

Chapter Ten: What shall we do with ex-Governors-General?

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*“As for further appointments after retirement, I take a narrow view that for an Australian the Governor-Generalship is the apex. There is no office higher than it and one should not go below it. An apex is the wrong shape to be a stepping stone”.*¹

Once upon a time our Governors-General came from Britain and returned home at the end of their tours of duty, never to be heard of again, at least not in the context of Australian public life. Today those who are appointed to that high office are distinguished Australians who continue to live among us, either immediately upon stepping down or after a brief sojourn overseas. Hitherto they have returned to their home States, but our latest former Governor-General has retired to live in Canberra, just down the road from Yarralumla. The question of what, if anything, we should do with them after they leave Government House has never been considered in public policy terms, so far as I am aware, and such precedents as we have are *ad hoc*, contradictory and unsatisfactory.

Our present Governor-General is the twenty-third to hold the office, and the tenth Australian. Dr Peter Hollingworth’s Australian predecessors were Sir Isaac Isaacs, Sir William McKell, Lord Casey, Sir Paul Hasluck, Sir John Kerr, Sir Zelman Cowen, Sir Ninian Stephen, Mr Bill Hayden, and Sir William Deane.

Sir Isaac Isaacs was a Crown Law Officer, barrister, Queen’s Counsel, member of the Legislative Assembly of Victoria, Solicitor-General and later Attorney-General for Victoria, occasionally acting Premier, member of the House of Representatives in the Federal Parliament, federal Attorney-General under Prime Minister Alfred Deakin, Justice of the High Court under Chief Justice Sir Samuel Griffith, Chief Justice, and finally, in 1931, at the age of 75, the first native-born Australian Governor-General.

His appointment was opposed by the King, by the Federal Opposition, and by some, not all, sections of the media. His appointment was of significance to the Empire, for it was the first appointment of a Governor-General to be recommended to the Monarch by a Dominion Prime Minister and not by a British Minister.

Isaacs was called upon several times to exercise constitutional functions in potentially troublesome circumstances, but he handled each situation impeccably. He also had to cope with the coming to office of an Opposition which had opposed his appointment. He handled that successfully and set a pattern for future incumbents who would be so placed. His term as the first Australian in the post has been described as one of the most important in the history of the office.

Isaacs retired to Melbourne in 1936, at 80 years of age, and remained vigorous and active. He was a regular reader at the Melbourne Public Library and discussed books and their work with students, made speeches and broadcasts, wrote pamphlets and articles, presided at functions, and carried on an extensive correspondence.² He campaigned consistently for reform of the Australian Constitution and for wider Commonwealth powers, yet he was also an ardent Empire and King's man,³ and an opponent of any attempt to insert guarantees of personal freedoms in the Constitution, believing them to be matters for Parliament and not judges.⁴ In the last year of his life he was active in defence of the Victorian State Constitution against attempts by the Legislative Council to coerce the State Government. He died in 1948 at the age of 92.

Eleven years were to elapse after Isaacs's retirement before Australia was to have its second native-born Governor-General in the person of William John McKell, boilermaker, union official, barrister, member of the New South Wales Legislative Assembly, minister of state, Leader of the Opposition, Premier of New South Wales, and in 1947, at the age of 55, Governor-General. He came to that office straight from politics. The Federal Opposition was outraged by his appointment and said that he would be removed when they returned to government. Oddly enough, even members of the Labor Government objected to his appointment, and twice as many Labor members absented themselves from his swearing-in as did Opposition members.⁵ But McKell acted impeccably as Governor-General, and instead of having him removed, the Menzies Government extended his term of office and offered him the knighthood which he accepted.

McKell retired to his farm near Goulburn in 1953, at 61 years of age, to enjoy life as a practical farmer, to race his trotters, and to resume his enjoyment of boxing, a sport which he had not thought appropriate for a Governor-General to patronise.⁶ In due course he and Lady McKell moved to Sydney, leaving their son to manage the farm. McKell was now free to accept some business offers and he took up a number of company directorships, including positions of chairman of directors.

In 1956, at the age of 64 and in good health, the ex-Governor-General was given an unexpected opportunity to use his diplomatic abilities and political experience. In a generous gesture by Prime Minister Robert Menzies and his Minister for External Affairs, Richard Casey, that McKell greatly appreciated, he was nominated as Australian member of the British-led commission to draft a new federal Constitution for Malaya. Headed by Lord Reid and including representatives from Britain, Pakistan and India, the commission travelled widely through Malaya and released its report in February, 1957. Although McKell signed a minority report opposing the principle of nominated members to the proposed Upper House, he helped the process by which Malaysia (as it now is) became a democratic member of the Commonwealth, and in September, 1957 he returned to that country to participate in the independence celebrations.⁷ He died in 1985 at the age of 93.

