



Zubrycki's point: *Amongst Equals*, utilitarian film in the Australian labour movement

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ABSTRACT

A film history project on the Australian trade union movement commissioned in the late 1980s for Australia's bicentennial year, 1988, came to grief over differing views of the labour movement's past and contention around the rights and ethics of the filmmaker when a work is commissioned or sponsored. In the political context of the late 1980s there had been a decade of collaboration between trade unions and artists, but in this case filmmaker Tom Zubrycki was caught in a web of intrigue and complex agendas as he sought to complete this sponsored film. Zubrycki challenged the Australian Council of Trade Unions (ACTU) for the right to finish and distribute *Amongst Equals*, but without success. The struggle to resolve the *Amongst Equals* dispute continued for years and flared into a heated public debate. This case study illustrates dilemmas facing the artist, historian or filmmaker making sponsored work. A feature-length version of the unfinished film, not seen since 1991 with inter-titles identifying scenes that the ACTU wanted revised or deleted was screened by Melbourne Cinematheque in October 2018, marking 30 years since the Australian bicentennial.

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Introduction

While several iterations found their way to screens in the early 1990s, Tom Zubrycki's documentary history of Australian trade unions *Amongst Equals* (1986–1991) has never been released, and the film has yet to be completed. Instead, wrecked and stranded on a reef of competing imperatives, it remains emblematic of the turbulence of the 1980s swept up by a tsunami of neoliberalism and change. The global seismic shifts of this period – the fall of the Berlin Wall, the collapse of 'actually existing Socialism', Tiananmen Square – was also the occasion of Australia's 1988 bicentennial, marking 200 years of European occupation.¹

Zubrycki's ambitious initiative to produce a television history of the trade union movement was driven by utilitarian intent; this 'hidden history' was a story never before told for television and he argued, essential to a balanced account of the country's history in its bicentennial year.² Initiated by Zubrycki, *Amongst Equals* was financed by the Australian

Bicentennial Authority, sponsored by the Australian Council of Trade Unions (ACTU) and produced by Film Australia, with the primary intention of a broadcast release in 1988.³ Instead the saga of *Amongst Equals* became a major *cause célèbre* in Australia at the beginning of the 1990s.

The demise of Zubrycki's *Amongst Equals* is of particular interest from a 'utilitarian film' perspective – that sector of film production arising from sponsored, public relations, training and educational film and video – of 'films for a purpose'. This case study raises questions pertinent to sponsored film and the labour movement in Australia generally, and specifically an opportunity to consider ethical and political questions concerning the independent filmmaker engaged in sponsored work.⁴

Amongst Equals also offers something of an index to film and the union movement in Australia over the period it sought to depict (1840s–1980s).

Amongst Equals was obstructed by disruptions of the period in numerous fields: political, social, cultural and even technological, as it was made at the tail end of film production on 16 mm, shot and cut on 16 mm film, to be finished on one-inch tape.

And this was an era when government film production, public broadcasting and the trade union movement itself confronted rationalisation. Relationships between the labour movement and cultural production were resuscitated and expanded. Each of these historical moments played their part in the crisis that consumed *Amongst Equals*.

Throughout its development the creative concept for the project was a chronicle of struggle between capital and labour since the 1840s, focussing on key moments of confrontation giving rise to emerging organisational forms. For example, the origins of the ACTU itself, which was formed in 1927 as a response to political upheaval wrought by the State's response to the Australian chapters of the IWW (International Workers of the World – 'the Wobblies') and militant demands for 'one big union'. The Australian Labor Party (ALP) was formed followed the failure of the 'Great Strikes' of the 1890s, which came close to civil war in Queensland when troops fired on the camps of striking workers. The establishment of institutions of arbitration at various historical turning points were documented and explained.

Wherever possible the film would deploy first hand accounts from workers directly involved with the events portrayed.⁵ The role of women, Aboriginal people and migrant workers are detailed through first hand accounts of particular industrial disputes. In the course of this 'critical appraisal' the failure of the trade union movement to adequately respond to social and cultural change in the workforce at different points is alluded to.

The documentary will be a 60-minute critical appraisal of the trade union movement [...] suitable for a general audience on primetime television.

The film will detail the broad involvement of the union movement in Australia's economic social and cultural development [...]

'Form of Acceptance: Trade Union History Film Documentary' ([ABA File 010-0037] July 31, 1987)

In the early 1980s art historian Charles Merewether observed that while independent filmmakers organised through the filmmakers' co-operatives identified with an international avant-garde, they often failed to recognise 'documentary film practice [...] as part of an ongoing political education, and as an *instrument* for those groups involved

in specific campaigns and struggles' (Merewether 1981, [my emphasis]). Merewether began his account with an outline of the Realist Film Association (RFA) and its Realist Film Unit (RFU) in the immediate post-WWII period and its particular realism, 'as an exemplary means of informing local experiences and struggles'.

Merewether's 'wake-up call', and films such as *Film-Work* (1981), a documentary on the Waterside Workers Federation Film Unit (WWFFU) and *For Love or Money* (1983) on women and labour, and later Lisa Milner's 2003 book on the WWFFU *Fighting Films* (2003), Deane Williams' *An Arc of Mirrors: Australian Post-war Documentary Film* (2008) and *The Archive Project* (2013) on the Realist Film Unit in Victoria make a start towards cataloguing film and the labour movement in Australia. Nonetheless, it remains under-examined terrain.

Independent documentary of the 1970s and 80s that might be gathered under a banner of Australian labour movement films would include Zubrycki's films and videos and *Film-Work*, *For Love or Money*, the films of Pat Fiske (*Rocking the Foundations* 1985; *Woolloomooloo*, 1978), the Brisbane partnership Crowsfoot Films' (Peter Gray, Gary Lane): *The Battle for Bowen Hills* (1973–1982), *Know Your Friends, Know Your Enemies* (1977) and *The Bloodhouse* (1975), a militant history of BHP in Wollongong. It would include, among others, the famous 'chicken film' *Me and Daphne* (1977), a narrative drama by David Hay and Martha Ansara, students at the Australian Film and Television School (AFTRS), that shows the ghastly working conditions experienced by factory workers and the shocking cruelty suffered by chickens in a chicken processing factory.

The 1983 Sydney Filmmakers' Co-operative catalogue lists 31 titles under Work/Labour History/Unionism, half of them Australian, many of less than 20-minutes duration, mostly U-matic videos. They include short drama projects funded under the Experimental Film Fund. Almost all were made between 1977 and 1980. These are independent films, their editorial advocacy may be 'utilitarian' insofar as they seek a pedagogical affect and use, but they originate from filmmakers' own initiative and funding, rather than being sponsored. Their imperative as art and entertainment in a sense comes first.

Such films begin very early. *Struggle to Win* (1934), supporting a coal miners' strike in Wonthaggi, leaves its only trace today in newspaper notices advertising screenings at the site of the dispute; no print has ever been found. Richard Lowenstein's feature *Strikebound* (1984) (inspired by Wendy Lowenstein's oral history *Weevils in the Flour*, 1978), responds to this absence with an account of the miners' strike and lockout as narrative drama.

The Trade Union Training Authority (TUTA) Film and Video Catalogue (1991) lists film and video made for training purposes. It includes a couple of dozen videos sponsored by unions and some made by trade unions' video units. The AMWU (Australian Metal Workers Union) was the most prominent of these.

From about the beginning of 1974 the AMWU Education and Research Officer, Bob Richardson, ran classes for shop stewards in the use of video (Parramatta Trade Union Centre in Sydney). The AMWU video unit employed two people full time (Colin Slack and Alan Healy) and produced around 90 min of video a year (Cassidy 1983). In the *Tribune*, the newspaper of the Communist Party of Australia (CPA), Terry Cochrane wrote:

Possibly the greatest asset of a system such as this is its ability to involve workers in the production of films showing their own work environment [...] the capitalist class has long been

aware of the worth of film in pushing its ideas and values. Most employers of any size have at one time or another used film screenings to show workers how they might work more efficiently [...] the use of this equipment by the AMWU is recognition of the needs of the future. (Cochrane 1975, 4)

The AMWSU used a bus equipped with video equipment to tour workplaces in Adelaide and make programmes raising issues of structural change in the workplace (such as retrenchment) and proposing alternative manufacturing in the failing motor industries of South Australia. Max Ogden, a union organiser with the AMWU, was a key player in these productions over several years.⁶ Ogden was also on the ACTU Film Committee with oversight of *Amongst Equals*.

