

***GOOD IRON MAC: THE LIFE OF AUSTRALIAN
FEDERATION FATHER SIR WILLIAM MCMILLAN,
KCMG***

Peter M Gunnar

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THIS biography of a leading figure in Australian federation has been written by an American. In fact, Peter Gunnar himself would provide a challenging subject for a biography. His career, like that of many federation fathers, is an advertisement for the separation of powers. He has been a soldier, a lawyer, a judge (elected) of the first Oregon Tax Court (he also helped to draft the enabling legislation of the Court), an Oregon Republican State Chairman, a member of the Republican National Committee, and a developer of condominiums. He retired in 1989 and has, in his own words, spent the years since unlearning what it took 38 years as a lawyer to learn, namely writing sentences a page and a half long. In this endeavour he has succeeded admirably.

I met the author while he was in Sydney in August 1995 to supervise the final production of *Good Iron Mac* and to commence work on his next project, a biography of the Reverend William Binnington Boyce (1804-1889).¹

The subject of Gunnar's attention for the last six years has been Sir William McMillan. McMillan was born in Ireland in 1850, the son of a Wesleyan Minister. At the age of 17 he went to work at the London office of his uncle's merchant business. In 1869 he was sent to the Australian colonies as a 'traveller' selling imported softgoods. Ten years later he became partner and manager of the firm's Australian operations in Sydney. From his position as President of the Sydney Chamber of Commerce in 1886 he was to launch a political career that saw him play a prominent role in colonial politics for over a decade. He was instrumental in setting up the free trade association of New South Wales, was Treasurer in Parkes' Ministry from 1889 to 1891, attended every session of the Federal

Conventions through the 1890s, and became Reid's deputy in the free trade party in the first Federal Parliament. He married twice and died in 1925.

A CONSERVATIVE BIOGRAPHY

Good Iron Mac traces the development of McMillan's personal philosophy of conservatism and details the ways in which that philosophy was manifested in public politics. This reconciliation of the public and the private is one of the key ingredients of political biography and in this biography the mix is leavened by some conservative revision. Throughout the book there is an insistence upon redressing a perceived historiographical imbalance between labour history and conservative history.

Sir William McMillan earned the title "Good Iron Mac" in the tumultuous period of 1891-1894 by standing up to personal abuse and the disruption of his election speeches by what Gunnar calls the "larrikin" element of labour. In reference to McMillan's success as a merchant, the *Bulletin* had earlier dubbed him "Patriotic McMillion",² and subsequent to his role in the Circular Quay Riot of 1890, the forces of labour identified McMillan as a representative of the forces of capital and reaction, to be "booed, groaned, and taunted".³ The "intrepid Treasurer" realised that by surviving "roars, singing, stamping, beating of canes, and calls of 'bring up your specials' and 'read the Riot Act'",⁴ the newspapers would print his prepared speech in full. While it seems clear that there must have been some organisation behind these demonstrations, Gunnar is right to separate larrikins from organised politics:

Occurring midst the 'high politics' of Labor's beginning in the colony's political affairs, the 'popular politics' of rampage in these wild demonstrations may have evidenced the wrath not of Labor's leaders but rather of those of its supporters more at home with their fists and fury than with rhetorical persuasion.⁵

"Good Iron Mac" was thus a conservative sobriquet. When Gunnar turns to consider McMillan's personal philosophy there is (perhaps) an unhealthy degree of identification between biographer and subject. For example, I am sure it never occurred to the biographer to call his book by the pejorative "Patriotic McMillion" rather than the laudatory "Good Iron Mac". That is not surprising. Someone inclined to a Labor view would not, I expect, have considered Gunnar's choice as a possibility.

On the trip home from Britain after marrying his second wife in 1892, McMillan read from his "small travelling library of Burke, Maine, and others".⁶ Gunnar dissects his reading habits in adherence to the dictum that "[a]s with any person who reads seriously and extensively, his reading was a key to understanding his thinking and the motivations for his actions".⁷ It is useful to know, when reading the Convention debates for instance, that McMillan had read Bryce's two volume *Studies in History and Jurisprudence* and Story's *Commentaries on the Constitution of the United States*. For a person educated in finance and commerce, a familiarity with such works was perhaps unusual, if not exceptional. The level of constitutional knowledge of lay politicians at the time seems remarkable and enlightened compared to the present day.

