

ANZAC DAY AMENDMENT BILL 2004

Second Reading

Resumed from an earlier stage of the sitting.

HON RAY HALLIGAN (North Metropolitan) [7.35 pm]: We are well aware of the origins of Anzac Day. We know from this Bill that the words can be written in two ways, with some of the letters in upper case and some in lower case. I am in agreement with Hon Peter Foss and have some difficulty understanding why we are going down this path, because I believe the word Anzac and all that it suggests belongs to the community. Woe betide any Government or Parliament that tries to change that. It has grown over the years. The community owns the word. Members of the community would come down on Parliament if it tried to do something with the word “Anzac” that they did not want.

Hon Ken Travers interjected.

Hon RAY HALLIGAN: I am not denying it has a role. Without a doubt, it has, but at this time the community has the ownership; Parliament does not.

Hon Ken Travers interjected.

Hon RAY HALLIGAN: I am not so sure of that, but over the years we have created a situation in which the word has been used as an adjective, as mentioned by Hon Peter Foss, as in the phrase “Anzac Day”, but it has also been used as a noun. We have called lifesavers bronze Anzacs. I think that will remain within our vernacular and no amount of legislation will cause it to change in the minds of the general public.

Anzac Day originated on 25 April 1915 and now goes beyond that war. It now encompasses all conflicts in which Australian personnel, both men and women, have been involved. It has been suggested in the past that Anzac Day often glorified war. It is most unfortunate that people have had that attitude. Many hundreds of thousands of people believe in Anzac Day and what it means for them. Like Hon Ken Travers and others, I have been to many Anzac Day ceremonies and, whether at Joondalup, Wanneroo, Kings Park or anywhere else, it certainly has some significance for the individuals who attend. Hopefully, it has some significance for those who do not attend for varying reasons.

No-one can deny the courage shown and the sacrifices made by Australian citizens who have been involved in conflicts around the world and who have given their lives so that we can enjoy the democratic society in which we currently live. We have a great deal to be thankful for. Our service men and women often went from these shores leaving behind loved ones and families, never to return, but they did so because they believed in what they were doing. They accepted the word of those who were running this country at the time, that it was incumbent upon them to do what was expected of them, and they did that particularly well. We should be very proud of what they did. Other speakers have said of the personnel who came back from Vietnam, that it was wrong that they were not recognised for their efforts in Vietnam when they originally returned. Certainly, I believe that was very wrong indeed. They were being blamed for political decisions, and that should never have happened to them. I am particularly pleased that they were recognised, albeit 22 years later. That should never happen again.

My stepfather and my uncle served in the Second World War, my stepfather in North Africa, Crete and New Guinea, and my uncle in New Guinea. As Hon Ken Travers has already mentioned, many who came back from those conflicts did not want to talk about them. They were not happy about what they had to do. They certainly did not brag about it. On Anzac Day, after the march, when they had had a few drinks with their mates, they may have reflected on certain aspects of the war, but often they reflected on situations in which they saw people killed; not when they killed somebody, but when they saw sorrow; when they saw their comrades and, in some instances, their kin - their brothers - killed in conflict. However, when they came back to Australia, they did not want to talk about it, and they certainly did not wish for Australia to go to war again. I am sure that they would do all in their power to ensure that that was the case. My wife's brother also served in the Second World War, and went to Japan during the reconstruction. Such was the change in those times between enemies that he married a Japanese lady while serving in Japan and brought her back to Australia. Unfortunately, he has now died, but she is still here, and we are very good friends with her. Gone is the animosity; not that she had any say in what was happening in Japan during the war. Hon Ken Travers also made mention of the fact that it was quite moving to be at some of the Anzac Day ceremonies at Joondalup to see the sun rising over the memorial. I have been to Kings Park as many others have, and it is wonderful to be there, but I suggest to members that the services at some other sites are also very moving indeed.

I have lived in a number of countries in the south Pacific. In Papua New Guinea I visited quite a number of the war sites, at Port Moresby; at Owers Corner at the end of the Kokoda Trail; in Rabaul, where the Japanese were

stationed; in Lae, Wewak and Aitape. There are still many war relics there - parts of aeroplanes, ships and barges. Around Rabaul there are some caves into which the Japanese would lift and push their barges during bombing raids. After the bombers had gone they would bring them out again. They are still there, although a little rusted, just as they were placed there by the Japanese.

I also found it very moving to go to some of the war cemeteries in Papua New Guinea, particularly Bomana outside of Port Moresby, Bita Paka outside of Rabaul, and Lae. I have visited those places on a number of occasions and have attended dawn services there. I found it particularly moving to move among the headstones. Bomana has the greatest number of headstones, the others have a smaller number. Karrakatta in Perth has its own war cemetery, although it does not have many gravestones. The gravestones in all of the war cemeteries are exactly the same size and shape, although obviously they have different names and units. It is moving to read the headstones and see just how young were some of the people who died while serving their country. I have also lived in Nauru. Of course the Japanese took over Nauru during the war and moved all of the people from Nauru to Truk Island. It is still possible to find items on Nauru that were associated with the war.

