

Edith Cowan

Australia's First Woman Parliamentarian 1921 -1924

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One historic outcome of the first State general election in Western Australian after World War 1 was the election of Edith Dircksey Cowan to the Legislative Assembly. At the age of sixty she had already established an outstanding record as a pioneer of women's involvement in public life. During the hostilities, in addition to her social welfare roles, she had become immersed in the war effort, leading to being awarded the O.B.E. However, it is the distinction in 1921 of being the nation's first woman parliamentarian that has given her such prominence and led to her being one of the most celebrated of Australian women. After her death on 9 June 1932, a clock tower at the entrance to Kings Park, near central Perth, was built as a memorial: it is thought to be the first civic monument to honour an Australian woman.¹ In 1984, a new Federal electorate in Western Australia was named in Cowan's honour and six years later, the former Western Australian College of Advanced Education became Edith Cowan University, the first university to be named after an Australian woman. Then, in 1995, the Reserve Bank made certain that nearly all Australians could recognise her portrait, and perhaps her contribution to society, when she was featured on the \$50 dollar bank note.

A scholarly biography of Edith Cowan (1861-1932) by her grandson, Peter Cowan, entitled *A Unique Position*,² was published in 1978. In her opening parliamentary address, Cowan had accurately portrayed herself as being in a "unique position". Some shorter articles have been written about her life's work and an exhibition has been mounted depicting the range of her adult achievements after the tragedies of her youth. Edith Cowan's mother, Mary Brown, was a teacher and the daughter of the Colony's first chaplain, Reverend John Wittenoom. She died giving birth to her sixth child and Edith Brown, only seven years of age, was sent to Perth from Glengarry (near Geraldton) for her education. Unfortunately, the young Edith's adolescence was further troubled in 1876 by the ordeal of her father's trials and execution for the murder of his second wife. Then in 1879, at only 18 years of age, Edith Brown married James Cowan, who was a postmaster and later a Magistrate of Perth. They began their family with the birth of a daughter, Dircksey, in 1880, followed by four other children: Norman (1882), Hilda (1883), Ida (1885) and Helen (1891).

1 Sawyer, Marian and Simms, Marian (1993), *A Women's Place: Women and Politics in Australia*, Sydney: Allen and Unwin, p. 91.

2 Cowan, Peter (1978), *A Unique Position: A Biography of Edith Dircksey Cowan 1861-1932*, Perth: University of Western Australia.

For much of their married life, Edith and James Cowan lived in Malcolm Street, West Perth. It was within walking distance of the city centre and Parliament and it is Cowan's role as a parliamentarian (from 1921 to 1924) which is the focus of this study.

Election

The right of women to vote was regarded as a natural right by Edith Cowan, and a self-evident extension to this was the right to sit in parliament. The women's franchise was granted in 1899, some five years after South Australia, but the legal ban on the entry of women to the Parliament of Western Australia remained until 1920. Edith Cowan had been active in promoting both reforms with the gap between the two measures being longer in Western Australia than in the other States. However, Edith Cowan's decision to contest the first election open to women in the State "was not part of a long term plan".³ Apparently her decision to stand was made suddenly, only four weeks before the poll. According to Edith Cowan her election committee held the view that the domestic and social legislation of the State had not been given enough attention in the period of post war reconstruction.⁴ The network of supporters, mainly women, who had worked with her in various capacities backed her candidature as a Nationalist. This was possible because the Nationalist party "cadres" in that era regularly endorsed more than one candidate.

For West Perth, another endorsed Nationalist candidate was the sitting member, namely Thomas Draper. The latter was the Attorney General in the government of James Mitchell. One theory⁵ is that the Nationalists were prepared to endorse Edith Cowan because she posed no electoral threat to Draper. The *West Australian* newspaper was dismissive of her prospects and of the four women candidates in the 1921 election Ada Bromham in Claremont, backed by the influential Bessie Rischbieth, was considered the most likely to poll well.⁶ Edith Cowan is said to have indicated that "she had little chance of success".⁷ Yet there were reports that Draper had lost some credibility by stating openly that he intended to move to the Supreme Court bench after the election. Moreover, while the Australian Labor Party had not entered a candidate for what was considered "an establishment" seat, Edith Cowan's commitments to so many social causes meant it was likely some Labor votes would go Cowan's way. A weekly publication of the Returned Soldiers, Sailors and Nurses Association indicated that as Edith Cowan had earned a great deal of respect and admiration in the community she had a chance of defeating the Attorney General.⁸ Ironically, it was Draper, as Attorney General, who had been responsible for the legislation which allowed women to become members of parliament.

3 Western Australia, Parliamentary Debates (WAPD), 28 July 1921, p.15.

4 West Australian, 14 March 1921.

5 Choules, Michelle (1988), Women in Western Australian Parliamentary Politics, 1921-1968, Unpublished B.A. Honors Dissertation, Curtin University of Technology, p. 37.

6 West Australian, 23 February 1921

7 Cowan, Ibid, p. 156.

8 Choules, Ibid, p. 38

Edith Cowan's strategists were aware that West Perth had an enrolment of 2,519 women and 1,934 men.⁹ The non-compulsory electoral turnout was 69 per cent, with a minimal difference between men and women. She won by 46 votes after the preferences of a third candidate, Ebenezer Allen (who was previously a Ministerialist but had also become a Nationalist) had been distributed. From 1911 to 1917 Allen had been the member for West Perth. Edith Cowan attributed her victory to non-party support for women contending that it proved "women can and do stand by women".¹⁰ *West Australian* editorial analysis of the result gave credence to this thesis, but the temptation of some Labor supporters to vote against the Minister (Mr Draper) "on a matter of principle" was also asserted.¹¹ Nevertheless, Edith Cowan was so delighted with her victory that each member of her campaign committee was presented with a broach inscribed "The Nut". This was a gumnut cracked down the middle conveying the message that the West Perth seat had been difficult to win, or colloquially "a tough nut to crack".

The historic election of a woman was widely reported in the press with banner headlines. It should also be noted that even at the beginning of her parliamentary career Edith Cowan echoed the complaint of many of her parliamentary colleagues with her claim that "as usual I was to a certain extent misrepresented in the Press...."¹² Indeed some of the newspaper observations were disparaging. The authoritative *Melbourne Age* contended that a "Parliament composed wholly or mainly of women politicians is not a prospect to be regarded with enthusiasm..."¹³ More encouraging were the thoughts expressed in the local *Daily News* although it reflected a narrow view of Edith Cowan's role as a representative: having the "right to expression in the legislature" of the care of future mothers.¹⁴ The weekly *Western Mail* editorial, written several days after the election, recognised there was considerable interest in Edith Cowan's success. It was constructively argued "she will be the spokesperson of a school of thought which has an undeniable right to representation in the legislature, and her record of honorary social service entitles her to the distinction".¹⁵ Meanwhile the *West Australian* judged it was unlikely that after a few general elections parliament would be full of women "unless women show a greater aptitude for the management of public affairs than has been displayed by exclusively male assemblies".¹⁶

9 Sawyer and Simms, *Ibid*, p.87.

10 WAPD, 28 July 1921, p.15.

11 *West Australian*, 14 March 1921.

12 WAPD, 28 July 1921, p.17.

13 *Melbourne Age*, 15 March 1921.

14 *Daily News*, 14 March 1921.

15 *The Western Mail*, 17 March 1921.

16 *West Australian*, 28 March 1921.

Edith Cowan did not favour the electoral provisions under which she won the seat. Voting was voluntary whereas Edith Cowan spoke frequently about the democratic and educative benefits of compulsory voting. She was also strongly influenced by J.S. Mill's writings, not only with respect to women's issues, but also on electoral provisions such as proportional representation. Edith Cowan did campaign for the reduction of parliamentary salaries on similar grounds to Mill, arguing that salaries could attract political careerists "who sacrificed independence of judgement to the need to preserve their source of income".¹⁷ On at least one occasion she spoke against parliamentarians receiving remuneration for committee work, except allowances for out of pocket expenses.¹⁸

Of course Edith Cowan, did not become (like Mill) a career politician. Instead, she forcefully spoke her mind, donated much of her parliamentary salary to worthy causes and pursued her policy objectives without always being sufficiently aware of the electoral consequences. Her election pamphlet, in accordance with the practice of the day referred to "Mrs James Cowan". Cast in colloquial terms it specified 19 initiatives she would support and it provides a guide to her Maiden Speech, now sometimes known as the Debut Speech.