The TUTA catalogue includes videos sponsored by the ETU (Electrical Trades Union), ten internally produced TUTA training videos, and videos made by the BWIU (Building Workers Industrial Union) and the Victorian Trades Hall Council (VTHC). The Australian Centre for the Moving Image (ACMI) holds around 70 titles made between 1917 and 1988 that have labour themes. About 20 of these are Australian. More than half were made for TUTA by Film Australia for its 'Union Communications' series, many of these directed by Keith Gow, formally of the WWFFU, the others were produced by the AMWU or the VTHC Film and Video Unit.⁷

In South Australia in the mid-70s the community media sector worked with the United Trades and Labour Council (UTLC) to place artists in residence, including video makers, with trade unions. The initiatives were jointly funded with the Australia Council's Community Arts Board. The video *All Our Working Lives* marked the centenary of the SA UTLC in 1984. In NSW the Nurses Federation sponsored a film on shift work. The Australian Telecommunications Employees Association (ATEA) made videos with members working in remote regions of Queensland. In Tasmania the Printing and Kindred Industries Union (PKIU) also experimented with video in the late 70s. The Federated Confectioners' Association produced health and safety videos in languages other than English with a grant from the Victorian Ministry of Ethnic Affairs (Cassidy 1983).

Militant Worker Student Alliance activists were also into video. In the mid-70s the F7 Student-Worker Video Group formed at La Trobe University. This group, led by Paul Adler, was inspired by the Canadian *Challenge for Change* project and made video projects for shop committees and work sites challenging the AWU (Australian Workers Union), asserting that it had neglected certain categories of workers, (e.g. fruit pickers) for decades. The video was used to support the creation of shop committees in workplaces to develop 'worker unity on the job and independence from union officials and management' (Adler 1975, 6). The group also produced 'process' video on industrial democracy and workers' control with railway workers and shop stewards at the Jolimont rail yards in Melbourne (Warne 2018).

The whereabouts of many of these videos is unknown. While films made for art and entertainment and utilitarian films commissioned by governments or large corporations are likely to be archived, utilitarian films made by trade unions and community groups are less likely to be kept and are harder to find. This is a symptom of traditions and attitudes to the maintenance of records in working class culture. Posters, pamphlets, cartoons, and even banners, tend to be valued for their immediate use, but are considered ephemera. They are less likely to be treated as cultural treasure in the manner of art created for the

privileged in society. Their status is also politicised in ways that seldom apply to equivalent artefacts produced for business and management.

In 1946 Stanley Hawes, the newly appointed Producer-in-Chief of the Film Division of the Department of Interior – the organisational antecedent of Film Australia – introduced a screening in Sydney of films supporting worker’s participation in the management of factories in Canada during the war. The films had been made for trade unions by the National Film Board of Canada and the screenings were convened by the Federated Iron-workers Association of Australia and concluded with the convenor expressing the hope that ‘it would not be long before Australian workers were producing similar films.’ This was a prospect most unlikely for the government’s film production house, despite ‘the heroic images of labour that appear in so many films of the late 1940s and very early 1950s.’⁸ (Moran 1991, 143; Bertrand 1995). Nonetheless, it did produce *A Town is Born* (1951), *The Steelworker* (1953), *Passport to Progress* (1957) and *Regardless of Sex* (1988) on equal pay for women that were each of some use to *Amongst Equals*.

The archival sources most useful to Zubrycki came from trade union sponsored films, in particular those of the Waterside Workers Federation Film Unit (1953–1958) *Pensions for Veterans* (1954) *The Hungry Mile* (1954) and *Hewers of Coal* (1958). These wharfies’ films, and Joris Ivens’ *Indonesia Calling* (1946) – a film on trade unions’ bans on Dutch shipping in support of the Indonesia Independence movement also supported by waterfront and maritime unions – are probably the most well-known films made by trade unions in Australia during the Cold War years.

Amongst Equals also makes use of the Miners Federation sponsored Coal Dust (1946) by Edmund Allison⁹ and draws on fragmentary remains from *The Great Strike* (1917) – made at a time when Australian audiences rose from their seats in Sydney cinemas to cheer newsreels announcing the Bolshevik Revolution – offering unique actuality footage of a historic general strike in NSW.¹⁰ *The Great Strike*, (Industrial Films) was banned for a year or so until it was re-cut according to the government censors’ preference and released under a new title *Recent Industrial Happenings in NSW* (Bertrand 1978, 115–160).

Besides cinema newsreels and current affairs television, films made by independent filmmakers, such as Richard Lowenstein’s student docu-drama *Evictions* (1979), Pat Fiske’s classic documentary *Rocking the Foundations* (1986) on the Builders Labourers Federation (BLF) ‘green bans’ protecting Sydney inner-city housing from speculative developers, and Zubrycki’s own *Waterloo* (1981), his *Kermira: Diary of Strike* (1984), and his troublesome *Friends & Enemies* (1985) also furnish *Amongst Equals* with visuals and stories.

(2)

The trade union movement is no simple thing. Politics and history are contested at every level. To understand the dispute that was to cripple *Amongst Equals* it is necessary to consider a constellation of political contexts, beginning with the Australian Labor Party (ALP) Government in power at the time.

In response to the economic crisis and industrial disruption that helped bring the ALP to power in 1983, the ALP promised consensus, reconciliation and stability, to ‘bring Australia together in a grand coalition of hope’ (Hawke addressing the National Press Club,

Canberra, February 3, 1983; cited Summers 1983, 171). The political ascendency of Prime Minister Bob Hawke in March 1983 that delivered a thirteen-year rule for the ALP incorporating the leadership of Hawke (1983–1989) and Paul Keating (1989–1996) was forged through tactical isolation of the Left in both the union movement and the ALP. A prices and incomes accord, designed by the ALP and the ACTU and signed between them in the lead up to the 1983 election, was the centrepiece of the Hawke-Keating platform.¹¹ Vice-president of the ACTU Simon Crean was a key figure in negotiating the Accord and in Hawke's ascendency. He soon became President of the ACTU.

The Accord promised trade union wage restraint while business, though not a party to the agreement, would in response avoid inflationary pricing and use its enhanced profits to modernise manufacturing infrastructure. Government would develop industry development policy to re-invigorate manufacturing and guarantee the social wage and taxation policy compensating wage and salary earners for their 'restraint'.

However, instead of measures to revive manufacturing the government adopted neoliberal policies. Public institutions, cultural traditions and practices in education, health and sport passed into private hands (Bowden 2011). Hugh Stretton remarked 'It is scarcely controversial to say that the Hawke government signalled a move to the Right in its first weeks in office, and has moved in that direction since' (Stretton 1987, 8).

In his splendid insider memoir and portrait of Prime Minister Paul Keating (1992–1996), Don Watson wrote:

They believed [...] that they were on the right side of history [...] Their ideas were irrefutably the right ones [...] They were believers, a little company with special knowledge, they knew what the game was. They shared a belief in a new order, and that they were the ones who would lead us to it. There was an element of cleansing about it – cleanse the economy of government where prudent, cleanse companies of inefficiencies including people, cleanse people of outmoded thought, of false consciousness. (Watson 2003, 39)

In retrospect Zubrycki's project was all but impossible in this context. From the point of view of a consensus model of industrial relations the history of the Australian labour movement constitutes inconvenient truth after inconvenient truth, and inconvenient truths are something the utilitarian film sponsor cannot abide.

