

Eureka and the Prerogative of the People*

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In order to establish an argument consonant with the title of my lecture I trace the historical background, which sheds light on the nature of the diggers' grievances. The Charter of Bakery Hill and its origins in political thought are then examined. Finally, I make some observations on the prerogative of the people.

In and about a flimsy defence line called a Stockade on the Eureka lead at Ballarat, government troops massacred about fifty civilians at dawn on 3 December 1854. The day itself was chosen because the civilians, being of the Christian religion, did not expect to encounter work of that nature on a Sabbath. Yet, the government knew that it had to strike and do so quickly because, five days previously, the digger leader, Peter Lalor, had called for a meeting of the Ballarat Reform League. It was to take place in the Adelphi Theatre on Sunday, 3 December at 2pm. In the event, the chosen hour of 2pm was beyond the reckoning of many who had intended to be present on that afternoon. By 6am they had died beneath their flag, the Southern Cross. The Stockade was a smouldering ruin and Lalor's life was in jeopardy.

Unrest on the Victorian goldfields stemmed back to the first discoveries of gold in August 1851. Less than two months previously, on 1 July, that part of New South Wales known as Port Phillip had become Victoria. The Lieutenant Governor of the infant colony, Charles Joseph La Trobe, immediately decided that no citizen would be permitted to dig for gold without a licence. La Trobe appointed F.C. Doveton as the first Gold Commissioner for Ballarat who, on his arrival there on 20 September, said to the assembled diggers: 'I am not here to make the law, but to administer it, and if you don't pay the licence I'll damn soon make you pay for it.' As time went on, with

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thousands flocking to the goldfields from the British Isles, Europe and America, the government was hard pressed to fund the necessary services. Instead of turning to the squatters and the business community, the government looked to the diggers as the major source of finance.

In 1854 a new governor, Charles Hotham, took office. A former naval officer accustomed to unswerving obedience, he had been chosen by the Duke of Newcastle because he was a man who could be trusted to act unflinchingly 'if a critical moment should arrive'. Apparently, the possibility of a conflict between the diggers and local authority was anticipated. Although the Duke admitted that the imposition of a licence was 'obnoxious', he told Hotham to enforce it. To that end Hotham was given an assurance that he would be provided with the necessary troops.

The licence fee was a tax on labour rather than on its fruits: gold. The fee fell indiscriminately on the successful and on the losers in the lottery gold digging entailed. The inspection of licences was brutally carried out. The gold commissioners were helped by the police and the military in the hunts by which they harried the diggers; eventually doing so twice weekly at Hotham's orders. The diggers were especially outraged at the presence of a standing army on the goldfields.

The population on Ballarat was far from being an unruly, reckless and improvident mob. There were about 15 000 diggers whose level of education was higher than that prevailing in the British Isles. They had some means, often slender, but had come to Australia without government assistance. To penetrate down to the deep leads often took months, hence they were called diggers. By 1854 many of them were building homes in Ballarat, which had all the signs of a peaceful and settled community.

To force such men to produce a licence at the point of a bayonet, followed by immediate arrest and incarceration were they unable to do so, was an outrage of human dignity and civil rights, against which they reacted with determination. Many of the European miners had witnessed the presence of a standing army amidst a civilian population in their countries of origin, which was especially the case in the wake of the revolutions of 1848. Understandably they were astounded when subjected to similar treatment in Australia.

The diggers had no civil status and were virtually non-citizens of Victoria, which meant that they were not permitted to stand for parliament or vote in parliamentary elections. Unsurprisingly it was not long before the old catchcry 'No taxation without representation' was heard on the fields. Moreover, it was evident that the gold would soon run thin and then there would be a need for another source of income. But the land was held by the squatters and the government refused to open it to the newcomers. In that way, their dream of acquiring land in this new country turned sour.

