

**LA TROBE, Charles Joseph** (1801–75), colonial governor, taught in England and Switzerland, before touring North America with Washington Irving. In 1837 he reported on the education of the former slaves in the West Indies. In 1839 he was appointed superintendent of the Port Phillip district, then part of the colony of NSW.

There he had to obey both the imperial government and Gov Gipps in Sydney. Though on excellent terms with Gipps, he thought his district's interests were neglected, and he favoured separation. Often refused funds for public works, he was at least able to reserve large areas in Melbourne for public parks. Generally his economical administration appealed more to the Colonial Office than to the colonists, but he opposed London-inspired schemes for fixed-price land sales, special surveys, sending convicts to Port Phillip and, later, the immigration of expirees from Tas. He recognised the squatters' need for security of tenure, but refused to give them the long leases permitted after 1847. He sympathised with the plight of the Aborigines, but found it impossible to protect them from the settlers' violence.

When Vic became a separate colony in 1851, he became its first lieut.-gov. After gold was discovered he faced simmering discontent on the diggings, but left in May 1854, before it grew out of control. Poorly paid in office and little rewarded (Companion of the Order of the Bath, 1858), he retired to Sussex, and died there in 1875.

A.G.L. SHAW

**Further reading** A. Gross, *Charles Joseph La Trobe*, Melbourne 1956.

**LABOR DAILY**, commenced publication in 1924 and was the first daily labour newspaper published in Sydney since 1895. It was financed mainly by the Miners' Federation and J.T. Lang was a foundation director. During the 1920s the *Labor Daily* promoted political and social reform and published news, popular trivialities, sport and racing. The paper consistently supported Lang at the expense of his Labor opponents, which during the 1930s led to great

resentment in Labor circles and a decline in advertising. Lang cleverly gained control at the 1936 election of board members, but subsequent court appeals jeopardised his position and he demanded and received repayment of his loan to the *Labor Daily* in 1938.

The new communist-dominated management changed the name to *Daily News* and attempted to boost circulation, but a receiver was appointed and



*Charles Joseph La Trobe. Lithograph reproduced from the Picturesque atlas of Australasia 1, 1886.*

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the paper was incorporated into the *Daily Telegraph* in 1940.

**LABOR PARTY 'PLEDGE'** is a signed statement which commits members to the principles and platform of the party and precludes their standing in elections or campaigning against an endorsed candidate of the party. It was implemented in NSW in 1891 to create party solidarity and to make Labor's position as a 'corner' party more effective.

**LABOR RATS** From the late nineteenth century, Labor members of parliament who were accused of deserting the principles of socialism and supremacy of the rank and file, and who resigned or were expelled from their own party, often joining conservative or liberal parties, were termed Labor rats by radicals within the party. Such defections marked an increasing distance between the parliamentary and trade union wings of the labour movement, which culminated in the splits within the party from 1894 to 1896 and in 1916. Famous Labor leaders who were accused of 'ratting' included Joseph Cook, William Morris Hughes, William Holman and Joseph Lyons.

**LABOR SPLIT** The oldest of Australia's political parties, the Australian Labor Party is best seen as a coalition of various interests and philosophies. Accordingly it is periodically subject to strains from its contending factions. On occasions these have led to the expulsion of members and their absorption into existing parties or the formation of new parties. The worst split for Labor, over conscription in 1916, led to the loss of government federally and in several states. The term 'the split', however, refers to the consequences of a major conflict in the early 1950s between conservative (largely Catholic) Laborites alarmed by the alleged spread of communism in Australia and the majority of members within the party. In 1954 the federal leader, H.V. Evatt, condemned members involved with the 'industrial groups' for seeking to dominate the party and remove him from office and set off a chain of events which hopelessly divided Labor, seriously weakening the party electorally. In Vic the party's state executive rejected Evatt and constituted itself as the Anti-Communist Labor Party, soon changing its name to the Democratic Labor Party (DLP). Vic Labor premier John Cain (senior) lost office. The Qld premier Vincent Gair formed the Qld Labor Party, which eventually merged with the DLP. Gair also lost office. Gradually Labor regained its unity, although the scars of the split were still visible in the 1970s.

**LABOUR MOVEMENT** Trade unions were established in Sydney and Melbourne by the 1840s. They were, for the most part, craft unions based on British models. Labour shortages during the gold rushes enabled them to win increased wages and, in some cases, an eight-hour day, but these gains proved difficult to maintain in the 1860s as former diggers returned to the labour market. Some unions collapsed, and those that survived invariably had to allow their members to accept lower rates of pay and longer hours.



*Britannia presides over the meeting of Australian stevedores of the past and the present, in this union banner.*

GORMAN COLLECTION

In the 1880s, in a buoyant economic climate created by an expanding pastoral industry and an urban building boom, unionism in all colonies attracted unskilled workers. Central bodies were created to co-ordinate union activity and to lobby for political action on behalf of the working class, and several intercolonial conferences of unions were held.

This period of growth soon ended. Unions in Sydney, Melbourne and Adelaide were defeated in the maritime strike of 1890 and, as economic conditions worsened following a fall in wool prices and the collapse of the urban building boom, there were defeats for shearers and miners in the next three years. In the face of rising unemployment and aggressive anti-union employers the number of unionists declined and the union movement opted to create political labour parties, to agitate for state-controlled compulsory arbitration and to establish intercolonial union organisations. Only the latter failed to eventuate.

Trade union penetration of the workforce increased steadily in the first decades of the twentieth century, aided by federal and state compulsory arbitration systems. Yet the union movement remained comparatively weak. A few unions, among them the engineers and the Australian Workers' Union (a large general union based on rural workers and possessing considerable political influence), sustained a strong bargaining position, except during the worst years of the Depression. The majority, particularly the unskilled workers' unions, struggled to build industrial strength in a unstable industrial environment governed by a small local market and affected by competition from more technologically advanced overseas competitors. Little was done to organise women in the workforce.

From 1910 onwards frustration generated by unemployment and the Labor party's reluctance to





*The Pastrycooks and Biscuit Makers Union banner depicting a circular view of the workplace where three tradesmen are working at different stages of production: mixing, baking and decorating a wedding cake. The tradition of trade union banners began in the 1850s and banners were paraded at the annual Eight Hour Day procession, the most important festival for the labour movement.*

PASTRYCOOKS' EMPLOYEES, BISCUIT MAKERS' EMPLOYEES AND FLOUR AND SUGAR GOODS WORKERS' UNION OF NSW



pursue class politics led to socialist groups and the Industrial Workers of the World (IWW) winning support within the labour movement. Industrial disruption during World War I gave impetus to a One Big Union Movement. Although it failed and the IWW was declared an illegal organisation, an Australian Communist party was formed in 1920. Its members were prominent in several unions by the late 1930s.

During World War II, with overseas competition removed and industry stimulated by the war effort, unions expanded at an unprecedented rate. Consumer demand and, later, a growing population and large mineral exports sustained economic prosperity until the mid-1970s and, apart from short-lived recessions in the early 1950s and the early 1960s, the labour movement enjoyed 30 years of virtual full employment marked by favourable arbitration awards, over-award payments, improved working conditions and shorter hours. Industrial disputes were few and usually short-lived, and radicalism among union leaders declined. Communist officials were largely replaced in the 1950s by Labor party candidates backed by Catholic political activists. The composition of the labour movement changed too. The tertiary sector of the economy developed rapidly and white-collar unions grew faster than blue-collar unions. Women entered the workforce in large numbers in most occupational categories and the principle of equal pay for equal work was recognised by the Commonwealth Arbitration Commission in 1972.

In the late 1970s the boom ended. Inflation and declining overseas mineral markets brought a return of high unemployment which was aggravated by rapid technological change. None of these problems have eased significantly in the 1980s, and unions have been forced to re-examine many traditional attitudes. Policies designed to counter inflation and unemployment, for example, inevitably question the wisdom and equity of maintaining skill-based wage differentials and the continuation of a male breadwinner's wage. Not since the 1930s has the labour movement been confronted with such grave moral and political issues.

JOHN MERRITT

**LALOR, Peter** (1827–89), Eureka leader and politician, was born in Ireland and studied to be an engineer. He emigrated to Vic in 1852 and worked on the gold diggings in the Ovens Valley and at Ballarat. He became one of the leaders in the miners' protests against the licence tax and goldfields maladministration which culminated in 1854 in the Eureka rising. From 1855 until his death, with one brief interruption, he sat in the Vic parliament, where he supported progressive-radical policies, such as land reform and protection. He was Speaker from 1880 to 1887.

**LAMBERT, George Washington Thomas** (1873–1930), artist, emigrated with his family from England to Sydney in 1887. He studied with Julian Ashton and began illustrating books and drawing cartoons for the *Bulletin*. He won the Wynne Prize in 1899 and a travelling scholarship the following year. He lived in London, working mainly on portraiture and had several



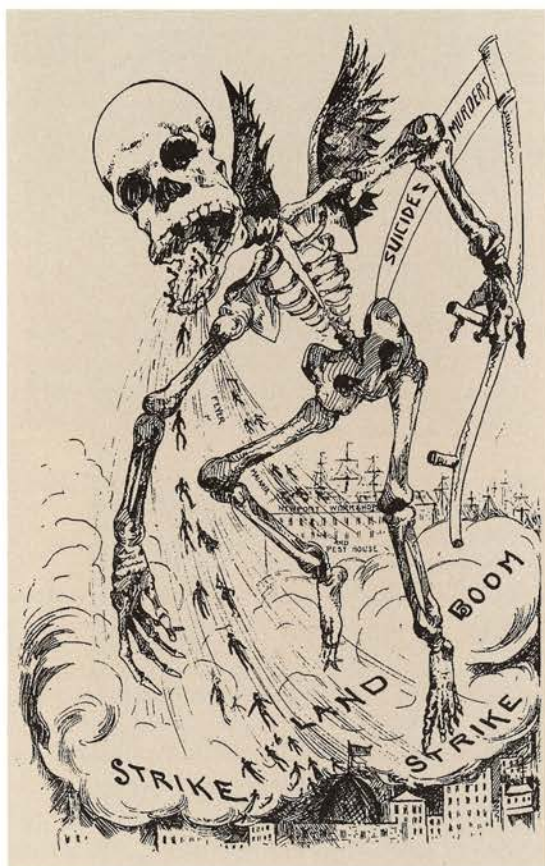
*Banner courtesy of Building Workers' Industrial Union.*

works exhibited at the Royal Academy of Arts. In 1917 he became an official war artist and in 1919 he visited Gallipoli where he saw his role as a recorder of 'events precious to the history of the nation'. Returning to Australia in 1921, his appointment having ended, he continued to paint landscapes and portraits, winning the Archibald Prize in 1927. In the 1920s he became interested in sculpture and received several large commissions including a statue of Henry Lawson for Mrs Macquarie's Chair (1930).

**LAMBING FLAT RIOTS** were a series of anti-Chinese clashes on the Burrangong goldfield near Young, NSW. Racial prejudice, aggravated by economic competition, provoked the diggers into 'roll ups' aimed at driving the Chinese from the field. Riots occurred in November and December 1860 and on 27 January, 17 February and 18 June 1861, and culminated in a violent attack on 30 June by 3000 diggers, during which Chinese were beaten and their encampments destroyed, though contrary to common belief none was known to have been killed. Tensions were reduced by the discovery of new fields, the departure of many Chinese and the passing of the Chinese immigration restriction bill in November 1861.

**LAND BOOM** During the boom years of the 1880s, speculation in city and urban land in the eastern colonies, but especially in Melbourne, resulted in a land boom. Prices soared to unrealistic heights. Believing that it was impossible to lose money in land, men and women of all classes 'invested' their savings with the hope of making large profits. Many borrowed money in excess of the value of their assets in order to invest. Speculative building grew, with many of the ornate mansions in the cities being built at this time. From 1887, when the banks were no longer willing to lend money for speculative purposes, land promoters (land 'boomers') formed land and finance companies and 'land banks', which often depended on money borrowed from Britain. By the end of 1888 the land boom had reached its peak. With the onset of the depression and falling wool prices, capital from Britain dwindled. Land prices dropped dramatically,





Death hovers over Melbourne as the boom economy collapses in the early 1890s. Families faced conditions of severe hardship. Unemployment increased dramatically and disease and starvation were widespread. Suicide was not an uncommon solution. *The Blade*, 12 Dec 1890. From M. Cannon, *The land boomers, Melbourne* 1976.

causing many 'land banks' and mortgage companies to collapse. Many had been mismanaged, and in some cases there was evidence of deliberate fraud. Consequently thousands of individuals, including politicians and leading citizens, were bankrupted.

