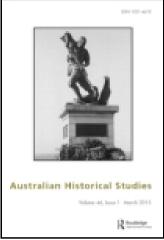
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Publisher: Routledge

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# **Australian Historical Studies**

Publication details, including instructions for authors and subscription information:

http://www.tandfonline.com/loi/rahs20

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To cite this article: Jo Hawkins (2015) Anzac for Sale: Consumer Culture, Regulation and the Shaping of a Legend, 1915-21, Australian Historical Studies, 46:1, 7-26, DOI: 10.1080/1031461X.2014.994539

To link to this article: http://dx.doi.org/10.1080/1031461X.2014.994539

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# Anzac for Sale: Consumer Culture, Regulation and the Shaping of a Legend, 1915–21

#### JO HAWKINS

After the Gallipoli landing on 25 April 1915, the word Anzac began to appear with increasing frequency to brand a range of Australian consumer products, and many traders applied to change the name of their businesses to Anzac. On 25 May 1916, the federal government issued War Precautions Regulations prohibiting the unauthorised use of the word Anzac 'in any trade, business, calling or profession'. This article explores applications to use the word Anzac for commercial purposes between 1915 and 1921 to argue that consumer culture became a battleground where individuals and groups competed to assert ownership over the word and the social currency it represented.

THE REALISATION THAT THE ANZAC LEGEND had the potential to be commercialised is almost as old as the mythology itself. From mid-1915, the word Anzac was used with increasing frequency to brand a range of consumer products including tea, soap, toys, beer and other goods. Many traders changed the name of their businesses to incorporate the word Anzac and some companies even enlisted soldiers to endorse their products. However, on 25 May 1916, the Australian federal government issued regulations under the War Precautions Act prohibiting the use of the word Anzac 'in any trade, business, calling or profession'. 1 What motivated early traders to use the word Anzac for commercial purposes and why did authorities act so quickly to prohibit its use? While the potential for consumer culture to appropriate the word Anzac was clear to legislators in 1916, scholarship examining the ways in which the Australian marketplace has shaped the collective memory of the First World War remains underdeveloped. This article explores a range of applications to use the word Anzac in a commercial context that were submitted to the Attorney-General, and mostly rejected, between 1915 and 1921. It argues that the seemingly harsh response of the Australian authorities must be understood within the context of official efforts to mobilise Australian society to support the war effort, in the face of industrialscale violence and loss of life.

## The value of 'Anzac'

Originating as an acronym to describe the Australian and New Zealand Army Corps (A. & N.Z. Army Corps), the word Anzac quickly came to represent an

<sup>&</sup>lt;sup>1</sup> Sub Regulation (1) of Regulation 2 of the War Precautions (Supplementary) Regulations, *The Commonwealth of Australia Gazette*, in National Archives of Australia (hereafter NAA) A432, 1929/3484 (Part 15).

aspirational set of national values and attributes.<sup>2</sup> Australian war correspondent and official historian, C. E. W. Bean, admitted that 'at the Landing at Gallipoli many men in the divisions had not yet heard of it', but the acronym evolved rapidly from official vernacular into the national lexicon.<sup>3</sup> The heroic exploits of Australasian troops were lauded at home and abroad. The first report from the front by British correspondent Ellis Ashmead-Bartlett famously declared that 'they had been tried for the first time, and had not been found wanting'.4 Confirmation of Anzac heroism on the international stage greatly fuelled the popular response to the Gallipoli campaign in Australia. The qualities of the Australian warriors were said to exemplify a unique national character and the word Anzac became associated with masculinity, citizenship, sacrifice, belonging to Empire, and Australian national identity. After troops were successfully evacuated from Gallipoli in December 1915, Ashmead-Bartlett undertook a sold-out Australian speaking tour, Bean's Anzac Book sold 100,000 copies, and a growing Anzac Day movement culminated in spectacular commemorations in London and Australia. By May 1916, the word Anzac was described in the Daily *Telegraph* as 'a national heirloom ... more precious than gold'. <sup>7</sup>

The value attributed to the word Anzac was not confined to metaphor, but also manifested in commerce. At the dawn of the twentieth century, Australian traders were beginning to realise that words and symbols, in the form of trademarks and brands, could embody powerful emotions and meanings. In the early nineteenth century, Australian consumers had few options when it came to consumer products, and household goods were purchased in a fairly indiscriminate manner. However, rapid industrialisation and population growth—fuelled by mining booms, increased migration and the development of an increasingly affluent urban middle class—created a larger market for goods and an increasingly cluttered marketplace. The mass production of goods necessitated ways to differentiate between them and the practice of applying

<sup>&</sup>lt;sup>2</sup> Peter Dennis et al., 'Anzac', in The Oxford Companion to Australian Military History (Oxford: Oxford University Press, 2008). www.oxfordreference.com/view/10.1093/acref/9780195517842.001.0001/acref-9780195517842-e-61.

<sup>&</sup>lt;sup>3</sup> C. E. W. Bean, The Story of ANZAC: Official History of Australia in the War of 1914–1918 (Sydney: Angus & Robertson, 1936).

<sup>&</sup>lt;sup>4</sup> The Sydney Morning Herald, 8 May 1915, 13.

<sup>&</sup>lt;sup>5</sup> K. S. Inglis, 'The Australians at Gallipoli', *Historical Studies* 14, no. 54 (1970): 221; Kevin Fewster, 'Ellis Ashmead Bartlett and the Making of the Anzac Legend', *Journal of Australian Studies* 6, no. 10 (June 1982): 17–30.

<sup>&</sup>lt;sup>6</sup> D. A. Kent, 'The Anzac Book and the Anzac Legend: C.E.W. Bean as Editor and Image-maker', *Historical Studies* 21, no. 84 (April 1985): 376–90; Fewster, 27; Richard Ely, 'The First Anzac Day: Invented or Discovered?', *Journal of Australian Studies* 9, no. 17 (November 1985): 41–58.

Newspaper clipping, 'Day By Day', Daily Telegraph, 29 May 1916: NAA A432 1929/3484 (Part 25).
Robert Crawford, But Wait, There's More: A History of Australian Advertising 1900–2000 (Melbourne: Melbourne University Press, 2008). For a broader overview of Australian consumer culture see Robert Crawford, Judith Smart and Kim Humphery, eds, Consumer Australia: Historical Perspectives (Newcastle: Cambridge Scholars, 2010); and Beverley Kingston, Basket, Bag and Trolley: A History of Shopping in Australia (Melbourne: Oxford University Press, 1994).