Our third Australian-born Governor-General was Richard Gardiner, Baron Casey, engineer, company director, diplomat, member of the House of Representatives, minister of state, life peer, and in 1965, at the age of 75, Governor-General. But these were only his Australian accomplishments. During World War II Winston Churchill offered Casey two positions which he filled with distinction – in October, 1941 he became United Kingdom minister of state in the Middle East, based in Cairo, much to the chagrin of Prime Minister John Curtin in Australia and the Foreign Office in Whitehall; to be followed in January, 1944 by the Governorship of Bengal, India.

Casey had been appointed a life peer (on the recommendation of the British Prime Minister, Harold Macmillan), in January, 1960 and had resigned as Minister for External Affairs and from Parliament in the following month. The peerage made him an institution, and Australian governments felt able to call on him to represent Australia, the East African independence celebrations in 1963 being one example. He refused seats on company boards in Australia, Britain and the United States, and kept his commitments almost exclusively to the public domain and without remuneration. Unable to speak as a local in the Upper House of the United Kingdom Parliament, or as an Australian in a non-Australian Parliament, Casey used his appearances in the House of Lords to speak for the wider Commonwealth, and in 1963 published his book *The Future of the Commonwealth*. The book was received in the corridors of power with polite indifference, which left him angry and ready to abandon the British connection. Nevertheless, both he and his wife, Maie, continued to travel and to throw themselves into their respective writing.⁸

When the offer of the Governor-Generalship was made in 1965, Casey's first reaction was to refuse, not least because of the non-Labor reaction to the appointment of McKell on account of his political background. With the appointment eventually accepted and announced, Casey remained apprehensive until a reassuring telegram arrived from Arthur Calwell, Leader of the Opposition, welcoming the news personally, for his Party and for Australia.⁹ Nevertheless, Casey had asked for a two year appointment, with extensions if he wished, rather than the more normal five-year term. He was to serve in the office for three and a half years.

Casey retired as Governor-General in 1969, at the age of 78, to a farm at Berwick, outside Melbourne, and to an East Melbourne townhouse. He was still in demand as a public speaker; politicians, businessmen and scientists still called on him; our diplomats still called on him, wrote to him, sent him papers; and in 1972, with editorial assistance from TB Millar, he published a volume of extracts from his diaries for the 1950s under the title *Australian Foreign Minister*.

In 1970 he and Maie went to Katmandu as the Governor-General's representative at the wedding of the Crown Prince of Nepal. But by 1973 Casey's health began to fail, and he found himself with nothing in particular to do. He had always been a doer, and he lacked the temperamental resources to cope with solitude and inactivity. A car accident in September, 1974 put him in hospital for nine months, and his wife Maie joined him there in April, 1975 after her car accident. They left hospital together in July, 1975 and returned home. Casey tried to put some work into a book of his speeches, but his heart was not in it and it was never completed. As someone who was never really happy unless he was working, he was overtaken by feelings of loneliness and uselessness, and he lived out his retirement in an enforced quiet which he did not enjoy.¹⁰ He died in 1976 at the age of 86.

Three Governors-General from Britain had come between McKell and Casey, who was the first Australian to be recommended for the office by a non-Labor government. His appointment ensured that there would be no further appointees from Britain.

Casey was followed by Sir Paul Meernaa Caedwalla Hasluck, journalist, university lecturer, public servant, diplomat, member of the House of Representatives, minister of state, poet, author, historian, and in 1969, at the age of 64, Governor-General. He had represented Australia at unique occasions in the nation's history: for example, he was the first person to present credentials to the first Secretary-General of the United Nations. He wrote and published on a wide range of topics – poetry, autobiography, Aboriginal affairs, foreign affairs, Australia's administration of Papua New Guinea, two volumes of the Australian official war history, and on the office of Governor-General.

Hasluck was an astute observer of politics and politicians, and a meticulous keeper of written records, not only about his parliamentary contemporaries, but also on such diverse matters as poetry and personalities, social habits and marriage, modern literature and music. His profiles of those about him in Parliament were published after his death by his son Nicholas.¹¹ A senior political journalist, in reviewing the book, had this to say about its author:

“Paul Hasluck’s career has been remarkable, probably unique, by Australian standards.

Hasluck was not only a journalist, historian, public servant, politician and Governor-General but also a man who left a distinct contribution in each of these capacities”.¹²

His belief in a level of dignity in politics, and his refusal to canvass openly his own attributes and achievements, were to cost him the Prime Ministership. As Governor-General he wrote about and defined the role and powers of the office.¹³

Sir Paul Hasluck retired as Governor-General in 1974, at the age of 69, and he and Lady (later Dame Alexandra) Hasluck returned home to Perth. He continued writing in retirement, producing amongst other things his autobiography, *Mucking About*, in 1977; *The Office of Governor-General* in 1979; and *Diplomatic Witness – Australian Foreign Affairs* in 1980. He died in 1993, at the age of 87.