**Further reading** M. Cannon, *The land boomers*, Melbourne 1976; M. Cannon, *Life in the cities*, Melbourne 1975.

**LANDY, John** (1930–), athlete, was one of Australia's most famous middle-distance runners. With his great rival, the British runner Roger Bannister, he strove to be the first man to run a mile in less than four minutes. Bannister first achieved this feat but soon after, in June 1954, Landy broke Bannister's record, running a mile in 3 minutes 57.9 seconds, a record he held for some years. Although he did not win an Olympic gold medal, Landy was an Australian sporting hero.

**LANG, John Dunmore** (1799–1878), clergyman and writer, was born in Scotland and educated for the Pres-

byterian ministry at the University of Glasgow. Licensed to preach by the Presbytery of Irvine in 1820, he emigrated to Sydney, where he formed a Presbyterian congregation in 1823 and built the Scots church. He had a varied, restless and turbulent career as an ecclesiastic; he was once formally deposed from the Christian ministry.

He was also a politician, and was seven times elected to the NSW legislature. As well, he was an educationalist, immigration organiser, historian, journalist and litigant, was twice incarcerated for debt and twice for libel. An indefatigable traveller, he journeyed back to England nine times, twice visited the United States, and twice journeyed to Europe.

In religion a voluntarist, and in politics a republican, he spread his ideas in scores of books and pamphlets and countless newspaper letters and articles. Among his more important books were *An historical and statistical account of New South Wales* (four editions 1834–75), *Freedom and independence for the golden lands of Australia* (1852) and *The coming event! or freedom and independence for the seven united provinces of Australia* (1870).

D.W.A. BAKER

**Further reading** D.W.A. Baker, *Days of wrath: a life of John Dunmore Lang*, Melbourne 1985.

**LANG, John Thomas** (1876–1975), politician, was twice premier of NSW, and is a legendary figure in Australian labour history. His father was a watchmaker from Scotland who failed in business in Sydney. His mother came from Ireland. The difficult circumstances of his childhood taught Lang to value hard work. After leaving school he was employed in an accountant's office. He married at age nineteen.

Five years later Lang set up in partnership as an estate agent and auctioneer in Auburn, a western suburb of Sydney, which was then moving from small-scale farming into real-estate developments which provided housing for working-class commuters. The business prospered and Lang became a well-known local identity. After becoming secretary of the local branch of the Labor party, he moved steadily through local government politics and in 1913 entered the NSW Legislative Assembly as the member for Granville. In 1920 his seat was incorporated in the multi-member constituency of Parramatta. It was renamed the seat of Auburn in 1927 when the single member system resumed. Lang held the seat until 1946.

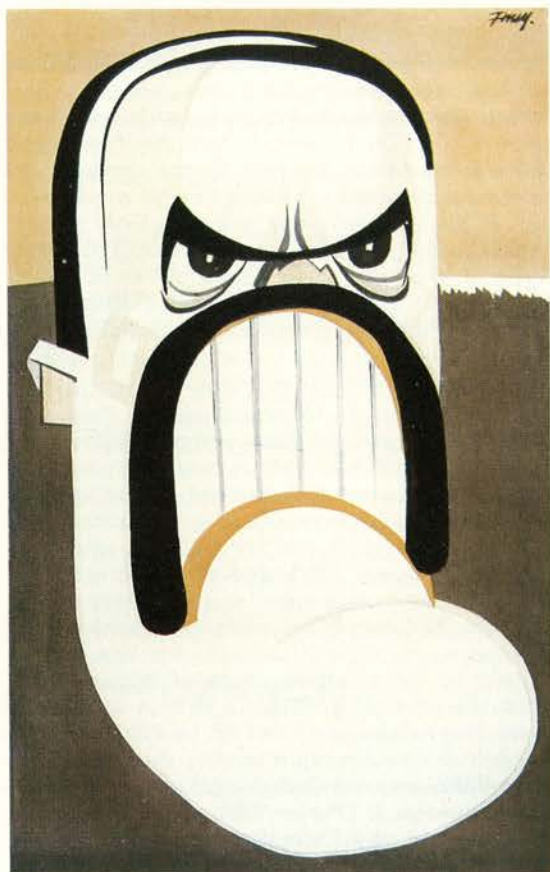
An opportunity for Lang to move into a wider sphere of politics came when the ALP split over the issue of conscription in 1916. Lang was elected as secretary of caucus. He aligned himself with the anti-conscriptionists opposed to the prime minister, W.M. Hughes, and the state premier, W. A. Holman. When Labor was returned to power in 1920 for a two-year term in office Lang served as treasurer. Then in 1923 he assumed leadership of the party. He was premier from 1925 to 1927 and during this term in office he acquired a reputation as a reformist, with initiatives in areas such as working conditions and social welfare. But his support in the caucus declined and he was forced to rely on party control of his parliamentary



colleagues. He formed an alliance with two left-wing union leaders, J.S. Garden and A.C. Willis, who influenced his development as a reformist and enhanced his reputation as a radical and a 'man of the people'. From November 1926 Lang was confirmed as leader of the ALP by the party in conference, so overcoming his lack of support in caucus.

Lang was returned to government in November of 1930. He promised to overcome problems caused by the Depression. A period of great instability and unrest followed, some of it caused by Lang's frenzied efforts to meet the demands of his supporters.

In early 1931 he put forward the 'Lang Plan'. It included a reduction of the interest rate on Australian government borrowings. However, when his proposal was put into effect the federal Labor government had to meet the shortfall, which it then charged to NSW. The state and federal branches of the ALP were split on the issue. The conservative federal government elected at the end of 1931 attempted to confiscate revenues from NSW, and it was Lang's efforts to evade the commonwealth's act enforcing financial agreements that prompted Gov Game to sack him for alleged transgression of the law. Hovering on social collapse, NSW went to an election in mid-1932. Lang lost to the conservatives.



Caricature of Jack Lang by cartoonist George Finney. Art in Australia, June 1931.

Though he was not again returned to government Lang's hold on the party machine remained firm throughout the 1930s. Labor voters in NSW continued to vote for him against the rival state branch established by the federal ALP. He defeated an attempt by Willis to enter parliament at a by-election; Willis might have posed a threat to his leadership. He fell out with Garden in a battle to control Sydney's radio station 2KY. He expelled his opponents, but lost control of the *Labor Daily* newspaper in 1938. Finally he lost the party leadership to W.J. McKell in 1939 and was himself expelled from the NSW ALP in 1943.

He established his own 'ALP' based in Auburn. In 1946 he was elected for the federal seat of Reid, but he lost the seat in 1949. In old age Lang was well known as a commentator on the Great Depression and Labor affairs. Bede Nairn has observed that Lang achieved 'folk hero' status among Australians by the late 1960s. He was especially popular with teachers and schoolchildren for his tales on the plight of NSW in the 1930s era. He was readmitted to the Labor party in 1971.

FRANK FARRELL

**Further reading** N.B. Nairn, *'The big fella': Jack Lang and the Australian Labor Party 1891-1939*, Melbourne 1986; H. Radi and P. Spearritt (eds), *Jack Lang*, Sydney 1977.

**LANGUAGE** There were more than 200 Aboriginal languages in existence in Australia when European settlement began in 1788, but the language most commonly spoken or written today is the form of English known as 'Australian English'. Like other national varieties of English, it shares much of its pronunciation and vocabulary with the parent form; thus Australians are generally able to make themselves understood in England, and until the 1970s the dictionaries used in Australia were standard English or American ones such as the *Concise Oxford*. Historical, social and environmental factors, however, have meant that Australian English has developed enough distinctive features to consolidate itself as a national variety.

English became established in Australia with the arrival of the first fleet, and it was from the colonial-born children of the convicts and other early immigrants that a new speech developed, a speech still noted for its homogeneity. In other words, although there exists a range of pronunciation in Australia, it is determined by social rather than regional factors. Three main styles or types of pronunciation have been identified: broad Australian (the form closest to the distinctive Australian speech which emerged early in the nineteenth century); cultivated Australian (a minority form, the prestige dialect); and general Australian (the form spoken by the majority of Australians, which lies between broad and cultivated). These varieties share distinctive characteristics and form a spectrum, with cultivated closest to standard educated English (what is called received pronunciation or RP), and broad furthest from it; thus the distinctive features of Australian speech are found most clearly within broad Australian. In general—and in comparison with RP—



spoken Australian English is narrower in tonal range and slower because of a more even stress pattern; for example, Australians give more equal weight to the vowels in 'Sunday' than other English-speakers. Speech at the broad Australian end of the spectrum also tends to be marked by the kind of elision and assimilation that led Australian speech to be described as 'Strine' in the 1960s. Apart from these prosodic features, the major differences occur in the vowels and diphthongs: Australian vowels are closer (made with higher tongue positions), and some are more frontal (made more towards the front of the mouth). As well as these differences between Australian English and RP in the quality of what is essentially the same sound, some Australian English vowels and diphthongs are pronounced in such a way that they move towards (and for some broad Australian speakers become) other sounds; they may be heard as other sounds by other English speakers (hence the numerous stories of Englishmen hearing 'mite' when an Australian has said 'mate'). Among other noticeable features, there is a greater use of the indeterminate or neutral vowel in Australian English than in other varieties (for example, the second vowel in 'cricket' is for Australians a neutral vowel); many speakers of Australian English choose quite different vowels or diphthongs from RP speakers in pronouncing words like 'chance'; and Australians make greater use of truncated forms, such as 'footy'.

Like Australian speech, the vocabulary of Australian English is noted for its uniformity, despite the kind of regional variety that causes a person from NSW to ask for 'scallops' instead of 'potato cakes' in Melbourne, or for a 'schooner' instead of a 'pint' of beer in Adelaide. Australian English shares its vocabulary with the parent form and with other national varieties, but there have been significant additions (generally called 'Australianisms') to British English, particularly in colloquial usage and occupational

vocabularies (for example, shearing), which derive from the unique history of Australia and from other factors. Four historical periods have been identified in the development of the lexicon of Australian English: the colonial period from 1788 to about 1850 (the end of transportation and the beginning of the gold rushes, when the first settlers were responding to their new environment); the gold-rush period, characterised by more diverse immigration which had an effect on the expansion of the vocabulary (in increasing influence from America, for example); the nationalist period from the 1890s until after World War I, when journals like the *Bulletin* fostered a sense of national identity and some of their most popular writers (Henry Lawson, Steele Rudd) extensively employed Australian idioms; and the modern period, particularly since World War II, in which developments in communications have been significant in bringing Australian English closer to other national varieties, even though playwrights such as Jack Hibberd and satirists such as Barry Humphries have exploited the potential of indigenous idiom.

Within and sometimes straddling these chronological boundaries, significant influences on the development of Australian idiom include the convict system, the rural character of nineteenth-century Australia, the war experiences of Australians, and the importance of sport and other leisure activities. In general, Australianisms have been created in three main ways: by borrowing from Aboriginal languages and other national varieties of English ('cooee', which was borrowed from the Aborigines by the early settlers and used as a signal in the bush, or 'bush' itself, borrowed from South African English); by the extension and new meanings given to existing English words ('wattle', an English word going back to the tenth century, which became applied to the genus *Acacia*); and by the survival of words, notably slang and dialect words ('bowyang', 'barrack', 'billy') which have had a longer life or more general use in Australia, sometimes to such an extent that they are popularly thought to be Australian creations.

From early in the nineteenth century there were comments on colonial idiom and pronunciation by government officials, visitors, explorers, and new settlers. Two important pioneers in the study of Australian English were E. E. Morris, who compiled *Austral English* (1898), and Sidney Baker, whose *The Australian language* (1945, 2nd edn 1966) and other works focused attention on informal Australian English. The decade preceding the bicentenary of European settlement in Australia has been characterised by the emergence both of dictionaries of Australianisms (G. A. Wilkes's 1978 *A dictionary of Australian colloquialisms*) and of general Australian English dictionaries, such as *The Australian pocket Oxford dictionary* (ed Grahame Johnston, 1976, 2nd edn ed George W. Turner 1984), and *The Macquarie dictionary* (ed Arthur Delbridge, 1981).

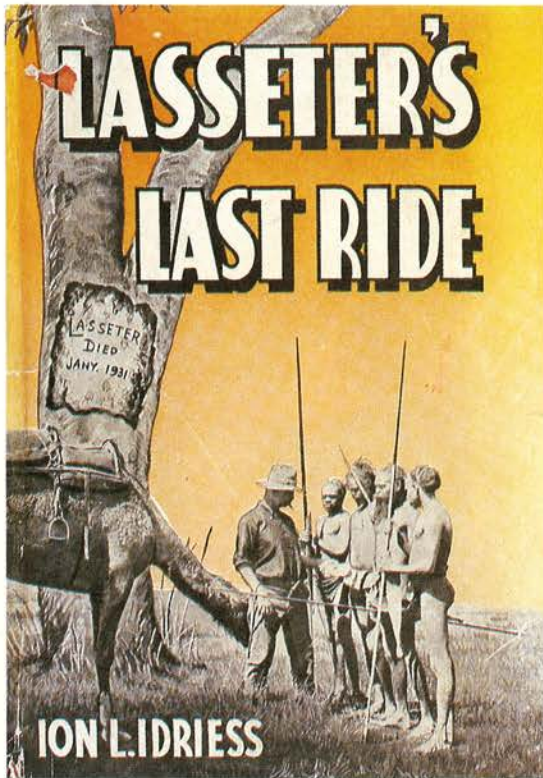
BARRY ANDREWS

**Further reading** S. J. Baker, *The Australian language*, Sydney 1978 (1945); A. G. Mitchell, *The pronunciation*



The unknown tongue. An old colonist bemuses a new chum: 'What's your weakness? Nog, Knickerbocker, Sherry Cobbler, Snowstorm, Nightingale, Claret, Spider, Jenny Lind, Shandygaff, Brandy Smash, or Sangaree?' *Melbourne Punch*, 22 Jan 1857.





