



## PRIME MINISTER

### PARLIAMENTARY STATEMENT

2 MARCH 1978

On 14th July, 1977, Sir John Kerr announced his intention to relinquish the office of Governor-General. He made his decision because he believed that the events of 1975 and the position into which he had been forced while serving as Governor-General of Australia had left some scars on the Australian body politic, which would be more quickly healed if he stepped down. Sir John protected the Australian people and Parliament according to the law, according to the Constitution and according to his duty as Governor-General.

The attempt of the Labor Government to stay in power in defiance of Parliament compelled his proper and inevitable dismissal of that Government. An executive governing without the sanction of the Parliament is the hallmark, not of a democracy, but of a dictatorship. His difficult decision gave the people the opportunity to vote and upheld the Parliamentary system. The people of Australia passed their clear judgement on these events and Sir John's actions in the election of 1975. History will judge them just as clearly. It will support the actions Sir John Kerr was compelled to take in the extraordinary circumstances in which the Government of the day so reprehensibly placed him.

Australia, as a nation of free people, owes as much to the courage of Sir John Kerr as to any man in our history. Had he not acted as he did, had he not prevented the unconstitutional designs of the last Government being consummated the shape of Australian democracy would have been twisted and distorted. Sir John's action was opposed by a hostile and bitter minority. Division was caused by the statements of the then Leader of the Opposition, by Senator James McClelland and other members of the Labor Party who sought to make the Governor-General a scapegoat for their own actions. Because of this unjustified bitterness, the office of the Governor-General became a matter of national controversy. Sir John recognised this -- we all did.

He believed he could best serve Australia by standing aside, by allowing another to serve as Governor-General. This he did. His action was applauded. I believe his action was right, that it contributed to our nation's healing process - to a return to normalcy.

In this Parliament two days ago, I drew attention to Sir John's long and notable career of public service, and to the fact that both as Chief Justice of the Supreme Court of New South Wales and as Governor-General, he would have been able to devote more of his life to serving Australia had not most unusual events intervened.

At the time of Sir John's resignation, he said he looked towards new fields of constructive activity. It was clear that he still wished to serve this country in some other capacity where he could serve energetically but out of the public gaze. Recognizing Sir John's desire to continue serving Australia, I after consultation with my senior colleagues, offered him on behalf of the Government the opportunity to do so. This became possible after the Minister for Foreign Affairs wrote to me on 1 February, advising that in his judgement the Australian diplomatic posts at Los Angeles, Bombay and UNESCO should be re-opened. As a result of that advice from the Minister for Foreign Affairs and after consultation with my colleagues, the Government decided to offer Sir John Kerr the post of Ambassador to UNESCO.

The Government took this step in the firm belief that Sir John Kerr would fill the post with honour and as ably as any man available from within or without the public service. The Government believed that having served this nation honourably, Sir John should not be cast aside, relegated to the shadows, simply because he was forced by the Government of the day to make a difficult decision. The Government believed that he had earned the right to serve the nation quietly, at peace with himself, at peace with the nation - at peace with his family.

There were people in this community who were determined that this should not be so. Since his appointment as Ambassador to UNESCO, the attacks on him in the Parliament and attacks outside it have been renewed. Sir John Kerr, once having discharged his duty to the nation under the most difficult circumstances, has no wish to continue as the centre of public dispute, making it impossible for him and his family to live the normal life to which we are all entitled.

An Ambassador at UNESCO trying to carry out his functions under these conditions would find it impossible to discharge the responsibilities of his office.

Mr. Speaker, I inform the House that I have today received a message from His Excellency Sir John Kerr who was today to have commenced duty as Australian Ambassador to UNESCO. Sir John has informed me that with great regret he feels he cannot take up this post. I read to the House the message that I have received:-

"My dear Prime Minister,

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, under Parliamentary privilege, by members of the Opposition Parties and they have also been made in various branches of the media.

I am bound to say that the virulence of these attacks and their unfairness has shocked me. I have to contemplate serving in this appointment in the face of them, and possibly - perhaps likely - their continuation.

"There is no doubt that in these circumstances, my ability successfully to undertake the work of Ambassador to UNESCO would be severely impaired. For most of the time I should be absent from Australia and, holding an Ambassadorial appointment, be unable to reply in the way that I would wish and to overcome them as I believe I did during my term as Governor-General. Beyond this, I have had to consider whether the purpose that led me to leave the Governor-Generalship earlier than the normal term will be defeated if controversy over this new appointment continues.

As you know I felt that by leaving the office of Governor-General when I did there would be an opportunity for remaining wounds to heal and controversy to die down. The importance of the Governor-Generalship and its protection stand high in my objectives. My consideration of all these matters has led me to the conclusion that I should ask to be relieved from taking the post of Australian Ambassador to UNESCO in which I would have begun duty today.

I believe there is too much at risk, greatly as the position would have attracted me personally and much as I feel I would have been able to contribute to Australia's interests with UNESCO.

There is a further reason which concerns me in the decision I now make. That is the feelings of my wife and family, who with me have had to withstand the vilification and attack for part of my term as Governor-General, and now in prospect through a term as Ambassador to UNESCO. They with many others have stood by me without question through all that has happened. I am not prepared to demand more of them. I am not prepared to subject them to this further trial by innuendo and falsehood, even though my personal instinct is to stand firm and make certain once again that this tactic of persecution fails.

Prime Minister, I trust that you will understand the considerations that have led me to this decision. I appreciate the support I have had from the Government and your desire to allow me to continue to serve Australia in public office.

My decision, however, is made. It is with sadness and regret that I inform you of it.

Yours sincerely,

John Kerr."

I can only deplore the actions that led to this decision. The bitterness of the attack, especially in another chamber, since Sir John left the protection of the office of Governor-General, has shown that the Labor Party still blame him, when in logic and in justice, they should be blaming themselves.

They are still seeking to find a scapegoat for their own misdeeds. The A.L.P.'s refusal to allow Sir John to serve his country in peace has been despicable; their actions and statements on this matter have served only to discredit themselves.

There have been some who have sought to confuse the high purpose of this man with the remuneration he would have received in his new post. If this is to be a point of principle, then it should equally have been applied to appointments such as that of Senator Murphy to the High Court, Mr. Barnard to an ambassadorship.

The principle of taking a full salary while retaining their pension was established by the previous Labor Government. It is plain that this itself is not the major matter of dispute.

If there are others who believe Sir John's actions in 1975 to have been proper and necessary, but who now want to pass him by, who want to forget he ever existed and deny him the possibility of service; I only ask them to ask themselves how much justice, how much fairness there is in that view.

By his decision, Sir John Kerr leaves public life. A long and distinguished public career is thus ended. I respect his decision. I cannot argue with it.

To be an ambassador, constantly pilloried, constantly in the public glare, who had his family placed under intolerable stress, was something he did not want; he deserved better.

I feel shame for those events which led to this decision. I expected less meanness, more generosity and more understanding of a person who only wanted to serve his nation. I can only hope that all Australians will now show Sir John the decency and respect in his retirement that his great integrity and courage in public office have earned him.

Sir John Kerr can hold his head high as he leaves the public arena he has served so faithfully and well.

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