<sup>&</sup>lt;sup>9</sup> Susie Khamis, 'Class in a Teacup: The Bushells Brand 1895–1920', in *Consumer Australia*, eds Crawford et al., 14–15.

<sup>10</sup> Ibid.

trademarks to goods became widespread. So, too, did the idea that companies had the right to protect these unique identifiers. This realisation resulted in the development of intellectual property laws, which provided individuals with exclusive protection of a number of intangible assets, including copyrights, patents and trademarks.<sup>11</sup> Traders recognised that the value of a trademark did not lie in the mark itself, but in the reputation that it represented and the pervasiveness of that reputation.

It was not enough for traders to *mark* their goods; they needed to *market* goods by constructing a set of meanings and attributes that worked alongside them at an associational level. In his study of the 1851 Great Exhibition at the Crystal Palace in London, Thomas Richards argues that 'the capitalist system had not only created a dominant form of exchange but was also in the process of creating a dominant form of representation to go along with it'. <sup>12</sup> The ways in which traders positioned their products in the marketplace became just as important as the product they were selling. Companies such as Bushells, Pears Soap, Rexona, Aspro and Bovril were well aware of the semiotic power of their trademarks. Writing about imperial advertising, Anne McClintock suggests that Imperial Leather were not just selling soap, they were selling the idea of whiteness and racial superiority. <sup>13</sup> Closer to home, Susie Khamis shows that Bushells were not just selling tea in early twentieth-century Australia, but offering a short-cut to middle-class respectability. <sup>14</sup>

As Australians moved from producers to consumers, the consumption of goods grew increasingly central to culture and national identity. Overly moralistic critiques of consumer societies—which equate this transformation of social relations with materialism, individualism and political apathy—often overlook the ways in which consumer culture can offer pleasure, operate as a site of political agency and resistance, and facilitate the construction of individual and group identities. While industrialisation disrupted established links with tradition and history, it also provided a means to manufacture a replacement. The use of the word Anzac on consumer goods offered traders an opportunity to tap into the aspirational social currency represented by this powerful modern mythology. In 1908, an article appearing in the Adelaide *Register* declared, 'The

Amanda Scardamaglia, 'A History of Trade Mark Law in Australia: The Colonial Trade Mark Regime' (PhD thesis, University of Melbourne, Faculty of Law, 2011); Benedict A. C. Atkinson, The True History of Copyright: The Australian Experience 1905–2005 (Sydney: Sydney University Press, 2007).

Thomas Richards, The Commodity Culture of Victorian England: Advertising and Spectacle, 1851–1914 (Stanford, CA: Stanford University Press, 1990), 3.

Anne McClintock, 'Soft-Soaping Empire: Commodity Racism and Imperial Advertising', in *Imperial Leather: Race, Gender and Sexuality in the Colonial Contest* (New York: Routledge, 1995), 207–31.

<sup>&</sup>lt;sup>14</sup> Khamis, 13.

<sup>&</sup>lt;sup>15</sup> Dale Southerton, ed., Encyclopaedia of Consumer Culture (Thousand Oaks, CA: Sage Publications, 2011), xxix.

<sup>&</sup>lt;sup>16</sup> Peter N. Stearns, 'Stages of Consumerism: Recent Work on the Issues of Periodization', The Journal of Modern History 69, no. 1 (March 1997): 110; Elizabeth Outka, Consuming Traditions: Modernity, Modernism, and the Commodified Authentic (New York: Oxford University Press, 2008).

present is an age of advertising', noting that 'a catchword, a small jingling phrase that the public will remember, is one of the best possible advertisements'. <sup>17</sup> This article examines this concept of a catchword through the history of Anzac.

## Protecting 'Anzac': federal government regulation

On 25 April 1916, Australian Prime Minister William Morris Hughes declared that the qualities demonstrated by Anzac volunteers represented an antidote to consumerism, stating:

Into a world saturated by material things, which has elevated self into a deity, which has made wealth the standard of greatness, comes the sweet purifying breath of self-sacrifice ... Soldiers, you have covered yourselves with the glory that does not fade; your names will be handed down in your own native land, and be as household words.<sup>18</sup>

Hughes may have been shocked to discover that, back in Australia, Anzac branded household goods had already begun to flood the marketplace. The frivolous and widespread use of the word had drawn the attention of West Australian writer Edwin Greenslade Murphy. In over fifty-six lines of verse, Murphy's poem listed an extraordinary variety of uses, ranging from private homes and street names, to entertainment and leisure activities, and a vast selection of consumer products including 'Anzac collars and Anzac ties, Anzac puddings and Anzac pies; Anzac stockings and Anzac shoes, Anzac buttons and Anzac booze'.<sup>19</sup>

The increasing commercialisation of the word Anzac was first discussed at a federal level on 20 April 1916 during a particularly long meeting of the Federal Parliamentary War Committee (FPWC), a bipartisan committee established in mid-1915 to coordinate the national war effort. The issue had been brought to their attention by the Queensland War Council, which was worried that the word Anzac, which had 'a very deep and significant meaning for thousands of Australians', was fast becoming commercialised. The FPWC should take action 'in order to prevent the name becoming any other than a national one of respect'. Within a matter of weeks, letters of support began to arrive from other state War Councils. The Acting Premier of New South Wales, J. H. Cann, was so concerned that he wrote a personal letter to the Attorney-General, contending:

In view of the associations attaching to the name it is conceivable that if some steps are not taken to restrict its use it might become other than a term of respect, and I should

<sup>&</sup>lt;sup>17</sup> The Register, 17 December 1908, 5.

<sup>&</sup>lt;sup>18</sup> Kalgoorlie Miner, 25 April 1917, 4.

<sup>&</sup>lt;sup>19</sup> The Sunday Times, 6 February 1916, 6 (with thanks to Carolyn Holbrook).

<sup>&</sup>lt;sup>20</sup> The Northern Miner, 29 April 1916, 5.

<sup>&</sup>lt;sup>21</sup> Letter from Queensland State War Council, 3 April 1916, NAA: A432, 1929/3484 (Part 15).