(3)

As a filmmaker Zubrycki was no stranger to the political complexities of the labour movement. His observational documentaries of the 1980s show the impact on working people of change generated by recession, by assaults on the labour movement by the New Right and by neoliberal structural change.

Kemira: Diary of a Strike (1984) followed families involved with the Kemira colliery on the NSW south coast when 31 miners occupied a pit five kilometres underground to protest widespread retrenchments across the region. Two thousand mining jobs had recently vanished in NSW when BHP – Australia's largest private company – announced 400 more retrenchments. *Kemira* emphasises the social dislocation, emotional distress and resilience under the pressure of redundancy shown by the workers and their families during, and subsequent to, the dispute. The dispute galvanised broad support and gave rise to dramatic demonstrations that broke through police lines and stormed Parliament House in Canberra.

Friends & Enemies (1987) is a unique observational account of a historic Australian industrial dispute that arose as a symptom of 1980s neoliberal and New Right assaults on unionism. The film chronicles the historic South East Queensland Electricity Board (SEQEB) dispute from the point of view of rank and file members of the ETU (Electrical Trades Union). In February 1985 the Queensland Electricity Commission sacked 1100 workers because it planned to employ non-union labour on contracts. The state government wanted the labour market deregulated and encouraged other employers to do the same. The ETU called out electrical workers in support of the sacked men and 75,000 homes in Brisbane were without power.

The Queensland state government (under Premier Joh Bjelke-Peterson) declared a state of emergency (February–March 1985). There were demonstrations, incidents of police violence and hundreds of arrests. Tragically, three untrained non-union workers, who had been brought in as strike breakers, died in industrial accidents.

As the strike progressed there was conflict between the rank and file strike committee, ETU officials and the ACTU. After eighteen months the dispute ended in the High Court of Australia with defeat for the workers (Left Press Collective 2007; Blackwood 1989).

Friends & Enemies sets out this dramatic story blow-by-blow. The film also offers a nuanced study of the dispute's political actors. The film enraged certain ETU executives who felt exposed by the depiction of their complicity in siding with the political interests of the ACTU and the ALP in defence of the Accord and against the wishes of the rank and file (Left Press Collective 2007; Blackwood 1989).

Certain Queensland trade unions' hostility to Zubrycki's documentary practice was to have its consequences.

Both Zubrycki's *Kemira: Diary of a Strike* and *Friends & Enemies* uniquely document collateral social damage as structural change gathered momentum in Australia during the 1980s. The union movement's response to these changes included proposals (first enunciated in 1987) to amalgamate smaller unions into larger ones (the creation of 20 'super unions'), a process that could have strengthened the movement, had it been strategically implemented. Instead many unions amalgamated along factional lines rather than industry groupings. Labour historians differ on the benefits of union rationalisation, some arguing these amalgamations alienated members, while others argued that strength in size afforded the greater professional expertise essential for successfully negotiating with multinational corporations (Bowden 2010, 71).

By the mid-80s recession and deindustrialisation meant that any wage increases required workers to 'trade off' award provisions (Mackinnon 2009). The ACTU responded by negotiating the restructuring of awards. Policies of the ACTU and the New Right-influenced employer groups (the HR Nichols Society and the Business Council of Australia) resulted in the gradual dismantling of arbitration (Manning 1992).

Social democratic unions of the Left responded with *Australia Reconstructed* (published by the ACTU in 1987) advocating 'strategic unionism' on a Swedish model; a political unionism seeking further engagement with government across wide-ranging social and economic policy development. But union power and influence were in decline, not ascent.

Despite declining membership, in the mid-80s over three million people, almost 60 per cent of the Australian work force, were union members. In 2018 it is a mere 15 per cent.

Union membership declined as manufacturing collapsed (with only 15 per cent of the workforce involved in factory work), union membership among blue-collar workers fell.

As the proportion of white-collar workers increased (from 28 per cent of all unionists in 1969–40 per cent by 1981) so did the influence of right wing unions, such as the Federated Clerks Union (FCU).¹²

The proportion of women in the workforce increased in the growing service sectors – administration, teaching and health services. Right wing NCC (National Civic Council) or ‘Show’-controlled unions, expelled from the ALP in the 1950s, were re-affiliated (April 1985) further consolidating right wing dominance in the ALP.¹³ (Aarons and Grenville 2017, 202; Bongiorno 2015, 170–171). A reconfigured union movement needed a new history.

(4)

Never before or since has labour history achieved such a public standing as it acquired in the early 1980s. (Bongiorno 2011, 10)

On the cultural front, during the 1970s and into the 80s, a movement of Art and Working Life (AWL) gained momentum. While the workers’ art clubs of the 1920s and 30s responding to social crises of that era were often led by the Communist Party and grew from militant political ambition among workers, artists and intellectuals, in the 1980s the AWL movement was supported by agencies of the state. Artists informed by political ideas of the 1960s and 70s developed projects with unions of the Left and peak bodies of the union movement and encouraged arts funding bodies to follow their lead (Hogg 2010; Kirby 1992, 1996). In 1980 the ACTU Congress adopted an Arts and Creative Recreation Policy. A national AWL seminar in 1981 (convened by the ACTU) was consolidated the following year when the Australia Council established its AWL policy supporting artists working with trade unions across each of its Boards (community arts, literature, music, performing arts and visual arts) (Burn 1983; Mills 1991). Hierarchical distinctions between utilitarian creative practice ‘art for a purpose’ on the one hand and ‘art for art’s sake’ on the other hand, were challenged by rigorous engagement with workers’ organisations and their traditions (Burn 1993).

The practice of AWL ‘cultural producers’ was imbued with strategy; they argued the virtue and necessity of art serving sponsored editorial purpose.¹⁴ The policy came with a decade of modest funding (13 per cent of Australia Council spending) as a ‘corrective measure’ to long-standing bias favouring cultural forms generally enjoyed by the privileged in society.¹⁵ (Burn 1993) ACTU Arts Officer Steve Cassidy wrote:

One of the reasons [working class artistic] tradition has been neglected by the Australia Council is because it is functional [...] this is a great strength [...] because it means art plays an integral and crucial role in the activities of unions and their members [...] The art that is made within this tradition [e.g. popular music, posters, journals, oral raconteur practices, leaflets and cartoons], a continuum of activity [...] springs from the lives of the group it represents (Cassidy 1983, 3–4)

While *Amongst Equals* was not an AWL project, the AWL programme funded the Arts Officers in the ACTU (and elsewhere). The intellectual critique of ‘art for art’s sake’ and in support of the sponsored work provided another discursive context at play as the dispute over rights and responsibilities of the filmmaker vis-à-vis the sponsor played out.

(5)

The ACTU Executive agreed to Zubrycki's project in principle toward the end of 1986, following Arts Officer Steve Cassidy's recommendation. Following editorial workshops and nation wide research and scripting, the ACTU approved Zubrycki's 'final script' in December 1987. Zubrycki spent three weeks on principal photography in December 1987/January 1988. Editing began on January 18 and a rough cut was available to the ACTU on March 20. The ACTU sought a number of changes and a second cut was sent for approval on March 29. In April the ACTU responded with a request for further alterations and the inclusion of new sequences on the hospitality industry.

Following the subsequent supplementary shoot – financed from contingency – a fine-cut was delivered to the ACTU in May, with a deadline for approval of 25 May 1988. In the process the project had morphed from the original concept of a television special of two one-hour parts to a set of three half-hour programmes.

The Australian Bicentennial Authority (ABA) had seen scripts and the fine-cut and wanted the ACTU's approval to allow the final payment, towards the ABA priority of getting the series to air in the bicentennial year.

During the early months of 1988 personnel at the ACTU and Film Australia changed. The ACTU Arts Officer, Steve Cassidy, moved to Sydney and was replaced by Peter Duncan. At Film Australia Paul Humfress replaced Janet Bell as Executive Producer of Departmental Programs. The contracts for *Amongst Equals* were a little vague regarding television broadcast. The ABA insisted the programme would be broadcast, but Film Australia could only agree to an intention – its best endeavours – as at the time the ABC seldom issued presales or acquisitions because everything was made in-house.