Dust jacket design by an unknown artist for the 1939 edition of Ion L. Idriess's book *Lasseter's last ride*, first published in 1931.

CORNSTALK BOOKSHOP

of *English in Australia*, Sydney 1946; W.S. Ramson, *Australian English*, Canberra 1966; W.S. Ramson, *English transported*, Canberra 1970; G.W. Turner, *The English language in Australia and New Zealand*, London 1966.

**LARRIKINS** A term of disputed origin, once very popular in describing young, urban Australian males whose disrespect for authority, and whose 'flash' ways, distinguished them. Larrikins as a phenomenon were probably most obvious in the years immediately prior to World War I and were best described in Louis Stone's novel *Jonah* (1911). They were violent, engaging in street wars between rival gangs, and dressed boldly and uniformly. After the war the term was more generally applied to wild young men or boys whose contempt for authority might be seen as part of the process of growing up.

**LASSETER'S 'LOST' REEF**, an alleged gold reef 23 kilometres long claimed to have been discovered by Hubert Lewis (Harold Bell) Lasseter (1880–1931) some time between 1897 and 1911: Lasseter was never quite sure. Lasseter made public his claim in conflicting accounts during the Depression, which led to a well-equipped but unsuccessful expedition to non-auriferous country southwest of Alice Springs in July 1930. Accidents, rough terrain and above all doubts

about Lasseter's credibility forced the expedition back in September, but Lasseter stayed on and died of starvation in the Petermann Ranges in January 1931. The myth of a reef or cave of gold (Earle's) long predated Lasseter's claim, which is remarkably reminiscent of several novels written between 1896 and 1920 which deal with fabulous gold finds in the Australian desert. 'Lasseter's Lost Reef', 'Lasseter Country' and the Lasseter Highway from Alice Springs to Ayers Rock are appellations which serve to perpetuate the myth.

G.P. WALSH

**LATHAM, Sir John Greig** (1877–1964), politician and judge, was educated at Scotch College and Melbourne University on scholarships. He was appointed to the Bar in 1904, and served in naval intelligence from 1914 to 1918. He was a delegate to the Peace Conference in 1919. In 1922 he became a member of the House of Representatives. He was federal attorney-general (1925–29) in the Bruce–Page government, leader of the Nationalist opposition (1930–31), and attorney-general and deputy prime minister (1932–34) in the Lyons government. He was chief justice of the High Court of Australia from 1935 to 1952.

A conservative in politics, Latham attempted strict enforcement of anti-strike legislation and opposed debt repudiation, while supporting wage and pension reduction to meet the economic problems of the Depression. He played a leading role in the negotiations following the break-up of the Labor government in 1930–31, and stood aside from the Nationalist leadership so that J.A. Lyons could become leader of the United Australia Party, and prime minister in 1931.

As chief justice, Latham was an excellent administrator, and a competent but not innovative jurist. In constitutional matters he followed the pro-commonwealth trend of doctrine, while seeking some protection for state organisations. On law and order and industrial matters he remained conservative; he would have held valid the Communist Party Dissolution Act 1950 which his colleagues held invalid.

In retirement he mitigated his reputation as a cold-hearted martinet by kindly and tirelessly chairing many educational and welfare associations. He was an avowed rationalist.

G. SAWER

**Further reading** Z. Cowen, *Sir John Latham and other papers*, Oxford 1965.

**LAW** The formal derivation of Australian law is easily stated. The Australian colonies were, as a matter of law, 'settled' colonies. Consequently, their law was initially as much of the law then in force in England as was applicable to the circumstances of the colonists and the colonies. As interpreted, the qualification excluded few areas of English law. Ecclesiastic law was one. Subsequently, legislation provided dates beyond which English law would not apply automatically—1828 for NSW (and hence Vic, Qld and Tas), 1829 for WA, and 1836 for SA (and hence the NT). In practice, local legislation frequently adopted, or copied, English statutes. Moreover, in a significant





*Two barristers make their way to the law courts in Sydney. Photograph by Peter Morris for the Sydney Morning Herald, 1983.*

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number of cases, Westminster applied its statutes directly to Australia.

Nonetheless, there were many examples of colonial legislatures taking different paths from those taken in England. In the nineteenth century there was much which was new in the legislation relating to the organisation, rights and liabilities of government in Australia—partly because of such features as the comparative weakness of political parties, and the absence of viable local government, in the Australian colonies. Sometimes Australian legislatures were able to act where tradition and vested interest inhibited Westminster. For example, despite advocacy in England of a general system of registration for title deeds to land, it was SA, under the influence of Robert Richard Torrens, which showed the way with a system to effect this in 1858. Other Australian jurisdictions followed. Similarly, a criminal code was introduced into the Commons in 1880, but failed to become law. Drawing on it, and other penal codes such as those of Italy and New York, Sir Samuel Griffith drafted a criminal code for Qld, which came into force in 1901. The WA criminal code of 1902 is based on this, and there is a less complete version in Tas. Sometimes there were new problems to solve; new policies to be implemented. The colonial Chinese restriction acts (later

institutionalised in federal legislation as the 'White Australia' policy), the ballot acts (providing for secret ballots in elections) and the education acts are nineteenth-century illustrations. Instances of divergence multiplied with time: notable in the twentieth century are the Conciliation and Arbitration Acts, non-contributory social welfare legislation, statutes for the marketing of primary produce and the legislation relating to trade practices, family law and administrative law (including freedom of information).

Facing similar problems, Australian jurisdictions have often borrowed legislation from each other. Since the 1950s, they have achieved uniformity in some areas such as company law, although there is still diversity in such areas as criminal, defamation and property law.

Australian judges have been of a conservative bent in developing the law. Thus in 1847 Mr Justice Dickinson of the Supreme Court of NSW said that 'a colonial court should always follow in the footsteps of the English judges . . .' There are general statements in the second part of the century by leading judges indicating that, while they would respect English decisions, they would not apply them automatically if inappropriate. Criticism was even voiced of their master, the Privy Council, because it misunderstood



local circumstances in the interpretation of Australian legislation. The Vic courts in particular seemed doctrinally adventurous in some of their decisions. Circumstances not conceived of in England, pragmatism, and in some cases misapprehension, led colonial judges to modify English law and, in some cases, to reach novel conclusions. Overall, however, there was no great tension in the application of common law doctrines to a new environment; in most cases they were applied whether appropriate or not.

The triumph of legal formalism in the first part of the twentieth century led Australian courts to an almost unquestioning acceptance of English law. In 1934 Sir W. Harrison Moore, dean of Melbourne Law School (1892–1927), saw an anxious desire to preserve uniformity, deriving not from a fondness for tradition nor from imported judges, but from a recognition of England's richer experience and the convenience of using English decisions and textbooks. The adherence to English common law was formalised by the high court adopting the principle that it would suppress its own views where these were inconsistent with decisions of the Privy Council, the House of Lords and the English Court of Appeal. Only in 1963 did the chief justice of the High Court of Australia, Sir Owen Dixon, announce that the high court would not follow decisions of the House of Lords at the expense of its own opinions and cases, where it considered the former to be wrong. Now, when Australian courts follow English common law doctrines which have become part of Australian law, despite their better judgment, they justify it on the basis that it is the responsibility of parliament, not the courts, to change the law. In a few areas, in the absence of English precedents, Australian courts have developed indigenous doctrine. Federal constitution law is the best example, although in more recent years there is the interpretation of Australian trade practices, takeovers and family law legislation, the exact terms of which are without precedent elsewhere. A notable feature of recent times has been the strength of equity, especially in NSW and in the high court, when in England that body of law is a pale imitation of its former self. Generally, the pervasiveness of English common law doctrines, and since Federation the role of the high court as an appeals tribunal for state supreme courts, means that there is little diversity among the common law of the states.

Australian legislation and court-made law have been little influenced by jurisdictions other than the English. Anti-monopoly, trade practices and freedom of information legislation are exceptions, deriving from United States models. For a time the high court found persuasive American decisions on constitutional questions but turned away from that after 1920, although American decisions continue to be cited in constitutional and other cases, increasingly so in recent years. Other than in Papua New Guinea, Australian law has not had a sustained influence on legal developments elsewhere. As regards legislation, various jurisdictions have enacted the Torrens system for registering land titles (including some states of the

US), several African states drew on the Qld criminal code for their penal codes, and Malaysia and Singapore adopted a version of the Australian uniform companies legislation of 1961. Sir Owen Dixon, a justice of the high court (1929–1952), and chief justice (1952–1964), is the only Australian judge whose judgments have gained an international currency.

What of the impact of law on Australian society? In some cases the effects of legislation are clear-cut, as with the amendment to the Qld criminal code in 1922 abolishing the death penalty. In other instances there is a fierce debate, such as over whether Australian health and safety legislation has improved workers' conditions, or whether anti-discrimination statutes have improved the economic and social position of women. The effect of the liquor acts and Sunday trading laws on the growth of wowsersism is also unclear. Similarly, the shaping of Australians' regard for civil liberties legislation is not straightforward, and we remain unsure about the impact of the legislation controlling Aborigines on their economic position and cultural identity.

The role of law in Australian economic development is most obvious in legislation. The outlines of nineteenth-century land and mining legislation and the existence of legislation rooted in colonial socialism are relatively well known. The crown land acts, for example, sought to facilitate settlement through policies such as 'free selection before survey' and with novel tenures such as the perpetual lease and the pastoral lease. In mining law, the Australian colonies adopted the notion of the 'miner's right', which gave the holder possession of unoccupied crown land for mining gold. First developed in Vic in 1855, the miner's right has been joined by licences to explore, mining leases, large exploration titles and, from the mid-twentieth century, the special agreement, ratified by legislation, authorising specific, large-scale mining projects. In addition there is less well-known legislation relevant to economic development. Company legislation is an example, with Vic introducing a new type of company in 1871, the no-liability company, to encourage mining. To facilitate the advancement of credit, state parliaments enacted new forms of security in crop lien, wool lien and fruit lien acts. Insolvency legislation, which initially took a novel twist compared with English law, has been a corollary of economic depression—and recovery.

It is difficult to identify judicial decisions which have facilitated economic development. The courts have hardly been involved in the bulk of legislation governing resource allocation—natural resources, education, health, transport, communications and social welfare legislation. Where they have, English common law doctrines have generally been adhered to without their being fashioned for local conditions. To give just one nineteenth-century example: the Australian courts seemed to accept common law doctrines regarding water and watercourses, yet these evolved in a country where water was abundant, by contrast with many parts of Australia. Here the doctrine that only landowners in direct contact with a



river had a right to take its waters was incongruous. Consequently, Australian parliaments had specifically to negate private rights in water, and authorise specific irrigation projects. For most of the twentieth century legal formalism seems to be an additional explanation for the lack of impact on the economy of Australian judicial decisions. It has been said that the high court has had an impact on economic development in its interpretation of section 92 of the Australian constitution, which provides that trade between the states shall be absolutely free. By preventing government commercial monopolies, narrowing the scope of marketing schemes, and limiting governmental regulation of interstate trade, it is said, the high court has ensured a more efficient economy. But the argument rests on assumptions about whether constitutional decisions affect the behaviour of businesses, and, more fundamentally, on the validity of certain free market economic theories.

In 1890, a time of overt conflict between capital and labour, a trade unionist, John Hancock, saw the unions as being opposed by an alliance of the pulpit, bench, army and parliament. This perception of the class nature of the judiciary, expressed at various points in Australian history, has been moulded by a series of events. For example, the first chief justice of the Supreme Court of Vic, William a'Beckett, summed up against the miners tried for treason in the first of the Eureka trials in 1855. A'Beckett compounded his unpopularity when, as members of the public present in court vociferously applauded the jury's acquittal of those charged, he singled out two of the demonstrators, refused to accept an apology, and sentenced each to a week's imprisonment for contempt. In Qld Mr Justice Harding created great resentment in trade union circles by his behaviour during the trial of those associated with the shearers' strike of 1891. Harding suggested that if he had been present he would have fired on the unionists to restore order; made it quite clear when the jury could not agree that they ought to convict; and although they recommended leniency for the twelve ultimately found guilty, imposed three-year sentences. His behaviour led William Lane to write in the *Worker* that 'the government and the judge, and the whole judicial system chum in with the squatter and one sees how hollow the law is'. Mr Justice Pring of the Supreme Court of NSW no doubt reinforced his reputation in labour circles as a 'hanging judge' when, in sentencing members of the Industrial Workers of the World in 1916, he said:

You are members of an association which I do not hesitate to state . . . is an association of criminals of the very worst type, and a hotbed of crime. I hope that now very strong and drastic steps will be taken to uproot that association.

