambodian troops in Australia was abandoned. In late December 1972 Australian maritime unions placed bans on US shipping as a protest against the Nixon administration's renewed bombing of North Vietnam. Tom Uren, the new Minister for Urban and Regional Development described Nixon as having waged a diplomacy of terror in Vietnam. Cairns and Cameron also attacked the bombing and Whitlam himself sent a protest note to the US President.

In January 1973 the Vietnam ceasefire agreement was signed in Paris. The description of the Vietnam conflict as being "*Australia's Longest War*"* is more than accurate.

At its height the strength of the Australian military involvement was 8,300 men. A total of 47,000 Australians participated in one of the most controversial and unpopular wars in history. The last of the US forces were withdrawn in 1973 although the victory of the NLF forces was not complete until April 30, 1975. The country is now reunified and Saigon has been renamed Ho Chi Minh City. For many of the Australians who served in Vietnam the war continues in their nightmares and fantasies. Vietnam Veterans have organised "welcome home" marches in Sydney (1987) and in Melbourne (1988).

In June 1985 the Albury-Wodonga based Murray River Performing Group performed a play about conscription and the aftermath of the Vietnamese war called *The Luck of the Draw*. The author, Rosemary John, named the play after the use of a lottery system to decide the call-up dates of potential conscripts.

The 1986 Year of Peace saw the beginning of peace education programmes in Australian schools and an examination of the role of governments in the world war machine.

Two draft resisters will never be able to read this record of the struggle against conscription. John Noyes, a former resident of DMZ in Chapel Street, South Yarra, and DRU member died suddenly in Brisbane in the early 1980s. John Halpin, who came from the Shepparton region, was found dead on a hotel floor in Chiang Mai, Thailand, in April 1985. Halpin worked as a journalist for both *The Digger* and *Living Daylights*. In a tribute to Halpin, Terry Maher wrote:

[John] made Carlton his home in the late 1960s when his generation became traumatised by the Vietnam War. It was here that he made many contributions to the level of energy in the field of politics, journalism and the arts. When I first met him he was a driving force in the Draft Resisters' Union.¹⁹

* The title *Australia's Longest War* was used by former conscript, Martin Cameron in his autobiography (self published).

ENDNOTES – CHAPTER 10

1. *The Vietnam Draft Resisters in Victoria 1966-72*, D. Kruse.
2. *Hansard*, The Senate, September 27, 1972.
3. *Hansard*, The Senate, October 18, 1972.
4. *Age*, November 12, 1972.
5. *Age*, November 15, 1972.
6. Jean Melzer, interview with the author, Melbourne, September, 1983.
7. *Melbourne Herald*, December 6, 1972.
8. *Age*, December 7, 1972.
9. *Melbourne Sun*, December 7, 1972.
10. *ibid.*
11. *The Media*, Keith Windschuttle, p 284.
12. *Anti-War Fuel*, December, 1972.
13. *Tribune*, December, 1972.
14. *Australia's Vietnam*, P. King, ed., p.127.
15. *The Vietnam Draft Resisters in Victoria 1966-72*, Kruse, p.53.
16. *Age*, October 28, 1973.
17. *The Team*, Ian McNeill, p 484.
18. *The Australian Peace Movement: A Short History*, M. Saunders and R. Summy, p.43.
19. *The Melbourne Times*, May 1, 1985.

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