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IN SEARCH OF A HISTORY OF SOCIAL INNOVATION IN SOUTH AUSTRALIA

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In January 1897 a diminutive 71 year old woman made world history. Catherine Helen Spence, known affectionately as the ‘Grand Old Woman of Australia’ (Margarey 2006:14) stood for election to the approaching Federal Convention to be held in Adelaide that year, and became, to the best of our knowledge, the first female political candidate to stand anywhere in the world. She was a popular figure and a popular candidate. On 13 February, when the names of the 33 candidates contesting the 10 available Convention places were read out, the *Observer* reported that: ‘The only cheer raised during the reading of the nominations was the announcement that Miss Spence was a candidate’ (Margarey 1998). But when the result of the poll was declared, she was ranked 22nd out of 33. In all, she had mustered just 18% of the vote. Although philosophical about her defeat, she recalled later in her autobiography that she felt her chances had been significantly undermined by Premier Charles Kingston, who openly questioned whether, under the constitution, she would be able to take her seat, even if elected (Margarey et al. 2006:169–70). Yet only two years before, Kingston had actively championed his government’s *Constitutional Amendment Act 1895* that had both extended the franchise to women and conceded their right to stand for parliament. So what was going on? More to the point, what does this event have to tell us about our search for social innovation in the past?

South Australians are probably no better informed about their political history than anyone else, but the one thing they do tend to know is that this state was the first in Australia to enfranchise women. In December 1894, in the midst of a busy legislative schedule, the Kingston government successfully ushered in an act to amend the constitution, allowing women to vote on the same terms as men. The same act allowed women to stand for parliament. Women first exercised the right to vote in 1896 and, by all accounts, they did so with enthusiasm. In 1896 of course, voting was neither automatic nor compulsory. Women were required to register to be on the electoral role and it is clear from surviving registers that they did so en masse, as soon as the rolls opened to them. Women also voted more consistently than men in those early elections (Jones 1986). None of this is surprising, because the campaign for women’s suffrage in South Australia was hard fought, as it was elsewhere, and broadly based. It involved women (and men) from a wide cross section of society and from both rural and urban areas. There is also strong evidence that there was general public support for electoral reform by the early 1890s, expressed through the columns of the local press, both in editorials and correspondence. And yet in 1894 the legislative outcome was by no means assured.

In fact the bill presented to the parliament in that year was the seventh successive bill that attempted to enfranchise women, and this is not counting the first resolution on the matter,

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presented by Edward Stirling in 1885.¹ Stirling's resolution was a cautious one, perhaps presented to test opinion in the House. He recommended the extension of the franchise to widows and single women of property only, leaving aside the contentious issue of enfranchising married women.² The legal position of married women at this time was only improving slowly and the objection that enfranchising women might promote discord in the home was a recurring theme in the opposition to women's suffrage throughout the campaign. Stirling was a lecturer in medicine at the University and the father of four intelligent daughters. He argued that women could and should speak for themselves and that they had the right to ensure that their interests were represented in the government. He even suggested, provoking loud laughter in the House, that women might eventually stand for parliament, although no such provision was included in his resolution. Interestingly, although the resolution was adopted by the House on the voices and without division, Charles Kingston was one of its opponents (Jones 1986:81–3).

Of course Stirling's proposal did not emerge from a vacuum. Debate about women's place and potential was one of the great concerns of the age, and the 1870s and 1880s saw a substantial improvement in opportunities for women. They included a range of legal reforms, from access to divorce (on increasingly equal grounds), to the right to control property, custody of children and so on. None of these legal measures was specific to South Australia: they tended to follow developments in Britain, although that was not always the case. Equally important were improvements in women's access to education and to employment. The Advanced School for Girls, opened in 1879, was the first to provide public secondary education to girls. It championed academic achievement and encouraged its graduates to enter the newly established University of Adelaide whose classes were open to women from the beginning. The University also admitted women to degrees, on the insistence of the South Australian parliament and against British advice (Mackinnon 1984:56–92). Slowly, but surely, women claimed a public role, alongside their traditional place in the home.