The accumulated impact of these factors resulted in widespread unrest on the goldfields, especially at Bendigo and Castlemaine, where an organisation for reform known as the Red Ribbon Movement was started in 1853. Nevertheless, throughout 1854 unrest never turned violent and Ballarat only became the focal point because the authorities there committed a series of ill-conceived acts starting on 7 October. The owner of the Eureka Hotel, James Bentley, was not charged with the killing of James

Scobie, a young Scottish digger, despite the widespread conviction of most of the digger community that Bentley was guilty, as was eventually proven by a verdict of manslaughter. John D'Ewes, the presiding magistrate at a judicial enquiry into Scobie's death held on 12 October, discharged Bentley. Bentley and D'Ewes were known to be friends and D'Ewes was believed to hold shares in the Eureka, the largest and most disreputable hotel in Ballarat. However, on 14 October, the new Gold Commissioner Robert Rede reported to Melbourne that the population of Ballarat, including 3630 women and 3420 children, was 'very orderly'.

A mass meeting with 10 000 present was held on 17 October at the Eureka hotel to protest the acquittal of Bentley. In the presence of police and military the meeting became riotous and, possibly by accident rather than design, the hotel caught alight and was burnt to the ground. Rede, who had been abused and pelted with eggs, reacted imprudently and three men, chosen indiscriminately from among the thousands, were arrested. At their trial in Melbourne, despite strong evidence of their innocence, they were convicted and imprisoned.

At the time other affairs were afoot with wider implications. The Ballarat Reform League was started in an embryonic form by September 1854 and therefore well before the events that had begun with the killing of Scobie. The timing indicates that the digger leaders, in a period of public calm, were already reacting to the maladministration apparent at Ballarat. It is also useful to establish that none of those leaders was Irish so as to indicate the groundless and gratuitous nature of later judgments of Eureka as little more than a drunken Irish riot, with a goodly sprinkling from the sixteen nations present who the authorities called 'foreigners' or 'aliens'.

The background of the League was the British Chartist movement. Made up principally of artisans, labourers and small business owners, and supported by thousands of women, the movement had wanted a thorough reform of the British political system and had specified the steps towards reform in the 'People's Charter' of 1838. It was a simple document asking for universal suffrage for adult men, annual parliaments, the payment of members and the abolition of property qualifications for members of Parliament, and a secret ballot voting system. The British Chartists wanted an extension of the rights of citizenship and the development of a healthy democratic system, but their Charter was a thoroughly political document making no reference to other matters such as wages, social conditions or the economy.

The movement attracted a wide following and the third petition to Parliament in 1848 was signed by at least three million people. By that year the movement had split into those who wanted to continue to use constitutional means to effect reform and those who, having judged such means as idle in the face of parliamentary intransigency, preferred to use some form of physical force to achieve their aims. As on several previous occasions, Parliament met the movement with brutal reprisals and the arrest of the leaders. In the wake of 1848, 102 Chartists were transported to Van Diemen's Land but none of them was in Ballarat in 1854.

There were many Chartists who had come as free men to Australia in the gold rush years and their contribution to the formation of the Ballarat Reform League was crucial. John Basson Humffray, law clerk and a moral force Chartist from Wales, became the first president of the League while Thomas Kennedy, a Chartist of

Scottish origin who became a Baptist preacher, was its secretary for a brief period. George Black and Henry Holyoake were former English Chartists whose involvement with the League from its origins was both public and noteworthy. No Irish digger was directly involved with the League in its early days.

Over a period of some days the Charter of Bakery Hill was drawn up by the leaders of the League although the principal author was probably Humffray. On 11 November 1854 in the presence of 10 000 people the Charter was adopted as the diggers' platform. The place chosen for this event was the 'old spot' at which the diggers held their meetings, Bakery Hill. From this small rise the diggers could look across the Yarrowee Creek below them to the government camp on the opposite hill.