<sup>&</sup>lt;sup>22</sup> Letters from State War Councils in South Australia, Victoria and New South Wales, NAA: A432, 1929/3484 (Part 15).

therefore be glad to learn your views upon the question of safeguarding to what every Australian must be a term of deep national significance.<sup>23</sup>

Such correspondence indicates that the deep and significant meanings associated with the word were difficult to articulate and remained in a state of flux. A detailed analysis of the vernacular associated with the word 'Anzac' is outside the scope of this article. However, it is clear that the word evoked powerful personal and national connotations; and that its misappropriation had potential implications for the continuing war effort.

Growing concerns over use of the word Anzac in consumer culture must be examined within the context of efforts to mobilise Australian society to support the First World War. Anzac troops had been evacuated from Gallipoli in December 1915, and by mid-1916 were deployed on the far more destructive Western Front. Increasingly concerned with the war situation, Hughes had left Australia on 21 January 1916 for talks with Commonwealth leaders in New Zealand, Canada and London. In his absence, Hughes appointed the Minister for Defence, George Pearce, as Acting Prime Minister and delegated most of his duties as Attorney-General to Robert Garran, whom he appointed to a new statutory office of Solicitor-General. Finally, Hughes appointed Western Australian member of parliament, Hugh Mahon, as Acting Attorney-General.<sup>24</sup> In a departure from convention for this role, Mahon was a former journalist and newspaper owner, rather than a lawyer. While he lacked legal training, Mahon possessed a strong understanding of the Australian media; a proficiency that would prove vital in communicating an increasing number of regulations made under the controversial War Precautions Act.

The War Precautions Act had been enacted on 29 October 1914, and empowered the federal government to pass regulations related to the war effort outside standard legislative process. The Act was often controversial due to the immense power it conferred onto the federal government. In one instance, when New South Wales MP Thomas Bavin enquired 'Would it be an offence under the War Precautions Act ...?', Garran reportedly replied 'Yes' before he had finished asking his question.<sup>25</sup> This ability to introduce new regulations quickly under the powers of the Act proved invaluable to politicians and defence staff seeking to control the use of the word Anzac.

On 16 May 1916, Garran distributed a minute paper to the FPWC that outlined how 'the use of the word "Anzac" for purposes of trade could be prevented by a regulation under the *War Precautions Act*'.<sup>26</sup> He noted that the Commonwealth Registrar of Trademarks had already received several applications for Anzac trademarks and that some had already been registered. Not only would the new regulations give the Attorney-General authority to refuse

<sup>&</sup>lt;sup>23</sup> Letter from J. H. Cann to Attorney-General, 30 May 1916, NAA: A432, 1929/3484 (Part 15).

<sup>&</sup>lt;sup>24</sup> H. J. Gibbney, 'Hugh Mahon 1857–1931', Australian Dictionary of Biography, vol. 10 (Melbourne: Melbourne University Press, 1986).

<sup>25</sup> Peter Dennis et al., War Precautions Act', in The Oxford Companion to Australian Military History (Oxford: Oxford University Press, 2008).

Minute paper written by Robert Garran, NAA: A432, 1929/3484 (Part 15).

pending or future trademarks, they would also provide the power to retrospectively cancel trademarks. Garran realised that many firms would not consider it necessary to register their business name as a unique trademark. Indeed, several firms listed on the Registrar of Companies in Victoria had already recorded names containing the word Anzac. The proposed regulations would also give State Registrars-General the power to cancel the registrations of these offending companies. Garran's recommendations were accepted and Mahon was tasked with setting the new regulations in motion.<sup>27</sup>

The 'War Precautions (Supplementary) Regulations 2 and 2A' were published in *The Commonwealth of Australia Gazette* on Thursday 25 May 1916.

No person shall, after the first day of July, one thousand, nine hundred and sixteen, without the authority of the Governor-General or of a Minister of State, proof whereof shall lie upon the person accused, assume or use in connexion with any trade, business, calling, or profession the word 'Anzac', or any word resembling the word 'Anzac', or any word or mark notified by the Governor-General, by notice in the Gazette, to be for the purposes of this Regulation a prohibited word or mark.<sup>28</sup>

The regulations were enacted a little over five months after the end of the Gallipoli campaign—an indication of the growing awareness by the federal government that the word Anzac embodied a potent social currency that needed to be protected and controlled.

Mahon ensured the regulations were widely reported in Australian newspapers, translating the legal text into terms the general public would understand. Several articles, syndicated across Australia, quote Mahon as stating 'the Government would not recognise the right of any person to monopolise the word "Anzac", a word which on account of the valiant deeds of the Australian and New Zealand Forces has become so dear to Australians'. <sup>29</sup> So important was the word that Garran even recommended prohibition beyond Australia. Telegrams were dispatched to authorities in Britain, New Zealand and Canada requesting similar regulation in their own countries, 'otherwise Australian prohibition will not be entirely effective'. 30 A reply from Downing Street confirmed that twenty-nine Anzac trademarks had already been registered in Britain and that the government did not possess power to cancel these registrations without consent.<sup>31</sup> Instead, the Controller General of Patents, Designs and Trademarks had commenced negotiations with each party. Rather than pass regulations under the Defence of the Realm Act 1914 the British government undertook a more time-consuming legislative route. The Anzac

<sup>&</sup>lt;sup>27</sup> Letter from George Pearce to the Attorney-General's Office, 20 April 2016, NAA: A432, 1929/ 3484 (Part 15).

<sup>&</sup>lt;sup>28</sup> Sub Regulation (1) of Regulation 2 of the War Precautions (Supplementary) Regulations, The Commonwealth of Australia Gazette, in NAA: A432, 1929/3484 (Part 15).

<sup>&</sup>lt;sup>29</sup> The Mercury, 25 May 1916, 5.

Telegram to British Secretary of State, 26 May 1916, NAA: A432, NAA 1929/3484 (Part 15).

<sup>31</sup> Letter from Downing Street, 7 September 1916, NAA: A432, 1929/3484 (Part 15).

