1944
CENSORSHIP DEFIED

SQUADS of armed Commonwealth policemen raced into the offices of the *Sydney Morning Herald* and the *Daily Telegraph* in the early hours of Monday, 17 April 1944, ordered the presses to stop and announced that every newspaper already printed was being confiscated.

As one policeman drew his revolver to prevent a newspaper truck leaving the loading dock, a photographer's brilliant flash dramatically recorded for posterity the most serious confrontation this century between Government and Press.

The police action was the climax of a long simmering row between newspapers and the Labor Party Government over the vexing question of wartime censorship.

The newspapers claimed that Information Minister Arthur Calwell, who openly admitted he detested Press bosses and their editors, was applying constantly stricter censorship — and that he was doing so for political reasons,

rather than to protect national security.

So, in an unprecedented display of unity, the owners and editors of Sydney's major newspapers met on Sunday afternoon, 16 April, and agreed to openly defy the Government. The stage was set for a battle that would determine the important question of free speech in an Australia embroiled in war.

Censorship came to Australia with its first newspaper, the four-page *Sydney Gazette and New South Wales Advertiser*, which was published 'by authority' of the Governor from 5 March 1803.

But in 1824 the first independent Sydney newspaper, *The Australian*, beat off attempts by Governor Darling to subject it to official licensing and thwarted his plans to impose a crippling stamp tax which was at the time being used in England to control the Press.

During the First World War the Government introduced a tough War Precautions Act, which included censorship of any Press material that could be of benefit to the enemy.

Prime Minister Billy Hughes tried to use these regulations to gag opponents of his conscription referenda in both 1916 and 1917, but still failed to win sufficient votes to conscript young Australians for service abroad.

Very soon after the outbreak of the Second World War, a Department of Information was set up, both to handle propaganda and to suppress information through censorship.

Sydney's *Daily Telegraph* spoke for most Australian newspapers when, in

an editorial published on 6 September 1939 on censorship, it stated in part:

Because there is public enlightenment in the democracies there is public confidence.

There must be no blackout of this enlightenment, no lessening of this confidence — even though we are at war.

War conditions, of course, demand a certain reticence in news which might assist the enemy.

For that reason we have willingly given our Government power ... to impose certain limitations on expression.

But this power must not be abused.

It must not be allowed to degenerate into a bureaucratic censorship functioning as an end in itself.

Great power was vested in the Chief Publicity Censor, including power over all ministerial statements. Between May 1942 and May 1944 thousands of instructions were issued to editors by the Chief Censor.

Some were so vague that editors could be prosecuted for almost anything they published; Rule 42, for instance, stated that 'A person shall not endeavour to influence the public in a manner likely to be prejudicial to the defence of the Commonwealth or the efficient prosecution of the war'.

Under such stringent conditions, it is amazing that newspaper editors were not hauled up in court almost every day. What made their life particularly

nerve-wracking was that it needed only two infringements of the censorship regulations to prohibit further publication of that newspaper.

And there certainly were some serious breaches of security that could definitely have aided the enemy: on 11 November 1939, for instance, the *Daily News* announced that the second AIF would sail from Australia 'in February'.

However, the censorship regulations were also applied to prevent publication of insignificant, and more seriously, overtly political material.

As exasperation and dissatisfaction grew, in May 1943 Rupert Henderson, general manager of John Fairfax & Sons Ltd and chairman of the Australian Newspaper Proprietors' Association, prepared a statement listing complaints about censorship, which said in part:

We may not inform the public that a person wrongfully detained has been discharged. We have actually been prevented from announcing a visit by the Prime Minister to his electorate, and from publishing the views of a correspondent who was critical of the Prime Minister's political beliefs. We have been prevented from sending our views abroad on matters publicly debated in Parliament, or reporting strikes and industrial unrest. Overseas comment critical of our war effort, our administration or our way of life, has been suppressed. Such restrictions are not imposed in England.

Of all that, the censors passed only the last sentence!