The 'political changes' the League saw as necessary, but to be achieved over a period of time, clearly reveal the Chartist origins of the Ballarat document. Their first proposal was for 'full and fair representation' meaning that goldfield residents could stand for parliament. The others were manhood suffrage, no property qualifications, payment for members and a short duration of Parliament: a more realistic aspiration than the Chartist demand for annual parliaments. On a more local level the League wanted the immediate 'disbanding' of the Gold Commissioners and the 'total abolition of the diggers' and storekeepers' licence tax'. They also intended to issue 'cards of membership' of the League, divide Ballarat into districts within 'a few days' and to commence 'a thorough and organised agitation of the gold fields and the towns'. Whatever he made of the other matters set down in the Charter, Commissioner Rede was surely agitated when he heard of the immediate proposals of the League.

The major development of the Charter of Bakery Hill from that of the British Charter went to the heart of democracy and had strong republican overtones. The League claimed that every citizen had an 'inalienable right ... to have a voice in making the laws he is called upon to obey' and that, because the goldfield communities had been 'hitherto unrepresented' in Parliament they had been subjected to bad and unjust laws and thus 'tyrannised over'. This led to their 'duty as well as interest to resist and, if necessary to remove the irresponsible power which so tyrannises over them.' Not content with a mere statement of the principles that underpinned their proposed future actions, the makers of the Charter moved to the ultimate source of their discontent—the British monarchy. The Charter spoke directly to Queen Victoria whom they warned of their intention to take firm action unless 'equal laws and equal rights' were 'dealt out to the whole free community' of the colony named after her.

The first action they proposed was to separate the colony from Great Britain, which they recognised as 'the parent country'. Separation as such need not have entailed a declaration of independence from the Crown, but the League did not hesitate to insist that it would take that step if 'Queen Victoria continues to act upon the ill advice of dishonest ministers and insists upon indirectly dictating obnoxious laws for the colony, under the assumed authority of the Royal prerogative.' The League reminded the monarch that there was another and higher source of power in a prerogative which was 'the most royal of all'. That prerogative lay with 'the people [who] are the only legitimate source of all political power.' They proposed to use that power if forced to do so and thus supersede the 'Royal prerogative' of the monarch.

The Charter was a document drawn up by men who had not composed it lightly or on the spur of a passionate moment. They had thought through the meaning of their words and the implications to be drawn from them and there is no indication that they proposed to embark on the absurdity of using the prerogative of the people to set up a local monarchy in Victoria. They demanded the 'full political rights of the people', short of which they would not be satisfied even if the result was a republic.

In the previous two years there had been a good deal of republican sentiment among the diggers and in Melbourne. John Harrison came to the goldfields after a career as an English sea-captain and he received tumultuous applause when he said at a meeting in November 1852 that, if moral resistance proved ineffective in bringing about political changes in Victoria, no digger 'would hesitate to draw his sword in defence of his rights.' Throughout 1852, escaped convicts and ticket-of-leave men from Van Diemen's Land had flocked to the Victorian goldfields and their presence was deeply resented in a colony that had not been directly involved with the convict system. A Convict Prevention Bill tried to put a stop to the perceived evil by imprisoning the men in question and was passed by the Victorian Legislative Council late in 1852. To widespread outrage in Melbourne, the Victorian Act was rescinded in London and the outcry became greater when news came through that the 'Royal Prerogative' had been used to grant conditional pardons to the imprisoned escapees. A meeting of about 15 000 people heard strong republican sentiments expressed and the use of the 'Royal Prerogative' was rejected. David Blair, formerly a Chartist lecturer in England, said forcibly: 'the power of the Monarch was based on the opinion of the people, and on that alone.'

The Ballarat Chartists certainly knew that the principles they invoked were not mere creations of a passing moment. Aristotle explicitly held that citizenship involves an inalienable right to 'have a voice in making the laws' which the Charter reiterates. To the great Greek thinker of the fourth century B.C., the citizen was not defined merely by his enjoyment of legal rights within a state, but by his sharing in 'the administration and in offices of the state.' Over time, however, common sense dictated that representation was necessary within states in which direct involvement with civic affairs became increasingly difficult for most citizens. Furthermore, the concept of tyranny, defined as the unjust rule of one or more over unwilling subjects imposed by force, is also as old as Aristotle.