When he had heard nothing from the ACTU as the May 25 approval deadline came and went, Humfress approached Jonathon Holmes and Murray Travers at the ABC with a view to securing a commitment from them to acquire and broadcast the series. In the company of a representative of the ABA, Humfress screened the cut to Travers, who liked parts one and two but found part three, which had been the subject of concern from the ACTU and extensively revised, too didactic. Travers thought it was 'ACTU propaganda' simply advocating the Accord, 'like a political commercial.' The ABC wanted something different.

This was exacerbated when the ACTU – with Peter Duncan, the new Arts Officer in place – refused to approve the cut at a meeting on June 20, and wanted further changes, changes in the opposite direction to those sought by the ABC.

Yet another draft narration was prepared, this time drawing on the advice of Professor Jim Hagan, Dean of Arts at Wollongong University, who had recently authored the official history of the ACTU.

Delivering this draft to Duncan, Humfress reported on his screening with the ABC: 'Murray Travers thinks they are great and has given a verbal commitment to transmit them in the Thursday night 9.30 slot [...] No major restructuring of the program is planned.' In this cover letter accompanying the new narration script Humfress rebukes Duncan about his liaison with the ABA and chastises the ACTU about attitudes encountered at the meeting in June:

I was contacted by the ABA [...] rather distressed with the lack of communication with the ACTU [...] The ABA and Film Australia are keen that the film appeal to a general audience [and are concerned about] alterations that slant the program toward simply a publicity piece

for ACTU achievements [...] I was rather concerned myself [...] and found it both surprising and a little depressing to hear someone [at a meeting on June 20] trot out the line that as the ACTU were paying for the film to be made it should be made to their specifications regardless of objectivity. It should be clear with the ACTU committee members that the film is funded by a grant from the ABA and it was their desire that a TV program was the end product [...] Despite careful consultation with the ACTU at every stage [...] we were back discussing changes of structure and direction [...] Further holdups or more rethinks at this stage would be catastrophic financially [...] Once this final script is approved no further changes can be made, so you need to put this to the committee and make sure they understand this [...] the ball is in your court.¹⁶

(Humfress to Duncan July 14, 1988)

Duncan called Travis, who said he had made no undertaking about screening the series; that he had not said it was 'great' and in fact while praising episode one and two had 'expressed grave reservations about episode three [...] too much a propaganda piece'. Travis wrote a stern note to Humfress 'clearing up any misunderstanding' and offering to

tell Jonathan [Jonathon Holmes, Head Television Documentaries ABC] that we should show the series, provided number three is changed along the lines discussed. It will then be up to Jonathan to make the decision to recommend such course of action to Controller, Television Programs. (Travis to Humfress, July 28, 1988)

Humfress replied:

You are absolutely correct [...] In my letter to Peter Duncan I did not spell out the changes to episode three [...] it was just that the ACTU were wanting further propaganda in episodes one and two and I wanted to be firm about these not being changed but the position is exactly as stated in your letter.

(Humfress to Travers August 1, 1988)

Eight weeks passed before Duncan replied to Humfress' demand for final approval of the July 14 script. Duncan's cover letter, with five pages of comments attached, complained of 'a lack of effective communications between ourselves and Film Australia to the extent that our comments have not had any effect on the film beyond incidental alterations' (Duncan to Humfress, September 13, 1988).

Arts Officer Peter Duncan first alerted his boss, Simon Crean, that there was a problem with the project in a memo on 13 September 1988, two days before he dispatched his five-page missive to Film Australia, and two months after he had received the 'final' July 14 narration script. Duncan wrote:

At its last meeting the Film Committee noted a number of concerns with the film in its present and proposed state. A revised script was received after that meeting but ongoing concerns of the committee have not been addressed. Attached is a draft of a letter to the AFI [sic] that outlines those concerns. (Duncan to Crean September 13, 1988)

Duncan recommended Crean 'nominate the Arts Officer to handle future liaison with AFI [sic] to implement the required changes.' In this memo, aside from mistaking Film Australia for the AFI (Australian Film Institute), Duncan appears to dissimulate around the problem of his committee not having seen the revised July script. Are the 'ongoing concerns' Duncan's, or those of the ACTU Film Committee? Was Duncan offended by

Humphress' haughty demand for the May lock-off approval? Did the Committee even see the July 14th script?

Apart from the requirement that both contemporary and historical contributions of the Left be excised (Communist Party influence in the 1940s, Green Bans movement, 'the Norm Gallagher part', Melbourne Workers Theatre etc.), Duncan said a primary concern of the Committee was how the ACTU's own present-day importance was represented:

The Accord ranks with the Harvester decision. For the second time Labour [*sic*] is in government with a clearly understood working relationship with the union movement via the ACTU [...] The last 2 parts and in particular the last part needs to be reordered to reflect the major themes of development of the union movement.' ('Notes for specific alteration to script' September 15, 1988)

What we can ascertain of the early days of the ACTU Film Committee is that the chairman, Bill Mansfield, supported the project at its inception and had robust influence in early editorial meetings. Film Australia's Janet Bell made reference to 'Bill Mansfield's excellent analysis' following an editorial workshop in March 1987. Jenny Doran also seems supportive. Her notes on a draft script from Cassidy's time are minor corrections and constructive suggestions. The ACTU files do not record other film committee procedures (if indeed there were any).

On receipt of this missive Zubrycki and narration writer Graham Pitts¹⁷ quickly provided Humphress with a detailed response to the ACTU notes and copied it to the ABA. Their response alerted Humphress (and the ABA) to the fact that the comments did not relate to the July 14 draft, but rather to an earlier version. Furthermore, arguments advanced in these notes were problematic both regarding historical scholarship and the objectives of the project.

They noted that Duncan's ACTU committee members 'seem very insistent' that friction between the Whitlam government [1972–1975] and the union movement should be emphasised and contrasted with a parallel between the Labor governments of Bob Hawke and war time Labor Prime Minister John Curtin. These Labor governments, it is argued in the ACTU notes, are characterised by 'working together', whereas the Whitlam years are troubled by 'friction'.

In their response Zubrycki and Pitts argue that this analysis is 'likely to be disputed by labour historians and ridiculed by conservatives' who will seize with 'glee' on an 'attack on the Whitlam government'. Zubrycki and Pitts fear that 'the result could be a hodgepodge of play-safe banality and propaganda'.

The film must contain its own internal unity, integrity and historical veracity. We suggest reluctantly, that the agreements between Film Australia, the ABA and the ACTU may have to be reviewed. The option of appointing a sole historical advisor should be examined. [Professor Jim Hagan is suggested]. (Zubrycki and Pitts to Humphress, September 28, 1988)

Observing that these notes 'refer to the script and film as it was prior to the meeting in Melbourne on the 20th June, Humphress tells Duncan:¹⁸

In fact, Peter, the script which you refer to as having been finally reviewed has no changes whatsoever. It is one and the same as that presented to the committee on the 20th June, not the revised and rewritten script [July 14].

I admit that this certainly is a lack of communication.

Humfress adds that Film Australia has 'bent over backwards' in its collaboration with the ACTU 'well beyond [...] films done on a purely client basis for government departments' (Humfress to Duncan October 11, 1988).

As the bicentennial year drew to a close there was no sign of the project being available to the satisfaction of anyone, and very little chance of broadcast in 1988. Gaye Hart, General Manager of Programs, ABA wrote to ACTU Secretary, Simon Crean, inviting his intervention. She offered a summary of correspondence including reference to previous ABA requests to the ACTU seeking progress reports (a letter in May 1988 had received no reply and another in September had received the response 'it's coming along' [from Duncan]). Citing the Zubrycki-Pitts correspondence of September 28, she wrote:

My assessment is that a stalemate has been reached which prevents completion of this important film. Therefore I have no option but to refer you to Clause 12 of the contract [...] and require a written report by Friday 21 October 1988 which should provide confirmation that the final script has been approved [and a report on] action that has been taken to ensure that the film is broadcast on national television and the expected date of the transmission. (Hart to Crean, October 5, 1988)

Despite the ultimatum from the ABA Duncan dug in, claiming the committee decided its comments stood and the alterations requested had not been addressed (Duncan to Humfress October 13, 1988). From this point onwards relations between the parties spiralled downwards, finally breaking into the public arena in 1991.

