

Political football: Newman/Bleijie 2 wins; Bjelke-Petersen 1 draw, 1 loss

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Early in 2014, Ann and I wrote a paper which turned into Ryan Foundation Research Report No 1 (http://www.tjryanfoundation.org.au/_dbase_upl/Queensland_Parliament_under_Newman.pdf)

We illustrated this review of the Newman government's performance with a selection a collection of cartoons drawn by Alan Moir during the Bjelke-Petersen era (Moir, Alan, *Smile, It's Joh's Place*, Penguin, 1982). These had such obvious relevance to what we wrote about the Newman Government that no further explanation was required.

We chose to illustrate the general point about political interventions in government appointments by including a cartoon from 1982 on the selection of a new Chief Justice. When we published the article this cartoon was not specifically relevant, but rapidly became so with the controversy over the appointment of Chief Justice Tim Carmody. The theme has been picked up by a number of other writers, who have referred to or even recycled this cartoon while embroidering on the same general theme of similarities between the two regimes. Frank Brennan continues this growing narrative ("meme"?) with his address to the Irish Club on July 8. (hot-link to BT?)

Two points might get lost in the welter of generalisations. First, Joh Bjelke-Petersen actually lost the argument in the matter of the appointment of a new Chief Justice. He did not get his first choice. He would not accept the candidate (Justice James Douglas, whose name was the first considered, presumably after confidential discussions with the Bar Association and the Law Society). Oral history suggest that his Police Minister, Don Lane, told Cabinet (based on 'shady evidence') that Douglas had once cast an absentee ballot for a Labor candidate. However the candidate Joh preferred, Justice Dormer Andrews, was equally unacceptable to those being consulted, who were powerful enough to exercise a veto. Walter (later Sir Walter) Campbell emerged as a compromise appointment. This failure came back to bite Bjelke-Petersen in the wrangling which ultimately led to his replacement as Premier by Michael Ahern. On this occasion, Sir Walter Campbell, who had progressed like others from head of the judiciary to become Governor, declined to exercise his prerogative powers on the advice of Bjelke-Petersen and effectively forced him to face a vote of his parliamentary colleagues. This led to his being dismissed by his own party.

Joh Bjelke-Petersen similarly lost in a confrontation with the judiciary, with even more catastrophic results for his career and reputation, in the choice of the Commissioner to conduct the inquiry forever associated with the name of Tony Fitzgerald. Here his preferred 'tame cat' judge was regarded as too closely politically aligned, and his nomination was successfully resisted by the same combination of judicial forces which forced Walter Campbell on Bjelke-Petersen. By that stage, public disquiet had weakened the authority of the Premier to the point where he could not even force a compromise choice.

Contrast the present situation where another candidate perceived as politically aligned with the interests of the current regime has been promoted - not once, but on two separate occasions despite frequent and repeated concerns of those supporting a more independent judiciary.

On a crude score sheet, Joh scored one draw and one loss whereas Newman/Bleijie have two wins.

One point where there is legitimate similarity is the capacity of mobilised judicial and public opinion to have essentially symbolic wins - forcing the granting the 'laurels of victory' to be bestowed away from the public view.

In 1985 the University of Queensland Senate (chaired by Sir Walter Campbell) voted to celebrate its 75th anniversary in the way that it had celebrated its 25th and 50th – by awarding the current Premier an honorary degree of laws. Coming at the height of a series of 'initiatives' which could be regarded as anti-intellectual as well as illiberal, a broad spectrum of community opinion was outraged: in the wider community, the electricity workers' union had lost a protracted public dispute; inside universities, there was concern over civil rights, especially the right to conduct protest marches.

This event may be a distant memory (or unknown) to many, but as Deputy President of the Academic Board, I led a vote of professors and staff representatives dissenting from the decision of the Senate and thus aligned myself with the student-led protest movement. I declined to participate in my official capacity in the degree ceremony and, like many in the professoriate, I decided to observe from outside, and joined the masses around the Mayne Hall. This gathering was of unprecedented size and diversity. The campus was ringed by police (there was a convention that they did not appear on campus unless invited by the university), concerned about the Premier's security as well as the safety of the protest. The university administrators only became concerned when the wives and children of electricity (SEQEB) workers started pounding on the glass walls of the hall as the ceremony took place inside.

The academic procession made its way through the protests before it entered the Mayne Hall, running a gauntlet of protestors (later described by the Vice-Chancellor's wife who had joined the front ranks of the demonstrators as no worse than the sales crowds in Myer). As political theatre, it was extraordinary – those inside the hall, resplendent in academic gowns and heralded by the organ rendition of 'Gaudeamus Igitur', looked out at the South East Queensland Electricity Board families, protesting at the sacking of 940 linesmen, pounding on the glass. Everyone outside could watch the degree ceremony unfold.

However, the event ended in anticlimax. Joh did not turn up. The most dangerous activity was the threat to themselves and those around them of those pounding the glass wall. Joh later received his award from the university in a private office downtown, in the presence of the few university officials required to satisfy the minimal requirements of an award ceremony.