A glance through the Hasluck collection of press clippings shows that the most frequent descriptions of him, whether as Cabinet minister or Governor-General, were as a perfectionist, an idealist, a person of integrity. In 1946 he resigned from the Department of External Affairs over a matter of principle after disagreement with the way the minister, Dr H.V. Evatt, was running the department. In 1967, following the death of Harold Holt, the three party-room votes that would have made him Prime Minister instead of John Gorton eluded him because he would not go out and campaign or offer deals in order to secure them. W McMahon Ball, then Emeritus Professor of Political Science at Melbourne University, had this to say in 1977 in reviewing Hasluck’s autobiography:

“It is a good thing, with whatever mistakes or failures, to have had a man at the centre of Australia’s political life as indifferent to personal gain or glory, as incapable of sly or devious tactics, as Sir Paul”.¹⁴

Hasluck’s successor was Sir John Robert Kerr, lawyer, barrister, Judge of the Commonwealth Industrial Court, Judge of the Supreme Courts of the Australian Capital Territory and the Northern Territory, Chief Justice and Lieutenant-Governor of New South Wales, and in 1974, at the age of 59, Governor-General. Kerr’s dismissal of the Whitlam Government in 1975 has overshadowed his many accomplishments in the law as student, practitioner and judge. He was a brilliant student, winning an exhibition that took him to Sydney University, where he won or shared every possible prize or scholarship on his way through Law School.

After war service with the Second AIF, described by some as cloak and dagger stuff, Kerr became the first Principal of the Australian School of Pacific Administration. He acted briefly as organising secretary and Secretary-General to the South Pacific Commission before returning to the Bar, where he became an outstanding advocate. The first of several federal judicial appointments came in 1966, and in 1972 he became Chief Justice of New South Wales, where he set about modernising the administration of the New South Wales Supreme Court. His appointment as Governor-General was widely hailed, particularly by the media, as a magnificent and inspired choice. *The Age*’s editorial said that “it is gratifying that the new Governor-General will be a man with an outstanding breadth of community and international interests as well as of military and legal experience”.

Kerr’s retirement as Governor-General on 8 December, 1977, at the age of 63, was marked with bitterness and acrimony. The Prime Minister’s press statement announcing the impending retirement, after three and a half years in office, stated that the Governor-General had asked leave of The Queen to retire early in the belief that any remaining partisan feelings in the Australian community might be resolved more quickly if he were now to make way for a successor.¹⁵

Two months later the Fraser Government announced that it had appointed Kerr as Ambassador to UNESCO, the United Nations Educational, Scientific and Cultural Organisation. The Labor Opposition and the media were quick to denounce the appointment. Some were outraged at the prospect of Kerr receiving any sort of personal benefit whatsoever, while others raised the principle of a former Governor-General receiving what might be seen as a reward from the Government that had served under him. The thought of him receiving a salary on top of his vice-regal pension drove his critics into a frenzy: political journalist Michelle Grattan described the appointment as an example of breath-taking cynicism. Three weeks later Kerr put an end to the storm by announcing that he would not be taking up the appointment.

In his letter of resignation to Prime Minister Malcolm Fraser, Kerr said that:

“I have become aware, since arriving in Paris, of the attacks that have been made upon me and upon the Government as a result of my appointment as Australian Ambassador to UNESCO. These attacks have been made in the Parliament ... and ... in various branches of the media ... There is no doubt that, in these circumstances, my ability successfully to undertake the work of Ambassador to UNESCO would be severely impaired”.¹⁶

For the next five years Sir John and Lady Kerr lived in England, making frequent visits to Europe. During this time Sir John wrote his autobiography, *Matters for Judgement*, published in 1978. He and Lady Kerr returned to Australia at the end of 1982, to their home in Sydney. He died in 1991, at the age of 76.

Kerr was succeeded by Sir Zelman Cowen, lawyer, barrister, Queen’s Counsel, naval officer during World War II, Rhodes Scholar, university lecturer, Professor of Law, Vice-Chancellor of two Universities, and, in 1977, at the age of 58, Governor-General. As a scholar Cowen had written and published on the law, including international law; on the Commonwealth of Nations; on the liberty of the individual; a biography of our first Australian-born Governor-General, Sir Isaac Isaacs; and an Introduction to the second edition of HV Evatt’s *The King and his Dominion Governors*. He thus came to the vice-regal office, not only with a determination to apply a touch of healing to the nation’s constitutional wounds, but also with some background knowledge of the office. Over the next four and a half years he was to bring to the task a passion and a vigour such as the office had not seen before and has not needed since.

On his retirement in 1982, at the age of 62, Cowen took up the appointment of Provost of Oriel College, his former Oxford College. He and Lady Cowen lived in England for the next eight years. During this period he served for five years as Chairman of the British Press Council; maintained significant academic links with universities in a number of countries; and served on the boards of many academic and community organisations, in Britain and in Australia. The Cowens returned to Australia in 1990, where Sir Zelman became Chairman of such diverse organisations, among many others, as John Fairfax Holdings Ltd and The Australian National Academy of Music; and President of the Australia-Britain Society and of the Order of Australia Association. He also served as Chairman of the Advisory Committee on Executive Government to the 1985-88 Constitutional Commission established by the Hawke Government. He has continued to write and speak on a wide range of topics, including the republic which he strongly supports, and is currently engaged in writing his autobiography.