(Restriction on Trade Use of the Word) Act was introduced into the House of Commons on 25 October, and published on 18 December 1916.<sup>32</sup> Instead of a few weeks, the process took five months. The differences between the two legislative processes did not go unacknowledged in the Australian Parliament. Labor member for Dalley, William George Mahony, accused the government of acting in an 'autocratic manner' when it 'decided by regulation what should be done'.<sup>33</sup> In New Zealand, the commercial use of the word Anzac was prohibited under the powers of the War Legislation Amendment Act, 1916 (section 33) by early August 1916.<sup>34</sup> By April 1917, Canadian authorities also confirmed an order prohibiting the registration of the word Anzac as a trademark.<sup>35</sup>

Efforts to control the use of the word Anzac were informed by a strategy of cultural mobilisation, that is, the use of cultural products to justify the mobilisation of economic and military resources, industrial-scale violence and loss of life.<sup>36</sup> Given that the First World War shattered Australian optimism, exacerbated social tensions and devastated communities,<sup>37</sup> 'Anzac' began to serve an important unifying political purpose. Authorities were aware of the need to redirect any negative emotions the war was generating into emotions that would fuel morale. In January 1916, The Mercury quoted the Manchester Guardian as deeming Anzac the 'most illustrious "made" name in history', admiring its 'swinging syllables' and stating that, 'surely there never was so happy concourse of letters as these initials'. 38 Yet, this 'happy concourse of letters' hid deeply personal meanings. The same article asserted that, 'With a lesser people their grief might well have turned to anger, but in these Australians and New Zealanders is bred a new pride and a sterner resolve'. 39 Graham Seal has noted that 'As early as December 1915 the Melbourne Argus quoted an army officer referring to Gallipoli and Anzac as "sacred" and the term was being routinely applied by 1916'. 40 By acting quickly to enshrine the word Anzac by law, the federal government confirmed this sacred status through decidedly secular means.41

The *Daily Telegraph* reacted to the new Anzac regulations with glowing praise.

<sup>32</sup> The Register, 27 October 1916, 10.

Motion of Want of Confidence: War Precautions (Referendum) Regulations, House of Representatives Hansard, 1 December 1916. http://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p; page=0;query=Id%3A%22hansard80%2Fhansardr80%2F1916-12-01%2F0081%22

<sup>&</sup>lt;sup>34</sup> NZ Gazette No. 93, NAA: A432, NAA 1929/3484 (Part 15).

Telegram from Australian Governor-General, 3 April 1916, NAA: A432, 1929/3484 (Part 15).

<sup>&</sup>lt;sup>36</sup> John Horne, ed., State, Society and Mobilization in Europe During the First World War (Cambridge: Cambridge University Press, 1997).

Marilyn Lake, A Divided Society: Tasmania During WW1 (Melbourne: Melbourne University Press, 1975); Bobbie Oliver, War and Peace in Western Australia: The Social and Political Impact of the Great War 1914–1926 (Perth: University of Western Australia Press, 1995); Susan Welborn, Lords of Death: A People, a Place, a Legend (Perth: Fremantle Arts Centre Press, 1983).

<sup>&</sup>lt;sup>38</sup> The Mercury, 3 January 1916, 5.

<sup>39</sup> Ibid

Graham Seal, 'ANZAC: The Sacred in the Secular', Journal of Australian Studies 31, no. 91 (2007): 137.

<sup>41</sup> İbid.

We do not want the Anzac hotel in every town of the Commonwealth where its signboard would inevitably rise but for the minister's prohibition. The Anzac liver pill would have been a sordid certainty, and the Anzac brand of tea would rise up and perpetuate the referendum night with Anzac whisky. Fortunately we are to be spared all the vulgar bill posting on the monument 'more durable than brass' that Australian valour has raised at such awful cost ... The word Anzac is coined out of material more precious than gold, and it is a coinage, which no one should be allowed to debase.<sup>42</sup>

The 1 July deadline gave traders five weeks to remove the word from goods and premises, and the threat of revocation of their business name or prosecution spurred many into action. Applications to use the word Anzac began to flood into the Attorney-General's office.

## Consuming Anzac: applications to the use the word

Correspondence to the Attorney-General's office indicates that many traders had ordered manufactured goods branded with the word Anzac well before the regulations were enacted. Several applications stated that product orders were still 'on the water' and others complained when their Anzac-branded goods, now unlawful, were detained by customs. Jeweller Joseph Levy, for example, had ordered a number of men's watches with Anzac engraved on the face in February 1916 and wrote to the Attorney-General requesting permission to sell the stock: 'it would mean a big loss to me if I were not allowed to get delivery of these'. Another trader had been using the word Anzac as a brand of matches and, prior to the regulations being enacted, had placed an order for one million match tops, which were being held by customs. The Attorney-General refused to make any exceptions and both applications were refused.

Many of the earliest products branded with the word Anzac were aimed at a male market. Inexpensive items such as Anzac razors, handkerchiefs, pipes and matchboxes could be purchased for personal use or sent to troops overseas. Other items, such as Anzac hats, suits, cufflinks and watches, could be worn proudly by men on the home front. The prevalence of Anzac-branded goods within men's haberdashery departments was indicative of the kind of aspirational manhood it represented, allowing consumers to tap into Anzac allure while displaying support for those on the front.

Anzac jewellery items, such as souvenir medals and brooches, were enormously popular. A typical advertisement in a Melbourne newspaper displayed a brooch, which could be purchased to 'show the patriotism of the wearer in a quiet, unobtrusive manner'. Such was the scale of this marketplace that officials from the Department of Defence arranged a meeting

<sup>42 &#</sup>x27;Day By Day', Daily Telegraph, 29 May 1916.

<sup>43</sup> Letter from Joseph Levy, February 1916, NAA: A432, 1929/3484 (Part 13).

<sup>&</sup>lt;sup>44</sup> Correspondence between the Commonwealth Match Works (Mr Sugar), Attorney-General's Office and Defence Department, NAA: A432, 1929/3484 (Part 13).

<sup>45</sup> Newspaper clipping, Stewart Dawson's Jewellers, NAA: A432, 1929/3484 (Part 13).

with the Federated Jewellers, Watchmakers and Allied Trades Union of Australia in August 1916. 46 During the meeting, trade union representatives admitted that 'the present has been one of the best winters in the trade due to the manufacture of these articles' and estimated that in Sydney alone at least 50,000 mementoes were on sale.<sup>47</sup> Jewellers, they argued, were not profiteering, but simply responding to consumer demand: 'Relatives and friends of those who had fallen at Gallipoli and in France were ... entitled to some memento of those occasions' and 'the cost to the trade in meeting the demands of the public has been a heavy one'. 48 They conceded that the word Anzac was sacred but maintained that jewellery items would not lessen this standing: 'In this connection there was surely no more sacred emblem than the cross, and yet no one would say that it was in any way prostituted by being used as an article of jewellery'. 49 The union representatives implored the minister to support an exemption on patriotic jewellery from the regulations, arguing that the industry provided work for many Australians and that retailers held large stocks that would have to be melted down if the regulation stood. Despite an appeal to patriotism and pocket books, their request was declined.