The other fundamental principle of the Charter that 'the people are the only legitimate source of all political power' is firmly knit into the development of political thought in the West at least since the *Corpus Iuris Civilis* of Justinian in the sixth century. There are traces of the origins of modern democracy in the *Corpus* that regards the power of the emperor as deriving from the Roman people who granted him the exercise of their sovereign authority. This ideal was temporarily lost with the development of the negative and exclusive concept of the divine right of kings. Thomas Aquinas would have rejected divine right out of hand had he foreseen it because he taught that the essential principle of authority resided in the people and Dante wrote: 'representatives exist for citizens and kings for peoples.'

John Locke held that the sovereign community, freely constituted by the people, was the depository of all authority, which they pass in trust to rulers. If the rulers act

contrary to the trust granted to them, they lose their right to exercise authority and it returns to the people. Rousseau was not prepared to go as far as Locke and he held that sovereignty, meaning 'the exercise of the people's will', is inalienable. In 1642 a London Puritan lawyer, Henry Parker, declared that *salus populi suprema lex* [the well being of the people is the highest law] and that the Royal Prerogative is subservient to it because the people are 'the Authors and ends of all power'. Across the Atlantic in 1620 the pilgrim fathers from the *Mayflower* were content to blend the political theories of past centuries with the Old Testament when they decided to 'combine together in one body and to submit to such government and governors as we should by common consent agree to make and choose.' They thereby sowed the seeds of American democracy which quickly grew into popular sovereignty in the Newport Declaration of 1641 and 'The Concessions and Agreements' established through William Penn in 1677.

The writers of the Charter of Bakery Hill in 1854 had therefore a long tradition from which they drew their belief that the Royal Prerogative must be exercised only for the common good of those who possessed such sovereignty in the first instance—the people. To them, its current exercise in Victoria was tyrannical. In this instance the explicit prerogative singled out by the Charter was the appointment of ministers, including Governor Hotham and his ministers. Although undertaken on the advice of the British Prime Minister and Cabinet, such appointments were technically made under the prerogative of the Crown. By logical extension, the authors of the Charter held that anything done by Queen Victoria's ministers was indirectly her responsibility in that their power came from her. The Charter made it plain that, at whatever cost, the diggers would take such steps as they deemed necessary to put a stop to the use of the Royal Prerogative in Victoria unless the radical changes seen as absolutely necessary took place. The authorities were equally determined to ensure that no such eventuality would come to pass. To that end it was vital to prevent the Ballarat Reform League from meeting again.

Rede in Ballarat and Hotham in Melbourne darkened the events of the last days at Ballarat before Eureka with further government provocation. The governor refused to listen to the just grievances of a digger deputation sent to him and he scarcely looked at the copy of the Charter they presented to him, preferring to write 'Put away' on it. His response to the attempts at conciliation was to dispatch a strong force of 296 extra police and soldiers to Ballarat. Although Rede now had 435 officers and men in his Camp, he was deeply troubled. Another monster meeting was scheduled for the following day, 29 November, which had as its purpose the attainment of the objects of the League and Rede decided to send along a magistrate and his customary spies to report to him anything said or done at the meeting of a seditious nature.

Again there were upwards of 10 000 present at Bakery Hill and it soon became clear that there was disunity among the leadership. Humffray, Black and Kennedy tried to find excuses for the behaviour of the governor, to continue negotiations with him and to request concessions rather than demand rights. These proposals received a furious response from the great majority of the diggers, who then rejected as pointless Humffray's motion to again protest against the behaviour of the government and especially the use of military force. At that moment Humffray and those who stood for moral force lost their standing with the diggers. Their ideals were high, their sentiments pure but their ability to judge the times was deficient. They had formulated

the Charter with its demands and warnings, but they had not weighed up the consequences were the government to refuse to negotiate. They had good reason to remember how the British Chartists had been treated and how the hapless French Canadians had been put down in blood when they rebelled against the British less than twenty years before. When the time came at Ballarat, what other response from British authorities could the leaders at Ballarat realistically have expected?