The identification of the judiciary with conservative interests gained credence when federal Labor governments found the high court narrowing or striking down measures of economic and social reform, ostensibly on constitutional grounds—the

'new protection' (1908) and anti-monopoly legislation (1909), the establishment of a government airline monopoly (1945), social welfare legislation (1946), and bank nationalisation (1948). In Qld in the 1910s and 1920s the labour movement denounced the state judiciary when conservative interests were aided by judicial decisions relating to measures of the state Labor government.

But the role of courts in promoting certain social interests is complex. The task of judging according to precedents is, after all, inherently conservative. Moreover, sometimes clearly conservative judges have reached non-conservative results, as in the dissent of Sir John Latham, chief justice of the high court (1935–52), in the bank nationalisation case in 1948, and in the majority decision of the high court in 1951, when the Menzies government's attempt to ban the Communist party was struck down on constitutional grounds. Working people have on occasions used the courts to advantage. Workers were able to turn the masters and servants legislation to their advantage in NSW in the nineteenth century, and the trade unions have often made gains in industrial courts and commissions. Finally, there have been a small number of judges of liberal, even radical views. George Higinbotham, when chief justice of Vic, caused considerable public controversy at the time of the Maritime Strike in 1890 by contributing £50 towards relief for the strikers' families and promising a further £10 a week for its duration. Charles Lilley, chief justice of Qld (1879–93), expressed radical sentiments on the bench. Notable on the high court have been Sir Isaac Isaacs (1906–30, chief justice 1930–31), Henry Bournes Higgins (1906–29), Dr H.V. Evatt (1930–40) and Mr Justice Murphy (1975–86).

Australian courts have generally operated along English lines, although naturally with an accommodation to federalism. There have been divergences, as with the survival of jury trial for civil matters in NSW and Vic long after its demise in England, the paid magistracy, and the provision of tribunals for small civil claims. Only in 1986 was the Privy Council removed as part of the Australian judicial system.

For much of Australian history, lawyers have relied on English legal textbooks and encyclopaedias, or on Australian editions of these. John Hubert Plunkett's *The Australian magistrate* (1835) was an outline, arranged alphabetically, of law 'likely to become matters of magisterial investigation'. Particular Australian legislation spawned commentaries, for example, on the Torrens system, the criminal codes and some commercial statutes. So did federal constitutional law. But Australian lawyers and legal academics have been slow to spin out an Australian jurisprudence; for instance, only in the 1980s were indigenous textbooks published on so fundamental a subject as contract law.

ROSS CRANSTON

**Further reading** J.M. Bennett and A.C. Castles, *A source book on Australian legal history*, Sydney 1979; A.C. Castles, *An Australian legal history*, Sydney 1982; P.D. Finn, *Law and government in colonial Australia*,



Melbourne 1986; E. Russell, *A history of the law in Western Australia and its development from 1829 to 1979*, Perth 1980.

**LAWLER, Raymond Evenor** (1921– ), playwright, won the National Theatre Award in 1952 for *Cradle of thunder*. *Summer of the seventeenth doll*, which premiered in 1955 and won immediate success, was seen as a breakthrough in Australian drama with its authentic speech and characterisation. Productions of the *Doll* took him to New York and London and he returned to Australia in 1976 as literary adviser and director for the Melbourne Theatre Company.

**LAWN BOWLS** is a popular sport usually played by men and women of mature age. It has a long history in Australia. Following the British habit many colonial publicans established greens at their inns, perhaps as early as 1826, though the first full-size playable greens are thought to have opened at Sandy Bay, Hobart, in 1844. Thousands of bowls clubs were subsequently formed. Reflecting the age of its participants, whose social life in their retirement often revolves around it, the game is conservative in social custom, and strict uniform rules apply.

**LAWSON, Henry** (1867–1922), short story writer and poet, was born on the goldfields near Grenfell, NSW, in 1867, the first child of Louisa and Niels (Peter) Hertzberg Larsen. Larsen, an educated Norwegian sailor, met Australian-born Louisa Albury

in Gulgong in 1862 and they were married in Mudgee in 1866. When registering Henry's birth Louisa anglicised the family name to Lawson.

Within a few months of Henry's birth the Lawsons moved back to the Mudgee district and settled on a poor selection at the abandoned goldfields of New Pipeclay (Eurunderee). The site of Lawson's boyhood home is now a memorial to him.

Lawson's formal schooling was brief and rudimentary, beginning in 1876 in a slab and bark hut and ending four years later at the Mudgee Catholic school. His mother supplemented this meagre education by introducing him to the works of Australian writers such as Gordon and Kendall, Rolf Boldrewood and Marcus Clarke, as well as the works of Dickens, Defoe and Brett Harte.

Henry's childhood was haunted by the constant and bitter quarrels of his ill-matched parents and by the loneliness of one whose loss of hearing between the ages of eleven and fourteen made the already shy, sensitive boy the butt of schoolyard cruelty.

In his autobiography Lawson recalls his childhood as 'a miserable little hell', yet these formative years were a rich source for much of his work, especially in prose. The stark realities of the hardship, loneliness and pathos of a selector's life became the subject for many of his best stories: 'His father's mate', 'The drover's wife', 'A child in the dark and a foreign father' and the 'Joe Wilson' sequence have all become classics of the short-story genre.

Lawson's parents separated sometime between 1880–83 at which time Henry worked as a house-painter with his father, now a building contractor, first at Canadian Lead goldfields and then at Mount Victoria in the Blue Mountains. In 1884 he joined his mother at 138 Phillip Street, Sydney, where she had moved with the rest of the family. Lawson was apprenticed as a painter to a firm of coach-builders, Hudson Brothers, at Clyde and he also attended night school, twice attempting to matriculate.

At this time Lawson began to write. His early writing was influenced by the political meetings held at his mother's house and by his daily observations of the misery of the inner-city poor and unemployed. Some of his first poems, 'A song of the republic' and 'Faces in the street', published by the *Bulletin* in late 1887, reflect his youthful republican spirit and his concern for the down and out.

Lawson's father, a man he greatly admired and loved, died in 1888, a week after Lawson's first short story, 'His father's mate', appeared in the Christmas number of the *Bulletin*.

Between 1888 and 1892 Lawson worked as a journalist on the staff of the fledgling *Republican* in Sydney, the Brisbane *Boomerang* and the Sydney *Worker*. These publications also printed many of his early ballads and stories. At the same time the *Bulletin*, under the leadership of J.F. Archibald, continued to nurture Lawson's talent and became his main literary forum.

At the end of 1892 Lawson went to Bourke and for six months carried a swag in western NSW doing odd jobs. The drought of this summer and the men he met



Henry Lawson, aged about eighteen, photographed in Sydney. He was an apprentice coach-painter, and was also studying and writing his first poems.

WELDON TRANNIES



on the track were to have a profound influence on Lawson's view of the outback and the men who worked there. Late the following year Lawson sailed to New Zealand and, similarly, 'humped his bluey' until the following July. In 1894 Lawson's mother published his first collection, *Short stories in prose and verse*, and in 1896 Angus & Robertson published his first commercial successes, *In the days when the world was wide* and *While the billy boils*.

Lawson married Bertha Marie Louise Bredt on 15 April 1896 and soon after the couple followed the latest gold rush to WA. Penniless, they returned to Sydney six months later where Lawson found both his books had been favourably received and were selling well. In April the following year Lawson took up a teaching appointment at a Maori school at Mangamaunu in NZ but resigned in November. A son, Joseph Henry, was born in Wellington in February 1898 and the Lawsons returned to Sydney in March. A daughter, Bertha, was born in February 1900.

Despite his literary success during this decade Lawson was haunted by a sense of failure. Alcohol had been for some years his constant anodyne and often rendered him melancholy and bitter. It was in this mood that he voiced publicly his indictment against the lack of literary appreciation and financial reward for local talent in *Pursuing literature in Australia*.

Having gained financial help from the governor of NSW, Earl Beauchamp, and other friends, the Lawsons sailed for London in April 1900. Although he was well received by critics and public alike and Blackwood & Sons published *The country I came from* and *Joe Wilson and his mates*, the Lawsons found themselves unsuited to English life and the climate. They returned to Sydney in 1902, both in ill health and their relationship in tatters. Henry and Bertha were legally separated in April 1903.

The years between 1900 and 1903 were a watershed for Lawson. With the publication of *Joe Wilson and his mates* in 1901 and contracts with the London publishers Methuen, success lay in the palm of his hand yet he was unable to grasp it. An acknowledgement of Lawson's personal instability is critical to understanding his subsequent decline.

With most of his best work done, the remaining twenty years of Lawson's life were spent in penurious circumstances. Haunted by alcoholism and hunted for maintenance payments Lawson spent lengthy periods of confinement in Darlinghurst gaol and a variety of convalescent hospitals. While quantities of verse still poured from him the quality was uneven. Nevertheless several collections of verse and prose were published between 1903 and 1916.

In 1917 friends arranged for Lawson to be given a government position at Leeton on the Yanco irrigation settlement to write stories promoting the area. *The Yanco book* was the result. This sojourn in a 'dry' area greatly improved Lawson's health and he stayed for twelve months.

In the winter of 1921 Lawson suffered a stroke which partly paralysed him and, on the morning of 2 September 1922 he died, alone, at his Abbotsford cot-

tage. Two days later he was given a state funeral at St Andrew's Cathedral and was buried next to Henry Kendall in Waverley cemetery.

Often referred to as 'the people's poet' Lawson's position in the history of Australian literature is more securely based on the quality of his prose. In both genres Lawson was one of the vanguard of writers who emerged in the 1890s, known collectively as 'the *Bulletin* school', who wrote in an idiomatic style which reflected characteristics of ordinary Australians, particularly those of the bush. MARGARET GREEN

**Further reading** B. Lawson, *My Henry Lawson*, Sydney 1943; D. Prout, *The grey dreamer*, Adelaide 1963; C. Roderick, *The real Henry Lawson*, Sydney 1982.

**LAWSON, Louisa** (1848–1920), feminist, married in 1866 and between 1867–77 bore five children. In 1883 she separated from her husband and moved to Sydney where she ran a boarding house. Four years later she bought the *Republican* and, with her son Henry, edited and wrote most of the magazine's copy. The following year saw her establish the *Dawn*, through which she promoted rights, philanthropy and employment for women, as well as offering household advice, fashion, poetry, fiction and extensive reporting of women's activities in Australia and overseas. She also founded the Dawn Club, a social reform club for women, which marked the beginning of the movement to secure women's suffrage in NSW.

**LAWSON, William** (1774–1850), explorer, arrived in NSW in 1800 as an officer in the New South Wales Corps. After returning briefly to England in 1810 he took up a commission with the NSW Veterans. In 1813 Blaxland invited Lawson to accompany him and W. C. Wentworth on their attempt to cross the Blue Mountains. Macquarie rewarded their success with a 1000-acre grant each. Lawson took up his grant on the Campbell River near Bathurst.

**LEAGUE OF RIGHTS** The Australian League of Rights is a populist right-wing organisation established in 1960 with Eric Butler as director. The avowed objects are loyalty to God, Queen and the Commonwealth of Nations, the defence of private enterprise and opposition to centralism, bureaucracy and communism. The league also opposes Asian immigration and fluoridation of water supplies and it defends South African apartheid. Its precursors include the Vic League of Rights, founded in 1947 with branches in other mainland states. These organisations developed from groups centred on Eric Butler back to 1934, when he propagated Douglas Credit, anti-Semitism and anti-parliamentism. The league has had some success in infiltrating Country party branches in Vic and Qld and in attracting right-wing clergymen, teachers and the occasional Liberal party politician. F.B. SMITH

**LEE-STEERE, Sir James George** (1830–1903), a ship's captain, migrated to WA in 1860, and took up a 40 000-hectare lease near Blackwood. He joined the WA parliament in 1867, served as its Speaker from



1886 until his death, and represented the colony at the 1891 and 1897 federal conventions. He and other family members were important figures in the pastoral development of WA.

**LEGACY** The non-political, non-sectarian Legacy movement is dedicated to the welfare of the dependants of deceased ex-servicemen. It began with the foundation of the Remembrance Club in Hobart by Maj-Gen Sir John Gellibrand in 1923. The same year the first Legacy club was established in Melbourne. By the early 1970s the number of clubs throughout Australia had risen to 40, caring for 115 000 widows and children. Legacy is financially dependent on fundraising activities and donations. Members of Legacy voluntarily assist families with a range of welfare matters including moral and physical development, and educational and vocational guidance. Legacy also provides homes for children and makes several scholarships available.