Traders also requested permission to use the word Anzac to brand a range of common household goods including bath soap, laundry detergent, tea, beer and soft drinks. The use of this 'sacred' word to differentiate ordinary consumer goods may appear paradoxical, but correspondence to the Attorney-General's office indicates that commemoration and commodification were not always viewed as mutually exclusive. In 1916 Kops Brewery in Queensland launched an Anzac beer with a label that declared its intention to bestow 'Honour to the living, Glory to the dead'. <sup>50</sup> Similarly, Cooperative Mineral Waters placed a new Anzac soft drink on the market in April 1916, just in time for the first anniversary of the Gallipoli landing. After the regulations were enacted they wrote to the Attorney-General requesting permission to sell off the remaining stock over a limited period, arguing that this solution would offer them 'justice' without 'infringing the sanctity of the word Anzac, which will endure forever'. <sup>51</sup> All applications were denied.

In the months after the Gallipoli landing, scores of traders had also changed the name of their businesses to include Anzac as a tribute to Australasian volunteers fighting in Europe. In June 1916 Queensland publican, Mr Perry, wrote to the Attorney-General regarding his Billiard Saloon, which he had renamed 'Perry's Anzac Billiard Palace'. <sup>52</sup> Perry insisted that the name was 'mostly in honour of over one hundred of my customers who have enlisted and

<sup>&</sup>lt;sup>46</sup> Notes taken by Department of Defence staff during a deputation from the Federated Jewellers, Watchmakers and Allied Trades Union of Australia (Victoria Branch) at the Victoria Barracks, 10 August 1916, NAA: A432, 1929/3484 (Part 13).

<sup>&</sup>lt;sup>47</sup> Ibid.

<sup>48</sup> Ibid.

<sup>&</sup>lt;sup>49</sup> Ibid

<sup>&</sup>lt;sup>50</sup> Letter from Kops Brewery, 1 June 1916, NAA: A432 1929/3484 (Part 17).

Letter from Cooperative Mineral Waters, 7 June 1916, NAA: A432, 1929/3484 (Part 17).
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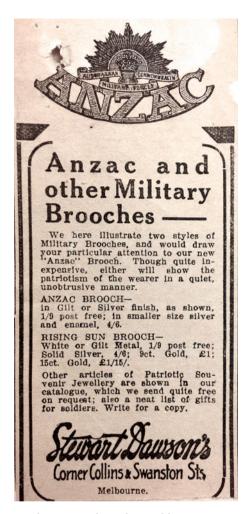


Image 1. Advertisement for Anzac brooches sold at Stewart Dawson's jewellers in Melbourne, Victoria. From the collection of the National Archives of Australia.

seen service both at Gallipoli and now many are in France ... some of them sir have laid down their life and will never return'. 53 Others admitted to greater opportunism. Frederick Rogers changed the name of his restaurant to the Anzac Café soon after the landing, on the basis that it was a 'better name' than Railway Café. 54 Applications suggested that business owners were well aware of the

<sup>&</sup>lt;sup>53</sup> Correspondence between Mr Perry, George Pearce and Robert Garran, NAA: A432 1929/3484 (Part 25).

<sup>&</sup>lt;sup>54</sup> Interview of Frederick Rogers conducted by A. E. Whittle, 10 October 1916, NAA: A432 192/3484 (Part 6).



Image 2. Kops Anzac Toast beer label. From the collection of the National Archives of Australia.

commercial advantages of using the word, yet did not perceive the action as overtly exploitative, but rather as an expedient tribute.

As the war drew on, women too began to appropriate the word, establishing businesses to provide a livelihood for themselves and their families. Lillian King opened her Anzac Café in Kalgoorlie, Western Australia, in early 1916 to provide an income for her invalid son who had participated in the Gallipoli landing and returned to Australia 'unfit for future service'. King's request to 'retain the name in his honour' was refused by Garran on behalf of the Attorney-General, with a letter stating that 'if he granted permission in your case he would have to grant permission in every similar case where the applicant had



Image 3. Perry's Anzac Billiard Palace in Wallaroo, Queensland. From the collection of the National Archives of Australia.

a relative in the Australian Imperial Force [AIF]'. Sa significant number of applications were dispatched by bereaved wives and mothers. After the illness and death of her husband, Alice Pennington's son Robert built a small café for her in South Perth. Thereafter, he enlisted in the AIF and was killed at Gallipoli on 10 July 1915. Professing deeply sentimental attachments to the word, she begged for permission to call her café the Anzac Tea Rooms, a name she had chosen 'out of respect to and in memory of my son'. I feel as a Mother who has given her only son at "Anzac" that none could be more entitled to use the name which he has helped to make—hence my request for this concession'. The replies from the Attorney-General's office were sympathetic but firm. No exceptions were to be made.

Large numbers of returned servicemen also applied to use the word Anzac as part of their business name in an attempt to distinguish themselves from competitors who had not served. Western Australian, Frank Netheray, served for one year and forty-four days in the Gallipoli campaign, before being sent home as an invalid. After the regulations were enacted, he requested permission to use the word Anzac on a fruit barrow that he operated on Wellington Street in Perth. Netheray insisted, 'The word will in no sense be used as an

<sup>&</sup>lt;sup>55</sup> Correspondence between Lillian King and Robert Garran, NAA: A432 1929/3484 (Part 25).

Letter from Alice Pennington to Robert Garran, 12 July 1916, NAA: A432 1929/3484 (Part 25).
thid

advertisement, the quality and price of my fruit being their one and only commendation', while, somewhat conversely, admitting that 'it is essential to have a distinctive name on the barrow'. Other applications from returned servicemen sought to use the word Anzac for a diverse range of business including fruit barrows, hairdressers, a forge, blacksmith, glue works and a cannery. One application in 1919 requested permission to differentiate a number of Anzac veterans from competitors in a business directory. All applications were refused.

Several Gallipoli veterans argued that they had a right to use the word Anzac as 'creators' of the word. Clarence Campbell, for example, sustained injuries that precluded a return to his previous career as a plumber. On returning to Australia as an invalid, he began to make and sell wooden toys under the guise of the 'Anzac Toy Manufactory'. In an application to continue trading under the name in June 1916, Campbell argued that 'I was one of the first to participate in the storming of Anzac Cove ... and therefore one of the makers of the name'. The revocation of the business name 'would mean destitution for me on account of the loss of all my efforts, trade connection and savings'. The reply from Garran on behalf of the Attorney-General was sympathetic but indicated he was 'unable to make any exceptions'. A rebuttal from Campbell's lawyers pointed out that 'the regulations dealing with this matter clearly anticipate that exceptions to the general rule may be made'; but Garran refused to reconsider.