It is difficult to know, from the available documentation, the degree to which Duncan's views influenced the Film Committee – or vice versa – over the course of the project's derailment. The project certainly appeared very close to lock-off in early 1988 before Steve Cassidy left and Peter Duncan took over as ACTU Arts Officer.

Film Committee member Frank Lee's views may have become important under Duncan as the political line driving the arguments derailing the project are consistent with a Federated Clerks Union / National Civic Council perspective.

Jim Hagan said later that he thought the union officials were more familiar with written material and had difficulty assessing the moving image (ABC Radio *Talking History*, June 1991). Indeed, the difficulties involved in successfully showing the work-in-progress may have been important in terms of involvement of the committee in the decision-making process.¹⁹

Duncan's five pages of notes on the rough cut, despatched to Film Australia in September 1988, are intriguing. There are two drafts, a corrected one, as provided to the ACTU Executive, and an earlier version (both in the ACTU archives). The earlier uncorrected version was sent to Humfress at Film Australia with a number of significant 'typos', expressions and emphasis that disclose more about the ideological anxieties driving Duncan's comments than the corrected version reveals. The most striking 'typo' is a consistent misspelling of Curtin (John Curtin Labor Prime Minister 1939–1945), as 'Curtain'. Given the insistent demand that the film should valorise Prime Minister Bob Hawke with a positive equation of his talents with those of John Curtin, this is particularly surprising.

The unions under Whitlam achieved many of their goals [but] there is friction between the Whitlam government and the union movement. Unlike Curtain's [sic] government there isn't any working relationship. It is an experience well noted by the then ACTU president Bob Hawke and by the ALP [...] Delete the Norm Gallagher part. [...] Don't finish Part 1

here go forward to the election of the Curtain [sic] (a former AWU Official) government and the unions unprecedented co-operation between a government and the union movement - a high point; the comparison of which with 1982 - 1988 must not be ignored. ('Notes for specific alteration to script' Duncan, September 13, 1988)

The version of Duncan's notes sent to Film Australia calls for the deletion of reference to 'communist involvement' (in the Green Bans sequences) and directions to 'cut the shop steward', 'Melbourne Workers Theatre - cut'. With the assistance of Hagan and Pitts Zubrycki and Film Australia continued to offer compromise narration scripts and sought meetings to resolve the impasse, but to no avail. The bicentennial celebrations of 1988 came and went. Early in the new year, in a last-ditch attempt to rescue the project, the Managing Director of Film Australia, Robyn Hughes, wrote to Gaye Hart (Head of Programs, ABA):

The copyright in the project is vested in the ACTU and any proceeds resulting from sales also go to the ACTU [...] Film Australia would be prepared to fund the programs to completion if the final payments due under the agreement were made to it and if copyright in the programs were assigned fully to Film Australia. (Hughes to Hart, February 9, 1989)

The ABA issued its termination notice to the ACTU in early 1989. The ACTU's Simon Crean told the ABA the ACTU planned to complete the film themselves and did not engage with Film Australia's attempts to resolve the project until December 1989 when Crean wrote to Bruce Moir, the newly appointed Managing Director of Film Australia (replacing Robyn Hughes), setting out a series of hostile allegations and a budget claiming Film Australia owed the ACTU \$12,254.42.²⁰ Moir met with Crean and could proudly report to his Film Australia Board 'an amicable arrangement had been reached' with the ACTU (Minutes Film Australia Board meeting December 1989). This also proved illusory.

Concurrently Film Australia had been negotiating with the ABC with a view to financing the completion of the film. However, in April 1990, Harry Bardwell, who had replaced Jonathon Holmes as Head of Documentaries ABCTV, finally rejected the project. In Film Australia's marketing executive Robyn Watts' view, for Harry 'it was in the too hard basket'.

The federal elections of March 1990 had bumped Simon Crean into Parliament as the Member for Hotham and Martin Ferguson had become ACTU President.

Zubrycki pressed Film Australia to open discussion with Ferguson, and to seek, as he had done, mutually agreeable mediation, as provided for in the contracts. Film Australia chose to do neither.

(6)

In August 1990, Duncan provided the ACTU Executive with an 'Addendum to Arts Officers Report' citing further work by Film Australia (neglecting to say that this had been available for six months) and reporting that the Film Committee had 'agreed that no good purpose will be achieved by persevering with Film Australia'.²¹ He recommended that the ACTU secure the film materials and provide them to the Workers Heritage Centre in Barcaldine, Queensland, with a view to remaking the film for display at the Centre.²² Following the ACTU Executive's decision, Martin Ferguson delivered his letter of

demand claiming all materials prepared for the film, including indexes of archive footage and stills, offering that in return 'neither ACTU or Film Australia will pursue any further claims for financial settlement under the contract' (Ferguson to Moir September 24, 1990).

When he learnt that the ACTU Executive had agreed to this, Zubrycki wrote to Moir accusing him of complicity 'with the [ACTU's] intention of grossly distorting and rewriting history for purposes of propaganda' (Zubrycki to Moir, September 6, 1990). Zubrycki also wrote to Martin Ferguson and each member of the ACTU Executive, emphasising the early collaboration, consultations and approvals and attaching a VHS tape of the most recent version of the film. The Executive rejected Zubrycki's proposals.

No film or video was ever received by the Australian Workers' Heritage Centre in Barcaldine. There is no trace of the camera original in the Film Australia archives.

(7)

***Amongst Equals goes public*²³**

Our object of study - the past - is fought over by all [...] [but] history and politics are not the same, and cannot be reduced to one another [...] those who commission histories, whether in film or print, need to respect the integrity of the historian, or the filmmaker, and not attempt to reduce historical work to the immediate needs of politics. (Ann Curthoys, *Filmnews*, 1991)

It had been a long haul for Zubrycki since he took the concept for a history of the trade union movement to the ACTU in 1986. In early 1991, having forewarned Film Australia that he 'might need to go public' as his professional reputation and personal commitment to the project's integrity were at stake, Zubrycki launched a campaign hoping to embarrass the ACTU into allowing Film Australia to complete the film. He contacted individual trade unions, peak bodies, labour historians and the media setting out the sad history of the project and denouncing the ACTU. An article published in the *Sunday Age* finally brought the conflict into the light of day and Simon Crean and Martin Ferguson onto the attack.

The article came about as part of the coverage of the January 1991 *United We Stand* Festival of International Films 'with a working class perspective' sponsored by the youth division of the NSW Labour Council. The Festival screened over a weekend at the Tom Mann Theatre in Sydney and featured the canon of American, British and Australian labour movement films then in circulation, including Australian films from the 1940s and Zubrycki's *Friends & Enemies*. It also showed the work-in-progress *Amongst Equals*. Zubrycki had supplied the film and addressed the audience at its screening. John Lyons covered the *Amongst Equals* story for the *Sunday Age*

"We don't want the film to go out" Mr Simon Crean, the former ACTU president, said this week, "we don't want to be seen to be censoring, but, on the other hand, we believe we have got a positive message to sell. [...] We expect to get what we asked for [...] We didn't get to the last big chapter (the achievements of the Accord)" [...] Mr Zubrycki told the audience [...] that Mr Crean had been upset that the final part of the film opened with a scene of the Prime Minister Mr. Hawke being derided by unionists [...] He said Mr Crean had also been upset that Western Australia's Robe River dispute and the 1986 SEQEB dispute received coverage - both were defeats for the union movement. "I can't just ignore the defeats", Mr Zubrycki said. (Lyons, *Sunday Age* (January 13, 1991, p. 5))

Lyons also spoke to Film Australia's Bruce Moir.