**LEGAL PROFESSION** Initially the practising lawyers in NSW were lawyer-convicts, who were permitted to represent parties in court. Then in 1815 the first free attorney was admitted to practice. In effect the profession was fused, but from 1834 a rule became effective which enforced the division between barristers and solicitors. The legal profession in Vic and Qld was also divided. Legislation fusing the two branches, enacted in Vic in 1891, became a dead letter after barristers refused to accept briefs from, or to appear as counsel with, any lawyer who practised as a barrister and solicitor. Qld fusion legislation was gutted by judicial interpretation and by the informal pressures which the profession exercised. In SA, WA and Tas the profession was fused, although there are now small independent bars in each state.

For some time the profession was dominated by lawyers admitted in Britain and Ireland. In 1833 the first solicitors were admitted to the Supreme Court of NSW on Australian qualifications. By the 1860s in NSW this category exceeded the number of lawyers first admitted elsewhere. It was not until 1849 that local rules governing admission to the Bar were promulgated, and it was only in 1861 that NSW barristers were eligible for appointment as judges even if not called to the Bar in England or Ireland. The experience in other colonies varied: for example, it was not until the 1890s in Qld that local barristers overtook the number trained in Britain, Ireland or the southern colonies. The first Australian Queen's Counsel was John Hubert Plunkett, appointed in NSW in 1856.

The colonial professions drew heavily on metropolitan traditions. When Sir Samuel Way was appointed a Queen's Counsel in SA in 1871, he wrote to his London tailor for the complete outfit of an English Queen's Counsel, which included stockings and shoes with silver buckles: 'I want the proper thing. I could get them in Melbourne, but I prefer your work to the colonial'.

But as the nineteenth century progressed the Australian profession developed a distinctive char-



*A procession of high court judges leaves the court building in Sydney for a service to mark the commencement of the 1982 law year. Photograph by Anton Cermak.*

FAIRFAX PHOTO LIBRARY

acter. There was a strong Irish influence. Well-known early lawyers such as Roger Therry and John Hubert Plunkett, and later George Higinbotham and Henry Bournes Higgins, were either first admitted to practise law in Ireland, or had spent their early years there. The Irish influence seems to have been especially pronounced in Vic; in the last four decades of the century the greatest number of migrant barristers (31) to that colony gave the Middle Temple, London, as their first place of admission, but that was closely followed by King's Inn, Dublin (29), then Lincoln's Inn, London (21), the remainder being from the other London Inns and Scotland.

Furthermore, certain metropolitan traditions were inappropriate in the colonies. For example, there were no Inns of Court in Australia, so that the judges (at least in theory) assumed their role in relation to matters such as discipline. Rights of audience had to be modified, because of the shortage of barristers in country areas; attorneys were permitted to act as counsel in the NSW courts of quarter sessions in 1849.

But most importantly, local lawyers soon exceeded in number those trained elsewhere. Local textbooks and statutory commentaries were produced, pointing to the differences between English and Australian law. Symptomatic of the trend was that the movement for law reform in NSW in the 1880s underlined the uniqueness of local conditions and requirements.



While the Bar retained its United Kingdom traditions longer, it too had evolved a local character by the turn of the century.

It is possible to point to individuals, such as H.V. Evatt and R.G. Menzies, who were able to use the legal profession as an avenue of social mobility. But it would be wrong to think that members of the profession were other than predominantly upper middle class in social origin. There are many instances of solicitors' practices being sustained by two or more generations of the one family, and there are a number of examples where the one family has produced two or three generations of judges (for example, the Streets in NSW, the O'Bryans in Vic, the Douglasses in Qld). The first systematic study, in 1965, showed that about two-thirds of the entrants to law schools in Vic, Qld and WA came from homes which could be broadly described as upper middle class. A third had attended independent schools, slightly more than a quarter had been to Catholic schools, and only a third had been to state schools.

A point related to the social background of Australian lawyers concerns the number of women admitted. Ada Evans was the first female law graduate, from Sydney University in 1902, although she could not be admitted to practice until the Women's Legal Status Act of 1918. Legislation had been enacted earlier in Vic (1903)—followed by Tas and Qld, and later by SA—so that Flos Greig was able to be admitted as a solicitor in Vic in 1905. Despite the requisite changes in the law, few women were admitted: for example in NSW, nine were admitted in the 1920s, eleven in the 1930s, and about 30 in the 1940s. Those admitted wishing to become solicitors found it difficult to obtain articles, if they did not have family connections. There was a dramatic change in the 1970s in the number of women law students, so that by 1981 they comprised nearly 40 per cent of enrolments at the major law schools. However, there are still relatively few women who are partners in law firms, barristers, Queen's Counsels or judges. The first female Queen's Counsel and judge was Dame Roma Mitchell, appointed to the Supreme Court of SA in 1965.

Professional bodies gradually took root in the different jurisdictions. For example, a NSW Law Society was formed in 1843, among its objects being the promotion of standards to retain the confidence of the public. But a concern by most solicitors with their own survival, and some judicial hostility, led to its demise in the 1850s. Then in 1862 the Law Institute of NSW was established, based on the model of the English Law Society, but without its powers and constitution. It was incorporated under the companies legislation in 1884, although until the 1930s many practitioners declined to join. A Bar Association of NSW was formed in 1896, given impetus by moves in that state for fusion of the profession, but soon became defunct. The Council of the Bar of NSW was formed in 1902, and the Bar was finally incorporated in 1936 as the NSW Bar Association. State associations, such as those in NSW, have remained more powerful than the national body, the Law Council of

Australia, which was formed in 1933. However, the council may be strengthened by a decision in 1984 to open membership to individual lawyers, in addition to the constituent law societies and Bar associations.

Lawyers' professional bodies have confined themselves largely to professional concerns such as standards of practice, admission requirements and fees. While they have commented on prospective legislation, it seems that they have had less involvement in legal change than some American law societies. However, Australian governments have been willing to devolve powers to them regarding certain professional matters. For example, the Legal Practitioners (Amendment) Act (1935) established the 'Statutory Committee of the Incorporated Law Institute of New South Wales', for the purpose of laying charges of professional misconduct, whether or not solicitors were members of the institute. The committee was given power to strike a solicitor off the roll, to suspend him or to impose a fine, after hearing his case. The act also established a solicitors' fidelity guarantee fund, administered by the institute, to cover claims when solicitors had committed theft or had fraudulently misapplied moneys.

Instances of misconduct in the Australian profession have been not infrequent, although the number of persons struck off or reprimanded has been less than might be expected. By the early 1900s the NSW institute was referring fewer cases of misconduct to court than previously, although the number of complaints remained much the same, and for many years it refused to deal with complaints against non-members (who make up half the profession). One reason for the inadequate response by the profession has been its interpretation of desirable standards. There has always been a concern on the part of professional bodies with competition from the unqualified. From the time of the NSW Attorneys' Costs Act of 1847, which forbade the drawing of legal documents for reward by unqualified persons, professional bodies have prosecuted non-lawyer conveyancers. Within the profession itself, the maintenance of 'standards' has led to measures such as campaigns against fusion, strong objections to solicitors (as opposed to barristers) becoming judges, and the imposition of residential requirements by some states to exclude practitioners from NSW and Vic.

Barristers have traditionally kept their clients at arm's length. In 1915, Mr Justice D.G. Ferguson of the Supreme Court of NSW acknowledged that barristers acting for injured workers were often looked down on by their colleagues, and added that, were it not for the few who assisted them, many injured workers would be denied justice. Perhaps the delay in establishing a legal aid system provides the best illustration of how inaccessible the profession has been; not until the 1960s did the professional bodies adopt a firm commitment to a more accessible system.

Conveyancing, estates and general litigation provided a great deal of work in the nineteenth century; the advent of the motor car, commercial advances and the growth of government have meant the develop-



ment of other avenues in the twentieth. Although small (and in some cases sole) practices continue, especially in suburbs and the country, the twentieth century has seen the growth of large commercial practices, some of which by the 1980s have offices in various states and overseas.

Practitioners are now no longer educated by the on-the-job training provided to articled clerks. The great majority are university graduates—although Australian law degrees have a considerable practical element—and a significant number of post-graduate students look to the United States rather than England. In the 1850s a visitor to Sydney from the Inner Temple, who witnessed the sittings of the supreme court, 'fancied himself transported to England'. While the values of the Australian legal profession are still basically conservative, it has gradually moved away from its metropolitan parent, and in addition changed significantly from its own nineteenth-century character.

ROSS CRANSTON

**Further reading** J.M. Bennett, *A history of the New South Wales Bar*, Sydney 1969; J.M. Bennett, *A history of solicitors in New South Wales*, Sydney 1984; A. Dean, *A multitude of counsellors: a history of the Bar of Victoria*, Melbourne 1968; J.R.S. Forbes, *The divided legal profession in Australia: history, rationalisation and rationale*, Sydney 1979; R. Johnston, *History of the Queensland Bar*, Brisbane 1978.

**LEICHHARDT, Friedrich Wilhelm Ludwig** (1813–48), Prussian explorer and naturalist, arrived in Sydney in 1842 with the avowed intention of exploring the Australian continent. Although he had no formal qualifications, he had studied sciences in both Germany and England and was a skilled botanist and geologist. He studied the flora, fauna and geology of the Sydney and Hunter Valley regions, and travelled alone between Newcastle and Moreton Bay to study further while lobbying, unsuccessfully, for a government appointment. An expedition from Sydney to Port Essington, under the leadership of Thomas Mitchell, planned for 1844, was delayed. Leichhardt had hoped to accompany that expedition. He decided to mount his own aided by private funding. The expedition left the Darling Downs for Port Essington on 1 October 1844. One member of the party, John Gilbert, was killed by Aborigines, but the rest of the expedition reached Port Essington on the north coast of the NT on 17 December 1845.

Although the expedition was a success and established the existence of good pastoral country in the north, it was marred by bickering between its members and personal attacks on Leichhardt's character.

In 1846 Leichhardt set out from the Darling Downs in an ambitious attempt to cross the continent to Perth, but failed. In 1848 he made a second attempt, setting out from the Condamine River. The expedition disappeared and no trace of it was found.

Although seen as a hero during his own lifetime, Leichhardt's reputation suffered after his death. He remains one of the most authoritative early recorders of Australia's environment.

JOHN McQUILTON

**LEISURE** There have been remarkable changes in the extent and use of leisure time in Australia since 1788. Most of the changes have been tied closely to the changing pattern of work and holidays, the greater provision of time for leisure. Equally important has been the rise of consumer spending power with the growth in real wages from the nineteenth century on, and the resulting commercialisation of leisure. Mass leisure has also resulted from developments in technology and mechanisation, particularly in the twentieth century. Finally, there has been a great change in the concept of leisure as an important area in modern society. In 1788 there was no idea of mass leisure.

The development of leisure in Australia falls into a number of distinct, though overlapping, periods. First, in the Aboriginal era there was an abundance of 'leisure' activities. During the intense heat of summer, for instance, there were endless opportunities for groups to gather, exchange gossip, recount their recent exploits, and even to hold informal singing and dancing sessions. There was no formal concept of leisure as a separate entity from work. Tracking for the young represented both an individual pastime, which involved an element of play including imitation, and serious training for a work activity. Many work activities were conducted at a leisurely pace and included leisure components.

In the years from 1788 to the gold rushes leisure was very much subordinate to work. The majority of people, whether convicts, settlers, or those involved in the pastoral industry, worked long hours at physically taxing labour. They had little time or money for leisure. There was also very limited provision for leisure, and few leisure institutions apart from the pub and sporting events. Leisure, so far as it existed, was organised privately, and the elite, who arranged functions such as balls, dinners and regattas, had much greater resources and facilities for leisure. There was almost no provision for mass leisure, and only sport provided some formal alternative to drink, gambling and sex.

From the 1850s until 1914 modern leisure began to emerge. During this time there was a reduction of work hours, an increase in the number of holidays (the Saturday half-holiday was introduced), a significant rise in real wages, and the beginnings of some institutions of mass leisure, such as music halls and the cinema. Improved transportation, such as steamboats, trains and trams, made travel a leisure alternative. Inventions such as the pneumatic-tyred safety bicycle, cheaper newspapers and postage, and the development of public libraries also widened horizons. Much leisure in this period, however, was informal and non-commercial: it included gossiping, reading, window-shopping, smoking, dancing and picnics, church activities (singing, socials and sermons) and home-based leisure (gardening, and singing around the piano).