In a broader consideration of McMillan's personal philosophy, Gunnar reflects upon the manner in which McMillan was able to position himself as a conservative, a freetrader, and a federalist. Given his beliefs, McMillan's response to the emergence of the Labor party in the 1891 election is not surprising. Gunnar identifies his commitment to individual liberty as the animus of McMillan's philosophical response and an abhorrence for sectional representation as his defining political response. Perhaps the most important insight into McMillan, and why he is an important figure for study, is that he did not wish to be negatively defined by his opposition to Labor. Rather, he endeavoured to formulate a positive philosophical alternative. Importantly this alternative diverged from the increasingly collectivist liberalism of his day, the liberalism of a Reid or a Deakin. He defined himself, for electoral purposes, through the 1890s as a "Conservative-Liberal".⁸

Gunnar provides what might be called a 'Conservative-Liberal' re-appraisal of some of the key events in which McMillan was involved, most notably the Circular Quay Riot of 1890. The Circular Quay Riot was the apex of the Great Maritime Strike. After months of simmering unrest the riot exploded on a weekend late in September. An employer, whose non-union replacement labour kept quitting under threats from strikers, recruited volunteers to perform his work. Those volunteers included prominent businessmen and the action was symbolically and provocatively defiant. Faced by thousands of strikers violence broke out. The Inspector General of Police read the 'Riot Act' and then commanded his police, troopers and Special Constables to clear the Quay. They charged in line and the crowd dispersed.

With "thunderclouds in the social atmosphere"⁹ before the riot, and Premier Parkes indisposed in Balmain, McMillan, as senior minister, had sought authority from Parkes to respond to just such an emergency situation. Jealous of this authority, Parkes ordered McMillan to take no part in the management of the crisis. It was Parkes who called for, and placed under the command of the Inspector-General of Police, 1600 volunteer Special Constables. In the immediate aftermath of the riot McMillan was quoted in the press as speaking "for the whole of the Government in the unfortunate absence of my chief".¹⁰ He promised continued firm action:

We shall use every power the law gives us to keep the people from congregating together ... and the principle of 'move on' shall be carried out by the police authorities at any cost.¹¹

Later that evening Parkes responded to press questions about the orders which the Police would act under with the following statement:

In this particular I am responsible, and I cannot admit that any other Minister of the Crown is empowered to speak for the Government. In this matter ... such orders have been given as are considered to be sufficient for the present.¹²

This statement had two effects. First, it was taken up by the press as indicative of Parkes' inadequate response compared to McMillan's firmness. Second, as an overt rebuke of McMillan it led to the latter's immediate resignation. With the intervention of colleagues and the Governor, who pressed for Parkes to remove his advice to accept McMillan's resignation, a rapprochement was eventually brokered which involved Parkes apologising to McMillan in Parliament. Gunnar recognises, however, that "well before this apology, Parkes began to twist and confuse those facts for his own advantage so as to make McMillan the 'villain' of those riots".¹³

Gunnar uses these events to clarify McMillan's relationship with Parkes. The deflection by Parkes of any blame onto McMillan marked a sea change in the relationship between the two men. This relationship, together with that of McMillan and Reid, is well canvassed throughout the book. Gunnar's important achievement is to use the riot as an illustration of his broader thesis as to "Australian historiography's dominating fascination with the growth of the labour movement".¹⁴

Over the intervening century, Australian historical literature has perpetuated Parkes' two-dimensional portrait of McMillan and his 'part' in the riot so that it is today something akin to dogma.¹⁵

In answering the question as to why Parkes' version has been preferred, Gunnar concludes that part of the explanation is to be found "in the position that the Circular Quay Riot has come to play in the Australian historical memory".¹⁶ He bemoans the imbalance which sees 'bourgeois' leaders like Barton and McMillan unstudied:

Perception of a history seen principally through a single lens distorts the broad total picture of that history.¹⁷

As a result McMillan has, up to now, been seen as little more than Labor's anathema at Circular Quay. Gunnar quashes this conclusion.