It is important that we continue to remember those people who provided so much to this nation. We might not be enjoying all the opportunities and good things that life can provide today had they not been willing to make the ultimate sacrifice. When both my stepfather and my uncle were buried, I arranged for the Australian flag - the flag that is raised in this Chamber at the moment and the flag that they fought under - to be draped over their coffins. I also arranged with the Returned and Services League that the last post be played. I think they would have been happy about that. I was able to say to them at the end of their lives that they served their country well, and may they rest in peace. I continue to remember them, just as I try to remember, through the RSL, as many as I possibly can of those who have been involved in those conflicts. They certainly did not glorify war; in fact, it was the opposite. However, they did what was asked of them. They did it proudly, and they did us proud.

I do not believe this Bill denigrates those people or our memory of them at all. As Hon Ken Travers has said, we are seeking to retain in this Bill the Anzac tradition that has evolved over all of these years. However, I believe that will be retained irrespective of this Bill. I firmly believe that people in the community have their own thoughts on this matter and that irrespective of this legislation their thoughts will prevail.

HON DERRICK TOMLINSON (East Metropolitan) [7.49 pm]: As Hon Ken Travers was telling us about his father's experience as an engineer when trying to build a bridge over the River Rhine and being fired upon by a Polish conscript in the German Army, a fragment of a poem from my adolescence ran through my mind. I do not know the poet; I do not even know the title of the poem. I think it was called *The Man He Killed*. However, the fragment was -

Had he and I but met
By some old ancient inn,
We should have set us down to wet
Right many a nipperkin!

That, to me, has always spelt out the stupidity of war: had he and I but met by some old ancient inn, we would have sat down and had a drink together.

Hon Ken Travers: As it was, they met in a lunch bar at the lunch room in Perth.

Hon DERRICK TOMLINSON: As it was, they met some time later. However, had he been a good shot, he would have been that soldier looking down on the face of the man he killed and saying "Had he and I but met".

While Hon James Scott was telling us about what "Lest we forget" means - those three words that are inscribed on every war memorial in Australia, I think - I was recalling where they came from -

God of our fathers, known of old,
Lord of our far-flung battle line,
Beneath whose awful hand we hold
Dominion over palm and pine -
Lord God of Hosts, be with us yet,
Lest we forget - lest we forget!

How Hon James Scott turned that into, "One, two, three, four, we don't want your bloody war" is beyond my comprehension.

Hon Dee Margetts: He didn't say that.

Hon DERRICK TOMLINSON: I would suggest that the member read what Hon Jim Scott is reported as saying in *Hansard*. However, I do not want to enter into discussion of that. I want to say that there has never been a popular war, and war has never been celebrated; or if it has been celebrated, it has been celebrated by lunatics. Certainly, World War I was not celebrated. In fact, World War I divided Australia. I will not talk about William

Morris Hughes and the conscription movement. However, the three conscription campaigns divided Australia, because there were those who said, "The empire needs our help; therefore we will send our finest, our fittest and our healthiest" and those who said, "It's not our war; it's England's war." It divided Australia. Likewise, World War II divided Australia. In fact, the Prime Minister, who accepted the British declaration of war as an Australian declaration of war, and therefore went on public radio and said, "Australia is at war", was sacked by his own Cabinet. Menzies simply interpreted the fact that Australia had not ratified the Statute of Westminster, 1931 as meaning that we were still bound by the imperial precept, and that if Britain declared war, as Britain had declared war in 1914, we were at war. The first Australian troops who sailed from Albany were the Australian Imperial Force as part of the British imperial force. Menzies assumed, wrongly in the opinion of his Cabinet, that when Britain declared war on Germany, likewise Australia was at war. Menzies ceased to be Prime Minister of Australia.