The growth in the importance of leisure led to greater competition for leisure resources and the control of leisure. By the end of the nineteenth century





*Postcard, Manly c1910. The introduction of a ferry service to the beachside suburb of Manly in the late nineteenth century made it one of Sydney's most popular leisure resorts. In 1902 the council permitted bathers to swim during daylight hours; few visitors shown in this postcard are taking advantage of the relaxation in regulations.*

NATIONAL MUSEUM OF AUSTRALIA

leisure had become a significant political issue with the churches attempting to retain their control of Sunday; with others trying to promote intellectual recreation through libraries, concerts and exhibitions; and yet others promoting more drink- and gambling-based entertainment. Conflict over leisure came to a head during World War I, when many middle-class opinion-makers attacked some of the burgeoning leisure institutions and prompted moves for restrictions of the hours of pubs, sporting events, the theatre and the cinema. The move to elevate the work of war at the expense of leisure proved unsuccessful in the long run, and may even have helped to create the leisure boom of the 1920s. By World War II politicians recognised that attacks on leisure in wartime could be counterproductive.

Mass leisure became a reality only in the twentieth century, and was based on greater non-work time, including annual holidays of several weeks, greater spending power and greater commercialisation and formalisation of leisure. More and more machines made possible the development of huge leisure industries. There was a spectacular boom in public entertainment in the 1920s, with many urban dwellers attending cinemas two or three times a week. Dance halls were also crowded, as were many sporting events. Leisure within the family was extended by the growing popularity of the car and the radio.

Every decade has brought many new inventions which have made leisure more alluring and desirable in the public mind: transistor radios, television, poker machines, surfboards, video recorders, jumbo jets, cameras, and so on. Some of the inventions designed to improve work or communication, such as computers and telephones, also have extensive leisure possibilities.

The public demand for leisure and the leisure industry itself have grown to such an extent that governments have created separate departments under such titles as leisure, recreation, or tourism, which are usually allied to sport, and which help to promote leisure, to confront problems associated with modern leisure and, above all, to gain revenue from leisure. Access to leisure, planning for leisure and creative leisure have now become the concerns of a wide range of social planners and theorists. With the rise of unemployment, the growing popularity of early retirement, and increasing longevity, leisure will assume even more importance in the future.

Work, for many Australians, has now become very much subordinate to leisure. Work is now seen by many as the means by which more leisure ends can be achieved.

RICHARD CASHMAN

Further reading J.W.C. Cumes, *Their chastity was not too rigid: leisure times in early Australia*, Melbourne 1979; R. Cashman and M. McKernan (eds), *Sport: money, morality and the media*, Sydney 1981, R. Law-



son, *Brisbane in the 1890s: a study of an Australian urban society*, St Lucia 1973, ch 7; D. Mercer, *Leisure and recreation in Australia*, Melbourne 1977.

**LESLIE, Patrick** (1815–81), pioneer and grazier, migrated to Sydney from Scotland in 1834. In 1840, accompanied only by a convict, Murphy, he reached the Darling Downs which Allan Cunningham had discovered thirteen years earlier. They explored the southern and eastern downs and Leslie decided on the area, later known as Toolburra and Canning Downs, for his property. His brother soon joined him with flocks and they became the first settlers on the Darling Downs.

**LEVEY, Barnett** (1798–1837), merchant and theatre director, arrived in Sydney from England in 1821 and by 1825 had established himself as a merchant with a store in George Street. Levey's plans were at all times ambitious and wideranging; he established one of Sydney's lending libraries; built Waverley House, a flour mill, wheat store and windmill. By 1833, having sold his other properties, he had built the first real theatre in Australia, the Theatre Royal, seating about one thousand people. Under his direction, comedies, melodramas and some of Shakespeare's plays were performed.

**LEWIS, Essington** (1881–1961), mining engineer and company executive, worked as a miner while studying and in 1904 joined Broken Hill Proprietary Co Ltd at Broken Hill. He was moved to the company's smelters at Port Pirie, SA, and later became assistant manager. There he developed the Iron Monarch deposits to provide ironstone for the Newcastle steelworks. Lewis moved to BHP's Melbourne head office in 1915, later took charge of the Newcastle steelworks construction, and became manager of the Broken Hill Munitions Co Pty Ltd. He returned to Melbourne in 1918, became general manager (1921), managing director (1926) and chief general manager (1938). Lewis improved the efficiency of company plants and established various subsidiary industries.

After an overseas trip (1934), Lewis believed war was inevitable and he advocated high-level administrative preparedness. During the war, Lewis served the Australian government extensively in munitions and aircraft production, and later became director of the Commonwealth Aircraft Corporation. Lewis returned to BHP after the war and became chairman of directors in 1950. He retired as chairman in 1952, remaining on the board until his death. Lewis was involved in a wide range of community projects and received many public honours.

**Further reading** G. Blainey, *The steelmaster*, Melbourne 1971.

**LEWIS, Mortimer William** (1796–1879), architect, was appointed colonial architect for NSW in 1835 after five years as a surveyor for the government. A skilled exponent of the Greek revival style, he was responsible for numerous public buildings. Surviving examples of his work include the Customs House at Circular Quay and the Darlinghurst and Hartley

courthouses. The doubling in cost of the construction of the Australian Museum was blamed on Lewis and in 1850 he resigned.

**LEY, Thomas** (1879–1947), politician, was elected in 1917 to the NSW parliament as a member for Hurstville. He was minister for justice from 1922 until 1925 when he successfully contested the federal seat of Barton. In the next three years, however, three of his opponents disappeared or died in suspicious circumstances. Ley was never formally accused but his involvement seems likely. After losing the 1928 election he left Australia for England. In 1947 he was found guilty of the murder of John Bain Mudie and was committed to Broadmoor criminal lunatic asylum.

**LHOTSKY, John** (b1800), naturalist, was educated in Prague and Berlin and became a doctor of medicine in Vienna. He received a grant for botanical and zoological research from the King of Bavaria and arrived in Sydney in 1832. In 1834 he received government finance to explore the southern mountains of the Monaro district. His most important work *A journey from Sydney to the Australian Alps* (1834–35) was the result. He tried for a government appointment to a scientific post but was rejected. Embittered, he travelled to Hobart Town in 1836 where he received some government assistance to collect hinterland plant specimens, plan the development of the coalmines near Port Arthur, and make a complete geological map of the Tasman Peninsula. He returned to England in 1838, where he lived in dire poverty. The last record of Lhotsky is a letter to J.D. Lang in 1861.

**LIBERAL PARTY** The Liberal Party of Australia was formed in 1944 when Robert Menzies invited representatives of various conservative political bodies to a conference in Canberra to discuss the prospects for a new party organisation. Following a successful referendum campaign in 1943, opposition leader Menzies thought the time was 'opportune to secure unity' among those groups which stood for 'a liberal, progressive policy' and which were 'opposed to socialism with its bureaucratic administration and restriction on personal freedom'.

The party that emerged from this conference was officially inaugurated on 28 August 1945. While claiming to be in all respects a new party, the Liberal party was built on the tradition set by Alfred Deakin's earlier Liberal party and carried on by the National party under W.M. Hughes in 1917 and the United Australia Party (UAP) in 1931. In terms of both organisation and philosophy, the founders of the Liberal party learned much from the successes and failures of their predecessors. In particular, they were resolved to overcome the organisational weaknesses of the UAP, which had effectively lost its branch structure and become dependent on external clubs and associations for finance and policy direction.

Under Menzies' leadership, the Liberal party won federal government in coalition with the Country party in 1949, and retained power until 1972 under four prime ministers (Menzies until 1966; Harold Holt, 1966–67; John Gorton, 1968–71; and William



McMahon, 1971–72). The party regained control of the parliament with a record majority under Malcolm Fraser in 1975, and governed until 1983. The Liberal party, either alone or in coalition with the National party, has provided governments in all states at various times.

Individuals join the Liberal party at the local branch level. There is no provision for membership through affiliated organisations. The branches, and the conferences of branch representatives in each state and federal electorate, are the main areas of activity for most members.

Management of the party is essentially the responsibility of the state and territory divisions, through their respective councils, conventions, executives and secretariats. Each division is autonomous, with its own constitution and platform. The divisions are responsible for membership rules, fund raising, relations with other parties (such as the National party), and the planning and conduct of their own election campaigns. Nationally, the Liberal party has a federal structure, with a federal council, federal executive, and a federal secretariat.

At all levels, the party organisation spends a great deal of its time canvassing and debating policy questions. Except for resolutions on organisational matters under the party constitution, however, even the decisions of the state and federal councils should not be seen as official party policy. They are only recommendations to the relevant parliamentary party and its leader, who has the responsibility for deciding and projecting the final policy decisions. Throughout the history of the Liberal party, its officials have stressed that 'we don't give orders' to the parliamentarians, and contrasted this with the alleged rule by 'faceless men' among their opponents. While the parliamentary parties determine policy, however, they do so within certain constraints. The process of policy-making is expected to be guided by the recommendations of the organisation and to be consistent with the party philosophy and principles as outlined in the state and federal Liberal platforms. The party tends always

to give great scope to its leaders in the policy process, but wise leaders do not go past the point where their supporters might be reluctant to follow. Many observers explain the failure of John Gorton to maintain his leadership in 1971 by his disregard for the traditional Liberal insistence on states' rights.

The concept of the party platform tends to have a peculiar meaning for the Liberals. The party sees platform as being quite distinct from policy. The platform is the broad set of principles and values, agreed on by the organisation, and on which policy should be based. Policy is the set of specific proposals as announced by the parliamentary leader in seeking a mandate to govern and to give effect to the party's principles. Thus the policy might stand only for the duration of an election and, if the party is successful, the subsequent parliament. As a document, on the other hand, the platform might remain relevant for years. Indeed, the federal platform that was first adopted by the Liberal party in the 1940s survived with only minor amendments until 1974.

In his address to the Liberal party's federal council in 1985, Andrew Peacock, who became federal leader in 1983, distinguished between party principles or platform and party policy. The party principles, he said, were

the qualities first espoused by the great liberal democratic movements in America and Europe two centuries ago. They were eloquently enunciated and forcefully acted on by Alfred Deakin in the first years of the Commonwealth . . . They are the foundations on which the structure of Liberal Government is built, just as the development of our policies forms the blueprint for the shape of that structure.

The main principles, as outlined by Menzies at the formation of the party, included individual freedom and choice; support for the family; encouragement of effort and excellence; economic growth through competitive private enterprise; constitutional monarchy and the rule of law; and the decentralisation of governmental power. These values were all reflected efforts more than 40 years later. In 1985 Peacock was replaced as federal leader by John Howard.

GRAEME STARR

**Further reading** G. Starr, *The Liberal party of Australia: a documentary history*, Melbourne 1980.

**LIBERALISM, DEAKINITE** A Victorian-based version of the 'new liberalism' influential in Australia between 1890 and 1910, Deakinite liberalism was named after its most distinguished practitioner, Alfred Deakin. Whereas classical liberalism had stressed freedom from state coercion, the 'new liberalism' promoted limited state intervention to create conditions in which people could live decently. This doctrine underpinned social reform in many countries, and its Australian manifestations included factory acts, anti-sweating laws, early closing, old age and invalid pensions, and a compulsory conciliation and arbitration system ensuring a 'living wage'. What distinguished Deakin's supporters from most other



*National Liberal Party logo.*  
LIBERAL PARTY OF AUSTRALIA



'new liberals' was their commitment to protection of local industry. The link between this policy and the social reforming aspirations of the 'new liberalism' was made explicit in Deakin's abortive 'new protection' legislation, which confined protection to firms offering good wages and conditions. Deakin retained sufficient regard for classical liberalism to condemn Labor's plans to nationalise monopolies.

C.N. CONNOLLY

**LIBERTARIANISM**, a permissive, anti-authoritarian philosophy, has been closely identified in Australia with the circle of intellectuals who were followers of John Anderson, professor of philosophy at Sydney University 1927–58. In 1952 some of its members founded the Libertarian Society in Sydney, adherents of which criticised conventional Australian religious, moral, sexual and political values. Some of those associated with the society were prominent in a diffuse group called 'the push', which became well known in Sydney's intellectual life in the late 1950s and early 1960s. Libertarians saw themselves as social anarchists, a cultural avant-garde, and they consciously developed a bohemian lifestyle to accompany their ideas. In a basically conservative period, the Sydney libertarians exerted an early influence towards the permissiveness which was to develop in succeeding decades.

**LICENSED CLUBS**, voluntary organisations occupying premises on which they are licensed to sell liquor to members and guests, became a focus for community life for many Australians after World War II. They became extremely popular in NSW, especially after the licensing of poker machines in 1956. Many were opened by sporting groups such as bowls, football, golf and yacht clubs, others by bodies like the Returned Services League, motorists' associations, masonic lodges, trade unions, and immigrants' associations. Huge poker machine profits have enabled many licensed clubs in NSW to erect lavish buildings. These provide members with a range of subsidised services many would otherwise be unable to afford, for example luxurious bars and dining rooms, gymnasiums, swimming pools and squash courts, and entertainment by international artists.