As early as August 1916, Garran received correspondence from the newly formed Returned Sailors and Soldiers Imperial League of Australia (RSSILA) requesting 'complete control' over the word Anzac.<sup>63</sup> RSSILA was one of several veterans' associations competing for authority and political influence, and the action represented an early attempt to position themselves as guardians of the Anzac tradition. The letter argued:

For some time past this word has been used for various kinds of advertising, and some people have gone so far as to use it as labels on beer bottles ... Our league now has 12,000 members, the majority of whom were instrumental in the making of this word 'Anzac' ... We wish you to give our League the authority to handle and use this word at our own discretion, so that we may safe guard one of the most sacred memories which belong to our members.<sup>64</sup>

<sup>58</sup> Letter from Frank Netheray to Robert Garran, 8 July 1916, NAA: A432 1929/3484 (Part 25).

<sup>&</sup>lt;sup>59</sup> Letter from Sapper Myers to the Attorney-General, 18 January 1919, NAA: A432 1929/3484 (Part 17).

<sup>&</sup>lt;sup>60</sup> Letter from Collison & Co. law firm to Hugh Mahon (acting Attorney-General) enclosing a letter from Clarence H. Campbell, 7 June 1916, NAA: A432 1929/3484 (Part 25).

<sup>101</sup>u.

<sup>62</sup> Ibid.

<sup>&</sup>lt;sup>63</sup> Correspondence from RSSILA Secretary (F. Murray) to the Attorney-General, 24 August 1916, NAA: A432, 1929/3484 (Part 15).

<sup>&</sup>lt;sup>94</sup> Ibid.

However, Garran insisted that the 'enforcement of a Commonwealth regulation ... must be controlled from this department'. 65

Not to be discouraged, RSSILA turned its attention to the use of the terms 'Returned Sailor' and 'Returned Soldier'. This attempt was not just driven by a desire to protect the words from 'unscrupulous' use by non-veterans but for their own branding purposes. Just days before the armistice of November 1918, the RSSILA General Secretary wrote to the Minister for Repatriation, stating that 'The use of the name "Returned Soldier" is becoming far too popular', admitting that 'this organisation is anxious to secure protection for the name of The League'. Correspondence from the Repatriation Board in May 1919 pointed out that 'restrictions would affect individual soldiers desiring to use the term in connection with their own businesses, and soldiers desiring to combine to form a company'. The RSSILA had no objection and, on 15 May 1919, an order was passed prohibiting the commercial use of the terms. The action came at the cost of the very returned veterans the RSSILA claimed to serve, who were prevented from distinguishing their service.

As veterans began to return home in greater numbers, seeking to be repatriated into former or new occupations, the regulations were extended to prohibit the commercial use of a range of terms associated with the AIF. In addition to 'Returned Sailor' and 'Returned Solider', the use of the terms 'Aussie', 'Our Wounded Heroes Depot', 'Our Wounded Heroes Brand', 'War Chest', 'War Chest Brand', 'Comforts Fund', 'Australian Comforts Fund', 'Australian Imperial Force' and 'A.I.F.' was prohibited between 1917 and 1919.<sup>68</sup> Unlike the word Anzac, the usage of all of these terms was administered by the Department of Repatriation. In 1919, the Controller of the Department of Repatriation sought sole authority to grant permission for the use of *all* prohibited words, including the word Anzac, but this request was refused.<sup>69</sup> The word Anzac was a civilian matter, rather than a military matter, and Garran was determined to remain its chief defender.

In fact, Garran had already taken steps to extend the scope of the regulations. In October 1916, just three months after the original regulations came into effect, he had written to Acting Prime Minister Pearce stating that 'it is considered that

<sup>&</sup>lt;sup>65</sup> Letter from Garran to RSSILA General Secretary, 29 September 1916, NAA: A432, 1929/3484 (Part 15).

<sup>66 &#</sup>x27;Returned soldiers: Use of term by firms 1918–19', RSL Archive, National Library of Australia, MS 6609, Series 1, 327.

<sup>&</sup>lt;sup>67</sup> Ibid.

<sup>&</sup>lt;sup>68</sup> With the exception of Anzac, the following words were administered by the Department of Repatriation under the War Precautions Act: Our Wounded Heroes/Our Wounded Heroes Brand (Commonwealth Gazette 5/4/17); War Chest and War Chest Brand (Commonwealth Gazette 14/06/17); Comfort Fund and Australian Comforts Fund (Commonwealth Gazette 15/8/18); Aussie, Returned Sailor and Returned Soldier (Commonwealth Gazette 15/5/19); Australian Imperial Force and A.I.F. (Commonwealth Gazette 12/7/19). See NAA: A432, 1929/3484 (Part 15).

<sup>&</sup>lt;sup>69</sup> Letter from Department of Repatriation to Attorney-General, 7 October 1919, NAA: A432, 1929/ 3484 (Part 15).

this regulation does not go far enough'.<sup>70</sup> He enclosed a new draft, Regulation 2A, which extended the prohibition of the word to private homes, boats, vehicles and charitable institutions.<sup>71</sup> Curiously, however, authorities had no legal objection towards those who sought to name their children Anzac.<sup>72</sup>

The harsh new regulations had implications for grief-stricken families. Bart Ziino has examined the ways in which families separated from the physical resting places of their loved ones by distance came to locate their grief at 'surrogate' sites. 73 Family homes, in particular, had the potential to provide a physical location for grief, perhaps even functioning as private war memorials. When twenty-one-year-old Arthur Farrar of Ballarat was reported missing in Gallipoli in May 1915 his family endured an agonising twelve-month wait for confirmation that he had been killed in action.<sup>74</sup> Arthur's father, a respected local police officer, wrote to the Attorney-General to explain that, 'Since my wife is broken hearted the word "Anzac" was placed on our residence in remembrance of our missing son'. 75 In a series of increasingly desperate letters, Mr Farrar sought permission to retain the sign 'in remembrance of a lad who gave his life for King, Country and Commonwealth'. His request, like many others, was denied.<sup>76</sup> However, the regulations were relaxed to facilitate public commemoration; communities were permitted to name streets and roads Anzac if they were located in the vicinity of a war memorial.<sup>77</sup>

Similarly, some concessions were made to voluntary charities upon whom the federal government relied to supplement social services and welfare during the First World War. Joan Beaumont has described the patriotic fund movement, which consisted of organisations largely administered by women, as 'a remarkable industry in its own right'. The sestimated that charities raised over fourteen million pounds during the First World War, a significant amount in the context of Australia's total defence expenditure of £188.5 million. Due to the importance of these organisations to the war effort, this was one area in which Garran demonstrated some leniency. Factors taken into consideration included how long the organisation had been running, the number of members, their objectives, and information describing the extent of their operations.