The Chartists acted nobly by inspiring the diggers with democratic ideals and holding out the hope that they were capable of being achieved. To leave the diggers in the hour of their greatest need when the movement for reform either had to cease or the leadership had to change was another matter. That the leadership automatically fell to those among the diggers to whom moral force had little appeal is understandable. Nevertheless, that Peter Lalor, Timothy Hayes, Raffaello Carboni and several others who took over the leadership were men of prudence, intelligence and education is often overlooked.

Perhaps in an attempt to lift up spirits, Carboni asked everyone at the meeting, 'irrespective of religion, nationality and colour' to salute the newly-made flag of the Southern Cross as 'the refuge of all the oppressed from all countries on earth.' Then, perhaps sensing that the League's future was endangered and determined to prevent that eventuality, Lalor came forward for the first time. He moved the motion calling for the meeting on Sunday at the Adelphi Theatre when a new committee would be formed composed of representatives for each fifty members of the League. After that licences were burnt and Hayes asked all present to stand ready, to act and even to die, were they called upon to liberate any man taken to the lock-up for not being in possession of a licence. Carboni says this proposal was met with a 'deafening roar' of approval.

Captain Charles Pasley, English, young and only a year in the colony and one night in Ballarat, observed the meeting from the Camp and decided that it 'was in a position convenient for military operations.' He then advised Rede of the clear necessity to take steps that would 'bring the matter to a crisis.' Pasley knew that there would be 'serious resistance' but wanted a 'firm front' in order to provoke the diggers into taking up arms against the government. Rede therefore ordered a zealous licence hunt on the following morning, Thursday 30 November, which would be conducted by the police and supported by a strong military presence. During the hunt the military fired several times at the diggers and there was some return fire. There was no loss of life but a policeman and a digger were wounded and eight diggers arrested, or simply captured, and taken to the Camp. Humffray defended the diggers, who he said had done no more than 'defend themselves against the bayonets, bullets and swords of the insolent officials in their unconstitutional attack.'

It was now clear to the remaining digger leaders that resistance of a more positive kind than waiting to be arrested for the non-possession of licences was necessary. As Pasley had noticed, they could easily be surrounded and trapped on Bakery Hill, so about 1000 men followed the Southern Cross in divisions to the Eureka lead. It was a place where they felt they would be on their own ground. Lalor gave them his first order, which had nothing to do with rebellion, with rejecting the 'Royal Prerogative' or even with rescuing their mates who were now in chains in the Camp. It was 'to defend ourselves among the holes in case the hunt should be attempted in our

quarters.' Hotham, Rede, Lalor and the diggers did not know that after the events of that Thursday morning there would never again be a licence hunt in Victoria. Indeed there would never again be a licence to dig for gold in the old form they had known.

In the late afternoon the diggers went back to Bakery Hill hoping to win more recruits. Their flag was unfurled and Lalor led them in a solemn oath: 'We swear by the Southern Cross to stand truly by each other, and fight to defend our rights and liberties.' They returned to Eureka and sent a deputation to Rede asking him to put a stop to the licence hunts. Their leader, George Black, explained to Rede that the diggers objected to being forced to pay their tax 'at the point of a bayonet' and that 'Britons hated to be bullied by the soldiery.' Carboni went further and vastly irritated Rede by saying: 'We object to Austrian rule under the British flag.' Rede responded that the objection of the diggers to the licence hunts was 'a mere cloak to cover a democratic revolution' and refused to hear them out. The deputation came back to Eureka empty handed where no more could be done than wait for a sign that the government would relent and give an answer to their just demands.