**LIGHT, William** (1786–1839), soldier and surveyor, was born in Penang and served in both the navy (1799–1801) and the army (1808–21). He then travelled and sojourned in the eastern Mediterranean region before being appointed surveyor-general of the new colony of SA in 1836. He chose the site of the capital, Adelaide, laid out its central core with great vision, and then surveyed 150 000 acres in the country, but resigned in 1838 when the government refused to give him more staff and better equipment. He died from tuberculosis the following year.

**LINDSAY, Sir Lionel Arthur** (1874–1961), artist, studied at the National Gallery School, Vic, and was employed as a cartoonist for the Sydney *Evening News* from 1903 to 1926. He exhibited his etchings and contributed regularly to *Art in Australia*. The 1920s saw



Sir Lionel Lindsay, artist and influential art critic. Oil by Nora Heysen, 1941.

ART GALLERY OF NEW SOUTH WALES

him receive international acclaim for his wood engravings and printmaking. From the 1930s he voiced his criticism of modernist tendencies in art. He was perhaps the most important of the early art critics in Australia; his critical works include *Conrad Martens: the man and his work* (1920).

**LINDSAY, Norman Alfred William** (1879–1969), artist, was born at Creswick, Vic and attended the local grammar school. A sickly child, he spent many hours indoors cultivating a passion and facility for drawing. He left Creswick for Melbourne in 1896 where he lived with his older brother Lionel who was already a black and white illustrator and who gave him work drawing for his newspaper, the *Hawklet*. The *Decameron* illustrations were produced at this time. Initially drawn as an exercise in composition, the 30 drawings are rich and intricate in detail and were reviewed by the *Bulletin* in 1900 as 'the finest examples of pen-draughtsmanship of their kind yet produced in this country'.

In 1901 Norman Lindsay moved to Sydney to start work as staff artist at the *Bulletin* working on topical cartoons and illustrations for jokes. Over the next twenty years he became an artist of national stature whose work often roused popular feeling and frequently scandalised the righteous. His art, with its prominent motif of naked, female sirens, was constantly attacked by Protestant churchmen whom Lindsay dismissed as 'wowers'. However it was technical problems and not politics which drove his pen and his mind, and his subject matter was wide-ranging. He delighted in drawing small boys and his pictures of native animals, especially koalas, popularised the indigenous fauna.



He studied in England and Paris from 1910 to 1912. During the 1920s and 1930s his home in the Blue Mountains at Springwood became a forum for young Australian writers including Kenneth Slessor and Douglas Stewart. A talented writer himself, Norman Lindsay wrote thirteen works of fiction including the classic children's story *The magic pudding* (1918), and the novels *Redheap* (1930), which was banned until 1959, *Saturdee* (1933) and *The cousin from Fiji* (1945). His philosophical work *Creative effort* (1920) was published as a series of essays in *Art in Australia* and emphasises his thesis that the artist is the most important member of the community.

After his death the Springwood house was bequeathed to the National Trust of Australia as a museum for his work. Norman Lindsay's paintings, drawings and etchings are represented in most Australian collections.

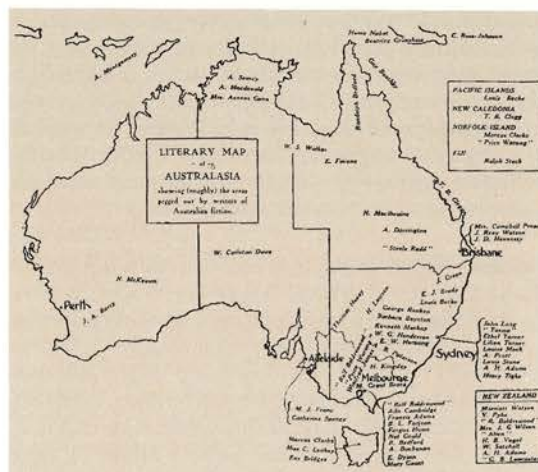
ELIZA HILL

**Further reading** J. Hetherington, *Norman Lindsay: the embattled Olympian*, Melbourne 1973.

**LITERATURE** From the first European discoveries of Australia observers have been recording their impressions of the continent and its people. Because of settlement by the British in 1788, English became the language of Australian literature, though there is an increasing body of Australian literature in Greek, Italian and other European languages, as well as the oral traditions of Australian Aborigines.

The earliest accounts of Australian settlement reflected the eighteenth-century interest in science and learning. The new arrivals observed the people, natural life and landscape with curiosity and excitement. But the paradoxes of settlement soon provided material for writing which was not mere reportage: the new continent challenged the accepted European order of things; perhaps it was, as Barron Field put it, 'an after-birth' of creation. Its Aborigines enjoyed a primitive paradise which European man with his 'civilisation' had failed to achieve. Most striking of all, the new land was being settled as a colony for convicts, the failures of the old world. Australia was a land of new beginnings and a land of exile.

The persistent hope that Australia might become a new paradise for ordinary men and women has been dashed repeatedly by the heritage of Europe's failures and the land's resistance to settlement in accordance with a European ideal of pastoral happiness. Optimism and failure, often of a personal kind, alternate in much of the writing about Australia. Charles Harpur (1818–1868), the son of a convict, was the most important early poet to express a national pride and hope in the possibilities of a new world. Influenced by Wordsworth and aware of the American spirit of independence, he saw himself as 'a man of woods and mountains—a wielder of the axe' who must write plainly and directly. Harpur was admired by Henry Kendall (1839–82) who wrote the kind of lyric landscape poetry which was to become a dominant strand of Australian poetry. Adam Lindsay Gordon (1833–70) wrote 'galloping ballads' which were popular throughout the English-speaking world in the late



*Literary map of Australia 1912. Few writers of Australian fiction of the period chose Western Australia as a setting for their novels. Lone hand, 1 Apr 1912.*

nineteenth century. These three poets established the kind of poetry which Australian poets have continued to favour—the poetry of political commitment, the nature lyric and the ballad.

The practical prose writing of early Australia—explorers' journals, letters, official reports—contains some vivid accounts of life in Australia. In particular, the manuals for prospective immigrants became the prototype for several early novels such as Charles Rowcroft's *Tales of the colonies* (1843) and Alexander Harris's *The emigrant family* (1849). In 1870 Marcus Clarke (1846–81) began publishing his novel, *His natural life*, which transformed the worst of Australia's convict history into a study of human guilt and capacity for suffering. This novel, together with novels by Catherine Helen Spence (1825–1910) and Rolf Boldrewood (1826–1915) established a tension between romance and realism which is apparent in later writing by Australians. Where Clarke lifted historical detail beyond melodrama, Spence was influenced by Jane Austen to reject romantic excess, and Boldrewood tempered his imitations of Walter Scott with closely observed accounts of Australian life.

From the 1880s to 1910 Australian writing reached new levels of achievement and originality. The growth of literacy and the movement towards federation were among factors which contributed to a flourishing of Australian poetry and fiction. Nationalist sentiments were encouraged by journals such as the *Bulletin* which published short, realistic sketches of bush life by Henry Lawson, Barbara Baynton, A.B. Paterson, Price Warung and many others. During this time, the bush ballad reached its peak of popularity and became truly literary in the hands of Paterson. But it was also the period in which Christopher Brennan wrote the best of his introspective poetry under the influence of French symbolists, and Henry Handel Richardson, also influenced by European ideas, wrote her first novel, *Maurice Guest*. At this time, John Shaw Neilson and Mary Gilmore



began publishing lyric verse, Miles Franklin published *My brilliant career* and Joseph Furphy completed his novel *Such is life*.

Many of the writers at the turn of the century had experienced life on the small selections of land which had offered, briefly, the hope of rural paradise for the poor. The failure of these small farms provided inspiration for Lawson, Baynton, Franklin and Furphy. It was as if human failure demanded the process of imaginative transformation into art. Furthermore, nationalist writers faced the difficulty of loving a country which was drought-stricken, inhospitable and often infertile. Many of them loved the 'bush' that was a testing ground of the old literary ideals of the pastoral romance. Lawson and Paterson went so far as to set up a verse argument in the *Bulletin* on the subject, with Lawson detailing the harshness of the bush and Paterson celebrating its glories. Though Lawson has become the hero of the common man and Paterson the representative of the privileged, both viewpoints have validity. Paterson's ballad 'Clancy of the Overflow' recalls Wordsworth's attitude to nature and suggests that Australian rural life offers human freedom as well as nourishment for the spirit. Where Paterson chooses a romantic attitude, the difficulties of life in the Australian bush seemed to demand a realistic literary style best demonstrated in Henry Lawson's 'Joe Wilson' stories. Elements of both romantic and realistic attitudes appear in Miles Franklin and Joseph Furphy's writing, and John Shaw Neilson expressed this paradox of Australian rural poverty in his poem, 'The poor, poor country'—'Down in that poor country no pauper was I'.

After World War I revealed Australian nationalism to be little more than a branch of British imperialism the nationalist stand of Australian writing suffered a decline: both Lawson and Brennan wrote anti-German propaganda through their respective alcoholic hazes. However, from her home in England, Henry Handel Richardson began publishing her trilogy, *The fortunes of Richard Mahony*, which drew on aspects of her father's life as a doctor on the Vic goldfields. Katharine Susannah Prichard, Vance Palmer, Frank Dalby Davison and others kept the realist 'bush' tradition alive between the wars, and Palmer's friend Louis Esson tried to establish a national drama through the Pioneer Players. By contrast, the painter and writer Norman Lindsay encouraged a group of poets, including Hugh McCrae, Jack Lindsay and Kenneth Slessor, who favoured mythological themes over bush life.

In the late 1930s and early 1940s the two strands of nationalism and modernism reached their extremes in the emergence of the Jindyworobak poets, who sought to establish a distinctive Australian literature based on Aboriginal traditions, and the contrasting interests of the *Angry penguins* group who consciously sought modernist styles. Xavier Herbert's novel *Capricornia* shows signs of Jindyworobak influence. The *Angry penguins* group accepted for publication the modernist efforts of the hoax poet, Ern Malley, and suffered ridicule as a result.

World War II brought a new surge of nationalism as the threat from Japan led many Australians to consider the nature of the culture they were defending. Two new literary journals, *Southerly* and *Meanjin*, promoted Australian literature and encouraged new writing. After the war, the impetus to recreate Australia as a modern, prosperous, industrial nation brought a new era of interest in literature.

In the postwar years, the poets Douglas Stewart, Judith Wright and David Campbell found inspiration in Paterson, Shaw Neilson and Harpur and renewed the ballad and lyric traditions. The expatriates Martin Boyd and Patrick White returned from Europe. Boyd found his brief homecoming the inspiration for his Langton novels; White stayed to find that his irritation with Australia was creatively fruitful. Ray Lawler's play *Summer of the seventeenth doll* demonstrated that Australians could write and produce plays for contemporary audiences.

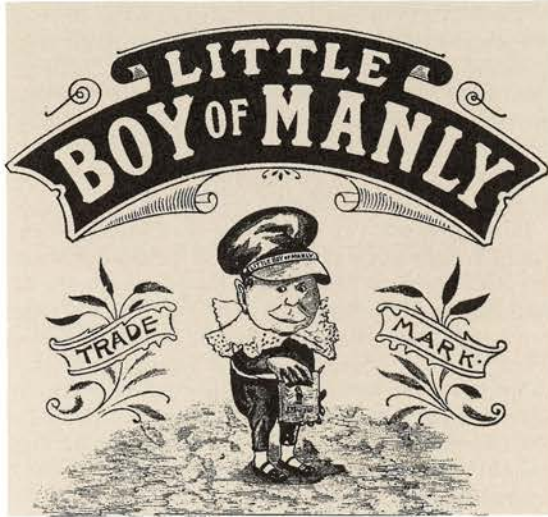
The modernism of between-war Europe had been kept at bay by a range of Australian writers who saw it as decadent or absurd. Among these were the political radicals such as Frank Hardy, Judah Waten and Jean Devanny who proposed socialist realism as the appropriate form for a socialist nation; others, politically as well as artistically conservative, such as the poets A.D. Hope, James McAuley and Douglas Stewart, rejected modernism because of its personalism and lack of order. Patrick White's achievement in *The aunt's story*, *The tree of man* and *Voss* demonstrated that modernist techniques could serve an impassioned and conservative moral outlook.

White's influence on other Australian writers—poets, novelists and dramatists—has been widespread. Modernism has never become a dominant feature of Australian writing but, since the 1970s, writers have felt free to experiment with form. Contemporary Australian poets such as Les Murray or Gwen Harwood select techniques to serve specific purposes. In the theatre, Jack Hibberd has experimented with various techniques while David Williamson has been successful with more traditionally naturalist plays. In the novel, Thomas Keneally has adapted some of White's ideas to his own individual interests and the 1970s saw the rise of a range of prose experiments by Frank Moorhouse, Murray Bail, Peter Carey, David Ireland, David Foster and others. In the 1980s, some writers continue to practise a realism which has no associations with a political or social program but many are prepared to move beyond realism as their interests demand. In particular, Helen Garner's prose explores the subtle changes in human relationships while Elizabeth Jolley's novels suggest a human fantasy life beyond observable reality.