Debut ('Maiden') Speech, Address-in-Reply (28 July 1921)

Although elected on 12 March 1921 Edith Cowan did not make her Maiden Speech until 28 July of the same year. Recognising the symbolic significance of her presence, the government bestowed on her the honour of moving the Address-in-Reply Speech. Parliamentarians use this speech, an annual response to the Governor's Opening of Parliament, as a medium to canvass matters of constituency concern. Conscious of her "unique position", she immediately emphasised "the necessity which exists for other women being here".¹⁹ The need to alter the language of Parliament to acknowledge the feminine gender was soon appreciated. One sign that Edith Cowan's presence concerned some members was evident in the chamber's failure to accord her the traditional respect of an uninterrupted Maiden or Debut Speech.

Edith Cowan contended that from a woman's perspective the State Children's Act had been flawed. She considered it objectionable that a child convicted before a State Children's Court should be labelled as a "State Child" until the age of eighteen years. Women architects were needed to ensure that homes were satisfactorily planned and government buildings properly constructed. There was a need for a woman on the Price Fixing Commission. Her theme, justified by references to the scriptures, was the need for women's representation. As she said "the views of both sides [men and women] are more than ever needed in Parliament today".²⁰

17 Sawyer and Simms, *Ibid*, p. 88.

18 WAPD, 9 November 1921, p. 1597.

19 WAPD, 28 July 1921, p. 15.

20 WAPD, 28 July 1921, p. 15.

Aware of legislative measures in New South Wales, but two decades ahead of its Federal introduction, Edith Cowan pressed for a child and maternity endowment. In her judgement, the prevailing basic wage for a man, his wife and three children was inadequate. She cited a newspaper article endorsing the principle of endowment, “thereby recognising the service rendered to the community by the mother in the care and nurture of the child, such payment to be a charge on the whole community and recognised as a right, and not associated in any way with the economic circumstances of the husband and father”.²¹

Edith Cowan chastised the Minister for Railways for the one shilling pram levy imposed on mothers who travelled to the city for shopping. The Minister was obviously impressed with the argument as he interjected with the statement, “I will withdraw it at once”.²² Far more controversial was her suggestion that the Arbitration Act, a statute in which she showed keen interest, should be amended to give women the right to vote when a union contemplated strike action. According to Edith Cowan “many a strike would be prevented if the women had the right to vote”.²³ What was not clear was how the mechanism would function if women were not part of workforce as registered union members.

In the interests of ratepayers and particularly of women, who had to use water for cooking, washing, and other domestic purposes, Edith Cowan advocated action, “to ensure the cheapest water supply”.²⁴ This was a matter of particular concern to her metropolitan West Perth residents. Significantly, Edith Cowan also voiced rural concerns about the quality of education. She said “it does seem an anomaly that we should be about to spend [£1,400] on a gymnasium in the city while some of our teachers outback are living in canvas bedrooms containing at one end the season’s supply of bonedust”.²⁵

An awareness of about rural matters also led Edith Cowan to refer to immigration. She said “it is most necessary that we should select only the right class of immigrants. We earnestly hope that proper examination will be made of immigrants before they come to the State, and that we have only the best possible type”.²⁶ In this instance “class” presumably meant “quality”. In the same speech Edith Cowan had made the interesting claim that “as a woman I desire class consciousness of every kind to be eliminated”. When an interjector told her to “start on those around you”, Edith Cowan responded with the assertion “I am willing to do that. I have always stood for having no class consciousness amongst us”.²⁷ She was deeply

21 WAPD, 28 July 1921, p.18.

22 WAPD, 28 July 1921, p.18.

23 WAPD, 28 July 1921, p.18.

24 WAPD, 28 July 1921, p.16.

25 WAPD, 28 July 1921, p.17.

26 WAPD, 28 July 1921, p.18.

27 WAPD, 28 July 1921, p.18.

interested in social policy matters and expressed concern that the Governor's Speech made no reference to a home for people with intellectual disabilities: she also referred to the need for adequate old age and invalid pensions.

Although Edith Cowan raised a range of reform measures the barriers to legislative success were going to be formidable. As a backbencher, and only woman in the chamber, she also rejected the advantages of attempting to garner party support. As she told members:²⁸

I am a Nationalist, and I belong to no party in this House. I was sent to uphold law and order and constitutional government, and it will be my desire to assist in carrying out these objects in a proper and satisfactory manner; while I discharge my duties here I shall be responsible only to my own constituents....There are too many here today who are possessed of the old party spirit.

Second Address-in-Reply Speech (9 August 1922)

In her second Address-in-Reply speech Edith Cowan again displayed an independent mind on a range of issues although she did not attack "the old party spirit". In a stance that probably would have concerned some of her West Perth business constituents she contended that the financing of a mooted Hospital Bill should be on the basis of a progressive income tax. Before the concept of progressive taxation had become fully part of the taxation regime Edith Cowan said "no matter what an individual's wage or salary may be, each one should be prepared to pay his or her quota pro-rata".²⁹ Presumably she envisaged a similar formula when she spoke of providing extra accommodation for women at the Perth Public Hospital and an aged women's home at Fremantle. Edith Cowan warned Premier Mitchell that this need would escalate if more immigrants, especially women, were brought to the State as part of his Group Settlement Scheme.

The Scheme attracted Edith Cowan's particular interest. She sought more details about the number of families and single men and women expected to arrive. In a novel suggestion she suggested that poultry farming held good prospects, particularly for women. This theory compelled an interjection from Philip Collier (Opposition Leader and later Premier), who queried its validity. In fact, Edith Cowan reflected upon the wisdom of settling new immigrants in the South-West and leaving the wheat belt for "our own people". Again indicative of her capacity for lateral thinking, she mused "it might be a good idea to encourage development in the North-West and spend some of the money there".³⁰

Edith Cowan observed that many of the Group Settlement women had come from English factory settings with no knowledge of the work awaiting them in the

28 WAPD, 28 July 1921, p. 15.

29 WAPD, 9 August 1922, p. 156.

30 WAPD, 9 August 1922, p. 157.

Australian bush. Some of the same people had health deficiencies. As Edith Cowan said “even tubercular people and mental deficient have been sent out to us. Of these unfortunate classes we have quite enough here without adding to their numbers through our special scheme for immigration”.³¹ A possible solution was the appointment of a doctor in England to ascertain the health of the prospective immigrants. In addition, displaying her usual recognition of their special needs, she sought the employment of another doctor with specific responsibilities for women and children.

In recalling a recent settlers’ conference that she had attended Edith Cowan noted that she was impressed with the information conveyed about the development of soils and farming operations. Significantly, she then remarked “in their study of agricultural problems they had forgotten the human side, forgotten what was due to their uncomplaining women”.³² Recalling her younger rural days, she said “it must be remembered that the woman on the farm is far more lonely than is the man. She is not the first to be considered when a trip to town is mooted, nor does she have the healthy outdoor occupation of the men of her household”.³³ Edith Cowan suggested that “very much more consideration might reasonably be given to the lonely woman in the country. Telephones ought to be provided as the means of breaking down their terrible isolation”.³⁴

The adequacy of wages for the household unit was of continuing interest. In her Maiden (Debut) Speech Edith Cowan had spoken of the need to employ the expertise of economists from the universities to improve the effectiveness of industrial awards.³⁵ In this speech, she expressed the hope that amendments to the Arbitration Act would include a provision making continuity of work an obligation for employment. Given the extent of unemployment and the presence of industrial unrest, Edith Cowan was clearly opposed to any practices that provided an incentive not to work or, even more seriously, to strike.³⁶

A special problem which Edith Cowan labelled an “evil” was the “unduly high” wages paid to boys and girls. Although not desiring the lowering of wage levels, she said “something should be done to prevent irresponsible young people being better paid than are many married men and women”. Reminiscent of Aristotle, she complained that many young people “do nothing towards the upkeep of the home...they are out enjoying themselves in all sorts of places...”. She had “often wondered whether the age wage system is a good one. The results are so unsatisfactory to parents and the

31 WAPD, 9 August 1922, p. 157.

32 WAPD, 9 August 1922, p. 158.

33 WAPD, 9 August 1922, p. 158.

34 WAPD, 9 August 1922, p.158

35 WAPD, 28 July 1921, p. 15.

36 WAPD, 9 August 1922, p. 157.

community generally”.³⁷ In her opinion, the grades of the workers in all forms of service should be assessed and pay schedules accordingly adjusted.