A FEDERATION FATHER

McMillan was identified by La Nauze as a "Federation Father".¹⁸ So much is undeniable. He was present and played an important role at every session of the Conventions. His primary contribution was to the negotiation of the financial settlement between the colonies, as a member of the Finance Committee in 1891, and as its Chairman in 1897. In 1897, the Committee became a focus of the Convention as the protectionists endeavoured to increase the expenses constitutionally delegated to the Commonwealth, reasoning that a high protective tariff would be necessary for simple revenue purposes. Freetrade Premier Reid of New South Wales and protectionist Premier Turner of Victoria locked horns to make McMillan's life in the Chair a difficult one. That a Report was produced at all was a triumph, and certainly a necessary precondition of any federation. Gunnar provides us with a poignant historical moment when he reproduces part of McMillan's note to Barton on the presentation of the Report. McMillan questioned "whether 'absolutely free' as it applied to intercolonial trade precluded 'Wharfage and Tonnage rates, etc? Rates of Harbour Boards, etc?'"¹⁹ As Gunnar notes "it was a layman's inquiry which the subsequent judicial history of the clause ... has proved worthy of far more study and legal research than time apparently permitted".²⁰

McMillan was a proponent of a strong co-ordinate upper House. While other delegates, notably from those the 'smaller' colonies, saw a strong upper House as a guarantee of their States' rights, McMillan saw the Senate as a conservative bulwark against the popular excesses of the

moment. From this view Gunnar extrapolates that McMillan must have concluded, "as Macrossan had, that political cleavage in the Commonwealth Parliament would in practice fall along philosophical and party lines".²¹ If that is true then his vision exceeded that of almost all the other delegates.

McMillan's role in Australian federation was as a thoughtful and intelligent conservative. It is perhaps unnecessary, then, to dramatise McMillan's role in 'saving' federation at the 1897 Adelaide session of the second Convention. The divisive issue was the extent to which the Senate should be given power to amend money bills. Reid proposed to enlarge the class of laws which were to be immune from Senate amendment to include "laws imposing taxation". This would mark a reversion to the so-called 'compromise of 1891' which favoured the large states. This was contrary to McMillan's conservative view as to the importance of a co-ordinate upper House. Gunnar likens McMillan to "a lonely Cicero before a hostile Roman Senate"²² and argues that "McMillan alone literally held in his hands the fate of Australian federation".²³

In the Committee of the Whole, including Chairman Baker, there were forty-nine delegates present, Hackett having gone home on business the afternoon before. The head count stood at 24 to 24, if McMillan voted against the amendment. With Baker's negative casting vote, the Reid amendment would be defeated. The Convention stood in terminal crisis.²⁴

McMillan, "for the sake of Australian union", changed his vote. In this account there are traces of La Nauze's penchant for melodrama. The 'but for' test may work to establish a causal nexus in some fields of legal endeavour, but as a tool of historiography it is of dubious value. The incident certainly crystallises the difficulty which McMillan experienced in reconciling his credo as to the importance of federation with the central tenets of his conservative philosophy. As a crisis of conscience it tells dramatically of the resolution of contrapuntal ideals. However, to take the incident further than this is ahistorical. Why, for instance, is the absence of West Australian delegate Hackett not perceived as equally crucial to the narrow margin of the fateful vote?

AN AMERICAN WRITING AUSTRALIAN HISTORY

In the preface AW Martin points to the different perspective which, as an "outsider", Gunnar has been able to bring to his subject. This is especially true of an American who, as a judge of a State taxation court, as well as a practitioner of politics, understands the conundrums of federal constitutional law and political lore. To understand his subject Gunnar has had to learn a whole different political system. That the difficulty of writing coherently in such circumstances has been overcome is a testament to both the editor (the original manuscript was over 600 pages long) and the author (cuts are never easy).

The unfamiliarity of the author with Australian history is, however, evident in one respect. Sometimes Gunnar lingers on familiar ground for too long at the cost of proper consideration of some of the possibilities unearthed by his focus on McMillan. This minor flaw is perhaps merely the reticence of a first time biographer. One example of an opportunity missed is Gunnar's tantalising account of McMillan's meeting in London with Joseph Chamberlain, the Secretary of State for the Colonies, in June of 1899.²⁵ One wonders at the significance of that meeting, coming, as it did, so soon after the success of the referendum approving the Constitution in New South Wales.