By Saturday Rede had no answer of a verbal nature to give to the diggers, but he was even more convinced that it would be fatal to grant any concessions to them. To do so might indeed induce them to leave their Stockade and return to work, which would be a disaster. To Rede it was essential to come upon the diggers in the Stockade 'with arms in their hands' when he could legally 'crush them and the democratic agitation at one blow.' Having communicated these thoughts to Hotham, Rede spent the evening with his officers planning the attack on the Stockade.

On Sunday morning only about 120 unsuspecting diggers were left in the Stockade to face an overwhelmingly stronger force. No Royal Prerogative in the form of declaring war or even an emergency had been used and the Riot Act was not read. Civilians guilty of no crime other than resistance to a regime that had become increasingly tyrannical, that had affronted the human dignity of decent men and deprived them of normal civil rights, were killed by the British military in the name of Queen Victoria. In the aftermath, 117 arrests were made but only thirteen men were brought to trial on a charge of high treason which, if found guilty, would have sent them to the gallows. The trials were a legal and social farce and Melbourne juries acquitted all the accused.

The government at length embarked on some measure of reform. An export tax on gold was introduced and a digger could buy a Miners' Right for £1.0.0 which also entitled him to vote in elections. Manhood suffrage was granted in 1857, limited parliaments were introduced in 1859 and payment of members in 1869. At Bakery Hill on 14 July 1855, Carboni, with eight others, was elected to form the first local court that replaced the justly reviled Gold Commission. Peter Lalor and John Basson Humffray were elected as the first representatives from Ballarat to the Legislative Council in November 1855. Lalor lamented that the reforms granted tardily by the government had been baptized in 'a font of human blood' and in his first speech in Parliament he reminded his fellow members that King John had granted Magna Carta to the barons with arms in their hands and not in response to a petition from the people.

There are still anomalies and questions about Eureka that remain unresolved, such as the exact spot on which the diggers took their stand. That matter is of little moment

because the whole ground where they died and suffered belongs forever to them and to the nation. It is more to the point that the Southern Cross, under which they died, is in the Art Gallery, which stands on the same ground as the government Camp in 1854. At that place, the police danced, spat and urinated on it when they returned from their work at Eureka. One day that flag, a true symbol of democracy, will return to its rightful home at the Stockade. Recognition of the Southern Cross in the form of registration under the Flags Act is slow in coming, as is the erection of a monument in the National Capital to commemorate Eureka. These things will come to pass, but there is one work that will never be fully done, one ideal that will always need revivifying. Democracy is much more than a system. It is an ideal and a spirit born day by day in those who believe in it. Eureka had its brief and bloody day 150 years ago. Eureka lives on in the heart and will of every Australian who understands, believes in and acts on the principle that the people are 'the only legitimate source of all political power.'



Question — To what extent was the royal prerogative seen by the diggers as used by the Queen herself or were they laying the whole blame for Eureka on Hotham?

John Molony — I wouldn't make any suggestion that Queen Victoria was even aware of Eureka. That is not the point. The point is that the people who exercised power in the British parliamentary system could advise Queen Victoria on certain issues—for example pardoning those ex-convicts from Van Diemen's Land. But the royal prerogative they were agitated about was of appointing those ministers who they regarded unfavourably. I don't think they would ever have thought Hotham was corrupt, however they certainly thought he was outrageous in the way he had conducted his term of office in respect of the goldfields. This was despite his initial reaction when he first visited the goldfields some months previously, when he regarded them as orderly and the people well-behaved.