Again Edith Cowan suggested the Arbitration Act should be amended to permit mothers a vote as to whether there should be strikes: in her opinion, a referendum would approve such a measure. Discussion of the Act also led Edith Cowan to comment on the eight-hours day, with eight hours for recreation and rest and eight hours for sleep. This prescription was thought to be the best theory for a community. However, Edith Cowan was concerned that the introduction of double pay beyond eight hours was eroding the time concepts and leading to unemployment.

In discussing causes of unemployment Edith Cowan made clear her strong objections to gambling, asserting it led to a “distaste for wholesome work”. She urged Parliament to make it illegal for those less than 21 years of age to take any part in carnivals and lotteries. Youth should be encouraged to be more thrifty and contribute to the “saving element” of the community. Edith Cowan quoted authorities that cited gambling as one of the “vilest” of evils. It was not only an “ungentlemanly” habit, but it was also “unladylike”, as women were beginning to indulge in gambling.³⁸

It was Edith Cowan’s habit in the Address-in-Reply speeches to jump from topic to topic. She spoke about the need for cabinet probity and gave attention to the necessity for governments to uphold campaign promises. Quotations from the British orator, reformer and statesman John Bright (1811-1899) were tabled. On a more mundane level she was concerned that a commitment for a Como tramway was not being upheld. There were reports that an allowance payment to State children had been reduced by 50 per cent: it was speculated that this action may have been unconstitutional.³⁹

Although Edith Cowan’s election pamphlet had made reference to the need to maintain constitutional government she clearly had in mind some changes to the operations of the cabinet system. She felt there should be more honorary ministers but that their respective salaries should not be drawn from those of the portfolio Ministers. She also said “it is a great pity that the system of elective ministries is not in operation here. I think such a system would give most satisfactory results, and I hope it will be introduced as soon as possible”.⁴⁰ Presumably Edith Cowan had in mind either the Labor Party procedure of electing of ministers from caucus or the more radical reform of Ministers being drawn from outside parliamentary ranks. Only constitutional convention prevented the implementation of the latter but she foresaw difficulties in its introduction.

37 WAPD, 9 August 1922, p. 158.

38 WAPD, 9 August 1922, p. 159.

39 WAPD, 9 August 1922, p. 159.

40 WAPD, 9 August 1922, p. 156.

To conclude Edith Cowan urged a conference of representatives from State Parliaments on the question of federation. In fact a Commonwealth Royal Commission was soon established to investigate how the finances of Western Australia had been affected by federation. She reminded Parliament that in the past she had spoken about federation because it was 30 years before its time. Presumably she, like her husband, had voted against the acceptance of the new Federal Constitution in the 1900 referendum.⁴¹ However, by 1922, Edith Cowan had decided “It is time that some of us with the sense got together and remedied the condition of affairs now existing, because the deficit cannot be satisfactorily coped with until we receive more revenue from taxation now taken unfairly by the Federal Government”.⁴² Of course Edith Cowan died in the year preceding the 1933 referendum when Western Australians voted to secede from the Commonwealth. Her voluntary organisations did not include a secessionist group but it is likely she would have at least supported the referendum proposal as a protest to the Commonwealth.

Third Address-in-Reply Speech (9 August, 1923)

After two years of parliamentary experience, Edith Cowan issued a challenge to those who held leadership roles in various community interest and pressure groups to stand for election to Parliament. In her view, the parliamentary socialisation process gave members the opportunity to “learn to be balanced”.⁴³ The occasions which drew this observation were statements attributed to the President of the Primary Producers Association (PPA) about the difficulties experienced by the Group Settlement Scheme immigrants. Compared with the “Groupies”, she felt the early settlers, including members of her family, had suffered greater hardships. For instance a major obstacle, now removed, had been danger from “natives”. With the President of the PPA, and other interest group leaders in mind, she complained “it is much nicer to keep in the background and pull strings and direct other people what to do, in fact to be the power behind the throne, than to stand up here [in Parliament] and be the target of all sections of the community”.⁴⁴

The optimism which Premier Mitchell had displayed about the Group Settlement scheme was fully endorsed by Edith Cowan. However, she was concerned plans to establish an agricultural college, which could “afford sensible and practical training for young men who wish to gain a knowledge of agriculture in different centres”⁴⁵ would not come to fruition. Another reservation about the Premier’s record was his failure in a recent speech to recognise the splendid work which had been done by the Women’s Immigration Auxiliary. Depicting herself as the “guide, philosopher and friend” of women in the community Edith Cowan said “I have come to the conclusion

41 Cowan, *Ibid*, p. 278.

42 WAPD, 9 August 1922, p. 160.

43 WAPD, 9 August 1923, p. 187.

44 WAPD, 9 August 1923, p. 187.

45 WAPD, 9 August 1923, p. 190.

that it is not altogether wise to allow the women's side of the work of this community to always be hidden, as with the light, under the bushel".⁴⁶

Another sector for which Edith Cowan sought more recognition was the public (civil) service. She regretted that Parliament "as the highest body in the land, never gave them a note or word of appreciation".⁴⁷ The "carping criticism" often directed at that body of men and women, including her husband, overlooked the fact that civil servants are a "decided asset to the community in every respect". Not surprisingly she supported salary grade increases that were under review. A similar view had been expressed in her 1922 Address-in-Reply Speech, although on that occasion she had admitted that "waste goes on in government departments".⁴⁸ Furthermore, she suggested the appointment of a commissioner- who was a commercial man with banking experience.

To justify the support for the salary rise Edith Cowan gave examples of public enterprise. Public servants had been the first body of people in the State to start vocational training for returned soldiers after the World War. Moreover, they had established the distress fund which was such a valuable aid organisation during hostilities. However, she also reminded members when discussing a project for the manufacture of pipes that the government should assist private enterprise. She said "I am opposed to the setting up of another expensive plant in order that the Government might do this work themselves, to the detriment of private enterprise".⁴⁹

One facet of "private enterprise" that continued to trouble Edith Cowan was the publication of undesirable books and picture postcards which verged on the "indecent". If the Government could not deal with the matter satisfactorily under the Act already on the statute book, there was a need to establish a board of censors. Edith Cowan believed she had the support of the Police Department, and added "without being the least bit a wowser, I cannot imagine any hon. member thinking that nothing should be done to check this evil".⁵⁰

One course of government action which was praised was the decision to build a mental detention ward. Edith Cowan, however, called upon the Government to reconsider the site. The Point Resolution location, on the Swan River, was regarded as most valuable for public use. A Labor interjector, William Angwin, who questioned Mrs Cowan throughout her parliamentary term, claimed experts had recommended a river site. Edith Cowan then confessed "I am not an expert, and perhaps I have no right to criticise the opinions of experts, but while they may theoretically know what is best, they are not always infallible in such matters...Our reserves, especially those with river frontages, should in my opinion be left for the people for all time".⁵¹

46 WAPD, 9 August 1923, p. 188.

47 WAPD, 9 August 1923, p. 189.

48 WAPD, 9 August 1922, p. 156.

49 WAPD, 9 August 1923, p. 193.

50 WAPD, 9 August 1923, p. 191.

51 WAPD, 9 August 1923, p. 189.

With her support for the protection of river frontages and later a Swan River Board, together with recognition of the beauty of farmland, Edith Cowan gave indication that she would be a strong supporter of modern environmental causes. She argued for a new town planning institution with more effective taxation methods to help ensure the success of planning proposals: it would be wise, providing there was some uniformity, to allow local bodies the option of taxing improved or unimproved value. In this context she also sought the introduction of a Workers' Homes Act, to apply to the metropolitan area. Based on a Queensland scheme it would provide homes for people earning incomes of not more than 160 to 200 pounds per year. Furthermore the occupants should eventually be able to purchase their homes, which should not be above a certain cost, say £450.⁵²

As was usual in most of her speeches Edith Cowan raised health matters of women and children. Producing statistics which indicated the child death rate in Western Australia was higher than in Queensland, she argued for more funds to be directed to saving children's lives. Training, too, should be given to mothers about infant health. She felt that some of the budget figures gave a deceptive picture of what was being devoted to health. In her judgement a large proportion of the health budget was being absorbed by the sanitation of government and public buildings.⁵³

Edith Cowan's third Address-in-Reply Speech was her last under the umbrella of that parliamentary procedure. She had used this medium to articulate her ideas on a wide range of community ideas and policy issues, many of them outside the interests of the major parties. Other parliamentary processes such as question time, notices of motion, scrutiny of the budget estimates and legislative debates were all employed to make her mark. However, being outside Cabinet and often adopting an independent stance were going to be factors which militated against her being able to achieve major legislative reform. She had acknowledged that it was necessary to gain a grasp of parliamentary procedure and by the end of the eleventh parliament she could claim to have effectively gained this experience.