This unfamiliarity is, to some extent, balanced by the benefit of his American insights into Australian history. Gunnar refers to Sir Owen Dixon's dictum that contemplation of the American Constitution had "dampened the smouldering fires of [the drafters'] originality". He comments:

However, blending American (as opposed to Canadian), constitutional concepts with responsible government into the Australian Constitution would seem quite a 'fire of originality' all by itself. For decades, collectivist United States liberals have been calling in vain for 'responsible government'. Ever since President Washington and Secretary of the Treasury Hamilton were denied the floor of the House of Representatives of the first Congress, even limited responsible government has been outside the realm of possibility in the United States under its Constitution.²⁶

Similarly, a familiarity with originalism and the more sophisticated historical debate surrounding the intentions of the United States founders

is brought to bear in Gunnar's examination of the role of the Australian drafters. Consideration of the Commonwealth's pension power is an example of this approach. The first Convention had not considered such a power. James Howe, a conservative South Australian, raised the issue at the first session of the second Convention in Adelaide. At the start of the Melbourne session of the second Convention, a motion to insert a power over pensions was defeated by a vote of 25 to 28. McMillan was part of the odd mix of conservatives and liberals which voted against the provision. At a second attempt later in the Melbourne session, the motion was successful. McMillan again voted against the suggestion, which this time succeeded by a vote of 26 to 4. One interpretation of this change of heart is that such a power would make the Constitution bill more palatable to the people. Norris has noted that:

The Convention, in a clear example of enlightened self-interest, endorsed the amendment.²⁷

Gunnar's alternative view has some appeal. He noted the difficult conditions under which the delegates worked in Melbourne. The Adelaide and Sydney sessions had kept most delegates away from home for some time. Gunnar notes that the

continuing heat would have a marked, adverse effect on the delegates' tempers and efficiency and, ultimately, on the Constitution they were drafting.²⁸

In this way, the actions of the "by then weary delegates"²⁹ in reconsideration of the Commonwealth's pension power, become more comprehensible. Some had gone home. Some did not vote. All were exhausted.

CONCLUSION

I have focussed here upon the public aspects of Sir William McMillan's life, but Gunnar provides an equally compelling personal account. He concludes that it was only the onset of financial misfortune which deprived McMillan of the chance for higher office, and Australia the chance of a strong conservative party after 1903. Certainly McMillan never regained the pivotal role which he had played during the 1890s. In writing a coherent, entertaining and well-researched biography Peter Gunnar has vindicated the memory of his maternal grandfather and provided a useful addition to the growing library of Australian federal biography.

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- * B A, LL B (Hons) (Adel); Associate to the Hon Justice Gummow, High Court of Australia.
- 1 Claughton, "William Binington Boyce" in Nairn, Serle & Ward (eds), *Australian Dictionary of Biography, 1851-1890* Vol 3 (Melbourne University Press, Melbourne 1969) p210. McMillan's second wife was Boyce's granddaughter.
- 2 Martin, "Sir William McMillan" in Nairn & Serle (eds), *Australian Dictionary of Biography, 1891-1939* Vol 10 (Melbourne University Press, Melbourne 1986) p343.
- 3 Gunnar, *Good Iron Mac: The Life of Australian Federation Father Sir William McMillan, KCMG* (Federation Press, Sydney 1995) p90.
- 4 As above p91.
- 5 As above.
- 6 As above p102.
- 7 As above p103.
- 8 As above p113.
- 9 As above p63.
- 10 As above p65.
- 11 As above.
- 12 As above p66.
- 13 As above p68.
- 14 As above p69.
- 15 As above p68.
- 16 As above p69.
- 17 As above p70.
- 18 La Nauze, "Who are the Fathers?" (1969) 13 *Historical Studies of Australia & New Zealand* 333.
- 19 Gunnar, *Good Iron Mac: The Life of Australian Federation Father Sir William McMillan, KCMG* p141.
- 20 As above p141.
- 21 As above p79.
- 22 As above p142.
- 23 As above.
- 24 As above p143.
- 25 As above p167.
- 26 As above p157.
- 27 Norris, *The Emergent Commonwealth: Australian Federation, Expectations and Fulfilment, 1889-1910* (Melbourne University Press, Melbourne 1975) p9.
- 28 Gunnar, *Good Iron Mac: The Life of Australian Federation Father Sir William McMillan, KCMG* p151.
- 29 As above p152.