

PICKETING, A PEACEFUL PROTEST

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The decision of the men who framed the Australian Constitution to include provision for the setting up of a Federal Conciliation and Arbitration Court has embedded in Australian Law a choice made by the Australian community for peaceful rather than violent protest. One of the major factors which won the debate in the union movement over the desirability (or otherwise) of Conciliation and Arbitration as a means of settling industrial disputation was the fear that the bitter division and violence which had occurred in Australian society during the Shearers' and Maritime strikes of the 1890's might again occur, unless an ordered and peaceful method of solving disputes were found. As for the employers of that time they, too, were afraid that the financial losses due to the strikes and the cost of continuing their operations in the face of angry workers' tactics would recur unless other methods could be found to settle disputes. This I believe demonstrates a national preference in Australia for peaceful means of achieving our ends.

Organised workers, and other groups of Australians have, in the course of their seeking peaceful ways to protest, "picketed" in many ways. Picketing can be both labour intensive, as the world has seen recently in the Phillippines, or can be totally automated, as it is in Port Kembla Harbour. In the recent Phillippines change of government, something which started out as a mutiny by a handful of armed renegades ended as a popular uprising of millions of unarmed citizens whose only weapons were their courage and conviction. People Power. The Filipino people linked arms and massed together holding up their crosses and rosary beads in the face of Marcos' tanks which were standing between them and their desire to have an end of Marcos. This was a highly labour-intensive picket line! At the other end of the scale, in Port Kembla, is a fully-automated picket line. It is the sign on the Jetty No. 4 which announces that Port Kembla is a Nuclear Free Port, as far as we know the first Nuclear Free Port in the world. This is the symbol of the

picket line which the waterfront workers have set up permanently to prevent access to Port Kembla for Nuclear powered ships or ships which bear nuclear weapons. This "picket line" is backed up by the constant vigilance and surveillance of the workers on the waterfront at Port Kembla who ensure that its "nuclear-free" message is observed. The automated picket line represents years of peaceful protest by the local peace movement and in particular the WWF (Port Kembla Branch) and bears the imprimatur of the NSW State government, for ex Deputy-Premier Jack Ferguson authorised the placement of the Nuclear Free Port sign as Minister for Ports and Public Works. The Waterside Workers at Port Kembla and other unions of the South Coast Labour Council, especially the maritime unions, proved themselves pastmasters of peaceful protest and picketing during the Vietnam war. They held sit-ins in Government offices, encouraged passive resistance by the young candidates for the ballot into the army, gave succour and hiding-place to the conscientious objectors to the Vietnam War. They took part in vigils outside churches to indicate their opposition and to draw public attention to the issues of the Vietnam war. They took part in vigils outside churches to indicate their opposition and to draw public attention to the issues of the Vietnam war. In other words, pickets can operate to protect people, to enforce bans, to ensure a strike is not broken, to ensure attention is drawn to an issue of deep concern. In 1938, for instance the Port Kembla waterside workers, in one of their most famous political actions, struck a chord of growing concern in the minds of many Australians, a concern about the way the tide of international events was turning towards Australia. This action was the placing of bans by the Port Kembla ~~WWF~~ on the loading of the **Dalfram**, a ship destined for Kobe, Japan, with 7,000 tons of pig-iron, the first instalment of what was to have been 23,000 tons of pig-iron that BHP had agreed to supply to Japanese interests. The Port Kembla WWF members believed the sale of pig iron to Japan would allow Japan to manufacture munitions which would eventually be used in a war against Australia. The then

Attorney-General, R.G. Menzies, arranged to visit Wollongong to meet the combined unions committee which had been set up by the Illawarra Trades and Labour Council (now the SCLC). Menzies plan was to negotiate a settlement of the dispute. The Disputes Committee arranged a welcome for him, and thousands of people unionists and non-unionists alike gathered to meet Mr Menzies, clearly indicating their support for the ban on loading the Dales= Here again is an example Of a labour-intensive picket - the community, and especially, of course, workers on the waterfront, were all going about their daily tasks, but keeping the Dalfram under surveillance. The Labour Council had ordered a stop work meeting of all Council affiliates if any attempt to load the Dalfram were made. There were powerful factors against the solidarity of this famous picket line. For one, Biir Steelworks had laid off 4,000 workers on the pretext that the waterfront bans had forced them to do so. Secondly, the influential Jim Healy, then General Secretary of the WWF was less than enthusiastic about the bans on the Dalfram, fearing that his union would be destroyed again, as it had been in 1928, by the provisions of the Transport Workers' Act, which wharf labourers call the Dog Collar Act. Yet the strength of the "picket" - in this case made up of the general community as well as union members - was such that the negotiated settlement of this dispute included a promise by the Government to re-consider its exporting of pig-iron, as well the provisions of the Dog Collar Act which the wharf labourers so bitterly opposed-. The Dalfram was eventually loaded, but it was also the last shipment of pig iron to Japan for many years, and the Attorney-General of the day won the title from which he never escaped "Pig-Iron Bob". In this case, the "picket" was standing sentinel in Port Kembla for the whole of Australia.