Remarkably, before the end of her three-year parliamentary term Edith Cowan had succeeded in piloting through two private member's Bills, the Administration Act Amendment Bill (1922) and the Women's Legal Status Bill (1923). As in most Westminster-type parliaments, private members Bills', particularly those of legislative significance, are rarely passed in Western Australia. Nevertheless such Bills are still public Bills which are distinct from Private Bills. The latter are introduced for the purpose of assisting a select group of citizens. They are also rare in the Western Australian Parliament although on at least two occasions Edith Cowan was recorded debating aspects of private Bills pertaining to Perpetual Trustees and Western Australian Trustees. In her short parliamentary career Edith Cowan demonstrated keen interest in inheritance legislation. This was best exemplified with the Administration Act Amendment Bill.

52 WAPD, 9 August 1923, p. 189.

53 WAPD, 9 August 1923, 189.

Administration Act Amendment Bill (1922)

Legislation sponsored by Edith Cowan which gave equal inheritance rights to mothers where a child died intestate and without issue came under the broad title of the Administration Act Amendment Bill (1922). This was believed to be the first instance of a woman in the British Empire initiating a Bill which finally received the assent of the Monarch's representative, the Governor. The Premier, Sir James Mitchell, was conscious of the significance of the occasion and sought to "congratulate the member for West Perth on the reception of her Bill...in the Chamber. No measure was ever more generally approved. If only I could get my Bills as warmly accepted by the House, I would have an easier time. I readily support the Bill".⁵⁴

In moving the second reading, Edith Cowan said "I have been asked to move this Bill in the interests of the mothers of Western Australia...I feel sure the House will be with me...more especially when hon. members realise that it is the earnest desire of women to be placed on an equal footing with men in this respect".⁵⁵ However, this prompted an interjection from William Angwin, a Fremantle Labor Party identity, who said "Can you give us some reason why we should pass the Bill"? Mrs Cowan responded immediately with the assertion "the reason that the Bill is absolutely just is sufficient. During the war it was found that the want of an amendment such as the measure proposes was very detrimental in many instances to mothers who were left in a more or less dependent condition, and whose sons died intestate".⁵⁶

In response William Angwin indicated that although he supported the second reading "it is customary ...when introducing a Bill to advance some reasons for the measure". George Lambert, the Kalgoorlie Labor MLA, also interjected "I think you would be well advised to give more reasons than you have yet given, because there are very wide principles involved in the Bill. Parliament is not moved by sentiment". This led Edith Cowan to retort "If it is not moved by sentiment, then it should be moved by justice".⁵⁷

Edith Cowan was comfortable in the knowledge that the Premier had opened his remarks with the statement that "the Bill constitutes a perfectly fair proposal". Interestingly, Premier Mitchell had mused "I know that if it be a matter of control in the family, the wife is superior. I have experienced it. In every walk of life women are more than holding their own".⁵⁸ However, Edith Cowan deemed it was not necessary to present a lengthy, reasoned case for an amendment to legislation which she regarded as self evident according to her perception of natural law. To her "the

54 WAPD, 7 September 1922, p. 653.

55 WAPD, 7 September 1922, p. 653.

56 WAPD, 7 September 1922, p. 652.

57 WAPD, 7 September 1922, p. 650.

58 WAPD, 7 September 1922, p. 652.

existing law [had] operated unjustly in many cases”, so all that was necessary was to appeal to the members’ “sense of justice”.⁵⁹

Some members thought the Administration Act required a more comprehensive review. However, Edith Cowan, now familiar with the slow pace of parliamentary procedure, was anxious not to introduce any controversial amendments that might jeopardise its passage. This tactic enabled the second reading stage to be passed, but in Committee Charles Latham moved an amendment based on an objection he had raised during the second reading. Latham, a future Deputy Premier and long-serving Leader of the Opposition, disapproved of a private member introducing a measure of this importance, arguing that it should be the province of the Government because many of the ramifications could be more fully investigated.⁶⁰

The complications which Edith Cowan had hoped to avoid with her two-clause amendment Bill could not be ignored and she had to write to the Crown Solicitor and seek other legal opinions. However, by a majority of two votes progress was reported on the Bill and it was passed in the Legislative Assembly.⁶¹ In the Legislative Council it was also recognised that the Bill was historic and there was broad support-but reservations existed and an amendment was passed, which exceeded the length of the original Bill, pertaining to estates valued at more than 1,000 pounds.⁶² The Legislative Assembly accepted the amendment for to do otherwise would have “imperilled” the measure.⁶³

Edith Cowan’s Bill received strong support from women’s organisations and was widely reported in the newspapers. However, as her grandson has observed there existed a distrust about such a measure and about “lady legislators”. A Fremantle solicitor was reported as saying that the Acts dealing with these matters were “in a state of absolute chaos”. Moreover, he added, “It is time we had legislators who thoroughly study the position and then legislate accordingly. This is the first effort of a woman legislator, and it is much to be deplored”.⁶⁴ Not surprisingly, despite ill-health during the later stages of the debate, Edith Cowan hit back at the criticisms, which undoubtedly confirmed her resolve to have women enter the legal profession.

Women’s Legal Status Bill (1923)

In moving the second reading of the Women’s Legal Status Bill Edith Cowan claimed she was acting “at the instance of the women of the community through their various organisations”. She said “we are desirous of having women put on a reasonably fair

59 WAPD, 7 September 1922, p. 650.

60 WAPD, 28 September 1922, p.937.

61 WAPD,17 October 1921, p. 1077.

62 WAPD, 18 November 1922, p. 1222.

63 WAPD, 23 November 1922, p. 1762.

64 Cowan, Ibid, pp. 204-205.

footing in point of holding offices and positions now closed to them”.⁶⁵ She expressed concern that opponents of the Bill might contend that the Interpretation Act, which prescribed that statutory references to the masculine gender included the feminine gender, would suffice. Thereafter in her typical dour manner, Edith Cowan, a voracious reader and extensive traveller, described how women were admitted to the Bar in other Australian States and many overseas countries.

The legislation was closely modelled on the Sex Disqualification (Removal) Act, passed in Britain in 1919. This Act specified that a person should not be disqualified “by sex or marriage” from exercising any public function, from holding civil or judicial office, from practising law or from entering any other profession.⁶⁶ While the House of Commons *Hansard* recorded a great breadth of opinions on the matter, the Western Australian parliamentary debate proved to be a forerunner of many later equal opportunity legislative initiatives: few, if any, members are prepared to speak against the principles of the legislation and rarely are divisions taken to publicly record opposition. Reservations about the Bills can only be gleaned from interjections and public comments outside Parliament. In relation to these issues the phrase “Cowan’s Castle” is sometimes more appropriate than when it is applied to the use of parliamentary privilege.