Catherine Helen Spence was in the thick of these developments. She had arrived in Adelaide from Scotland in 1839 at the age of 14, travelling with her widowed mother and family. Most unusually for the time, she supported herself as an author, writing both fiction and newspaper articles on a wide range of subjects, from literature to politics. Her first novel, *Clara Morison*, the story of a young immigrant woman who arrived in South Australia during the gold rushes, was the first work of fiction by an Australian woman. It was succeeded by five other novels, the last of which, *Handfasted*, was considered so radical, in its story of a socialist utopia that rejected the bonds of marriage, that it was not published for another century (Margarey 2006:13).

Along with other reform-minded women, Spence worked to further a formidable range of causes. With Emily Clark she campaigned to improve the care of orphaned and destitute children, promoting a system of 'boarding out', or the care of children in foster homes, rather than institutions. It was this aspect of her work in particular that was depicted when Spence's

1 Women's suffrage was also mentioned in debates on other matters in the 1870s and early 80s. See Jones (1986:81).

2 This was also a recurring trope in contemporary cartooning. See, for example, Anderson et al. (1998:111–13).

portrait was included, all too briefly, in Australia's currency. In 2001 Spence was depicted on the five-dollar note in the Centenary of Federation series. Her reign was short-lived however, and she was soon replaced by the Queen. Spence also worked with Emily Clark to improve legal processes for children. In 1896 South Australia established a separate juvenile court, the first such court in the world and a model later widely adopted elsewhere.³ A history of this legal innovation still needs to be written. Later Spence supported the growth of the kindergarten movement in South Australia, an idea adopted from New South Wales. In her extensive commentaries, published in local, interstate and overseas journals, she supported all of these causes and many others. A common theme was the advancement of the welfare of women and children. And an increasingly important key to success in this regard was access to full citizenship—the right to vote.

Most importantly, Catherine Spence increasingly found a public speaking role. Beginning in the Unitarian Church as a preacher, she gradually began to speak on public platforms on a wider range of issues. Along with women like suffragists Mary Lee and Mary Colton, she advanced the right of women to speak in public. No wonder then, that on the occasion of her 80th birthday in 1905, the Chief Justice, Sir Samuel Way, described her as

The most distinguished woman they had in Australia ... There was no-one in the whole Commonwealth, whose career covered so wide a ground. She was a novelist, a critic, an accomplished journalist, a preacher, a lecturer, a philanthropist and a social and moral reformer.

Catherine Spence was delighted with this public acclaim. In her response she said:

I am a new woman and I know it ... I mean an awakened woman ... awakened to a sense of capacity and responsibility, not merely to the family and the household, but to the State; to be wise, not for her own selfish interests, but that the world may be glad that she had been born (Margarey et al. 2006:11–12).

It may seem strange then, that unlike many other female reformers, Spence did not immediately embrace the cause of women's suffrage. She was openly sceptical about whether women were ready for the responsibility of the franchise and held aloof from the Women's Suffrage League when it first formed in 1888. In her autobiography she admitted: 'Though sympathetic to the cause, I had always been regarded as a weak-kneed sister by the real workers' (Margarey et al. 2006:163). Her overriding passion was to remain the cause of proportional representation, or what she called 'effective voting'. She also used the term 'pure democracy'. Although Spence soon came around to embrace the suffrage cause, and was regarded as an important public advocate, her chief concern remained the reform of the electoral system. It was on this platform that she stood for election to the 1897 Federal Convention and it was the passion that was to drive her until the end of her life. In 1908, at the age of 83, she travelled to Peterborough to promote the cause (Margarey 2006). Although she saw little progress in her lifetime, the Hare-Spence-Clark system of proportional representation was finally adopted for the Senate in 1948. In her recent edition of Catherine

3 Brian Dickey argues that this was an initiative of Illinois, but the Illinois court was not established until 1899. See Anderson (2008).

Spence's autobiography, Magarey argued that it is high time Spence was acknowledged as an author of this system (Magarey et al. 2006:13). It remains an active policy issue for the House of Representatives, advanced by the Greens party today.