Cowen’s successor was Sir Ninian Martin Stephen, lawyer, barrister, Queen’s Counsel, Judge of the Supreme Court of Victoria, Justice of the High Court of Australia, and in 1982, at the age of 59, Governor-General. His term of office coincided with Australia’s bicentenary celebrations in 1988, and was extended on that account, with the result that he and Lady Stephen were hosts to more visiting Heads of State than at any other time in the nation’s history. They also made more state visits to other countries than any other Governor-General.

Stephen retired in 1989, after more than six years in office, at the age of 65, and immediately embarked on another career of government and non-government appointments. Within two months of leaving Yarralumla he was off to Barcelona as leader of a delegation to lobby for Melbourne's right to host the 1996 Olympic Games. Three months later Prime Minister Bob Hawke announced Stephen's appointment as Australia's first Ambassador for the Environment, an appointment in which, so the Prime Minister told us, the new Ambassador would report to the Prime Minister, the Foreign Minister, Senator Gareth Evans, and the Minister for the Environment, Senator Graham Richardson. This diplomatic appointment was to last for three years, and I shall have more to say about it later.

Stephen also took up many other appointments: Chairman of the National Library Council; Chairman of the Committee of Review into the Institute of Advanced Studies of the Australian National University; Director of IBM Australia Ltd; a UN observer at constitutional talks in South Africa; Chairman of Northern Ireland Peace Talks; first Chairman of the Constitutional Centenary Foundation; a Judge of the International Tribunals for former Yugoslavia and for Rwanda; Special Commonwealth Envoy to peace talks in Bangladesh (where his effigy was burnt by protesters in Dhaka); a Judge of the International Court of Justice in a case brought by Portugal against Australia over the Timor Gap agreement; and this is but a partial list of his wide-ranging appointments to national and international bodies. He has also made a number of speeches, and he launched former Prime Minister Bob Hawke's autobiography.

Sir Ninian retired as Ambassador for the Environment after three years. Prime Minister Paul Keating scrapped the post, combined its duties with those of an existing post based in Geneva, and appointed a career diplomat to it.

Stephen was succeeded by William George Hayden, public servant, police officer, Member of the House of Representatives, minister of state, Leader of the Opposition, minister of state again, and in 1989, at the age of 56, Governor-General. Hayden's appointment infuriated his critics on both sides of politics, but he was to carry out his duties and responsibilities impeccably, to the great delight of his many friends on both sides of politics, as well as of the staff who had the privilege and pleasure of serving him.

It was during Hayden's term that the push for the republic began in earnest, with many claiming that a President would be able to speak out on issues of concern to the community. Hayden responded to the call for an outspoken Head of State, and spoke about a number of matters then under discussion within the community. Responsible sections of the media welcomed these comments as useful contributions to informed public debate. But Hayden also expressed his reservations about socialism and republicanism, as well as his opposition to changing the Australian flag, and spoke about a number of social issues. For these "heresies" he was attacked by the media and by others for daring to express views with which they disagreed.

In order to punish him, even Hayden's ministers started leaking falsehoods about the extent of his official overseas travel and expenditure at Government House. They preferred to ignore the facts that the Governor-General may not undertake overseas travel without the specific approval of the Prime Minister, and that the annual appropriations for Government House are approved by the Prime Minister as the responsible portfolio minister and by the entire Cabinet during the Budget process. It would seem that vice-regal outspokenness is welcome only when politically correct views are expressed and the media approve of what is being said.

Hayden left a legacy at Government House that had eluded his and my predecessors, for he finally was able to secure from the Keating Government the necessary funds to provide the staff at Government House with decent working conditions. The kitchen and pantry areas, the gardening complex, and the main office area, long condemned as being below standard, were renovated or replaced to provide the Governor-General's staff with working conditions equal to those available to their fellow public servants elsewhere.¹⁷ Present and future generations of Government House staff have every reason to be grateful for Hayden's so-called "extravagance".

Hayden retired in 1996, after seven years in office, at the age of 63, to his farm in Ipswich. He was appointed Adjunct Professor of Humanities at the Queensland University of Technology; and Queensland Premiers from both sides of politics invited him to undertake special tasks on behalf of their respective governments. He was appointed by Prime Minister John Howard to be a delegate to the 1998 Constitutional Convention, and he campaigned against the republic during the 1999 Referendum campaign. He is chairman of the editorial board of *Quadrant*. He continues to write and speak on current issues, including foreign affairs, immigration, multiculturalism and republicanism. He also endures regular attacks from members of the media who not only disagree with his views but challenge his right to hold them, and he has to write many letters to editors to correct misrepresentation of his views in the course of those attacks. It would seem that ex-vice-regal outspokenness is also welcome only when politically correct views are expressed and the media approve of what is being said.¹⁸

Our final ex-Governor-General is Sir William Patrick Deane, solicitor, barrister, Queen's Counsel, Judge of the Supreme Court of New South Wales, Judge of the Federal Court, Justice of the High Court of Australia and, in 1996, at the age of 65, Governor-General. His term of office will be best remembered for the way in which he involved himself in championing the cause of the disadvantaged (to an extent that led to him being described as "the shadow minister for social services"), and in representing the nation at many memorial services commemorating major accidents and disasters, including the Port Arthur massacre, the Swiss canyoning tragedy, and the Black Hawk helicopter crash.