Early in the debate, “Lavender Bill” Marshall (Murchison) pondered whether the Bill would “be cutting all the [men] solicitors and barristers out of their jobs”. This led Charles Latham, adopting a similar stance to Premier Mitchell to ask, “surely you do not want generally to bring women down to the level of men”? To this claim Edith Cowan replied “No, I want to raise men to the level of women. That may be possible”.⁶⁷

There was, however, one very important amendment. Exclusion on the grounds of marriage was excised from the Bill, without a vote in the Committee stage. Mitchell had recounted the main argument when he spoke of the need to preserve the structure of the family in which wives were economically dependent on their husbands.⁶⁸ William Angwin, believed that to include the words “or marriage” in the legislation “would have the effect of taking mothers away from their children”. He claimed “his wife would not go...” Indeed “those asking for these powers number perhaps a dozen in Perth and the country”. Philip Collier added his correction “none in the country”.⁶⁹

Politics in Edith Cowan’s era was conducted without opinion polls to give some credibility to what was claimed to constitute public opinion. Again, she was not prepared to jeopardise the Bill by insisting that all its sections be retained. She was conscious that Parliament was soon to rise for the 1924 election. Her “women’s

65 WAPD, 5 September 1923, p. 592.

66 Sawyer and Simms, p. 89.

67 WAPD, 5 September 1922, p. 596.

68 WAPD, 7 November 1923, . 1376.

69 WAPD, 7 November 1922, p. 1382.

groups” had probably informed her that she might not be re-elected. So she was undoubtedly comforted by the Premier’s commitment to the passage of the Bill before the end of the session.⁷⁰ This did not mean that Edith Cowan avoided forcefully presenting her arguments to the Legislative Assembly. She chose to quote at length from Havelock Ellis, a prominent but provocative sociologist, who claimed:⁷¹

We may regard all discussion on the everlasting alleged inferiority of women as absolutely futile and foolish and also that the conviction of some men that women are not fitted to exercise various social and political duties, and the conviction of some women that men are a morally inferior sex, are both alike absurd...We are not at liberty to introduce any artificial sex barrier into social concerns, for the hope of our future civilisation lies in the development in equal freedom of both masculine and feminine elements in life.

After listening to Edith Cowan quoting from Havelock Ellis, John Thomson (Claremont), interjected with the observation “I do not know him, and I do not want to know him”.⁷² Thomson immediately joined his colleagues for a unanimous vote on the second reading. Nevertheless, after the important Committee stage amendments, the Bill moved to the Legislative Council where it received quick passage, although one member was concerned about the appropriate attire for ladies practising in the courts.⁷³

It was Edith Cowan’s last successful action in the Legislative Assembly, and it was very significant for the cause of equal opportunity. However, although her private member’s Bills were of both symbolic and practical value for women, she also participated in many other debates, voicing her interpretation of the women’s perspective. In addition, she was often involved in debates where she felt she could effectively represent her constituency without the shackles of party discipline.

Other Legislative Stances

The volumes of *Hansard* register that Edith Cowan often spoke in legislative debates. Although the presentation of the second reading phase was invariably a Ministerial task, in some instances she was influential in seeking amendments on the floor of the House. A few months after her Maiden (Debut) Speech, she strongly supported the Nurses Registration Bill, which aimed to provide standards of training and registration for qualified nurses. According to Edith Cowan the nursing associations were strongly supportive of the Bill. In her judgement “women who take up nursing and do such splendid self-sacrificing work are the best people to know what is required for their profession”.⁷⁴ Some of the speakers were reluctant to

70 WAPD, 29 November 1923, p. 1732.

71 WAPD, 7 November 1923, p. 1381.

72 WAPD, 7 November 1923, p. 1382.

73 WAPD, 11 November 1923, p. 1777.

74 WAPD, 13 October 1921, p. 1233.

permit the government to have a regulatory role. Without doubt, however, Edith Cowan foresaw the need for quality standard nursing qualifications which a university named in her honour some seventy years later seeks to uphold.

In the same week as the debate on the Nurses Registration Bill, Edith Cowan spoke to an amendment to the Factories and Shops Act. The legislation concerned holidays to be observed and hours certain business premises (particularly pharmacies) should be permitted to remain open. When a new clause was added, which would have prevented an extension to the working hours for women and children, she opposed the move.⁷⁵ It was a delicate decision, as the stance was viewed in some quarters as being contrary to the welfare of women and children. The provocative William Angwin (later Agent General from 1927 to 1933) claimed this demonstrated “that if women want proper representation in Parliament, they should have men to represent them. Apparently they will receive more sympathy from men than from women”.⁷⁶ In fact Edith Cowan wanted women to have the right to fix their own hours by appeal to arbitration. Interpreted in this light her action was in sympathy with the equal opportunity principles which she espoused. Nevertheless, Andrew McCallum (South Fremantle), was so annoyed with Edith Cowan’s stance that he complained “every time we try to get reform for women, the cry goes up that we are trying to prejudice the employment of women”.⁷⁷

Another debate, in the same busy week, on the State Children’s Act Amendment Bill did not compromise Edith Cowan. The Bill contained provisions she had advocated over many years through her commitment to children’s welfare. As a foundation member of the Children’s Protection Society in 1906 she had been influential in seeking the passage of the first State Children’s Act in 1907, which provided for closed children’s courts. In 1915, in accordance with her view that women should be magistrates and court officers she became one of the first five women magistrates appointed to the Children’s Court. It will be recalled that women at that time were still barred from becoming justices of the peace or practising law.

In the Legislative Assembly Edith Cowan successfully moved an amendment which made it a punishable offence to reveal a previous conviction before a State Children’s Court. Nor could such a conviction be admitted in any court of law. As she told the Assembly “the idea of treating children on ordinary police lines has become obsolete, and we wish now to do as much as possible in the way of reform”.⁷⁸ It appears that, even early in her parliamentary career, and on the backbench, Edith Cowan was able to “make a difference”.

When the Industrial Arbitration Act Amendment Bill came before the Assembly in late 1921, Edith Cowan had a motion placed on the Notice Paper that wives be regarded as household workers, be paid a wage, have set hours and be allowed to join

75 WAPD, 11 October 1921, p. 1143.

76 WAPD, 11 October 1921, p. 1146.

77 WAPD, 11 October 1921, p. 1145.

78 WAPD, 12 October 1921, p. 1184.

unions. A frequent speaker on industrial arbitration matters, Edith Cowan had introduced this concept in the context of discussion about domestic work. She considered the legislation was too broad in scope but her proposal was regarded as too radical. One member predicted that “we shall have a revolution”. She responded with the claim “I have heard it stated in this House that there are some things that can only be put right by a revolution”.⁷⁹ Outside Parliament the topic provoked interest but unlike most other arbitration matters it was not revisited as a serious proposition in State Parliament.

The extent to which the various women’s groups supported Edith Cowan’s move for recognition of household work remains unclear. What is certain is the different stance adopted by the key women’s organisations over the issue of compulsory notification of venereal disease. In 1916, Cowan had supported such legislation as necessary to stem the “VD” epidemic. She retained the support of the National Council of Women (NCW), but the Women’s Service Guilds, the Women’s Christian Temperance Union (WCTU), the Children’s Protection Society and the Labor Women’s Organisation withdrew affiliation. The main basis for their action was the traditional feminist opposition to registration on the grounds that it would protect men at the expense of women’s civil rights.⁸⁰

When the matter was raised in Parliament in 1922 it served to maintain the gulf between Edith Cowan and the NCW, and the Women’s Service Guilds, whose chief spokesperson was the prominent Bessie Rischbieth. This dispute was never healed. Probably with Rischbieth in mind, Cowan claimed “a great deal of nonsense has been talked on the issue from time to time...” Speaking to the Health Act Amendment Bill, she said “the whole community would be better if every of it could be examined from time to time”. In her view “the idea that disease is a “crime” should be got rid of. Whether the disease is acquired innocently, or as a result of what is generally considered, and what I for my part consider, to be immoral conduct, the disease should be cured”.⁸¹ As far as she could ascertain the legislation could not “be used wrongfully against women”.