Despite Catherine Spence's initial scepticism, women's suffrage has come to symbolise a more general enthusiasm for innovation and reform in South Australia in the nineteenth century. We applaud the fact that the 1895 Act not only enfranchised women, but allowed them to stand for parliament—a provision not included in the 1893 New Zealand legislation. But the story is actually far more complex than this, the path to reform more tangled and contested. It is important to understand how it all unfolded.

When Mary Lee, Mary Colton, Rose Birks and others formed the Women's Suffrage League in Adelaide in 1888 they developed a three-part platform, which continued, unaltered, for the duration of the campaign. The first two principles were as follows:

That the women of the country should have a voice in the choice of representatives to the House of Legislature,

and

That the qualifications entitling women to vote should be the same as those which apply to men.

The third however is very interesting in the context of this discussion. It read: 'That while women's suffrage is desired, no claim is put forward for the right to sit as representatives' (Jones 1986:86). No doubt the League was concerned to keep the debate simple, hoping to achieve the main concession without compounding the possibilities of opposition. But even so, it was a more conservative demand than the legislation ultimately delivered. What intervened was not policy, but misplaced political tactics.

Despite his earlier opposition, Premier Charles Kingston had changed his mind on women's suffrage by the early 1890s. He was to claim his change of heart as a virtue and was quoted in *The Advertiser* as saying, with characteristic bluntness: 'We the Government think that adult suffrage is the right thing. It is only very stupid people who refuse to change their views when they see them to be wrong' (Jones 1986:108). Others speculated that he might have hoped that enfranchising women would increase the urban vote (and hence his support base) at the expense of the country, but there was also a clear groundswell of support for women's rights by this time, not least in his own electorate, and Kingston was ever an astute politician. He was also, so far as can be judged, a genuine radical in many ways. Women's suffrage was only one of a series of reforms he was to introduce in the six-year term of his government.

Nevertheless, the 1894 bill did not intend that women should sit in parliament. In fact it specifically excluded them from doing so. In that respect it adhered closely to the platform of the Women's Suffrage League. But this clause was struck out in an amendment moved by Ebenezer Ward, a conservative opponent of the bill in the Legislative Council, who hoped, in this way, to defeat the entire bill.⁴ It was a tactic that backfired. Kingston was known to relish

⁴ Ward's failed tactic attracted much press comment and inspired at least one cartoon in the *Quiz* on 7 February 1895. See Stretton & Gargett (1993:4).

a fight. He rallied his forces in defence of the government's bill and it passed. It was radical reform by default, or perhaps by mistake. But even then, success hung on a thread. According to Helen Jones, the measure was almost lost when one elderly member left the house before the vote to catch the last tram home. He was detained by an acquaintance in the foyer, heard the division bells and returned to the chamber. The bill passed to the jubilation of the crowd of suffragists watching, nervously, from the gallery (Stretton & Gargett 1993:110–4).

But what do we make of this story? In the end, the Constitution Act was a radical measure that advanced the cause of women in South Australia and, after Federation, in the Commonwealth of Australia. But this was not what either the suffragists or the government intended. The Women's Suffrage League was, of course, delighted with the outcome, but they did not seize the opportunity it offered. Both Mary Lee and Catherine Helen Spence were approached to stand for election in 1896. Both declined, not surprisingly, given their age. Mary Lee was then 75 and Catherine Spence 71, although their refusal may also have reflected a wish to remain aloof from party politics, which both saw as inimical to social reform (Jones 1986:433). But it was to be 1918 before a woman stood for election to the Parliament in South Australia, and 1959 before the first women were elected.⁵ Even then two women candidates to the Legislative Council (one Labor and one Liberal Country League,) had to weather a Supreme Court challenge to their eligibility to stand. The case turned on the interpretation of the word 'person', and whether the legal sense of the word inferred the masculine (Jones 1986:256–7), an issue raised, ironically, in the course of the 1894 debates, but not pursued. Ultimately the challenge was lost, but it invites us to ponder the extent of the change embedded in the 1894 suffrage concession. Above all, accounts like this remind us that the history of social innovation is complex, contested and far from linear. To oversimplify is to risk misunderstanding. More importantly, it risks underestimating persistent undercurrents of conservatism.