Strangely, one of the ironies of history, of course, is that the troops who defended Australia after 1941 largely comprised conscripts. John Curtin's conscription, however, was restricted to the equator and to longitudes east and west of Australia, similar to the area that Mr Latham says is our sphere of interest. We were proud of those troops and, provided that they were white, we welcomed them home. The Aboriginal troops who fought - their blood was as red as that of their white companions and they drank and wassailed with their mates - were not welcome in the Returned and Services League when they came home. When they came home they did not qualify for pensions, and nor were they allowed to drink in hotels. We did not welcome them. Some of them still lie in unmarked graves. I pay tribute to the Vietnam Veterans Association which, through its program, raises money to build headstones for the graves of unmarked World War II Aboriginal veterans. Of course, their families cannot afford gravestones. At least the Vietnam vets are commemorating them and providing a headstone to acknowledge their war service. It is probably the only time their war service has ever been acknowledged. The Vietnam vets have compassion for the Aboriginal veterans because they too were not welcomed home. In fact, they did not even come home in uniform. They were told to take off their uniforms before they landed back in Australia. I wonder how many members in this Chamber marched in the moratorium and said "One, two, three, four, we don't want your bloody war." Today we are being told that those who fought did nothing wrong. We are told that the war may have been wrong but that those who fought did what they were told to do. Yes, they did. They did what they were conscripted to do. They were the unlucky ones whose birthdays fell on the lottery marble. Some of them went to war. I acknowledge those Vietnam protesters who went to jail for their beliefs, one of whom I was proud to serve with in a previous Parliament. Those conscripts went to an unpopular war and they did what they were commanded to do. However, we were not proud of them and we did not welcome them home. In fact, we did not welcome them home until 26 years later. When did we strike a medal for Vietnam conscripts? It was two years ago. There has never been a popular war and we have never celebrated war. Therefore, what are we arguing about today? We are arguing about changing a proper noun into an acronym. Some people are arguing that if we capitalise the Anzac acronym so that it has a capital A, a capital N, a capital Z, a capital A and a capital C, the meaning of the word "Anzac" will change.

The Australian Imperial Force comprised six infantry divisions and two mounted divisions. Five of the infantry divisions were Australian divisions. The sixth division was a combination of Australian and New Zealand troops. As Hon Ken Travers has correctly said, the troops who landed at Gallipoli were the Anzacs. They were members of the first and sixth divisions - the Australian and New Zealand Army Corps.

We talk about the futility of war. The campaign was well conceived but poorly executed. It was all about opening up the Dardanelles to get supplies through to the Russians so that Tsar Nicholas could join his cousin King George to fight against their other cousin Kaiser Wilhelm. It was a nice strategy based upon the strategies of the Napoleonic Wars; that is, to open up an eastern front. The history of the Napoleonic Wars and the invasions of Italy and southern Europe show why Napoleon was so successful in his initial campaigns - he simply dissipated the forces of his enemies. The First Lord of the Admiralty, Winston Churchill, seized upon the idea of sustaining an eastern front. That is what the Dardanelles campaign was about. It was about a half of a square mile of territory. It was one mile long and half a mile wide. We are talking about 320 acres of land upon which 8 000 Australians died. Eight thousand Australians died for 320 acres of land.

People say that the only great thing about that campaign was the retreat, which was carried out overnight without loss of life. Hon John Fischer told us the imperial version of that; that is, it was so well executed that the Turks were surprised when they got up the next morning to find that they had gone. I want members to test the reality of that. Were they able to move those troops and the equipment to ships overnight when the enemy was 200 yards away, without the enemy knowing about it? No; Johnny Turk knew about it. Johnny Turk did not fire upon them because Johnny Turk had achieved what he wanted. His territory was sacrosanct. The enemy was leaving. The Turks were glad to see them go and did not fire on them. It was a glorious defeat. Members who think about the qualities that are associated with the name "Anzac", without capital letters, will recognise that those qualities were achieved at not only Gallipoli and Anzac Cove but also the Somme, Messines, Passchendaele and Ypres. That is where the Australian troops in peril distinguished themselves, whom

historians describe as having a reckless tenacity and being fighters probably unequalled during that war. Now “Anzac” has passed into the vernacular. I do not take exception to my learned colleague Hon Peter Foss, who referred to it as an adjective. The adjective that is usually associated with Anzac is “bloody”, the reference being to bloody Anzac. However, the reference usually flows together in the statement, “Geez, you’re a bloody Anzac”. It is a term of endearment. It is a term that acknowledges all that we epitomise in Australians at those Anzac Day ceremonies that we all attend. I always try to get to the dawn service at Blackboy Hill, and I have attended the dawn service at Kings Park many times. Blackboy Hill, where the troops trained before shipment to Albany, Egypt and Anzac Cove, has a special significance. I cannot help but be moved when I think not only about those who died in World War I, but also those who died in World War II, Korea, Malaya and Vietnam. I am moved also because Anzac reminds me of my identity as an Australian. I wonder whether changing the proper noun “Anzac” in the title of the Bill to a capitalised acronym will change its meaning. Of course it will not. The meaning of Anzac is not in capital letters. It might be in capital letters in the hearts of Australians, but it is a recognition of who and what we are. Anzac Day has a significance, not simply because of the landing in Anzac Cove on 25 April 1915, but because that 1st Australian Imperial Force was the first force with the title “Australian”. Certainly there were expeditionary forces in the Boer War and the Sudan. However, it was not until 1 January 1901 that Australia became the Commonwealth of Australia, and it was not until 1914 that at the request of Britain we put together the 1st Australian Imperial Force, which historians talk about being our baptism. Whether or not we accept those sorts of platitudes, it was Australia’s first international conflict as a nation. If we celebrate anything, we celebrate that. I wonder whether Australia Day would become more significant or Anzac Day would become more significant if we call it A-N-Z-A-C Day? Will Australia Day become more significant if we call it N-S-W Day? According to the preamble of the Bill, Anzac Day confirms the status of Anzac Day as the day for the commemoration of the landing of Australian troops on the shores of Gallipoli on 25 April 1915, and extends it. Australia Day commemorates the proclamation of the colony of New South Wales on 26 January 1788 by Governor Phillip on the shores of Sydney Cove. The colony of New South Wales was established at longitude 135 degrees east. In other words, it cut Australia down the centre, somewhere to the east of Darwin. The rest of the continent continued to be New Holland, as it had been named by Abel Janszoon Tasman. It remained New Holland until Boxing Day 1826.