Deane retired this year (2001) after almost five and a half years in office, at the age of 70. On his retirement, amidst all the eulogies to one whom so many editors and journalists described as a model of a modern Governor-General and an ideal President of an Australian republic, it fell to *The Australian*, oddly enough, to sound an editorial note of caution and to give some advice to his successor, Dr Peter Hollingworth:

"To the extent that the office affords a Governor-General some moral authority, forays into politics or other areas of public controversy only serve to undermine it ... Sir William tried to avoid the dangers by concerning himself with problems, not solutions. Yet a number of times he went very close to crossing the line into politics, and occasionally crossed it".¹⁹

What a pity *The Australian* withheld these words of wisdom until Deane's last day in office.

At the time of writing, Sir William has been appointed president of CARE Australia, and has announced his intention to work with disadvantaged children through the Youth Off The Streets programme.

For the major part of its first century as a federation, Australia treated its Governors-General badly, and its ex-Governors-General not at all. We enshrined the salary of the office in s.3 of the Constitution, fixed it at ten thousand pounds until the Parliament provided otherwise, and said that it could not be altered during the Governor-General's continuance in office. The ten thousand pounds became twenty thousand dollars in 1966, but Parliament was tardy in providing otherwise, and the Governor-General's salary, fixed in 1900, remained unchanged until Sir John Kerr's appointment in 1974. And we provided no pension whatsoever for an ex-Governor-General. We even added insult to injury by requiring all Governors-General, up to and including Sir Paul Hasluck in 1974, to make some financial contribution to the running of Government House, out of their 1900 salary.

Our first Governor-General, the Earl of Hopetoun, was the first victim of government and parliamentary parsimony. Apart from the constitutional provision for his salary, no appropriation was made for an allowance to meet the cost of maintaining the Governor-General's establishment. Hopetoun spent heavily from his own resources in the expectation that the Prime Minister, Edmund Barton, would soon remedy the situation. But Barton's handling of the Parliament on this issue was inept; the Parliament was unsympathetic; and on 5 May, 1902 Hopetoun cabled the Secretary of State at the Colonial Office to report that:

"No allowance whatever will be given. On a salary of £10,000 per annum I am expected to pay a staff, visit various States, paying all travelling expenses except railway, occupy two great Government Houses, paying lights, fuel, stationery, telegrams, postage other than official, dispense hospitality, maintain dignity of the office".²⁰

Hopetoun had already strained his private resources, and he saw difficulties ahead for his successors. He asked to be recalled, and his appointment came to an end after two years.

Our second Prime Minister, Alfred Deakin, handled things rather better, securing Parliament's agreement to an allowance for the next Governor-General for the operation of Government House. In addition, an Official Secretary to the Governor-General and the Executive Council would be appointed and paid by the Commonwealth. Nevertheless, our first twelve Governors-General were expected to meet staff salaries and some household expenses of Government House out of their salary of £10,000. The last to do both was McKell, who was ready to retire at the end of his extended term, particularly as he was heavily out of pocket, with half of his salary going on "staff sustenance".²¹ He informed Menzies of this, and the Prime Minister acted to make this a charge against the Treasury, a change which was greatly appreciated by McKell's successor, Sir William Slim, and those who were to come after him.²²

The matter of a vice-regal contribution to household expenses was not so easily settled, and our first seventeen Governors-General, up to and including Hasluck, were expected to make their contributions. Out of recognition that the passage of time was steadily eroding the real value of a salary fixed in 1900, the Commonwealth progressively reduced each Governor-General's contribution, but it did not disappear altogether until the appointment of Sir John Kerr in 1974. In that year the Whitlam Government asked Parliament to approve a Bill to fix Kerr's salary at \$30,000 to replace the constitutional amount of \$20,000, and ever since, the *Governor-General Act* has been amended to fix the salary of the incoming Governor-General for the duration of his term of office. Thus since 1974 the annual parliamentary appropriations for the Governor-General's Office have covered all expenses of running the Governor-General's establishments, without the need for a financial contribution from the Governor-General.