When asked whether he would accede to the ACTU's request to have the film returned [Moir] said: "I can't answer that [...] One doesn't particularly want to buy into a public brawl with the ACTU. We have been subjected to a major financing review which has not gone through Cabinet yet [...] and a public brawl with the ACTU wouldn't help". (Lyons, *Sunday Age* (January 13, 1991, p.5))

The *cause célèbre* intensified with Zubrycki and Ferguson of the ACTU airing their case through television and radio coverage and the Letters pages of *The Sydney Morning Herald* (SMH).

Martin Ferguson [...] (SMH Saturday January 19) obviously hasn't seen the movie [...] One third is devoted to [...] white-collar workers, non Anglo-Saxon workers, Aborigines and women. Perhaps his real concern is the film's claim that, at certain points in its history unions have been seriously out of step with the demands of exactly these groups [...] the film does not underestimate arbitration [...] the history of the ACTU is not identical with the history of the trade union movement. (Zubrycki, January 23, 1991 SMH, p.10)

Interviewed on commercial TV by Derryn Hinch Ferguson said: 'It's a romanticized view of the individual filmmaker'. He went on to remark that while Hinch's show is often considered sensationalist, it 'pales into insignificance in comparison with this film.' Hinch told his viewers 'You paid for that film. The ACTU got \$200,000 of tax payers' money with a Bicentennial grant' (*Hinch*. Channel 7, February 3, 1991).

In the pages of *Filmnews* Zubrycki vigorously defended his position as 'history from below', citing EP Thompson, the great historian of the English working class. He claimed an ethical responsibility to historical veracity and to the people who had offered testimony to historical events in their interviews for the film (now silenced). He argued, as he had consistently that these issues were more important than copyright (the legal regime preventing distribution and exhibition of the work-in-progress) and claimed 'moral rights' to his work over the contracted rights of the sponsor (*Filmnews*, February 1991, 6-7; Cordaiy 1991, 33-35).

A public forum was convened at Sydney's Paddington Town Hall on 1 February 1991, an AFI Industry Seminar 'Film, History and the ACTU: the *Amongst Equals* Affair', presented jointly by the Australian Film Institute (AFI) and Australian Screen Director's Association (ASDA). There is video of the event recording some speakers' remarks and *Filmnews* provided comprehensive coverage.²⁴

Increasingly, more people wanted to 'see the film the ACTU wants to ban'. The Victorian Trades Hall Council (VTHC), the United Trades and Labour Council of South Australia²⁵ (UTLC), the film industry's Writers' Guild (AWG), and the Australian Screen Directors Association (ASDA)²⁶, among others, wanted to convene screenings and discussions. *Metro Magazine* published an interview with Zubrycki and, optimistically, a guide for teachers of media on using the film to discuss 'problems with representing the past' in classrooms (Daly and McIndoe 1991).

Zubrycki produced a version with inter-titles identifying scenes that the ACTU wanted revised or deleted; this screened at MIFF (Melbourne International Film Festival) in June. Screenings were to continue in community, trade union and professional organisations throughout 1991, in Adelaide, Brisbane, Sydney, Melbourne, Perth and elsewhere.

Public intellectuals, film critics, community groups and trade unions came out in support of the film.²⁷

Support for the ACTU position was scarce. Where it did occur, it was from a perspective that saw the project simply as public relations.²⁸

While the early debates between Zubrycki and the ACTU tended to focus on conflicting historiographies, some later panels at screenings drilled down to industrial and ethical issues that the dispute raised for professionals working with trade unions:

Labour historians are also concerned that this dispute will set an unfortunate precedent [Zubrycki's] interpretation is scholarly and well balanced. It would not be detrimental to the public image of Australian unions [...] if anything it is the ACTU's attempts to censor the film which will rebound to the detriment of the union movement at large. (Australian Society of the Study of Labour History, Sydney Branch [John Shields] to Ferguson March 4, 1991)

Amongst Equals is yet another instance of what most historians and historical filmmakers already know - that writing history is an exceptionally political enterprise. [...] Historians [...] are currently waging a major battle in relation to commissioned work [...] In this particular case the ACTU has overridden the advice of its own historian [...] The author or filmmaker, once hired, must control the final product [...] the film may not always be praising the trade unions and the ACTU, but it does, indirectly, support the very foundations on which the ACTU is built, that is collective working class organisation and action. [...] It is about time the ACTU allowed it to be finished. (Curthoys 1991, 6-7)

Late in February 1991, Zubrycki was invited to meet with the ACTU in Melbourne to negotiate a settlement. He found himself under duress, with several ACTU negotiators making heavy-handed demands as they attempted to force his agreement to 'punishment clauses'. With the ACTU head, Martin Ferguson, due to fly out of Australia to attend an ILO (International Labor Organisation) conference, the ACTU insisted Zubrycki sign an agreement by midday the following day. Under this pressure, Zubrycki went as far as initialling an agreement and returned to Sydney.

Fortunately, he had support from trade union officials and friends familiar with the tactics of practiced trade union negotiators and over the following days he proposed an amended agreement.

The dispute remained unresolved with an unsigned draft agreement that allowed Zubrycki to use the material in the film at no cost. That is to say he could access the camera negative under certain conditions. These included: any film he might make must include a disclaimer; he would facilitate the provision of logs of archives used; he would provide an undertaking to withdraw his allegations of misuse of public funds and censorship, and 'not assist or encourage' any further screenings²⁹ (Correspondence Ferguson and Zubrycki, February 17–27, 1991).

It was September 1992 before a negotiated settlement was finally agreed.³⁰ The ACTU allowed Zubrycki a non-exclusive licence (to complete and distribute the film) conditional upon including a graphic at the beginning and the end of the film: '*This film does not represent the views of the ACTU. It is an independent production which reflects the views of the filmmaker*' (Clause 10).

But this condition is embedded in an agreement containing further crippling conditions; the ACTU approving the final film (Clause 11) and prohibiting reference in the final film to the dispute itself (Clause 12).³¹

(8)

This case study starkly designates a threshold dividing the ‘independent film’ from the sponsored, or utilitarian, film and illustrates, by negative example, constraints that necessarily attend utilitarian projects.

Nonetheless, with regard to creative projects in the labour movement in particular, the arguments made by artists and intellectuals engaged with Art and Working Life in the 1970s and 80s in Australia offer a powerful rejoinder.

What remains are boundary questions; questions concerning the ethical responsibilities of filmmakers (and historians) working under editorial direction on a utilitarian enterprise; questions of historiography and political purpose; and of utilitarianism in the practice of generating historical narrative.

The case of *Amongst Equals* focuses these questions sharply through the politics of an articulation of the past with so much at stake – the status of class struggle, the authenticity of trade union representation of its rank and file, and the understanding of the role of trade unions in Australian history.

While an ideological contest of the 1980s and early 90s seems somewhat distant today, underlying structural contradictions remain powerfully formative in the political culture and social formation of the present.

The dispute around *Amongst Equals* highlights a number of contests, demonstrating that the past cannot be locked off with singular meanings and illustrating the authoritarian character of every attempt to do so.

While social and economic inequality in Australia deepens, trade union membership has fallen to an all-time low (15 per cent of the workforce in 2018), coinciding with an all-time low wages growth.

There are still instances of former NCC-controlled unions selling out vulnerable members (for instance in hospitality and retail) in deals that only benefit employers and union executives.

Teaching materials offering genuine historical insights into industrial relations, the labour movement and Australian history from below are as scarce as ever.

And *Amongst Equals* is still seldom seen. The fact that Film Australia’s 16 mm camera original negative cannot be found means the invaluable first-hand testimonies Zubrycki collected during the production of the film are lost.