The women’s and children’s perspective adopted by Edith Cowan prompted her to speak at length about the “evils” of drinking and gambling. She participated extensively in debates on in the Licensing Act Amendment Bills in 1921 and 1922. Edith Cowan had been elected on a local option ticket but although she did not think this had been given a fair trial she was tempted to seek a Statewide referendum on prohibition “as the best means of settling the question”. She was sufficiently practical to recognise that “straight out prohibition is an impossibility here at the present time, and that we have to go gradually, step by step, and the public must go with us”.⁸²

79 WAPD, 25 November 1921, p. 1731

80 Sawyer and Simms, *Ibid*, p. 86.

81 WAPD, 5 January 1922, p. 2748.

82 WAPD, 13 December 1921, p. 2353.

According to Edith Cowan “the greater proportion of the people is affected as a consequence of drink than of anything else”.⁸³ It was linked to “delirium tremens, misery, poverty, lunacy, sickness and the many other evils”⁸⁴ and there was evidence of hereditary conditions being passed on by drink”. Ironically, despite her membership of a plethora of voluntary organisations, she did not join the Temperance League but she chided those bodies “for not doing what they should in the way of providing substitutes for liquor”. Nevertheless she reached the conclusion “that to be called a wowser is something to be proud of”.⁸⁵ Understandably she was vehemently opposed to lowering the drinking age below 21 years and the extension of trading hours, being totally opposed to sales on Sundays. She favoured the registration of bar attendants and criticised the Licensing Act Bills for not including the abolition of barmaids “as it is not a suitable employment for women”.⁸⁶ She also regretted the legislation did not make the closure of wine shops compulsory.⁸⁷

Gambling, too, thought Edith Cowan, had a deleterious impact on individuals and society. In 1921, she tabled in the Legislative Assembly a resolution passed by the Child Welfare Committee (on which religious, educational, municipal and social bodies were represented) which condemned the Bill then before the Parliament to legalise lotteries for charitable purposes.⁸⁸ Taxation was the preferred method of providing money for these objects: “we ought not get down to such a low level that we take care of our own poor and our sick and our wounded soldiers, and our children...in the shape of gambling. I can not believe that the spirit of our humanity has fallen so low”.⁸⁹

Wounded and returned soldiers, particularly in conjunction with the Red Cross Society, provided another focus for Edith Cowan’s work. As Peter Cowan observed “her concern for the people involved, willingly or unwillingly, in war had been real and it was lasting”.⁹⁰ This included working on a range of committees to ease the burden of returned and injured servicemen. In Parliament, she spoke forcefully on the ANZAC Day Bill (1923) which was passed to strengthen (by way of restricting horse racing and the sale of liquor) the observance and sacred nature of the day which had been enshrined in the 1919 ANZAC Day Act. She told the Legislative Assembly:⁹¹

83 WAPD, 13 December 1921, p. 2354.

84 WAPD, 5 September 1921, p. 563.

85 WAPD, 5 September 1921, p.563.

86 WAPD, 13 December 1921, p. 2354.

87 WAPD, 5 September 1921, p. 564.

88 WAPD, 28 September 1921, p. 1016.

89 WAPD, 28 September 1921, p. 1016.

90 Cowan, *Ibid*, p. 148.

91 WAPD, 21 November 1923, p. 1561.

The only way to make them [the public] remember is to put something upon our statute book that will constitute an ideal for the future. I have always felt it to be a good thing if sometimes the statutes are a little ahead of the ideals of the people, because the law is there for them to live up to.

Edith Cowan also perceived the “state” as having a positive role to play in economic development. Progress in the State’s north, including prospecting for oil and cotton growing, was sought. However, it was her endorsement of the south west region Group Settlement Scheme which attracted much of her parliamentary attention.⁹² It was considered that the package of taxation incentives would induce progress and create employment, although she did lament the Bill “does not go far enough”.⁹³

Likewise Edith Cowan supported a role for government in the marketing of the wheat harvest. Nevertheless, in an insight to her interpretation of democratic theory, she contended “the wheat pool cannot be continued without the support of the people”.⁹⁴ However, the expressed reason for her participation in the debate was to indicate to the members of the Country Party that there were more sides to the question than merely getting a good price for their wheat. In her opinion, no-one had acknowledged that the burden of widespread unemployment and poverty was being felt by the women and children of the community. Said Edith Cowan “We [women] have in a sense been kept far too long on mouldy corn, and not been considered in the way we should have been considered”.⁹⁵

To the chagrin of the Country Party, Edith Cowan believed that the metropolitan area was under-represented in the Parliament. She was familiar with the notion of one vote, one value and she sought idealistically proportional representation and compulsory voting. Parliament under these proposals would mirror the electoral vote. Her election pamphlet had also contained a reference to a reduction in the number of parliamentary seats. In Parliament she said she would support moves in this direction but added “it is a waste of time to pursue such a course”.⁹⁶ Indicative of her rejection of “partyism” she confessed when speaking of the sensitive matters of electoral reform that she had “not spoken to any member of the Government on the question...”.⁹⁷ As usual Edith Cowan was her own person.

92 WAPD, 8 December 1921, p. 2266.

93 WAPD, 15 September 1921, p. 803.

94 WAPD, 15 September 1921, p. 802.

95 WAPD, 15 September 1921, p. 803.

96 WAPD, 21 January 1923, p. 2870.

97 WAPD, 21 January 1921, p. 2870.

Parliamentary Questions and Notices of Motion

In her first session as an MP, Edith Cowan had 16 parliamentary questions recorded in her name. The total for the Legislative Assembly for the session was 233 questions on notice, with only two without notice. In that era, the latter implied a want of confidence in the Government or the Minister. They were rarely tabled. By comparison, in 1995, when Parliament was preparing for the 75th anniversary of Edith Cowan's election, the number of questions without notice in the Legislative Assembly was 701, with 4459 questions on notice.⁹⁸ Indicative of a change in her parliamentary tactics, Edith Cowan generated only five recorded questions with notice in 1922 and in her final year the number was reduced to two such questions. By then she was giving more emphasis to legislative measures.

An examination of Edith Cowan's question schedule reveals some of her priorities and concerns. She used the procedure to seek rulings on the privileges of women in Parliament, obtain details about hospitals and maternity care, raise concerns about gambling and lotteries, focus on economic development in rural areas and represent constituency grievances such as sewage and water supply, and railway crossing safety. Compulsory voting, as usual, was promoted given that it was the subject of a successful private member's Bill in the Commonwealth Parliament in 1924. Edith Cowan also queried whether favours were implicit in the allocation of holiday bungalows at Rottneest Island.⁹⁹

After some six weeks of sitting in Parliament, Edith Cowan gave notice of a question to the Speaker (George Taylor) as to whether the privilege of admission of strangers to the Speaker's Gallery should be extended to women as well as men. The Speaker responded with the observation that tradition restricted the privilege to men.¹⁰⁰ This prompted Edith Cowan to move a motion a week later "that in the opinion of the House the privilege of admission to the Speaker's gallery should be extended to women as well as men".¹⁰¹

The debate was soon extended to consideration of the public gallery, where a women's, men's and general area had been designated. An amendment by Peter O'Loughlen (Forrest) then sought to insert the words "and all other galleries" after the word "gallery". The motion was accepted.¹⁰² Edith Cowan's presence had required consideration of an issue that had never previously been given thought. However, no other significant changes to Parliamentary operations can be directly attributed to Edith Cowan.

98 The Parliament of Western Australia, Digest 1995-1996, No 23 (forthcoming)

99 WAPD, 25 August 1921, p. 423.

100 WAPD, 20 September 1921, p. 821.

101 WAPD, 28 September 1921, p. 1000.

102 WAPD, 28 September 1921, p. 1009.

Budget Estimates-Annual Votes

The annual parliamentary scrutiny of budget estimates provided scope for Edith Cowan, as well as other Members, to endorse or criticise government policy. Accountability for government expenditures was invariably sought. On some items, Edith Cowan reiterated opinions she had articulated elsewhere in Parliament. Encompassed in this category were railway costs, road conditions (including consideration of animal welfare), road and railway safety, adequate housing and care for children and adults, particularly those with intellectual disabilities. In an attempt to resolve some of her concerns about metropolitan water supply (and sewage), particularly for her West Perth residents, Edith Cowan called for an inquiry after arguing for the creation of a separate country and metropolitan water supply board.¹⁰³ Later she contended that public utility services could be more effectively delivered by trusts or boards rather than by government departments.¹⁰⁴ In this sense Edith Cowan was heralding the subsequent emergence of statutory authorities for the provision of some major government services.