Just as our Governors-General were treated less than generously, so too were our ex-Governors-General, for prior to 1974 there was no pension entitlement payable them. In 1970 Prime Minister John Gorton had learned that one of our British former Governors-General was in necessitous circumstances, and he asked Cabinet to approve guidelines for the payment of *ex-gratia* pensions to certain former Governors-General and their widows. The purpose of the arrangement was to ensure that a former Governor-General, his wife or his widow, did not suffer hardship in their declining years, and that they would be able to meet social obligations which might be expected to devolve upon them as a result of occupancy of the office.²³

Cabinet's approach was certainly not generous. Seven months were to elapse between the circulation of the submission and the reaching of the decision; each individual case was to be considered on its merits; payment would be made only on it becoming known that some financial assistance was needed; and the vice-regal pension was fixed at a figure below that of the pension of a first assistant secretary in the Commonwealth Public Service, and about half that of a High Court Justice. Departmental advice that the scheme, though welcome in itself, was undignified and not very generous, was ignored by Gorton, who also rejected suggestions that the pension figure should be at least 60 per cent higher, and that the pension should be available to all former Governors-General and their widows, leaving it to those who had no need of it to refuse it if they wished.²⁴

In 1974, in introducing the Bill which was to provide for Parliament, and not the Constitution, to determine the Governor-General's salary, Prime Minister Gough Whitlam also asked Parliament to approve a vice-regal pension as of right for all future ex-Governors-General and their widows, at the amounts fixed from time to time for ex-Chief Justices of the High Court and their widows. The arrangement was not to be retrospective, and the *ex-gratia* amounts payable at the time were to continue, with the amounts to be adjusted from time to time. Whitlam's proposal had the support of the Opposition, and the Bill was presented and given its first, second and third readings in six minutes.²⁵ Hasluck thus became the first Governor-General to retire with a statutory vice-regal pension.

The view that former Governors-General should be able to meet social obligations which might be expected to devolve upon them as a result of occupancy of the office has meant that they are also provided with certain facilities and privileges in retirement. These consist of a fully-furnished office in their home city; the normal range of office facilities such as postage, telephone, office furniture and equipment; a full-time secretary; telephone and facsimile facilities at home; access to motor vehicle transport in Australia; domestic air and train travel for official purposes; and overseas travel subject to the Prime Minister's approval. As this arrangement is a matter of Prime Ministerial approval and has no statutory basis, its origins are somewhat shrouded in the mists of time, but it is understood that Lord Casey, who retired in 1969, was the first beneficiary of such an arrangement.²⁶

There is thus today no longer any element of personal financial sacrifice to burden a former Governor-General willing and able to meet the expectations placed upon him by the Australian community, and this is as it should be. On the other hand, as ex-Governors-General continue to be supported by the Australian community by way of pension and facilities and privileges, and because the community will continue to have expectations of them because of the high office which they once occupied, the kinds of things which they do in retirement are important to the community and to the office itself.

My survey of our nine Australian ex-Governors-General shows them to have been men of great talent and with distinguished records of community and public service before coming to that office. They also retired with their intellect and their vigour intact, at least so far as their respective ages would allow, and each one proceeded to occupy himself in a range of community and public activities. All of this has also been as it should be.

So far as I have been able to establish, from public records which are not necessarily comprehensive or complete, only McKell, Cowen and Stephen seem to have accepted appointments to the boards of public companies. Fortunately, for the sake of their own personal reputations, and for the dignity of the vice-regal office which once they occupied, none seems to have found himself associated with a company or with a board that was involved with questionable or unlawful activities. Nevertheless, given the responsibilities, risks and potential liabilities attaching to company directors, one would have to question the wisdom of ex-Governors-General accepting such appointments. As all of them will have found, life after vice-regal office has no shortage of challenging and useful things, both remunerated and voluntary, for them to do, without having to put at risk all that they previously have done.

There is, however, one class of employment that should never be offered to, or accepted by, an ex-Governor-General. Fortunately we have had only two examples where this has happened. I refer, of course, to salaried employment as a public servant, and particularly as a public servant of the Government that had previously served under the Governor-General concerned.

As I have already mentioned, Sir John Kerr's acceptance of an Ambassadorship under the Fraser Government unleashed such a torrent of criticism that he declined to take up the appointment. *The Age* expressed its "disgust and concern", while its political correspondent, Michelle Grattan, reported that the cynicism of the appointment had taken her breath away. Much was made of the fact that Kerr would receive a salary in addition to the vice-regal pension. Three weeks later *The Sydney Morning Herald* reported that his decision not to take up the appointment was a matter of great relief and great pleasure.

Yet eleven years later, when the Hawke Government announced Sir Ninian Stephen's acceptance of an Ambassadorship, the media fell over itself to praise the appointment. There was no thundering denunciation from *The Age* – on the contrary, it saw the appointment as a "masterstroke". *The Sydney Morning Herald* absolutely lauded the appointment, while *The Australian* saw it as a coup for Prime Minister Bob Hawke. The fact that Stephen would receive a salary in addition to the vice-regal pension was mentioned in passing but was not otherwise commented upon.

So far as I have been able to discover, only two commentators were sufficiently honest and objective to be able to put media euphoria over the Stephen appointment into proper perspective. As they did so in language far more eloquent than any I might employ, I trust I shall be forgiven for quoting them somewhat extensively.