In preparing for the October 2018 revival screening of the work-in-progress for Melbourne Cinematheque, 30 years after Australia’s bicentennial year, Zubrycki welcomed the opportunity to reflect on these events, saying

It’s still a shame this film was never completed. *Amongst Equals* was made at a particular historical moment when the trade union movement was collaborating with a newly elected Labor government in the interests of the recovery of the Australian economy. The Prices and Income Accord, as it was known then, was a historical precedent and both sides had a vested interest in making it work. My film came along at the wrong political moment because it served as a reminder that there was a long history where conflict played an important role in advancing the cause of workers’ wages and conditions. The two things were incompatible, hence the dispute. However, times have changed, and a new project could be initiated, looking at the thing anew and creating a genuinely critical film history of the Australian trade union movement. This is a project that I felt was long overdue when I proposed it in 1986. It’s even more overdue now.

Notes

1. This troubled celebration was conditioned by competing historiographies; the most powerful critique that of Indigenous Australians, many of whom found nothing to celebrate in their two hundred years of continuing dispossession and continuing social and political exclusion. Indeed a boycott of Bicentennial funding was advocated by some Indigenous activists. See documentary films *Australia Daze*, Pat Fiske 1988; *First Time Tragedy, Second Time Farce* John Cumming, Jane Madsen, James Swinson, 1989 and *Here's My Hand*, Michael Edols, 1988. For an account of crippling compromise in writing official history for the bicentennial see Rowse (1988).
2. The television series was to be versioned for teaching, filling an important gap as teaching materials on the history of organised labour in Australia were scarce (and remain so).
3. The ACTU had a commitment from the Australian Bicentennial Authority (ABA) for around \$1M worth of funding for bicentennial projects, a figure negotiated over several years. Most of this allocation was committed to the 14th Congress of the International Confederation of Free Trade Unions (ICFTU) in Melbourne, which the ACTU hosted and provided airfares, accommodation and events for ICFTU delegates. The ACTU negotiations with the ABA had also set an allocation for a television history of the labour movement. Zubrycki's proposal, supported by the ABA, required sponsorship from a nationally representative organization and production oversight from the government's production house Film Australia. Film Australia produced a number of projects funded by the ABA. For Zubrycki's retrospective critique regarding the contractual structure of the project see Coldicutt (1980, 33).
4. The study contributes to the work of an Australian Research Council Discovery project on 'Utilitarian Film in Australia (1945–1980)'. It follows previously published studies outlining the moving image collections held by the National Archives of Australia and an account of the CSIRO Film Unit. European and American scholarly attention to the utilitarian sector can be found in Acland and Wasson (2011), Boon (2008), Druick and Cammaer (2014), and Hediger and Vonderau (2009).
5. For example, Zubrycki shot an interview on the site of the Rothbury coal-miners strike (1927) with Jim Comerford, an eye-witness to the shooting death of a worker.
6. Max Ogden was involved with education and policy work and supported a series of videos for the AMWSU in the mid-eighties, among them *Not Just a Number* 1983 on Industrial Democracy (3x30 minutes), *What's the Score?* 1984, 24 minutes, video; *Spark of Concern* 1986, 27 minutes on the dangers involved in welding; *Stopping RSI* 1985, 22 minutes; *Taking it On* 1988, 18 minutes (Occupational Health and Safety Committees). The AWMU had made nine videos by the end of 1983 (Australia Council 1983, 11). Later Ogden was appointed Skill Formation and Work Organisation Advisor with the ACTU. He was part of the team responsible for the important policy document *Australia Reconstructed* (1989).
7. The VTHC Film and Video Unit was established in 1984 in association with the VTHC Art Workshop in Melbourne (Cumming 2014, 91–93; Hogg 2010). The Unit made educational videos for the Australian Teachers Federation (*Changing Schools* 1985), the Public Service Association (*Repetitive Strain Injury at Work* 1983) the Australian Postal and Telecommunications Union (APTU) (*Acceptable Risk* 1985 and *Fair Go! Your Rights at Work* 1984), Anna Stewart Memorial Project (*Changing Places: Women in Australian Trade Unions* 1984) and the Trades Hall Council (*How Does it Strike You?* 1985). It was initiated by the maker of *Film-Work* (1982) (see Cumming 2014, 91–92) and devolved into Video Projects, a company formed by Penny Robins and Tony Wright, foundation members of the FVU, to pursue sponsored utility work independently of the Trades Hall. Other foundation members were Cath Dyson and Andrew Taylor.
8. In 1956 the government's Film Division was renamed the Australian Commonwealth Film Unit (CFU). In 1973 the CFU became Film Australia. In 1988 Film Australia became a government company. In 1991 its monopoly on making government public relations and

training films ended. In 2008 Film Australia was liquidated with assets incorporated in the newly established Screen Australia.

9. Allison's earlier *Take Notice* (1940) was a short dramatizing 'the plight of a poor but honest family threatened with eviction for the crime of poverty' (Moline 2017, 117–120).
10. This historic general strike began with railway workers at Everleigh Railway Workshops who objected to the introduction of 'the card system' – a Taylorist 'scientific management' work surveillance technology – that added a layer of sub-foremen, sped up and fragmented labour processes and deskilled workers. Among those blacklisted during this strike, and deeply affected by it, was a young Ben Chifley, later to be Prime Minister of Australia (1945–1949) (Taksa 2017).
11. Conservatives denounced the Accord as an instrument of excessive trade union power. Critical commentary from economists of the Left was divided, some seeing the Accord as merely a device to hold wages down to facilitate the radical restructure of the economy, while others endorsed the strategy as an essential realignment of the labour movement under conditions of globalised technological change. The ACTU publication *Australia Reconstructed* is a key strategy paper of this period (MacWilliam 1990; Stretton 1987; Thompson 1989).
12. The FCU, a powerful right wing union, with historic affiliation with covert American influence, Cold War ideological commitment to militant anti-communism and National Civic Council (NCC) affiliation (Aarons and Grenville 2017; CLIP 1983).
13. Left reform groups made some gains at this time in NCC-controlled unions such as FCU, Shop Assistants ('Shoppies'), Ironworkers, and Carpenters and Joiners (Tanner 1996).
14. In discussing the work in NSW of prolific banner painter Edgar Whitbread (from 1900 through to the 1930s), Ann Stephen wrote, 'although Whitbread's banners form a coherent body of work, it is crucial that they are not read in terms of a conventional artist's oeuvre, but as an individualised response to each union or trade. To a greater degree than almost any commissioned art, the content of banners was determined by the desires of the commissioning union and the values and conventions of the labour movement at the time they were produced' (Stephen and Reeves 1988, 28).
15. The Australia Council's Art and Working Life program was under constant Parliamentary scrutiny, attack by opposition parties and also experienced internal dissent from some quarters on Australia Council Boards. Following a policy-planning meeting in August 1991 the Council radically revised implementation of the AWL program. The program continued under reconfigured processes responding to a changed political climate prioritising 'excellence' ('Keating's Fellowships' 1993) and the support of individual artists over broader social programs. By 1994–1995 no mention is made of AWL in Australia Council Annual Reports.
16. The ACTU's Film Committee appointed by the ACTU Executive in April 1987 to oversee the project represented a spectrum of political orientation within the union movement. Committee members were: Jenny Doran: a member of the ACTU Women's Committee, and an industrial advocate with a strong background in campaigns around equal pay for women. Randall Fuller: Chair of the ACTU Arts Committee, a member of the BWIU (Building Workers Industrial Union). Bill Mansfield: Assistant Secretary ACTU and Committee Chair. Max Ogden: member of the AMWU (Australian Metalworkers Union), an informed advocate of industrial democracy, trade union education and media. Frank ('the flea') Lee, an activist with the NCC and former editor of *The Clerk, the national journal of the Federated Clerks Union*. Lee had been Victorian State Secretary of the ABC Staff Association until 1982, when he and other NCC operatives in public service unions were displaced.
17. Graham Pitts, a playwright brought on to collaborate on writing narration. Pitts wrote the narration for Pat Fiske's *Rocking the Foundations* and a number of AWL-funded theatre pieces.
18. Present at this June 20 1988 meeting were Peter Duncan, Paul Humfress, Professor Jim Hagan, Tom Zubrycki and some (unnamed) ACTU Film Committee members.
19. *Amongst Equals* was shot on 16mm film, and the archive footage in the edited version was 'slash printed' – poor quality 16mm copy from various archival sources. The audio wasn't

track-laid and only rough-mixed. Video copies circulating and screened were VHS duplications made from the 16mm 'double-head' work-in-progress. A further quality compromise was that the voiceover was not that of the intended narrator, Noni Hazlehurst. Therefore, any assessment of rough-cuts and fine-cuts required a familiarity with film production processes that the ACTU committee members lacked.