In some instances, however, Edith Cowan raised topics which had not previously surfaced in Parliament. On one occasion, when the Education vote was being discussed, Edith Cowan presented her case for domestic science training. She asserted “nothing is more important to the community than the proper training of girls and women in domestic science and household management”.¹⁰⁵ Given that education, and particularly for women, had to be fought for, it is surprising she did not argue in Parliament for a broader range of subjects. It is known she preferred the modern curriculum to the scriptures and ancient classical studies that had dominated in her youth.¹⁰⁶

A commitment to education was a tenet of Edith Cowan’s philosophy. She strongly supported a motion to annul a University of Western Australia Statute which was designed to permit the University to establish fees and bursaries for attendance of students at lectures and classes. When a member observed that Edith Cowan had not received a university education she replied:¹⁰⁷

‘No more is the pity’. I think perhaps we all feel it is a pity we were not able to attend a university, that had it been free in our day it would have made a great difference to our culture generally and perhaps to the whole community ...I do not think we have given the system of free education a fair trial, because we have not provided the money necessary to its proper development.

103 WAPD, 30 November 1921, pp. 2015-2016.

104 WAPD, 13 December 1922, p.2202.

105 WAPD, 26 October 1921, p. 1492.

106 Cowan, Ibid, p. 56.

107 WAPD, 22 December 1921, p. 2599.

Then, displaying her occasional capacity to annoy some of her parliamentary colleagues, Edith Cowan reminded them how “on a practically unanimous vote it was decided to provide an additional 8,000 [pound] per annum for increases in members’ salaries. If we can do that, we ought to be able to fund the small amount extra required by the University”.¹⁰⁸ In one of her earlier speeches Edith Cowan had employed similar reasoning when she said “if we can afford enormous amounts yearly in drink, and only a moderate amount on education, there is something wrong with our point of view, and we are not particularly balanced people as to what is best for the community”.¹⁰⁹ Nevertheless this quest for a balanced outlook once prompted Edith Cowan to remind Members that “before we come to the question of education we must consider whether a child is in a fit state of health to receive an education”.¹¹⁰

On several occasions Edith Cowan used the Estimates to raise matters of alleged maladministration or injustice. In her judgement some of these problems could be overcome with better representation of women in administration. When discussing the case of a woman being detained in an asylum for longer than necessary, she added “I deprecate strongly the fact that no woman has been appointed to a position on the royal commission to investigate lunacy matters here”.¹¹¹ In another instance, Edith Cowan aired concerns about an internal inquiry within the Railways Department which had exonerated a man of charges of misconduct.¹¹²

The high masculinity ratio, particularly in rural areas, gained Edith Cowan’s attention. When examining the Estimates of the Colonial Secretary’s Department, she cited correspondence suggesting a Government matrimonial bureau.¹¹³ A farmer requiring a wife could deposit five pounds so that all applications would be genuine, with the deposit refunded on the presentation of marriage lines. This did not come to fruition although it does raise the need for further research on Edith Cowan’s views on the institution of marriage. Archival records reveal that her marriage certificate was an unusually detailed document.¹¹⁴ Edith Cowan’s biographer also made an observation that in later life she reflected upon whether she should have married and had a family.¹¹⁵ An admission was made that Edith Cowan “was a difficult personality”, but this was rationalised with the claim that some of her attributes “great courage, outspokenness, a remarkably clear and logical mind-were public rather than private

108 WAPD, 22 December 1921, p. 2599.

109 WAPD, 13 December 1921, p. 2354.

110 WAPD, 24 November 1921, p. 1921.

111 WAPD, 24 November 1921, p. 1920.

112 WAPD, 9 January 1923, p. 2465.

113 WAPD, 30 October 1923, p. 1217.

114 Battye Library: Perth, Western Australia, Settlement on Marriage (James Cowan and Edith Dircksey Brown) 11 November 1879.

115 Cowan, *Ibid*, p. 279.

virtues”.¹¹⁶ Edith Cowan, as a woman, was forging a new path in public life. Undoubtedly she would not have had the necessary assistance to fulfil such a pioneering role. At least after the 1924 election parliamentary duties were not required to exacerbate the role conflict.

Electoral Defeat

Two main factors in 1924 made Edith Cowan’s task of achieving re-election very difficult. In the first place, Labor decided to contest the seat. Although its candidate, Alexander McDougall, did not expect to win, his party targeted the women’s vote and campaigned strongly against Edith Cowan because she had failed to vote on a Labor motion to equalise the leave privileges of the wages and salaries staff of the railways. Edith Cowan’s explanation was that she had been temporarily absent at the time of the vote because of an important meeting at the Maimed and Limbless Association. As the division was lost on the Speaker’s casting vote the inability of Edith Cowan to record her vote drew public criticism. Although Edith Cowan had sometimes voted with Labor on social matters it was not with sufficient frequency to satisfy the party hierarchy. Secondly, the Nationalist Party devoted most of its resources to the election of Thomas Davy who shared endorsement with Edith Cowan. Davy had been specifically sought to win West Perth: as a Rhodes Scholar from Hale School and a legal practitioner, he was regarded as an outstanding candidate.

Just prior to the 1924 poll Edith Cowan’s campaign committee placed a large advertisement in the *Daily News* tabulating more than twenty community posts and organisations that she had continued to serve during her parliamentary term.¹¹⁷ However, Edith Cowan was eliminated on the first count after her first preference vote had dropped from the 1921 reading of 38.29 per to 30.85 per cent . The extent to which she suffered from a fall in turn-out of nearly five percent is uncertain but it was a reminder of Edith Cowan’s unsuccessful quest for the enactment of compulsory voting. Nevertheless the electoral loss of the first women parliamentarian in Australia was not given major headlines although the *Sunday Times* had a sub-heading titled “Mrs Cowan Retires”.¹¹⁸ The *West Australian* in its brief analysis observed that “in spite of a preponderance of female voters [in West Perth] Edith Cowan failed to retain her seat”.¹¹⁹

Edith Cowan’s Contribution

To win a parliamentary seat in 1921 on the basis of her own credentials, rather than those of her husband (as was the case with several pioneer women

116 Cowan, *Ibid*, p. 279.

117 *Daily News*, 22 March 1924, p.7.

118 *Sunday Times*, 23 March 1924, p. 1.

119 *West Australian*, 24 March 1924, p.7.

parliamentarians), was a remarkable achievement. It was a win “against the odds”, although this is a phrase which Edith Cowan would not have approved because of its gambling implications. However, it demonstrated that membership of a plethora of community groups was an enabling factor for electoral success.

By most measures Edith Cowan was an extremely active parliamentarian. Her age did not appear to be an impediment to her performance although she had been forced on health grounds to request three weeks leave of absence during her second year as the Member for West Perth.¹²⁰ Her role was based on close constituency links. Of course Edith Cowan fervently represented the women’s perspective on the basis of a partnership with men rather than in antagonistic opposition to them. In this context she also gave strong representation to children’s rights, particularly in the court system and with health matters. In Parliament she began the process of breaking down some of the privileges restricted to men. Indeed, she could not comprehend a rationale for, or accept, any discrimination on the basis of gender.

Education was an avenue for hope. This had been exhibited more by Edith Cowan in her community life than in Parliament. Nevertheless in the Legislative Assembly she argued that “free” university courses could uplift the cultural standards of society. In the Budget Estimates she sought more funds for education although this was tempered by good health being regarded as a pre-requisite for effective education of the child. Edith Cowan reiterated her thoughts about the necessity of a domestic science curriculum for girls. She spoke at length on behalf of the Australian Trained Nurses Association and the Returned Army Nurses in their successful quest to secure the passage of the 1921 Nurses’ Registration Bill. As nursing was an occupation almost entirely restricted to women the enhancement of educational standards in this profession contributed to the elevation of woman in the work force.

The Women’s Legal Status Act opened the legal and other professions to women. It was a measure of symbolic and practical significance. Her pragmatism persuaded her to accept an amendment to delete marriage as a barrier to women’s entry to a profession. To steadfastly insist on the integrity of the original Bill would have threatened its passage. She also steered through the Parliament another private member’s Bill which gave equal inheritance rights to mothers where a child died intestate and without issue. However, given the rarity of such Bills, being successful with such limited parliamentary experience was a significant achievement.

In deliberations on the wages system Edith Cowan argued for a “social wage” before that concept had been introduced. Intellectually and pragmatically, she sought a balance between private and public enterprise. She strongly defended what were then called a “civil” (public) servants (of which her husband was one), but believed that private enterprise was generally more efficient. Nevertheless, she thought the “state” had an obligation to promote regional development, often with the tool of taxation incentives and through the provision of infrastructure such as schools, infant health centres, hospitals and roads. In rural areas Edith Cowan had argued that road transport was normally more cost effective than railway lines. This was a controversial stance but she maintained an awareness of both metropolitan and rural outlooks.