As if the situation was not tense enough already, the Prime Minister in September 1943 appointed as Minister for Information the outspoken Arthur

Augustus Calwell, giving him direct control over all censorship in Australia. His Chief Censor was Horace Mansell, former acting-editor of the defunct *Labor Daily*.

In Parliament not long before Calwell had described the 'allegedly free and democratic press' as being 'owned for the most part by financial crooks and ... edited for the most part by mental harlots'.

As newspaper attacks on censorship increased, Calwell reacted by instructing that all reports and editorials dealing with censorship had to be submitted to the censors for approval before they could be published.

On Wednesday, 2 April 1944, Calwell launched a vicious attack on the newspapers, claiming among other things that 'many examples of unwise, if not vicious, propaganda' had been brought to his notice, and that he considered the writers to be 'little more than fifth columnists'.

Two days later he accused Rupert Henderson of making 'wild, exaggerated statements' on censorship, following a claim by Henderson that American war correspondents had left Australia as a result of the harsh censorship and that as a result Australian policies were not being properly reported in the United States.

The censors suppressed Henderson's claims, so on orders of Sir Frank Packer, owner of the *Daily Telegraph*, the issue of Saturday, 15 April, featured 58 cm of blank space where the story would have appeared.

Calwell and Mansell, the chief censor, were furious: on the Saturday afternoon Cyril Pearl, editor of Packer's *Sunday Telegraph*, was ordered to sub-

mit *all* the newspaper's copy to the censor.

This included both Calwell's attack and Henderson's refutation, as well as an editorial which accused Calwell of being a 'newspaper dictator'. The censors arbitrarily banned publication of the entire Henderson statement and made heavy alterations to the editorial. So Pearl left blank the space which the censored material would have occupied, inserting a simple box that read:

<div align="center">

A FREE PRESS?

The great American democrat
Thomas Jefferson said:
"Where the Press is free and every
man able to read, all is safe."

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The printing presses had just started when Commonwealth policemen entered the building and seized all copies of the *Sunday Telegraph*, at the same time prohibiting any further publication.

Realising that the entire concept of free speech was under serious threat, owners, editors and lawyers of the four Sydney daily newspapers — the *Daily Telegraph, Sydney Morning Herald, Daily Mirror* and *The Sun* — met to consider how to test the law in court.

Brian Penton, editor of the *Daily Telegraph*, drew up a statement which the meeting agreed would be published in the following day's newspapers, without reference to the censor.

The statement and a copy of the banned *Sunday Telegraph* front page

appeared on the Monday morning in a special miniature edition of the *Daily Telegraph*, which was secretly printed on the presses of the defunct *Labor Daily* newspaper.

This was done because the regular editions of the *Telegraph*, as well as the *Sydney Morning Herald*, were confiscated as they came off the presses.

Throughout the Monday, armed Commonwealth police also seized entire editions of the afternoon *Sun* and *Daily Mirror* in Sydney, the *Herald* in Melbourne, and *The News* in Adelaide. Attempts to inform the public of the censorship through commercial radio stations were also blocked.

However, the copies of the miniature *Daily Telegraph* that did get through told the full story under the banner headline: ABUSE OF CENSORSHIP EXPOSED. In a front-page editorial, Penton said in part:

Mr. Calwell turned a page in Australian history by using this power to suppress a newspaper which had dared to criticise his tinpot dictatorship.

We publish the simple facts of the crisis which now endangers the freedom of the Press — and your freedom to think, write, read and express your opinion as you wish within the limits of security — because we want the people to judge for themselves.

We are prepared to face any retaliation a spiteful Minister can invent — even suppression — because we believe the issue is far greater than any particular newspaper.'

The newspapers next asked the High Court for an urgent injunction against

the Chief Censor on the ground that the material 'killed' by him was unlawful and that he had no authority to prohibit its publication.

The court agreed. The Government, faced with this decision and mounting protests from all sections of the community, backed down, to Calwell's obvious displeasure.