Nonetheless, I think I ought to excuse him. Not on the grounds that the moral first Chartists did, but he was under enormous pressure from Britain—remember, it was during the period of the Crimean War. I think some historian ought to take up the whole question of what was done with the gold that came from the goldfields of Victoria in that particular period. Obviously, there was a great demand for finance, and certainly in Victoria itself, with that vast influx of people into a newly born colony, and they had to make roads and schools and hospitals and whatever else, and a vastly increased number of police were required. So where did you turn? You turned to the diggers, but remember as I said it was a tax on their labour, not on the product. And furthermore, the squatters were paying scarcely anything in the form of taxation, and yet they held the whole of the lands of the Port Phillip, particularly those wonderful lands in the Western District of Victoria, in their embrace. So that all I can say about the British government's involvement is that obviously Hotham was sent, or commanded, to make the diggers pay even if it came to the point of a fight. That's what he was told by the Duke. It came to a fight, but not much of a fight, was it? And we know who won. But we equally know that the blood those rights were baptised in was not idly shed, and that's why I would hold very strongly that the origins of much of our democracy are there at Bakery Hill, where the blood was shed at Eureka.

Question — Why were the problems in Bendigo able to be resolved through the Red Ribbon League, without resorting to bloodshed? Bendigo I think thrived just as much as Ballarat did. So what was the story of the Red Ribbon League?

John Molony — The story of the Red Ribbon League is brief. It never formulated anything even moderately compared to the Charter of Bakery Hill insofar as rights were concerned. Had the conditions that applied in Ballarat after October 1854 applied in Bendigo and in Castlemaine, I think the unrest there would have been immediate and perhaps even more decisive than that at Ballarat.

But what happened at Ballarat was very simple. There was extreme provocation. There was one act of provocation that alienated the whole Catholic/Irish population at Ballarat. This was a gross violation of human rights, when the crippled servant of the young, highly educated Irish Catholic priest, who was much admired and loved by the people there, was thrown into the lock-up because he didn't have a licence, despite the fact that he wasn't bound by law to pay the licence. Furthermore, he was accused and legally charged with assaulting the arresting constable. I am saying that the conditions on Ballarat were so excessive, for example the way the licence hunts were being conducted there, with the strong force of military, and to a true-blooded Briton the very presence of a standing army amidst a civilian population was simply not acceptable. And that was the way the law was being enforced, by the presence of a standing army. It just was not acceptable. Consequently, Eureka.

And one can see of course that that was exactly what the government wanted. Carboni wrote his account of Eureka in the ensuing months. It was published on 3 December 1855. But for a long time I never really worked out what the title meant—it was *Eureka, or Some Consequences of Pirates on the Quarterdeck Wanting a Rebellion*. I wondered what in the name of Heaven this was, but it is very simple: the quarterdeck of course is the bridge of a ship. Well Hotham was a naval officer, and therefore Hotham and his pirates, on the quarterdeck, wanted a rebellion. And they got a rebellion. And why did they want a rebellion? To crush the democratic movement at one blow. It's there, they say it. And what was the democratic movement? A movement for human rights. If you want to talk about the origins of constitutional democracy in this country, then there is its heartland.

Question — These events happened 150 years ago. Today is 23 April, and 23 April 1904 was the date of the formation of the first Australian Labor Government, which is doubly interesting because it happens to also apparently have been the first Labor government anywhere in the world. So, do you know of any direct thread of connection between the events at Eureka and the formation of the Australian labour movement which, if there are any, would have significance for the formation of the international labour movement?

John Molony — It's a more a question of the spirit, than the matter. When the gold ran thin, and company mining was introduced, within an ensuing year or so, there was a very big movement of men from the Victorian goldfields. These men moved around the country, and many of them took the legacy of Eureka with them. The Eureka flag was flown at Barcaldine, and that is the place of course which is regarded as the birthplace of the Australian Labor Party. Incidentally, there was a state Labor government for a few days in Queensland, prior to that first federal government, and I

think that is regarded perhaps more justly as the first Labor government in the world. Nonetheless, the spirit of democracy, which you get in Lawson's work, for example the two old men who go out into the evening and talk in hushed tones about Eureka and when the diggers fought for their rights, is unquestionably there. If it is the case that you say (and I was not aware of the fact) that this is the anniversary of the formation of the first federal Labor government, then so much the better.

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