Gerard Henderson wrote that:

"I cannot recall any recent government appointment that has met with such widespread acclaim as Bob Hawke's decision to make Sir Ninian Stephen Australia's first Ambassador for the Environment".²⁷

Henderson conceded that he supported the Stephen appointment and had no doubt that Sir Ninian would do a good job. And then he wrote:

"But forgive me for a moment if I raise an unfashionable point. The last Governor-General to accept a diplomatic appointment was universally condemned for doing the very thing for which Sir Ninian is now being widely acclaimed. ... The essential charge against Sir John was straightforward – namely that a former Governor-General should not accept a job offer from any government".

Henderson then went on to remind his readers of what the media had said about Sir John Kerr's appointment as Australia's Ambassador to UNESCO eleven years earlier:

“*The Age* [had] editorialised that a former Governor-General ‘should not accept an office involving financial gain from the Government’. *The Sydney Morning Herald* [had] intoned that the Fraser Government ‘should never have set a precedent under which a future Governor-General may have some future appointment to hope for from the party in power’. Leading journalists of the day (Michelle Grattan, Alan Reid, Laurie Oakes, Peter Samuel) [had] said much the same thing. Paul Kelly [had written]: ‘That a Governor-General who exercises his discretion in a way favourable to the government in power is to be, or can be, rewarded after his term of office can create a dangerous political precedent’”.

And then to reinforce his reference to media double standards, Henderson compared Kerr’s dismissal of Whitlam in 1975 and his grant to Fraser of an early election in 1977 with Stephen’s grant to Hawke of early elections in 1984 and 1987. But Henderson’s comparisons fell on deaf ears. The media’s moralising on the possible exercise of vice-regal discretion in the hope of some future appointment, so virulent in 1978, was strangely absent in 1989.

While Henderson wrote of the dangers to ex-Governors-General of any subsequent appointments being seen as rewards, Peter Ryan, a former editor of Melbourne University Press, raised an even more important principle that goes right to the heart of the nature of the Governor-Generalship.²⁸ Ryan asked:

“Why did Sir Ninian do it? After an impeccable record of public service, culminating in an extended term as Governor-General, where his genial dignity made him both loved and respected, why would he start an honourably earned retirement by pulling the trigger of the double-barrelled weapon that has just wounded him personally, and that has put another scar on the scarcely healed frame of the Governor-Generalship. ... In one perhaps hasty decision, he let himself be kidnapped right into the murky middle of conservation politics ... And he [has] called yet again into question the essential nature of the Governor-General’s office, and how its incumbents should behave.

“To take the second aspect first, Governors-General are not ordinary people. ... Like the field marshals, they are on the active list until they die. That symbolises the high honour, and also represents its price. What Governor-General, however long he may live in retirement, does not retain about him something of the aura of his late great office? [Sir John Kerr’s UNESCO appointment] had raised in pointed form the question whether retired Governors-General should look for further appointments under government. Did not Sir Ninian notice? ... All the considerable weight of esteem that he enjoyed (and earned) as Head of State he has now cast in support of one side of politics ... [He] will ‘report’ to [Prime Minister] Hawke, Senator Richardson and Senator Evans”.

And then Peter Ryan posed the question which is the nub of this issue:

“Is it dignified for a former Head of State to ‘report’ to politicians? ... I feel sorry for Sir Ninian. ... But I feel sorry for me, too. Somebody has let me down”.

My final comment on this important matter of principle raised by Peter Ryan comes from Sir Paul Hasluck, of whom his biographer said that he:

“... delineated what he believed were the appropriate standards of conduct and behaviour for a Governor-General. These ranged from relations with the public service, to the desirability of former Governors-General not holding public office after their retirement”.²⁹

Described by Peter Ryan as “the most intellectual and most scrupulous of all our Governors-General”,³⁰ Hasluck followed the example of his predecessor Lord Casey. In retirement, they both virtually separated themselves from public life, declined to take public office of any kind, and limited their public speaking engagements so that the public stage was left clear for the next incumbent.

As for further appointments after retirement, it was Hasluck’s view that:

“... as in the case of a person like a Chief Justice, a Governor-General would imperil the reputation for detachment and independence necessary for his office if it were to appear that he was under an obligation to anyone or was inclined by his own hopes to seek special consideration in the future. While I take this strict view about appointment to new offices after retirement, it would not seem to me to be either inappropriate or improper for a retired Governor-General to accept public engagements which do not place him under an obligation or make him subject to the direction of another authority”.

For Hasluck, the thought that a former Governor-General should become a Commonwealth public servant and be subject to instructions given to him by ministers and departmental heads, and particularly by those who once had served under him, was anathema. For all Australians, the thought that we should allow our expectations in this matter to be determined for us by the media, with its flexible principles and moveable standards, should also be anathema. The office of Governor-General is far too important for us to allow any ex-Governor-General to become the paid servant of any Australian government.