<sup>&</sup>lt;sup>70</sup> Letter from Robert Garran to Department of Defence, 12 October 1916, NAA: A432, 1929/3484 (Part 15).

Minute paper from Robert Garran outlining 'Supplementary Regulations No. 2 & 2A', NAA: A432, 1929/3484 (Part 15).

<sup>&</sup>lt;sup>72</sup> The Catholic Press, 10 February 1916, 25.

<sup>73</sup> Bart Ziino, A Distant Grief: Australians, War Graves and The Great War (Perth: UWA Press, 2007).

<sup>&</sup>lt;sup>74</sup> The Ballarat Courier, 25 June 1915, 4.

<sup>&</sup>lt;sup>75</sup> Correspondence between Arthur Farrar and the Attorney-General's Office, 23 October 1916, NAA: A432 1929/3484 (Part 19).

<sup>&</sup>lt;sup>76</sup> Ibid.

<sup>&</sup>lt;sup>77</sup> 'Names of Streets', NAA: A432 1929/3484 (Part 20).

<sup>&</sup>lt;sup>78</sup> Joan Beaumont, Broken Nation (Sydney: Allen & Unwin, 2013), 99.

<sup>&</sup>lt;sup>79</sup> Joan Beaumont, 'Whatever Happened to Patriotic Women, 1914–1918?', Australian Historical Studies 31, no. 115 (2000): 273.

<sup>&</sup>lt;sup>80</sup> Letter to Robert Garran from J. H. Lister (MP) on behalf of Mrs E. Musther, 2 September 1918, NAA: A432 1929/3484 (Part 16).

While the majority of applications were refused, organisations that could provide evidence of the scale and complexity of their activities stood a better chance of consideration. The four hundred members of the Williamstown 'Anzac Club' met weekly and, by mid-1915, had already dispatched over 2,500 care parcels to the front. After the regulations were enacted, the club secretary, Mrs E. Musther, obtained permission to retain the name until 1 December 1916, the date of their major fundraising carnival. Yet the deciding factor seems not to have been merit but influence. The few applications that were approved originated from well-connected women, whose submissions were often accompanied by a letter from a state minister endorsing their request.

While the administration of the use of the word Anzac in trade or business by the bureaucrats in the Attorney-General's office was fairly consistent (the vast majority of requests were denied outright), considerable confusion surrounded the use of the word in literature and artistic productions such as sheet music, poems, and books. Correspondence from the Attorney-General's office rarely provided a rationale for decisions. However, two letters written by Garran on 29 September 1916 provide insights into the logic behind his decisions. The first letter was to a Sydney commercial music publisher, D. Davis & Co., to advise them that he would not authorise the distribution of sheet music for a patriotic march 'dedicated to Australia's heroes' called 'Anzacs For Ever'. 83 The second letter was to May Summerbelle of Sydney, advising her that permission had been granted to distribute her sheet music 'The Anzac: The Bravest Thing God Ever Made'. 84 An examination of the records reveals that patriotic representations that did not seem overly commercial were more likely to be approved.<sup>85</sup> Did writers and musicians aspire to generate a profit from their creations or were they driven by an ambition to inscribe Australian achievement within the cultural canon? The Attorney-General's office acknowledged the tension: 'This is a matter which is giving the Department a good deal of trouble. On some instances permission has been granted, and in others it has been refused'.86 Garran set about providing some clarification:

If it appears that the title is one properly descriptive of the nature of the work, permission to use it should be granted, irrespective of the merit of the work. If it appears that the title is mainly used with the object of furthering the sale of the particular production it should not be allowed.<sup>87</sup>

<sup>81</sup> Ibid.

<sup>82</sup> Ibid.

<sup>83</sup> Letter from Robert Garran to D. Davis & Co., 29 September 1916, NAA: A432 1929/3484 (Part 14).

<sup>&</sup>lt;sup>84</sup> Letter from Robert Garran to May Summerbelle, 29 September 1916, NAA: A432 1929/3484 (Part 14).

<sup>85</sup> Ibid.

<sup>&</sup>lt;sup>86</sup> Letter from Attorney-General's Office to William Watt, 30 August 1918, NAA: A432, 1929/3484 (Part 15).

<sup>&</sup>lt;sup>87</sup> Minute paper from Robert Garran, 30 August 1918, NAA A432, 1929/3484 (Part 15).

Yet administrators continued to struggle to reconcile the conflict between culture and commerce; ambitions that were becoming increasingly intertwined in a nascent consumer society.

Advertisers, too, were increasingly sensitive to the desires of Australian consumers and attempted to tap into patriotic fervour. A glowing recommendation from the front provided an effective way to convey trust and quality, and several advertisers sought to have their products endorsed by Anzac heroes. From 1917, the Rexona company ran several advertisements in Australian newspapers that used Anzac volunteers as spokespersons for the popular healing ointment. One of the first advertisements featured the headline, 'A Gallant Anzac VC endorses Rexona', the choice of a decorated solider indicating that the product was truly fit for heroes.<sup>88</sup> Lieutenant Colonel Leslie Magyar declared that 'I have pleasure in certifying that I have used Rexona whilst on active service in Gallipoli and Egypt and have found it excellent for the skin, especially in the trenches, when the skin was broken or cracked'. 89 The advertisement implored consumers to make a 'wise investment by buying two tins of Rexona one for your home use, the other for your friend at the front'. 90 If a product worked well in the extreme conditions of war, it was sure to exceed expectations at home. Furthermore, the purchase of designated products for inclusion in comfort packs for troops abroad offered a way for Australians to directly support the war effort. As Robert Crawford has argued, these kind of appeals were highly effective as they 'demonstrated the advertiser's patriotism on the one hand, while stimulating the consumer's own sense of patriotism on the other'. 91

Commodification is not a one-way process. Advertisers were not poised to simply exploit the symbolic capital embodied by the word Anzac, but to potentially make and remake these meanings. Yet, when a single complaint was lodged to the Attorney-General's office regarding an advertisement for Rexona, the issue identified was the use of the word Anzac in the text, rather than the intention to trade off the reputation of Australian volunteers, and Garran recommended 'no further action'. 92

How can we explain Garran's curious ambivalence towards the use of the word Anzac by the emerging Australian advertising industry? While Australian traders were beginning to recognise the potential of advertising to build their brands, Garran's interpretation reflected a wider lack of awareness about how advertising worked and what kind of impact it actually had. <sup>93</sup> While Britain and America had sophisticated propaganda departments that leveraged emerging

<sup>88</sup> Sydney Morning Herald, 27 October 1917, 20.