But nor is this to downplay the extraordinary extent of change achieved in the last few decades of the nineteenth century. Kingston's government alone was responsible for a formidable range of legislation designed to increase the interventionist role of the state in the interests of public good. And each was supported by community groups or associations, busily working and lobbying for change. Apart from women's suffrage, Kingston's government established a state bank, high protective tariffs; cooperative settlements along the Murray to alleviate poverty and unemployment; measures to regulate working conditions in factories, to close hotels on Sundays and to inspect government hospitals and asylums; a progressive system of land and income tax; and a system for the arbitration and conciliation of industrial disputes (Moss 1985:145 & 171–3). Few of these initiatives were unique to South Australia. But together they added up to an impressive program of social and economic reform (Jaensch 1986:184–5). Kingston later developed his conciliation and arbitration system more effectively in the new government of the Commonwealth (Mcintyre 1989:192).⁶

5 Joyce Steele to the House of Assembly and Jessie Cooper to the Legislative Council.

6 Although the history of the eventual adoption of the principle of conciliation and arbitration during the debates on Federation is a similar tale of compromise, chance and narrow victory. See Bill Pender (2000).

The women and men who championed these developments worked in an intellectual context that linked the English speaking world at the time and extended into Europe. Catherine Helen Spence maintained an extraordinary correspondence with suffragists and reformers all over the world. Her contacts would put most of us to shame, even in these days of email contact lists. She also travelled extensively, even in her old age, and delivered an astonishing range of lectures all over the state, interstate and overseas. Similarly Kingston, in drafting his conciliation and arbitration legislation, was aware of similar developments in Victoria, New South Wales, some provinces of Canada, and legislative precedent in England (South Australia 1890). Innovation generally developed incrementally, taking account of local conditions and accommodating local political imperatives.

Some of the measures which reformers at this time considered important tend to be absent from modern assessments of social innovation in the past. There is a strong sense of presentism in these exercises, expressed for example in the attempt to list innovative measures from the past according to priorities identified in the current State Strategic Plan, an attempt which forms an Appendix to the summary of social innovation prepared as one of the outcomes of Geoff Mulgan's residency as a thinker.⁷ Not only does this approach remove any sense of the association between different developments at the time, it also imposes an intellectual framework on events very different from that operating in the past. And of course it excludes any measures now considered passé, or more particularly, shameful, from the mix, regardless of their significance to people at the time. Let me give a couple of examples.

Charles Kingston has figured at intervals throughout this paper. He was a colourful character, variously described by contemporaries as a wily politician and a gifted legislative drafter, or as a lecher, a 'coward, a bully and a disgrace to the legal profession' (Playford 1983:602). I mentioned some of his reforming achievements earlier. But in addition to those, he took two issues in particular into federal parliament with him—a commitment to protective tariffs for Australian industry and a commitment to a White Australia. In fact some contemporaries considered him to have been the instigator of the White Australia Policy (Playford 1983:602). Now this is not an instance of social innovation we admire in the early twenty-first century, to put it mildly. But it was a major preoccupation of Kingston and his federal colleagues a century ago. The now infamous *Immigration Restriction Act 1901* was one of the first pieces of legislation enacted by the federal parliament. And I have no doubt that Kingston would have been convinced that it met all the definitions of socially innovative policy as he might have understood them. He was a radical liberal in an era that prided itself on reform, on bold new political solutions to social and other problems. In fact advocates of the White Australia Policy, and there were many of them, argued that their measures were necessary to protect the continuing prosperity of Australia's working families—if you will forgive another contemporary political concept.

Now I mention this not to suggest that we should invoke the White Australia Policy as a model for the future when citing our history of social innovation in the past, but to remind us that it informed the thinking of the very same reformers we wish to celebrate in other instances. If we want to understand the cultural bases of social innovation in the past, we have

7 'A Collaborative History of Social Innovation in South Australia', at <www.thinkers.sa.gov.au/gmulgan.html>.

to be prepared to consider our history ‘warts and all’, not only those aspects of the past we find most convenient in the present.

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