SUSAN MCKERNAN

**Further reading** G. Dutton, *The literature of Australia*, Melbourne 1976 (1964); H.M. Green, *A history of Australian literature*, 2 vols, (revised by D. Green), Sydney 1985 (1961); L. Kramer (ed), *Oxford history of Australian literature*, Melbourne 1981. W.H. Wilde et al, *The Oxford companion to Australian literature*, Melbourne 1985.





A version of the cartoon called 'Little Boy of Manly' was used as a trade mark for flour, registered by J. Gillespie and Co, Sydney, 1899. The original of this version is held by Alfred Laurence, Sydney.

#### LITTLE BOY FROM MANLY (sometimes at Manly)

A character created by the *Bulletin* to deride the NSW military expedition to the Sudan in 1885. A real 'Little Boy at Manly', Ernest Laurence, had written to the *Sydney Morning Herald* sending money to a fund for soldiers' widows and orphans with a letter the makers of the *Bulletin* thought ridiculous. The cartoon version survived the occasion of his making and came to represent NSW and later Australia in the *Bulletin* and other papers.

K.S. INGLIS

**LIVING WAGE**, was a term much used within the labour movement from the late nineteenth century to refer to the minimum level of wages required by the average worker to maintain a standard of living above destitution and set to prevent exploitation of weaker individuals, as contrasted with levels actually paid in industry, which were presumably set by supply and demand. The 'fair living wage' concept was first accepted by the NSW Industrial Arbitration Court in 1905 when it calculated a minimum wage for unskilled work enabling a (male) worker and dependants to live in 'some small degree of comfort'. This approach was expanded in commonwealth awards by Mr Justice Higgins's concept of the basic wage in the Harvester Judgment in 1907. Living wages were not awarded by wages boards in Vic until 1917–21.

**LOAN COUNCIL** A voluntary loan council was established in 1924 to co-ordinate state and federal borrowings on the loan market, although its effect was weakened by the withdrawal of the NSW Lang government in 1925. In 1927 the commonwealth government ceased making payments to the states on a per capita basis, thus forcing the states to enter into a financial agreement which was ratified by constitu-

tional amendment in 1928. The Loan Council, now with a statutory basis and with voting-power dominated by the commonwealth, was given responsibility for approving 80 per cent of all government loans. It has continued to play a major role in federal financial relations, and meets annually in conjunction with the premiers' conference. In 1985 its operations were extended to all semi-government and local authorities, and government-owned companies.

**LOANS AFFAIR** In 1974 a senior minister in the Whitlam Labor government, Rex Connor, developed extremely ambitious plans for mineral exploration and exploitation, and convinced cabinet that the government could finance his dreams by loan money. He began negotiations, through intermediaries, with Tirath Khemlani who, it was thought, could give access to 'petrodollars'—the immense sums being accumulated by oil-rich Middle East countries. Connor was authorised to raise \$US4000 million by an order of the Executive Council signed by the governor-general, Sir John Kerr, on 14 December 1974. This crucial minute had been drafted at a meeting of the Executive Council from which Kerr was absent. Connor was unable to raise the money through these unusual channels, and as the matter became public Khemlani was portrayed by the press as an undesirable opportunist. The opposition attacked the negotiations, alleging that the governor-general had been duped. Connor continued seeking a loan after his authority had been revoked. Whitlam dismissed him, but the affair seriously damaged his government. The episode was an important factor in Labor's defeat in the December 1975 election.

**LOCAL GOVERNMENT** From the late 1830s administrators, concerned by the costs incurred in the Australian colonies, were eager for the colonists to take some of the financial and administrative responsibility for local services such as the maintenance of roads and bridges. Adelaide was incorporated under an elected council in 1840, Sydney and Melbourne in 1842, Hobart in 1852, Perth in 1858, and Brisbane in 1859, and although local authorities in some towns and cities were successful, local government in general was neither effective nor widely established until after Federation. Almost the whole of Australia is now served by local government authorities, which vary widely in the area and population they govern, and in their organisation, revenue and responsibilities. Their existence and activities are derived from the local government acts in each state, making them an integral part of the state government system and its administration. Federal government initiatives in the 1970s were aimed at improving the funding of local government authorities, and currently they receive 2 per cent of personal income taxation, which is distributed through a Grants Commission set up by each state government. In 1980 there were 862 local government areas in Australia.

**Further reading** M. Bowman, *Local government in the Australian states*, Canberra 1976; R.J.K. Chapman and M. Wood, *Australian local government*, Sydney 1984.



**LOCAL OPTION** refers to the right of a municipal region or an electorate to limit the number of hotel licences in its area. As a result of temperance movement agitation, most Australian colonies made some provision for municipal local option between about 1876 and 1885, and slightly more effective provision for electoral local option between about 1905 and 1912. Polls held under these provisions did lead to some licence reduction, but six o'clock closing, introduced in 1916, weakened demands for further reduction.

JOHN O'HARA

**LONDON DOCK STRIKE**, which began on 12 August 1889, was in danger of collapse by 31 August when wharf labourers' and seamen's unions cabled funds from Brisbane and Sydney, the first contributions of almost £37 000 (66 per cent of total funds) donated from Australia. Much support came from unions, but a larger proportion came from individuals, influenced by imperial ties and a sympathetic press, especially in Vic whose population contributed 62 per cent of total Australian aid. An Australian flag was flown and cheered at victory celebrations in London in September.

**LONG, Gavin Merrick** (1901–68), journalist and historian, wrote for major Sydney and Melbourne newspapers before his three years as a war correspondent in France, Libya, Greece and New Guinea. In 1943 he was appointed general editor of the official war history *Australia in the war of 1939–45*, writing three of the 22 volumes. He became a research fellow at the Australian National University in 1963.

**LONGFORD, Raymond Hollis** (1878–1959), film director, was born in Melbourne and worked as a seaman before becoming a touring actor. He appeared in his first film in 1911 and from then until 1934 directed many Australian feature films, the most successful, such as *The sentimental bloke* (1919), in partnership with Lottie Lyell (1890–1925). He was the most influential Australian film-maker of his time, but his career ended in 1941 and he was reduced to working on the Sydney wharves.

CHRIS CUNNEEN

**LONSDALE, William** (1799–1864), soldier and administrator, served in the army from 1819 to 1836, when he was appointed the first police magistrate at the new settlement at Port Phillip. In 1840 he was appointed sub-treasurer, and acted as superintendent in 1846–47 while La Trobe was absent in Hobart. He was colonial secretary from 1851 to 1853 and then treasurer again until 1854 when he returned to England and retired.

**LORD, Simeon** (1771–1840), convict and entrepreneur, was born in Yorkshire. He was sentenced to seven years' transportation at Manchester in 1790 for stealing a substantial quantity of textiles. He was soon emancipated in NSW and engaged in the illegal liquor trade as well as retailing goods. He gradually expanded his economic activities to embrace trade with India and the Pacific, and he became a pastoralist (with more than 20 000 acres of land), timber merchant, boat-builder, sealer, auctioneer, tanner, and a

manufacturer of clothing, harness, soap and candles. He opposed Gov Bligh in 1808, was made a magistrate by Gov Macquarie in 1810, and was an active member of the Benevolent Society. His last years were lived in relative obscurity.

A.G.L. SHAW

**LOWE, Robert** (1811–92), politician and lawyer, came to NSW for health reasons in 1842. Gov Gipps nominated him a member of the legislative council in 1843, and in 1845, having quarrelled with Gipps, he became an elected member. At first a supporter of the squatters, he launched the weekly newspaper, the *Atlas*, but withdrew from it after turning against them. He then campaigned against their land monopoly and the renewal of convict transportation. Returning to England in 1850, he entered parliament in 1852 and later served in Gladstone's cabinet. He was created Viscount Sherbrooke in 1880.

**LOWER, Lennie** (1903–47), humourist, worked as a journalist, later becoming a columnist on various publications including *Smith's weekly*, the *Daily Telegraph* and the *Australian women's weekly*. In 1930 his novel *Here's luck* was published, extending Lower's reputation beyond Sydney. Subsequent books such as *Here's another* (1932) and *Loweritis* (1940) were compilations of his columns.

**LOYAL ORANGE LODGE** Modelled loosely on masonic forms, the Loyal Orange Lodge was a manifestation of the sectarianism that bedevilled Australian society from the 1830s to the 1960s. Designed to defend Protestantism and the British heritage from the inroads of Irish Catholicism, the lodges were most active in the years immediately after World War I. Large demonstrations were organised to protest against 'Romanism' and disloyalty, although active lodge membership was always comparatively small. The organisation still exists in Melbourne and Sydney but is largely quiescent.

**LUCKY COUNTRY** This term was first used by the writer Donald Horne in his book *The lucky country*, which provided a general view of Australian society and was first published in 1964. Horne intended the title to be somewhat ironic, arguing that Australia faced a variety of challenges and problems. But the term quickly passed into popular usage as a self-congratulatory expression of Australian confidence and assurance. Throughout the 1960s and early 1970s in particular, many Australians regarded themselves as 'lucky', enjoying prosperity, progress and political stability.

**LUTHERAN CHURCH** traces its origins to Martin Luther (1483–1546), the central figure in the German Reformation, and in particular to the 'confessional' documents which he formulated. Lutheran immigrants arrived in Adelaide in 1838, fleeing religious persecution in Germany under Frederick William III of Prussia. An autonomous Australian Lutheran Church was established under the leadership of Pastor Kavel. After the arrival of another group under Pastor Fritzsche in 1841 a number of constitutional and doctrinal disagreements led to a schism in 1846. The



United Evangelical Lutheran Church in Australia (ELCA) traced its origins to these two pastors. In 1966 a unified body, the Lutheran Church of Australia was founded. Early congregations were centred in Adelaide and the Barossa Valley, SA. The Lutheran Church is still largely concentrated in SA, representing 5 per cent of the population compared with 1.4 per cent for the nation as a whole (1981 census). Immigration from northern Europe since World War II has encouraged the retention of the church's multicultural character.

**LYELL, Lottie** (1890–1925), film actor, joined Spencer's Pictures in 1911 and worked with Raymond Longford. With her fragile beauty and acting ability Lyell soon became Australia's first film star. She also wrote scripts and was variously art director, co-producer and associate director of Longford's films. Her work included *The fatal wedding* (1911), *The silence of Dean Maitland* (1914), *The sentimental bloke* (1919) and *On our selection* (1920).

**LYING-IN HOSPITAL** This institution was part of the Benevolent Asylum, a charity for the poor infirm, aged and blind run by the Benevolent Society of NSW in a building erected for the purpose in 1820 on a site later occupied by Sydney's central railway station. In 1866 the society added a new wing to the asylum for maternity patients. The new wing, known as the Lying-In Hospital of NSW, was Australia's first maternity hospital and midwives' training school. In 1888 it became the obstetrical and gynaecological training hospital for the University of Sydney. When the asylum site was resumed for the railways in 1901, the hospital moved to new premises in Glenmore Road, Paddington, and took the name Royal Hospital for Women.

**LYONS, Dame Enid Muriel** (1897–1981), politician, married J. A. Lyons in 1915 when she was a junior teacher in the department then under his administration in Tas. She converted to his Catholic faith, bore 12 children and suffered much ill health, yet played a more active role than the wife of any other first-ranking Australian politician. Enid was active in public affairs. Always moderate, she encouraged Lyons to form the United Australia Party, and her skills as an orator were important to its success. Dame Enid (created GBE in 1943) became the first female member of the House of Representatives in 1943, and the first female member of an Australian cabinet as vice-president of the Executive Council from 1949 to 1951. Still unwell, she retired from parliament in 1951, but continued to be vital and impressive. Three autobiographical books effectively mixed personal with political issues. In 1980 she was created a Dame of the Order of Australia.

MICHAEL ROE

**Further reading** E.M. Lyons, *So we take comfort*, London 1965.

**LYONS, Joseph Aloysius** (1879–1939), first displayed his ability and application as a schoolmaster in the Tas state system. He became a Labor member of state parliament in 1909, and a minister from 1914 to

1916. A Catholic and of Irish descent, he campaigned hard against conscription, and became leader of the opposition from 1916. As premier of Tas from 1923 to 1928 Lyons strove with some success to modernise the state and harmonise its politics. Transferring to federal politics in 1929, he became the staunchest upholder of 'responsible' policies in the subsequent Labor government. When J. H. Scullin pursued somewhat different paths, Lyons broke away, and was crucial in establishing the United Australia Party. As its leader he was prime minister from 1932 to 1939. His governments, more cautious than creative, retained public support. Lyons had an attractive simplicity of manner, yet was also shrewd and tenacious. He died in office.

MICHAEL ROE



Caricature of Joe Lyons by Edward Scorfield, political cartoonist for the Bulletin, 12 Apr 1939.