Hasluck saw the office of Governor-General as the apex for an Australian, and he believed that, once having held the highest office, one should not go below it. As he put it so succinctly and pointedly: “An apex is the wrong shape to be a stepping stone”.³¹

Endnotes:

1. Sir Paul Hasluck, *The Office of Governor-General*, Melbourne University Press, Carlton, 1979, p.46.
2. Sir Zelman Cowen, *Sir Isaac Alfred Isaacs (1855-1948)*, in Bede Nairn and Geoffrey Serle (eds), *Australian Dictionary of Biography*, Volume 9, 1891-1939, Melbourne University Press, Carlton, 1983, p.449.
3. Sir Zelman Cowen, *Isaac Isaacs*, Oxford University Press, Melbourne, 1967, p.217.
4. *Ibid.*, pp.253-4.
5. Christopher Cunneen, *William John McKell*, University of New South Wales Press Ltd, Sydney, 2000, p.200.
6. *Ibid.*, p.212.
7. *Ibid.*
8. W J Hudson, *Casey*, Oxford University Press, Melbourne, 1986, pp.290-292.
9. *Ibid.*, pp.300-301.
10. *Ibid.*, pp.318-324. See also W J Hudson, *Casey, Richard Gavin Gardiner, Baron Casey of Berwick, Victoria, and the City of Westminster (1870-1976)*, in John Ritchie (ed.), *Australian Dictionary of Biography*, Volume 13, 1940-1980, Melbourne University Press, Carlton, 1993, p.385.
11. Sir Paul Hasluck, *The Chance of Politics*, edited and introduced by Nicholas Hasluck, Text Publishing, Melbourne, 1997.

12. Paul Kelly, *Insider Dealings*, in *The Australian's Review of Books*, April, 1997.
13. Hasluck, *The Office of Governor-General* (1979).
14. Quoted in *Hasluck – writer, diplomat, politician, enigma*, Obituary in *The Australian*, 11 January, 1993.
15. *Resignation of the Governor-General*, Prime Minister's Press Statement, 14 July, 1977.
16. Sir John Kerr, *Matters for Judgement*, The Macmillan Company of Australia Pty Ltd, South Melbourne, 1978, pp.421-2.
17. In my final Annual Report as Official Secretary to the Governor-General, submitted to the Prime Minister and the Parliament on 31 August, 1990, my last day in office after seventeen and a half years, the final paragraph read as follows:

“My time at Government House has been punctuated by a series of plans and proposals, each designed to provide the Governor-General and his staff with the resources and spaces necessary to enable them to carry out their duties, and each consigned to the dust-bin of history, not for want of need or merit but simply for the want of funds. That Government House functions as well as it does is due to the dedication of the staff and to their infinite capacity for improvisation. I leave office with a profound sense of disappointment that I have failed to secure for my colleagues and my successor the working environments to which they clearly are entitled and which they rightfully deserve”.
18. My research for this paper has involved me in reading vast quantities of press cuttings about ex-Governors-General. I have been struck by the dishonourable tactic of many of Mr Hayden's media critics in embroidering their attacks on him by reminding their readers of the publicly-funded facilities available to him, quite properly, as Governor-General and as an ex-Governor-General – a reminder which seems strangely absent from accounts of the activities of Sir Zelman Cowen and Sir Ninian Stephen, and which I am certain will be absent from any similar accounts about Sir William Deane.
19. *Some quiet advice for Hollingworth*, in *The Australian*, 29 June, 2001.
20. Christopher Cunneen, *Kings' Men: Australia's Governors-General from Hopetoun to Isaacs*, George Allen & Unwin, Sydney, 1983, p.31.
21. Vince Kelly, *A Man of the People: From Boilermaker to Governor-General: The career of the Rt Hon Sir William McKell*, Alpha, Sydney, 1971, p.202; and Christopher Cunneen, *William John McKell: Boilermaker, Premier, Governor-General*, University of New South Wales Press Ltd, Sydney, 2000, p.211.
22. Cunneen, *ibid*.
23. Cabinet Submission Number 86 of 9 January, 1970, and Cabinet Decision Number 583 of 3 August, 1970.
24. Personal knowledge.
25. *Parliamentary Debates, House of Representatives*, 9 April, 1974, pp.1248-9.

26. Similar, if somewhat more generous, facilities and privileges are provided for former Prime Ministers after leaving Parliament, to enable them to meet community obligations which might be expected to devolve upon them as a result of their occupancy of that office. With some former Prime Ministers, and some former Governors-General, engaging in private commercial activities after their retirement from public office, the question of separating their publicly-funded facilities from those used in the course of their private business activities remains to be determined.
27. Gerard Henderson, *This tale of two knights speaks of double standards*, in *The Australian*, 31 July, 1989.
28. Peter Ryan, *Sir Ninian steps into the green minefield*, in *The Age*, 29 July, 1989.
29. Robert Porter, *Paul Hasluck: A Political Biography*, University of Western Australia Press, Nedlands, 1993, p.299.
30. Ryan, *loc. cit.*.
31. Hasluck, *The Office of Governor-General*, pp.46-7.