<sup>&</sup>lt;sup>89</sup> Ibid.

<sup>90</sup> Ibid.

<sup>&</sup>lt;sup>91</sup> Robert Crawford, 'Emptor Australis: The Australian Consumer in Early Twentieth Century Advertising Literature', Australian Economic History Review 45, no. 3 (November 2005): 228.

<sup>&</sup>lt;sup>22</sup> Letter from Robert Garran to the Commonwealth Crown Solicitor, 13 April 1918, NAA: A432 1929/3484 (Part 17).

<sup>&</sup>lt;sup>93</sup> Robert Crawford, 'The Quest for Legitimacy: The Growth and Development of the Australian Advertising Industry, 1900–1969', Australian Historical Studies 36, no. 124 (2004): 357.

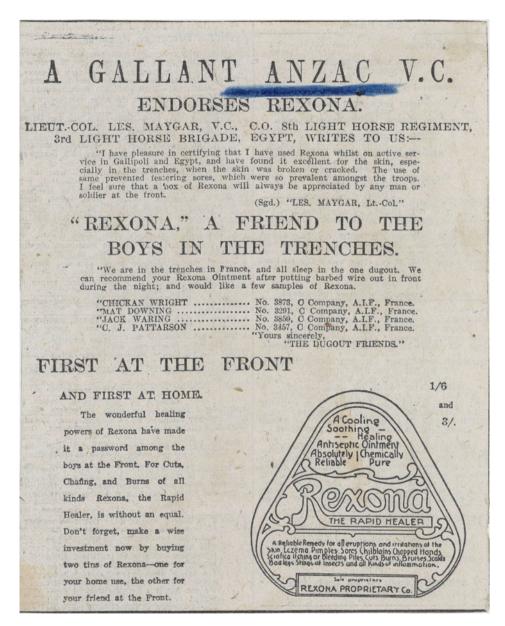


Image 4. Advertisement for Rexona healing ointment, which appeared in *The Sydney Morning Herald* on 27 October 1917. From the collection of the National Archives of Australia.

advertising techniques, an Australian Directorate of War Propaganda was not established until 1918.<sup>94</sup> Yet, the First World War would become a major catalyst for the Australian advertising industry. The challenge to sell war loans, campaign for and against recruitment and deploy propaganda demonstrated that 'advertising could sell ideas along with wares'.<sup>95</sup> In 1918 a speaker at the First Australian Convention of Advertising Men claimed, 'the war had done more, in fact, it was the largest factor, in the development of advertising than any other factor in the last fifty years'.<sup>96</sup>

After the war ended, the federal government came under increasing pressure to repeal the War Precautions Act and took steps to enshrine the word Anzac permanently within statutory law. Concerned that the repeal of regulations could result in a deluge of Australian veterans using the word Anzac in their business names, the Controller of Repatriation wrote to the Attorney-General asking if anything could be done to preserve this authority. <sup>97</sup> Garran confirmed that existing parliamentary powers were insufficient to protect the word and took steps to extend them, ensuring that the War Precautions Act Repeal Act 1920 contained a provision that allowed the Governor-General to take action 'prohibiting or regulating the use of the word "Anzac" or any word resembling the word "Anzac". <sup>98</sup> It was from this provision that the Protection of Word 'Anzac' Regulations 1921 were enacted on 31 December 1920:

Under the Regulations no person may use the word 'Anzac', or any word resembling it, in connection with: ... any trade, business, calling or profession or in connexion with any entertainment or any lottery or art union or as the name or part of a name of any private residence, boat, vehicle or charitable or other institution, or any building.<sup>99</sup>

Authorities recognised that it was necessary to continue to protect the word from commercialisation after the war ended. It was now clear that Anzac was not just a word, but an idea that would become a beacon for nation building and commemorative projects into the twentieth century and beyond.

#### Conclusion

After the Gallipoli landing, the word Anzac became increasingly imbued with powerful national and personal meanings and associations. The value that Australians attached to the word was not confined to social and cultural currency but came to inhabit an economic realm. However, few Australians were permitted to deploy the word for their own use. Not only were general traders prohibited from using the word, Anzac veterans were unable to use it to

<sup>&</sup>lt;sup>94</sup> Ibid., 360.

<sup>95</sup> Ibid.

<sup>&</sup>lt;sup>96</sup> Ibid., 361.

<sup>&</sup>lt;sup>97</sup> Correspondence from Controller of Repatriation to Robert Garran, NAA: A432, 1929/3484 (Part 15).

<sup>&</sup>lt;sup>98</sup> War Precautions Act Repeal Act 1920 (Cth), Section 22.

Protection of Word 'Anzac' Regulations (Statutory Rules 1921 No. 2).

distinguish their service and their families were refused permission to memorialise the word on private property. The motives of traders were complex and intertwined, with many applications evoking a combination of pragmatism, opportunism, patriotism and grief. More opportunistic traders employed the word to differentiate their services and wares within a competitive marketplace, but others employed the word as a genuine tribute. Those who claimed to be custodians of the word Anzac had aspirations of their own. The federal government was determined to protect the word's sacred national connotations from the vagaries of early twentieth-century consumer culture in order to harness its power for recruitment and morale-building purposes. They were determined to prevent the word Anzac from becoming ubiquitous, lest its sacred meanings become tarnished by banality. Had administrators not acted to prohibit use so quickly and decisively, evidence suggests that that widespread commercialisation would have continued. Taking this into account, the impact of the regulations on the establishment of the Anzac tradition in the early twentieth century has been vastly underestimated. Yet, if the purpose of this legislation was to protect the name of Anzac from commodification, the attempt has been futile. One hundred years after the Gallipoli landings, Anzac commemoration and commoditisation have become increasingly intertwined.

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