On the 23rd September, 1982 BHP announced it would retrench 434 Miners on the South Coast of New South Wales. At the Kemira Colliery the company intended taking jobs away from 206 men. In the preceding 12 months BHP had retrenched or destroyed 2814 at

the AIS Steelworks Port Kembla and 200 jobs in AIS mines. 800 further retrenchments were planned from the Steelworks for - November 1982.

The Kemira miners met on Saturday morning, 25th September, to decide what action they would take to fight BHP and the sackings. Up until then workers everywhere in the Illawarra had accepted, without a fight, sackings and cuts in pay and working hours. Many workers had sold their homes and left the region hoping to find work elsewhere. But the Kemira miners were not going to "cop the chop" without a fight.

Kevin Donohue, President of the Miners' Federation at Kemira told it this way.

"We decided to have a stay in action because we didn't believe an ordinary strike would have the desired effect. With a sit in, which is a picket underground we might be able to get it across to some of our governments and the BHP that we did not want to be put out of work."

Secrecy was absolutely important, although after the Saturday meeting families knew of the type of action that was being planned. On the night of October 13th, 31 of the youngest and fittest miners entered the pit and established themselves 5 kilometres underground. The stay-in picket had begun. It would last 16 days, the longest stay-in since 1952 when miners stayed down inside for 27 days at Glen Davis.

News of the Stay-in (Picket) spread quickly. Thousands of miners stopped work from other pits and marched to Kemira pithead in support. The women of the miners auxiliary swung into action near the pithead. Kemira miners on the surface set up an Embassy With Vent tubes and "14" straps and began guarding the pithead 24 hours a day.. An extension of the underground picket.

In the past years, vast amount of money had been given by the government to BHP. The company had used these funds to expand its operations into oil and gas, mineral exports, and opening new ventures overseas. The Company had been content to take this money without providing protection for its workforce, and without revealing its long term plans to the community.

The fight against sackings captured the imagination of Wollongong and Australia. Small business people, other workers threatened with the sack and their families, as well as the unemployed all rallied in support. Throughout the district in the work places and in the homes, through the South Coast Labour Council, unions, ALP Branches, community organisations the call of the Kemira miners was:

For the government to assert their authority over BHP and to:

1. Give the Kemira Mine Workers their jobs back.
2. Stop further sackings
3. Obtain and disclose information on BHP future investment plans.
4. Ensure rational planning of the coal and steel industries.

Sixteen days later on the evening of Friday the 29th of October 1982, the miners ended their historic stay-in picket, coming up to a candle lit procession. The Coal Industry Tribunal ordered BHP to defer the sackings while the unions began preparing a case for severance pay for mine workers facing the sack.

The Kemira stay-in picket and pickets at the surface did not succeed in stopping the sackings. But at that time of history it provided a rallying cry for workers in a peaceful demonstration in Wollongong and Australia who were protesting at the lack of concern for the human aspect of retrenchment. The stay-in picket showed how effective peaceful action can be used creatively, involving large sections of the community over basic human **rights**. It inspired the tremendous demonstration in

Canberra by steelworkers, maritime, miners and service unions later that year. This was one of the signals of the collapse of the Fraser government. The Kemira sit-in picket is therefore clear demonstration of the effectiveness of the picket line in focussing ordinary peoples' political and economic influence.

The right to organise must contain within it, the right to picket, so that the decisions of the organised workers can be implemented. This is not to say that peaceful picket lines will not be violently attacked. (Phillippines?) (Violence and intimidation on Australian picket lines?)

Like all peaceful protests, pickets draw the attention of the community to an issue, as did the meat workers picket in the Northern Territory recently. Again like all peaceful protests, pickets give an opportunity for people to express opinion publicly, and to develop economic and political influence through concerted action.

This public expression of ordinary peoples' concerns is what conservatives fear most of all. Charles Court and Bjelke-Petersen, as Premiers of Western Australia and Queensland respectively, both introduced legislation banning assembly and peaceful demonstrations. These reactionaries know the strength of Peoples Power as well as any Filipino, and they want no part of it.

But trade unions' rights to organise, and power to organise must be maintained. People speak of 'rights' to many things today, as though these 'rights' have always been there. But people have only won things, including the right to organise, by constant struggle. Should the reactionary attacks on trade unions succeed and if unions lose their rights to picket and assemble, perhaps even if these rights are merely eroded, Australian workers will face work places like those in the Third World. In Australia, the trade union movement is the longest standing, the largest and the best organised centre for peaceful

resistance, and for peaceful protest. The trade unions invented the picket to alert other people to the matters concerning them, and it has been used by those who wish to resist or protest ever since. The Aboriginal people, with their tent Embassy outside Parliament House in Canberra in the 1970s, made the point of their being aliens in their own country with one of the most telling and important pickets in history. Like white Australians wanting to Preserve or to establish social justice the Aboriginal people chose a peaceful protest, through a picket, to highlight the injustice of their situation. I believe we must resist in every way we know how, any attempt to curb or destroy the practice of the picket.