20. Film Australia [...] has not conducted the project with competence or diligence [...] the ACTU has the right to terminate the contract and demand the return of all funds not spent [and] Film Australia turn over all scripts film and associated material [...] to pursue the completion of the project [...] Paul Humfress has misled the ACTU [regarding the ABC response to the film] The Managing Director of Film Australia attempted in a letter to the ABA [...] to dispossess the ACTU of the rights copyright and entitlement to royalties [...] we consider [that letter] to have been instrumental in the ABA decision to terminate their contract [...] (Crean to Moir, December 1, 1989).
21. An undated, scribbled, handwritten draft in the ACTU archives, probably a response to Zubrycki's letter to Ferguson of October 22, 1990 (and to all members of the ACTU Executive) adjacent in the files with the note: 'Peter, Martin wants comments re this letter' reads 'to Martin Ferguson and all Executive offices, from Peter Duncan [...] This film is shit. The filmmaker is hostile. Film Australia have duded us. We are not satisfied with the film. It does not fulfill in our judgment the requirements of the project. Make the executive sit through it. Call Film Australia and Zubrycki and tell them 1. Its terrible 4. [sic] we have no confidence in [sic] 5. Their ability to fix it. 5. [sic] we respect their professional opinion differs 2. We have no interest in censorship 3. Our only desire is to fulfill as closely as possible' [remaining scribbles are illegible].
22. 'Recommendation [...] The ACTU negotiate with Film Australia to terminate our contract and secure from Film Australia all materials and the right to use all materials connected with this project [and] agree to the request of the Australian Workers Heritage Centre to make available [...] our material for use in the proposed video to be shown in the Centre.' Hearsay has it that only one delegate on the Executive spoke to this item, a representative of the FCU, who argued that the key problem with the film was that it attributed advances in workers conditions to organizations other than the union movement (i.e. the Communist Party).
23. A detailed account of the events summarized here has been published by '1856' and distributed to audiences attending the Melbourne Cinematheque screening of *Amongst Equals* (1991) at Australian Centre of the Moving Image (ACMI) in October 2018.
24. On the panel were Bruce Moir (Film Australia), Ann Curthoys (historian), Michael Frankel (arts lawyer), Ian Millis (Arts Officer, Miscellaneous Workers Union) Roger Hudson (ASDA) and Peter Duncan (Arts Officer, ACTU). Later, others spoke: Julie James Bailey (Media Information Australia), Judy Adamson (Archivist and Historian, Film Australia), Robert Pullan (Free Speech Committee) [see Robert Pullen, Free Speech Committee, January 19, 1991 SMH: 'The gifted Zubrycki [...] whose exactitude and delicacy as a filmmaker are matched by his humanity, is treated with contempt by the authoritarian spirits in the Australian labour movement [...] Zubrycki's title is prescient: there is no censorship amongst equals.']}
25. UTLC SA Executive Committee Agenda item 2.6 31/1/91: Chris White says he was present at the ACTU Executive meeting in August 1990 and expressed opposition to that Executive's decision to cancel the film [...] 'there were various reasons given for the cancelling of the film which was obviously not to the liking of the ACTU Executive despite the fact that many people had not seen it' (White to Zubrycki February 7, 1991).
26. The Australian Screen Director's Association (ASDA) challenged Film Australia: 'whilst the ACTU may have the legal power to determine the future of the film we believe that Film Australia as the Producer, has an ethical and artistic obligation to defend the film and the filmmaker [this failure] has alienated the filmmaking community [...] and clearly goes against the spirit [...] of the recently negotiated standard contract for independent documentary directors' (ASDA to Moir, February 5, 1991).

27. Unions responses in favour of Zubrycki included: the Construction Mining and Energy Workers Union of Australia (CMEU) WA Branch 'congratulates Tom on the film [and] calls on the ACTU to reconsider [...]' (resolution job delegates meeting January 18, 1991). The Building Workers Industrial Union (BWIU) circulated its members, and other unions, supporting the film: At the heart of the dispute seems to be a concern that Tom Zubrycki's film is too much a history of rank and file struggle and militancy as opposed to a history of the efforts of bureaucrats [...] For anyone involved in trade union education programs it is almost impossible to secure any films or videos which set out the historical development of the trade union movement. To make a decision not to complete such a film made by one of Australia's leading labour movement filmmakers is almost beyond belief (undated BWIU circular). The Australian Society for the Study of Labour History's Honorary Secretary Lucy Taksa wrote to ASSLH members: 'an institution that claims to represent Australian workers should be treating one in this highly questionable manner [and for historians writing sponsored histories it is] imperative we act to protect our interests in this regard by voicing our disapproval [...] Write to Martin Ferguson' (undated circular).
28. Les Carr wrote in the Public Service Association's journal *PSA*: 'The ACTU should be unhappy with the result. Its not a good portrayal of the trade union movement [...] this situation was of their own creation [...] they didn't control the project and allowed the wrong director to be chosen [...] General Motors would not use the FJ Holden to sell the Commodore [...] large slabs of the union movement are missing. The conservative unions are missing. The Groupers are missing [...] the politics are missing [...] Scenes you won't see: pictures of [...] individuals in the office doing the everyday routine work of keeping up with members inquiries and needs' (*PSA*, January–February 1991, 19).
29. Disclaimer: 'This film is not endorsed by the ACTU, the peak council of the Australian union movement as it believes it does not accurately represent the history of the union movement. It represents the particular view of the filmmaker which we believe is a narrow romanticised view of the movement's history' (Draft February 20, 1991).
30. Clause 14 (Deed of Agreement [...] 1992) specifies that the ACTU owns unused footage, and that 50% of any revenue will be paid to the Australian Workers Heritage Centre, Barcaldine, Queensland.
31. 'The filmmaker undertakes not to make reference to the dispute in written materials promoting and advertising the documentary and to use his best endeavours to ensure that the dispute is not referred to in any promotion of the documentary by the ABC or other media' (Clause 12, 'Deed of Agreement between Jotz Productions [Tom Zubrycki] and the ACTU for the production *Amongst Equals*', September 1, 1992).

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No potential conflict of interest was reported by the author.

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This article draws on the archival collections of the Australian Bicentennial Authority, the Australia Council, the Australian Council of Trade Unions and Film Australia. Film Australia archives are held by the National Archives of Australia (Sydney office). There are four boxes of contracts, correspondence and production files related to *Amongst Equals* at NAA Series C3876. Film Australia Board Papers and Minutes are at NAA Series C5157. The ABC Radio *Talking History* (Series 91:7) can be found at NAA: C100, 13335015. The Australian Bicentennial Authority files are at NAA C2291. An index of correspondence is in hard copy only (and fading fast) at NAA C2991 (box 1183). ACTU records are held by the Noel Butlin Archive Centre, Australian National University, Canberra. The Australian Council of Trade Unions documents related to *Amongst Equals* are spread through a number of folios related to the 'Art and Working Life' program and other topics. See: Noel Butlin Archive Centre, Australian Council of Trade Unions Collection: N147 668 Art and Working Life (Peter Duncan's Files 88-91); Noel Butlin Archive Centre, Australian Council of Trade Unions Collection Z282A (box 488).

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