120 WAPD, 18 October 1922, p. 1101.

Edith Cowan admitted that her views on gambling, alcoholism and censorship stamped her as “a wowser”. Perhaps due to the divisions in the women’s movement it was not an arena in which she concentrated her amazing range of voluntary committee work. In fact she attacked the ineffectual strategies of the Temperance League. She had learnt about the costs of alcoholism in her youth so the depths of her opinions could be understood. Given the tragedies experienced by both of her parents, she provided a model for both men and women in overcoming adversity and making a contribution to civic life.

At the end of her first session of Parliament Edith Cowan thanked the members for their indulgence concerning her presence.¹²¹ Nevertheless, near the conclusion of her short parliamentary career, she was forced to complain about the lack of courtesy that some members had exhibited towards her in debates. One Labor member, William Angwin (North-East Fremantle), in particular, constantly interjected when she spoke.¹²² As no special favours were given to her, she was sometimes prepared to retaliate with interjections.

Significantly, though, the experienced and influential Philip Collier made the judgement that the eleventh parliament had a very good tone and was one of the most constructive.¹²³ Earlier Collier had reminded the Speaker “you have been privileged to preside over a Chamber which, for the first time in its history, has had in its midst a mother of the House”.¹²⁴ Members had become aware of how she displayed no inclination to “toe the party line”. Moreover, she did not have a fixed “left” or “right” ideological perspective. Given her preparedness to use the range of parliamentary procedures to express her views, together with her general persistence, it is surprising she did not give consideration to reviving the old procedure of tabling petitions from electors: in the post-World War 1 parliaments, very few were recorded.

One parliamentary procedure which Edith Cowan did employ was the tabling of Notices of Motion. Although this tactic was sparingly used, particularly on matters of justice and principle, Edith Cowan was successful in eliminating the tradition of the Speaker’s Gallery (and other parliamentary galleries) being reserved for men. Given her sound knowledge of the thoughts of prominent British critics of the Westminster parliamentary system, such as J.S. Mill and John Bright, Edith Cowan was also able to consider key reforms to the cabinet and electoral system. As the supremacy of Parliament, probity in public life and accountability of government expenditures, were three of her themes she foreshadowed some of the issues which were not taken seriously until the revelations of the 1992 *Western Australian Royal Commission into the Commercial Activities of Government and Other Matters*.

121 WAPD, 22 December 1921, p. 2618.

122 WAPD, 30 October 1923, p. 1219.

123 WAPD, 13 December 1932, p. 2105.

124 WAPD, 22 December 1921, p. 2617.

Parliament, thought Edith Cowan, enabled members to learn “to be balanced”¹²⁵ in their views. The parliamentary processes also made members conscious of the difficulties encountered to convince colleagues of the merits of policies. She appealed to community leaders to stand for Parliament rather than keep in the background “and pull strings”.¹²⁶ Certainly one of her legacies was a preparedness to delve into matters not adequately addressed by the Government or Opposition in the Western Australian Parliament. It could be asserted that Dr Elizabeth Constable (Churchlands) has filled this vacuum in the contemporary Parliament. Dr Constable, with the advantage of a university education, has exhibited a more predictable approach than Edith Cowan to her parliamentary speeches. Moreover, the former is more engaging in her political style. Nevertheless, it is the value of an independent voice which has appeal in some quarters.

Whether Edith Cowan’s own anti-partyism was the best way of serving the cause of women parliamentarians is another question. David Black, an authority on this era of State politics, has cited an opinion that she was “unreliable” in her voting record.¹²⁷ A careful analysis of Edith Cowan’s record has indicated that she did vote with the Opposition (Labor) on a number of occasions. However, as Choules has indicated “it is misleading to suggest that she was something of a renegade in parliament when her actions are viewed in context with the voting record of her Nationalist colleagues”.¹²⁸ Generally, though, the “unreliable” tag has been interpreted as one reason why the Nationalist Party decided to mobilise the bulk of its resources behind Thomas Davy, who defeated her in 1924 and 1927. These defeats dealt a blow to those who had believed Edith Cowan could open the way for more women parliamentarians. Perhaps, though, as with her equal opportunity philosophy, she was ahead of her time. Her experiences had made it clear that Parliament needed to modify its procedures for women. Nevertheless, an electoral strategy based on seeking to capture women’s votes was fraught with difficulties, particularly when major women’s organisations were divided on several policy issues.

In 1921, four women (three of them Independents) contested the State election. Three years later, apart from Edith Cowan, there were only two woman candidates. In 1927, with the nomination statistics again distorted by the high number of unopposed elections in “safe” seats, only three women stood for election. In a 1925 by-election, May Holman succeeded her father J.B. Holman in the seat of Forrest. Holman had the dual distinction of being the first woman to represent the Labor Party and the first woman in the British Commonwealth to be re-elected, holding the seat until her death in 1939. Meanwhile, in 1936, Florence Cardell Oliver was elected for the seat of Subiaco and later became the State’s first woman cabinet minister.

125 WAPD, 9 August 1923, p. 187.

126 WAPD, 9 August 1923, p. 186.

127 Black, David (1991), “Factionalism and Stability, 1911-1947”, in David Black (ed), *The House on the Hill: A History of the Parliament of Western Australia*, Perth: Parliamentary History Project, p. 125.

128 Choules, *Ibid*, pp.112-113.

Apart from the meagre number of women who won seats, only a handful of women gained party nomination. Up to and including the 1947 Legislative Assembly general elections, women candidates contested only 25 of a possible 450 seats. In the Legislative Council, there were only three women candidates for the 120 seats. As late as 1940 there had been only 10 women who had stood for the Legislative Assembly and the only woman nominating for a Legislative Council election was the wife of a deceased member.¹²⁹ Without doubt these statistics would have deeply disappointed Edith Cowan.

In 1921 Edith Cowan had overcome the obstacles to be elected in the previously all-male chamber. Interestingly in 1923, during an exchange in Parliament when she was being critical of the “spirit” being exhibited by some male MPs, referred to the formation of a women’s party.¹³⁰

There are many of us who still do not wish to bring that about, but it may ultimately be necessary to have such a party to look after the interests of women. The effect of forming one would possibly be much stronger than some men realise. Women wish to work with men not against them, and we therefore desire that the men should work with us and not against us when it comes to the question of employment of women in positions in which they can obtain a satisfactory livelihood.

Edith Cowan had made this claim before she nominated on behalf of the Women’s Electoral League in 1927. The League was not a fully fledged political party but the outcome on that occasion meant that the prospects for a women’s party were not promising. Today, the formation of a political party still has currency but it is not the desired path of most women. How to secure greater representation of women in Parliament is still a matter for concern. Should quotas be imposed in “safe” seats or should evolution take its course?

As demonstrated in her comments on the 1923 ANZAC Day Act Edith Cowan thought that legislation could often incorporate community ideals, even if the statutes were ahead of the practices of the people. However, after the passage of the Women’s Legal Status Act in 1923 it was over sixty years before the Western Australian Equal Opportunity Act (1984) was passed providing remedies in respect of discrimination on the grounds of sex, marital status, pregnancy, race, political conviction, or involving sexual harassment. Such legislation does prompt analysis about whether such objectives are achieved. Unfortunately, though, there are indications that legislation can be slow to change the habits of the community.

One of the last major projects in which Edith Cowan was engaged was the 1929 Western Australian Centenary. At that stage she would have been disappointed to observe how few women were prominent in parliamentary and public life. As we celebrate the 85th anniversary of Edith Cowan’s election, more women are gaining public office. Following the 2005 State Election, 22 per cent of the Legislative Assembly were made up of women, and 41 per cent of the Legislative Council were

129 Black, *Ibid*, p. 124.

130 WAPD, 9 January 1923, p. 2466.

women. Edith Cowan would no doubt see this increase of women in Parliament and in public life as a better partnership for the future. It, too, in her view would enhance the legitimacy and authority of the Parliament as it would be representing an ever broader spectrum of the society.