The PRESIDENT: Order, members! In the first quarter of an hour of their speeches, most members have not referred in any way to the Bill. I will insist that in the next half-hour some reference be made to the Bill. I would like to know how New Holland and the settlement are relevant to the Anzac Day Amendment Bill 2004.

Hon DERRICK TOMLINSON: The proposition before us is that the name “ANZAC” - that is, the capitalised acronym - will change the significance of the day. I am arguing that is about as preposterous as calling Australia Day NSW Day because Australia Day commemorates the proclamation of the colony of New South Wales. Following that, will the purpose of this Bill - ANZAC Day - become more meaningful if from henceforth we call Anzac Cove - where it all began - ANZAC Cove? Of course it will not. What do the other States and Commonwealth tell us? The commonwealth Anzac Day Act 1995 states that it is an Act to declare “Anzac Day” not as a capitalised acronym but as a proper noun. In New South Wales the Anzac Memorial (Building) Act uses the term “Anzac” as a proper noun. It is capitalised but it is not a capitalised acronym. The South Australian Holidays Act makes a reference to Anzac Day as a proper noun, but not a capitalised acronym. What do we find in Queensland? It is a capitalised proper noun but not a capitalised acronym. What do we find in Tasmania? It is a capitalised proper noun but not a capitalised acronym. Are we saying that in all those States “Anzac” means something different? Of course it does not. I turn to the model - Victoria. It uses a capitalised acronym. One Labor Premier following another -

Hon Kim Chance: Is there any other kind?

Hon DERRICK TOMLINSON: For the time being I must acknowledge the truth of what the honourable member said. However, he and I know that politics are cyclical, and that it will change. I can see, Mr President, that you are about to chastise me again.

The PRESIDENT: On the contrary, I thought that the last five minutes of the speech was very relevant to the topic.

Hon DERRICK TOMLINSON: They must be, Mr President.

Hon Ken Travers: He blames himself for having allowed you to speak in a theatre, Hon Derrick Tomlinson.

Hon DERRICK TOMLINSON: I should let members know that usually in a theatre I sing.

Several members interjected.

The PRESIDENT: Order! The member is being distracted.

Hon DERRICK TOMLINSON: Not at all, I am simply not being rude and trying to speak while other members are speaking.

There is not a day on the Australian calendar that is more significant than Anzac Day. There is not a day more significant for Australians for commemorating not only those who have died in the service of their country but also those who have served their country. At long last we are starting to acknowledge that women served Australia. For a long time they were not acknowledged. There is not a day more significant for remembering who we are. We are Australians. It is the one day of the year when it is brought home to us so sharply who and what we are. We are Anzacs, and we are proud of our tradition. I know that this Bill will be passed, and from this day forward, or after it is proclaimed, we will have the capitalised acronym ANZAC, but as for changing the meaning, it will change nothing because the meaning of Anzac is not in the acronym; the meaning is in the hearts and minds of Australians.

Question put and passed.

Bill read a second time.

Statement by President

THE PRESIDENT (Hon John Cowdell): It is appropriate at this stage, given the recent debate and the wide-ranging nature of the debate, to indicate that an honour board is being prepared for the Legislative Council Chamber. It includes the names of members who served while members of this Chamber and it includes the names of those members who served either prior to or after their service in the Legislative Council. Our members have served in most wars since, in fact, the Crimean War. I thought we would start with the Boer War but we must, in fact, go back to the Crimean War. In respect of Hon Paddy Embry's speech, it is perhaps interesting to note that Edric Frederick Gifford, a member of the Legislative Council of Western Australia, fought in the Ashanti and Zulu wars and was awarded a Victoria Cross in the former campaign.